

Memorandum

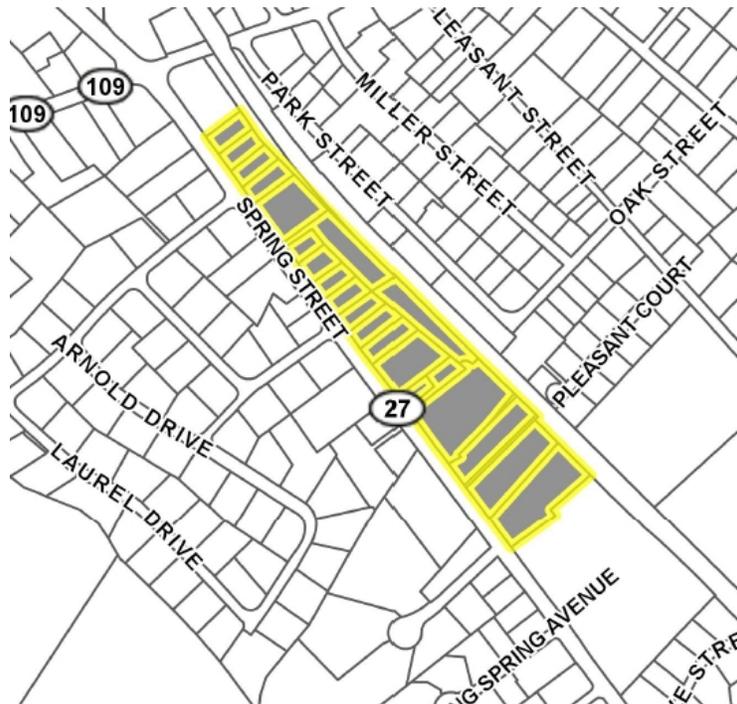


To: Michael T. Marcucci, Chair, Board of Selectmen
CC: Kristine Trierweiler, Town Administrator
From: George Lester, Chair, Planning Board
Date: February 5, 2019
Re: 2019 ATM Zoning Bylaw Amendments

At their duly posted meeting on February 4, 2019, the Planning Board unanimously voted to recommend the following zoning bylaw amendments for inclusion in the 2019 Annual Town Meeting warrant. The draft articles were each published twice in the Medfield Press, as required by MGL ch 40A §5.

ARTICLE A

Article ##. To see if the Town of Medfield will vote to create an overlay district consisting of the following parcels as shown on the map titled “Proposed Upper Spring Street Overlay District (USSOD)” dated 10/09/18 which is on file with the Town Clerk and Planning Department (37-044, 37-044-01 through 11, 37-046, 37-047, 37-048, 37-049, 37-197, 37-039, 37-040, 37-04, 37-042, 37-043, 37-045, 37-015, 37-033, 37-035, 37-036, 37-037, 37-034, 37-031, 37-032, 36-123, 37-029, 37-030);



Parcel ID	Address	Lot Size (acres)	Owner
37-044	58 SPRING ST		MAPLE BROOK CONDOS
37-044-01	58 SPRING ST UNIT 1	MAPLE BROOK Condos 2.320 ac	RIGGINS PAUL R
37-044-02	58 SPRING ST UNIT 2		CONNOR PENELOPE M.
37-044-03	58 SPRING ST UNIT 3		KNOWLES EDWARD M
37-044-04	58 SPRING ST UNIT 4		EATON NANCY LEE
37-044-05	58 SPRING ST UNIT 5		MINKWITZ RUSSELL E JR
37-044-06	58 SPRING ST UNIT 6		WHYTE ELDRED E.
37-044-07	58 SPRING ST UNIT 7		OGRADY SUZANNE
37-044-08	58 SPRING ST UNIT 8		ROBITAILLE PAUL T.
37-044-09	58 SPRING ST UNIT 9		SUSCO ALISON B
37-044-10	58 SPRING ST UNIT 10		VIETZE DOROTHY C.
37-044-11	58 SPRING ST UNIT 11		BARRETT SUSAN A GRAY
37-046	70 SPRING ST	0.843	MERRIAM DEBORAH A
37-047	SPRING ST	0.080	MERRIAM DEBORAH A
37-048	78 SPRING ST	1.398	HAJJAR WILLIAM A
37-049	82 SPRING ST	1.438	HINKLEY EDWARD M T/E
37-197	REAR SPRING ST	<i>Combined with 37-044</i>	BEARD R EDWARD
37-039	48 SPRING ST	0.328	NOVOSON BRIAN
37-040	50 SPRING ST	0.361	MAHABIR BEVERLY J
37-041	52 SPRING ST	0.822	52 SPRING DEVELOPMENT LLC
37-042	56 SPRING ST	0.180	ROGERS MICHAEL P
37-043	56-R SPRING ST	0.459	ROGERS MICHAEL P
37-045	SPRING ST	0.786	BEARD R EDWARD
37-015	44 SPRING ST	0.563	DORNIG EDWARD J.
37-033	32-R SPRING ST	0.891	32R SPRING ST LLC
37-035	36-38 SPRING ST	0.272	GERLACH GEORGANNE
37-036	42 SPRING ST	0.220	KEELEY ELIZABETH
37-037	44 SPRING ST	<i>Combined with 37-015</i>	DORNIG EDWARD J
37-034	32 SPRING ST	0.203	MESSINA JOSEPH M JR T/E
37-031	22 SPRING ST	0.320	CARREIRO EDWARD J T/E
37-032	26 SPRING ST	0.820	SUN VALLEY ENTERPRISES LLC
36-123	16 SPRING ST	0.295	MCAULIFFE ROBERT E JR INDIV
37-029	18 SPRING ST	0.272	GUAN HONGSHU
37-030	20 SPRING ST	0.271	CAWLEY MATTHEW J

Summary: This amendment creates a new zoning map overlay district that reverts zoning requirements to the pre-2017 permitting processes and dimensional requirements for multi-family developments. It does not apply to new single-family to two-family dwellings.

And further, to see if the Town will vote to amend the Medfield Town Code Chapter 300 Zoning Attachment 1 Table of Use Regulations, by adding the new section **in bold** as follows:

	Use	A	RE	RT	RS	RU	B	BI	IE
1	Residential								
<u>EXISTING</u> 1.4.	Multi-family dwelling, including public housing for the elderly (See § 300-14. 15 & §300-14.16)	NO	NO	NO	NO	SPP B	NO	NO	NO
<u>PROPOSE</u> <u>D</u> 1.4.a	Multi-family dwelling, including public housing for the elderly in the USSOD (See § 300-14. 15 & §300-14.16)	NO	NO	NO	NO	PB	NO	NO	NO

Summary: This section of the Table of Use Regulations allows multi-family residential developments by Site Plan Approval from the Planning Board in the RU zoning district as long as they are shown in the Upper Spring Street Overlay District.

And further, to see if the Town will vote to amend the Medfield Town Code Chapter 300 Zoning Attachment 3 Table of Height and Bulk Regulations, by adding a new entry **in bold** as follows:

		Minimum Required							
		Lots					Yards		
Zoning District	Use	Area* (square feet)	Perfect Square (feet)**	Frontage (feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear (feet)
<u>EXISTING</u> RU	Multi-family dwelling (three units)	30,000	200x200	200	200	100	30	20	50
	Lot area per additional unit (4+ units)	8,000							
<u>PROPOSED</u> RU (USSOD)	Multi-family dwelling (three units)	24,000	200x200	200	200	100	30	20	50
	Lot area per additional unit (4+ units)	6,000							

Summary: This section of the Table of Area Regulations allows multi-family residential developments in the RU zoning district as long as they are shown in the Upper Spring Street Overlay District

And further, to see if the Town will vote to amend the Medfield Town Code Chapter 300-14.12. Site plan approval by Planning Board, by adding a new language **in bold** as follows:

(1) For multifamily site plans for which more than one structure is proposed, placement of structures on the site is appropriate to the site and compatible with its surroundings. **To achieve this finding the Board shall review the proposal for:**

- a. **There shall be no more than two garage bays (or two interior parking spaces as defined by the Zoning Bylaw) per unit and they should be oriented so that they are in character with the streetscape and surrounding properties.**
- b. **Each dwelling unit should have access to private yard, patio, or other private outdoor space.**
- c. **Negative visual impacts of the development, if any, are screened from adjacent properties and nearby streets by landscaping or other site planning techniques. The Planning Board, in its discretion, may require additional screened buffer zone for the privacy of directly abutting properties. Screening can include use of existing trees and plants, new vegetation, fencing, or a combination of these options.**
- d. **Each parking space or driveway serving a multi-family dwelling shall be set back at least 10 feet from any side lot line and rear lot line and shall be designated on the site plan.**
- e. **Adequate provisions for snow removal or on-site storage should also be demonstrated.**
- f. **The access, egress, and internal circulation are designed to provide a network of pedestrian-friendly streetscapes.**
- g. **The dwellings are sited and oriented in a complementary relationship to: each other, the common open space, and the adjacent properties.**

Summary: This section proposes new review criteria that the Planning Board would use when reviewing new applications for multifamily developments. The criteria are consistent with the Planning Board's special permit performance standards.

And further, to see if the Town will vote to amend the Code of the Town of Medfield Chapter 300 Zoning, Article 14 Administration and Enforcement Section 300-14.16 Inclusionary Zoning Bylaw by adding the new language shown in **bold** as follows:

300-14.16.A. Applicability.

(1) In all zoning districts, the inclusionary zoning provisions of this section shall apply to the following uses:

(a) Any project requiring a special permit under Chapter 300, Zoning, Attachment 1, Table of Use Regulations, Section 1.4, **or Site Plan Approval under Chapter 300, Zoning, Attachment 1, Table of Use Regulations, Section 1.4.a** that results in a net increase of six or more dwelling units, as measured over a 10-year time period, whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or non-residential space.

Summary: This section amends the existing Inclusionary Zoning bylaw to include multifamily proposals in the Upper Spring Street Overlay District (USSOD) so that there is an affordable component.

or do or act anything in relation thereto.

ARTICLE B

Article ##. To see if the Town will vote to amend the Medfield Town Code Chapter 300 Zoning Attachment 1 Table of Use Regulations by updating the language used to cite regulatory references within the Zoning Bylaw (deleted text shown as ~~strikethrough~~, new text is shown in bold) ; or do or act anything in relation thereto.

	Use	A	RE	RT	RS	RU	B	BI	IE
1	Residential								
1.5	Open space residential development (See Article 7 § 300-7)	NO	SP	SP	SP	SP	NO	NO	NO
4	Commercial/Business (See Article 14 § 300-14)								
4.21.	Commercial communications and television towers (See Article 17 § 300-17)								
4.21a.	Personal wireless communications facilities (See Article 17 § 300-17)								
4.30.	Adult uses (See Article 18 § 300-18)								
4.32.	Large-scale solar photovoltaic facilities (see Article 19 § 300-19)								

5	Wholesale and Manufacturing (See Article 14 § 300-14)							
5.8.	Earth removal, transfer or storage (see Article 12 § 300-12)							

Summary: This amendment provides consistency in the terminology used within the Medfield Zoning Bylaw which should have been updated in 2014 with the codification process.

or do or act anything in relation thereto.

ARTICLE C

Article ##. To see if the Town will vote to amend the Code of the Town of Medfield Chapter 300 Zoning, Article 14 Administration and Enforcement Section 300-14.10 Special Permits by Board of Appeals by deleting Subsection E and its Sub-subsections (1) through (10) in their entirety and replacing them, as follows:

- E. After the public hearing required by Subsection C has been concluded, the Board of Appeals may grant a special permit if it concludes that a special permit is warranted by the application and the evidence produced at the public hearing and if it makes the following specific findings of fact:
- (1) Overall design is consistent and compatible with the neighborhood, including as to factors of building orientation, scale, and massing.
 - (2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed such that the proposed use will not result in a public hazard due to substantially increased vehicular traffic or parking in the neighborhood.
 - (3) Drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
 - (4) The proposed use will not have any significant adverse effect upon properties in the neighborhood, including property values.
 - (5) Project will not adversely affect or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate.
 - (6) Number, height, bulk, location and siting of building(s) and structure(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates.
 - (7) Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive.
 - (8) The proposed use will not create any hazard to public safety or health in the neighborhood.
 - (9) If public sewerage is not provided, plans for on-site sewage disposal systems are adequate and have been approved by the Board of Health.

Summary: This section replaces the existing ZBA special permit criteria with the special permit criteria that was adopted for the Planning Board in 2017. The members of the ZBA support this language.

or do or act anything in relation thereto.