



## TOWN OF NORTHBOROUGH PLANNING BOARD

Town Hall Offices • 63 Main Street • Northborough, MA 01532 • 508-393-5019 • 508-393-6996 Fax

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### 2020 Proposed Zoning Amendments Articles 38-45

After several months of research and writing the proposed zoning amendments and working with a zoning consultant on the technical aspects of Articles 44 & 45, the Planning Board held a public hearing on June 9<sup>th</sup> and 16<sup>th</sup> to discuss and take public comment on Articles 38-45. This hand-out provides a brief but thorough summary of each article being presented at the 2020 Annual Town Meeting.

#### ARTICLE 38

- Pertains to funeral homes as found in the Table of Uses in Residential Districts
- Funeral homes are currently allowed by Special Permit in the Residential C and General Residential zoning districts. The use is currently prohibited in the Main Street Residential zoning district.
- Amendment proposes to prohibit funeral homes in the Residential C and General Residential zoning districts and to allow them by Special Permit in the Main Street Residential zoning district.

**Purpose:** Housekeeping to update the bylaw to support the current existence of funeral homes.

#### ARTICLE 39

- Pertains to the definition of a kennel and the location of a kennel
- Definition is being revised to mirror the State's definition and to also add in "dog walking on premise".
- Currently a kennel is allowed by Special Permit in the Residential A zoning district and is not allowed in any other residential zoning district.
- Amendment proposes to prohibit a kennel in the Residential A zoning district.
- Currently a kennel is not allowed in the Industrial zoning district and is only allowed by Special Permit in the Business West zoning district.
- Amendment proposes to allow a kennel in the Industrial zoning district.

**Purpose:** Align town bylaw with the state definition of a kennel, move kennels out of residential areas and open up the use to industrial districts.

#### ARTICLE 40

- Pertains to where indoor commercial recreation is allowed.
- Currently the use is allowed by Special Permit in all the business districts and is not allowed in the Industrial zoning district.

- Amendment proposes to allow indoor commercial recreation as of right in the Industrial district.

**Purpose:** *Open industrial district to additional uses that align with the newer types of development that have evolved over time (ex: gyms in warehouses)*

#### ARTICLE 41

- Pertains to the definition of Light Manufacturing and modifies the Table of Uses by changing some allowed uses to now a use requiring a Special Permit.
- Definition modification changes the lengthy sentence into two sentences.
- Amendment to the Table of Uses proposes the following uses be changed from an allowed use to a use allowed by Special Permit: light manufacturing, warehouse, trucking/rail or freight facility/parcel distribution facility, and contractor's yard/lumber yard.

**Purpose:** *Interim solution to help smooth the transition in areas where industrial districts abut residential neighborhoods until a more comprehensive solution can be fully researched and established. Interim solution to help guide desired growth in areas where there is a commercial overlay in an industrial zone (ex: Northborough Crossing area).*

#### ARTICLE 42

- Pertains to definition of Home Occupation.
- Amendment proposes to add "the home occupation shall be clearly incidental and secondary to the use of the dwelling as a residence"; increases the number of nonresidents employed from one to two; removes ZBA special permit process to increase number of nonresidents employed; removes ZBA special permit process to increase percentage of square footage devoted to the home occupation; and allows no more than two commercial vehicles to be parked on the property associated with the home occupation.

**Purpose:** *Update the bylaw to ensure that regardless of how home occupations have evolved over time, the home occupation use is incidental to the primary residence and minimally disruptive to the residential neighborhood.*

#### ARTICLE 43

- Pertains to two-family dwelling units and removes waiver language which currently provides the ability to the Planning Board to reduce the lot frontage and lot width in the Residential C zoning district.
- Two-family dwelling units are allowed by Special Permit in the Residential C, General Residential, Main Street Residential, and Downtown Neighborhood zoning districts.
- Amendment proposes to delete waiver for reduced frontage and width in the Residential C district.

**Purpose:** *Update to the bylaw to reflect the valid reasons and research that were put into the original frontage requirements for duplexes under the guidance of a third-party planning consultant. The waiver creates a disconnect with the intended frontage requirements and lacks specific criteria upon which to guide decisions.*

#### ARTICLE 44

- Updates the zoning bylaw to define and allow solar photovoltaic installations in appropriate locations.
- Worked with solar expert for several months to create these proposed changes to various sections of the existing zoning bylaw and to create separate bylaw for large-scale ground-mounted installation.
- Northborough is a Green Community and adoption of a solar bylaw will assist with meeting our renewable energy goals
- Definitions created for:
  - Small-scale ground-mounted solar photovoltaic installation
    - Occupies less than 1000 square feet of surface area
    - Structurally mounted on the ground
  - Solar photovoltaic installation, roof-mounted
    - System of any size structurally mounted to the roof
  - Large-scale ground-mounted solar photovoltaic installation
    - Structurally mounted to the ground
    - Not roof mounted
    - Occupies more than 1000 square feet of surface area
  - Solar photovoltaic installation, canopy mounted
    - Structurally mounted on a canopy over a parking area
- Propose to allow roof-mounted and small-scale ground-mounted installations in all the residential zoning districts
  - 1000 square feet or less, accessory use in Residential districts, not subject to proposed bylaw
  - Roof-mounted allowed as accessory use by-right in all districts
- Canopy-mounted and large-scale ground-mounted installations are prohibited in the residential districts
- Roof-mounted, canopy-mounted, and small-scale ground-mounted installations would be allowed in all the Business districts and in the Industrial district
- Large-scale ground-mounted installations would only be allowed in the Industrial district
  - Site plan approval shall be required for large-scale ground-mounted installations
  - Dimensional requirements, design standards, and environmental standards are being proposed as part of new bylaw for Large-Scale Ground-Mounted Solar Photovoltaic Installation

***Purpose:*** Support the Green Community status of Northborough and establish a framework for site plan approval and overall project safety. Solar is an exempt use in the state of MA and can't be entirely prohibited. The proposed bylaw provides the necessary guidance for safe implementation should a solar project come to Northborough.

#### ARTICLE 45

- Currently the uses are not regulated in the zoning bylaw and if permitted by the State, the facility could locate in the Industrial district.
- Amendment proposes the facility as a Special Permit in the Industrial district and adds performance and dimensional standards for the use.

***Purpose:*** Establish a framework for site plan approval and overall project safety. This amendment is not proposing or inviting a hazardous waste facility or a solid waste disposal facility to come to Northborough. It is providing the town protection in case a facility is permitted by the State to locate in Northborough. Similar to solar, hazardous and solid waste facilities are an exempt use by the state of MA and can't be entirely prohibited.