

TOWN OF BRIDGEWATER

ZONING ORDINANCES

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BRIDGEWATER, MASSACHUSETTS 02324

BRIDGEWATER ZONING ORDINANCE

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SECTION 1.0 PURPOSE AND AUTHORITY

1.1 PURPOSE

This Zoning Ordinance (“this Ordinance”) has been enacted to promote the general welfare of the Town, to protect the health and safety of its inhabitants, to encourage the most appropriate use of land throughout the town, to prevent flooding and environmental harm, to preserve the cultural, historical and agricultural heritage of the community, to increase the amenities of the town, and to reduce the hazard from fire by regulating the location and use of buildings and the area of open space around them, all as authorized by, but not limited to, the provisions of the Zoning Act, General Laws, Chapter 40A, as amended, Section 2A of 1975 Mass. Acts 808, and by Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

1.2 AUTHORITY

This Ordinance is enacted in accordance with the provisions of the G.L. c. 40A, and any and all amendments thereto, and by Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

1.3 SCOPE

For these purposes, the construction, repair, alteration, reconstruction, height, number of stories, and size of buildings and structures, the size and width of lots, the percentage of lot area that may be occupied, the size of yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures, and land in the Town are regulated as hereinafter provided.

1.4 APPLICABILITY

All buildings or structures hereinafter erected, reconstructed, altered, enlarged, or moved, and the use of all premises in the Town, shall be in conformity with the provisions of this Ordinance. No building, structure or land shall be used for any purpose or in any manner other than is expressly permitted within the district in which such building, structure or land is located. Where the application of this Ordinance imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants, or agreements, the provisions of this Ordinance shall control.

1.5 AMENDMENTS

This Ordinance may from time to time be changed by amendment, addition, or repeal by the Town Council in the manner provided in G.L. c. 40A, s.5, and any amendments thereto.

1.5.1 Change of Zoning Boundary. If geographic change of a zoning boundary description be proposed, words of boundary description change for insertion in the warrant shall be accompanied by a brief written statement of the nature, extent and location in the town of the

zoning map change proposed, together with three black-line prints of a diagram to scale showing the area to be changed, stating pertinent dimensions in feet.

1.5.2 Costs. The costs of publication and of mailing of notices of hearing and the costs of holding such zoning hearing and of making a public record of the proceedings at such hearing, if such a record be made, shall be paid by the Planning Board, but the Planning Board may determine whether a fee to cover such costs shall be required of the zoning amendment proponents.

1.6 SEPARABILITY

The invalidity of any section or provision of this Ordinance shall not invalidate any other section or provision herein.

SECTION 2.0 DISTRICTS

2.1 DIVISION INTO DISTRICTS

The Town of Bridgewater, Massachusetts, is hereby divided into these Zoning Districts, designated as follows:

Full Title	Abbreviation
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Residential Districts

Residential A/B	RA/B
Residential C	RC
Residential D	RD
Mobile Home Elderly Community	MH

Business Districts

Business	B
Central Business	CB
South Business	SB
Gateway Business	GB
East Gateway Business	EGB

Industrial Districts

Industrial A	IA
Industrial B	IB
Elm Street Industrial	IE

2.2 ZONING MAP

The location and boundaries of these districts are hereby established as shown on a map entitled “Zoning Map of the Town of Bridgewater,” dated January 27, 1969, as may be amended, bearing the signatures of the members of the Planning Board and on file in the office of the Town Clerk, which map, with all explanatory matter thereon, is declared to be a part of this Ordinance.

2.3 CHANGES TO MAP

Any changes or amendments shall be indicated by altering the Zoning Map, and the Map thus altered is declared to be a part of this Ordinance thus amended.

2.4 OVERLAY AND SPECIAL DISTRICTS

The following overlay and special districts are also established, as set forth in Section 9.0, herein.

Full Title	Abbreviation
Flood Plain Overlay District	FPOD
Aquifer Protection Overlay District	APOD
Bedford Street Overlay District	BSOD
Planned Development District	PDD
Elm Retail Overlay District	EROD

2.5 BOUNDARIES OF DISTRICTS

Where any uncertainty exists with respect to the boundary of any district as shown on the Zoning Map, the following rules apply.

2.5.1 Centerline. Where a district boundary is indicated as within or parallel to a street, highway, railroad right-of-way, watercourse or town municipal boundary such district boundary shall be construed as the centerline or being parallel to the centerline of such street, highway, railroad right-of-way, watercourse or town municipal boundary.

2.5.2 Parallel. Where a boundary is indicated as following approximately or parallel to a street, railroad, watercourse, or other body of water, it shall be construed to be parallel thereto and at such distance there from as dimensioned on the Zoning Map. If no dimension is given, such distance shall be determined by use of the scale shown on the Zoning Map.

2.5.3 Dimensioned Boundary. Where a dimensioned boundary coincides within ten (10) feet or less with a lot line, the boundary shall be construed to be the lot line.

2.5.4 Right Angle. Where a boundary is indicated as intersecting the centerline of a street, railroad, watercourse or other water body, it shall be construed to intersect at right angles to said centerline, or in the case of a curved centerline, at right angle to the tangent to the curve at the point of intersection.

2.5.5 Dispute. Whenever any dispute arises on district boundaries as to the exact location of a district boundary line, the location of such line shall be determined by the Building Inspector after consultation with the Planning Board.

2.6 SPLIT LOTS

2.6.1 By Town Boundary. When a lot is situated in part in the Town of Bridgewater and in part in an adjacent municipality, the provisions of this Ordinance shall be applied to the portion of such lot in the Town of Bridgewater in the same manner as if the entire lot were situated in the Town of Bridgewater.

2.6.2 By Zoning District Boundary. When a lot is transected by a zoning district boundary, the regulations of the ordinance applicable to the larger part of the area of such lot may also at the option of the lot owner be deemed to govern in the smaller part beyond such zoning district boundary but only to an extent not more than thirty (30) linear feet in depth beyond such zoning district boundary.

SECTION 3.0 USE REGULATIONS

3.1 PRINCIPAL USES

3.1.1 Applicability of Use Regulations. Except as provided by law or in this Ordinance, in each district no building, structure, or land shall be used or occupied except for the purposes permitted as set forth in the accompanying Table of Use Regulations. Any use not listed shall be construed to be prohibited.

1. No dwelling shall be erected except on a lot fronting on a street, and there shall be not more than one principal residential building on any lot.¹

3.1.2 Permitted Uses. In the following Table of Use Regulations, the uses permitted by right in the district shall be designated by the letter (Y). Uses designated (N) shall not be permitted in the district. Those uses that may be permitted by special permit in the district, in accordance with Section 10.5, shall be designated by identification of the Special Permit Granting Authority, which is either:

BA	Zoning Board of Appeals
PB	Planning and Zoning Board
TC	Town Council

3.1.3 Uses Subject to Other Regulations. Uses permitted by right or by special permit shall be subject, in addition to use regulations, to all other provisions of this Ordinance.

3.2 TABLE OF USE REGULATIONS

See Appendix A.

3.3 ACCESSORY USES

3.3.1 Accessory Uses in All Districts. The following accessory uses are specifically permitted as indicated by right or by special permit:

1. Accessory Scientific Uses. Uses, whether or not on the same parcel as activities permitted as a matter of right, which are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit by the Board of Appeals, provided that the Board finds that the proposed use does not substantially derogate from the public good.
2. Family Day Care Homes. Small family day care homes are allowed as an accessory use as of right as set forth in the Table of Use Regulations. Large family day care homes are allowed only upon the issuance of a special permit by the Board of Appeals, as set forth in the Table of Use Regulations.

¹ Multiple Principal Buildings, on one lot, are permitted within the CBD-S, CBD-R, and the MBTA OVERLAY districts

3.3.2 Accessory Uses in Industrial Districts. Principal uses listed in the Table of Use Regulations which are permitted by special permit in Industrial Districts, may be permitted by special permit provided they meet the following requirements in addition to any requirements of the Board of Appeals:

1. The use is confined to the interior of any permitted building.
2. The primary purpose of such accessory use is to serve the occupants of the building in which such use is located.
3. There is no external advertising of such accessory use.

3.3.3 Residential Accessory Uses. The following accessory uses are specifically permitted as of right or by special permit in the Residence Districts, as set forth herein:

1. Boarders in Single-Family Dwelling. The renting of rooms and/or furnishing of board to not more than two persons in a single-family dwelling by the owner/occupant thereof shall be a permitted accessory use.
2. Accessory Dwelling Units (as defined in these ordinances) in single family houses. Accessory Dwelling Units shall follow dimensional requirements as noted in Section 4.5.

3.3.4 Prohibited Accessory Uses. The following accessory uses are prohibited:

1. Unregistered Motor Vehicles. Not more than one (1) unregistered motor vehicle or trailer or major part(s) thereof, except for farm vehicles, shall remain ungaraged upon any premises at any time unless under a Class 1 or Class 2 license for sale of motor vehicles. No unregistered motor vehicle may be stored or maintained upon any premises within fifty (50) feet from a street, public way or way laid out on a recorded plan.
2. Residence Districts. In the Residence Districts, the following accessory uses are prohibited:
 - a. Commercial auto repair or service.
 - b. Outdoor storage and display of materials or goods.
 - c. Steel garages.

3.4 HOME OCCUPATIONS

3.4.1 Home Occupation - As Of Right. One (1) home occupation may be allowed as of right on a lot, provided that it:

1. is conducted solely within a dwelling and solely by the person(s) occupying the dwelling as a primary residence;
2. is clearly incidental and secondary to the use of the premises for residential purposes;

3. does not produce offensive noise, vibration, smoke, dust, odors, heat, lighting, electrical interference, radioactive emission or environmental pollution;
4. does not utilize exterior storage of material or equipment (including the parking of commercial vehicles);
5. does not exhibit any exterior indication of its presence or any variation from residential appearance;
6. does not produce any customer, pupil, client, or delivery trips to the occupation site and has no nonresident employees.

3.4.2 Home Occupation - By Special Permit. One (1) home occupation may be allowed by special permit issued by the Board of Appeals on a lot, provided that it:

1. fully complies with subsections 2, 3, and 4, above;
2. is conducted within a dwelling solely by the person(s) occupying the dwelling as a primary residence and, in addition to the residents of the premises, by not more than two additional employees; where employees leave vehicles on the premises while conducting business elsewhere, they shall be counted as nonresident employees;
3. does not exhibit any exterior indication of its presence, or any variation from residential appearance, except for a sign or name plate in compliance with Section 6.2;
4. not more than three home occupations may be conducted out of dwelling; in no event shall the number of nonresident employees exceed two in the aggregate;
5. a special permit for such use is granted by the Board of Appeals, subject to conditions including, but not limited to, restriction of hours of operation, maximum floor area, off-street parking, and maximum number of daily customer or other vehicle trips.

SECTION 4.0 DIMENSIONAL REGULATIONS

4.1 GENERAL REGULATIONS

4.1.1 Conformance Required. No building or structure shall be built nor shall any existing building or structure be enlarged except in conformance with the regulations of this Ordinance as to lot coverage, lot area per dwelling unit, frontage, lot width, front, side and rear yards, and maximum height of structures, in the districts as set forth below except as may otherwise be provided elsewhere in this Ordinance.

1. The land and yard spaces required for any new building or use shall not be included any land or area required by any other building or use to fulfill Bridgewater zoning requirements.
2. If more than one building (other than a one-, two- or three-car garage, a tool shed, a greenhouse or a cabana) may lawfully be placed on any lot in a single or common ownership, the distance between the nearest parts of such buildings shall not be less than twenty feet.
3. Any land used to satisfy the minimum area requirements for a buildable lot must consist of either fifty percent non-wetlands (upland) as defined by the Wetlands Protection Act, G.L. c. 131, s. 40, or ten thousand square feet of upland, whichever is greater. The minimum area of non-wetland shall comprise a contiguous portion of the lot where any principal building for the site shall be located. A qualified botanist must delineate and flag the wetland on the lot. The wetland line, square footage of upland and total area of the lot must be indicated on the plan submitted for a building permit.

Except as otherwise provided herein, no building shall be located within fifty feet or bordering vegetative wetland, as defined by G.L. c. 131, s. 40. The distance between the building and any wetland boundary which is less than one hundred feet away must be indicated on a plan submitted for a building permit.

4.2 TABLE OF DIMENSIONAL REQUIREMENTS

See Appendix B.

4.3 SPECIAL REGULATIONS

4.3.1 Height. The provisions of this Ordinance governing the height of buildings shall not apply to chimneys, cooling towers, elevator bulkheads, skylights, ventilators, electronic equipment, solar panels, elevator shafts, and other necessary appurtenances usually carried above roof, nor to domes, towers, stacks, or spires, if not used for human occupancy; nor to ornamental towers, observation towers, radio broadcasting towers, television and radio antennae, and other like structures, which do not occupy more than 20 percent of the lot area; nor to churches or public agricultural or institutional buildings or buildings of private schools not conducted for

profit that are primarily used for school purposes, provided that excepted appurtenances are not located within the flight paths of an airport as defined by FAA regulations.

4.3.2 Corner Clearance Required. Between the sidelines of the intersecting streets and a straight line joining points on such sidelines ten (10) feet distant from their point of intersection or, in the case of a rounded corner, a straight line joining the points of intersection of their tangents, no building or structure may be erected and no vegetation may be maintained three (3) feet above the plane through their curb grades.

4.3.3 Computation of Lot Area. Land within the lines of a street on which a lot abuts shall not be counted as part of such lot for the purpose of meeting the area requirements of this Ordinance even though the fee to such land may be in the owners of abutting lots.

4.3.4 Dwellings Relative to Center Line Grade of Roadway. No dwelling shall be erected unless the top of the foundation is at least twelve inches above the center line grade of the roadway opposite the center line of the foundation. All garage floors, attached to the house or not, shall also be at least twelve inches above the center line grade of the roadway opposite the center line of the driveway. In addition, the elevation of the driveway from the gutter line to a distance of at least six feet back of the gutter line shall be graded to a minimum of six inches above the gutter grade. Driveways shall be a maximum of eighteen feet in width from the gutter line of the roadway to the outer edge of the right-of-way. Any exceptions to this regulation shall require the approval of the highway superintendent. The finished grade of the front portion of the property will coincide with the top of the curb. Any exceptions to this regulation shall be by the unanimous recommendation of the Town Engineer, Building Inspector, and the Highway Superintendent.

4.3.5 Eminent Domain. Any land taken by eminent domain, or conveyed for a public purpose for which the land could have been taken or was taken by eminent domain, shall not be deemed to be transferred in violation of the land area, width and space provisions of the ordinance.

4.3.6 Residential Dwellings in Nonresidential Districts. Whenever any residential dwelling is located in or constructed in an industrial or business zone, then the provisions and restrictions of the nearest residential zone shall apply to such residence.

4.4 ACCESSORY STRUCTURES

4.4.1 Dimensional Requirements and Location. Except as otherwise provided herein, the following dimensional rules shall apply to accessory structures:

1. Accessory structures or buildings with a footprint of 150 – 300 square feet or less may be located within five (5) feet of a rear or side property line.
2. Accessory structures or buildings with a footprint larger than 300 – 900 square feet may be located within ten (10) feet of a front, rear or side property line after issuance of a special permit from the Board of Appeals.

3. Accessory structures or buildings with a footprint larger than 900 square feet shall require a special permit and shall be set back from side or rear property lines in accordance with the provisions of the Table of Dimensional Requirements.
4. An accessory building attached to its principal building or within ten (10) feet of it shall be considered an integral part thereof and as such shall be subject to the front, side, and rear yard requirements applicable to the principal building.
5. Accessory structures and buildings shall be located on the same lot as the principal structure on the premises.

4.4.2 Permitted Accessory Structures. The following accessory structures are permitted in all districts:

1. Accessory building not more than 20 feet in height above the average grade level around the structure; provided, however, that a barn shall not be subject to this requirement.
2. Boundary fences, walls, or hedges shall be permitted provided that they do not exceed seven (7) feet in height and provided that no fence which obstructs vision shall exceed thirty-six (36) inches in height within twenty (20) feet of the street line.
3. Swimming pools, game courts, and the like are accessory structures and shall comply with the State Building Code and all applicable setback requirements of this Zoning Ordinance.

4.4.3 Prohibited Accessory Structures. In the Residence Districts, the following accessory structures are prohibited.

1. Membrane storage structures for more than 6 months.
2. Steel or fiberglass storage unit, such as a pod, for more than 6 months.

4.5 Accessory Dwelling Units (ADU)

- 1.) Accessory Dwelling Units (conversion, attached, or detached) shall be subject to the General Regulations (Section 4.1) & Table of Dimensional Requirements and applicable to the principal building within the Zoning District.
- 2.) Applicability of Other Regulations. Nothing in this Section shall limit the applicability of G.L. c. 131, s. 40 or the following (where applicable): 1. 780 CMR Massachusetts State Building Code; & 310 CMR 15, Title V, Minimum Requirements for Subsurface Disposal of Sanitary Sewage (DEP).
- 3.) ADUs shall be limited to only Single Family Dwellings and limited to one Accessory Dwelling Unit per lot.

- 4.) Accessory Dwelling Units shall be prohibited from short-term rental use as defined in section one of M.G.L. Chapter 64G.
- 5.) The principal dwelling or the Accessory Dwelling Unit cannot be sold or otherwise conveyed or transferred separately from the other.
- 6.) Prior to the issuance of a Building Permit, a floor plan shall be submitted showing both existing and proposed changes to the interior and exterior of the building. The exterior of the structure shall in the opinion of the Building Inspector retain the characteristics of a single family residence.

SECTION 5.0 NONCONFORMING USES AND STRUCTURES

5.1 APPLICABILITY

5.1.1 Applicability; Nonconformities. Except as herein after provided, this Ordinance shall not apply to structures or uses lawfully in existence or lawfully begun, or to a building permit or special permit issued before the first publication of notice of the public hearing on this Ordinance or any amendments thereto, but shall apply to any change or substantial extension of such use, to a building permit or special permit issued after the first notice or 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 in 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 a structural change to a single or two family residential structure does not increase the nonconforming nature of said structure. See M.G.L. c. 40A, s. 6, para. 1.

5.1.2 Commencement of Construction or Operation. Construction or operations under a building permit or special permit shall conform to any subsequent amendments to this Ordinance, unless the use or construction is commenced within a period of not more than twelve months after the issuance of the permit and in any case involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable. See M.G.L. c. 40A, s. 6, para. 2.

5.2 NONCONFORMING USES

The Zoning Board of Appeals may award a special permit to change a nonconforming use in accordance with this Section only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.

5.2.1 Permissible Changes. The following types of changes to nonconforming uses may be considered by the Zoning Board of Appeals:

1. Change or substantial extension of the use;

5.3 NONCONFORMING STRUCTURES

The Zoning Board of Appeals may award a special permit to reconstruct, extend, alter, or change a nonconforming structure in accordance with this Section only if it determines that such reconstruction, extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

5.3.1 Permissible Changes. The following types of changes to nonconforming structures may be considered by the Zoning Board of Appeals:

1. Reconstructed, extended or structurally changed;

2. Altered to provide for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent.

5.4 VARIANCE REQUIRED

Except as provided in Section 5.5, below, the reconstruction, extension or structural change of a nonconforming structure in such a manner as to increase an existing nonconformity, or create a new nonconformity, shall require the issuance of a variance; the extension of an exterior wall at or along the same nonconforming distance within a required yard shall also require the issuance of a variance from the Zoning Board of Appeals.

5.5 NONCONFORMING SINGLE AND TWO FAMILY RESIDENTIAL STRUCTURES

Nonconforming single and two family residential structures may be reconstructed, extended, altered, or structurally changed upon a determination by the Building Inspector that such proposed reconstruction, extension, alteration, or change does not increase the nonconforming nature of said structure by more than 100% gross floor area.

5.5.1 Permissible Changes. The following circumstances shall not be deemed to increase the nonconforming nature of said structure and a building permit may be issued:

1. *Insufficient Area.* Alteration to a structure located on a lot with insufficient area which complies with all current setback, yard, building coverage, and building height requirements.
2. *Insufficient Frontage.* Alteration to a structure located on a lot with insufficient frontage which complies with all current setback, yard, building coverage, and building height requirements.
3. *Encroachment.* Alteration to a structure which encroaches upon one or more required yard or setback areas, where the alteration will comply with all current setback, yard, building coverage and not result in any increase in building height in the area of encroachment.

If the Building Inspector determines that proposed alteration, extension or change exceeds the one or more of the criteria set forth above, the Zoning Board of Appeals may, by special permit, allow such alteration, extension or change where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood. For the purposes of this subsection only, the term “reconstruction” shall not include the voluntary demolition of such structure and its rebuilding. See Section 5.7.

5.6 ABANDONMENT OR NON-USE

A nonconforming use or structure which has been abandoned, or not used for a period of two years, shall lose its protected status and be subject to all of the provisions of this Ordinance;

provided, however, that by special permit the Zoning Board of Appeals may reestablish a nonconforming use or structure otherwise abandoned or not used.

5.7 RECONSTRUCTION AFTER CATASTROPHE OR DEMOLITION

Any nonconforming structure, other than a nonconforming single or two-family dwelling governed by Section 5.5, may be reconstructed after a catastrophe or after demolition in accordance with the following provisions.

5.7.1 Procedures.

1. Reconstruction of said premises shall commence within **two** years after such catastrophe or demolition.
2. Building(s) reconstructed as of right shall be located on the same footprint as the original nonconforming structure and shall be only as great in gross floor area as the original nonconforming structure.
3. In the event that the proposed reconstruction would (a) cause the structure to exceed the gross floor area of the original nonconforming structure or (b) cause the structure to be located other than on the original footprint, a special permit from the Board of Appeals shall be required.

5.8 REVERSION TO NONCONFORMITY

No nonconforming use shall, if changed to a conforming use, revert to a nonconforming use.

5.9 SUBSTANDARD LOTS

When a prior lawful nonconforming structure is located on a lot which does not meet current dimensional requirements, such lot shall not be changed, unless the change does not result in exacerbation of an existing nonconformity or a new nonconformity.

5.10 EMINENT DOMAIN

When a lot is changed by eminent domain so as to become deficient in area, frontage, building setback, or lot coverage, any structure located thereupon shall be considered a nonconforming structure subject to the rules of this Section 5.0.

5.11 PARKING FOR NONCONFORMING COMMERCIAL USES RESIDENTIAL DISTRICTS

Any nonconforming commercial use in a Residential District may, by special permit, use a proximate parcel of owned land to meet minimum parking requirements so long as there is no expansion of the principal, non-conforming use. Parcels so-used shall create and preserve a visual and acoustical buffer with adjacent properties. There shall be a goal to protect the quality

of life of neighboring residential properties. The buffer area may be in the form of fencing, landscaping, earthen berms or any other appropriate screening to reduce impacts of lighting, noise and aesthetics. This buffer shall occur in the side and rear setback areas whenever residential uses or districts abut commercial development or as determined by the Planning Board.

SECTION 6.0 GENERAL REGULATIONS

6.1 PARKING AND LOADING

6.1.1 General Requirements. Except as specified herein, no land shall be used and no building or structure shall be erected, enlarged or used unless the off-street parking and loading space requirements are provided as specified in this Section. For the purpose of this Section an enlargement of any building shall require the provision of off-street parking for the existing building as if it were newly constructed.

6.1.2 Computation of Parking Spaces. When the computation of required parking space or loading space results in a fractional number, only the fraction of one-half or more shall be counted as one.

6.1.3 Same Lot. Required off-street parking facilities or loading bays shall be provided on the same lot as the principal use they are designed to serve, except as described herein.

6.1.4 CBD Parking.

1. In the Central Business District, required off-street parking facilities or loading bays may be located on any lot within five hundred feet of the principal use they are designed to serve. Where the inclusion of loading bays is not practical, loading from the street will be allowed during prescribed posted hours. The distance shall be measured as a straight line between the two closest points of the property lines. If the property on which the off-site parking is located is owned by anyone other than the property owner of the principal use, the property owner of the principal use must secure a letter of agreement with the other property owner confirming the indefinite use of the property for off-site parking.

2. In the Central Business District, all off-street parking spaces (surface or structured) and loading bays which are to be constructed or expanded, shall be constructed or expanded between a principal building and the rear and/or side lot lines unless otherwise allowed under paragraph 3, below. Such parking spaces or bays shall be set back at least the same distance as the principal building from the right of way of any street or a minimum of twenty feet, whichever is greater.

3. In the Central Business District-S, all off-street parking facilities existing as the effective date of these provisions may be expanded between the setback line of the principal building and any street, provided a special permit is granted by the Planning Board. The special permit shall be granted if the Planning Board determines that such expansion could not be adequately accommodated elsewhere on the lot, and the design and layout of said improvements and related appurtenances are approved under Section 10.6 Site Plan Approval.

4. Applicants for development or redevelopment within the Central Business District-S or R, who cannot meet parking requirements on site (and/or off site per Section 6.1.4.1 above) shall demonstrate that there will, at a minimum, be no net loss of parking on site. Parking below the minimum requirement established in this

section shall be allowed only through a special permit granted by the Planning Board, and shall be subject to the following requirements:

- a. The applicant cannot meet the parking standards of these bylaws on the property where the use is proposed and/or on any lot within five hundred feet.
- b. As many parking spaces as reasonably feasible have been added on site and/or off site in an attempt to meet the parking requirements, and, at a minimum, there has been no reduction in the existing number of parking spaces on site.

An applicant for no net loss of parking must submit an application for a special permit which contains a statement addressing both of the requirements set forth above.

6.1.5 SBD and Business District Parking. In the South Business District and the Business District, required off-street parking facilities and loading bays may be located on an adjoining lot to the principal use they are designed to serve provided

1. the adjoining lot is within the same zoning district; and
2. the design and layout of said improvements and related appurtenances are approved under Section 10.6.

6.1.6 Parking Requirements by Use. The parking requirements for various uses are set forth in the Table of Use Regulations. If, at the time of application, the exact use of land or buildings is not specified, then the requirement for off-street parking of the use or class of uses most typical or nearest in type to the proposed use shall be met as determined by the Planning Board.

Parking Code	Requirement
A	Two (2) spaces
B	Two (2) spaces per dwelling unit
C	One (1) space per studio or one-bedroom unit; two (2) spaces per each unit with two (2) or more bedrooms
D	One (1) space per every three (3) seats and/or each sixty (60) inches of permanent bench seating, or, where no fixed bench seats are used, one (1) space for each student vehicle which can be expected at any time on the premises
E	One (1) space for each staff person, plus one (1) space per each five (5) persons of rated capacity in the largest auditorium, plus one (1) space for each student vehicle which can be expected at any time on the premises
F	One (1) space per ten (10) children maximum rated capacity, plus one (1) space per employee on largest shift
G	One (1) space per two (2) beds, plus one (1) space per employee on largest shift
H	One (1) space per 250sf gross floor area
I	One (1) space per three (3) seats, plus one (1) space per employee on largest shift
J	One space per 300sf gross floor area
K	One space per 200sf gross floor area
L	One space per 2.5 seats, plus 1.5 space every two (2) employees on largest shift
M	One (1) space per employee, plus spaces required for any restaurant or retail operation on the premises
N	One (1) space per employee on the largest shift, plus spaces as per Planning Board for vehicle storage while awaiting service
O	One (1) space per each four (4) patron seats in largest assembly area
P	One (1) space per sleeping unit, plus one (1) space for each employee on largest shift
Q	One (1) space per 500sf gross floor area
R	One (1) space per 1,000sf gross floor area

S	One (1) space per every fifteen (15) storage units
T	One (1) space per employee on largest shift
U	One (1) parking space per unit, plus one (1) visitor parking space for every three (3) units
V	One space per 200sf gross floor area, plus one (1) space per employee on largest shift
W	Two (2) spaces plus 1.5 spaces for each unit plus 1.5 spaces for each twenty (20) square feet of floor area available for meetings or functions
X	Mixed use buildings shall provide the required number of parking spaces for each use within the building

6.1.7 Table of Minimum Dimensional Requirements for Parking Facilities. The following Table establishes the minimum dimensions for parking lot design. Parking aisle requirements, as specified below, shall not apply to parking for single family and two family dwellings.

Angle of Parking (degrees)	Stall Width (ft.)	Stall Depth (ft.)	Curb Length (ft.)	Aisle Width (ft.)
Parallel	9	9	20	12
30	9	17	18.5	12
45	9	19	12.75	13
60	9	19.75	10.5	18
90	9	9	9	24

6.1.8 Loading Requirements. Each loading bay shall be not less than ten feet in width and thirty-five feet in length exclusive of drives and maneuvering space and all required bays, drives and maneuvering space shall be located entirely on the lot with direct access to the building intended to be served.

6.1.9 Table of Loading Design Requirements. The following minimum requirements shall be provided off-street and on premises.

Category of Use	Number of Loading Bays Required for New Structures by Gross Floor Area of Structure (x 1000 sq. ft)					
	Less than 4	4-15	15-20	51-100	100-150	Next 150
Retail Trade Wholesale Storage Transportation Terminals Manufacturing Consumer Service Office Buildings	0	1	2	3	4	1
Multifamily Uses Recreation Research Laboratories	0	1	1	2	3	1

6.1.10 Special Permit. The Planning Board may, by special permit, reduce the requirements of this Section if specific site or public safety considerations warrant such a reduction and no substantial detriment shall result.

6.2 SIGNS

6.2.1 General Requirements. No signs or advertising devices of any kind or nature shall be allowed be erected on any premises or affixed to the outside of any structure or be visible from the outside of any structure in Bridgewater excepted as permitted in this Section.

6.2.2 Residential Districts. In the RA, RB, RC, and RD Districts, signs or advertising devices are permitted only as follows:

1. One sign displaying the street number, or name of the occupant of premises, or both, not exceeding three square feet in area. Such sign may be attached to a building or may be on a rod or post not more than six feet high and not less than three feet from the street line. Such sign may include identification of an accessory studio or professional office in the dwelling or on the premises, or may identify other permitted accessory uses, included customary home applications.
2. One bulletin or announcement board or identification sign for a permitted nonresidential building or use, not more than six square feet signboard area. For churches and institutions, two bulletin or announcement boards or identification signs are permitted on each building. Each such church or institution sign shall be not more than ten feet signboard area. No such sign shall be located nearer a street than one-half the required front yard depth.
3. One the premises with lawfully a nonconforming use, one sign not more than six square feet signboard area.
4. One “For Sale” or “For Rent” sign, not more than six square feet signboard area and advertising only the premises on which the sign is located.

5. One building contractor's sign on a building while actually under construction, not exceeding six square feet signboard area.

6. All signs or advertising devices shall be stationary and shall not contain any visible moving or movable parts. No sign or advertising device in such districts shall be of neon or illuminated tube type. Lightning of any sign or advertising device shall be continuous (not intermittent nor flashing nor changing) and shall be so placed or hooded as to prevent direct light from shining onto any street or adjacent property. No sign or advertising device shall be illuminated after 11:00 P.M.

6.2.3 Business and Industrial Districts. In the CB, SB, B, GB, EGB, IA, IB, and IE Districts, signs shall be related to the premises on which they are located and shall only identify the occupant of such premises or advertise the articles or services available within said premises.

1. No temporary or permanent political, special promotion signs, banners, streamers, or placards shall be erected, suspended, posted, or affixed in any manner outdoors or on the exterior of any building in a Business District without permission from the Town Council and none of the above shall be erected for a period of more than thirty days and removed not later than forty-eight hours from the conclusion of the election or promoted event.

2. On each lot in a Business District or an Industrial District, two signs may be affixed to the exterior of a building, for each occupant. The top edge of each such sign shall be not higher than to roof ridge of the building, or the highest point of the roof ridge, if no ridge pole, nor higher than the plate of a flat roof.

3. Signs permitted in Business Districts and in Industrial Districts shall not be more than one hundred square feet signboard area per sign.

4. In Business and Industrial Districts where buildings are set back thirty feet or more, one freestanding sign per lot is permitted. The top edge of any such freestanding sign shall be not higher than sixteen (16) feet vertical measure above the average level of the ground between the supports of each sign. Any such freestanding sign may be located within the front yard space, if any on such lot, but not nearer than twelve feet to any lot line.

6.2.4 Freestanding Signs. No freestanding sign shall have signboard area (or display area, if no signboard) exceeding one hundred square feet gross area, measured from the tops of the topmost display elements to the bottom of the lowest display elements, and from exterior side to exterior side of display elements, and including in such measurements any blank space between display elements. No display or signboard dimension shall exceed sixteen feet for a freestanding sign.

6.2.5 Illuminated Signs. Illuminated signs are permitted, subject to the following conditions:

1. No sign shall be intermittently illuminated, nor of a traveling light, animated or flashing light type; provided, however, that signs with electronic changing messages that

do not flash are allowed by special permit from the Planning Board. Messages shall not change more frequently than once every 20 seconds.

2. Each steadily illuminated sign shall not exceed one hundred square feet gross display area.

3. Sign illumination is permitted only between the hours of seven o'clock in the morning and seven o'clock in the evening, except that signs of retail establishments may be illuminated during any hours these establishments are open to the public.

4. Internally illuminated signs are not permitted in the Gateway Business Districts (GBD) and Central Business District (CBD).

6.2.6 Overspill and Glare. In all zoning districts, for safety reasons, any private outdoor lighting fixture, whether temporary or permanent, other than gaseous tube letters in signs, shall be so placed or hooded that the light source itself shall not be directly visible at any point beyond the lot lines of the premises illuminated.

6.2.7 Special Permit. The Planning Board may grant a special permit for on-premises larger signs or additional on-premises signs, provided that no substantial detriment shall result to the neighborhood or the Town.

6.3 PERFORMANCE STANDARDS FOR LARGER PROJECTS

6.3.1 Purpose. The following performance standards have been adopted in order to control the size, scale, and impacts of nonresidential and multifamily developments that require a special permit and/or site plan review.

A. Lighting. The proposed development shall not produce lighting so as to unreasonably interfere with the use and enjoyment of property within the Town. Lighting practices and systems shall (i) reduce light pollution, light trespass and glare in order to preserve and enhance the natural, scenic, and aesthetic qualities of the Town; (ii) conserve energy and decrease lighting cost without decreasing night time safety, security, and productivity; and (iii) preserve the night sky as a natural resource to enhance nighttime enjoyment of property within the Town.

B. Noise. The proposed development shall not unreasonably interfere with the reasonable use and enjoyment of property within the Town as a result of the generation of noise. Practices and systems shall (i) reduce noise pollution in order to preserve and enhance the natural and aesthetic qualities of the Town; (ii) preserve property values; and (iii) preserve neighborhood character.

C. Site Development Standards. To the extent practicable, the proposed development shall be located to preserve and enhance the natural features of the site, to avoid disturbances of environmentally sensitive areas, to minimize adverse impacts of development on adjoining properties, to minimize the alteration of the natural features of

the site and to preserve and enhance scenic points, historic buildings and places and similar community assets which add value and attractiveness to the subdivision and the Town.

D. Pedestrian and Vehicular Access; Traffic Management. The proposed development and/or redevelopment shall be designed with a forecast for the next five years from the time of application to (i) minimize hazards to public health and safety as a result of traffic; (ii) provide safe access and circulation on the site for expected vehicles, pedestrians, and emergency vehicles; (iii) provide off-site traffic mitigation, where required, to offset the impact of the development; (iv) reduce the traffic impacts of the proposed development on the area and the Town by incorporating traffic management devices; and (v) minimize the impact on scenic roads, historic districts, natural resources, and community character. The Development shall not degrade safety for pedestrians, bicyclists, motor vehicle occupants, or property.

E. Aesthetics. The location, size and design, building materials, and operating characteristics of the proposed development shall be compatible with and will not adversely affect the livability or appropriate development of abutting properties, with natural and built environment in the area and the surrounding neighborhood.

F. Utilities; Security; Emergency Systems. The proposed development shall be adequately served by public or private utilities, security systems, and emergency systems.

G. Fiscal Impact. The proposed Development shall maintain a positive net fiscal position for the long term, giving consideration to revenue estimates and actual growth in municipal service costs induced by the proposed Development.

6.3.2 Procedures; Rules and Regulations. Applicants for special permits or site plan approval for nonresidential or multifamily uses shall comply with these Performance Standards. “Nonresidential or multifamily use” shall mean any use other than a single or two family dwelling. The SPGA or the Planning Board (as the case may be) may adopt rules and regulations for these Performance Standards. The SPGA or Planning Board may require the establishment of an escrow account, pursuant to G.L. c. 44, s. 53G during the special permit process or site plan approval, to cover all or part of the cost of the technical review required by the project, including services provided by, but not limited to, attorneys, traffic engineers, landscape architects, civil engineers, fiscal analysts, and other professionals.

6.3.3 Standards. The following standards shall apply to applications for special permits or for site plan approval for nonresidential or multifamily use:

A. Lighting.

1. **Shielding.** All outdoor light fixtures shall be shielded so as to meet the goals of this Section.

2. **Light Trespass.** Direct light from the light source is to be confined within the property boundaries to prevent glare and overspill. Fixtures shall comply with the standards of the International Dark-Sky Association.

3. **Light Intensity.** Outdoor lighting shall be designed to provide the minimum intensity needed at any particular time.

4. **Illuminated Surfaces.** Preferred surfacing for lighted areas shall be of materials such as blacktop which reflect a relatively small fraction of incident light. Parking area lighting shall be reduced or eliminated outside business hours. The SPGA or Planning Board may require an electrical configuration for parking lots which support shut off for specific unused areas to reduce the glare from lighting.

5. **Searchlights.** The operation of laser shows or searchlights for advertising purposes is prohibited; provided however, that same may be authorized for a period of not more than fourteen days by special permit issued by the SPGA or Planning Board.

6. **Indoor Lighting.** Indoor light sources will not be projected outside in a manner to defeat the intent of this Section.

7. **Sodium Vapor or Metal Halide Lighting.** No outdoor light fixtures using sodium vapor or metal halide lamp or lamps shall be allowed unless specifically authorized by the SPGA or Planning Board in the special permit.

8. **Outdoor Signs.** Outdoor light fixtures used to illuminate an outdoor sign shall be mounted on top of the sign structure or otherwise restricted to prevent up-light and light trespass.

9. **Flickering and Flashing Lights.** No flickering or flashing lights shall be permitted. Processes, such as arc welding, which create light flashes shall be confined within buildings or shielded to prevent either direct glare or flashing.

10. Height of Fixtures.

a. *Wall Mounted Fixtures.* Luminaires attached to a building for area lighting shall be mounted no higher than fifteen (15) feet above grade;

b. *Pole Mounted Fixtures.* Pole mounted exterior lighting fixture types shall be mounted no higher than 20 feet above grade.

11. **Hours of Operation.** Except as may be deemed appropriate for site safety or security, all external lighting, including lighting accessory to authorized signs, shall be extinguished one half hour after the facility is closed for the business day.

Such lighting may be timed to resume one half hour prior to the arrival of the first employee on the premises.

B. Noise.

1. **Hours of Operation.** As a condition of any special permit, the SPGA or Planning Board may incorporate the following conditions regarding hours of operation.

a. The loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans, or other objects or materials for sale or storage or use in a manner that causes a condition of noise pollution at any time but most specifically between the hours of 8:00 P.M. and 7:00 A.M. across a real property boundary in any district established under this Ordinance.

b. Operating or permitting the operation of tools or equipment used in construction, drilling or demolition work between the hours of 8:00 P.M. and 7:00 A.M. on week days or Saturday or at any time on Sundays or Holidays so that the sound creates a condition of noise pollution across a real property boundary.

c. The operation of construction devices between the hours 7:00 A.M. and 8:00 P.M. including such items as compressors, jackhammers, bulldozers, cranes, etc., in a manner that causes a condition of noise pollution that could be avoided by the application of best available technology, which might include mufflers where commercially available.

2. **Ambient Noise Level.** No person shall operate or cause to be operated any source of sound in a manner that creates a sound level of 10 dBA above ambient, as set forth in 310 CMR 7.10, measured at the property boundary of the receiving land use.

C. Site Development Standards.

1. **Land Disturbance.** Site/building design shall preserve natural topography outside of the development footprint to reduce unnecessary land disturbance and to preserve natural drainage on the site.

2. **Replication.** Clearing of vegetation and alteration of topography shall be replicated with native vegetation planted in disturbed areas as needed to enhance or restore wildlife habitat. As mitigation for tree removal, an applicant may be required to make an appropriate payment in lieu as a condition of any special permit or site plan approval.

3. **Clearing for Utility Trenching.** Clearing for utility trenching shall be limited to the minimum area necessary to maneuver a backhoe or other construction equipment. Roots should be cut cleanly rather than pulled or ripped out during utility trenching. Tunneling for utilities installation should be utilized wherever feasible to protect root systems of trees.

4. **Site Design.**

- a. Placement of buildings, structures, or parking facilities shall not detract from the site's scenic qualities and shall blend with the natural landscape.
- b. Building sites shall be directed away from the crest of hills, and foundations shall be constructed to reflect the natural terrain.
- c. Sites shall be designed in such a way as to avoid impacts to rare and endangered species and wildlife habitat on a site, and to maintain contiguous forested areas.

5. **Archeological or Historical Resources.** The SPGA or Planning Board may require applicants to submit the proposed development plan to the Town's Historical Commission and/or the Massachusetts Historical Commission for review and comment regarding possible archaeological or historical resources on the site.

6. **Preservation of Existing Vegetation.** Priority shall be given to the preservation of existing stands of trees, trees at site perimeter, contiguous vegetation with adjacent sites (particularly existing sites protected through conservation restrictions), and specimen trees. Understory vegetation beneath the dripline of preserved trees shall be retained in an undisturbed state. During clearing and/or construction activities, all vegetation to be retained shall be surrounded by temporary protective fencing or other measures before any clearing or grading occurs, and maintained until all construction work is completed and the site is cleaned up. Barriers shall be large enough to encompass the essential zone of all vegetation to be protected. All vegetation within the protective fencing shall be retained in an undisturbed state.

7. **Limit of Clearing.** Development envelopes for structures, driveways, wastewater disposal, lawn areas and utility work shall be designated to limit clearing and grading. In order to minimize the clearing and grading on a site associated with construction activities such as parking of construction vehicles, offices/trailers, stockpiling of equipment/materials, such activities may be limited to areas already planned for permanent structures. Topsoil shall not be stockpiled in areas of protected trees, wetlands, and/or their vegetated buffers.

8. **Finished Grade.** Finished grades should be limited to no greater than a 3:1 slope, while preserving, matching, or blending with the natural contours and

undulations of the land to the greatest extent possible. Finished grade shall be no higher than the trunk flare(s) of trees to be retained. The design of grade changes at the base of existing large trees shall be subject to the approval of the SPGA or Planning Board or its agent.

9. **Pavement.** Applicants are encouraged to use pervious pavement when feasible.

10. **Phasing of Development.** The SPGA or Planning Board may limit the extent of a site exposed at any one time through phasing of construction operations. Effective sequencing shall occur within the boundaries of natural drainage areas.

11. **Revegetation.** Proper revegetation techniques shall be employed during construction using native plant species, proper seed bed preparation, fertilizer and mulching to protect germinating plants. Revegetation shall occur on cleared sites within seven (7) calendar days of final grading and shall occur during the planting season appropriate to the selected plant species.

12. **Topsoil.** A minimum of 6 inches of topsoil shall be placed on all disturbed surfaces which are proposed to be planted.

13. **Irrigation.** The SPGA or Planning Board may require that water for the purpose of irrigation shall be provided by an onsite well, after consultation with the Water Department.

D. Pedestrian and Vehicular Access; Traffic Management.

1. **Access.** To the extent feasible, access to nonresidential uses and structures 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 a cul-de-sac or loop road shared by adjacent lots or premises. Access via roadways abutting residential districts shall be avoided where possible. Access and egress to a development with frontage on more than one street shall be in a manner that causes the least impact to the surrounding neighborhoods as determined by the SPGA or Planning Board.

2. **Driveways.** Each development shall be served by an adequate driveway. The SPGA or Planning Board may, in certain circumstances, allow additional driveways as a condition of approval where the access is shared or the project has frontage on two separate streets. All driveways shall be designed to afford adequate sight distance to pedestrians, bicyclists, and motorists exiting to public ways. Improvements may be required on the public way for vehicular turning movements in or out of the site and safe pedestrian access to adjoining sidewalks, paths, walking trails or bikeways.

3. **Curb Cuts.** Curb cuts shall be limited to the minimum width for safe entering and exiting, and shall in no case exceed 24 feet in width unless waived by the SPGA or Planning Board for industrial truck traffic. The location of driveway openings in relation to traffic and to adjacent streets shall provide for the convenience and safety of vehicular and pedestrian movement within the site. The number of curb cuts on state and local roads shall be minimized.

4. **Interior Circulation.** The proposed development shall assure safe interior circulation within its site by separating pedestrian, bikeways, and vehicular traffic.

5. **Transportation Plan Approval.** The proposed development shall be subject to Transportation Plan approval by the SPGA or Planning Board. The Transportation Plan shall consist of the following information:

a. A plan showing the proposed parking, loading, and traffic circulation within the site; access and egress points; and other features related to traffic generated by the proposed use.

b. A traffic study, prepared by a qualified traffic engineer, detailing the expected traffic impacts. For proposed development in excess of 25,000 gross square feet, the required traffic study shall substantially conform to the Institute of Transportation Engineers "Traffic Access and Impact Studies for Site Development: A Recommended Practice," latest edition (TIAS). The SPGA shall approve the geographic scope and content of the TIAS. In addition, the applicant shall submit a Transportation Demand Management (TDM) plan tailored to the specific uses and the geographic location of the site.

c. Proposed mitigation measures, if any, such as left-turn lanes, roadway widening, signage, signalization of intersections.

d. For proposed development in excess of 25,000 gross square feet, the applicant shall submit a Traffic Management Component (TMC) as part of the Transportation Plan. The TMC shall provide information on the number of expected person trips to and from the site, broken down by various travel modes (e.g., single occupancy vehicle, carpool, walk, bicycle, commuter rail, shuttle bus, etc.). The TMC shall also incorporate one or more of the following techniques to reduce the number of single occupancy vehicle trips by employees coming to and departing from the proposed use:

(1) Establishment of or contribution to a Traffic Management Association (TMA) within the region, which shall provide shuffle services for employees and other services as may be appropriate;

- (2) Employee carpools or vanpools sponsored by the employer or the TMA;
- (3) Subsidized commuter rail passes, provided by the employer, and sold on the site or offered through payroll deduction;
- (4) Monetary incentives to employees who do not use a parking space;
- (5) On-site shower facilities and/or bicycle racks for employees who do not drive to work;
- (6) Other techniques as may be deemed appropriate by the SPGA or Planning Board or its traffic consultant.

6. Reduction in Parking. In consideration of the applicant providing one or more of the above measures to reduce vehicular traffic to and from the site, the SPGA or Planning Board may reduce the number of required parking spaces below what would ordinarily be required by Section 6.1 of this Ordinance. To be considered for such a reduction, the applicant's traffic engineer shall determine and justify the parking demand for the project, as well as reduction in needed parking spaces attributable to each traffic management measure.

7. Level of Service Maintenance or Improvement.

- a. If the proposed project will result in an intersection level of service below a rating of LOS D, the applicant may be required to provide detailed plans with a cost estimate (including reconstruction concepts), that when implemented would result in an intersection level of service rating of D or better.
- b. If the proposed project will result in a reduction in level-of-service of one letter grade or an increase of 10 seconds of delay to a signalized or unsignalized intersection, the applicant may be required to provide detailed plans with a cost estimate that when implemented would result in a return to existing conditions.

8. Dangerous Intersections. The SPGA may require mitigation for any net increase in traffic volumes of 10% or more at an intersection that has an accident history of more than 5 accidents in the last three years for which data is available.

9. Sight Distance. Acceptable sight distance shall be provided and maintained at all access locations, egress locations, and all intersections affected by the Development. At a minimum, these site distances shall meet the stricter of the Massachusetts Highway Department and American Association of State Highway Transportation Officials standards for safe-stopping sight distances.

10. **Maximum Parking.** The maximum parking allowed for a development shall be no more than the minimum number of spaces required under zoning.

11. **Mitigation.** The SPGA or Planning Board may require as a condition of any special permit off-site improvements to mitigate the impact of the proposed development. Such improvements include intersection widening and traffic signals or the components of the TMC.

12. **Pedestrian and Bicycle Safety.** Pedestrian and bicycle circulation, and the amenities required thereof, on and off site, shall be in accordance with the following requirements:

a. All development and redevelopment shall provide for pedestrian and bicyclist connections on the property, and allow for possible future connections with adjoining properties, where deemed appropriate by the SPGA or Planning Board.

b. Pedestrian access shall connect to all building entrances with further connections to local pedestrian arteries.

c. All road and intersection widening and new traffic signals or modification of existing traffic signals required as part of a Development or Redevelopment shall include appropriate bicycle and pedestrian accommodation.

d. The SPGA or Planning Board may require proposed development and redevelopment to provide sufficient rights-of-way on their properties to accommodate expected needs for bicycle and pedestrian use.

e. Sidewalks, crosswalks, walkways, bike racks or other pedestrian access shall be provided to allow access to adjacent properties and between individual businesses within a development.

f. If the property abuts a public bikeway/ right-of-way, a paved access route to the bikeway may be required.

13. **Location of Parking Areas.** Where feasible, the SPGA or Planning Board may require parking areas to be located to the side or behind buildings so as to provide an appropriate setting for the building within the context of the site and neighborhood and allow parking areas to be shared with adjacent businesses. The SPGA or Planning Board may require alternative studies of parking lot layouts. Except where physical constraints, site configuration, or safety considerations preclude strict compliance, all parking must be accessible by driveways to the parking lots of adjacent nonresidential uses and land zoned for nonresidential uses.

14. **Parking in Required Front Setback.** The SPGA or Planning Board may prohibit parking within the required front setback.

15. **Traffic Calming Features.** Traffic calming measures such as crosswalks, bike lanes, rumble strips and landscaped islands may be required.

E. Aesthetics.

1. **Compatibility with Neighborhood.** The location, size and design, building materials, and operating characteristics of the proposed development shall be compatible with and will not adversely affect the livability or appropriate development of abutting properties, with natural and built environment in the area and the surrounding neighborhood, with consideration to be given to the following:

- a. harmony in scale, bulk, massing, and density;
- b. consistency with the goals and objectives of the Master Plan and with any other plan that has been adopted by the Town.

F. Utilities; Security; Emergency Systems.

1. **Wastewater Treatment and Disposal.** The SPGA or Planning Board may require a report from the Board of Health confirming that the proposed site development provides for wastewater treatment and or disposal in a manner that is consistent with regulations of the Commonwealth of Massachusetts and the Board of Health.

2. **Water.** There shall be sufficient water capacity to meet the flow demands of the proposed use without causing municipal water flow characteristics off-site to fall below the standards adopted by the Town.

3. **Site Security.** There shall be a certification by the Police Chief that the petitioner has provided a written plan for site security, which plan has been approved by the Police Chief.

4. **Underground.** All electrical, cable and telecommunications services shall be installed underground.

5. **Fire Alarm System.** There shall be sufficient municipal fire alarm system capacity to meet the operating requirements of the proposed site development and use under applicable codes, regulations, and statutes enforce by the Fire Chief.

G. Fiscal Analysis.

1. The applicant shall provide an analysis of fiscal costs from the development, including increases in marginal costs, assessment of the capacity of existing municipal facilities to serve the new development, and, by order of magnitude, share of capital costs if improvements are needed.
2. The applicant shall identify an order of magnitude estimate as to the extent to which this development would generate the additional need for schools and affordable housing.

6.3.4 Exemptions. The following are exempt from these special permit standards:

1. Emergency Response. Emergency responses performed by a private entity or a public agency and fire or burglar alarms.
2. Municipal Uses and Structures. All municipal uses and structures, including schools.
3. Events. Properly permitted or authorized parades, fairs or outdoor entertainment between the hours of 7:00 A.M. and 11:00 P.M.

6.3.5 Waiver of Standards. The SPGA or Planning Board may, in the course of granting a special permit or site plan approval for nonresidential or multifamily development, waive any of these performance standards where such waiver is not inconsistent with public health and safety, and where such waiver does not derogate from the purposes of this Section because the proposed development will adequately serve the goals and objectives set forth in Section 6.3.1, hereof.

6.3.6 Enforcement. The SPGA or Planning Board may ensure compliance with these performance standards at the application stage by requiring evidence of probable compliance, whether by example of similar facilities or by engineering analysis, verified by technical peer review. In addition, the SPGA or Planning Board may require a monitoring program post-permit issuance for compliance purposes for a time period as may be specified in the special permit or site plan approval.

6.4 LANDSCAPING AND SCREENING

6.4.1 Purpose. This Section is intended to ensure that the proposed development shall screen negative impacts from public and private views, and shall minimize tree, vegetation, and soil removal, and grade change. Proposed landscaping shall require native and drought-tolerant species and prohibit invasive or nonnative plants.

6.4.2 Street Buffer Strip. In the Business, Gateway, East Gateway, Elm Street Overlay, South Business, Industrial A, and Industrial B Districts, the SPGA or Planning Board may require landscaped buffer strip at least twenty (20) feet wide, continuous except for approved driveways, to 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, evergreens and shade

trees having a minimum four inches in caliper measured four feet from ground level planted at least every thirty (30) feet along the road frontage. Evergreens and shade trees shall be at least eight feet in height at time of planting. 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 an obstruction to sight lines.

6.4.3 District Buffer Strip. A continuous landscaped buffer strip of at least ten (10) feet in width shall be provided and maintained in perpetuity between business and/or industrial districts and any residence districts and/or property lines. The landscaped buffer strip shall be of a density to substantially screen the development in question from view, along the zoning district line in question. Plantings of various approved evergreen species is encouraged and shall be planted at a minimum height of six (6) feet.

6.4.4 Large Parking Areas. Parking areas containing over 20 spaces shall have at least one shade tree per ten (10) parking spaces, such tree to be a minimum of 2½ inches in diameter and located either in the parking area or within 10 feet of it. At least 5% of the interior of the parking area shall be maintained with landscaping, including trees, in landscape islands or plots of at least nine (9) feet in width with no more than 20 parking spaces between each island or plot. Trees shall be located to provide visual relief from sun and wind interruption within the parking area and assure safe patterns of internal pedestrian and vehicular traffic. Other traffic calming measures such as crosswalks, bike lanes, rumble-strips and landscape islands may be required as necessary.

6.4.5 Fencing. Fencing may be allowed in lieu or in conjunction with plantings. Design and height of such fencing, with accompanying landscaping, shall be subject to the approval of the SPGA or Planning Board.

6.4.6 Retaining Walls. Retaining walls shall be constructed to a maximum height of six (6) feet. If site conditions require elevation changes of greater than six (6) feet, retaining walls shall be terraced and landscaped. Retaining walls facing residential districts shall be solid fieldstone or fieldstone veneer or other similar material. Unless used within the Industrial Districts, vertical cast in place concrete or concrete blocks shall not be permitted.

6.4.7 Berms. The SPGA or Planning Board may require a berm or berms in appropriate circumstances to promote the goals of this Section.

6.4.8 Unsightly Uses and Areas. Exposed storage areas, refuse disposal facilities, HVAC, machinery, service areas, truck loading areas, utility buildings and structures and other unsightly uses shall be screened from view from neighboring properties and streets using dense, hardy evergreen plantings, or earthen berms, or wall or tight fence complemented by evergreen plantings.

6.4.9 Maintenance. All landscaping features, structures and areas shall be properly maintained. Dead shrubs or trees shall be replaced within one growing season as a condition of approval.

6.4.10. Special Permit. The SPGA or the Planning Board, during the course of special permit or site plan review, may waive any provision of this Section, upon a finding that no substantial detriment shall result.

SECTION 7.0 SPECIAL REGULATIONS

7.1 ADULT ENTERTAINMENT ESTABLISHMENTS.

7.1.1 Purpose. It is the purpose of this Section governing Adult Entertainment Establishments to address and mitigate the secondary effects of Adult Entertainment Establishments and sexually oriented businesses that are referenced and defined herein. Secondary effects have been shown to include increased crime, adverse impacts on public health, adverse impacts on the business climate of the Town, adverse impacts on the property values of residential and commercial properties, and adverse impacts on the quality of life in the Town. All of said secondary impacts are adverse to the health, safety and general welfare of the Town and its inhabitants.

1. The provisions of this Ordinance have neither the purpose nor intent of imposing a limitation on the content of any communicative matter or materials, including sexually oriented matter or materials. Similarly, it is not the purpose or intent of this Ordinance to restrict or deny access by adults to Adult Entertainment Establishments or to sexually oriented matter or materials that are protected by the Constitution of the United States of America or of the Commonwealth of Massachusetts, nor to restrict or deny rights that distributors or exhibitors of such matter or materials may have to sell, rent, distribute or exhibit such matter or materials. Neither is it the purpose or intent of this Ordinance to legalize the sale, rental, distribution or exhibition of obscene or other illegal matter or materials.

7.1.2 Authority. This Ordinance is enacted pursuant to G.L. Chapter 40A and pursuant to the Massachusetts Constitution to serve the compelling Town interests of limiting the location of and preventing the clustering and concentration of certain Adult Entertainment Establishments for the reasons set forth, above.

7.1.3 Applicability. An Adult Entertainment Establishment may be permitted as set forth in the Table of Use Regulations by special permit by the Board of Appeals provided a written determination is issued by said Board that the special permit decision criteria of Section 10.5 have been met.

7.1.4 Location. Adult Entertainment Establishments may be authorized by Special Permit in the SBD, but shall not be located closer than 1,200 feet from any Residential District, or any other Adult Entertainment Establishment, ~~motion picture theatre, adult bookstore~~ or any establishment licensed under G.L. c. 138, s. 12.

7.1.5 Conditions.

1. In no instance shall the Board of Appeals issue a special permit to any person convicted or violating G.L. c. 119, s. 63 or G.L. c. 272, s. 28.

2. No pictures, publications, electronic media, or other implements, items, or advertising that fall within the definition of adult merchandise shall be displayed in store windows or be visible from areas used by the general public.

7.2 COMMON DRIVEWAYS

7.2.1 Purpose. The purpose of this Section is assuring safe and adequate means of vehicular access to public ways for no more than two adjoining lots with existing minimum frontage on a public way. Common driveways are allowed in Commercial or Industrial zoning districts only and shall not substitute for the construction of streets or roadways under the Subdivision Control Law or the Subdivision Regulations of the Town of Bridgewater. For Commercial and Industrial lots and uses, common driveways provide a means for access management by minimizing curb cuts. Except as otherwise provided herein, common driveways are not intended or permissible for residential lots or residential uses regardless of the zoning district.

7.2.2 Special Permit Required. The Planning Board shall serve as the Special Permit Granting Authority under this Section. The Planning Board may approve a special permit for the construction of a common driveway in a Commercial or Industrial District for commercial or industrial uses only.

7.2.3 Requirements. Common driveways are allowed by special permit only in Commercial and Industrial Districts and for commercial, mixed use and industrial lots or uses only; provided, however, that Common driveways are allowed in Residential Districts where a Retreat Lot is authorized pursuant to Section 8.2.

1. A common driveway shall not serve as required minimum frontage distance for any lot.
2. A common driveway shall be located entirely within the lots served by the common driveway.
3. A common driveway shall not be less than 24 feet in continuous width.
4. The approval or endorsement of any plan of land under the Subdivision Control Law, including Form A or Approval Not Required (ANR) plan, illustrating lots that appear to share a common driveway shall not constitute an approval of a special permit under this Section.

7.2.4 Design Standards. The centerline of a common driveway in commercial or industrial zoning districts shall be located upon and along the shared property line of the lots served by the common driveway.

1. Common Driveways shall have a minimum continuous width of twenty-four (24) feet. Unless otherwise noted herein, the layout and method of construction of a common driveway shall not differ from other driveway standards including permissible curb cuts and required line of sight standards.

2. The length of a common driveway shall not exceed 400 linear feet as measured from the right of way or street furnishing access to the common driveway, unless the Special Permit Granting Authority determines a greater length would not adversely impact public safety.

7.3 HOTELS AND MOTELS

7.3.1 Dimensional Requirements.

1. No motel or hotel shall be constructed on a lot having less than two hundred feet frontage, nor less than forty thousand square feet of lot area.
2. On each lot used for motel or hotel purposes there shall be provided front, rear and side yards each not less than fifty feet depth.

7.3.2 Open Space. A space not less than twenty feet shall be maintained open with grass, bushes, flowers or trees all along each side lot, rear lot and front lot, except for entrance and exit driveways and such open space shall not be built on, nor paved, nor used for parking.

7.3.3 Habitable Space. Each rental unit shall contain not less than two-hundred square feet habitable floor area.

7.3.4 Driveways. Each motel or hotel site shall be provided with not more than two motor vehicle driveways for each abutting street which shall intersect the abutting street or streets at ninety degrees. Not less than thirty percent of the lot shall be maintained as open space.

7.4 MEDICAL MARIJUANA TREATMENT CENTERS

7.4.1 Purpose. The purpose of this Section is to:

1. Establish specific zoning standards and regulations for medical marijuana treatment centers, and medical marijuana growing and cultivation operations; protect the public health, safety and welfare of Bridgewater residents;
2. Regulate the siting, design, placement, safety, monitoring, modification, and removal of a Medical Marijuana Treatment); and marijuana cultivation; and
3. Minimize the adverse impacts of an RMD on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said facilities.

7.4.2 Definitions. See “Medical Marijuana Treatment Centers” in Section 11.0.

7.4.3 SPGA. For all purposes pursuant to this Ordinance of the Medical Marijuana Treatment Center, the Planning Board is hereby designated as the Special Permit Granting Authority

(SPGA). All special permit applications made pursuant to this Ordinance shall conform to the standards and criteria and procedural provisions as required by the rules and regulations of the Planning Board.

7.4.4 Special Permit Criteria. In addition to the specific criteria contained within Section 10.5, the SPGA shall consider the following criteria, where relevant before issuing a special permit for development within the Medical Marijuana Treatment Center:

1. Must comply with all requirements of 105 CMR 725.000;
2. Adequacy of the site in terms of the size of the proposed use(s);
3. Suitability of the site for the proposed use(s), an RMD shall not be sited within a radius of five hundred feet of a school, daycare center, or any facility in which children commonly congregate. The 500 foot distance under this Section is measured in a straight line from the nearest point of the facility in question to the nearest point of the proposed RMD;
4. Suitability of security for the proposed use(s);
5. Impact on traffic and safety;
6. Impact on the visual character and security the surrounding neighborhood;
7. Adequacy of parking; an RMD shall provide 1 space for each 400 gross square feet of floor area used for treatment, dispensing and processing and 1 space for each 2,000 gross square feet of floor area used for cultivation;
8. Adequacy of utilities, including sewage disposal, water supply and storm water drainage;
9. Shall provide free home delivery qualifying patients within the Town of Bridgewater;
10. Provide proof of an agreement with the Town Council on payment in lieu of taxes.

7.4.5 Cultivation Prohibited. Cultivation, as defined in this Ordinance, by any qualifying patient, personal care-giver, or Medical Marijuana Treatment Center in any location other than where specifically permitted shall be disallowed. This disallowance shall include cultivation, even where proposed as an accessory use, by any qualified patient, personal caregiver, or Medical Marijuana Treatment Center.

7.4.6 Design. A Medical Marijuana Treatment Center shall be designed and constructed in accordance with the underlying zoning district and the requirements of all applicable provisions of Section 4.0.

7.4.7 As-Built Plan. An as-built plan, certified by a registered professional land surveyor or engineer, shall be submitted to the SPGA and Building Inspector before the issuance of a permanent occupancy permit. The as-built plan shall attest to a development's conformity to its approved site plan by indicating landscaping, buildings, drainage flow, number of parking stalls, and limits of parking areas and drives.

7.4.8 Modifications. Any changes in the approved special permit shall be submitted to the Planning Board for review and approval prior to issuance of permanent occupancy permit. The special permit is granted for a period of two years and shall lapse if substantial use or construction has not been commenced by such date, except for good cause shown and provided that said construction once begun shall be actively and continuously pursued to completion within a reasonable time. Good cause and reasonable time shall be determined by a vote of the SPGA.

7.5 ADULT USE MARIJUANA ESTABLISHMENTS

7.5.1 Purpose. The purpose of this Section is to regulate all types of Adult Use Marijuana Establishments ("Marijuana Establishments").

7.5.2 Definitions. See section 11.0, "Adult Use Marijuana Establishments."

7.5.3 Special Permit Granting Authority. The Special Permit Granting Authority (SPGA) shall be the Planning Board.

7.5.4 Application Requirements. All applicants are encouraged to contact the Community and Economic Development Director to schedule a pre-application meeting. In addition to all the application requirements related to special permits the applicant shall include the following at the time of application:

1. Copies of all licenses, permits and documentation demonstrating application status, registration or licensure by the Commonwealth of Massachusetts Cannabis Control Commission.
2. A security plan showing the arrangement of pedestrian circulation and access to the public points of entry to the premises from the nearest public or private street or off-street parking area. The security plan shall detail how the property will be monitored so as to avoid, deter and prevent illegal activities from taking place upon or about the applicant's premises and shall show the location of any walkway structures, lighting, gates, fencing and landscaping.
3. A list of all managers, officers, directors, persons or entities having direct or indirect authority over the management, policies, security operations or cultivation operations of the Marijuana Establishment.
4. A list of all persons or entities contributing 10% or more of the initial capital to operate the Marijuana Establishment, including capital in the form of land or buildings.

5. Proof that the Marijuana Establishment is registered to do business in the Commonwealth of Massachusetts as a domestic business corporation or another domestic business entity in compliance with 935 CMR 500 and is in good standing with the Secretary of the Commonwealth and Department of Revenue.
6. Documentation of a bond or other resources held in an escrow account in an amount sufficient to adequately support the dismantling or winding down of the Marijuana Establishment, if required.
7. An odor control plan detailing the specific odor-emitting activities or processes to be conducted on-site, the source of those odors, the locations from which they are emitted from the facility, the frequency of such odor-emitting activities, the duration of such odor-emitting activities, and the administrative and engineering controls that will be implemented to control such odors, including maintenance of such controls.
8. An applicant who is not the property owner shall submit evidence in the form of a deed, an executed lease or valid purchase and sale agreement documenting the applicant's contingent property interest and legal right to operate a Marijuana Establishment at the property.

7.5.5 Use Regulations.

1. No special permit shall be granted for any Marijuana Establishment sited within a radius of five hundred (500) feet of a public or private, primary or secondary school, licensed daycare center, public library, public park or playground. The 500 foot distance under this section shall be measured in a straight line from the nearest point of the facility in question to the nearest point of the proposed Marijuana Establishment. Each applicant for a special permit under this section shall submit a plan signed by a licensed surveyor, depicting compliance with the linear distance requirements set forth herein.
2. All aspects of a Marijuana Establishment relative to the cultivation, possession, processing, distribution, dispensing or administration of marijuana, marijuana products, or related supplies must take place at a fixed location within a fully enclosed building and shall not be visible from the exterior of the building. A Marijuana Establishment shall not be located in a trailer, storage freight container, motor vehicle or other similar movable enclosure.
3. No outside storage of marijuana, marijuana products, or related supplies is permitted.
4. The Marijuana Establishment shall provide an odor control plan that provides for proper and adequate ventilation at such facilities in such a manner so as to prevent pesticides, insecticides or other chemicals used in the cultivation or processing of marijuana or marijuana related products from being dispersed or released outside the facilities. All resulting odors, smoke, vapor, fumes, gases and particulate matter from marijuana or its processing or cultivation shall be effectively confined to the premises or so disposed of so as to avoid any air pollution.

5. The Marijuana Establishment shall provide for adequate and proper security at the premises so as to avoid, deter and prevent illegal activities from taking place upon or about the applicant's premises.

6. No marijuana or marijuana product shall be smoked, eaten or otherwise consumed or ingested on the premises. All Marijuana Establishments permitted under this section shall comply with all state and local laws, rules and regulations governing the smoking of tobacco.

7.5.6 Dimensional Requirements. A Marijuana Establishment shall comply with the dimensional controls set forth in the Town of Bridgewater Zoning Ordinance.

7.5.7 Abandonment or Cessation of Use. A Marijuana Establishment shall be required to remove all materials, plants, equipment and other paraphernalia within ninety days of ceasing operations or immediately following revocation of its license issued by the Cannabis Control Commission. The SPGA may require the Marijuana Establishment to post a bond or other resources held in an escrow account in an amount sufficient to adequately support the dismantling and winding down of the Marijuana Establishment.

7.5.8 Special Permit Approval Criteria. After notice and public hearing, and after due consideration of the evidence submitted, including the reports and recommendations of other Town departments and the criteria for special permit decisions set forth in Section 10.5, the SPGA may grant such a special permit provided that it finds in addition that:

1. The Marijuana Establishment does not derogate from the purposes and intent of this Section and the Zoning Ordinance.
2. The application information submitted is adequate for the SPGA to consider approving the special permit request.
3. The proposed establishment is designed to minimize any adverse impacts on abutting properties.
4. The security plan provides sufficient assurance that adequate security controls have been implemented to ensure the protection of the public health and safety during hours of operation and that any marijuana or marijuana related products are adequately secured on-site or via delivery.
5. The odor control plan proposed adequately provides for the ongoing safe operation of the establishment and minimizes any adverse impacts to abutting properties from odor-emitting activities to be conducted on-site.
6. The proposed design and operation of the Marijuana Establishment will meet the requirements of this Section.

7.5.9 Lapse. A special permit grant under this section shall lapse if not exercised within one year of issuance.

7.6 SOLAR ENERGY SYSTEMS

7.6.1 Purpose. The purpose of this Section is to provide standards for the placement, design, construction, operation, monitoring, modification and removal of ground-mounted solar photovoltaic facilities and other types of solar energy systems that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations. The provisions set forth in this Section shall apply to the construction, operation, and/or repair of all ground-mounted solar photovoltaic installations. Roof mounted solar energy systems, whether commercial or residential, are allowed as of right in a districts.

7.6.2 Applicability. This Section applies to all ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this Section. This Section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

7.6.3 Compliance with Laws, Ordinances and Regulations. The construction and operation of all solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.

7.6.4 Special Permit Granting Authority. The Planning Board shall be the Special Permit Granting Authority (SPGA) for solar photovoltaic facilities requiring a special permit under this Section. An applicant may file for a combined site plan approval (Section 10.6) and solar photovoltaic facility special permit application. The Planning Board may consolidate the review of both applications into one review procedure.

7.6.5 Application for Special Permit. The following information shall be submitted for all Solar Energy Systems for an application to be considered complete:

1. Blueprints or drawings of the Solar Energy System signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the System and any potential shading from nearby structures;
2. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
3. A description of the Solar Energy System and the technical, economic and other reasons for the proposed location and design shall be prepared and signed by a registered professional engineer;

4. Confirmation prepared and signed by a registered professional engineer that the Solar Energy System complies with all applicable federal and state standards;
5. One or three line electrical diagram detailing the Solar Energy System, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over-current devices;
6. Documentation of the major System components to be used, including the PV panels, mounting system, and inverter;
7. An operation and maintenance plan which shall include measures for maintaining safe access to the System, storm water controls, as well as general procedures for operational maintenance of the System;
8. Information on noise (Inverter) and reflectivity/glare of solar panels identify potential impacts to abutters.

7.6.6 Standards. Unless otherwise expressly provided by this Section, all requirements of the underlying zoning district shall apply and in addition the following standards shall apply.

1. Solar Energy System, Small/Medium Scale shall be located on a parcel of land that contains the required minimum lot size.
2. Solar Energy System, Large-Scale shall be located on a parcel of land that contains a minimum of five (5) acres.
3. Setbacks from property lines shall be as follows:

Front, Side and Rear	50 feet
Panels facing against existing residential uses	100 feet
Riverfront covered under the Massachusetts Rivers Protection Act, Chapter 258 of the Acts of 1996	200 feet

4. Where abutting residential uses, all Solar Energy System, Large-Scale transformers and /or inverters shall be located a minimum of 220 feet from property lines. Solar Energy System, Small and Medium Scale transformers and/or inverters shall meet the Front, Side and Rear setbacks.
5. All ground-mounted Solar Energy Systems shall be fenced for security. Solar Energy System, Small and Medium Scale may be fenced for security and also to serve as part of the development's screening and buffers.
6. Solar modular panels shall not contain hazardous materials.

7. All appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other and shall be screened from the view of persons not on the parcel.
8. Lighting of Solar Energy Systems shall be consistent with state and federal law. Lighting of appurtenant structures shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the Solar Energy System shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
9. There shall be no signs, except announcement signs, no trespassing signs or any signs required to warn of danger. A sign is required that identifies the owner and operator with an emergency telephone number where the owner and operator can be reached on a twenty-four hour basis
10. All utility connections from the Solar Energy System site shall be underground except to the extent that underground utilities are not feasible in the reasonable determination of the Planning Board.
11. Clearing of natural vegetation shall be limited to fifty percent (50%) of the total site area that which is necessary for the construction, operation and maintenance of the Solar Energy System. Only minor regrading (less than 25%) of the total site area shall be allowed and no soils shall be allowed to be removed from the property.
12. Solar fields shall be properly visually buffered from residential properties. Buffers may be provided by use of landscaping and /or fencing.
13. There shall be a minimum of one parking space to be used in connection with the maintenance of the Solar Energy Systems and the site; however, it shall not to be used for the permanent storage of vehicles.
14. The Solar Energy Systems owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the local fire chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the Solar Energy System shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the System.
15. No Solar Energy System shall be approved or constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the Solar Energy System owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
16. No ground-mounted Solar Energy System shall be constructed, installed or modified as provided in this Section without first obtaining a building permit

17. The ground-mounted Solar Energy System owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the Solar Energy System and any access road(s), unless accepted as a public way.

7.6.7 Decommissioning. The owner, operator, his successors in interest shall remove any ground-mounted Solar Energy System which has reached the end of its useful life or has been abandoned. The owner or operator shall physically remove the System no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

1. Physical removal of all ground-mounted Solar Energy Systems, structures, equipment, security barriers and transmission lines from the site.
2. Disposal of all solid and hazardous waste in accordance with local, state, and federal disposal regulations.
3. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

7.6.8 Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the Solar Energy System shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. If the owner or operator of such System fails to remove the System in accordance with the requirements of this Section within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the System.

7.6.9 Surety. Proponents of ground-mounted Solar Energy Systems shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove such System and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation

7.6.10. Standards for Review and Approval of a Special Permit for a Solar Photovoltaic Facility. The Planning Board shall consider in addition to the requirements above, the following specific criteria:

1. The Board finds in writing that each of review standards set forth above have been met and that the location of the ground-mounted Solar Energy System is suitable and that the size and design are the minimum necessary for that purpose.

2. The SPGA shall also impose, in addition to any applicable conditions specified in this Section, such conditions as it finds reasonably appropriate to safeguard the neighborhood or otherwise serve the purposes of this Section, including, but not limited to: screening, lighting, fences, modification of the exterior appearance of the structures, limitation upon size, method of access or traffic features, parking, removal upon cessation of use or other requirements. Such conditions shall be imposed in writing and the applicant may be required to post bond or other surety for compliance with said conditions in an amount satisfactory to the SPGA.

7.6.11 Compliance. An as-built plan, certified by a registered professional land surveyor or engineer shall be submitted to the SPGA and Building Inspector before the issuance of a permanent occupancy permit. The as-built plan shall attest to the developments conformity to its approved site plan by indicating buffers and landscaping, buildings, drainage flow, installation of panels, fire access and to any and all conditions required in the approval.

7.6.12 Modifications. Any changes in the approved special permit shall be submitted to the Planning Board for review and approval prior to issuance of permanent occupancy permit.

SECTION 8.0 SPECIAL RESIDENTIAL REGULATIONS

8.1 LIVE WORK UNITS

8.1.1 Purpose. The purpose of this Section is to:

1. Provide for the appropriate development of uses that incorporate both living and working space;
2. Provide flexibility for development of live work units by encouraging the rehabilitation, redevelopment, and reuse of existing commercial, industrial and institutional buildings;
3. Provide a regulatory framework that allows new businesses to start up and thrive;
4. Provide opportunities for people to live in mixed use industrial and commercial areas whenever it is compatible with existing uses;
5. Protect existing and potential industrial uses as well as nearby residential uses from conflicts with one another; and
6. Ensure that live work buildings are compatible and complementary with existing commercial, industrial, and residential buildings in the area, while remaining consistent the predominant workspace character of live/work buildings.

8.1.2 Conversion to Live Work Units. Live Work Units are the result of the conversion of an existing commercial, industrial or institutional building or structure or portion of a building or structure that combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing business and that person's household. Live work Units shall be studio, one-bedroom, and/or two-bedroom units with configurations for live work space.

1. The resident owner is largely responsible for the commercial or manufacturing activity performed.
2. The commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.

8.1.3 Business License Required. At least one resident in each live work unit shall maintain a valid business license for a business operating on the premises.

8.1.4 Standards and Allowable Commercial Uses.

1. Live work units are not allowed at the street level. Ground floor retail, office, incubator, commercial, or nonresidential uses shall comprise 100% of the total gross floor area of the ground floor.

2. Any commercial use permitted in the underlying zoning district is permitted in the live work unit.
3. Only existing commercial, industrial and institutional buildings and structures are eligible for conversion by special permit.
4. In a Residential District, only the following commercial uses are permissible for live work space: professional services, technology (including light manufacturing), retail, art, craftsman, and artisan activities (including food preparation).
5. Parking standards may be reduced to one parking space per live work unit through the special permit process. Live work units may be required to provide minimal visitor parking as established in Section 6.1.
6. To be eligible to convert an existing commercial, industrial and institutional building to live work space, the existing structure or building shall have a minimum gross floor area of 10,000 square feet and be located on a lot with a minimum of 40,000 square feet of area within the designated zoning districts. Through the special permit process the Planning Board may allow the existing building an addition or expansion of up to 100% of existing gross floor area.
7. Additions to the existing building shall reflect the architectural character and context of the building and utilize complementary materials. Proposed structures shall complement the existing building architecture and reflect the character and context of the site.

8.1.5 Density. The Board may permit live work space with a maximum residential density no greater than the site's ability to provide suitable parking on-site.

8.1.6 Three Bedroom Units Prohibited. Live work units with three or more bedrooms per unit are not permitted.

8.2 RETREAT LOTS

8.2.1 General Requirements. Not more than one (1) Retreat Lot may be created from any parcel, or parcels held in common ownership within the immediate five-year past. The Retreat Lot shall require a special permit issued by the Zoning Board of Appeals.

8.2.2 Standards. A Retreat Lot shall meet the following minimum standards:

1. The subject parcel shall have a minimum lot area of 150,000 square feet.
2. The subject parcel shall have a minimum of 40,000 square feet of contiguous upland area.

3. The minimum lot frontage shall be 30 linear feet.
4. The proposed lot shall maintain a minimum lot width of 30 linear feet.
5. Under no circumstances shall the development of a Retreat Lot create driveway curb cuts closer than 25 linear feet from another existing or proposed driveway curb cut.
6. The Retreat Lot and the remainder lot may be served by a common driveway as per Section 7.2.
7. A driveway length shall not exceed 300 linear feet without a hammer head or other method of reversing the direction of a vehicle.

8.2.3 ANR Plan. The applicant shall submit an Approval Not Required (ANR) Plan under the Subdivision Regulations depicting the Retreat Lot and any conforming lots. The Approval Not Required Plan shall not take the place of the site plan otherwise required for the special permit application.

8.3 OPEN SPACE CONSERVATION DEVELOPMENT (OSCD)

8.3.1 Purpose. The purpose of this Section is to preserve large tracts of open space for natural and historical resource protection. Moreover, the intent of this Section is to protect and foster the Town of Bridgewater's rural and scenic character by promoting residential development that is in harmony with natural features and traditional landscapes. Finally, providing flexibility of residential development standards and procedures allows the Planning Board to protect, preserve and enhance the natural environment.

8.3.2 Special Permit Required. An OSCD is allowed in any residential district by special permit. The Planning Board is the Special Permit Granting Authority for Open Space Conservation Development (OSCD) as an alternative to a conventional Definitive Subdivision.

8.3.3 Minimum Land Area. A minimum of five (5) acres of land area is necessary for OSCD. The parcel of land must have a minimum of fifty (50) feet of frontage on a public right of way.

8.3.4 Development Standards. Residential building lots in an OSCD must have a minimum of 10,000 sq ft of lot area, and a minimum of frontage of 25 feet. No residential building shall be located within 25 feet of a public right of way, private way, or common driveway. No residential building shall be within 20 feet of a lot line or within 30 feet of a boundary line. No residential building shall be within 30 feet of common land. Only single family residential units are allowed in an OSCD.

1. The Planning Board may require larger setbacks and may permit smaller setbacks in order to conform to the stated purposes and intent of Open Space Conservation Development.

2. On tracts with pre-existing structures, the area and frontage of the lot retaining the preexisting structure shall not be reduced below the minimum lot size and minimum frontage required in the underlying zoning district.

8.3.5 Maximum Number of Dwelling Units. The maximum number of dwelling units permitted in an OSCD shall be computed by dividing the total developable area of the tract by the minimum lot size required for single family development in the underlying zoning district. For the purpose of this computation, the “developable” area shall be the total area of the tract, including the open space and common land, but excluding all streams, ponds, wetlands, floodplains, stormwater basins, and areas subject to existing valid open space restrictions. The excluded area for computation does not include buffers.

8.3.6 Streets and Utilities. Unless otherwise identified in this Section, all streets, sidewalks, sewage, water distribution, drainage and stormwater facilities shall be designed and constructed in compliance with the applicable rules and regulations of the Town of Bridgewater. In an OSCD, any right of way must be 40 feet minimum width. Roads serving 10 or fewer dwelling units require travel lane pavement minimum width of 20 feet. Roads serving 11-20 dwelling units require travel lane pavement minimum width of 22 feet. Roads serving 20 or more dwelling units require travel lane minimum width of pavement of 24 feet.

1. All OSCD projects shall incorporate multimodal transportation approaches including Complete Streets into the project design; e.g. sidewalks, cross walks, and bicycle circulation facilities. Whenever feasible an OSCD project shall accommodate and encourage multimodal transportation networking opportunities facilitating Complete Streets network connectivity; e.g., walking trails, bicycle lanes, and related infrastructure.

8.3.7 Common Land. In an OSCD, a minimum of sixty percent (60%) of the total tract area shall be set aside as Common Land for the use of the OSCD residents or the general public.

1. The minimum required area of Common Land shall not contain a greater percentage of wetlands than the percentage of wetlands found in the overall tract of land on which the OSCD is located.
2. Common Land shall be planned as large, contiguous parcels whenever possible.
3. Strips or narrow parcels of Common Land shall be permitted only when necessary for providing access to the Common Land from a public or private way, or if the Planning Board finds that a vegetated buffer strip along the site’s perimeter is appropriate and consistent with the purpose of OSCD development.
4. Common Land may be set aside in more than one parcel provided that the size, shape and location of such parcels are suitable for the designated uses.

5. If the tract of land abuts adjacent Common Land, undeveloped lots or open space, the Common Land, wherever possible, shall be connected to, and remain contiguous with, such adjacent Common Land, undeveloped abutting lots or open space.
6. The Common Land shall include adequate upland public access from a way or street.

8.3.8 Use of Common Land. The Common Land shall be dedicated and used for natural resource protection, recreation, park purposes, outdoor education, agriculture, horticulture, or forestry, or for any combination of such uses. No other uses shall be allowed in the Common Land, except as follows:

1. A portion of the Common Land may be also be used for the construction of leaching areas associated with septic disposal systems serving the OSCD or for water supply wells serving the OSCD, if the Planning Board determines that such use will enhance the specific purpose of Open Space Conservation Development and promote better overall site planning. Septic disposal easements shall be no larger than reasonably necessary and must be identified in submitted application and plans.
2. If any portion of the Common Land is used for the purpose of such leaching areas or wells, the Planning Board shall require adequate assurances, deed restrictions and covenants that such facilities shall be maintained by the lot owners within the OSCD.
3. A portion of the Common Land may also be used for ways serving as pedestrian walks, bicycle paths and emergency access or egress to the OSCD or adjacent land, but only upon the determination of the Planning Board that such a use will enhance the specific purpose of Open Space Conservation Development and promote better overall site planning, and if the Board finds that adequate assurances, deed restrictions and covenants exist to ensure proper maintenance of such facilities by the owner of the Common Land.
4. The Common Land may be subject to easements for the construction, maintenance, and repair of utility and drainage facilities serving the Open Space Conservation Development or adjacent parcels.
5. The Common Land shall remain vacant, provided that an overall maximum of five (5) percent of such land may be subject to pavement and structures accessory to the dedicated use or uses of the Common Land or as otherwise permitted herein.
6. The proposed use of the Common Land shall be specified prior to plan approval and appropriate dedications and restrictions shall be imposed on the deed of the Common Land.
7. The Planning Board shall have the authority to approve or reject particular uses proposed for the Common Land in order to enhance the specific purposes of Open Space Conservation Development, and to further efforts to equitably distribute a variety of open space benefits throughout the community.

8.3.9 Ownership of Common Land. The Common Land, in whole or part, shall be conveyed to and accepted by the Town of Bridgewater; or to a suitable and verifiable nonprofit organization dedicated to the preservation, conservation, stewardship, and management of the Common Land. The Bridgewater Town Council shall approve the form of ownership of the Common Land.

1. If any portion of the Common Land is not conveyed to the Town of Bridgewater, a perpetual conservation or use restriction, approved by the Planning Board and enforceable by the Town of Bridgewater, shall be imposed on the Common Land, providing that the land be kept in its open or natural state and that the land shall not be built upon or developed or otherwise utilized except in accordance with provisions of the OSCD as set forth herein and, if applicable, as further specified in the conditions and decision of the Planning Board approval governing the individual OSCD project.
2. The proposed ownership of all Common Land shall be specified on a plan required by the Planning Board.
3. At the time of its conveyance, the Common Land shall be free of all encumbrances, mortgages or other claims, except as to easements, restrictions and encumbrances required or permitted by this ordinance.

8.3.10 Maintenance of Common Land. If the Common Land is to be held by a homeowners association, or other approved entity, a management plan shall be prepared establishing responsibilities and schedules for maintenance of the Common Land.

8.3.11 Four-Step Design Process. Each plan for Open Space Conservation Development shall follow a four-step design process, as described below. Upon submitting an application, applicants shall demonstrate to the Planning Board that these four design steps were utilized in determining the layout of their proposed streets, house lots, and open space.

1. Designating the Open Space. First, identify the open space to be protected. The open space shall include, to the extent feasible, the most sensitive and noteworthy natural, scenic and cultural resources on the property.
2. Location of House Sites. Second, locate the potential house sites. House sites shall be located not closer than 100 feet to wetlands, but may be situated within 50 feet of open space areas (other than the wetlands), in order to enjoy views of the latter without negatively impacting the former.
3. Street and Lot Layout. Third, align the proposed streets to provide vehicular access to each house in the most reasonable and economical way. When lots and access streets are laid out, they shall be located in a way that minimizes adverse impacts on open space. To the greatest extent practicable, wetland crossings shall be discouraged.

4. Lot Lines. Fourth, sketch applicable lot lines, generally drawn midway between house locations.

8.3.12 Additional Design Criteria. The OSCD shall be designed with the following objectives, in order of priority:

1. Septic systems shall be placed on the most suitable soil for subsurface septic disposal.
2. Buildings shall be sited within any woodland contained in the parcel or along the edges of the open fields adjacent to any woodland as to reduce any impact upon the site's natural, scenic and cultural resources, and to enable new construction to be visually absorbed by the natural landscape features.
3. Buildings shall be sited in locations where the greater number of units can be designed to take maximum advantage of solar heating opportunities.
4. Buildings shall be sited to avoid sensitive environmental features, including wildlife habitat, wetlands, water bodies, steep slopes or other important site features.
5. New structures may be sited in clusters close to an existing public road to reflect the traditional locations, patterns and setbacks of nearby buildings. Such roadside clusters shall be compatible with the scale of the surrounding neighborhood and shall maintain at least 75% of the existing undeveloped road frontage in conservation. Architectural design of new structures (proportions, roof pitches, exterior materials and fenestration) shall reflect the character of nearby existing structures.

8.3.13 Pre-Application Meeting. Prior to submission of the Special Permit application, applicants are required to meet with requisite Town Offices or other Board designees to review the proposed development of the parcel of land and explore general conditions involving the site and reveal potential problems. Concept plans will assist in this discussion, and should show the critical features to be included in the special permit application as set forth in below. Applicants are strongly encouraged to submit a preliminary plan application to the Planning Board for review.

8.3.14 OSCD and Subdivision Approval. If the Open Space Conservation Development requires approval under the Subdivision Control Law, the "Open Space Conservation Development Site Plan" shall contain a plan in the form and with the contents required of a Definitive Subdivision Plan by the Bridgewater Subdivision Rules and Regulations. The applications for an OSCD Special Permit and for approval of a Definitive Subdivision Plan shall be filed concurrently. To the extent permitted by ordinance, the Planning Board shall consider both applications at the same time.

8.3.15 Planning Board Evaluation. In evaluating the proposed OSCD, the Planning Board shall consider the following:

1. The general purpose and objectives of this ordinance;
2. The existing and probable future development of the surrounding areas;
3. The appropriateness of the proposed layout of streets, ways, lots and structures; and
4. The proposed layout and use of the Common Land in relation to the proposed dwelling units in the OSCD, adjoining public or private common land or open space or the topography, soils and other characteristics of the tract of land in question; and
5. To the extent reasonable, whether the areas designated as Common Land are consistent with the objectives stated in the Town of Bridgewater Open Space and Recreation Plans as well as the Master Plan.

8.3.16 Planning Board Action. The Planning Board may grant a special permit for an OSCD after considering the criteria in Section 10.5.2, and if the Board finds that the OSCD:

1. Complies with the requirements of this chapter, other applicable requirements of the Zoning Ordinances, and where applicable, the construction and design standards of the Town of Bridgewater Subdivision Rules and Regulations.
2. Is consistent with the purposes of this Section; and
3. Is in harmony with the existing uses of the area and complementary to the character of the surrounding area and neighborhood.
4. The Planning Board must find that the number of housing units to be developed in the OSCD will not exceed by more than ten percent (10%) the number of house lots that could be developed under standard lot area and frontage requirements.

8.3.17 Conditions. As condition of approval, the Planning Board may require such changes in the proposed development plans and may impose such conditions and safeguards as it deems necessary to secure the objectives of this ordinance, and to protect the health, safety and welfare of the inhabitants of the area and of the Town of Bridgewater. The Special Permit shall specify the timing for conveyance of the Common Land.

8.3.18 Change in Plans After Grant of Special Permit. No major or minor change in any aspect of the approved plans shall be permitted without the written approval of the Planning Board. A revised special permit will be required if the Planning Board determines any proposed change to be major.

8.3.19 Building Permit. No building permit shall be issued for any structure within an OSCD unless said structure is in full compliance with this ordinance and the terms and conditions of any Special Permit thereunder.

8.4 BED AND BREAKFAST

8.4.1 Purpose. The purpose of this Section is to preserve the existing housing stock and neighborhood character while providing efficient use of larger homes and providing flexibility to respond to changing household sizes and needs.

8.4.2 Special Permit Required. The Planning Board is hereby designated the Special Permit Granting Authority (SPGA) for Bed and Breakfast. The SPGA shall adopt rules relative to the issuance of special permits for Bed and Breakfast and file a copy with the Town Clerk. The SPGA shall follow the procedural requirements for special permits as set forth in G.L. c. 40A, s. 9. After notice and public hearing and after due consideration of the reports and recommendations of other town boards, commissions and or departments, the SPGA may grant such a permit. The SPGA shall also impose, in addition to any applicable conditions specified in this Section, such conditions as the SPGA finds reasonably appropriate to improve the site design, traffic flow, safety and or otherwise serve the purpose of this Section. Such conditions shall be imposed in writing and the applicant may be required to post a bond or other surety for compliance with said conditions in an amount satisfactory to the SPGA.

8.4.3 Compliance with Regulations. No bed and breakfast special permit shall be granted unless the application and site plan meet the requirements contained in Section 20.4 and the SPGA's Rules and Regulations for Bed and Breakfast applications.

8.4.4 Requirements. A bed and breakfast operation shall be allowed by special permit be subject of the following requirements:

1. The residential building hosting a bed and breakfast must be in existence prior to the approval of this Section.
2. In the RA, RB, SBD and Gateway Districts, a bed and breakfast shall have a minimum lot size of 87,120 square feet and a minimum lot frontage of 300 feet.
3. In the Business-B District, a bed and breakfast shall have a minimum lot size of 20,000 square feet and a minimum lot frontage of 120 feet.
4. In the RC and RD districts, a bed and breakfast shall have a minimum lot size of 37,000 square feet and a minimum lot frontage of 180 feet.
5. The only meal to be provided guests shall be breakfast, and it shall only be served to guest taking lodging in the facility.
6. Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes.
7. Exterior alterations other than sign (see below) shall be in keeping with the character of the structure.

8. The operation shall not use more than sixty percent (60%) of the floor area of the principal residence. Common areas such as the kitchens are not included in this calculation.
9. For each bed and breakfast, one small-unlighted announcement sign not exceeding three square feet in area may be attached to and parallel with the front porch or wall of the building.
10. One parking space (gravel) per guestroom plus two parking spaces for residence shall be provided.
11. Guest spaces shall be setback a minimum of twenty feet from any property line and located to the side and rear of the building and shall be screened from adjacent properties by a four-foot high wood or masonry fence or by sight-obscuring vegetation of the same height.
12. No areas shall be floodlit. Drives and parking areas shall not be illuminated by lighting fixtures higher than twenty (20) feet. Sidewalks shall not be illuminated by lighting fixtures higher than fifteen (15) feet. All lighting fixtures shall be shielded to have a total cutoff of all light at less than ninety (90) degrees. The total cutoff of all light shall occur within the property lines of the parcel to be developed.

8.4.5 As-Built Plan. An as-built plan, certified by a registered professional land surveyor or engineer, shall be submitted to the SPGA and Building Inspector before the issuance of a permanent occupancy permit. The as-built plan shall attest to the development's conformance with the approved site plan by indicating landscaping, buildings, drainage flow, number of parking stalls, and limits of parking areas and drives.

8.4.6 Changes. Any changes in the approved special permit shall be submitted to the SPGA for review and approval prior to issuance of permanent occupancy permit.

8.4.7 Time Limit. The special permit is granted for a period of two years and shall lapse if substantial use or construction has not been commenced by such date, except for good cause shown and provided that said construction once begun shall be actively and continuously pursued to completion within a reasonable time. Good cause and reasonable time shall be determined by a vote of the SPGA.

8.5 MOBILE HOME ELDERLY COMMUNITY (MHEC)

8.5.1 Purpose. The purpose of this Section is to provide for the construction, erection, placement and regulation of manufactured homes for residents within manufactured housing communities under G.L. Chapter 140, Sections 32A et seq. (hereinafter "Park" or "Manufactured Housing Community"), who are defined as elderly (meaning each resident is at least 55 years of age or otherwise permitted within the park under Massachusetts or federal law) and which such retirement community shall be no less than fifty (50) acres in size provided that (1) the approval of a preliminary plan by the Planning Board; and (2) the issuance of a special permit by the

Planning Board in accord with procedures set forth herein. A Special Permit issued here under is and must be issued for authorization. It is intended of this district that manufactured homes will be placed on individual sites, which sites shall be on frontage on private ways. Approval of the Planning Board will be required as set forth in the Rules and Regulations governing the sub-division of land for the Town of Bridgewater, unless provisions are waived or otherwise modified, as herein provided or otherwise provided by law including approval of street, utility and drainage systems, whether or not the subject proposal constitutes a subdivision as defined in G.L. c. 41, s. 81K-81GG.

8.5.2 Definitions. For the definitions of terms used in this Section, see “Mobile Home Elderly Community” in Section 11.0.

8.5.3 General Provisions. In a Manufactured Housing Elderly Community District, planned self-contained retirement communities constructed expressly and specifically limited to use, residence and occupancy by elderly persons who have achieved a minimum age requirement for such use, residency or occupancy of at least fifty-five (55) years (unless an exception is available under Massachusetts or federal law) shall be allowable by special permit subject to the following specific requirements and general guidelines and to this specific conditions set forth by the permit granting authority as it is the Special Permit Granting Authority applying those provisions. Any and all presently permitted and constructed Manufactured Housing Communities are hereby grandfathered for all purposes and provisions hereunder.

8.5.4 Procedures; Special Permit. An application for a special permit to develop a Manufactured Housing Elderly Community shall be submitted and received in a manner pursuant to the procedures set forth in G.L. c. 40A, and all amendments thereto, as well as adherence to the Town’s Zoning Ordinance. A special permit shall only be issued following public hearings held within ninety (90) days after filing of an application.

8.5.5 Procedures; Site Plan Review. A Preliminary Site Plan shall be submitted to the Permit Granting Authority, which shall within thirty (30) days submit its preliminary non-binding approval or disapproval and its preliminary recommendations to the permitting granting authority, the Board of Health, the Conservation Commission and Town Council. A site planned and written plan in quintuplicate (5) shall be prepared for the whole tract of land and shall be submitted to the Town Clerk who shall distribute copies to the Planning Board, Board of Health and Conservation Commission or other board with permitting granting authority. These agencies shall review the site plan and application and shall report their findings and recommendations for approval or disapproval, together with reasons therefor and any additional requirements, to the Planning Board within sixty (60) days of receipt of the application and plan. The Site Plan may be altered between the date of filing and the date of decision. The site plan submitted to the permit granting authority, shall include:

1. The name of the proposed development, north point, date, scale or legend;
2. The name of the record owner, applicant, architect, engineer and surveyor;
3. The names of all abutters as determined from the most recent tax list;

4. Existing and proposed topography of the land at two foot contour intervals;
5. The existing and proposed lines of streets, ways and easements;
6. Proposed dedicated open space areas or other common areas;
7. Proposed lighting;
8. The proposed drainage systems including existing and man-made waterways and retention or detention areas on the property and on adjacent property, together with a map showing the project locus and adjacent land uses, circulation facilities, topography and drainage;
9. The names, location and width of adjacent streets;
10. The boundaries of any proposed site or building sites;
11. Location of fire alarm boxes and hydrants;
12. Computations used in designing storm drain system;
13. All existing and proposed building, structure, parking spaces, driveways, openings, private ways, service areas and open spaces;
14. Landscape features, including lawns, recreation areas, fences, walls and walks;
15. A drawing of proposed elevations with regard to exterior architecture of the proposed buildings; and
16. All other information required for Definitive Plans under Bridgewater Rules and Regulations Section III(B)(3) and any other information required by the Planning Board.
17. The Applicant shall submit with the Site Plan a written description by a duly qualified engineer of existing hydrogeologic conditions and how the proposed sewage disposal system and storm drainage system will impact existing hydrogeologic conditions.

8.5.6 Additional Requirements. Each Manufactured Housing Elderly Community shall conform to the following requirements:

1. Site Requirements. Minimum Manufactured Home site size shall be 7,000 square feet. All sewerage systems and water systems must be approved by the state and local Board of Health. Each Manufactured Home Site is to have a minimum of sixty (60) feet of frontage. Adequate surface water drainage is to be provided for each Manufactured

Home Site. There shall be a minimum clearance of twenty (20) feet between each manufactured home with a set back from way layout of twenty (20) feet.

2. A minimum of two (2) parking spaces shall be required for each Manufactured Home Site. Each parking space shall be an area not less than nine (9) feet wide by twenty (20) feet long and hard surfaced, together with a hard surfaced driveway connecting such parking space with the street.

3. All Manufactured Home Sites shall have a layout of not less than 40 feet in width and have a 28 foot wide paved way. All ways within the community shall be well drained with an adequate gravel base of at least 18 inches, with 3 inches of base type 1 bituminous concrete and 1½ inches of type 1 bituminous concrete top. All ways shall be maintained in good condition. All ways shall be subject to the approval of the Highway Superintendent of the Town of Bridgewater.

4. No manufactured home site shall be located nearer than 200 feet from a Massachusetts state numbered highway. There shall be a green belt of a minimum of 30 feet abutting the perimeter of the community and which shall be placed no closer than 20 feet from the near edge of the perimeter, nor closer than 30 feet from the community perimeter, whichever is greater. The green belt shall remain undisturbed, except by written permission of the applicable permitting authority.

5. Electricity. Each Manufactured Home Site shall be provided with an approved underground electrical connection specifically metered. All electrical, telephone, and TV cable lines throughout the park shall be of an approved underground system. All provisions of the State Electrical Code will be strictly adhered to.

6. Street Lights. Illumination may be provided by lighted post lanterns adjacent to the way associated with each Site.

7. No occupied travel trailer, pick-up-coach, motor home, or other like vehicle shall be permitted in a Manufactured Housing Elderly Community.

8. No Manufactured Home within the Manufactured Housing Community shall comply with current HUD standards.

9. Each building and Manufactured Home Site and Manufactured Home Pad shall be an element of overall plan for site development.

10. Where possible manufactured home pads shall be oriented with respect to scenic views, natural landscape features, topography, and natural drainage areas. Development proposals shall include a landscape program to illustrate the proposed treatment of space, ways, paths, service and parking areas. Screening devices shall not impair pedestrian or vehicular safety.

11. All utilities shall be installed underground wherever possible. All transformer boxes, substations, pumping station, and meters shall be located and designed so as not to be unsightly or hazardous to the public. Individual water metering for manufactured homes may be provided based upon appropriate Town of Bridgewater approval.

12. Residual open space within the allowable density limits shall be allocated to the recreational amenity and environmental enhancement of the Manufactured Housing Elderly Community shall be designed as such on the site plan for the proposed development.

13. After approval of a proposed Manufactured Housing Elderly Community there shall be no further subdivision of land within the proposed development which shall increase the allowable density.

14. Manufactured Homes shall not have exterior radio, television, or electronic or electrical device for entertainment or communication unless such device is the smallest applicable one on the market for sale and use for such purposes and is located with a location on the rear of the Manufactured Home or is not able to locate it there, obscured and hidden by devices and structures intended to allow such device to blend into the site (e.g., decorative hollow rock structures that are constructed for such purposes). Residents may install satellite dishes no larger than that allowed by current FCC regulations, as long as they obtain prior written approval of the owner/operator, which approval shall not be unreasonably withheld or delayed to insure that such satellite dish is installed with respect for the safety and view of neighbors and to the same extent as provided, herein, hidden or disguised (e.g., decorative rocks or fiberglass units meant to hide the satellite for aesthetic purposes) so as to blend into the site.

14. Hitches, wheels, axels or other like appurtenances to the Manufactured Home shall be removed by the Permittee. One or more access hatches must be provided through the skirting, but shall be located only in the rear or side(s) of the Manufactured Home. Skirting material will be either the same material as the Manufactured Home siding or an impregnated or treated wood siding, or masonry or aluminum as determined by the Permittee consistent with other such materials used in the Manufactured Housing Community.

15. All sheds in Manufactured Housing Community shall be limited to 8' by 10' (8 feet by 10 feet) and shall be sited in the most inconspicuous location on the Manufactured Home Site. Where garages are associated with a manufactured home, no such sheds shall be permitted.

16. No permanent additions, by way of example including but not limited to enclosures or rooms shall be added to any manufactured home without proper plans approved by the Permittee and if necessary, by the appropriate permit granting authority. Open porches with awnings and removable skirting may be installed. All structures must conform to the Town's building code and must be approved and permitted in writing by the building department prior to construction.

17. A one-family dwelling may be permitted on the site, provided further, that such dwelling complies with the building requirements of the Town of Bridgewater, MA. A portion of such dwelling may be utilized for the management offices.

18. The Manufactured Housing Elderly Community shall conform to all the requirements for a self-contained retirement community contained in G.L. c. 151B, s. 5, subsection 8, together with any amendments thereto including a minimum park site of fifty (50) acres.

8.5.7 Responsibilities of Manufactured Housing Elderly Community Permittee. A Permittee shall operate a Manufactured Housing Elderly Community in compliance with all regulations, and shall provide adequate supervision to maintain the Park, its facilities and equipment in good order and in clean and sanitary condition.

1. The sale of manufactured homes by the Permittee for placement within the Manufactured Housing Elderly Community may be accomplished only if there is a free and available manufactured home site in the Manufactured Housing Community on which such Manufactured Homes shall be placed. No Manufactured Homes shall be allowed unless they are placed on Manufactured Home Sites for future residence.

2. All ways in the Manufactured Housing Elderly Community shall be maintained by the Permittee. They shall be kept passable and in good condition at all times. Snow removal and sanding shall be done by the Permittee at its expense.

3. The Permittee shall insure compliance by all tenants with these Rules and Regulations and all Community Rules and Regulations.

4. All residents of the Manufactured Housing Elderly Community or occupants of any Manufactured Home must be 55 years of age or over (except as provided under Massachusetts or federal law).

5. No pets are permitted within the Park.

6. Up to three residents will be approved for each Manufactured Home (age 55 or older), provided that such parties must be related in a manner recognized by Massachusetts law. Guests must register with the Permittee and may not stay for more than two weeks.

7. Television, radio, stereo and music must be kept at a moderate listening level.

8. Original landscaping will be done by the management. Flowers, shrubs or other land improvements may be done by the tenant but cannot be removed if vacated. Additions of awnings, accessories, or digging must be approved by the management. No fences may be erected. All manufactured home sites must be kept orderly, grass cut and trimmed.

9. Outdoor drying of laundry may be done only in area designated and provided therefore and approved by Permittee.
10. Repairing cars in the Manufactured Housing Elderly Community is prohibited, and cars dripping gas or oil must be fixed. No parking of uninsured vehicles or trailers of any description will be allowed on the Manufactured Home site or within the Park.
11. An individual mailbox in a central mailbox location approved by the U.S. Post Office must be provided for each such Resident. Visitors must be accompanied by a tenant, and the tenant shall be responsible for their guests.
12. The posted speed limit within the park must be maintained, such speed limit shall not exceed 15 MPH.
13. Posting of "For Sale" signs in the windows is permitted provided that such sign does not exceed 12 inches by 18 inches; all other "For Sale" signs are prohibited.
14. Tenants may not lease their Manufactured Homes.
15. Solicitors or peddlers will not be allowed in the Park.
16. Each resident must submit to the Permittee, a birth certificate duly authenticated specifying his/her true and accurate date of birth.
17. The permit granting authority(s) reserves the right to inspect the Manufactured Housing Elderly Community to insure adherence to the above rules and regulations.
18. Rules and regulations for the Manufactured Housing Elderly Community shall be submitted annually to the Board of Health as required under Massachusetts law.

8.6 SENIOR HOUSING FACILITY

8.6.1 Purpose. The objectives of this Section are to achieve the following public purposes:

1. To provide for the development and use of alternative housing and nursing care for the elderly;
2. To create home health care, housing and other supportive services for the senior population outside of an institutional setting;
3. To encourage the preservation of open space;
4. To provide alternative housing for seniors that cause relatively little demand on Town services;
5. To preserve the town's residential character;

6. To provide such accommodations in a manner harmonious with the surrounding land uses while protecting natural resources and open space;

7. To provide housing which is affordable for seniors.

8.6.2 Definitions. See “Senior Housing Facility” in Section 11.0.

8.6.3 Applicability. The Planning Board may grant a special permit for a Senior Housing Facility as defined in Section 11.0 as set forth in the Table of Use Regulations, subject to the requirements of this Section.

1. This Section shall not apply to Senior Housing Facilities existing on the date of adoption of this Section.

8.6.4 Dimensional Requirements and Design Standards. Dimensional requirements and design standards shall be as follows:

1. Minimum Lot Size. The minimum lot size shall be two (2) acres.

2. Density. The maximum allowable density shall be 2,000 square feet of contiguous upland lot area per living unit or bedroom unless the Planning Boards determines that a greater density shall not cause substantial detriment to the neighborhood.

3. Building Height. Any addition or new construction shall not exceed 35 feet in height as measured in accordance with the State Building Code. This shall not preclude the reuse and renovation of existing structures which may exceed this height limit.

4. Building Coverage. The maximum building coverage, including accessory buildings, shall not exceed 30% of the lot area for new construction or expansion of existing structures.

5. Building Setbacks. Buildings shall be set back thirty (30) feet as follows in the side and rear yards.

6. Setback from Residential Dwellings. All buildings associated with the Senior Housing Facility shall be no closer than 50 feet from existing residential dwellings; however, with respect to accessory structures not greater than 300 square feet, the Planning Board, in its discretion, may reduce said setback by an amount up to but not greater than 30 feet if it determines that said structure will not adversely impact the use and enjoyment of the existing residential dwelling.

7. Minimum Lot Frontage. The minimum lot frontage shall conform to the requirements of the district where such use is located.

8. Town Services. Facilities shall be serviced by public water and sewer of sufficient capacity to serve the project. Any extension and/or replacement of sewer and/or water lines necessary to provide sufficient capacity shall be the responsibility of the applicant.

9. Transportation Services. The operator of the facility shall be required to provide or arrange for transportation to town services and facilities.

10. Common Open Space. In the Residence Districts, there shall be an area of common open space equal to that required in the district in which the facility is located. The common open space shall be retained in perpetuity for conservation or passive recreation use. No more than 25% of the minimum required open space shall be situated within wetlands.

11. Parking. The minimum number of parking spaces provided on the lot shall be 0.5 spaces per bedroom, plus spaces equal to the largest employee shift, plus one visitor space per every ten bedrooms.

12. Access and On-site Circulation. Adequate on-site circulation shall be provided to and from the site, taking into consideration the adjacent sidewalks and streets and accessibility of the site and building(s) thereon for emergency vehicles. Adequate provision shall be made for off-street loading and unloading requirements of delivery vehicles and passengers using private transportation.

13. Public Safety. The facility shall have an integrated emergency call, telephone and other communication system to provide monitoring for its residents. There shall be sufficient site access for public safety vehicles. A plan shall be approved by the Fire Department for the emergency evacuation of residents with emphasis on ensuring the safety of residents with physical impairments.

14. Landscaping. Landscaping and screening are required to obscure visibility from beyond the boundaries of the premises of parking areas, dumpster locations and loading areas. The minimum setback from all property lines of such parking lots, dumpster locations, and loading areas, except for their points of ingress and egress, shall be 15 feet.

8.6.5 Accessory Uses. The operator of the Senior Housing Facility may also provide optional services on the site for the convenience of residents, including but not limited to transportation, barber/beauty services, sundries for personal consumption, laundry services and other amenities, provided such uses serve primarily the residents and staff of the Senior Housing Facility and the accessory uses shall be wholly within a residential structure and shall have no exterior advertising display.

8.6.6 Special Permit Procedure. The procedure for a special permit under this Section shall be governed by Section 10.5.

8.7 SENIOR HOUSING VILLAGE DEVELOPMENT (SHV) (D-FY25-001 Adopted 2/4/2025 Effective 3/4/2025)

8.7.1 Purpose:

The intent of this ordinance is to provide for the establishment of a specialized Senior Housing Community that will furnish mixed and diverse varieties of enriched service, supportive and secure housing for individuals 55+ years of age or older who do not want or need placement in a hospital or nursing home. Provide for residential development in a manner that conserves environmental features, woodlands, wet areas, open space, areas of scenic beauty, views and vistas. Such communities shall be designed to achieve compatibility with their surroundings and to encourage orderly and well-planned development.

8.7.2 Definitions:

Definitions associated with Section 8.7 of these Ordinances can be found in Section 11 (Definitions) of the Ordinance. Such definitions include Senior Housing, Exclusive Use Area (EUA), Senior Housing Village Dwelling, Townhouse, Triplex, Senior Housing Laws, Open Space and other definitions not exclusively defined herein.

8.7.3 Land and Site Development Requirements

a.) Land Requirements

- a. All development projects shall be located in residential zoning districts.
- b. All projects shall be connected to Town Water and Town Sewer.
- c. All parcels shall meet the following size requirements.

Zoning District	Minimum Lot Size
<i>R-AB</i>	15 acres
<i>R-C</i>	10 acres
<i>R-D</i>	7 acres

b. Site Development Requirements

Applicants shall utilize the following method to calculate the total number of residential units permitted within a development and for setting aside the Preservation Area and amenity space.

Table 1. Open Space/Preservation Area

	Zoning District	Open Space/Preservation Area
<i>Minimum Area</i>	<i>R-AB</i>	40%
	<i>R-C</i>	40%
	<i>R-D</i>	20 %

Table 2. Multiplier Allowance For Each Zoning District

	Zoning District	Multiplier Allowance
<i>Unit Allowances/Bonus Density</i>	<i>R-AB</i>	1
	<i>R-C</i>	1.25
	<i>R-D</i>	1.25

Table 3. Parcel Development

Dimensional Requirements for Frontage of Building Types	Zoning District	Single Family	Duplex Townhouse	Triplex
	<i>R-AB</i>	150 feet	175 feet	200 feet
	<i>R-C</i>	125 feet	150 feet	175 feet
	<i>R-D</i>	125 feet	125 feet	150 feet

Table 4. Structure Design Requirements

Setback Requirements	Zoning District	Setback from Roadway	Separation from Other Buildings	All Building Heights(maximum)
	<i>R-AB</i>	20 feet	30 feet	35 feet (2.5 stories)
	<i>R-C</i>	20 feet	25 feet	35 feet (2.5 stories)
	<i>R-D</i>	15 feet	20 feet	35 feet (2.5 stories)

The following requirements shall be followed to determine the number of units allowed within a Development.

- 1) The maximum number of dwelling units permitted in a 55+ Development shall be computed by dividing the developable area of the Zoning tract (in square feet). For the purpose of this computation, the "developable" area shall be the total area of the tract, including the Common Land, but excluding all streams, ponds, wetlands, one-hundred-year floodplains, drainage easements, and areas subject to existing valid conservation/open space restrictions.

The equation for determining the maximum amount of units allowed is the following:

Total Developable Lot Area (sq ft.) / Minimum Lot Area Per Dwelling Unit of Zoning District*
=

Amount of Units Allowed Prior To Multiplier Allowance

Amount of Units x Multiplier Allowance = Maximum Amount of Units Allowed per Project (if feasible)

*Minimum Lot Area Per Dwelling Unit refers to Table of Dimensional Requirements for Residential A/B, C, & D.

- 2) The basis for such determinations shall be a Preliminary Subdivision Plan prepared in accordance with the Subdivision Rules and Regulations. Additional information required on the Preliminary Plan shall depict:
 - a) the surveyed boundaries;
 - b) the delineation of wetlands and identification of the 25-foot and 50-foot wetland buffers and the 100-foot buffer.
 - c) the Open Space Area pursuant to Table One, prior to the division of land; Lands under an Preservation Restriction or Conservation Restriction at the time of the surveying, delineation, and/or the submittal of the application shall not be included that Open Space Area; and
 - d) The remaining lands not delineated as wetlands, vernal pools and buffers, shown as the Preservation Area, and placed under an Agricultural Restriction, and/or CR may then be

divided for the determination of the total number of individual lots pursuant to the Subdivision Rules and Regulations. Each individual lot shall have the appropriate amount of upland to be deemed a buildable lot as set forth.

3) The Planning Board reserves the right, at its sole discretion, to impose more stringent standards and/or to reduce the number of units to ensure that impacts generated by the project on:

- quality of the land and locations of wetlands, vernal pools, and all other resources and buffer zones as indicated by review of the Conservation Commission;
- public water and sewer capacity; and
- capacity and safety of associated roadways and infrastructure (extended stopping distances, sight line distances, and other similar traffic and circulation issues, etc.) are adequately addressed.

4) One lot shall be reserved for amenity structures and/or areas. The amenity structures and areas may exceed the size of one lot but shall not reduce the number of residential units. This lot on which amenity structures are situated shall not be included in the determination of the number of residential units to be constructed. It shall be built in accordance to Amenity Structures and Uses.

5) Structures within an SHVD development may be located either on individual lots or on a common lot.

a) When structures are placed on individual lots the following shall apply:

1) The size of the individual lot shall allow the residential unit to meet the requirements set forth in Table Four: Structural Design Requirements, such spacing shall be measured from the exterior walls of a structure rather than the parcel lines of the individual SHVD residential structure lots.

2) Single Family, Townhouse, and/or Duplex structures shall be permitted to have zero lot lines on the side of the structure where the common/party/firewall exists. However, non-common/party/firewalls and rear walls of the structure shall conform to the requirements set forth above.

3) Deeds shall include references to the recorded ownership of the Preservation Area and establishment of a Homeowner's Trust or Association and to the existence and recorded ownership of amenity structures within the entire project.

4) Each building shall face either upon an existing street or upon a public or private way constructed within said Development.

b) When structures are placed on a common lot the following shall apply:

1) Each individual structure shall contain an EUA.

2) Deeds shall include references to the EUA in addition to the established Homeowner's Trust or Association.

3) Each building shall face either upon an existing street or upon a public or private way constructed within said Development.

7) Amenity Structures and Uses

a. Amenity structures shall be designed to allow for a variety of passive and active recreational activities that support the residents of the SHVD development. Uses that may be considered are community program spaces, fitness/therapeutic space, educational, recreational, and accessory space; areas for neighborhood meetings and event space; country club amenities; and any other

amenities and opportunities that are intended to create and promote an integrated neighborhood type environment. All projects shall include minimally one amenity structure on-site.

b. A clubhouse may contain a space for personal services, therapists (Physical, Occupational, etc.) and/or medical professionals to serve its residents.

8) Additional requirements shall include:

a) The area known as the Parcel Front Setback as outlined in Table Four is intended to retain and enhance the character of the neighborhood. The Parcel Front Setback shall be measured from the edge of the property inward prior to the division of any land. No structures shall be located within the Parcel Front Setback, but the SPGA may allow street trees, stonewalls, trails, sidewalks, and other nonstructural features within the Parcel Front Setback.

b) The Parcel Side Setback shall contain no structures, roadways, or infrastructure. No vegetation in this buffer may be disturbed, destroyed, or removed, except for normal maintenance, such as mowing, replacement of dead vegetation or of a similar nature. The Parcel Side Setbacks shall be measured from the edge of the parcel inward prior to the division of any land. The area known as the Parcel Side Setback is intended to be retained as a “no disturbance” area.

c) Once the number of residential units has been determined and the Preservation Area has been located, the Applicant shall utilize Table 4: Structural Design Requirements for the placement of structures within the SHVD development.

8.7.4 Applicability.

The Planning Board may grant a special permit for a Senior Village/Active Adult Community as defined as set forth in the Table of Use Regulations, subject to the requirements of this Section.

8.7.5 Procedures.

Active Adult/Senior Village Development (referenced herein as “Development”) may be authorized upon the issuance of a special permit by the Planning Board. Applicants for a Development shall file with the Planning Board seven (7) copies of the following:

1. A site plan conforming to the requirements for a preliminary plan as set forth in the Subdivision Rules and Regulations of the Planning Board. Additionally materials are subject to Bridgewater Zoning Ordinance Sections 10.6.4 & 10.6.5 Procedures and Contents of Plan shall be required with the exception of receipt of seven (7) copies of Plans instead of five (5) copies.

8.7.6 Design Standards

1. Unit Makeup

- a) The development should include a mixture of architectural styles (e.g., Cape Cod, Colonial, or Ranch design houses, Duplexes, Triplexes, & other multiunit Townhouses) that are blended and dispersed throughout the site.
- b) Exterior material and colors of structures are required to be varied and to complement colors used in the surrounding area. One color palette should not dominate the development.
- c) Roofs of structures within a Development are encouraged to incorporate architecturally diverse styles (examples may include cornices, dormers, gabled roofs, mansard roofs, etc.)
- d) All roof top mechanical equipment for all structures shall be screened, with the exception of chimneys. No roofs tops shall be flat.

2. Aging-in-Place Design

a) For the purposes of creating an active adult community, all residential structures shall be constructed with universal design principles and construction design that can be easily modified for accessibility. The original owner may request specific accessibility features on the ground floor level, such as a zero-step entry and grab bars. A minimum of 50 percent of the units shall be initially designed with a zero-step or no-step entry from an accessible path. All structures shall include the following:

1) A master bedroom with an accessible in suite bathroom located on the same floor as the kitchen, living room, and dining room.

2) Doorways shall be a minimum of 36 inches wide throughout the first floor.

3) A minimum of one entrance that is easily modifiable to be transformed into a temporary or a permanent no-step entry from an accessible path between the driveway or street and the door.

4) Reinforced blocking within the walls of the first-floor bathroom to provide for installation of grab bars and other accessible bath features.

5) A minimum of one indoor/garaged parking space for each unit.

b) Outside facilities such as walkways, gardens and recreation areas shall be designed for universal access.

c) Walkways are strongly encouraged to be publicly accessible and shall connect the development with abutting open space parcels, trail networks, water resources, sidewalks, public amenities, public ways, bicycle trails, and/or neighborhoods.

3. Porches and Decks

a. Structures within an SHVD development shall be architecturally diverse through the use of farmer's porches, open porches, front porches, porticos, patios, etc.

b. Decks shall be included within the design of all structures and located to the side or rear of the structure. Three-season or four season-rooms may be created in lieu of a deck.

4. Parking

a. Two vehicular parking spaces shall be required per dwelling unit. This includes the one interior parking space located within a garage structure.

b. One vehicular parking space shall be required for every four dwelling units for visitor parking. Such visitor spaces shall be located throughout the development.

c. The Development shall include common or guest parking in proximity to any clubhouse or other facility serving residents and may be required in off-street parking areas as determined by the Planning Board.

d. No single parking area for amenity structures and/or uses shall contain more than eight parking spaces and all such areas shall be adequately landscaped.

e. On-street parking may be permitted on one side of one-way streets. Such on-street parking shall not be counted towards visitor off-street parking.

f. On-street parking may be permitted on one side of one-way streets. Such on-street parking shall not be counted towards visitor off-street parking.

g. A minimum of two parking spaces shall be provided for public use when the proposed trail system connects to a publicly accessible park or trail system. One of the two parking spaces shall be ADA compliant. "No Overnight Parking" signage shall be installed within the area designated for trail parking.

5. Garages

- a) Garages shall not dominate the frontage of a structure nor shall the garage extend more than 6 feet beyond the front of the structure.
- b) Garages shall have access to the interior of building. Step-ups are permissible within garages with proper railings.

6. Landscaping

- a. Where the perimeter buffer is wooded, it shall remain in a natural, undisturbed state to preserve the natural character of the existing parcel in relation to the surrounding neighborhood.
- b. At the sole discretion of the Planning Board, a no-cut easement or conservation restriction may be required within the perimeter buffer.
- c. One street tree shall be planted in front of each residential unit. For portions of roadways where there are no residential structures, one street tree shall be planted at least every 30 feet along the roadway.
- d. Existing healthy native trees shall be retained to the greatest extent feasible. All trees over 12 inch caliper that are to be removed to accommodate construction should be replaced elsewhere on the project site with one native or hybrid species that is a minimum of a 3 inch caliper and two native shrubs as determined and approved by the Planning Board.
- e. Landscaping shall be required to be incorporated within the frontage of each unit and between buildings to provide increased privacy while minimizing the visual elements of the streetscape.

7. Infrastructure Improvements

- a) All infrastructure shall be constructed and installed in accordance with the most current version of the Bridgewater Planning Board Subdivision Regulations
- b) The Applicant should fill out a water impact form and have a discussion with DPW regarding impacts to current infrastructure.
- c) Projects should strive to incorporate sustainable and alternative energy sources into the project infrastructure and within the design and construction of all new and redeveloped buildings when feasible.

8. Roadway Improvements

- a. All roadways shall be constructed and installed in accordance with the most current version Bridgewater Planning Board Subdivision Regulations when applicable.
- b. One-way streets are strongly encouraged throughout the development. Such design should mimic roadway layout as shown within Subdivision Rules and Regulations.
- c. For all projects, sidewalks shall be incorporated and installed throughout the Development on one side of each street.
- d. Projects shall incorporate multimodal transportation approaches including Complete Streets into the project design such as sidewalks, crosswalks, and bicycle circulation facilities. Whenever feasible a Development shall accommodate and encourage multimodal transportation networking opportunities facilitating Complete Streets network connectivity such as walking trails, bicycle lanes, and related infrastructure.

- e. The principal roadway(s) serving the site shall be designed to conform with the standards of the Town based on number of residential units where the roadway is or may be ultimately intended for dedication and acceptance by the Town. Private ways shall be adequate for the intended use and vehicular traffic and shall be maintained by an association of unit owners or by the Applicant. If the applicant requests any waivers of the Planning Board's roadway standards, that road shall remain private in perpetuity.

8.7.7 Buffer Areas.

A buffer area of 20 feet shall be provided at the perimeter of the property where it abuts residentially zoned or occupied properties, except for driveways necessary for access and egress to and from the site. No vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance. Table

The Planning Board may waive the buffer requirement:

- a. where the land abutting the site is the subject of a permanent restriction for conservation or recreation; or
- b. where the land abutting the site is held by the Town for conservation or recreation purposes; or
- c. the Planning Board determines that a smaller buffer will suffice to accomplish the objectives set forth herein.

8.7.8 Stormwater Management.

Stormwater management shall be consistent with the requirements for subdivisions set forth in the Rules and Regulations of the Planning Board as well as all applicable Stormwater Management requirements within the Town of Bridgewater.

8.7.9 Homeowners' Association.

The developer shall establish a homeowner's association. The Homeowner's Trust/Corporation shall operate in accordance with a Homeowner's Trust or Association Agreement establishing such association shall be review by Town Counsel, Planning Board, and CED Staff and approved by the them respectively. Review and approval of Town Staff are to be made prior to its recording or the sale of any unit or the release of the dwelling units.

The Homeowner's Trust/ or Association documents shall provide for the maintenance in perpetuity of the common area lands, open space, the drainage system of the development including any detention or retention basins, common sewage facilities, common leaching areas, streets and sidewalks, paths, common recreation and maintenance facilities, common parking structures and parking lots, and other common use areas and facilities within the development.

Snow and rubbish removal within the project limits shall be the responsibility of the project owner/developer or subsequent homeowner's association, in perpetuity, with no responsibility on the part of the municipality.

8.7.10 Age Restriction

Each dwelling in a Development shall be subject to an age restriction in compliance with Senior Housing Laws, and said age restriction shall be part of the deed, deed rider, restrictive covenant, and/or any other documents of record that shall be recorded at the Plymouth Registry of Deeds or filed with the Registry District of the Land Court. The age restriction shall run with the land and shall be enforceable by any or all of the owners of dwelling units in the Development or by the

Town of Bridgewater.

Age restriction requirements shall apply as the following, as per Senior Housing Laws.

- a. Such age restriction shall limit the dwelling units to occupancy by at least one adult who shall be 55 years of age or older. 100% of the units shall have at least one occupant who is 55 years or older with the exception below “b”.
- b. In the event of the death of the qualifying owner/occupant(s), or foreclosure or other involuntary transfer of a unit in a Development, an age restriction exemption shall be allowed for the transfer of the unit to another household member for up to two years.
- c. Marketing of units in a Development shall comply with all Fair Housing Laws and shall include, to the extent legally allowable, a strategy for marketing units to Bridgewater residents and their immediate families.
- d. The community shall create, publish and follow policies that show its intent to house age 55 and older.
- e. The community shall follow HUD's regulatory requirements for age verification of residents.

8.7.11 Decision.

The Planning Board may approve, approve with conditions, or deny an application for a Senior Village Development after determining whether the Senior Village Development better promotes the purposes this Ordinance than would a conventional subdivision development of the same locus. Criteria of approval shall follow Section 10.5.2 criteria of approval of Special Permits and (Section 6.3) Performance Standards of Larger Projects where applicable.

8.7.12 Procedure for Waivers

All Development projects shall comply with Sections 8.7 of these Ordinances. The Planning Board may waive the requirements (**with the exception of requirements of Table 1, Open Space/Preservation Area and Table 2. Multiplier Allowance for Each Zoning District cannot be waived**) of these Ordinances in a four-fifths majority vote, only if such waivers will allow for better design and/or improved protection of resources.

SECTION 9.0 SPECIAL DISTRICT REGULATIONS*

**The Waterford Village Smart Growth Overlay District, adopted pursuant to G.L. c. 40R, which remains in full force and effect, is not included in this Ordinance, but is available in the office of the Planning Board.*

9.1 FLOOD PLAIN OVERLAY DISTRICT (FPOD)

9.1.1 Purpose. The purpose of the Flood Plain Overlay District (FPOD) is:

1. To provide that lands in the Town of Bridgewater subject to seasonal or periodic flooding as described hereinafter shall not be used for residence or other purposes in such a manner as to endanger the health or safety, of the occupants thereof or of the public generally, or as to burden the public with costs resulting from unwise individual choices of land use.
2. To protect, preserve and maintain the water table and water recharge areas within the Town so as to preserve present and potential water supplies for the public health and safety.
3. To assure the continuation of the natural flow pattern of the water courses within the Town in order to provide adequate and safe floodwater storage capacity to protect persons and property against the hazards of flood inundation.

9.1.2 District Boundaries. The FPOD is herein established as an overlay district. The FPOD includes all special flood hazard areas within the Town of Bridgewater designated as Zone A and AE on the Plymouth County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Bridgewater are panel numbers 25023C0188J, 25023C0189J, 25023C0193J, 25023C0281J, 25023C0282J, 25023C0283J, 25023C0284J, 25023C0292J, and 25023C0301J, dated July 17, 2012; and panel numbers 25023C0302K, 25023C0303K, 25023C0304K, 25023C0306K, 25023C0307K, 25023C0308K, 25023C0311K and 25023C0312K, dated July 16, 2015. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated July 16, 2015. The exact boundaries of the FPOD may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated July 16, 2015. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk.

9.1.3 Overlay District. The FPOD shall be superimposed on existing underlying districts. In the FPOD, applicable use and provisions of this Ordinance continue in force. All uses permitted in the underlying district are allowed, except mobile homes and trailers.

9.1.4 Base Flood Elevation and Floodway Data.

1. Floodway Data - in Zone A and AE, alone watercourses that have not had a regulatory floodway designated the best available federal, state, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. Base Flood Elevation Data - in a Zone A, applicants may be required under the Wetland Protection Act, to determine base flood elevation information on engineering calculations. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres; whichever is the lesser, within unnumbered A. Zones.

9.1.5 Use Regulations.

1. In a floodway, the following provisions apply: All encroachments (fill, construction, etc.) are prohibited unless engineer's certification is provided that such encroachment does not increase flood levels.
2. In the FPOD, no mobile homes or trailers are allowed. No new building shall be erected, altered, enlarged, unless special permit is received from the Board of Appeals. Board of Appeals shall issue a permit stating the conditions under which a building may erected in the floodplain.
3. All subdivision proposals must be designed to assure that such proposals minimize flood damage, all public utilities and facilities are located and constructed to minimize or flood damage, and adequate drainage is provided to reduce exposure to flood hazards.

9.1.6 Procedures. Any person undertaking action described in this Section within the FPOD shall submit six (6) copies of application for permit to the Building Inspector, who shall transmit same to the Board of Appeals, Board of Health, Department of Public Works, Conservation Commission and Planning Board. The application shall be accompanied by plans that conform to existing the Planning Board's Subdivision Rules and Regulations. No permit to be issued by the Board of Appeals until receipt of recommendations from the Planning Board and Conservation Commission. A special permit issued by the Board of Appeals, or a building permit issued by the Building Inspector, shall be deemed to be a permit hereunder provided work is started within six (6) months, or take any other action relative thereto. The Board of Appeals may issue a special permit under this Section if it does not endanger health, safety, welfare of occupants, and the Board shall be satisfied:

1. That floor level elevation is proper.
2. That other land is protected against detriments.
3. That safe vehicular and pedestrian passage be provided.

4. That methods of drainage are adequate.
5. That methods of filling will assure that the health and safety of occupants is protected.
6. That the land is not subject to periodic flooding.
7. That the portion of any lot used to meet the yard and area requirements, does not exceed 50% of the minimum lot area, except in the Residential A/B District, wherein the portion of any lot used to meet the yard and area requirements shall not exceed 50% of the minimum lot requirements.

9.1.7 Applicability of Other Regulations. Nothing in this Section limits the authority of the Board of Health in respect to premises in the FPOD. Nothing in this Section shall limit the applicability of G.L. c. 131, s. 40 or the following (where applicable):

1. 780 CMR Massachusetts State Building Code;
2. 310 CMR 10.00, Wetlands Protection Regulations, Department of Environmental Protection (DEP);
3. 310 CMR 13.00 Inland Wetlands Restriction;
4. 310 CMR 15, Title V, Minimum Requirements for Subsurface Disposal of Sanitary Sewage (DEP).

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedure of these state regulations.

9.1.8 Notice. Prior to the alteration and/or relocation of any river or watercourse in a riverine situation, notice shall be given to the following:

Adjacent Communities

NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104

NFIP Program Specialist
Federal Emergency Management Agency
Region I
99 High Street, 6th Floor
Boston, MA 02110

9.2 AQUIFER PROTECTION OVERLAY DISTRICT (APOD)

9.2.1 Purpose. The purpose of this Section is:

1. To preserve and protect the groundwater resources of the Town of Bridgewater;
2. To protect, preserve and maintain the existing and potential groundwater supply and surface water quality to present and future residents of the Town;
3. To prevent pollution of ground and surface water and water supplies;
4. To assure continued availability of the water supply of the Town;
5. To promote and protect the public health, safety and general welfare.

9.2.2 Establishment; Overlay District. There are hereby established within the town, certain Aquifer Protection Overlay Districts, consisting of the aquifer itself, the land above the aquifer, and the aquifer's most significant recharge areas. An Aquifer Protection Overlay District (APOD) shall be considered as overlaying other zoning districts and shall be so identified on the zoning map of the Town of Bridgewater. Any uses permitted in the portions of the districts so overlaid shall be permitted subject to all the provisions of the APOD.

9.2.3 Prohibited Uses. In those portions of the Town within the APOD, the following activities are prohibited as a principal or accessory use unless otherwise noted. Where lawfully existing, such uses may continue but not be expanded or altered without obtaining a special permit hereunder:

1. Landfills and open dumps as defined in 310 CMR 19.006;
2. Storage of liquid petroleum products, except the following: (1) normal household use, outdoor maintenance and heating of a structure; (2) waste oil retention facilities required by statute, rule, or regulation; provided that such storage, listed in items a. and b. above, is in freestanding containers within buildings or above ground with secondary containment adequate to contain a spill the size of the container's total storage capacity;
3. Gasoline service station;
4. Landfilling of sludge or septage as defined in 310 CMR 32.05;
5. Storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.31;
6. Storage of deicing chemicals unless such storage, including loading areas, is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;

7. Storage of animal manure in quantities greater than one cubic yard unless covered or contained in accordance with the specifications of the United States Soil Conservation Service;
8. Facilities that generate, treat, store or dispose of hazardous waste subject to G.L. c. 21C and 310 CMR 30.000, except the following: (1) very small quantity generators as defined under 310 CMR 30.000; (2) household hazardous waste centers and events under 310 CMR 30.390; (3) waste oil retention facilities required by G.L. c. 21, s. 52A; (4) water remediation treatment works approved by DEP for the treatment of contaminated ground or surface waters;
9. Automobile graveyards and junkyards, as defined in G.L. c. 140B, s. 1 and repair shops except for those shops deemed to be very small quantity generators as defined under 310 CMR 30.000;
10. Treatment of disposal works for non-sanitary wastewaters that are subject to 314 CMR 5.00, except the following: (1) the replacement or repair of an existing system(s) that will not result in a design capacity greater than the design capacity of the existing system(s); (2) treatment works approved by the Massachusetts Department of Environmental Protection designed for the treatment of contaminated ground or surface waters;
11. Storage of hazardous materials, as defined in G.L. c. 21E, unless in a free-standing container within a building or above ground with adequate secondary containment adequate to contain a spill the size of the container's total storage capacity;
12. Stockpiling and disposal of snow and ice containing deicing chemicals if brought in from outside the district;
13. Storage of commercial fertilizers, as defined in G.L. c. 128, s. 64, unless such storage is within a structure designated to prevent the generation and escape of contaminated runoff or leachate;
14. The use of septic system cleaners which contain toxic or hazardous chemicals;
15. The application of fertilizers and pesticides, including herbicide, insecticides, fungicides, and rodenticides, unless in accordance with state and federal standards;
16. Earth removal, consisting of the removal of soil, loam, gravel or any other earth material (including mining activities) to within six feet of maximum high groundwater, unless otherwise stated herein, as determined from monitoring wells in accordance with the provisions of the earth removal ordinance of the town, except excavations for building foundations, approved roads, utility works, or exempted agricultural uses. Properties which have received approval under the earth removal ordinance for such activities before the effective date of this provision, shall not be excavated to within four feet of maximum high groundwater; and

17. Stormwater drainage systems serving nonresidential lots unless said systems are designed to recharge outflow in a manner that will not degrade existing groundwater quality and to meet other overall objectives of the standards set forth herein.

9.2.4 Uses and Activities Requiring a Special Permit. The following uses and activities are permitted only upon the issuance of a special permit under such conditions as may be required by the Special Permit Granting Authority (SPGA):

1. Expansion or alteration of existing uses that do not conform to the APOD.
2. The construction of dams or other water control devices, ponds, pools or other changes in waterbodies or courses, created for swimming, fishing, or other recreational uses or drainage improvements. Such activities shall not adversely affect water quality or quantity.
3. The construction of dams or other water control devices, ponds, pools or other changes in waterbodies or courses, created for agricultural uses which do not constitute normal maintenance or, emergency practices under state and federal laws. Such activities shall not adversely affect water quality or quantity.
4. Any use that will render impervious more than 2,500 square feet of any lot containing 10,000 square feet of land or less. Said lot must be provided with a stormwater drainage system designed in accordance with standards set forth herein. In addition, elements of the drainage system serving said lot may be located on adjacent or nearby land within the same watershed, if so authorized by the SPGA, under the following conditions: (1) the overall recharge characteristics of the watershed under consideration will not be altered; (2) the land to be utilized shall remain as part of the proposed use in perpetuity or until its use as a recharge area is not required to meet the requirements of this Ordinance; (3) recharge areas authorized under this provision shall not be utilized by any additional parties for similar use unless so authorized by the SPGA in accordance with the standards stated herein.
5. Any lot containing a land area greater than 10,000 square feet but less than or equal to 43,560 square feet whose percentage of impervious area would exceed the maximum allowed under the following:

Maximum percent – 0.5745 (lot area) - 3,244.9

Example: 0.5745 (21,000 s.f.) - 3,244.9 – 8,819.6 s.f. An impervious area exceeding 8,820 square feet (rounded to the nearest foot) for this size lot would require a special permit. Said lot must be provided with a stormwater drainage system in accordance with the standards set forth herein. In addition, elements of the stormwater drainage system may be located on adjacent or nearby land within the same watershed in accordance with the conditions stated above.

6. Any use that will render impervious more than 50% of a lot containing more than 43,560 square feet in land area. Said lot must be provided with a stormwater drainage system designed in accordance with standards set forth herein. The stormwater drainage system serving said lot must be located entirely within the lot.

9.2.5 Boundary Disputes. The SPGA may grant relief from the provisions of this Section in cases where the location of the APOD boundary in relation to a particular parcel is in doubt or dispute. The burden of proof shall be upon the owner(s) of the land in question to show where the bounds should be properly located. If it may be demonstrated to the SPGA, with reasonable degree of scientific certainty, that the boundary line upon the owner(s) property may warrant revisions, then at the request of the owner(s), the town may engage a professional engineer, hydrologist, geologist or soil scientist to determine more accurately the boundaries of the district with respect to individual parcels of land. Based upon the outcome of said dispute resolution, if it is determined that the original line serves as a correct approximation of the Zone II boundary or that the owner(s)' parcel in question is to be more greatly affected, the town may charge the owner(s) for all or part of the cost of the investigation. For disputes arising from the boundaries of the Zone II, as defined herein, the determination of its location shall be based on criteria set forth in 310 CMR 22.00 and in the DEP's Guidelines and Policies for Public Water Systems.

9.2.6 Performance Standards for Stormwater Drainage Systems.

1. Outflow of a stormwater drainage system will not degrade existing groundwater quality;
2. For nonresidential uses, recharge shall be by stormwater infiltration basins or similar systems covered with natural vegetation;
3. Drywells may be allowed as an alternative provided that the volume to be recharged is pretreated by means of open swales, detention areas or other similar filtration devices acceptable to the SPGA;
4. For all nonresidential uses, all such basins and wells shall be preceded by oil, grease, and sediment traps to facilitate removal of contamination;
5. Any and all recharge areas shall be permanently maintained in full working order by the owner of the lots on which they are located.

9.2.7 Special Permit Submittals. The applicant shall file an application SPGA under this Ordinance shall be the Planning Board. The applicant shall file six copies of a site plan and attachments. The site plan and its attachments shall be prepared in accordance with the rules and regulations adopted by the SPGA and shall at a minimum include the following information where pertinent:

1. A complete list of chemicals, pesticides, herbicides, fertilizers, fuels, and other potentially hazardous materials to be used or stored on the premises in quantities greater than those reasonably associated with normal household use;

2. For those activities using or storing such hazardous materials, a hazardous materials management plan shall be prepared and filed with the hazardous materials coordinator, fire chief, and board of health. The plan shall include: (1) provisions to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage, or vandalism, including spill containment and cleanup procedures; (2) provisions for indoor, secured storage of hazardous materials and wastes with impervious floor surfaces; (3) evidence of compliance with the regulations of the Massachusetts Hazardous Waste Management Act 310 CMR, including obtaining an EPA identification number from the Massachusetts Department of Environmental Protection;

3. Subsurface excavations or test borings shall be performed so as to demonstrate maximum seasonal high water elevations and direction of groundwater flow. The SPGA may require, as a condition of any approval, that the owner install and maintain wells for the purposes of monitoring groundwater quality.

9.2.8 Procedures. Upon receipt of the special permit application, the SPGA shall transmit one copy to the Board of Health, the Conservation Commission and the Water and Sewer Commission for their written recommendations. Failure of any one of said agencies to respond in writing within thirty-five days of receiving a copy of the application shall be deemed a positive recommendation by that agency. The SPGA shall not act upon an application within said thirty-five day period.

1. The special permit shall be granted if the SPGA determines, in consideration of written recommendations offered by the Board of Health, the Conservation Commission, the Water and Sewer Commission and other agencies designated by the SPGA, that the intent of this Ordinance as well as any regulations or guidelines adopted by the SPGA are met. The SPGA shall not grant a special permit under this Section unless the petitioner's application includes sufficiently detailed, definite, and credible information to support positive findings in relation to standards given in this Section.

2. The SPGA shall document the basis for any departures from the recommendations of the other town boards or agencies in its discretion.

9.3 BEDFORD STREET OVERLAY DISTRICT (BSOD)

9.3.1 Purpose. The purpose of this district is to facilitate the expansion of a commercial node along Bedford Street, enabling high quality commercial development in this location while minimizing adverse impacts on natural resources, in particular the groundwater resources located within the Aquifer Protection Overlay District. A special permit process allows the transfer of development rights from a nearby residentially zoned sending parcel to facilitate intensive commercial use within the APOD without adverse impacts to groundwater recharge.

9.3.2 General Requirements. Within the Bedford Street Overlay District (BSOD), commercial development consistent with use and dimensional requirements of the Business B district shall be

allowable by special permit, subject to the following specific requirements and general guidelines, and to the specific conditions set forth by the Special Permit Granting Authority in applying those provisions.

9.3.3 Overlay District. The BSOD is an overlay district. Development allowed by right in the underlying zoning district may proceed without obtaining a special permit through the provisions of the BSOD. Uses allowed by special permit in the BSOD shall follow the requirements of this Section.

9.3.4 Requirements. Prior to the submission of a formal application for a special permit, the applicant, who shall be the owner of the tract or his duly authorized agent, shall submit to the Planning Board, which shall serve as the Special Permit Granting Authority (SPGA), a Preliminary Plan in compliance with Section III(A) of the Rules and regulations Governing Subdivision of Land, as amended. In addition, the plan shall show significant wetlands, and zoning district boundaries.

1. The applicant shall also submit a map showing site conditions on a proposed “sending parcel”, showing wetlands, floodplains, steep slopes, and other significant features. The sending parcel must be located within Residential C portion of Zone II area contiguous with Bedford Street Overlay District.
2. The area of uplands within the sending parcel shall be equal to or greater than the uplands contained within the parcel proposed for development within the Bedford Street Overlay District.
3. If the proposed development located within the APOD exceeds 50% impervious surface, the area of the uplands within the sending parcel shall be equal to area of uplands proposed for development plus the area of impervious surface within the APD that exceeds 50%. For example, where eight (8) acres of a ten (10) acre parcel are to be made impervious under a proposed development, the area of the sending parcel should be at least thirteen (13) acres.
4. The sending parcel must be permanently restricted from future development by way of a permanent conservation restriction in accordance with G.L. c. 184, ss. 31-33, as most recently amended or donated to the Bridgewater Conservation Commission. Draft restriction(s) or donation language on the sending lot(s) shall be submitted to the Planning Board with the application. The Planning Board shall require the restriction or donation language on the sending parcel(s) to be recorded at the Plymouth County Registry of Deeds/Land Court prior to approval of commercial use within the Bedford Street Overlay District. On property which will be protected by way of a conservation restriction, a management plan(s) shall be provided to the Planning Board, which describes how existing woods, fields, meadows or other natural areas shall be maintained in accordance with best management practices, and in accordance with APOD regulations under Section 9.2.

5. The record owner of the sending parcel(s) shall, within forty-five (45) days of receipt of a special permit authorizing TDRs, record at the Registry of Deeds either: a Conservation Restriction running in favor of the Town prohibiting, in perpetuity, the construction, placement, or expansion of any new or existing structure or other development, or transferring of the deed to the Conservation Commission, on said sending parcel(s). Evidence of said recording shall be transmitted to the Planning Board indicating the date of recording and deed book and page number at which the recording can be located. The grant of the special permit to transfer development rights shall be conditioned upon such restriction or donation, and no special permit for a transfer of development rights shall be effective until the restriction or donation noted above has been recorded at the Registry of Deeds.

9.3.5 Special Permit. A special permit for commercial use within the BSOD may be granted by the Planning Board upon its written determination that the proposed development will not have detrimental impacts on groundwater resources or the neighborhood. The Board shall review and make a positive finding on each of the following criteria:

1. The development may include any uses allowed by right within the B-B district, provided that such uses are not prohibited in the APOD. Special permit requirements for the APOD shall apply within the BSOD;
2. The development shall meet all dimensional requirements applicable to the Business B district;
3. The development provides adequate water and sanitary facilities;
4. The development design is appropriate to the architectural style of the neighborhood, as well as to other characteristics of the site;
5. Projected traffic generation from development onto local roads and intersections is within the capacity of road network and does not create any safety concerns;
6. The design and layout of driveways, parking and loading of the development is acceptable to the Planning Board;
7. Parking spaces shall be provided on the lot computed on the same basis as under Planned Development Districts.

9.4 PLANNED DEVELOPMENT DISTRICT (PDD)

9.4.1 Purpose. The purpose of this Section is to allow the Town to regulate development of planned industrial parks in designated suitable areas so as to achieve significant revenue or employment benefits without adverse impacts on their neighborhoods or on the Town's natural resources. Thus, the approach is to regulate such development through a special permit procedure which is a more flexible process than is possible through conventional zoning. The review by the special permit granting authority will include mixture of uses, site access, internal

circulation and parking, probable traffic impacts, overall density, building location, overall project layout, provision and design of open space, visual impact on adjacent ways and neighborhoods and drainage and water resource impacts. It is also the purpose of this section to allow a residential use without special review if the district permits single family housing according to the present Residential A/B lot and yard requirements as of right.

9.4.2 General Provisions. In a Planned Development District comprehensively, planned industrial/commercial parks shall be allowable by special permit, subject to the following specific requirements and general guidelines, and to the specific conditions set forth by the special permit granting authority in applying those provisions. The application for a special permit shall be governed by this Section and the Rules and Regulations Governing Subdivision of Land, Planning Board, Bridgewater Massachusetts, Section III (B), Definitive Plan Procedures.

9.4.3 Definitions. See “Planned Development District” in Section 11.0.

9.4.4 Preapplication Submittal. Prior to the submission of a formal application for a special permit, the applicant, who shall be the owner of the tract or his duly authorized agent, shall submit to the Planning Board, which shall serve as the Special Permit Granting Authority, a Preliminary Plan following the requirements for Preliminary Plans contained herein or the Rules and regulations Governing Subdivision of Land, Planning Board, Bridgewater, Massachusetts, as amended. In addition, the plan shall show significant wetlands, zoning district boundaries, and the lot frontage of residential lots across the road from the proposed Planned Development.

9.4.5 Application; Site Plan. An application for a special permit to develop a Planned Development shall be submitted and received in a manner pursuant to this Section and the Planning Board Rules and Regulations under Subdivision of Land. A site plan and written plan shall be prepared for the whole tract of land and shall be submitted to the Town Clerk who shall distribute copies to the Board of Appeals, the Planning Board, Board of Health, the Conservation Commission, and the Community Development Coordinator. These agencies shall review the site plan and application and shall report their findings and recommendations for approval or disapproval, together with reasons therefor and any additional requirements, to the Planning Board within 35 days of receipt of the application and plan. The site plan submitted to the Planning Board, et al., shall include:

1. The name of the proposed development, north point, date, scale and legend;
2. The name of the record owner, applicant, architect, engineer and surveyor;
3. The names of all abutters as determined from the most recent tax list;
4. Existing and proposed topography of the land at two foot contour intervals;
5. The existing and proposed lines of streets, ways and easements;
6. Proposed dedicated open space areas or other public areas;

7. Proposed lighting and signage;
8. The proposed drainage system including existing and man-made waterways and retention or detention areas on the property or adjacent property. The last may be shown by reference to an attached smaller scale map showing the project locus and adjacent land uses, circulation facilities, topography and drainage.
9. The names, approximate location and width of adjacent streets;
10. The approximate boundaries of any proposed lot or building sites and, where applicable, intended outer edge of the proposed buildings;
11. All other information required for definitive plans under Bridgewater Rules and Regulations Section III (B) (3) and any other information required by the Planning Board.

9.4.6 Application; Written Materials. Written material submitted along with the site plan shall include:

1. The name of the proposed applicant;
2. The name(s) of the owner of the land within the project area;
3. The names of the project architect, engineer and surveyor;
4. A narrative describing the long range development plan including proposed uses, anticipated traffic volumes and general character of building types and materials;
5. A financial plan showing the proposed sources and methods of financing for the project, the structure and percentage of ownership, evidence of financing commitments;
6. A management plan describing the method by which the applicant will secure continued, unified management of the project area, including the method for providing security, sewage disposal, maintenance of the privately owned streets and ways, sewers and common areas, and providing services to the tenants of the project area;
7. A program for meeting the requirements of the by-law with regard to the provision of public improvements and amenities of the Town made necessary by the construction of the project, including the method of financing such improvements and/or amenities; and
8. A description of existing hydrogeologic conditions and how the proposed sewerage disposal system and storm drainage system will impact existing hydrogeologic conditions.

9.4.7 Conditions. The following conditions are to be met with respect to any particular parcel of land in a Planned Development District.

1. The tract is in single or consolidated ownership at the time of the application and is at least 10 acres in size.
2. Permitted uses shall be limited to those listed under Section 3.0, Table of Use Regulations, as amended.
3. The manner of sewage disposal shall be approved in writing by the Board of Health.
4. The project area shall include a 50' minimum depth buffer adjacent to public ways so as to substantially screen the uses of the premises from adjacent properties. No buffer strip shall be required where the project abuts an interstate highway or access ramp. No building shall be located within 200 feet of Route 104.

9.4.8 Dimensional Requirements. The following dimensional requirements shall apply to buildings and structures and the lots on which they are located:

Minimum Lot Size	5 acres
Minimum Lot Frontage	200 feet
Front Yard	40 feet
Side Yard	25 feet
Rear Yard	40 feet
Maximum ratio of Gross Floor Area of Building to Lot Area	0.5
Maximum Percentage of Lot Coverage by Building and Structures	25% Maximum

Heights shall not exceed for following:

Hotels (exceeding a minimum setback of 200 feet on Route 104)	5 stories and 65 feet
Water towers	40 feet
Buildings within 300 feet of Route 104	3 stories and 45 feet
Other buildings and structures	4 stories and 55 feet

9.4.9 Use Regulations. In a Planned Development, the following uses shall be permitted in the designated proportions:

1. Up to 100% of total Permissible Floor Area may be devoted to office use.
2. Up to 80% of total Permissible Floor Area may be devoted to Health Care Facilities and/or research and development.
3. Up to 5% of total Permissible Floor Area may be devoted to light manufacturing and/or assembly facilities.
4. Up to 5% of total Permissible Floor Area may be devoted to distribution facilities.
5. Up to 25% of total Permissible Floor area may be devoted to a motel or a Convention/exposition center or Cinema.

6. Up to 85% of the Total Permissible Floor Area may be devoted to retail and supporting commercial services including, but not limited to, fast print or photo processing services, duplicating services, secretarial services, or business equipment repair services, and those commercial uses allowed by special permit in the Industrial A District.
7. Single family housing on one acre lots according to the dimensional standards of the Residential A/B district.
8. There shall be no storage, processing, treatment or recycling of hazardous waste generated within the Planned Development District. All hazardous waste generated within the Planned Development District shall conform to all applicable federal, state and local laws regarding hazardous waste.

9.4.10 General Guidelines. Before approving an application for a special permit under this Section, the Planning Board shall find that the proposal meets the following guidelines:

1. That the mixture of uses reflects consideration of the overall purpose of the district, the probable impacts of the proposed uses on one another within the development, and the impacts on existing nearby uses. In making such determination, consideration should be given to proposed hours of operation.
2. That the internal vehicular circulation system provides for flexible vehicular circulation connecting all points within the park without use of roads outside the development and that it avoids use of long dead-end roads or provides an alternate emergency bypass route to any dead end roads of over 1000' length.
3. That all roads within the development conform to the construction standards in the Rules and Regulations for the Subdivision of Land of the Bridgewater Planning Board and that the developer has met the Performance Guarantee requirements set out in the subdivision rules and regulations of the Planning Board.
4. That based on the recommendations of the Planning Board the project has safe access (in terms of sight lines and grade) to an existing public way and that such public way has sufficient capacity in its present state, or with planned improvements, to accommodate the project at its maximum level of development.
5. That the pedestrian circulation system includes pathways providing direct routes between major buildings, parking areas and roads and that a secondary walking system allows movement to and through open space areas.

9.4.11 Parking Spaces. Parking spaces shall be provided on the lot computed on the following basis:

1. One space per 300 square feet of Gross Floor Area for office, research and development use, health care, child care or educational facilities, or conference center use;
2. One space per 600 square feet of Gross Floor Area for light manufacturing or assembly use;
3. One space per 1,000 square feet of Gross Floor Area for distribution use;
4. One space per 225 square feet of Gross Floor Area for commercial use and retail;
5. One space per room for hotel use plus 1 space for each employee on the largest shift;
6. One space per 4 seats for restaurant use.

Where a building is devoted to mixed use, parking spaces at the above ratios shall be provided on a proportional basis in accordance with the portion of the building devoted to each use.

9.4.12 Parking Reduction. In granting a special permit, the Planning Board shall have the authority to reduce the parking requirements under this Section 9.4.11 by as much as 20% for parking facilities serving use mixtures whose operating basis and activity patterns indicate that the total number of spaces needed at any one time will be significantly less than the total required by Section 9.4.11.

9.4.13 Special Permit Criteria. In lieu of the criteria set forth in Section 10.5 of this Ordinance, the Planning Board shall consider the following criteria when considering the grant of an application for a special permit:

1. That adequate off-street truck loading and parking space is provided.
2. That the drainage systems serving the development are designed to minimize increases in runoff, to maximize groundwater recharge and to protect the quality of receiving waters, and that the sewerage systems are designed to protect off site water bodies and aquifers from degradation of existing water quality and conform to all applicable federal, state and local laws.
3. That the development will not negatively affect normal and fire protection water services in the surrounding area, or if the development would have such affect, that the applicant has provided for on-site water systems to eliminate such negative effect.
4. That the applicant has demonstrated its ability, financial and otherwise, to bring the development to completion.
5. That the management plan submitted by the applicant is sufficient to insure continued unified management of the development in accordance with the standards set forth by the Planning Board.

6. That the applicant has proposed adequate security to insure the payment to the Town for the Town's share of any costs incurred for improvements such as roadway improvements, traffic signalization or water lines required as a direct result of the construction of the development.
7. That adequate provisions have been made for the removal of solid wastes produced by the development, with particular consideration being given to the ultimate destination of such wastes; and that provisions have been made for the immediate removal of sludge produced as a result of on-site sewage treatment, if any.
8. That yard and setback requirements applicable to the Industrial A District are met, except that the Planning Board may allow reduction of up to 50% in the yard and setback requirements if the applicant demonstrates that the building sites and proposed uses, including possible expansion requirements, warrant such reductions.
9. That lot size requirements are met, except that the Planning Board may allow a reduction of up to 20% of such requirements if the applicant demonstrates that the building sites and proposed uses, including possible expansion requirements, warrant such reductions.
10. That uses requiring outdoor storage of equipment and supplies screen views of such storage areas from adjacent buildings or ways.
11. That the exterior building materials blend with the setting or complement it.
12. That building masses and heights along the perimeter of the project are compatible with the views from adjacent ways and neighborhoods.

9.4.14 Variations. The Planned Development shall be constructed and operated in conformance with the site plan presented to the Board and any conditions imposed by the Board in the special permit. Variations from the site plan and conditions of the special permit may be authorized by the Planning Board. Requests for substantial variations from the site plan and conditions of the special permit as determined by the Planning Board may be granted only after notice and public hearing pursuant to this Section.

9.5 COMMERCIAL/INDUSTRIAL PROJECTS IN THE ELM STREET INDUSTRIAL PARK

9.5.1 Purpose. A special permit process allows greater flexibility for larger-scale planned development projects within the Elm Street Industrial Park. The review by the Special Permit Granting Authority will include mixture of uses, site access, internal circulation and parking, building location, overall project layout, provision and design of open space, and drainage and water resource impacts.

9.5.2 Requirements.

1. The tract is in single or consolidated ownership at the time of the application and is at least 5 acres in size.
2. Uses may include office and laboratory, industrial, wholesale, and transportation. Up to 20% of floor area within a Commercial/Industrial Park development may be dedicated to retail, restaurant, or commercial service use.

9.5.3 Dimensional Requirements.

Minimum Lot Size	5 acres
Minimum Lot Frontage	200'
Minimum Depth (Front/Rear/Side)	40'/20'/20'
Maximum Building Floors/Height	-/40'
Maximum % Building Coverage	-
Maximum % Lot Coverage	75%
Minimum % Open Space	25%
Maximum % Impervious	50%*

* May be increased to 60% by Special Permit if development includes appropriate use of Low Impact Design Principles and/or building meets LEED Certification criteria (actual LEED Certification is not required).

9.5.4 Dimensional and Other Requirements.

1. The Commercial/Industrial Project shall comply with Sections 9.4.3 to 9.4.7 of the Ordinance.
2. To the extent possible, required open space shall retain natural (pre-existing) vegetation.
3. The Commercial/Industrial Project shall comply with Sections 9.4.9 and 9.4.10 of this Ordinance, with the following exception: the mixture of uses reflects consideration of the overall purpose of the district.

9.5.5 Procedures. Special permit procedures shall be the same as those set forth in Section 9.4.11 to 9.4.13 of this Ordinance.

9.6 CENTRAL BUSINESS DISTRICT, STANDARD (CBD-S)

9.6.1 Purpose. The purpose of this Section is to allow for mixed-use development within the Central Business District, Standard (CBD-S) to expand small retail and restaurant uses while providing flexibility to respond to changing household sizes and needs.

9.6.2 Powers and Administrative Procedures. The demolition of an existing building on a property in the CBD-S, and any subsequent redevelopment of that property, may be allowed through the site plan and special permit process. Any new construction that does not involve demolition of an existing building and any addition to an existing building are allowed by right and shall not require a special permit but will require site plan review, so long as they comply with all other sections of these zoning bylaws, including Section 4.2 Table of Dimensional Requirements. Special permits for demolition shall not be required where emergency or immediate demolition is required to protect the safety and welfare of the public as determined by the Building Inspector.

The Planning Board is hereby designated the Special Permit Granting Authority (SPGA) for demolition in the CBD-S. The SPGA shall adopt rules relative to the issuance of special permits for demolition in the CBD-S and file a copy with the Town Clerk. The SPGA shall follow the procedural requirements for special permits as set forth in Section 9 of M.G.L. Chapter 40A. Note that historic properties in this area are also subject to Chapter 120 (Historic Properties) of the Town Code, including Article IV Demolition Delay

9.6.3 Finding; Conditions. In all matters in which it has jurisdiction to issue Special Permits pursuant to the provisions of this Section, the Planning Board may issue such Special Permits only upon a finding that the proposed demolition and redevelopment is in harmony with the general purpose and intent of this Section. Any such Special Permit shall be subject to such conditions and safeguards as the Planning Board may prescribe and shall include design guidelines applicable to development of the site. In reviewing any application for such a Special Permit, the Planning Board shall give due consideration to promoting the public health, safety, convenience, and welfare; shall encourage the most appropriate use of land; and shall permit no building or use that is injurious, noxious, offensive or detrimental to its neighborhood.

9.6.4 Approval Criteria. No Special Permit or Site Plan under this Section shall be granted unless the Planning Board finds that:

1. The Plan complies with the provisions of this Article.
2. The impact of the development activities shown on the Plan is anticipated to be of benefit to the Town.
3. The Plan provides adequately for the convenience and safety of vehicular and pedestrian movement within the Project and in relation to streets, property or improvements outside the Project.
4. The Plan provides for the adequacy of the methods of disposal of sewage, refuse and other wastes, provision of utilities, and the methods of drainage for surface water and seasonal flooding, if any, and adequate provision of water for domestic purposes.

After notice and public hearing and after due consideration of the reports and recommendations of other town boards, commissions and/or departments, the SPGA may grant such a permit. The SPGA shall also impose, in addition to any applicable conditions specified in this section, such applicable conditions as the SPGA finds reasonably appropriate to improve the site design,

housing, traffic flow, safety and/or otherwise serve the purpose of this section. Such conditions shall be imposed in writing and the applicant may be required to post a bond or other surety for compliance with said conditions in an amount satisfactory to the SPGA.

9.6.5 Application.

No special permit for demolition in the CBD-S shall be granted unless the application and site plan meet the requirements contained in this Section and the SPGA's Rules and Regulations for demolition in the CBD-S applications.

9.6.6 Requirements. All development within the CBD-S, unless otherwise specified below, is subject to the following requirements:

1. The location, size and proposed uses of the development are properly located on the site.
2. Adjacent properties are protected from nuisance caused by noise, fumes, drainage, shading, traffic and/or glare of lights.
3. Significant natural features are preserved as much as possible.
4. Historic features or buildings are preserved as much as possible.
5. Properties located within the Historic District shall comply with the rules and regulations of the Historic District Commission.
6. For all new construction, ground floors must be designed to accommodate commercial use to a depth of at least 20 feet from the front façade, by maintaining a floor to ceiling height of at least 15 feet within this depth. (Note that any use allowed in the CBD per Section 3.2 Table of Use Regulations is permitted so long as the ground floor is designed to accommodate commercial uses.)
7. Architectural details of new buildings and additions, and textures of wall and roof materials, should be harmonious with the building's overall architectural style and should preserve and enhance the character of the surrounding area and meet the Design Standards of Section 9.6.8.
8. For new buildings and additions, the mass, proportion, and scale of the building, and proportions and relationships between doors and windows, should be harmonious among themselves and with those of the surrounding area and meet the Design Standards of Section 9.6.8.
9. Parcels in contiguous ownership shall be designed as and considered one project.
10. Parking shall comply with Section 6.1.4 CBD Parking.

11. All drive aisle widths shall be a minimum of 18' unless one-way traffic is proposed, and all parking areas shall maintain a minimum of 10% of the gross area as landscaping in addition to any other requirement in this Ordinance.

12. Drives and parking areas shall not be illuminated by lighting fixtures higher than twenty (20) feet. Sidewalks shall not be illuminated by lighting fixtures higher than fifteen (15) feet.

13. All lighting fixtures shall be shielded to have a total cutoff of all light at less than ninety (90) degrees. The total cutoff of all light shall occur within the property lines of the parcel to be developed.

9.6.7 Density. The allowed residential density under this Section is 18 units per acre. For a mixed use or multi-family residential development in the CBD-S, Density Bonuses may be granted by special permit solely at the discretion of the Planning Board serving as the SPGA, if the Board finds that the bonus provides a significant benefit to the Town of Bridgewater or the public at large. The Planning Board may allow for density bonuses of additional residential units until the total residential density reaches up to 26 units per acre for the following:

1. Preservation of Historic Structures – 2 units for the preservation of 1 Structure.
2. Mixed Income Housing & Public Improvements – Any density bonus for residential units would require a minimum of 10% of the additional units to be income restricted.
3. Providing Solar Energy or Green Roofs if allowed under the Town's zoning ordinance – 1 unit for the construction of solar energy or green roof for each building.

9.6.8 Design Standards.

The standards below apply to any new construction as well as to additions, as relevant (for example, an addition to the rear of an existing building would not trigger compliance with standards related to frontages and front façades). Design standards do not apply to a change of use in an existing building that is not being expanded with an addition.

1. The building's location shall be visually parallel or perpendicular to the street. The design of proposed buildings, structures and additions shall complement, whenever feasible, the general setback, roof line, roof pitch, arrangement of openings, color, exterior materials, proportion and scale of existing buildings in the vicinity.
2. Buildings shall be placed close to the road and sidewalk to encourage pedestrian traffic; long horizontal facades should be avoided by incorporating recesses and projections, of a minimum of two feet in depth; entrance ways should be emphasized by use of rooflines, changes in materials, landscape treatments or other architectural

elements; franchise architecture with highly contrasting color scheme, non-traditional forms, reflective siding and roof materials shall be avoided; drive-through elements shall be architecturally incorporated into the building; drive-through elements generally shall not face the street; the material used for additions shall complement the materials of the original structure.

3. Building styles do not necessarily have to be identical to existing styles or mimic historic styles but should be complimentary and enhance the appearance of the area.

4. Buildings may be 3.5 stories tall or 45' in height.

5. Rooflines: Pitched roofs are preferred, but flat roofs may be allowed for taller buildings and when green roofs are proposed; roof colors shall be earth tones or a color that is darker than the facade and garish roof colors shall not be used; visible roofing materials shall complement the color and texture of the building's facade; roof mounted mechanical equipment shall be screened from public view or grouped at the rear of the structure where visibility is limited.

6. Twenty percent (20%) of the gross square feet of each lot shall be vegetated open space. A landscaping plan stamped by a Registered Landscape Architect shall be submitted to the SPGA for review and approval.

7. Street facades should ensure that the building and landscaping enhances the streetscape and does not detract from the character of the area.

8. Building Signs: sign colors shall complement the colors on the building; carved wooded signs are encouraged; internally illuminated signs are not allowed; lighting fixtures illuminating signs shall be located so light is directed only onto the sign facade.

9. A minimum of 30% of the building's street side facade shall contain windows or glass-fronted doors on the ground floor and a minimum of 20% on the upper stories. The windows shall be divided by muntins and framed with a casing trim; awnings shall be designed as an integral part of the building facade; metal awnings are discouraged.

10. The requirement for commercial development may be accommodated on an adjacent parcel or parcels, providing the commercial development is constructed in conjunction and coordination with the residential development and reflects the character of a village or town center. An approved site plan of the entire development project must outline project phasing and scheduling as well as conditions of approval. Unless otherwise permitted elsewhere in this Section, no residential units are allowed on the ground floor of a mixed use development within the CBD-S.

9.6.9 Compliance. An as-built plan, certified by a registered professional land surveyor or engineer shall be submitted to the Planning Board and the Building Inspector before the issuance of a permanent occupancy permit. The as-built plan shall attest to a development's conformity to its approved site plan by indicating landscaping, buildings, drainage flow, number of parking stalls, and limits of parking areas and drives.

Any changes in any approved special permit shall be submitted to the SPGA for review and approval prior to the issuance of permanent occupancy permit.

9.7 ELM RETAIL OVERLAY DISTRICT (EROD)

The Elm Retail Overlay District is a commercial district along the Elm Street corridor that allows medical marijuana treatment centers, also known as registered medical marijuana dispensaries (RMDs), by special permit from the Planning Board per Section 7.4.3. The boundaries of the EROD are shown on the approved Zoning Map.

9.8 CENTRAL BUSINESS DISTRICT, REDEVELOPMENT (CBD-R)

9.8.1 Purpose. The purpose of this Section is to allow for the redevelopment of the Central Business District, Redevelopment (CBD-R) to expand walkable, mixed-use commercial centers while responding to the need for multi-family residential development in proximity to retail, services, and transit.

9.8.2 Note on Definitions. Terms specifically defined in Section 9.8.17 are identified in ALL CAPITAL LETTERS.

9.8.3 Applicability. This Section 9.8 shall apply to all development in the CBD-R other than changes of use in an existing structure, without additions.

9.8.3.1 Exemptions. The following activities shall be exempt from the provisions of this Section 9.8.

1. Normal maintenance of stormwater management systems as defined by the WETLANDS PROTECTION ACT (MGL CH. 131, §40) regulation 310 CMR 10.04 and MGL CH. 40A §3.
2. Emergency projects necessary for the protection of the public health or safety, provided that the work is to be performed or has been ordered to be performed by any agency of the Commonwealth or by the Town Manager.
3. Emergency repairs to existing utilities.

9.8.4 Development Plan Review. This section establishes the procedural and substantive provisions for the development of land in order to meet the unique growth and development issues of the CBD-R. Any development proposal submitted under this section must submit a completed Town of Bridgewater FBC Checklist (Appendix A).

9.8.4.1 Determination of Compliance. Compliance with the Town of Bridgewater FBC Checklist will be determined by Town Staff.

9.8.4.2 Development Plan Review Process.

1. Preliminary Application Review

- a. Prior to the submittal of a Development Plan Review application, all DEVELOPMENT PROJECTS shall submit materials to DCED for a preliminary application review meeting with DCED staff. The purpose of the preliminary application shall be to afford the applicant input from DCED staff during the formative stages of the concept design and to highlight areas where the applicant may need to give additional attention prior to filing a Development Plan application. A preliminary application meeting is intended to encourage discussion and to provide guidance to the applicant. However, any opinions or advice offered by DCED staff shall not constitute or imply an approval or a denial of a project.
- b. The current owner of record or an authorized representative may request a preliminary application review meeting by submitting the required materials with a cover letter that is time-stamped at the Town Clerk's Office. The materials shall include one (1) original and seven (7) copies on a flash drive of the required conceptual materials per the CBD-R Preliminary Application Submission Requirements and Checklist.
- c. Prior to scheduling a preliminary application review meeting, and within ten (10) days of receiving the request, DCED shall notify the applicant as to whether the materials are adequate for a preliminary application review meeting and, if applicable, specify the time and location for the meeting. Said meeting shall be scheduled to occur within twenty (20) days of receiving the original request for a preliminary application review meeting. A petitioner may request to reschedule this meeting for another time through direct consultation with DCED.
- d. Comments shall be compiled by DCED staff and forwarded to the current owner of record or the authorized representative within five (5) business days of the review meeting. A copy of said comments shall be transmitted to the Building Inspector and the Town Clerk.

2. Development Plan Review Process

- a. Upon advisement from DCED on the preliminary application review, an applicant may submit a complete Development Plan to DCED pursuant to the requirements of Section 9.8.4.3 and the Development Plan Review Application and Checklist.
- b. DCED Staff shall review all applications for completeness within ten (10) days of receiving the application. If deemed incomplete, based on the contents of the Development Plan Review Application and Checklist, DCED shall send a letter to the applicant via certified mail detailing the missing items and the applicant shall be

invited to resubmit. Once the DCED Director deems an application complete, Staff will schedule a public information meeting.

- c. Within thirty (30) days of deeming the application complete, DCED Staff shall determine whether the application satisfies all the checklist requirements. At the beginning of the 30 -day review period by the CED office, the submittals and plans for development shall be sent to the planning board for review at a regularly scheduled planning board meeting. Within the 30-day approval period (unless extended by agreement) the Planning Board shall report its comment and final recommendation back to the CED Department prior to the issuance of any permit. If it does, the application shall be approved. If it does not, DCED Staff shall submit, in writing, any shortcomings to the applicant. Denied applications may be submitted again once any shortcomings are addressed.

- d. Where an application requires a variance as determined by the DCED Director, the application may be conditionally approved by DCED Staff, pending the outcome of the variance request as described in Section 9.8.6.

9.8.4.3 Development Plan Review Submittals.

1. The current owner of record or an authorized representative shall submit a copy of the development plan review application to DCED after the original application is time-stamped at the Town Clerk's Office.

2. All plans and drawings submitted to the Staff shall be prepared by a professional licensed in the Commonwealth of Massachusetts in the applicable discipline (i.e. architecture, landscape architecture, and engineering) and shall include all information required as part of the Development Plan Review Application and Checklist.

9.8.5 Waivers and Variances.

9.8.5.1 Waivers. A waiver may be requested for any of the checklist requirements referenced in Section 9.8.4 which may not be applicable to a particular project. An applicant may request a waiver, which may be granted at the discretion of the DCED.

9.8.5.2 Variances. Variances may be sought through the Board of Appeals per Section 10.3.2 Powers of the Board of Appeals.

9.8.6 Envelope Standards.

9.8.6.1 Introduction.

1. The BUILDING ENVELOPE STANDARDS (BES) establish both the limitations and specific requirements for building form and frontages.

2. The form and function regulations work together to create the STREET-SPACE while allowing the building design greater latitude behind the façades.

9.8.6.2 General Standards. The following regulations apply to all BES, unless expressly stated

otherwise within an individual BES or on the REGULATING PLAN.

1. Transitions. When the BES designation changes from Mixed-use (MU) or Transitional Frontage to Flex Frontage along the STREET-SPACE FRONTAGE or at the BLOCK CORNER within a DEVELOPMENT PROJECT or BES SITE, the applicant should continue the MU or Transitional Frontage for a maximum additional distance of 50 feet along that STREET-SPACE FRONTAGE or around that BLOCK CORNER.
2. Façade Composition
 - a. Intent and Guiding Illustrations
 - i. Façade Compositions should create building facades that bring out changes in plane, material texture, and detail through the interplay of light and shadow. Façade Compositions should also provide comfort and interest for the pedestrian environment by providing human-scaled architectural character and avoiding large areas of undifferentiated or blank building facades. Through the careful selection of materials, FENESTRATION, and ornamentation, the FAÇADE COMPOSITION should appear as a unified whole rather than a collection of unrelated parts. The statements in this paragraph and illustrations which follow on the following page are advisory only. Specific prescriptions of this section are provided in the standards below:
 1. Requirements and Configurations
 - a. Building FACADES must have changes in the surface plane through the use of elements such as bay windows, cornices, piers, pilasters, recessed storefronts, lobby entrances, seat walls, sills, wall thickness, or recessed or projecting windows.
 - b. The maximum length of the COMPLETE AND DISCRETE VERTICAL FAÇADE COMPOSITIONS along a FAÇADE on a BLOCK FACE shall be no more than 100 feet for all BES frontages. Modifications to the façade of existing buildings are exempt. DEVELOPMENT PROJECTS with STREET-SPACE frontage of less than 150 feet on a BLOCK FACE are exempt from the COMPLETE AND DISCRETE VERTICAL FAÇADE COMPOSITION requirement for that BLOCK FACE, provided that the DEVELOPMENT PROJECT does not encompass more than one BLOCK CORNER.
 - c. Building FACADES shall be designed so that each BLOCK CORNER encompasses a distinct COMPLETE AND

DISCRETE VERTICAL FACADE COMPOSITION.

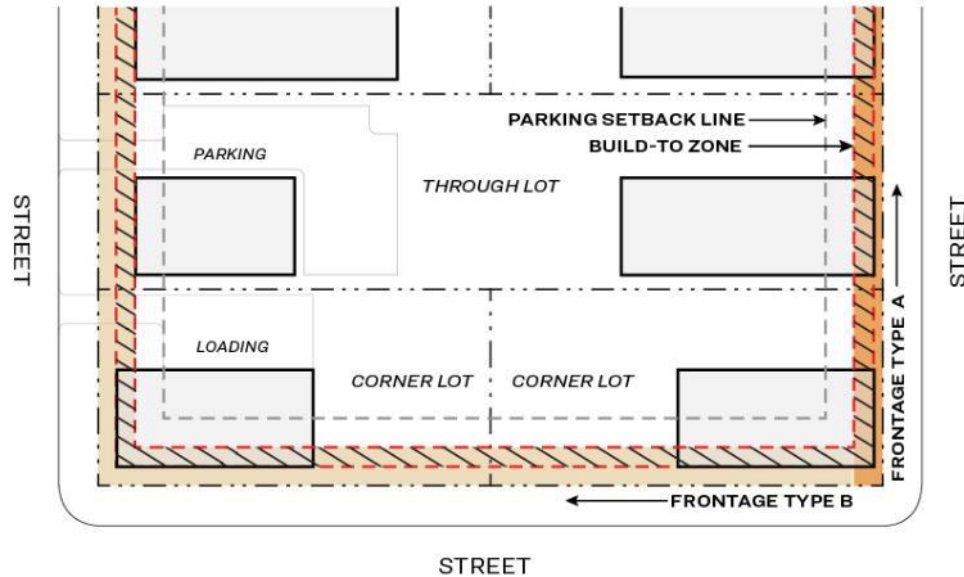
- d. The average distance between STREET-SPACE entry doors shall be no greater than 60 feet for each FAÇADE.

3. Height

- a. The height of all buildings is regulated in STORIES. The minimum length and height of the FACADE that is required at the BUILD-TO ZONE is shown on the appropriate BUILDING ENVELOPE STANDARD.
- b. A half story is not included in the maximum STORY limit.
- c. Where any part of a parking structure constructed or approved under this Ordinance is located within 30 feet of another building constructed or approved under this Ordinance that portion of the parking structure shall be no taller than the allowable height for that building's primary roof ridge or parapet height.
- d. A MEZZANINE is internally accessible from, and a continuation of, the GROUND STORY use. Any STORY above the GROUND STORY that does not meet the definition of a MEZZANINE shall be considered a STORY.
- e. The prescribed minimum CLEAR HEIGHT for an individual STORY shall be met by at least 80 percent of that individual STORY area.
- f. Roof access for amenities is permitted (and does not count against the maximum STORY limit of their BES). Occupiable space for associated amenities, building code requirements, or other common area spaces is permitted within the penthouse enclosure.

4. Siting

- a. Building FACADES shall be built to the BUILD-TO ZONE as prescribed in the BES.
- b. The PARKING SETBACK LINE is 20 feet behind the property line and extends vertically from the first-floor level as a plane unless otherwise indicated on the REGULATING PLAN or in the BES. Vehicle parking shall be located behind the PARKING SETBACK LINE, except where parking is provided below grade, on-street, or as otherwise indicated on the REGULATING PLAN or in the BES.



- c. CORNER LOTS and THROUGH LOTS shall satisfy all BES frontage requirements for each designated BES. For such lots, garbage bins, pick-up locations, and loading docks shall be located behind the PARKING SETBACK LINE. (See Diagram)
- d. Curb cuts and driveways shall be located at least 50 feet away from any BLOCK CORNER or parking GARAGE ENTRY on the same BLOCK face.
- e. One curb cut per BES SITE is permitted on Broad Street, or two if the distance between is over 200 feet.

5. Elements

- a. At least one functioning entry door shall be provided along each GROUND STORY FAÇADE with street FRONTAGE. No GROUND STORY FAÇADE may include a section greater than 75 feet without a functioning entry door unless otherwise specified in the BES.
- b. Neither BALCONIES nor STOOPS shall be enclosed above a height of 44 inches from their floor, except with insect screening and/or columns/posts supporting a roof or connecting with a BALCONY above. BALCONIES may be a single-floor platform or multiple platforms stacked at the upper STORY levels.
- c. Half stories are permitted within all BES frontages. On any street FRONTAGE, windows in half stories may be located only in DORMERS and/or windows in gable-ends.
- d. DORMERS are permitted so long as they do not break the primary eave line, are individually less than 15 feet wide, and their collective width is not more than 60 percent of the FACADE length. DORMERS do not constitute a STORY when they meet the foregoing standards.
- e. All FRONT PORCHES shall be completely covered, either by a roof or by being

inset into the main body of the building. FRONT PORCHES may be screened when all architectural elements (columns, railings, etc.) occur on the outside of the screen on the side facing the STREET-SPACE.

6. Permitted Encroachments

- a. BAY WINDOWS, ramps, SHOPFRONTS, stairs, and STOOPS are permitted to encroach any required setbacks for a maximum of four (4) feet. Except for BALCONIES and upper-story BAY WINDOWS, none of these elements may encroach into any adjacent sidewalk.
- b. AWNINGS, BALCONIES, upper-story BAY WINDOWS, CANOPIES, and overhanging EAVES are permitted to encroach any required setbacks and the public right-of-way.
- c. A FRONT PORCH may encroach the front setback for a maximum of eight (8) feet.
- d. Temporary displays or café seating are permitted in the FRONTAGE ZONE of any adjacent sidewalk provided they do not encroach into any CLEAR PATH.
- e. Neither BALCONIES nor STOOPS may project to within 5 feet of a COMMON LOT LINE.

7. Uses

- a. All uses shall conform with Sec. 3.2 Table of Use Regulations.

8. Civic Buildings

- a. Publicly-owned CIVIC BUILDINGS are exempt from this Section 9.8.5.

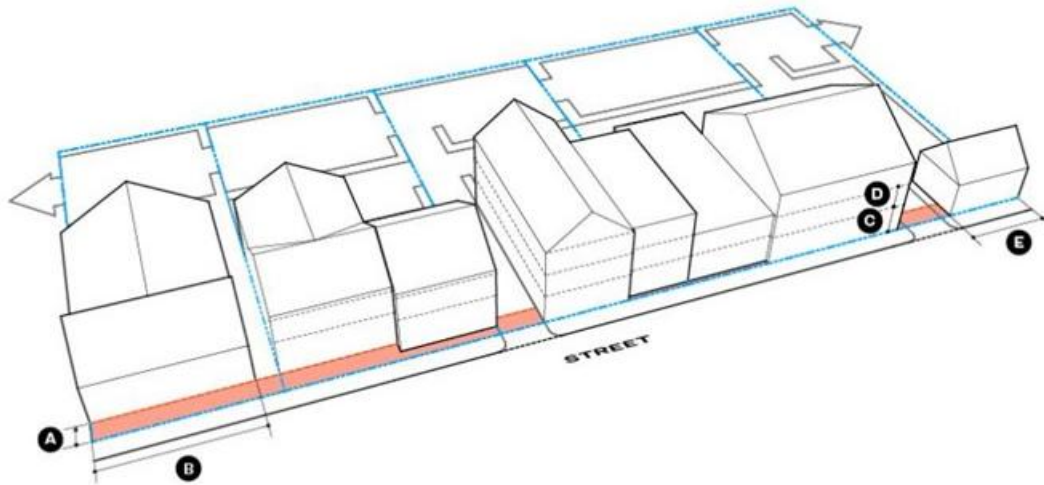
9.8.6.3 Mixed-use Frontage.

1. Illustrations And Intent. The photos and statements below are provided as illustrations of intent and are advisory only. They do not have the power of law. Refer to the standards on the following pages for the specific prescriptions and restrictions of the Village Center Frontage Building Envelope Standard. Where these photos or statements may be inconsistent with the regulations, the regulations prevail.

The purpose of this frontage is to develop village-scale mixed-use buildings that are close to the sidewalk and support pedestrian activity. New development should continue the character and historic patterns of Central Square. This frontage requires GROUND STORY activation through commercial and other uses that address the needs of the community and strengthen Bridgewater's historical core and sense of place.



2. Siting



A Primary Front Setback (min/max)	0 ft	10 ft
Side Setback (min)	0 ft	
Rear Setback (min)	0 ft*	
Lot Coverage (max)	90%	

* If abutting Residential, the minimum rear setback is twenty (20) feet.

3. Use & Elements

Ground Floor Fenestration (min/max)	30%	90%
Upper Story Fenestration (min/max)	20%	70%
Commercial Ground Story Space Depth (min)	25 ft	
Blank Wall (max)	20 ft	

4. Massing & Height

B Building width (max)	200 ft	
C Façade Build Out (min)	80%	
D Ground Story Height (min/max)	15 ft	20 ft
E Upper Story Height (min/max)	10 ft	12 ft
Ground Story Clear Height (min)	12 ft	
Upper Story Clear Height (min)	8 ft	
Building Height (max)	4 stories	
Building Footprint (max)	6,000 sf	

* If located behind Frontage buildings, 16,000 sf is permitted.

5. Design Standards

- a. Buildings at TERMINATED VISTAS serve as focal points and should be articulated with design features and character that respond visually to their location.
- b. When a use other than retail occupies the GROUND STORY, the space should be designed to accommodate retail such as providing adequate clear height for ventilation and exhaust.
- c. Building support functions, such as lobbies, rental offices, and club/activity rooms may be located at grade; however, excluding the lobby, no more than 25% of the BES SITE FRONTAGE shall be occupied by such uses.
- d. Loading and servicing shall be to the rear and off an alley, if present.
- e. Within 8 feet of a BLOCK CORNER, the GROUND STORY FAÇADE may be chamfered to form a corner entry.

9.8.6.4 Transitional Frontage.

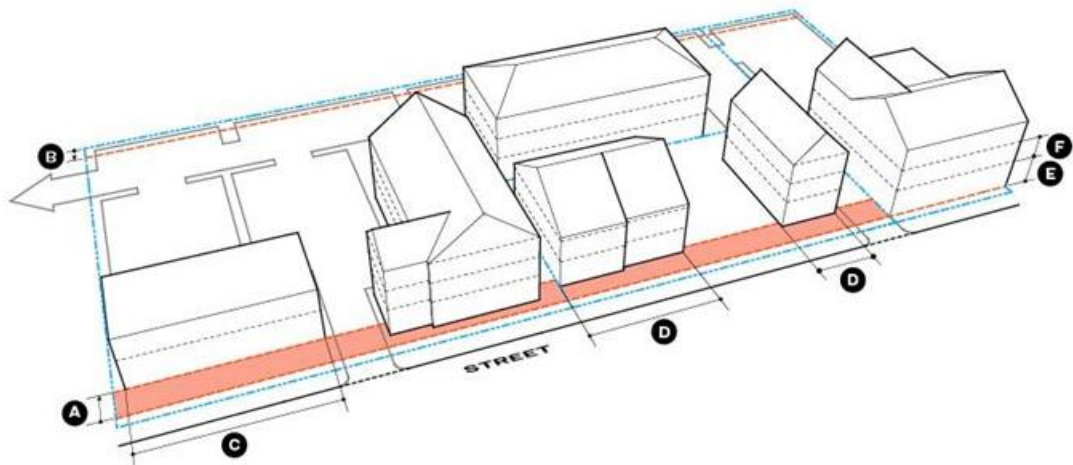
1. Illustrations And Intent. These photos and statements are provided as illustrations of intent and are advisory only. They do not have the power of law. Refer to the standards on the following pages for the specific prescriptions and restrictions of the Transitional Frontage Building Envelope Standard. Where these photos or statements may be inconsistent with the regulations, the regulations prevail.

The purpose of this frontage is to develop neighborhood-scale mixed-use buildings that are close to the sidewalk and support pedestrian activity. This frontage requires a CONVERTIBLE GROUND STORY to provide flexibility to changing community needs and ensure commercial activity can be located anywhere along the frontage type.





2. Siting



A Primary Front Setback (min/max)	5 ft	20 ft
Side Setback (min)	0 ft	
B Rear Setback (min)	10 ft*	
Lot Coverage (max)	75%	
Building Separation (min)	12 ft	

* If abutting Residential, the minimum rear setback is twenty (20) feet.

3. Use & Elements

Ground Floor Fenestration (min/max)	30%	70%
Upper Story Fenestration (min/max)	20%	70%
Convertible Ground Story Space Depth (min)	30 ft	
Blank Wall (max)	20 ft	

4. Massing & Height

C Building width (max)	200 ft	
D Façade Build Out (min)	50%	
E Ground Story Height (min/max)	15 ft	20 ft
F Upper Story Height (min/max)	10 ft	12 ft
Ground Story Clear Height (min)	12 ft	
Upper Story Clear Height (min)	8 ft	
Building Height (max)	4 stories*	
Building Footprint (max)	6,000 sf*	

* Up to 5 stories is permitted for lots over 160,000 square feet provided the structure is behind FRONTAGE buildings on Broad Street, Spring Street or Plymouth Street and provided that any additional stories are occupied only by residential uses.

** If located behind FRONTAGE buildings, 25,000 sf is permitted.

5. Design Standards

- a. Buildings at TERMINATED VISTAS serve as focal points and should be articulated with design features and character that respond visually to their location.
- b. When a use other than retail occupies the GROUND STORY, the space should be designed to accommodate retail such as providing adequate clear height for ventilation and exhaust.
- c. Loading and servicing shall be to the rear and off the alley, if present.
- d. Within 8 feet of a BLOCK CORNER, the GROUND STORY FAÇADE may be chamfered to form a corner entry.
- e. For RESIDENTIAL UNITS on the GROUND STORY, the finished floor elevation shall be no less than 3 feet above the average elevation of the fronting sidewalk for the BES SITE. Alternatively, the windowsills can be raised to a maximum of five (5) ft if landscaping is provided between the building and the right-of-way.

9.8.6.5 Flex Frontage

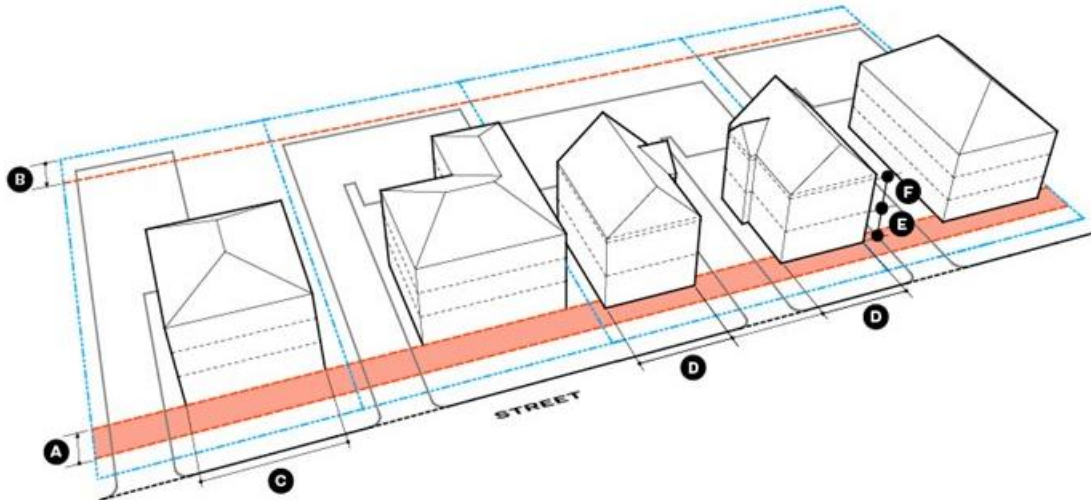
1. Illustrations And Intent. These photos and statements are provided as illustrations of intent and are advisory only. They do not have the power of law. Refer to the standards on the following pages for the specific prescriptions and restrictions of the Flex Frontage Building

Envelope Standard. Where these photos or statements may be inconsistent with the regulations, the regulations prevail.

The purpose of this frontage is to develop neighborhood-scale buildings with a range of uses and housing types. Neighborhood-friendly businesses are allowed and encouraged, especially at intersections and adjacent to the village and neighborhood center frontages. All building space along the street frontage shall be commercial, retail, office or restaurant uses.



2. Siting



A Primary Front Setback (min/max)	10 ft	25 ft
Side Setback (min)	0 ft	
B Rear Setback (min)	20 ft	
Lot Coverage (max)	75%	
Building Separation (min)	12 ft	

3. Use & Elements

Ground Floor Fenestration (min/max)	30%	70%
Upper Story Fenestration (min/max)	20%	70%
Blank Wall (max)	20 ft	

4. Massing & Height

C Building width (max)	150 ft	
D Façade Build Out (min)	50%	
E Ground Story Height (min/max)	10 ft	20 ft
F Upper Story Height (min/max)	10 ft	12 ft
Ground Story Clear Height (min)	12 ft	
Upper Story Clear Height (min)	8 ft	
Building Height (max)	4 stories*	
Building Footprint (max)	3500 sf	

* Up to 5 stories is permitted for lots over 160,000 square feet provided the structure is behind FRONTAGE buildings on Broad Street, Spring Street or Plymouth Street and provided that any additional stories are occupied only by residential uses.

** If located behind FRONTAGE buildings, 8,000 sf is permitted.

5. Design Standards

- a. Loading and servicing shall be to the rear and off the alley, if present.
- b. For RESIDENTIAL UNITS on the GROUND STORY, the finished floor elevation shall be no less than 3 feet above the average elevation of the fronting sidewalk for the BES SITE. Alternatively, the windowsills can be raised to a maximum of five (5) feet if landscaping is provided between the building and the right-of-way.

9.8.7 General Architectural Standards

9.8.7.1 General Intent. The primary purposes of the General Architectural Standards, working in tandem with the Building Envelope Standards, are to:

1. reinforce, enhance, and support a vibrant and safe pedestrian environment through the application of high-quality materials and architectural designs and
2. to achieve an aesthetic that promotes a distinct visual identity, is rich in character, creates inviting public spaces, and is strengthened by the diversity and quality of its architecture and public spaces.

The character of new building facades should complement the materials and general scale of surrounding neighborhood buildings and, through the application of these standards, create a cohesive ensemble of buildings.

9.8.8 Building Wall Materials. All Illustrations and precedent images that follow are for illustrative purposes only, with no regulatory effect. They are provided as examples and shall not

9.8.8.1 Intent. The BUILDING WALL MATERIALS standards are intended to achieve simple configurations and solid craftsmanship. The building walls should be developed using construction techniques and structural constraints of time-tested, long-lasting building materials.

9.8.8.2 General Standards for all Buildings/Building Envelope Standards

1. To achieve simple configurations, the type and color variation of BUILDING WALL MATERIALS should be minimal and kept to three (3) or fewer.
2. BUILDING WALL MATERIALS appearing heavier in weight shall be used below materials appearing lighter in weight (i.e. wood above brick; stone above brick; brick below metal panel; etc.).
3. Siding shall be wood or composite material. Where siding, including panels, is not mitered at corners, siding shall incorporate corner boards on the outside building corners to conceal

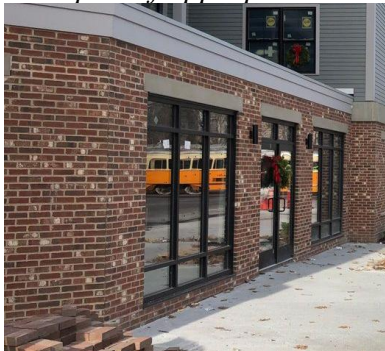
raw edges.

4. Brick MASONRY may be painted.
5. All STUCCO surfaces shall have a smooth or sand finish and shall be painted.
6. All exposed MASONRY walls (i.e. STREET WALLS, GARDEN WALLS, other free-standing walls, parapet) shall have a cap to protect the top of the wall from the weather.
7. The following building wall materials are prohibited: EIFS (Exterior Insulation and Finishing System), Styrofoam, and all other foam-based products; Vinyl and aluminum siding; Prefabricated STUCCO panels and sprayed on STUCCO finishes.

9.8.8.3 Permitted Materials

1. Permitted building wall materials are masonry (brick, ground-face block, stone, or cast stone), clapboard (wood, Hardie board, or similar), cedar shingles, and terracotta.
 - a. Composition board may have smooth or grained finish.
2. Permitted ORNAMENTATION MATERIALS are metal or cementitious panels or elements, thin/veneer brick panels or tile, ceramic tile, stucco, and other decorative elements.

Examples of appropriate masonry walls



Examples of appropriate siding materials



9.8.9 Doors

9.8.9.1 Intent

1. Permitted materials for doors include wood, metal, glass, and pre-engineered metal and glass systems.
2. Garage doors:
 - a. When an alley is within or adjacent to a BES site, garage doors shall face toward the alley.
 - b. Garage doors clearly visible from the STREET-SPACE shall be no more than 12 feet in width, and where there are multiple garage doors, there shall be a separation between garage doors of at least 12 inches.

9.8.10 Windows

9.8.10.1 Requirements and Configurations

1. All windows shall be vertically proportioned such that their height is greater than their width, and shall meet the following:
 - a. This proportion shall be measured to include all glass or unenclosed openings, and frame elements with a dimension less than 7 inches between glass or unenclosed openings, as one unit. Windows may include vertical or square glass or unenclosed openings.
 - b. Windows may be grouped horizontally, but only if each is separated by a frame element, column, pier, or wall section with a minimum width of 7 inches between glass or unenclosed openings.

- c. Where muntins are used to divide panes of glass (either as true-divided lite windows or simulated-divided lite windows), muntins shall be applied to the exterior of the glass to create shadow and dimension.
2. Windows shall correspond to the clear height within a building and shall not span across the building structure such as floor structural and mechanical thicknesses. Windows on different story levels shall be separated by a minimum of 18-inch wall or framing element.
3. BAY WINDOWS shall create an opening of between four and eight feet in the main wall and shall project no more than 36 inches beyond the BUILD-TO ZONE.
4. Permitted window types: single-, double-, and triple-hung, casement, awning, clerestory, and transom.
5. When used, shutters shall be sized to fit the adjacent window such that the opening would be covered if both shutter leaves were closed. Shutters shall be constructed of wood and shall be mounted with appropriate hinges fastened to window frames and tiebacks fastened to masonry joints so as to appear to be operable.
6. On all upper stories, a minimum of 40 percent of window glass area per story shall be operable and openable.
7. All window glass shall be clear and non-reflective, except as may be required for LEED or other green building standards.
8. FENESTRATIONS should be inset from the plane of the exterior wall surface.
9. Permitted materials for windows are wood, metal, glass, vinyl, fiberglass, and pre-engineered metal and glass systems.

Examples of appropriate doors



Examples of appropriate windows



9.8.11 Shopfronts

1. Requirements & Configurations

- a. The bottom of all SHOPFRONT window glass shall be between 1 and 3 feet above the adjacent fronting CLEAR SIDEWALK and shall run from the sill to a minimum of 8 feet above the adjacent fronting CLEAR SIDEWALK. A durable BUILDING WALL MATERIAL shall be used below the SHOPFRONT window glass.
- b. SHOPFRONT window glass shall be clear, with a light transmission of at least 90 percent (modified as necessary to meet applicable building and energy code requirements).
- c. Window signs or other opaque window treatments or applications should be minimized. A minimum of 80 percent of the window surface shall allow a view into the building interior for a depth of at least 15 feet.
- d. SHOPFRONT doors shall contain at least 60 percent transparent glass. Solid (completely opaque) doors are prohibited.
- e. SHOPFRONTS shall be differentiated from the FAÇADE above by an EXPRESSION LINE.

Examples of appropriate shopfronts



9.8.12 Awnings and Canopies

9.8.12.1 Requirements & Configurations

1. The top of all AWNINGS shall be mounted no more than one (1) foot above the opening below. AWNINGS shall shade windows.
2. AWNINGS shall be made of durable fabric and may be either fixed or retractable. High gloss, plasticized, shiny, or reflective materials are prohibited.
3. Backlit AWNINGS are prohibited.

4. CANOPIES shall be mounted to the building wall and supported either from below brackets or from above by cables or chains or be structurally integrated with the building.
5. CANOPY framing shall be constructed of either metal or wood.
6. Permitted CANOPY roofing materials are metal standing seam (5V crimp or equivalent), slate, and glass.
7. For SHOPFRONTS and lobbies, AWNINGS and CANOPIES are encouraged to provide weather protection and reduce glare for display areas.
8. CANOPIES and AWNINGS should extend above the adjacent CLEAR SIDEWALK a minimum depth of three (3) to a maximum of six (6) feet and a minimum clear height of eight (8) feet.
9. CANOPIES or AWNINGS should not project within two (2) feet of a curb.

Examples of appropriate awnings and canopies



9.8.13 Roofs

9.8.13.1 Detached dwellings and two-family or duplexes shall be limited to gable, hip, and gambrel roofs. Shed roofs are permitted on DORMERS, PORCHES, STOOPS, CANOPIES, and BALCONIES.

9.8.13.2 Flat roofs shall have a parapet around the entire perimeter of the building.

9.8.13.3 All pitched roofs shall be as follows:

1. Roofs shall have a slope of no less than 4:12 to 12:12, except that the steep portion a gambrel roof may have a pitch up to 24:12.
2. All roofs, except shed roofs, shall be symmetrically sloped.

3. Pitched roofs, except those on the FAÇADE side of the building, may be “cut out” to allow roof access for terraces and mechanical equipment. The cut-out area shall not be within two (2) feet of the roof edge nor the ridge.
4. Roof eaves shall overhand the walls below.
5. Permitted roofing materials for pitched roofs are metal, slate, synthetic slate, cedar shingles, and composition shingles. Corrugated metal roofs are prohibited.

Examples of appropriate roofs



9.8.14 Mechanical Equipment and Ventilation

9.8.14.1 Requirements & Configurations

1. If MECHANICAL EQUIPMENT is located at grade, and CLEARLY VISIBLE FROM THE STREET-SPACE, it shall be screened by a PRIVACY FENCE or GARDEN WALL.
2. Air conditioning units shall not be installed over a doorway or protrude through any façade with FRONTAGE.
3. All MECHANICAL EQUIPMENT on a roof shall be screened.
4. All screening of MECHANICAL EQUIPMENT and penthouses placed on a roof shall be set back from the roof line by a distance at least equivalent to the height of the screening or

penthouse to minimize visibility from surrounding streets and shall be a maximum height of 10 feet.

5. Louvers

- a. Louvers should be installed in a clear zone above any shopfront windows.
- b. Louvers should be finished to match the color of the surrounding shopfront elements and integrated with the façade design.
- c. Insulated panels should be installed behind unused louvers that can be removed if the louvers are needed.

9.8.15 Street Walls, Garden Walls, and Privacy Fences

9.8.15.1 Garden Walls

1. Permitted materials for GARDEN WALLS are brick stone, cast stone, or other masonry faced with stucco, iron, steel, or a combination of masonry, iron, and steel. GARDEN WALLS may include panels of wood, metal, or dimensional composite material between piers.

9.8.15.2 Privacy Fences

1. Permitted materials for fences are wood, metal, dimensional composite material, and wood/dimensional composite material with masonry piers.
2. Chain link fences are prohibited.

9.8.15.3 Gates

1. Permitted materials for gates are wood, dimensional composite material, and metal, or combinations thereof.

9.8.16 Parking

1. Parking shall comply with Section 6.1.4 CBD Parking

9.8.17 Defined Terms. The following terms are defined as set forth below for the purpose of the CBD-R. Terms not defined here but defined elsewhere in the Town of Bridgewater Zoning Ordinance, shall have the meanings defined in the Town of Bridgewater Zoning Ordinance. If there are any conflicts between the terms defined in this Section 9.8.17 and those defined in Section 11.0 Definitions, those of Section 9.8.17 shall take precedence in the case of projects under this Section 9.8 .

Awning: A cantilevered, projected or suspended from a building to cover the sidewalk portion of the STREET-SPACE; or a roof-like covering, usually of canvas, metal, or similar material and often adjustable, placed over the sidewalk, windows, or doors to provide protection from sun and rain. It is distinguished from a CANOPY because it is not permanent, nor a structural portion or architectural feature of the building and does not support substantial weight.

Balcony: An exterior platform attached to the upper floors of the building FACADE.

Bay Window: A U-shaped (or similarly shaped) enclosure including a window, extending the interior space of the building outward from the FACADE.

BES Site: That portion of a DEVELOPMENT PROJECT that is subject to the standards of a single BUILDING ENVELOPE STANDARD.

Block: An increment of land that may include lots, alleys, BES SITES, and tracts, that is circumscribed and not traversed by STREET-SPACES (pedestrian pathways excepted).

Block Corner: The outside corner of a BLOCK at the intersection of any two STREET-SPACES. Inside corners, where the resulting angle formed by the BLOCK FACE is less than 190 degrees (concave) are not considered BLOCK CORNERS for the purposes of this Ordinance.

Block Face: The portion of a block between BLOCK CORNERS fronting a street.

Bracket: An architectural element and structural member that projects from a wall and may support weight.

Building Envelope Standards (BES): The part of this Ordinance that establishes basic parameters regulating building form.

Building Wall Materials: Primary materials that cover more than 25 percent of the building FACADE excluding FENESTRATION.

Build-to Zone: The area between a minimum and maximum setback where the FAÇADE of the building must be built within. Façade build-out requirements must also be met within this area.

Canopy: A bracketed or suspended cover projecting from the building over the sidewalk portion of the STREET-SPACE, or a roof-like covering placed over the sidewalk, windows, or doors, to provide protection from sun and rain and, unlike an awning, it is a permanent, durable, structural portion of the building as opposed to a light covering of canvas, metal or other similar material.

Cap: The protective top layer of a masonry wall, such as a garden wall or parapet, is exposed to weather from above.

Civic Buildings: Buildings that house town and municipal uses and are on sites designated for those uses on the REGULATING PLAN.

Clear Height: Within a structure, the distance between the floor and ceiling. For entrances and other external building features, the unobstructed distance from the ground to the bottom of the lowest element above.

Clear Path: An area within a STREET-SPACE that is prescribed to be clear of obstructions, paved with smooth concrete, and that allows public passage.

Clearly Visible from the STREET-SPACE: Many requirements of this Ordinance apply only where the subject is "CLEARLY VISIBLE FROM THE STREET-SPACE." A building element more than 40 feet from a REQUIRED BUILDING LINE or STREET-SPACE is not CLEARLY VISIBLE FROM THE STREET-SPACE (such as elements facing a COMMON LOT LINE). Also, Common or party walls are not CLEARLY VISIBLE FROM THE STREET-SPACE. This does not exempt vehicle parking lots or parking structures from any BUILDING ENVELOPE STANDARD requirements.

Common Lot Lines: Lot lines shared by adjacent private lots.



Complete and Discrete Vertical Facade Composition: A FACADE COMPOSITION that includes similar and related building elements that are distinct from adjacent FACADE COMPOSITIONS in all of the following ways, in order to break down the apparent scale of a large building into smaller apparent pieces in order to maintain a ‘human scale’ for the STREET-SPACE:

1. Different fenestration type (window shape, proportion, and/or grouping);
2. Change in wall material, or in the case of masonry, a change in color and/or proportion of masonry units employed;
3. Change in total fenestration percentage of 10 percent or more; and
4. Change in the height of the cornice or roof line.

Corner Lot: A lot in which one side lot line is adjacent to a street or STREET-SPACE and where special frontage standards, building placement, fencing, and landscape requirements may apply.

Development Project: A property that is the subject of Town approval for development.

Dormer: A projecting architectural feature with a vertical window built out from a pitched roof.

Expression Line: A line prescribed at a certain level of a building for a major part of the width of a FACADE, expressed by a variation in material or by a limited projection such as a molding, BALCONY, or CANOPY.

Façade: The building elevation facing a STREET-SPACE. Building walls facing private interior courts, common lot lines, alleys, and PEDESTRIAN PATHWAYS are not FACADES.

Facade Composition: The arrangement and proportion of materials and building elements

(windows, doors, columns, pilasters, bays) on a given FACADE.

Fenestration: Glass area (including mullions and similar window frame elements with a dimension less than one inch) and/or unenclosed openings in the building wall area.

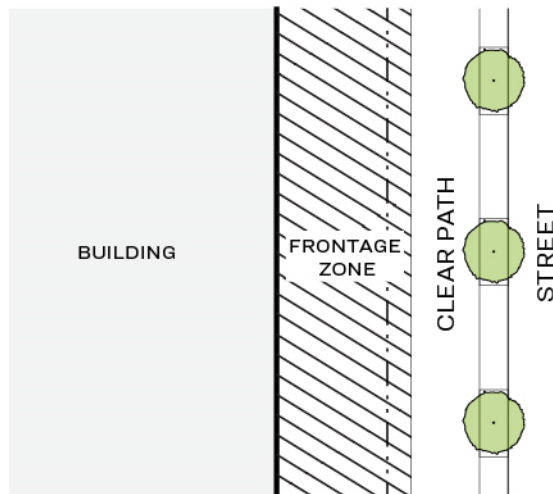
Front Porch: A single ground floor platform or two to three platforms stacked at the ground and upper STORY levels and attached to a FACADE.

Front Yard: A private open space extending across the entire frontage width of the BES SITE between the FACADE and the CLEAR WALKWAY area of the sidewalk. This area is contiguous with the STREET-SPACE and includes any FRONT PORCH.

Front Yard Fence: The fence or wall located along and surrounding the FRONT YARD or a FRONTAGE ZONE.

Frontage: That portion of the building that is coincident with the BUILD-TO ZONE as required by this Ordinance.

Frontage Zone: The area within the STREET-SPACE between the building and the CLEAR PATH of any sidewalk.



Garage Entry: An opening in the building FACADE and/or STREET WALL, located behind a curb cut, where vehicles may enter into the BLOCK interior for general parking and business servicing.

Garden Wall: A wall defining a property line and/or delineating a private area.

Grade: The ground level or elevation at the outside of the building on a lot after grading or construction, as shown on a grading plan certified by a licensed surveyor, or where a grading plan is not required, as submitted to the Zoning Office on the accepted elevation drawings. The average GRADE shall be calculated individually along each Façade to establish the GROUND STORY.

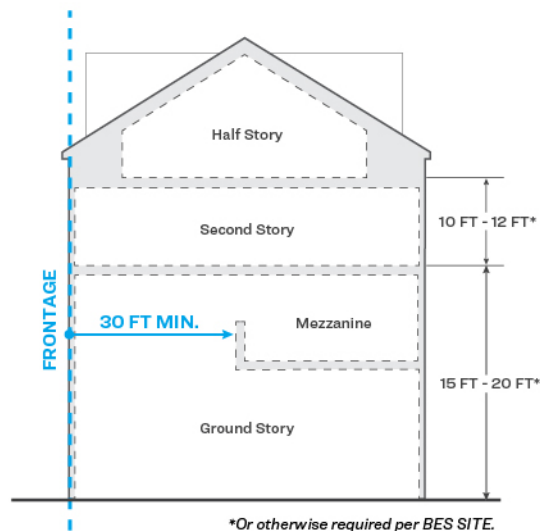
Ground Story: The first occupiable level of a building where at least 50 percent of the finished floor elevation is at or above grade and within the finished floor elevation parameters established in the designated BES. The next STORY above the GROUND

STORY is the SECOND STORY.

Header: A visible horizontal member (or assembly of members) spanning the top of a wall opening, such as for a door or window.

Masonry: A building wall material which may consist of brick, stone, concrete block, or cast stone, and which is bound together by mortar. This does not include pre-fabricated panels of masonry or masonry veneers.

Mechanical Equipment: Equipment including any heating, ventilation, and air conditioning (HVAC) or electrical machinery, including air compressors, hoods, mechanical pumps, exterior water heaters, water softeners, utility and telephone company transformers, meters or boxes, garbage cans (not including public sidewalk waste bins), storage tanks, generators, electric vehicle (EV) chargers, geothermal wells, cellular antenna, and similar elements. Mechanical equipment does not include solar panels or that which may be needed to power accessibility equipment, such as power door openers and wheelchair lifts.



Mezzanine: A partial STORY between the GROUND STORY and the SECOND STORY that is set back from the BUILDING FRONTAGE at least 30 feet and is no more than one third of the floor areas of the GROUND STORY.

Ornamentation Materials: Materials used to provide architectural accent on the FACADE and cover less than 25 percent of the FACADE excluding FENESTRATION.

Parking Setback Line: A line or plane that extends vertically up from the GROUND STORY floor level (unless otherwise noted on the REGULATING PLAN or BES) and is generally parallel to the property lot line. The PARKING SETBACK LINE establishes the closest point to the in which parking may be placed within the BES SITE.

Privacy Fence: A fence along alleys, pedestrian pathways, or COMMON LOT LINES.

Regulating Plan: The plan designates the STREET-SPACE frontage types and public spaces and includes the coding key for the BUILDING ENVELOPE STANDARDS.

Residential: Those uses set forth in Part A. Residential Uses in Section 3.2 Table of Use Regulations.

Second Story: The next story above the GROUND STORY.

Shopfront: That portion of the GROUND STORY FAÇADE FENESTRATION intended for marketing or merchandising of retail, business, and consumer service establishments per Section 3.2 Table of Use Regulations.

Sill: A horizontal member (or assembly of members) at the base of a window opening.

Stoop: An entry platform on the FACADE of a building that may be roofed but is not enclosed.

Story Height: The distance between one floor level and the floor level next above, or if there is no floor above, the ceiling above.

Street-Space: All space forward of and between REQUIRED BUILDING LINES, including but not limited to streets, PLAZAS, PEDESTRIAN PATHWAYS, MINI-PARKS, NEIGHBORHOOD PARKS, sidewalks, and transit service operator passenger platforms, but not GARAGE ENTRIES or ALLEYS.

Vestibule: An open or enclosed passage or hall, of not more than 30 square feet, between an exterior opening or door and the interior of a building.

Zero-Step Entry/Exit: An entrance that is flush at the threshold without steps.

9.9 MBTA COMMUNITIES OVERLAY DISTRICT (MBTACOD)

9.9.1 Purpose. The purpose of the MBTA Communities Overlay District (MBTACOD) is to allow multifamily housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for as of right multi-family housing to accomplish the following purposes:

1. Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels;
2. Locate housing within walking distance of public transit and Bridgewater's Town Center to promote general public health, reduce the number of vehicular miles travelled, support economic development, and meet community-based environmental goals, including reducing greenhouse gases and improving air quality.
3. Support public investment in public transit and pedestrian- and bike-friendly infrastructure.
4. Increase the municipal tax base through private investment in new residential developments.

9.9.2 General Requirements. Within the MBTACOD, multifamily housing shall be allowed as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A).

9.9.3 Applicability and Subdistricts of the Overlay District. The MBTACOD is an overlay district and all requirements and permitting procedures for the underlying zoning shall continue to apply unless otherwise specified below. The MBTACOD is divided into two subdistricts: Partial CBD Subdistrict, which overlays a portion of the Central Business District - R(CBD) and Residential D Subdistrict, which overlays a portion of land south of Plymouth Street and east of the railroad tracks zoned Residential D (R-D). The boundaries of the MBTACOD and its subdistricts are as depicted on the Bridgewater Zoning Map, as amended.

9.9.4 Requirements.

1. Multi-family dwellings shall be permitted by right within both subdistricts of the MBTACOD.
2. Regardless of other standards in the underlying zoning, the allowable residential density for the two MBTACOD districts is: up to 18 units per acre in the MBTA – partial CBD-R subdistrict and up to 30 units per acre in the MBTA-Residential D district..
3. Within the Residential D Subdistrict, the 10,000 SF minimum lot area per dwelling unit for the R-D zoning district shall not apply.
4. Within the Residential D Subdistrict, multi-family residential development shall require one (1) parking spot per unit plus one (1) visitor parking spot per every third unit.
5. Multifamily built under this section should follow the Flex Frontage requirements in 9.8.6.4 and the general architectural standards in 9.8.7 (and its subsections)
6. Projects consisting of 10 units or more, constructed under this section, will require that 10% of the units be made available in perpetuity to households earning in excess of 80% of Area Median Income.
7. Projects built under this section shall be subject to site plan review by the Planning Board and shall comply with the performance standards for larger projects and the landscaping and screening ordinance requirements (under site plan review).

SECTION 10.0 ADMINISTRATION AND ENFORCEMENT

10.1 PERMIT

10.1.1 Building Permit. It shall be unlawful for any person to erect, construct, reconstruct, or alter a structure without applying for and receiving from the Building Inspector a building permit.

10.1.2 Issuance. Such permits shall be applied for in writing to the Building Inspector. The Building Inspector shall not issue any such permit unless the plans for the building, and the intended use thereof in all respects fulfill the provisions of this Ordinance, except as may have been specifically permitted otherwise by action of the Board of Appeals, provided a written copy of the terms governing any such permission be attached to the application and to the resulting building permit issued. One copy of each such permit issued, including any conditions or exceptions attached thereto, shall be kept on file in the office of the Building Inspector.

10.1.3 Plot Plan. Each application for a permit to build, alter, or move a building shall be accompanied by a plot plan in such number of copies and drawn to such scale as is required in the Building Inspector. Each such plot plan shall show dimensions and areas of lots, and of structures to be erected, altered or moved, and adjacent streets or ways. Such plot plans shall accurately indicate dimensions and angles of all lot lines shown thereon, also of any streets or ways. Such plot plans shall indicate approved street grades and proposed elevations of the tops of foundations. Also, such plot plans shall show the locations of existing sanitary sewers, storm drains, and water pipes in any street shown and the locations of all existing buildings and structures within the application area.

10.2 ENFORCEMENT AND PENALTIES

10.2.1 Building Inspector. This Ordinance shall be enforced by the Building Inspector. The Building Inspector, upon being informed in writing of a possible violation of this Ordinance or on his own initiative, shall make or cause to be made an investigation of facts and an inspection of the premises where such violation may exist. The Building Inspector, on evidence of any violation, after investigation and inspection shall give written notice of such violation to the owner and to the occupant of such premises. The Building Inspector shall demand in such notice that such violation be abated and within a reasonable time, designated therein by the Building Inspector. Such notice and demand may be given by mail addressed to the owner at the address appearing for him on the most recent real estate tax records of the Town of Bridgewater and to the occupant at the address of the premises of such seeming violation. If, after such notice and demand, such violation has not been abated within the time specified, the Building Inspector shall institute appropriate action or proceedings in the name of the Town to prevent, correct, restrain or abate any violations of this Ordinance.

10.2.2 Duties. The Building Inspector shall withhold a permit for construction, alteration or moving of any building or structure if the building or structure as constructed, altered or moved would be in violation of this Ordinance; and no permit or license shall be granted for a new use of a building, structure or land which use would be in violation of this Ordinance. If the

Building Inspector is requested in writing to enforce this Ordinance against any person allegedly in violation of the same and the Building Inspector declines to act, he shall notify, in writing, the party requesting such enforcement of any action or refusal to act, and the reasons therefore, within fourteen days of receipt of such request.

10.2.3 Penalties. Any violation of any provision of this Ordinance shall be punished by a fine of not more than three hundred dollars (\$300.00). Each violation and each day of violation shall constitute a separate offense.

10.2.4 Noncriminal Disposition. In addition to the procedures for enforcement as described in the previous paragraph, the provisions of this Ordinance may be enforced by the Building Inspector by noncriminal complaint pursuant to the provisions of G.L. c. 40, s. 21D. The penalty for violation of any provision of this Ordinance shall be \$50.00 for the first offense; \$100.00 for the second offense; \$200.00 for the third offense and \$300.00 for the fourth and each subsequent offense.

10.3 BOARD OF APPEALS

10.3.1 Membership. There shall be a Board of Appeals of three members and two associate members who shall be residents of the Town of Bridgewater. As terms expire or vacancies occur, the Town Manager shall make appointments pursuant to G.L. c. 40A, s. 12 and the Town Charter.

10.3.2 Powers of the Board of Appeals. The Board of Appeals shall have the following powers:

1. Appeals. To hear and decide an appeal taken by any person aggrieved by reason of his inability to obtain a permit from any administrative official, or any person aggrieved by any order or decision of the Inspector of Buildings or any other administrative official in violation of any provision of Chapter 40A, General Laws, or of this Ordinance. Anyone who is unable to obtain an enforcement from the Building Inspector may make an appeal to the Zoning Board of Appeals. The Zoning Board of Appeals may then make orders or decisions, reverse or affirm, in whole or in part or modify any order or decision of the enforcing agent. Should the Board of Appeals affirm the decision of the enforcing agent, an action suit or proceeding may then be brought to the Land Court or Superior Court to enforce the provisions of this Ordinance.
2. Special Permits. To grant a special permit when designated as the Special Permit Granting Authority by this Ordinance.
3. Variances. To authorize a variance from the terms of this Ordinance as set forth in G.L. c. 40A, s. 10. Use variances are not permitted.
4. Comprehensive Permits. To grant a comprehensive permit pursuant to G.L. c. 40B.

10.3.3 Rules and Regulations; Fees. The Zoning Board of Appeals shall adopt rules and regulations, including fees, for the conduct of business and for the purpose of this Ordinance and Chapter 40A of the General Laws, and shall file a copy of such rules and fees with the Town Clerk.

10.4 PLANNING BOARD

10.4.1 Establishment. The Planning Board shall consist of five (5) members and two (2) associate members, as set forth below in Section 10.4.3.

10.4.2 Powers. The Planning Board shall have the following powers:

1. To hear and decide applications for special permits as provided in this Ordinance.
2. To hear and decide applications for site plan approval pursuant to Sections 10.6 and 10.7.

10.4.3 Alternate Member. The position of alternate member shall sit on the Board for the purpose of acting on all matters that a full member may act on in the case of absence, inability to act, or conflict of interest, on the part of any member of the Planning Board.

10.4.4 Rules and Regulations; Fees. The Planning Board shall adopt rules and regulations, including fees, for the conduct of business and for the purpose of this Ordinance and Chapter 40A of the General Laws, and shall file a copy of such rules and fees with the Town Clerk.

10.5 SPECIAL PERMITS

10.5.1 Special Permit Granting Authority. The Board of Appeals, Planning Board, and the Town Council shall be the Special Permit Granting Authority (SPGA) as specified in the Use Table and the various sections of this Ordinance and, when designated herein, shall hear and decide applications for special permits.

10.5.2 Criteria. Special permits shall be granted by the SPGA, unless otherwise specified herein, only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this Ordinance, the determination shall include consideration of each of the following:

1. Social, economic, or community needs which are served by the proposal;
2. Traffic flow and safety, including parking and loading;
3. Adequacy of utilities and other public services;

4. Neighborhood character and social structures;
5. Impacts on the natural environment; and
6. Potential fiscal impact, including impact on town services, tax base, and employment taking into account any proposed mitigation.

10.5.3 Application. The SPGA may adopt additional rules relative to the issuance of special permits and shall file a copy with the Town Clerk. The rules shall prescribe a size, form, contents, style, and number of copies of plans and specifications and the procedure for submission and approval of such permits.

10.5.4 Conditions. The SPGA may impose additional conditions and limitations as it may deem necessary.

10.5.5 Regulations. The SPGA may adopt rules and regulations for the administration of this Section.

10.5.6 Fees. The SPGA may adopt reasonable administrative fees and technical review fees for applications for special permits.

10.5.7 Lapse. Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within 24 months following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk.

10.6 SITE PLAN APPROVAL

10.6.1 Applicability. The following types of activities and uses require site plan review by the Planning Board:

1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional or residential structure with two or more dwelling units.
*CBD-R is exempt from this and should follow the Development Plan Review Process.
2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with five or more parking spaces.
3. In the Gateway Business District and East Gateway Business District, Design Review, as described in the Planning Board's Rules and Regulations, shall apply to any external use of land, building, structure or project that requires site plan review or limited site plan review and/or a building permit for signs. Such Design Review shall not apply to single family homes or duplexes in the district.

10.6.2 Approval Required. An application for a building permit to perform work as set forth in Section 10.6.1 shall be accompanied by an approved Site Plan. Prior to the commencement of any such activity, the project proponent shall obtain site plan approval from the Planning Board.

10.6.3 Procedures. Applicants for site plan approval shall submit ten (10) copies of the site plan to the Board for review. The Board shall provide a copy of the application to the Fire Department, Building Inspector, Town Council, Department of Public Works, Conservation Commission, Board of Health, and Police Chief for their advisory review and comments. Failure of such board or official to respond within thirty-five days of submittal shall be deemed a lack of opposition thereto. The Planning Board shall hold a public hearing after following the procedures set forth in G.L. c. 40A, s. 11, and shall review and act upon the site plan, with such conditions as may be deemed appropriate, within ninety (90) days of its receipt, and notify the applicant of its decision. The decision of the Board shall be upon a majority of those present and shall be in writing filed with the Town Clerk. No building permit shall be issued by the Building Inspector without the written approval of the site plan by the Planning Board, or unless 90 days lapse from the date of the submittal of the site plan without action by the Board.

1. The applicant may request, and the Board may grant by majority vote, an extension of the time limits set forth herein.
2. No deviation from an approved site plan shall be permitted without modification thereof.

10.6.4 Preparation of Plans. Applicants are invited to submit a pre-application sketch of the proposed project to the Board and to schedule a comment period at a regular meeting of the board. Site Plans shall be submitted on 24-inch by 36-inch sheets. Plans shall be prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1" = 20'.

10.6.5 Contents of Plan. The contents of the site plan are as follows:

1. Five (5) separate plans prepared at a scale of one (1) inch equals twenty (20) feet or such other scale as may be approved by the Board. The plans are as follows:
 - a. Site layout, which shall contain the boundaries of the lot(s) in the proposed development, proposed structures, drives, parking, fences, walls, walks, outdoor lighting, loading facilities, and areas for snow storage after plowing. The first sheet in this plan shall be a locus plan, at a scale of one (1) inch equals one hundred (100) feet, showing the entire project and its relation to existing areas, buildings and roads for a distance of one thousand (1,000) feet from the project boundaries or such other distance as may be approved or required by the Board.
 - b. Topography and drainage plan, which shall contain the existing and proposed final topography at two-foot intervals and plans for handling stormwater drainage.

c. Utility and landscaping plan, which shall include all facilities for refuse and sewerage disposal or storage of all wastes, the location of all hydrants, fire alarm and firefighting facilities on and adjacent to the site, all proposed recreational facilities and open space areas, and all wetlands including floodplain areas.

d. Architectural plan, which shall include the ground floor plan and architectural elevations of all proposed buildings and a color rendering.

e. Landscaping plan, showing the limits of work, existing tree lines, and all proposed landscape features and improvements including screening, planting areas with size and type of stock for each shrub or tree, and including proposed erosion control measures.

2. The site plan shall be accompanied by a written statement indicating the estimated time required to complete the proposed project and any and all phases thereof. There shall be submitted a written estimate, showing in detail the costs of all site improvements planned.

3. A written summary of the contemplated projects shall be submitted with the site plan indicating, where appropriate, the number of dwelling units to be built and the acreage in residential use, the evidence of compliance with parking and off-street loading requirements, the forms of ownership contemplated for the property and a summary of the provisions of any ownership or maintenance thereof, identification of all land that will become common or public land, and any other evidence necessary to indicate compliance with this Ordinance.

4. The site plan shall be accompanied by drainage calculations by a registered professional engineer. Storm drainage design must conform to Town's subdivision regulations.

5. The Board may require narrative assessments of the on-site and off-site impacts of the proposed use and structures.

6. Certification that the proposal is fully compliant with the provisions, if applicable, of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board.

10.6.6 Waiver of Technical Compliance. The Board may, upon written request of the applicant, waive any of the technical requirements of this Section where the project involves relatively simple development plans or constitutes a minor site plan.

10.6.7 Approval. Site Plan approval shall be granted upon determination by the Board that the plan meets the following objectives. The Board may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these objectives. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage

consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. The following objectives, in addition to the performance standards prescribed in Section 6.3 of this Ordinance, shall be utilized by the Planning Board in considering all site plans. These objectives are intended to provide specific guidelines for the applicant in the development of site plans.

1. Infrastructure. Efforts shall be made to minimize the impacts of development upon the public water supply, sewer capacity and street system.
2. Circulation. Parking areas shall be designed to facilitate safe pedestrian and vehicular circulation patterns. Special attention shall be given to location and number of access points to the public streets (especially in relation to intersections and access drives serving adjoining properties), width of interior drives and access points, walkways, lighting, delineation of parking stalls and loading zones, surface material, and accommodations for the handicapped.
3. Surface Water Drainage. The removal of surface water shall not adversely affect adjoining properties, streets or storm drainage systems nor obstruct circulation of vehicles and pedestrians. For parking areas serving new buildings or expansions to existing parking areas, the performance of surface drainage shall be based on standards set forth in the subdivision rules and regulations. Stormwater management plans and final drainage designs shall demonstrate that no significantly adverse environmental impacts are to be incurred on or near the site of a proposed development.
4. Landscape. The landscape shall be preserved in its natural state as much as possible by minimizing tree and soil removal. Abrupt grade changes shall normally be avoided. All open space shall be landscaped with a variety of plant material, berms, and other related features so as to add to the visual amenities of the area.
5. Building Location. Proposed buildings and structures shall be integrated as much as possible within the existing landscape and terrain.
6. Screening. Exposed machinery, utility structures and areas for parking, loading, storage, service and disposal shall be screened from adjoining properties and streets. On-site lighting shall not glare onto adjoining properties or streets.
7. Safety. All open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment.
8. Building Design. The design of proposed buildings, structures and additions shall complement, whenever feasible, the general setback, roof line, arrangement of openings, color, exterior materials, proportion and scale of existing buildings located within the district. Retaining the character of traditional or significant architectural features of existing buildings shall be encouraged.

9. Outside Advertising Features. All permanent signs, in terms of their size, location, design, color, texture, lighting and materials, shall not detract from the architectural elements of the buildings they are attached to, or if freestanding, from the landscaping features of the site.

10.6.8 Regulations. The Planning Board may adopt rules and regulations for the administration of this Section.

10.6.9 Fees. The Planning Board may adopt reasonable administrative fees and technical review fees for applications for special permits.

10.6.10 Lapse. Site plan approval shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within 24 months following the filing of the decision (plus such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk.

10.6.11 Appeal. The decision of the Planning Board may be appealed within 20 days of the filing of the decision with the Town Clerk in accordance with G.L. c. 40A, s. 17 to a court of competent jurisdiction.

10.7 SITE PLAN REVIEW FOR SECTION 3 USES

10.7.1 Purpose. The purpose of this Section is to provide for site plan review of uses B.1, B.2, and B.3 in the Table of Use Regulations, otherwise “protected” pursuant to G.L. c. 40A, s. 3.

10.7.2 Site Plan Review Required. Prior to the issuance of any building permit or certificate of occupancy, the establishment, alteration, change, extension, or reconstruction of uses B.1, B.2, and B.3, as set forth in the Table of Use Regulations, shall require site plan approval from the Planning Board pursuant to this Section.

10.7.3 Scope of Site Plan Review. Under this Section, Site Plan Review shall be limited to two inquiries:

1. Whether the use qualifies for protection under G.L. c. 40A, s. 3; and, if so,
2. What reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements, if any, should be imposed on the use.

10.7.4 Required Information. All applications for Site Plan Review shall be in writing and provide, at a minimum, the following information:

1. Name and address of applicant person or entity.
2. Name and address of property owner.

3. Description of the proposed use and any documents necessary to establish threshold compliance with G.L. c. 40A, s. 3.
4. Reason that relief is requested from otherwise applicable zoning requirements.
5. If necessary to reach a decision on the application, the Planning Board may request further information from the applicant consistent with G.L. c. 40A, s. 3, specifying in detail the information required.

10.7.5 Site Plan; Contents. In addition, the applicant shall submit a site plan with the following information:

1. Legend depicting all pertinent existing and proposed site features.
2. The date and north arrow shall be shown on the plans.
3. All site plans must be stamped by a Registered Professional Civil Engineer and a Professional Land Surveyor. The land surveyor shall perform an instrument boundary survey and shall certify the accuracy of the locations of the buildings, setbacks, and all other required dimensions to property lines.
4. Zoning Chart depicting “Required” vs. “Provided” for all applicable Zoning Criteria including Lot Size, Frontage, Setbacks, Building Height, Lot Coverage, Parking Spaces, Landscaping Requirements.
5. Locus map, at a scale of 1” = 600’ or suitable scale to accurately locate the site in Town, oriented on the plan in the same way as the large scale plan.
6. The location, width, status (public or private), and name of all streets within 100’ of the project.
7. On-site and abutting lot lines. On-site lot lines shall be described by bearings and distance. Abutting lot lines shall be shown in a general way.
8. Zoning District lines, including overlay districts if applicable.
9. The location of existing or proposed building (s) on the lot shall be shown with total square footage and dimensions of all buildings.
10. Any streams, brooks, or wetland resource area boundaries within 100’ of the property lines.
11. Information on the location, size and type and number of existing and proposed landscape features.

12. Information on the location, size and capacity of existing and proposed on-site and abutting utilities (water, sewer, drainage, natural gas, electrical cable, etc.), including utilities in abutting side streets, if applicable.
13. Detailed locations and dimensions of all existing and proposed buildings and uses on site and on abutting properties, including exterior details relating to the building footprint. All existing and proposed setbacks from property lines. Any minimum, or below minimum, setback distances shall be clearly noted as such on the plan.
14. Information and details for all site and directional on-site signage shall be submitted.
15. Elevation and facade treatment plans of all proposed structures. Color renderings are required for new construction.
16. Information on the location, size and type of parking, loading, storage and service areas. A parking calculation schedule noting existing, required and proposed spaces for the entire site shall be provided.
17. Details and specifications (if applicable) for proposed site amenities, including, but not limited to fences, recreation facilities, walls or other barrier materials; and special paving materials.

10.7.6 Decision. The Planning Board may approve, approve with conditions, or deny an application for site plan approval. In making its decision, the Board shall be guided exclusively by G.L. c. 40A, s. 3. The Board shall file a written decision with the Town Clerk within 90 days of receipt of the application. Failure to file a decision within 90 days shall constitute approval of the site plan, unless an extension of time is mutually agreed upon.

10.7.7 Appeal. Any appeal of the Planning Board's decision shall be made pursuant to G.L. c. 40A, s. 17, to a court of competent jurisdiction.

10.8 REQUEST FOR REASONABLE ACCOMMODATION

10.8.1 Purpose. Under the FHA, it is a discriminatory practice to refuse to make "a reasonable accommodation in rules, policies, practices, or services when such accommodation may be necessary to afford [a handicapped] person equal opportunity to use and enjoy a dwelling." 42 U.S.C. § 3604(f)(3)(B). The same standard applies under the ADA, which also addresses nonresidential facilities providing services to persons with disabilities. 42 U.S.C. 12112(b)(5). The purpose of this Section is to facilitate housing and/or services for persons with disabilities and to comply fully with the spirit and the letter of the FHA and, where applicable, the ADA.

10.8.2 Request. Any person eligible under the FHA or any provider of housing to persons eligible under the FHA, or any person eligible to operate a nonresidential facility providing services to persons eligible under the ADA, may request a Reasonable Accommodation as provided by the Fair Housing Act and/or the ADA. A Request for a Reasonable Accommodation

does not affect a person's or provider's obligations to act in compliance with other applicable laws and regulations not at issue in the requested accommodation.

10.8.3 Zoning Board of Appeals. All requests for Reasonable Accommodation under the FHA and/or the ADA shall be submitted to the Zoning Board of Appeals (ZBA).

10.8.4 Information. All requests for Reasonable Accommodation shall be in writing and provide, at a minimum, the following information:

1. Name and address of person (s) or entity requesting accommodation;
2. Name and address of property owner;
3. Name and address of dwelling or facility at which accommodation is requested;
4. Description of the requested accommodation and specific regulation or regulations for which accommodation is sought;
5. Reason that the requested accommodation may be necessary for the person or persons with disabilities to use and enjoy the premises; and
6. If the requested accommodation relates to the number of persons allowed to occupy a dwelling, the anticipated number of residents, including facility staff (if any).
7. If necessary to reach a decision on the request for Reasonable Accommodation, the ZBA may request further information from the applicant consistent with the FHA and/or ADA, specifying in detail the information required.

10.8.5 ZBA Procedures. The ZBA shall consider the requested accommodation at a public hearing. Notice shall be provided to parties in interest as set forth in G.L. c. 40A, ss. 11 and 15. The ZBA shall act upon and file a decision in accordance with the provisions of G.L. c. 40A, s. 15, however such deadline may be extended upon the request of the applicant and the approval of the ZBA. The ZBA may seek information from other Town agencies in assessing the impact of the requested accommodation on the rules, policies, and procedures of the Town. Upon written notice to the ZBA, an applicant for a reasonable accommodation may withdraw the request without prejudice. The ZBA shall consider the following criteria when deciding whether a request for accommodation is reasonable:

1. Whether the requested accommodation is reasonable;
2. Whether the proposed accommodation would require a fundamental alteration of a legitimate Town policy; and
3. Whether the requested accommodation would impose undue financial or administrative burdens on the Town government.

10.8.6 Decision. Within After conducting an appropriate inquiry into the request for reasonable accommodation, the ZBA may:

1. Grant the request;
2. Grant the request subject to specified conditions; or
3. Deny the request.

The ZBA shall issue a written final decision on the request in accordance with G.L. c. 40A, s. 15. If the ZBA fails to render its decision on a request for reasonable accommodation within the time allotted by G.L. c. 40A, s. 15, the request shall be deemed granted. The ZBA's decision shall be filed with the Town Clerk and sent to the applicant by certified mail.

10.8.7 Appeal. The ZBA's decision pursuant to this Section may be appealed to a court of competent jurisdiction in accordance with G.L. c. 40A, s. 17 or otherwise.

10.8.8 File. The ZBA shall maintain a file of all requests for reasonable accommodation under the FHA and/or the ADA and a file of all decisions made on such requests. The file(s) may be reviewed in the Office of the ZBA upon request during regular business hours.

10.8.9 Other Laws. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the premises that is the subject of the request shall remain in full force and effect.

SECTION 11.0 DEFINITIONS

For the purposes of this Ordinance, the following words and terms as used herein shall have the meanings or limitations of meaning herein defined, explained or assigned:

Adult Entertainment Establishment: Shall mean the following types of facilities regulated in Section 7.1:

Adult Bookstore: An establishment having a substantial or significant portion of its stock in trade, books, magazines, videos and other matter which are distinguished or characterized by their emphasis depicting, describing or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31. (Adopted 11/13/1990)

Adult Cabaret: A nightclub, bar, restaurant, tavern, dance hall or similar commercial establishment which regularly features a person who appears in a state of nudity; or live performances which are characterized by an emphasis depicting anatomical areas specified as less than completely and opaquely covered human genitals, pubic region, buttocks and female breast below a point immediately above the top of the areola and human genitals in a state of sexual arousal, or relating to sexual conduct or sexual excitement as defined in G.L. c. 272, s. 31.

Adult Motion Picture Theater: An enclosed building used for presenting material distinguished by an emphasis on matter depicting, describing or relating to sexual conduct or sexual excitement as defined in G.L. c. 272, s. 31. (Adopted 11/13/1990)

Adult Paraphernalia Store: An establishment having as a substantial or significant portion of its stock devices, objects, tools, or toys which are distinguished or characterized by their association with sexual activity, including sexual intercourse, sexual conduct or sexual excitement as defined in G.L. c. 272, s. 31.

Adult Video Store: An establishment having as a substantial or significant portion of its stock in trade, videos, movies or other film material which are distinguished by or characterized by their emphasis depicting, describing or related to sexual conduct or sexual excitement as defined in G.L. c. 272, s. 31.

Adult Social Day Care: An accessory use that focuses on social activities, therapeutic recreation, meals, and some health-related services such as medication monitoring and blood pressure checks. May also provide assistance with daily activities such as toileting and walking. but not an adult day health facility or site as regulated by 404 CMR 402.

Aquifer: Geologic formation composed of rock sand, or gravel that contains significant amounts of potentially recoverable water.

Aquifer Protection Overlay District: The following definitions shall apply in Section 9.2:

Recharge Areas: Areas that collect precipitation or surface water and carry it to aquifers. Recharge areas may include areas designated as Zone I, Zone II, or Zone III.

Zone I: The protective radius required around a public water supply well or wellfield.

Zone II: The area of an aquifer which contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated (180 days of pumping at safe yield, with no recharge from precipitation). It is bounded by the groundwater divides which result from pumping the well and by the contact of the aquifer with less permeable materials such as till or bedrock. In some cases, streams or lakes may act as recharge boundaries. In all cases, Zone II shall extend up gradient to its point of intersection with prevailing hydrogeologic boundaries (a groundwater flow divide a contact with till or bedrock, or a recharge boundary).

Zone III: The land area beyond the area of Zone II from which surface water and groundwater drain into Zone II. The surface drainage areas as determined by topography is commonly coincident with the groundwater drainage area and will be used to delineate Zone III. In some locations, where surface and groundwater drainage are not coincident, Zone III shall consist of both the surface drainage and the groundwater drainage areas.

Area of Operation: The area of sidewalk established by the permit granting authority and demarcated on the sidewalk according to the specifications on an approved plan within which the adjacent business is allowed to operate a Sidewalk Café.

Bank Teller and ATM Kiosks: A building whose principal use is a stand-alone drive through bank teller kiosk and/or walk up or drive-through stand-alone ATM kiosk whether or not the kiosk is ancillary to an adjacent principal retail bank or financial institution.

Barn: An accessory structure used to house animals, and used for storage of farm equipment and farm vehicles, but not other motor vehicles.

Bed and Breakfast: A private owner occupied residence with one to five guestrooms. The bed and breakfast is subordinate and incidental to the main residential use of the building. Individual guests are prohibited from staying at a particular bed and breakfast establishment for more than fourteen (14) days in any one-year period.

Bedroom: Any area in a dwelling unit that is or could be used for the provision of private sleeping accommodations for residents of the premises, whether such area is designated as a bedroom, guest room, maid's room, dressing room, den, loft, study, library, or by another name. Any room intended for regular use by all occupants of the dwelling unit such as a living room, dining area, or kitchen shall not be considered a bedroom, nor shall bathrooms, halls, or closets.

Building: The word "building" shall mean any three-dimensional enclosure by any building materials of any space for any use or occupancy, temporary or permanent, and shall include

foundations in the ground, also all parts of any kind of structure above ground, except fences and field or garden walls or embankment retaining walls.

Building Coverage: The measured exterior horizontal footprint of buildings and or structures (covered or enclosed) located on any lot. The maximum percentage of building coverage allowable on a lot shall be set forth in Section 4.0.

Built, Erected: The words "built" and "erected" shall each contain the other and shall include the words "constructed", "reconstructed", "altered", "enlarged", "moved", and any other of like significance.

Business or Professional Office: A business establishment, which does not offer a product or merchandise for sale to the public but offers a professional service to the public. However, personal services, such as barber and beauty shops, and repair shops, such as radio, television, and automotive, are not to be included in the definition of business offices.

Child Care Center: A child care center as that term is defined in G.L. c. 15D, s. 1A.

Common Driveway: A travel way that accommodates vehicular and pedestrian circulation between a public way and pre-existing adjoining lots.

Drive-In Restaurant: A drive-in restaurant is defined as any establishment whose business is the sale of food or beverages in a ready-to-consume state and whose business operation includes the service of food and beverage to a customer in a motor vehicle.

Driveway: A travel way which accommodates vehicular circulation between a street and one adjoining lot. Within residential zoning districts, such a way shall not be greater than 24 feet in width as measured at the paved surface of the adjoining street.

Dwelling: A building or portion thereof that is principally used for human habitation, with its own cooking and food storage equipment and facilities, and its own bathing and toilet facilities wholly within such building or portion thereof and is not separated from adjoining habitable space by locked doors or partitions.

Dwelling, Multifamily: A dwelling or building containing three (3) or more separate dwelling units in residential or mixed-use buildings.

Dwelling, Single-Family: A detached dwelling containing one (1) dwelling unit intended and designed to be occupied by a single-family.

Dwelling, Two-Family: A detached dwelling containing two (2) dwelling units.

Dwelling Unit: One (1) or more rooms with cooking, living, sanitary and sleeping facilities arranged for the use of one (1) or more persons living together as a single housekeeping unit.

Essential Services: Services provided by public utility or governmental agencies through erection, construction, alteration, or maintenance of underground or overhead gas, electrical, steam, or water transmission or distribution systems and collection, communication, supply, or disposal systems, excluding power plants or transfer stations. Facilities necessary for the provisions of essential services include poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith. Specifically excluded from this definition are buildings necessary for the furnishing of adequate service by such public utility or governmental agencies for the public health, safety and general welfare.

Accessory dwelling unit: A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality, including, but not limited to, additional size restrictions and restrictions or prohibitions on short-term rental, as defined in section 1 of chapter 64G; provided, however, that no municipality shall unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term rental.

Family: A group of persons related to each other by marriage or blood, or not more than three unrelated individuals, living together under a single roof and comprising a household.

Fast Food and Ice Cream Stands: An establishment whose principal business is the sale of pre-prepared or rapidly prepared food or ice cream for sale directly to the customer in a ready to consume state for consumption either within the restaurant building, in the parking lot, or off premises and generally requiring ordering food at a counter with no interior seated dining area.

Fast Order Food: Food which is (a) primarily intended for immediate consumption; (b) available upon a short waiting time; (c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold; (d) served on disposables or in paper containers, consumed with plastic utensils; and (e) of a self-service nature, that is, no waitresses or waiters are involved. Patrons place their order at a counter or remotely and take it to a table on the premises or leave the premises.

Fast Order Food Establishment: An establishment whose primary business is the sale of fast order food for consumption on or off the premises.

Front Yard: An area extending the entire width of a lot from side lot line to side lot line and from the street line to the front line of a building for the required front yard distance as established under Section 4.0.

Funeral Home: Facility for the conducting of funerals and related activities such as embalming.

General Service Establishment: Shop for lawn mower or small appliance repair, upholstery or

furniture repair, bicycle repair person, shoe repair, printer, blacksmith, builder, carpenter, caterer, electrician, lawn mower service person, mason, painter, plumber or roofer.

Greenhouse: A structure and establishment for the growing of plants for wholesale or retail sale, otherwise not exempt as an agricultural use pursuant to G.L. c. 40A, s. 3.

Habitable-Space: Those areas within the exterior walls of a dwelling which have headroom of not less than seven feet, measured vertically upward from the top of the finished floor, but excluding basement areas and excluding areas in any accessory structure attached to any dwelling.

Half-Story: That portion of a building next beneath a sloping roof and in which there are less than four feet vertically between the top of the floor and the intersection of the bottoms of the rafters with the interior faces of the walls.

Home Occupation: An accessory use which by custom has been carried on entirely within a dwelling unit by the occupant(s) thereof, or within an accessory building thereto.

Hospital: A building providing 24-hour in-patient or animal services for the diagnosis, treatment or other care of human or animal ailments including, where appropriate, a sanitarium, nursing home, convalescent home, and veterinarian services.

Hotel: A facility offering transient lodging accommodations to the general public and providing additional services, such as restaurants, meeting rooms, entertainment and recreational facilities.

Impervious Surface: Material or structure on, above, or below the ground that does not allow precipitation or surface water to penetrate directly into the soil.

Incubator or Innovation Center: A flexible office building designed to accelerate the growth of entrepreneurial endeavors by providing an array of business, medical, technology or research support resources and services that may include flexible physical space, access to capital, common services, and computer networking connections.

Junk: Article that has outlived its usefulness in its original form or which can no longer serve its original intended use.

Kennel: An establishment as defined in G.L. c. 140, s. 137A.

Live Work Units or Live Work Space: The conversion of an existing commercial, industrial or institutional building into a building used jointly for commercial and residential purposes whereby the residential use of the space is secondary or accessory to the principle use as a place of work.

Lodging House: A house/dwelling unit where lodgings are let to four or more persons not within the second degree of kindred to the legal owner of the premises, and who do not fall within the definition of "family" as defined in Section 2.51 of this Ordinance.

Lot: As defined in G.L. c. 41, s. 81L.

Lot Coverage: The amount of area on an individual lot covered by buildings, structures, parking and/or storage areas. The maximum percentage of lot coverage allowable on a lot shall be set forth in Section 4.0.

Lot Depth: The depth of any lot shall be measured as the shortest distance between the front lot line and the rear lot line within a width at least equal to the required lot width.

Lot Frontage: The required lot frontage distance shall be measured entirely along a continuous section of the front lot line adjoining one street.

Lot-Line, Front: A line dividing a lot from a street. On any lot bounded on more than one side by a street, the street boundary that is to be the lot "Front" shall be so designated in any application for a permit to build on such lot.

Lot Width: The width of any lot shall be measured parallel to the front lot line at the required yard depth.

Low Impact Development Principles: Low Impact Development (LID) involves careful site planning and the application of both structural and nonstructural Best Management Practices, including but not limited to the following criteria:

- Use of bioretention areas, rain gardens, filter strips, swales, and constructed wetlands within parking areas, roof gardens, and surrounding open space designed to ensure adequate stormwater treatment and conveyance capacity.
- Minimizing total paved area including roadways and parking areas, with the goal of protecting site hydrology, topography, and important natural features.
- Protecting/reestablishing permeability throughout the site to remain as close as possible to natural conditions.
- Minimizing tree clearance and removal of mature trees/forest stands.
- Providing a stormwater management and erosion control plan for construction activities.
- Use of Best Management Practices as described in current version of the Massachusetts Department of Environmental Protection Stormwater Management, Vol. II: Stormwater Technical Handbook.

Manufacturing: A use engaged in the basic processing and manufacturing of materials, or the manufacture from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products.

Marijuana, Adult Use Establishments: The following definitions shall apply in Section 7.5:

Adult Use Marijuana Establishment: a marijuana cultivator, marijuana testing facility, marijuana product manufacturer other than a medical marijuana treatment center.

Marijuana: All parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in section 1 of chapter 94C; provided, however, that “marijuana” shall not include: (i) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination; (ii) hemp; or (iii) the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

Marijuana Cultivator: An entity licensed to cultivate, process and package marijuana, to deliver marijuana to Adult Use Marijuana Establishments and to transfer marijuana to other Adult Use Marijuana Establishments, but not to consumers.

Marijuana Product Manufacturer: An entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to Adult Use Marijuana Establishments and to transfer marijuana and marijuana products to other Adult Use Marijuana Establishments, but not to consumers.

Marijuana Products: Products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

Marijuana Testing Facility: A laboratory that is licensed by the Cannabis Control Commission and is: (i) accredited to the most current International Organization for Standardization 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Cannabis Control Commission; (ii) independent financially from any medical marijuana treatment center or any licensee or marijuana establishment for which it conducts a test; and (iii) qualified to test marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94C, § 34.

Marijuana, Medical Treatment Centers: The following definitions shall apply in Section 7.4:

Dispensary Agent: A board member, director, employee, executive, manager, or volunteer of an RMD, who is at least 21 years of age. Employee includes a consultant or contractor who provides on-site services to an RMD related to the cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana.

Duress Alarm: A silent security alarm system signal generated by the entry of a designated code into an arming station in order to signal that the alarm user is being forced to turn off the system.

Edible Marijuana-Infused Products (edible MIPs): A Marijuana-Infused Product (MIP) that is to be consumed by eating or drinking.

Enclosed, Locked Area: A closet, room, greenhouse, or other indoor or outdoor area equipped with locks or other security devices, accessible only to dispensary agents, registered qualifying patients, or personal caregivers.

Limited Access Area: A building, room, or other indoor or outdoor area on the registered premises of an RMD where marijuana, MIPs, or marijuana by-products are cultivated, stored, weighed, packaged, processed, or disposed, under control of an RMD, with access limited to only those dispensary agents designated by the RMD.

Marijuana: All parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted there from, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination. The term also includes MIPs except where the context clearly indicates otherwise.

Marijuana Agricultural: Any uses or activities associated with Medical Marijuana Treatment and Dispensing Facilities or Marijuana Cultivation.

Marijuana Cultivation: The process of propagation, including germination, using soil, hydroponics, or other mediums to generate growth and maturity. The intended process of bringing a plant or other grown product to maturity for harvesting, sale, refining or use as an ingredient in further manufacturing or processing. This definition encompasses marijuana cultivation related to medical marijuana treatment centers, personal cultivation by qualifying patients or cultivation by personal caregivers on behalf of qualifying patients.

Marijuana-Infused Product (MIP): A product infused with marijuana that is intended for use or consumption, including but not limited to edible products, ointments, aerosols, oils, and tinctures. These products, when created or sold by an RMD, shall not be considered a food or a drug as defined in G.L. c. 94, s. 1.

Medical Marijuana Treatment Center: A not-for-profit entity registered under 105 CMR 725.100, to be known as a registered marijuana dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible MIPs, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

Production Area: Any limited access area within the RMD where marijuana is handled or produced in preparation for sale.

Qualifying Patient: A Massachusetts resident 18 years of age or older who has been diagnosed by a Massachusetts licensed certifying physician as having a debilitating medical condition, or a Massachusetts resident under 18 years of age who has been diagnosed by two Massachusetts licensed certifying physicians, at least one of whom is a board-certified pediatrician or board-certified pediatric subspecialist, as having a debilitating medical condition that is also a life-limiting illness, subject to 105 CMR 725.010(J).

Registered Marijuana Dispensary (RMD): A not-for-profit entity registered under 105 CMR 725.100, to be known as a Medical Marijuana Treatment Center, that acquires, cultivates, possesses, processes (including development of related products such as edible MIPs, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

Registration Card: An identification card issued by the Department to a registered qualifying patient, personal caregiver, or dispensary agent. The registration card verifies either that a certifying physician has provided a written certification to the qualifying patient and the patient has been registered with the Department; that a patient has designated the individual as a personal caregiver; that a patient has been granted a hardship cultivation registration; or that a dispensary agent has been registered with the Department and is authorized to work at an RMD. The registration card allows access into appropriate elements of a Department-supported, interoperable database in which detailed information regarding certifications and possession criteria are stored. The registration card identifies for the Department and law enforcement authorities, those individuals who are exempt from Massachusetts criminal and civil penalties for the medical use of marijuana in compliance with 105 CMR 725.000 and the Act.

Sixty-Day Supply: That amount of marijuana, or equivalent amount of marijuana in MIPs, that a registered qualifying patient would reasonably be expected to need over a period of 60 calendar days for his or her personal medical use, which is ten ounces, subject to 105 CMR 725.010(I).

Medical Clinic: A facility as defined in 105 CMR 145.020, including a mobile clinic.

Membership Club: A social, sports or fraternal association or organization which is used exclusively by members and their guests which may contain bar facilities.

Mining: The removal or relocation of geological materials such as topsoil, sand, gravel, metallic ores, or bedrock.

Mobile Home: A structure constructed in a factory, in accordance with the National Mobile Home Construction and Safety Standards Act of 1975 administered by the U.S. Department of Housing and Urban Development (HUD), intended for use as housing and transported as complete unit to the designated site. Designated sites shall be in conformance of Section 9.70 located within a Mobile Home Elderly Community District.

Mobile Home Elderly Community (MHEC): The following definitions shall apply in Section 8.5:

Camping Trailer: A folding structure, mounted on wheels and designed for travel, recreation, and vacation use.

Community Building: A building solely for the use of the residents of the Manufactured Housing Community and their guests containing TV room, card room, sewing room, library, poll tables, kitchen, laundry, emergency toilet, lavatory, and bathing facilities for men and women, etc. Community buildings and other community facilities shall be designed in accord with the most recent Massachusetts standards for accessibility for the handicapped.

Manufactured Home: A dwelling unit built on a chassis and containing complete electrical, plumbing and sanitary facilities, and designed to be installed on a temporary or permanent foundation for permanent living quarters. The size of the manufactured home shall be a minimum of 28 feet in width and 40 feet in length. The definition of Manufactured Home herein shall specifically exclude Trailer as hereinafter defined.

Manufactured Home Pad: A Manufactured Home Pad shall be considered as that part of the Manufactured Home Site which is reserved for the Manufactured Home.

Manufactured Home Site: A designated area of land within a Manufactured Housing Community for the placement of a single manufactured home for the exclusive use of its occupants.

Manufactured Housing Elderly Community (or Manufactured Housing Community): A self-contained retirement community constructed expressly for and specifically limited to use and residency by elderly persons who have achieved a minimum age requirement for residency of at least fifty-five (55) years (unless an exception is permitted under Senior Housing Laws) which such retirement community shall be constructed on no less than fifty (50) acres of land and at all times held under single ownership. Such retirement community shall have been planned and improved for the placement of Manufactured Homes for non-transient use and shall be designed to accommodate three (3) or more Manufactured Homes as hereinafter defined.

Motor Homes: A portable, temporary dwelling to be used for travel, recreation, or vacation, constructed as an integral part of self-propelled vehicle.

Permittee: Any person, firm, or corporation receiving a permit to conduct, operate, or maintain a Manufactured Home Elderly Community.

Person: The word “person” shall include individuals, corporation, owners, lessees, licensee, and agents for each of them.

Pick Up Coach: A structure to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, or vacation.

Resident, Tenant or Occupant: The term “Resident”, “Tenant” or “Occupant” shall mean a person who has achieved a minimum age of at least fifty-five (55) years (except as permitted under Massachusetts or federal law) and as further defined in G.L. c. 140 and the regulations promulgated thereto and as further defined in G.L. c. 140, s. 32A et seq.

Trailer: The following for the purposes of these regulations shall be considered a trailer and not permitted in or within a Manufactured Home Elderly Community.

Travel Trailer: A vehicular, portable structure built on a chassis, designed as a temporary dwelling for travel, recreation, or vacation, having a body width not exceeding 8 feet, and a body length not to exceed 32 feet.

Motel: A facility offering transient lodging accommodations to the general public with most rooms having direct primary access to the outside without the necessity of passing through the main lobby of the building.

Open Space: For purposes of this Ordinance and except as noted herein, open space shall be defined as that portion of any lot which is not occupied or otherwise located beneath buildings, structures or areas used for parking, loading, access, storage or solid waste disposal activities. Fences, walls, signs, and drainage facilities permissible under subdivision regulations may be allowed within and may comprise a portion of the open space provided said land remains largely landscaped with natural or planted vegetation. Wetlands, as defined by G.L. c. 131, s. 40 may also comprise a portion of the open space, but not exceeding in percentage the proportion of wetlands within the entire lot.

Parking Lot: A lot and/or area designated for the parking of motor vehicles, which includes parking spaces along with the access to and from the area, circulation with the area and landscaped buffers.

Parking Structure: A building or structure or part thereof designed for parking of motor vehicles for four (4) or more parking spaces, along with available access, circulation and maneuvering.

Personal Service Establishment: Establishment serving personal and local needs, such as barber shop, beauty shop, nail salon, repair, self-service laundry, dry cleaning or pick-up agency, massage establishment, or tattoo provider.

Planned Development District: For the purposes of Section 9.4, the following definitions shall apply:

Associated Buildings: A series of buildings either attached or arranged so as to appear to be attached.

Buffer Adjacent to Public Ways: An area left in its natural condition or landscaped except that access roads, traffic control equipment, signs, drainage facilities, utility lines and other infrastructure improvements shall be allowed in such an area.

Gross Floor Area: The horizontal area of the floor or floors for the building in question.

Lot Area: The total land area within a lot.

Lot Coverage: The ratio (expressed as a percent) of the area of land within a lot covered by buildings to the Lot Area of the lot.

Open Space: The ratio (expressed as a percent) of the area of land within a lot not covered by building or paving to the Lot Area of the lot.

Public Way: An accepted state, county or town public way in existence on January 1, 1998 other than in interstate or limited-access state highway.

Total Permissible Floor Area: The Gross Floor Area of all buildings approved as part of the special permit issued under Section 9.4

Rear Yard: An area extending the entire width of a lot from side lot line to side lot line and from the rear line of a building to the rear lot line for the required rear yard distance as established under Section 8.4.

Recyclable Material: A material that is:

- a. Not co-mingled or contaminated with significant amounts of inorganic waste or toxic constituents;
- b. Handled in a manner which will not constitute a danger to the public health or safety or the environment;
- c. Utilized as an ingredient or a feedstock in a process which will result in a beneficial use as a raw material or a finished product;
- d. Not speculatively accumulated. A material is not speculatively accumulated if the person accumulating the material can demonstrate that
 1. The material is potentially recyclable;
 2. There exists a feasible means of recycling the material; and
 3. During the calendar year the amount of recyclable material that is processed or transferred to a different site for processing equals at least 75 percent by weight or volume of the amount of that material accumulated at the site during the calendar year.

Regional Materials Recycling Facility: A facility which receives non-hazardous, non-toxic, solid waste, separates the recyclable and nonrecyclable materials in such wastes, bales each separately, and transships all materials within a forty-eight hour period, exclusive of holidays, to destinations outside of the town for reuse or disposal.

Research Laboratory: Laboratory or research establishments including biotechnology companies, but excluding laboratories categorized as Level 4 by the National Institutes for Health.

Retreat Lot: A single large parcel of land created for the purpose of reasonable and safe residential use of backland.

School Aged Child Care Program: A school aged child care program as that term is defined in G.L. c. 15D, s. 1A.

Screening: A physical method of concealing and/or shielding one site from another. Such screening shall be accomplished by means of natural or landscaped vegetative buffer, fencing, walls or use of earthen landscaped berm.

Senior Housing Facility: An Assisted Living Facility, Continuing Care Facility, Independent Living Facility, or Long Term Care Facility, whether operated as a free-standing facility or in combination with another type of facility on the same lot or adjacent lot in common control.

The following definitions shall apply in Section 8.6:

Assisted Living Facility: A residential development subject to certification by the Executive Office of Elder Affairs under G.L. c. 19D and 651 CMR 12.00.

Continuing Care Facility: A facility regulated by G.L. c. 93, s. 76.

Independent Living Facility: A facility providing apartments for rent with a communal dining facility, with optional services on the site for the convenience of residents, including but not limited to transportation, barber/beauty services, sundries for personal consumption, laundry services and other amenities, provided such uses serve primarily the residents and staff of the facility.

Long Term Care Facility: A facility, including a convalescent or nursing home, rest home, infirmary maintained in towns, and charitable homes for the aged, as defined and regulated in 105 CMR 150.001.

Side Yard: An area extending along a sideline of lot (between the front yard and the rear yard on such lot), and extending between the side lot line to the nearest point of the building for a side yard distance as established under Section 8.4.

Sidewalk: That portion of the street between the curb lines or the lateral lines of roadway and the adjacent property lines intended for use by pedestrians.

Sidewalk Café: The serving of food or beverage from a café or restaurant located in an adjacent building to patrons seated at tables located within the Sidewalk area adjacent to the café or restaurant.

Solar Energy Systems: The following definitions shall apply in Section 7.5:

Ground Mount Solar Photovoltaic Facility: A solar photovoltaic system that is structurally mounted on the ground, and is not roof-mounted, and which is designed to supply less than fifty percent (50%) of its electrical output for use on site.

Rated Nameplate Capacity: The maximum rated output of electric power production of the photovoltaic system in watts of Direct Current (DC).

Rooftop Mount Solar Photovoltaic Facility: A solar photovoltaic system that is structurally mounted on a roof and is designed to supply its electrical output for use on site.

Solar Access: The access of a solar energy system to direct sunlight.

Solar Collector: A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy System: A device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating.

Solar Energy System, Large Scale: An Active Solar Energy System that occupies more than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 250kW DC or greater).

Solar Energy System, Medium Scale: An Active Solar Energy System that occupies more than 1,750 but less than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 10 - 250 kW DC).

Solar Energy System, Small Scale: An Active Solar Energy System that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10 kW DC or less).

Solar Thermal System: An Active Solar Energy System that uses collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling.

Special Permit: A special permit is a use that would not be appropriate generally, or without restriction through the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning districts as special permits, where specific provision for such special permits is made in this Zoning Ordinance.

Story: That portion of a building contained between any floor and the floor or roof next above it, but not including any portion so contained if more than one-half of such portion vertically is below the average finished grade of the ground adjoining such building.

Street: A "Street" shall be (1) an approved public way laid out by the Town of Bridgewater or, the Plymouth County Commissioners or, except for limited access highways, the Commonwealth of Massachusetts; (2) a way which the Bridgewater Town Clerk certifies is maintained by a public authority and used as a public way; or (3) a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law; or (4) a way in existence as of March 10, 1956, having in the opinion of the Planning Board sufficient width, suitable grades and adequate construction to accommodate the vehicular traffic anticipated by reason of the proposed use of the land abutting thereon or served thereby and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. A public or private way shall not be deemed to be a street as to any lot of land that does not have rights of access to and passage over said way.

Structures: Any construction, erection, assembly or other combination of building construction materials upon the land.

Tattoo and/or Body Art Establishments and Practitioners: Businesses and/or individuals involved in the business of body piercing, tattooing and cosmetic tattooing as defined pursuant to the Bridgewater Board of Health regulations and the Department of Public Health regulations. Extreme forms of body art, such as, but not limited to, branding, cutting, braiding and scarifications shall not be permitted. For purposes of this definition, medical procedures regulated by the Board of Registration, such as implants under the skin are not applicable to this definition.

Toxic or Hazardous Material: Any substance or mixture of physical, chemical, or infectious characteristics posing a significant, actual, or potential hazard to water supplies or other hazards to human health if such substance or mixture were discharged to land or water of the Town of Bridgewater. Toxic or hazardous materials include, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalis, and all substances defined as Toxic or Hazardous under M.G.L. Chapter 21C and 21E and 310 CMR 30.00, and also include such products as solvents and thinners in quantities greater than normal household use.

Trade, Professional and Other Educational Uses: A facility for general and/or specialized education that meets all federal, state and local licensing and certification requirements.

Two-Family Dwelling: A freestanding building exclusively for residential use by two families, but not more than two families.

Use, Accessory: A use incidental and subordinate to the principal use of a structure or lot, as identified in 6.30 Table of Use Regulations, i. Accessory Uses and Off-Street Parking. An accessory use by area shall not exceed 50 percent of the total area of the structure(s) in which such use is located. Only one accessory use shall be allowed by right for each lot.

Use, Principal: The main or primary purpose for which a structure or lot is designed, arranged, or intended, or for which it may be used, occupied or maintained under this Ordinance. Only one principal use shall be allowed by right for each lot.

Definitions Associated with Section 8.7 Senior Housing Village Development (SHV):

Townhouse: A one-family dwelling unit which is part of a group of two or more such units separated by a common party wall, having no doors, windows, or other provisions for human passage or visibility. Each one-dwelling unit shall be attached by not more than two party walls. Where units are offset from one another and a common party wall is used, the wall may be placed equidistant on each side of the lot line not exceeding the length of the offset.

Exclusive Use Area (EUA): The outside area adjacent to each residential unit. Whenever a unit is located on a common lot there shall be an area designated as an EUA as determined by the original owner of the unit. Such exclusive use area shall be the width of the respective unit and extend no less than 20 feet from the foundation edge of the structure.

Senior Housing: Housing for persons over the age of 55 subject to the Senior Housing Laws, as defined herein.

Senior Housing Village Development: Village-style senior housing intended for and solely to be occupied by one or more individuals who have reach at least 55 years subject to the Senior Housing Laws, as defined herein and set forth by the purpose of this ordinance.

Senior Housing Laws: Collectively and separately, the Fair Housing Act, 42 USC Section 3607(b), 24 CFR Subtitle B, Ch.1, Section 100.300 et seq. and G.L. c. 151B, s. 4.

Triplex: A Townhouse consisting of three individual dwelling units.

C.	AGRICULTURAL USES	RES A/B	RES C	RES D	CBD	SBD	BUS B	GATEWAY	EAST GATEWAY	IND A	IND B	IND E	PD	MHEC	PC
1	Agricultural, horticulture, viticulture, silviculture, aquaculture, or floriculture on parcels of five or more acres or two or more qualified acres	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N/A
2	Farms - agricultural, orchard, horticultural or silvicultural	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N/A
3	Farms - livestock or poultry, but not swine or fur bearing animals, provided that any building housing livestock is not less than fifty (50) feet from property boundary	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N/A
4	Facilities for the sale of produce, wine and dairy products protected by MGL Ch. 40A, Sec. 3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	H
5	One roadside stand per farm for sale of agricultural products not protected by statute, the major portion of which are grown or produced on the premises	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	K
6	Sales places for flowers, garden supplies, agricultural produce partly or wholly outdoors, including commercial greenhouses	N	N	N	N	Y	Y	N	N	Y	Y	Y	Y	N	H

E.	RETAIL, BUSINESS AND CONSUMER SERVICE ESTABLISHMENTS	RES A/B	RES C	RES D	CBD	SBD	BUS B	GATEWAY	EAST GATEWAY	IND A	IND B	IND E	PD	MHEC	PC
1	Neighborhood Retail	N	N	N	Y	Y	Y	Y	Y	PB	N	PB	Y	N	H
2	General Retail	N	N	N	Y	Y	N	N	N	N	N	PB	Y	N	H
3	Major Retail	N	N	N	N	Y	N	N	N	N	N	PB	Y	N	H
4	Eating places serving food and beverages, no dancing or live entertainment permitted	N	N	N	Y	Y	Y	N	Y	PB	PB	PB	Y	N	L
5	Eating places serving food and beverages with dancing and live entertainment permitted except for those activities relating to sexual conduct or sexual excitement as defined in MGL Ch. 272, Sec. 31	N	N	N	Y	Y	Y	N	N	PB	N	PB	Y	N	L
6	Fast food and ice cream stands	N	N	N	Y	Y	Y	N	N	Y	Y	N	Y	N	M,Q
7	Personal service establishment	N	N	N	Y	Y	Y	Y	Y	PB	PB	PB	Y	N	H
8	General service establishment	N	N	N	Y	Y	Y	Y	Y	PB	PB	PB	Y	N	H
9	On-site dry cleaning business provided personnel is limited to not more than ten persons at any one time on premises	N	N	N	PB	PB	PB	N	Y	PB	PB	PB	Y	N	H
10	Mortuary, undertaking or funeral establishments	N	N	N	Y	Y	Y	N	N	PB	N	PB	N	N	O
11	Veterinary establishment, or similar establishment provided that animals are kept wholly indoors	N	N	PB	PB	Y	Y	N	Y	N	N	N	N	N	K
12	Veterinary establishment, or similar establishment with animals fenced outdoors	N	N	PB	N	Y	Y	N	PB	N	N	N	N	N	K
13	Store for retail sale of merchandise such as but not limited to lumber yards and building supply yards wherein merchandise is stored in the open, provided that all merchandise so stored is screened from ground level view from any abutting street or abutting property where such materials are stored	N	N	N	N	Y	Y	N	N	Y	N	Y	Y	N	N/A
14	Motels (See Section 7.3)	N	N	N	PB	Y	PB	N	N	PB	PB	PB	PB	N	W
15	Hotels (See Section 7.3)	N	N	N	SP	Y	PB	N	N	PB	PB	PB	Y	N	W
16	Convention/Exposition Center	N	N	N	PB	PB	N	N	N	N	N	N	Y	N	K
17	Place for exhibition, lettering, or sale of gravestones	N	N	N	N	Y	Y	N	N	Y	N	Y	N	N	H
18	Place for exhibition, lettering, or sale of gravestones conducted entirely within a building	N	N	N	Y	Y	Y	N	N	Y	N	Y	N	N	H

E.	RETAIL, BUSINESS AND CONSUMER SERVICE ESTABLISHMENTS	RES A/B	RES C	RES D	CBD	SBD	BUS B	GATEWAY	EAST GATEWAY	IND A	IND B	IND E	PD	MHEC	PC
19	Registered Marijuana Dispensary (RMD)	N	N	N	N	N	N	N	N	N	N	N	N	N	J
20	Adult Use Marijuana Establishment	N	N	N	N	N	N	N	N	N	N	N	N	N	J
21	Cultivation, Processing, or Manufacture of Cannabis Products	N	N	N	N	PB	PB	N	N	PB	PB	PB	N	N	Q
22	Fast Food and Ice Cream Stands	N	N	N	Y	Y	Y	N	N	Y	Y	N	Y	N	M,Q
23	Bank Teller and ATM Kiosks	N	N	N	Y	Y	Y	N	N	Y	Y	Y	Y	N	K
24	Sidewalk Café	N	N	N	Y	N	N	N	N	N	N	N	N	N	E
25	Adult Entertainment Establishment	N	N	N	N	PB	N	N	N	N	N	N	N	N	L

I.	ACCESSORY USES AND OFF-STREET PARKING	RES A/B	RES C	RES D	CBD	SBD	BUS B	GATEWAY	EAST GATEWAY	IND A	IND B	IND E	PD	MHEC	PC
1	Private greenhouse, stable, tennis court, swimming pool, or other similar structure for domestic use	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	PB	Y	N/A
2	The raising or keeping of livestock or poultry as pets or for use by residents of the premises provided that no building for livestock or poultry may be less than 35 feet from any side or rear lot line nor nearer than 50 feet from any front lot line	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N/A
3	Any customary home occupation with no customers, employees, pupils, or clients coming to the premises (See Section 3.4.1)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A
4	Any customary home occupation with customers, employees, pupils, or clients coming to the premises (See Section 3.4.2)	PB	PB	PB	N	PB	PB	PB	PB	N	N	N	Y	N	N/A
5	Trade shop	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A
6	Accessory uses, whether or not the same parcel as the principal use, which are necessary in connection with scientific research, scientific development or related production activities which are permitted by-right. Before granting a special permit, the special permit granting authority must find that the proposed accessory use does not substantially derogate from the public good	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	PB	BA	N/A
7	Open lot storage of materials incidental to a permitted principal use on the same lot	N	N	N	N	N	N	N	N	N	N	N	N	N	N/A
8	Drive-up window facilities incidental to permitted principal use	N	N	N	PB	PB	PB	N	N	PB	PB	PB	Y	N	N/A
9	Off-street parking and loading facilities located on a lot other than that accommodating the principal use they are designed to serve subject to conditions stated in Section 10 of this by-law	N	N	N	PB	Y	Y	N	N	N	N	N	N	N	See Table 10.6
10	Common driveways (See Section 7.2)	N	N	N	PB	PB	PB	PB	PB	PB	PB	PB	PB	N	N/A
11	Family day care home, small	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	F
12	Family day care home, large	PB	PB	PB	N	N	N	N	N	N	N	N	N	N	F

I.	ACCESSORY USES AND OFF-STREET PARKING	RES A/B	RES C	RES D	CBD	SBD	BUS B	GATEWAY	EAST GATEWAY	IND A	IND B	IND E	PD	MHEC	PC
13	Adult social day care home	PB	PB	PB	PB	PB	PB	PB	PB	N	N	N	N	N	D
14	Accessory Dwelling Unit in single family dwelling	Y	Y	Y	BA	BA	BA	Y	Y	BA	BA	BA	BA	BA	N/A
15	Rooftop Solar Photovoltaic Panels, in all districts except the Historic District, roof top solar photovoltaic panels are allowed by-right subject to a height restriction of five (5) feet above the roof.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N/A

K.	PARKING LOTS	RES A/B	RES C	RES D	CBD	SBD	BUS B	GATEWAY	EAST GATEWAY	IND A	IND B	IND E	PD	MHEC	PC
1	Parking lots and parking structures	N	N	N	PB	PB	PB	N	N	PB	PB	PB	Y	N	N/A

TABLE OF DIMENSIONAL REQUIREMENTS

Zoning District	Minimum Lot Size	Minimum Lot Area Per Dwelling Unit	Minimum Lot Frontage (1)(2)	Minimum Depth (3) FRONT/REAR/SIDE	Maximum Building Height (4) STORY/FEET	Maximum % Building Coverage	Maximum % Lot Coverage	Minimum % Open Space	Maximum % Impervious
Res A/B	43,560	43,560	150'	40' (6) / 30 / 20	3 / 35' (10)	20%	75%	25%	
Res C	18,500 Single Family 37,000 2-Family	18,500	125' Single Family 150' 2-Family	35' (6) / 30 / 20	3 / 35' (10)	20%	80%	20%	
Res D	18,500	10,000 (5)	125'	35' (5) / 30 (5) / 20 (5)	3 / 35' (10)	20%	80%	20%	
Central Business District, Standard & Re-development	No minimum lot size for existing non-conforming lots. Newly created lots require 10,000 sq. ft.	See Sec. 9.6.7 Density for CBD-S – N/A for CBD-R	No minimum lot frontage for existing non-conforming lots. New lots require 100 feet.	No setback front or side requirements for existing non-conforming lots. New lots require 5' front and 5' side setbacks. All lots require 15 feet rear setback.	3.5 / 45' CBD-S 4 / 45' CBD-R *See Sec. 9.8 for Exceptions	No restrictions – determine by the required yard depth and parking requirements	80%	20%	N/A
South Business District	40,000 (21)	----	200' (21)	60'(21)/40'(21)/25'(21)	---- / 40'	(20)	75%	25%	
Business B	10,000	(5)	100'	30' / 25' / 15' (7)	3 / 35'	(20)	80%	20%	
Industrial A	40,000	(5)	200'	40'(9) / 40' / 25'(9)	---- / 40'	----	70%	30%	50%*
Industrial B	40,000	----	200'	40' / 40' / 25'	---- / 40'	50%	75%	25%	
Planned Development District	5 Acres (18)	----	200'	(18) / (18) / (18)	(18) / (18)	25%	75%	25%	
Mobile Home Elderly Community	50 Acres	(16)	(16)	(16) / (16) / (16)	(16)	(16)	70%	30%	
Aquifer Protection District	----	----	----	---- / ---- / ----	----	(17)	----	----	
Elm St. Industrial District	40,000	----	200'	40' / 40' / 25'	---- / 40'	----	70%	30%	50%*

Zoning District	Minimum Lot Size	Minimum Lot Area Per Dwelling Unit	Minimum Lot Frontage (1)(2)	Minimum Depth (3) FRONT/REAR/SIDE	Maximum Building Height (4) STORY/FEET	Maximum % Building Coverage	Maximum % Lot Coverage	Minimum % Open Space	Maximum % Impervious
Gateway Business District (GBD)	No minimum size; however, no existing lot may be subdivided to less than 10,000 sq. ft.*	----	100'	30' / 25' / 15'	3 / 35'	15%**	75%	25%	
East Gateway Business District (EGBD)	No minimum size; however, no existing lot may be subdivided to less than 10,000 sq. ft.*	----	100'	30' / 25' / 15'	3 / 35'	15%**	75%	25%	
Waterford Village Smart Growth Overlay District (WVSGOD)	SEE the WVSGOD Ordinance.								

IA & EID * May be increased to 60% by Special Permit if development includes appropriate use of Low Impact Design Principles and/or building meets LEED Certification criteria (actual LEED Certification is not required).

GBD & EGBD * In an effort to minimize the number of curb openings along this gateway, subdivision of lots must make every effort to use common drives and to consolidate curb cuts onto Route 104.

GBD & EGBD ** Not to exceed 2,000 sq. ft. total building footprint. This shall exclude single family residential uses, where the existing land space requirements for Residential A/B shall govern.

Notes: DUPLEXES: Allowed in Residential C & D by Special Permit only.

BUSINESS B: There shall be a six foot greenbelt contiguous with all public ways except for approved curb cuts or approved access and egress ways.

HANDICAPPED RAMPS: See Footnote (13).

STORAGE SHEDS: See Footnote (14).

FOOTNOTES

- (1) Frontage may be measured at the front yard setback line if the lot width increases form an arc of a curve along a street with a radius of three hundred feet or less to the setback line provided there may be in any event not less than fifty feet width at the font lot line.
- (2) Not less than the frontage requirements shall be maintained throughout the minimum front yard depth, except as provided for in (1) above, for uses described in Section 8.2, and lots recorded prior to October 1, 1994.

- (3) On lots abutting more than one street (corner lots) the front yard setback requirements shall apply to BOTH of the abutting streets. Corner lot has a front yard along each abutting way and no rear yard. The corner lot may have one or more side yards.
- (4) These height restrictions shall not apply to chimneys, water towers, skylights and other necessary features appurtenant to buildings which are usually carried above roofs and are not used for human occupancy not to wireless or broadcasting towers and other like unenclosed structures, may also be of greater height if so authorized by special permit from the Planning Board and provided said greater height, including any features attached thereto, will be less than two hundred feet.
- (5) See Section 7.3 regarding motels.
- (6) A dwelling need not be set back more than the average of the setbacks of dwellings on the lots adjacent to either side. If a vacant lot exists on one side, it shall be considered as a dwelling set back the depth of the required front yard.
- (7) Except no requirements when the side of building abuts another building.
- (8) No restrictions – determine by the required yard depth and parking requirements.
- (9) Except sixty feet when abutting or across the street from a residential zone.
- (10) Height restrictions for apartment usage may be varied by special permit.
- (11) (Reserved)
- (12) Maximum allowed, four stories – Maximum building height, sixty feet – percentage of lot coverage, fifty percent.
- (13) No dimensional lot requirement of a zoning ordinance or by-law, including but not limited to set back, front yard, side yard, rear yard and open space shall apply to handicapped access ramps on private property used solely for the purpose of facilitating ingress or egress of a physically handicapped person, as defined in Section 13A of Chapter 22 of the General Laws.
- (14) Storage sheds, non-commercial greenhouse, tool shed or other similar accessory structure, not in excess of one hundred fifty square feet need not be set back more than five feet from the side and rear lot lines, provided that they are for noncommercial purpose and that they are not used for the housing of animals.
- (15) May be reduced by up to twenty percent of requirement by special permit.
- (16) Land space requirements for elderly community are governed by Section 8.5 Mobile Home Elderly Community District.
- (17) Refer to Section 9.2, which supersedes other provisions stated herein for only those lands located within an aquifer protection district.
- (18) Land space and use requirements for Senior Housing Village Development are governed by Section 8.7 Senior Housing Village Development (SHV). Minimum Lot Area Per Dwelling Unit is applicable to unit count equation for projects.
- (19) A minimum of thirty percent of the area of any lot accommodating use authorized by Table of Uses E.2 shall be preserved as open space as defined in Section 11.

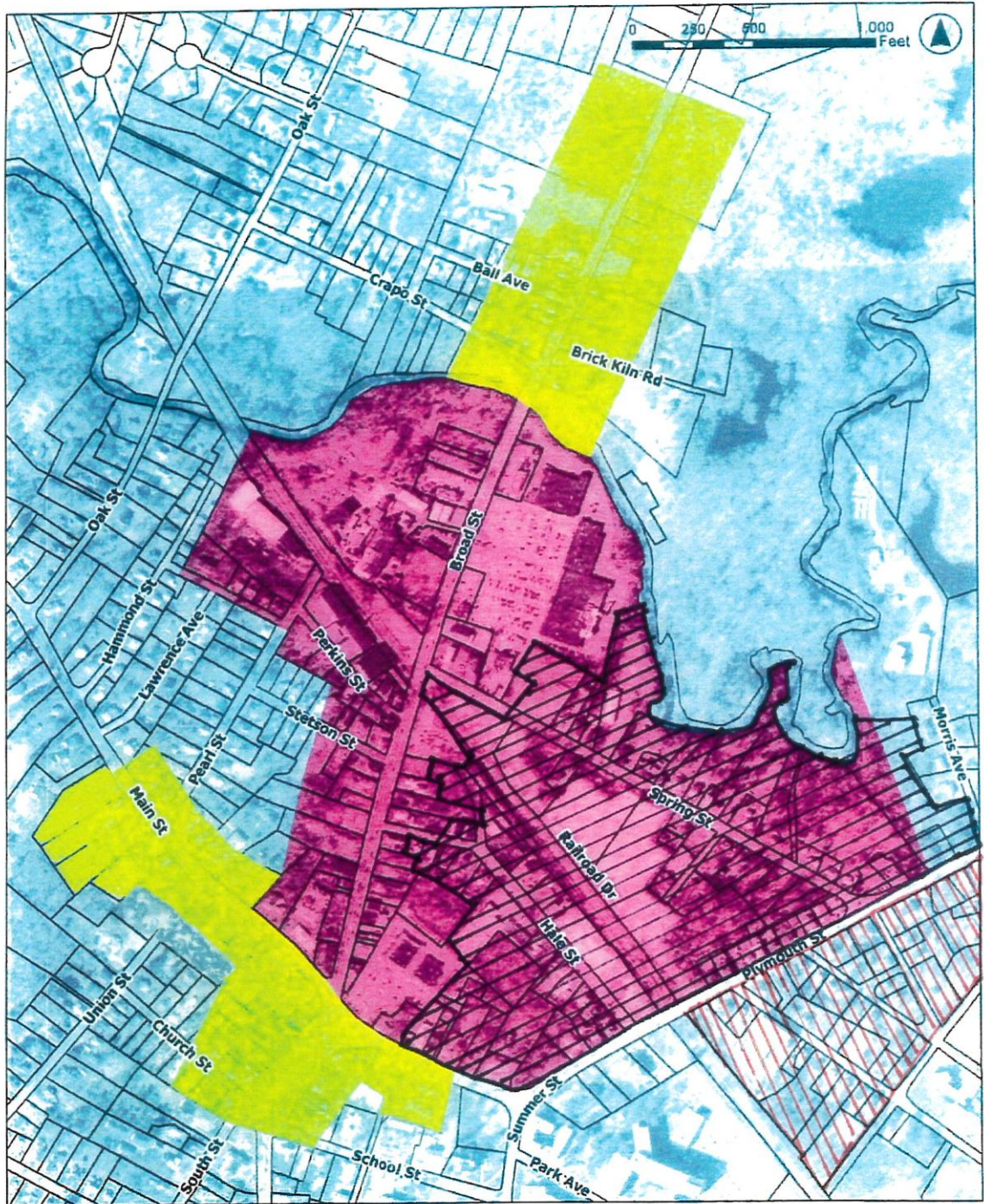
- (20) A portion of any lot contained twenty thousand square feet or more shall be maintained as open space as defined in Section 11. The minimum percentage of open space within any said lot shall be in accordance with the following schedule:

<u>Lot Area</u>	<u>Minimum Percentage</u>
20,000 to 39,999 square feet	20%
40,000 to 400,000 square feet	25%
over 400,000 square feet	30%

- (21) The land space requirements shown in the table for the South Business District shall not apply to those lots therein which adjoin and gain their sole means of vehicular access and egress from streets approved under the Subdivision Control Law. In such cases, the lot area and frontage requirements shall be ten thousand square feet and one hundred feet respectively. Building on said lots shall be located at least sixty feet from any public way, otherwise the front, rear and side yard depth requirements shall be thirty feet, twenty-five feet and fifteen feet respectively.

APPENDIX A – CBD DISTRICT MAP

See map next page:



CBD Zoning Districts (Draft)



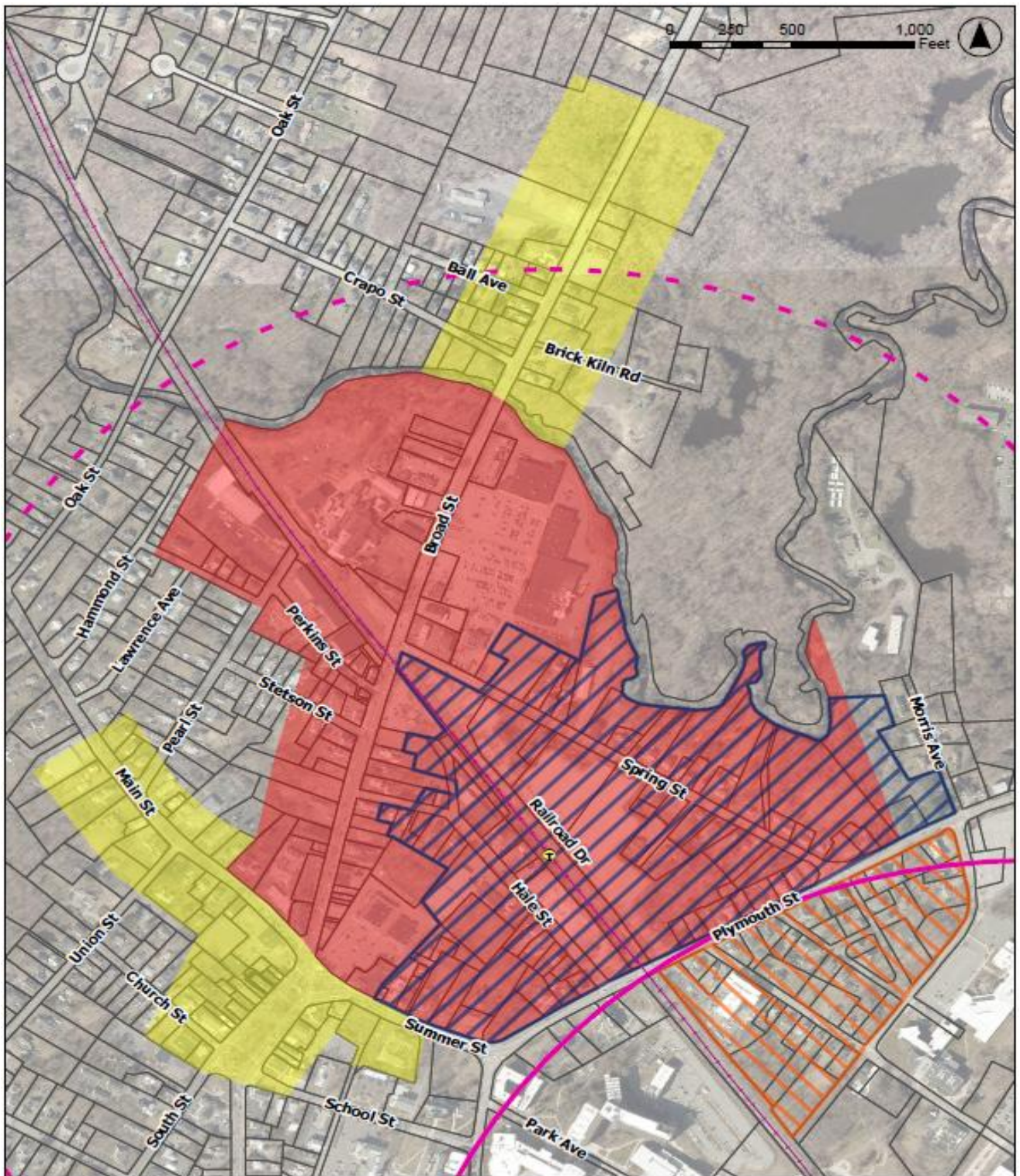
Date: 2/2/2024
 Source: MassGIS, Town of Bridgewater
 This map is for informational purposes only and is not suitable for legal, engineering, or surveying purposes.

Legend

CBD Zoning Districts (Draft)

- CBD-Redevelopment
- CBD-Standard
- MBTA Communities Overlay District
- RCBD-Subdistrict
- RD-Subdistrict

APPENDIX B – MBTA OVERLAY MAP



MBTA OVERLAY



Date: 3/11/2024
 Source: MassGIS, Town of Bridgewater
 This map is for informational purposes only and is not suitable for legal, engineering, or surveying purposes.

Legend

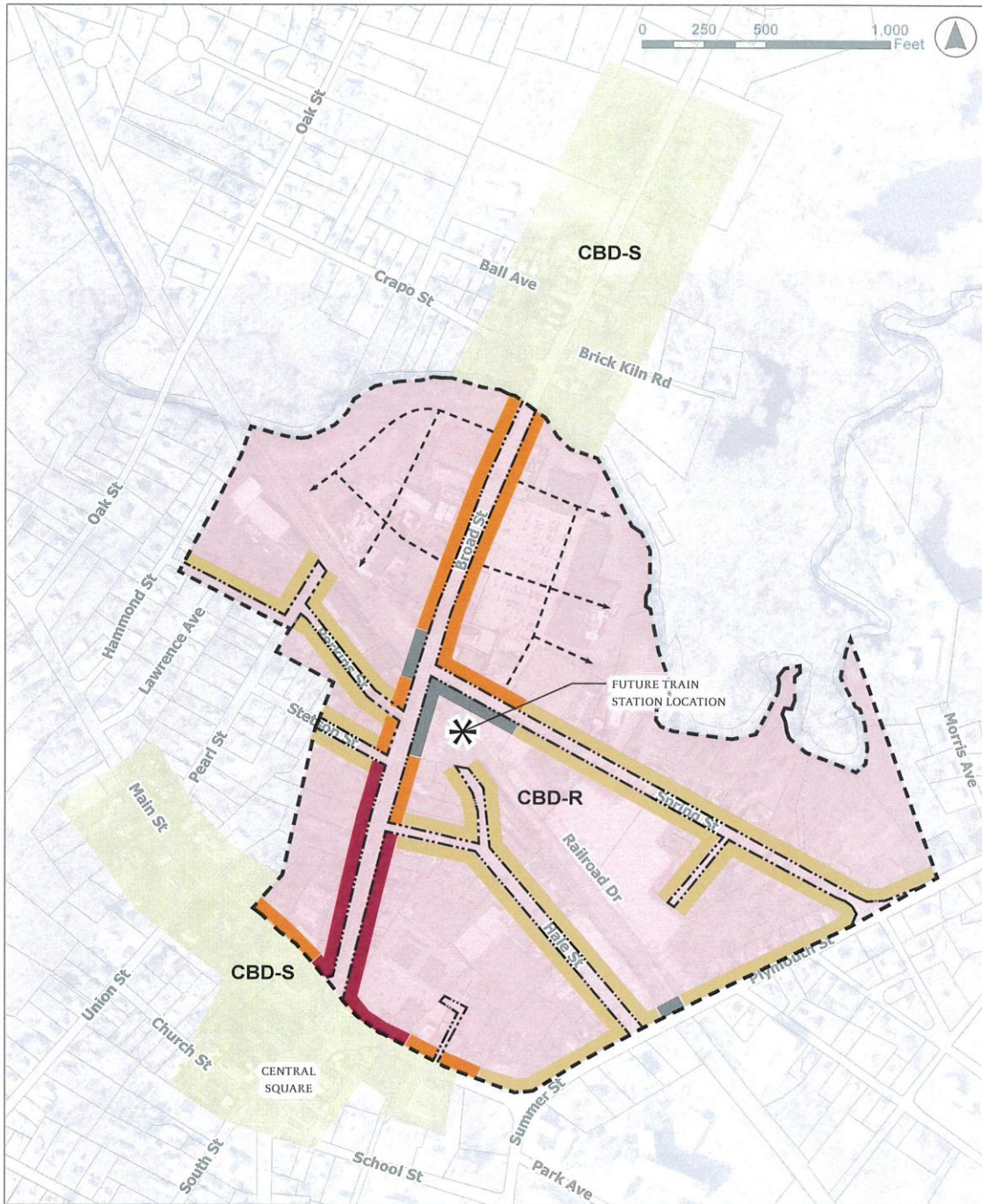
MBTA Commuter Rail

- Commuter Rail
- Transit Station Area (1/2 mile)
- Proposed Transit Station Area (1/2 mile)
- Proposed Bridgewater Station Site

MBTA Communities Districts (Draft)

- Sub-District Partial CBD
 - Sub-District Residential D
- ### CBD Zoning Districts (Draft)
- CBD-Redevelopment
 - CBD-Standard

APPENDIX C – FRONTAGE MAP



FRONTAGE TYPES REGULATING PLAN

2/5/24



Legend

- Mixed-use Frontage
- Transitional Frontage
- Flex Frontage
- Railroad
- Potential Future Frontage*

*Large parcels are encouraged to develop new streets that create smaller block sizes to promote a walkable, pedestrian-friendly environment.

APPENDIX D – FBC CHECKLIST

TOWN OF BRIDGEWATER FBC SUBMISSION CHECKLIST

DATE:	
APPLICANT/DEVELOPER:	
APPLICATION BY:	
DAYTIME PHONE:	
EMAIL ADDRESS:	
CONTACT:	
PROJECT TITLE:	
SITE ADDRESS:	
PROJECT LOCATION:	
CHECK APPROPRIATE BOXES:	
APPROVAL PROCESS	PROJECT ELEMENTS
ADMINISTRATIVE REVIEW	HISTORIC STRUCTURE OR FACADE
	PUBLIC OPEN SPACE (S)
	CONSERVATION AREA OR ADJACENT TO CONSERVATION AREA
FORM BASED CODE	(See additional submission requirements below if these elements are included)
CBD-Redevelopment	

	APPLICANT	STAFF			STAFF NOTES
		1ST	2ND	3RD	
(For tracking, insert date of submission or X)					
Plans, Drawings and Reports for Preliminary/Community/Final Review Phase Submissions, shall include, at a minimum, the information outlined below.					
<p>See FBC SUBMISSION INSTRUCTIONS: A minimum of 5 complete sets are required for each FBC Application submission (Preliminary Review, Technical Review, and Final Review) and 1 digital copy on thumb drive. CED Staff may require the applicant to provide additional sets, if needed.</p>					
1. CIVIL ENGINEERING PLANS:					
A. Certified Survey Plan at Scale that is appropriate for the size of the project, ranging from 1" = 10' to 1" = 30' with survey metadata (coordinate system, horizontal/vertical datum, source of property lines, etc.) prepared by a Massachusetts Licensed Engineer					
1. Dimensions of Lot area (square feet and acres) for each parcel					
2. North Arrow					
3. Types, dimensions, and locations of existing easements					

	APPLICANT	STAFF			STAFF NOTES
		1ST	2ND	3RD	
(For tracking, insert date of submission or X)					
4. Location, dimensions, size and uses of existing structures and below-grade structures, number parking spaces, number residential and hotel units, and distance from side lot lines and centerlines of adjacent streets					
5. Topography at 2-foot intervals					
6. Location and height in feet of existing structures on adjacent contiguous site and across adjacent streets					
7. Full Cross-Sections of adjacent streets from curb to curb, with dimensions, including full intersections					
8. Show location of trees on site with caliper of 3 inches or greater.					
9. Historic district and/or structures on the site or adjacent sites – add a note on the plot and location plan if there are not any					
10. Resource protections areas – include a note on the plot and location plan if there are none					
11. Metes and Bounds Narrative Description of the property					
B. Current aerial photograph of full site and surrounding uses					
C. General Land Use Plan and Zoning district designations for parcel (s), including the Map and Parcel number(s).					
E. Plot and Location Plan at a 1"=25' scale. However, a different scale could be used that is appropriate for the size of the project, ranging from 1"=10' to 1"=30'. All civil sheets should use the same scale chosen for the project. Final engineering plans will need to be submitted at 1"=25' scale.					
1. Lot dimensions and site area, individual parcel Dimensions and area, and area within each existing and proposed zoning district and/or FBC Building Envelope Standard (i.e. frontage type)					

	APPLICANT	STAFF			STAFF NOTES
		1ST	2ND	3RD	
(For tracking, insert date of submission or X)					
2. North Arrow					
3. Public street and right-of-way dedications					
4. Proposed grading at 2-foot contour intervals					

	APPLICANT		STAFF			STAFF NOTES
	EX FEATURES	PROP FEATURES	1ST	2ND	3RD	
			EX/ PROP	EX/ PROP	EX/ PROP	
5. Location, dimension, connection, label and description of proposed and existing underground, surface, and aerial utilities and structures within the property, on the periphery of the site and in the full street. Show relationship of underground utilities to street tree placement:						
a) Water meter vaults & water meter clear zones						
b) Electric Transformer vaults						
c) Storm Sewer						
d) Gas						
e) Sanitary Sewer						
f) Water						
g) Electric						
h) Cable TV						
i) Telephone						
j) Fiber optics						
k) Other (please specify)						
6. Location, dimension, connection, label and description of proposed and existing surface and below grade structures within the property, on the periphery of the site.						
a) Full street sections and intersections.						
b) Sidewalks (full sidewalk and clear width)						
c) Curb and gutter						
d) Street lights						
e) Utility poles						
f) Bus Stops, if applicable						

	APPLICANT		STAFF			STAFF NOTES
	EX FEATURES	PROP FEATURES	1ST	2ND	3RD	
			EX/ PROP	EX/ PROP	EX/ PROP	
g) Street trees, tree pits and/or tree planting strips						
h) Transformer pads						
i) Fire hydrants and fire department connections						
j) Crosswalks						
k) ADA ramps and driveway entrances						
l) Traffic signal poles and cabinets						
m) Distance to all property lines and street center lines						
n) Corner vision obstruction area						
o) Physical relationship and distance to adjacent lots and buildings on same block, contiguous blocks and across adjacent streets						
p) Location of streets on adjacent sites and blocks, with garage and loading docks marked						
q) Driveways and driveway entrances on the same block and across the street						
r) Interior streets, sidewalks & open spaces						
s) Distance from shared property line or proposed subdivision line						
t) Surface parking and loading areas						
u) Size and location of garage air intake and exhaust vents						

	APPLICANT	STAFF			STAFF NOTES
		1ST	2ND	3RD	
7. Retail					
a) Location and square footage of retail spaces. Dimension the sidewalk frontage where the finished floor elevation(s) of the retail space(s) is equal to the finished grade of the sidewalk, and label these areas as the location of potential retail entrances.					
b) Label street/pedestrian access					
8. Proposed elevations at:					
a) Ramps					
b) Patios					
c) Plazas					
d) Top/bottom of privacy walls and fences					
e) Sidewalks and top of curb					
f) Ground/First floor and all entrances					
g) Garage & loading dock entrances					
9. Location of trees to be saved, and limits of clearing and grading					
10. Location of each building entrance and average elevation of the fronting sidewalk for each proposed building					
11 Buildable Area after any proposed dedications and/or vacations of land					
12 Location of and calculations for proposed Open Contiguous Lot Area or Private Open Area					
13. Types and dimensions of proposed vacations and/or types, dimensions and necessity for encroachments					
F. Presentation Plan at 1" = 25' scale showing proposed improvements only:					
1. Location, dimension, connection, label and description of all proposed surface structures within the property, on the periphery of the site, including:					
a) Buildings and building entrances					
b) Sidewalks (full sidewalk clear width)					
c) Curb and Gutter					
d) Bus stops/shelters, if applicable					

	APPLICANT	STAFF			STAFF NOTES
		1ST	2ND	3RD	
e) Street trees, tree pits, and/or tree planting strips					
f) Crosswalks					
g) ADA ramps and driveway entrances					
h) Interior Streets, sidewalks, and open spaces					
i) Surface parking and loading areas					
j) Transformer Pads					
k) Fire hydrants and fire department connections					
l) Street lights					
m) Utility poles					
n) Traffic signal poles and cabinets					
o) Corner vision obstruction area					
p) Size and location of building air intake and exhaust vents					
q) Distance to all property lines and street center lines					
r) Distance from shared property line or proposed subdivision line					
2. Location and square footage of retail spaces					
3. Proposed limits of clearing and grading.					
4. North arrow orientation					
5. Symbol Key/Legend					
G. Striping and Marking Plan providing number, direction and width of existing and proposed travel and parking lanes, crosswalks, medians, bike lanes; width of existing and proposed curb cuts, planting areas, street lights, existing traffic signals (poles, span wires and/or mast arms), label and delineate fire lanes, if applicable.					
H. Existing and Proposed Street Cross-Sections from face of building to face of building showing: Required Building Lines and dimensions of sidewalks, planting areas, curb/gutter, parking lanes, bike and travel lanes, medians, and other street elements. Reference the Form Based Code Control Line (provided by the County) and the existing center line (if different) in the existing and proposed cross sections.					

	APPLICANT	STAFF			STAFF NOTES
		1ST	2ND	3RD	
2. ARCHITECTURAL PLANS:					
Architectural Plans at a scale that is appropriate for the size of the project. Architectural Plans submitted by a Licensed Architect, will include, by way of illustration and not limitation, the following:					
A. Floor Plans of each parking garage level, including:					
1. Elevations					
2. Dimensions of overall structure					
3. GFA of overall structure					
4. Layout and number of parking spaces					
5. Label and dimension of typical standard, compact and handicapped spaces					
6. Widths of each aisle					
7. Label and size of storage, mechanical, retail parking, and other non-parking areas					
8. Locations, labels, dimensions, and capacity of bicycle parking areas					
B. Ground Floor Plan					
1. Overall Dimension, Elevation and GFA					
2. Label all separate uses and access to separate uses, including storage, loading and service areas, retail and retail access/ connections to service areas, recycling and trash collection areas, garage, and locations, labels, dimensions and capacity of bicycle parking areas					
3. Label building entrances for pedestrians and vehicles, including ground floor retail					
4. Location and information on landscaping, plazas and other site features					
C. Non-typical Floors					
1. Overall dimensions, elevation and GFA of each floor level					
2. Label all separate uses and access to separate uses, including storage, loading and service areas, retail and retail access/ connections to service areas, recycling and trash collection areas, and garage					
D. Typical Floors					
1. Overall dimensions, elevation and GFA of each floor level					

	APPLICANT	STAFF			STAFF NOTES
		1ST	2ND	3RD	
2. Label all separate uses and access to separate uses, including storage, loading and service areas, retail and retail access/connections to service areas, recycling and trash collection areas, and garage					
E. Roof plan with elevations, showing main and penthouse roof elements and mechanical units					
F. Elevations of each building from the north, south, east and west (including interior elevations), including colored renderings as specified, showing:					
1. Height in feet of proposed building as measured from average elevation of the fronting sidewalk, to the Ground Story, English Basement, top of main roof, penthouse, and structures above the penthouse					
2. Number of floors and elevation of each floor including main roof, penthouse roof and any structures above penthouse roof, and slab-to-slab and interior clear heights of all floors					
3. Height, location and general design of structures above building height limit					
4. Label location and access to underground parking and loading (if applicable)					
5. Label façade and exterior surface materials and colors					
6. Complete street frontage (ground story), lobby and plaza level elevations showing complete design details, façade materials and colors at a scale of 1/8" = 1'					
7. Distance from shared property line and percentage of building wall openings/ fenestration					
8. General size and location of vents for garage air intake and exhaust, HVAC, and laundry					
G. Vertical cross-sectional views showing:					
1. Height, in feet, of proposed buildings measured from the average elevation of the fronting sidewalk to the main roof, penthouse roof, and to the top of all other buildings and/or structures					
2. Height, in feet, of proposed Ground Story finished floor elevation from the average elevation of the fronting sidewalk					

	APPLICANT	STAFF			STAFF NOTES
		1ST	2ND	3RD	
3. Number of floors and elevation of each floor, including main roof, penthouse, and structures above the penthouse					
4. Height, location, and general design of structures proposed above the building height limit					
5. Label location and access to underground parking and loading					
6. Elevation of all floor grades above and below ground					
7. Buildings in relationship to surrounding uses:					
a) Distance between proposed buildings and adjacent lots					
b) Distance between proposed buildings and adjacent buildings, and those across streets					
c) Distance between proposed buildings and adjacent streets					
d) Height of proposed buildings and adjacent buildings					
e) Distance of building wall from the shared property line.					
8. Plazas and landscape area above structures, soil depth for all landscaping, and elevations at finished grade					
H. Screening plans for:					
1. Mechanical equipment					
2. Parking areas					
3. Loading areas					
4. Trash areas					
5. Penthouse areas					
3. CONCEPTUAL LANDSCAPE PLANS:					
A. Existing (to remain) and proposed building footprints and hardscape, and delineation of existing (to remain) and proposed underground structures					
B. Existing and proposed utilities and topography at 2' intervals					
C. Streetscape					
D. Label, design and size of plazas and other site features; location and types of landscaping; label other landscape elements; label street trees and streetscape elements					

	APPLICANT	STAFF			STAFF NOTES
		1ST	2ND	3RD	
E. Label, size, design and elements of common open spaces (public/private), open space easements/dedications and required landscaping					
F. Tree survey of all trees on the site with a caliper of 3 inches and greater. Provide locations, sizes, and identification/species of all existing trees to be saved, trees to be removed, proposed limits of clearing and grading, and a calculation of the number of trees to be replaced in tabular form pursuant to the tree replacement formula					
4. ADDITIONAL INFORMATION:					
A. Completed Application Form with Signature and Application Fee (Fee due with First Preliminary Review Application)					
B. Description Of Proposed Use					
C. Disclosure Statement					
D. Statement of Consent by Property Owner					
E. Evidence of notification of Abutters					
F. Formal Response to Checklist comments for each review cycle					
G. Additional Information provided on application drawings or as attachments:					
1. Materials of special architectural features					
2. Treatment of mechanical shafts and balcony railings					
3. Exterior treatment of loading dock doors					
4. Context plan of street alignments, parking and travel lane designations, sidewalks, bike and transit facilities, and building lines within a 400-foot offset of development					
5. Any other special plans, data, or other documentation to demonstrate FBC CBD Redevelopment compliance (i.e. OCLA, lighting plans, sign plans, etc)					
H. Information Sheets					
1. Tabulation in chart form of parking and bicycle spaces required and provided, by building level and user type					

	APPLICANT	STAFF			STAFF NOTES
		1ST	2ND	3RD	
2. Tabulation in chart form of the square footage of all separate uses, by floor, and the totals for all floors, including storage, loading and service areas including height of loading docks, retail including retail slab-to-slab height, recycling and trash collection areas, and garage					
3. Tabulation in chart form of the total number of residential units by type, number of bedrooms/dens, and by floor area, per floor and total for all floors					
4. Tabulation in chart form of total number of hotel units by floor area, per floor, and total					
J. Green Building standards checklist, depending on which rating system is required by FBC CBD Redevelopment (LEED, Earthcraft, or Green Home Choice)					
K. Traffic Impact Analysis					
L. Vacation and Encroachment plat and application(s) or waiver form. The plan shall show the exact locations and types of vacations and/or encroachments.					
M. Phasing Plan					
N. Stormwater Management and Compliance Plan (24x36)					
1. Provide drainage calculations					
2. SWPPP					