

Town of Bedford, Massachusetts

Zoning Bylaw



**As Approved by Town Meeting
March 25, 2025**

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1. Authority and Purpose

1.1. Authority

The Town of Bedford Zoning Bylaw (“this Bylaw”) is enacted under the authority of Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts and in accordance with G.L. c 40A, § 5 as amended.

1.2. Purpose

This Bylaw is enacted to promote the general welfare of the Town of Bedford, to protect the health and safety of its inhabitants, to support the most appropriate use of land throughout the Town, and to preserve and increase the amenities of the Town, all as authorized but not limited by the provisions of the Zoning Act, G.L. c. 40A, as amended and Section 2A of Chapter 808 of the Acts of 1975.

1.3. Scope

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, intensity, and use of buildings, structures, and land in the Town are regulated by this Bylaw.

1.4. Applicability

All buildings or structures erected, constructed, reconstructed, altered, enlarged, or modified, and the use of all premises in the Town, after the effective date of this Bylaw shall conform with the provisions of this Bylaw. No building, structure, or land shall be used for any purpose or in any manner other than as expressly permitted within the district in which it is located. Where this Bylaw imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants, or agreements, the provisions of this Bylaw shall control.

1.5. Amendments

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

1.6. Severability

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

2. Administration and Enforcement

2.1. General

A. Building Permit

No structure or part of a structure shall be constructed, altered, or moved without a permit from the Inspector of Buildings. The Inspector of Buildings shall not grant a permit if the proposed construction, alteration or movement would violate any of the provisions of this Bylaw, and no officer of the Town shall grant any permit or license for the use of any land or structure if the new use would violate this Bylaw.

B. Enforcement

1. **Enforcement Officer.** The Inspector of Buildings is the Officer charged with the enforcement of this Bylaw.
2. **Enforcement Action.** The Inspector of Buildings, upon a written complaint of any citizen or owner of property within the Town, or upon the Inspector's own initiative, shall institute any appropriate action or proceedings to prevent, correct, restrain, or abate a violation of this Bylaw. Upon receipt of a written request to enforce the Bylaw, the Inspector of Buildings shall, within 14 days, notify the party in writing of any action or refusal to act and the reasons for the Inspector's decision.
3. **Criminal Complaint.** Any provision of this Bylaw shall be punished by a fine of not more than \$300 per day. Each day the violation continues shall constitute a separate offense.
4. **Non-Criminal Disposition.** In addition to the procedure for enforcement described above, the provisions of this Bylaw may also be enforced by noncriminal disposition, as provided in G.L. c. 40, § 21D. The penalty for the violation shall be \$25.00 for the first offense, \$50.00 for the second offense, \$100.00 for the third offense, and \$200 for the fourth and each subsequent offense.

C. Certificate of Occupancy

No use or occupation of land for any purpose for which a certificate of occupancy is required shall be made, in whole or in part, until the Inspector of Buildings has issued a certificate stating that the use of the land and structure, if any, complies with this Bylaw in effect at the time of issuance.

2.2. Zoning Board of Appeals

A. Establishment

The Zoning Board of Appeals (ZBA) is established in accordance with G.L. c. 40A and the Town of Bedford Charter and General Bylaws. The ZBA shall be organized and governed by the provisions of G.L. c. 40A, the Town of Bedford Charter and General Bylaws and this Bylaw.

B. Jurisdiction.

The ZBA shall have and exercise all the powers granted to it by Chapters 40A, 40B, and 41 of the General Laws, Article 21 of the Bedford General Bylaws, and this Bylaw. The ZBA's powers are as follows:

1. Special Permits. To hear and decide applications for special permits. The ZBA shall serve as the Special Permit Granting Authority (SPGA) except where provided elsewhere in this Bylaw.
2. Variances. To hear and decide appeals or petitions for variances from the terms of this Bylaw, including use variances, all as set forth in G.L. c. 40A, § 10.
3. Administrative Appeals. To hear and decide appeals taken by any person aggrieved by reason of the person's inability to obtain a permit or enforcement action from any administrative officer under the provisions of G.L. c. 40A, §§ 7, 8, and 15.
4. Comprehensive Permits. To hear and decide comprehensive permits for construction of low- or moderate-income housing by a public agency or limited dividend or non-profit corporation under G.L. c. 40B, §§ 20-23.
5. Withheld Building Permits. Building permits withheld by the Inspector of Buildings acting under G.L. c. 41, s. 81Y as a means of enforcing the Subdivision Control Law may be issued by the ZBA where the ZBA finds practical difficulty or unnecessary hardship, and if the circumstances of the case do not require that the building be related to a way shown on the subdivision plan in question.

C. Appeal

An appeal may be taken to the ZBA by any person, including an officer or board of the Town, aggrieved by reason of inability to obtain a permit or enforcement action from any administrative officer of the Town, under G.L. c. 40A or this Bylaw, or by reason of an order or decision of the Inspector of Buildings or other administrative officer of the Town of Bedford in violation of any provision of G.L. c. 40A or any Bylaw of the Town of Bedford adopted thereunder.

D. Regulations; Fees

The ZBA shall adopt Rules and Regulations for the administration of its powers, including variances, administrative appeals, and applications for special permits and comprehensive permits. The ZBA Rules and Regulations may include reasonable administrative fees and procedures for engaging technical review consultants as provided under G.L. c. 44, § 53G. The ZBA Rules and Regulations shall be on file with the Town Clerk.

2.3. Planning Board

A. Powers

The Planning Board shall have and exercise all the powers granted to it by General Laws Chapter 40A, Chapter 40, § 15C, and Chapter 41; Articles 9 and 45 of the Bedford General Bylaws, and by this Bylaw. The Board's powers are as follows:

1. Site Plan Approval. The Planning Board shall hear and decide applications for a site plan certificate of approval subject to Section 2.5 of this Bylaw.
2. Special Permits. The Planning Board shall act as the SPGA where designated in this Bylaw.

B. Regulations; Fees

The Planning Board shall adopt rules and regulations for special permits and site plan approval. The regulations may also include administrative fees and procedures for engaging technical review

consultants as provided under G.L. c. 44, § 53G. The Planning Board Rules and Regulations for Special Permits and Site Plan Approval shall be on file with the Town Clerk.

2.4. Special Permits

A. Special Permit Granting Authority

The ZBA, Planning Board, or Select Board shall act as the Special Permit Granting Authority (SPGA) when designated to do so in the Table of Uses or elsewhere in this Bylaw. Where no SPGA is specifically designated, the SPGA shall be the ZBA.

B. Procedures

1. Special permit applications shall be filed in accordance with the SPGA's Rules and Regulations. An application shall not be deemed complete until all copies of required information and documentation have been filed with the SPGA.
2. The SPGA shall hold a public hearing in conformance with G.L. c. 40A, §§ 9 and 11 and the provisions of this Bylaw. The hearing shall be held within 65 days after the filing of the application.
3. The written decision and findings of the SPGA, and any extension, modification or renewal thereof, shall be filed with the Town Clerk within 90 days following the closing of the public hearing. Failure of the SPGA to act within 90 days shall be deemed a grant of the permit applied for.
4. Special permits may be granted with reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the SPGA may deem necessary to serve the purposes of this Bylaw.

C. Lapse

Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within three years following the filing of the special permit approval (plus the time required to pursue or await the determination of an appeal under G.L. c. 40A, § 17) with the Town Clerk.

D. Appeal

Any appeal of a special permit decision under this Section 2.4 shall be in accordance with G.L. c. 40A, § 17.

2.5. Site Plan Approval

A. Standards for Requirement of Site Plan Approval

1. In all Great Road, Business, Commercial, or Industrial Districts, or as otherwise required in this Bylaw, no building permit shall be issued in any case where a building is to be erected or externally enlarged and no area for parking, loading or vehicular service (including access driveways) shall be established or substantially changed, except in conformity with a site plan approved in writing by the Planning Board.
2. Site plan approval shall not be required under the following circumstances:

- a. When a building is to be externally changed for the purpose of closing an entrance or creating a new entrance thereto; or
- b. For extension(s) of a building which in total shall not exceed 200 square feet of gross floor area.

E. Procedures

1. Submission requirements shall be in accordance with the Planning Board Rules and Regulations for Special Permits and Site Plan Approval, on file with the Town Clerk.
2. The Planning Board shall transmit copies of the site plan to the Code Enforcement Department, Department of Public Works, Fire Department, Police Department, Health Department and Conservation Department, who shall consider the plan and submit any recommendations to the Planning Board.
3. Decision of the Planning Board . The Planning Board shall take final action on an application for Site Plan Approval within 90 days after submission of a complete application. In making its decision, the Planning Board shall consider the following matters:
 - a. Protection and enhancement of existing site features;
 - b. Protection of adjoining premises against detrimental uses by provision for surface water drainage, sound and sight buffers and preservation of views, light and air;
 - c. The traffic impact of the proposed development in the immediate vicinity of the site and the surrounding neighborhoods and the convenience and safety of vehicular, bicycle and pedestrian movement within the site.
 - d. Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises;
 - e. Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;
 - f. Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of this Bylaw; and
 - g. Protection of environmental features, particularly groundwater resources, on the site and in adjacent areas, adequate protection to prevent pollution of surface and groundwater, soil erosion, increased run-off, changes in groundwater recharge or elevation and flooding.
4. Final action shall consist of one of the following:
 - a. Approval of the site plan as submitted; or
 - b. Approval of the site plan subject to conditions, modifications, or restrictions which the Planning Board determines are necessary for the site plan to meet the criteria for approval listed in this Section 2.5; or

- c. Denial of the site plan application if the Planning Board finds that the proposed site plan fails to meet any one or more of the criteria for approval in this Section 2.5 and the applicant fails or refuses to modify the site plan as necessary to meet the criteria for approval.

F. Lapse

Site plan approval shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within three years following the filing of the special permit approval (plus the time required to pursue or await the determination of an appeal under G.L. c. 40A, § 17) with the Town Clerk. At the applicant's request, the Planning Board may grant one or more extensions of time, each not exceeding one year.

G. Surety

Required site improvements, including landscaping, in accordance with an approved site plan, shall be erected or planted before the premises receive a certificate of occupancy. Alternatively, the Planning Board may accept a financial guarantee in the amount of the cost of installing the outstanding site improvements and landscaping and an agreement to complete the landscaping within a specified time and permit occupancy before the landscaping is installed.

H. Site Plan Modification

Requests for modifications to an approved site plan shall be processed in accordance with the Planning Board's Site Plan Rules and Regulations

I. Certificate of Occupancy

No certificate of occupancy shall be issued until the applicant provides an as-built plan in hard copy and the digital format specified by the Inspector of Buildings. The engineer or registered land surveyor shall certify that the construction conforms to the approved site plan and any conditions or approved modifications thereto. Both the as-built plan and the certification must be received and approved prior to issuance of the certificate of occupancy.

J. Appeal

Appeal of a Site Plan decision under this Section 2.5 shall be in accordance with G.L. c. 40A, s. 17.

2.6. Variances

A variance from the specific requirements of this Bylaw may be authorized by the ZBA under G.L. c. 40A, § 10 and this Bylaw only where, after notice and a public hearing, the ZBA specifically finds that owing to circumstances relating to the soil conditions, shape, or topography of the land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this Bylaw would involve substantial hardship, financial or otherwise, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of this Bylaw. No variance for a use or activity not otherwise permitted in a particular zoning district shall be granted by the ZBA.

The ZBA may impose conditions, safeguards, and limitations, both on the time and use, as it deems appropriate upon the grant of a variance. Any rights authorized by a variance not exercised within one year from the date of the grant of variance shall lapse and may be re-established only after public notice and a new hearing under this Section 2.6.

3. Districts

3.1. Establishment

For the purpose of this Bylaw, the Town is divided into the following classes of zoning districts:

Residential Districts

- Residence R
- Residence A
- Residence B
- Residence C
- Residence D

Business Districts

- Commercial (C)
- Great Road – Shawsheen (GR/S)
- Great Road – Marketplace (GR/M)
- Great Road – Town Center (GR/C)
- Great Road – North Road (GR/NR)

Industrial Districts

- Industrial A
- Industrial B
- Industrial C

3.2. Overlay Districts

The following overlay districts are hereby established and described in Section 11:

- Depot Area Mixed Use Overlay District
- Pine Hill Overlay District
- Floodplain Overlay District
- Aquifer Protection Overlay Districts
- Assisted Living Overlay District
- Multifamily Housing Overlay District:
 - Loomis/Depot Corridor - East (LDE)
 - Loomis/Depot Corridor - Center (LDC)
 - Loomis/Depot Corridor - West (LDW)
 - Shawsheen West - Roberts (SWR)
 - Shawsheen West - Alfred (SWA)

3.3. Zoning Map

A. District Boundaries

The boundaries of districts listed in Section 3.1 and Section 3.2 are located and described by detailed written descriptions or by delineation on Zoning Maps on file with the Planning Board. The descriptions and delineations shall be deemed a part of this Bylaw. Where detailed written descriptions of a district boundary conflict with the Zoning Map, the detailed written description shall prevail.

Zoning Districts, Town of Bedford, Massachusetts, Prepared by Bedford Public Works, August 2021.

The Floodplain District includes all special flood hazard areas within the Town of Bedford designated as Zone A and AE on the Middlesex County Flood Insurance Rate Map (FIRM) dated July 8, 2025, issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1% annual chance base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 8, 2025. The FIRM and FIS report are incorporated herein by reference and are on file with the Code Enforcement Department.

Hydrogeologic Zones for Bedford Water Supply Wells. See Section 11.4, Aquifer Protection Districts.

B. Rules for Zoning Map Interpretation

For purposes of interpretation of the Zoning Map, the following shall apply:

1. Centerline is boundary. Boundaries that appear to follow streets, railroads, or water courses shall be deemed to coincide with the applicable center line.
2. Boundary is property line. Boundaries that appear to follow a property or lot line, the exact location of which is not indicated by means of dimensions, shall coincide with the property or lot line.
3. Boundaries parallel to the street sideline. Boundaries that appear to run parallel to the sideline of a street shall be regarded as parallel or radial to the sideline, and dimensions between the district boundary lines and the sideline of streets shall be measured perpendicular to the sideline of the street.

C. Lots divided by Residential District

Where a boundary divides a lot in the Residential Districts, the regulations that apply to either Residential District may be extended by special permit from the ZBA, with the advice of the Planning Board, not more than 50 feet into the other district to achieve a sound subdivision plan. In all other districts where a boundary line divides a lot, the regulations applicable to either district may be extended by special permit from the ZBA, with the advice of the Planning Board, not more than 20 feet into the other district to achieve a sound development.

D. Floodplain Boundaries

The exact boundaries of the Floodplain Overlay District shall be located on the ground, as determined by an actual field survey, of the 1% annual chance flood contours shown for Zone A and AE on the Flood Insurance Rate Maps and further defined by the Flood Insurance Study, all with effective dates as listed in Section 3.3.

4. Use Regulations

4.1. General Provisions

No land shall be used and no structure shall be erected or used except as set forth in the Table of Uses, including the notes to the Table, or as otherwise set forth in this Section 4, or as exempted by the General Laws, or by variance from the Zoning Board of Appeals (ZBA) as provided in G.L. c. 40A, § 10 and Section 2.3. Any building or use of premises not specifically permitted is prohibited.

4.2. Prohibited Uses

In all districts, the following are prohibited:

1. Trucking terminal
2. Trailer and truck rental yard
3. Salvage yard
4. Junk yard and all open-air storage of junk
5. Waste products and salvage materials (including non-operable automobiles)
6. Trailer and mobile home, except as provided in Section 4.4.C.2
7. Trailer camp
8. Mobile home park
9. Trailer and mobile home sales and service
10. Billboard
11. Outdoor movie theater
12. Commercial dump
13. Slaughterhouse
14. Rendering plant
15. Fertilizer plant
16. Racetrack
17. Commercial extraction of sand, gravel or minerals
18. Non-medical recreational marijuana establishments

19. Any other use that would be obnoxious, hazardous, or injurious to the neighborhood or to property in the vicinity

4.3. Table of Uses

A. Provisions Applicable to Table of Uses

1. Existing and future uses of land, buildings, or structures shall be in accordance with Tables 4.3-1, Table of Principal Uses, and Table 4.3-2, Table of Principal Uses in the Great Road District, found in Appendix A of this Bylaw. Uses shall be as defined in Section 12.
2. A use listed in Table 4.3-1 or 4.3-2 is permitted in any district under which it is denoted by the word “Yes” or letter “Y”. If denoted by the letters “SP,” the use is permitted only if the ZBA or Planning Board or Select Board grants a special permit under Section 2.4.
3. Site Plan Approval. Site plan approval in accordance with Section 2.5 is required where the letter “R” appears.

B. Uses within Buildings Only

A principal Business or Industrial use listed in Table 4.3-1 or 4.3-2 and permitted in the Industrial A, Industrial B, or Industrial C District shall be conducted entirely within building(s) except where the Bylaw expressly allows all or part of the following uses to be conducted outside buildings:

1. Auto Service Station;
2. Auto Body Shop;
3. Vehicular Dealership;
4. Parking Facility;
5. Storage Yard, Open-air Sales.
6. Outdoor display in accordance with Section 9.3 of this Bylaw.
7. Restaurant

4.4. Accessory Uses and Structures

A. General

Accessory uses shall be permitted on the same lot with the principal use, or on a lot adjacent to and in the same zoning district as the principal use, provided the uses would not be obnoxious, hazardous, or injurious to the neighborhood or to property in the vicinity and subject in the following cases to the following provisions.

B. Residential Accessory Uses

1. Residential Uses. In the Residential Districts, uses customarily incident to principal uses permitted as of right shall be permitted as accessory uses, including, but not limited to, structures such as a private garage, carport, playhouse, greenhouse and tool shed.

2. **Swimming Pools and Tennis Courts.** In the Residential Districts, a swimming pool, tennis court, or similar home recreation facility shall be permitted, provided the facility is used only by the residents of the premises and their guests and the facility conforms to the dimensional regulations for accessory buildings established in this Bylaw. In Cluster and Planned Residential Developments, recreational facilities shall also be permitted on the Common Land or Common Open Space, provided the facilities are used only by residents of the development and their guests unless the ZBA or Planning Board allows exceptions by special permit.
3. **Storage of Recreation Trailer, Home Utility Trailer, Boat and Unregistered Motor Vehicles.** In the Residential Districts, the storage of one recreation trailer, home utility trailer, boat, and one unregistered automobile or similar light motor vehicle (maximum 10,000-pound gross vehicle weight and 135-inch wheelbase) shall be permitted, provided that the trailer, boat, and vehicle is not stored within the front yard or the minimum side yards. The storage of more than one trailer, boat, and vehicle may be authorized by the ZBA by special permit.
4. **Garaging or Parking of Commercial Motor Vehicles.** In the Residential Districts, garaging or parking for one commercial automobile or for one light commercial vehicle (maximum 10,000-pound gross vehicle weight and 135-inch wheelbase) shall be permitted, provided that garaging and parking of more than one light commercial vehicle(s) or any large commercial vehicle(s) shall require a special permit from the ZBA.
5. **Home Occupation.** In all Residential Districts and the Commercial District, the practice or conduct of a profession or occupation in a dwelling or in an accessory building shall be permitted provided that the same is conducted by a resident of the dwelling, no employees or clients come to the premises, the home occupation is secondary to the use of the dwelling as the principal place of residence of the resident conducting the same and no external changes are made which alter the residential character of the premises. Home occupations with not more than one full-time employee, or their equivalent, (exclusive of other residents of the dwelling) and home occupations where clients come to the premises may be authorized by the ZBA by special permit.
6. **Renting Rooms and Boarding.** In the Residential Districts the renting of rooms and furnishing of table board for not more than two persons shall be permitted, provided that the owner of record of the premises is the prime resident of the dwelling. Renting rooms and boarding for not more than four persons may be authorized by the ZBA by special permit.
7. **Keeping of Animals.** In the Residential Districts, keeping animals for small-scale agricultural production as an accessory to a single-family residential use shall be permitted subject to compliance with the Board of Health Regulations.
8. **Dormitory, Fraternity House and Sorority House.** An educational institution as defined in Section 12 may have as accessory uses, dormitories, fraternity houses and sorority houses.
9. **Family Daycare Home.** In the Residential Districts, any private residence that receives for temporary custody and care not more than six children, including participating children living in the residence, provided, however, that the dwelling and provider have received a license from the Commonwealth of Massachusetts, Office for Children to provide family day care, as defined by G.L. c. 28A.

10. Common Driveways. The construction or alteration of a private driveway in a manner that it may be used by more than one residential lot may only be authorized by a special permit from the ZBA with a recommendation from the Planning Board and shall meet the following minimum standards:

- a. Not more than two residential lots may share a common driveway.;
- b. Common driveways may never be used to satisfy zoning frontage requirements;
- c. The minimum width shall be 15 feet;
- d. The maximum length shall be 250 feet;
- e. The design shall assure adequate and safe access for emergency vehicles; and
- f. Common driveways shall access over lot frontage meeting the requirements of this Bylaw.

C. Other Accessory Uses

1. Fairs, Bazaars, and Antique Shows. In all districts, any building or premises owned or operated by a municipal, educational, or religious organization or private lodge or club may be used with the owner's permission for fairs, bazaars, antique shows, or similar events. Events that do not conform to the provisions of this Subsection may be authorized by the ZBA by special permit.

2. Trailer and Mobile Home.

- a. Construction Trailer. In all districts, the Inspector of Buildings may authorize the temporary use of a trailer or mobile home as a construction site office for not more than two years, provided that the structure shall be removed within 90 days after completion of the work for which the temporary use was permitted and provided further that, if construction is actively proceeding, the authorization for the trailer or mobile home may be renewed by the Inspector of Buildings for successive one-year periods.
- b. Temporary Dwelling. In all districts, the use of a trailer or mobile home as a temporary dwelling shall be permitted:
 - i. Not for more than seven days in any calendar year.
 - ii. Where the owner or occupier of a residence that has been rendered uninhabitable by fire or other natural disaster resides in a trailer or mobile home on the site of such a residence while the residence is being rebuilt for a period not to exceed twelve months.
 - iii. The ZBA may authorize a special permit to extend the period for using a trailer or mobile home as a temporary dwelling subject to a reasonable time limit. The trailer or mobile home shall be subject to the provisions of the state Sanitary Code.
- c. Temporary Non-residential Trailer. On non-residential properties in all districts, the Inspector of Buildings may authorize a temporary non-residential trailer for up to twelve months to meet a short-term or transitional need for storage or operational capacity related

to the property's principal use. The authorization may be extended for good reason for six-month periods but for no more than one additional year.

11. Trailer or Truck Rental Yard. In the Business Districts, the ZBA may grant a special permit to authorize the rental of trucks and trailers, if the rental is secondary to the operation of an auto service station or vehicular dealership as defined in Section 12.
12. Farm Product Sales. In the Residential Districts, the ZBA may grant a special permit for the sale of farm products raised outside the Town and towns contiguous to it if the sales are secondary to the operation of the farm stand as defined in Section 12.
13. Christmas Tree Sales. In the Great Road Districts and at any farm stand or greenhouse, the sale of Christmas trees shall be permitted during the months of November and December.
14. Temporary Storage. In all districts except the Commercial District, no lot shall be used for unenclosed storage of building equipment or supplies ancillary to a building except when a building permit has been issued for the building. All equipment and materials shall be removed no later than 90 days after completion of the work authorized under the building permit.
15. Scientific Development. The ZBA may grant a special permit for uses, whether on the same parcel as activities permitted as a principal use, that are necessary in connection with scientific research or scientific development or related production, provided that the ZBA finds that the proposed accessory use does not substantially derogate from the public good.
16. Yard Sales. The temporary use of residential, institutional, or industrial premises for the sale of personal property is permitted, provided that a temporary permit is obtained. Temporary permits shall be issued by the Inspector of Buildings for up to two consecutive days only not more than twice each calendar year for any given premises. A separate permit shall be required for each sale. All signs erected for the yard sales shall be removed within 12 hours of the conclusion of the sale.
17. Satellite Receiving Antenna. A satellite receiving antenna for receiving signals from an earth-orbiting satellite shall be permitted in all districts. In a Residence district, the antenna shall not be in a front yard or within 15 feet of a side or rear property line.
18. Fences. In all districts, fences six feet or less in height are allowed by permit from the Inspector of Buildings. Fences greater than six feet in height shall require a special permit from the ZBA.

5. Dimensional and Landscaping Regulations

5.1. General Provisions

No building or structure shall be erected, altered, enlarged, extended, or moved on any lot, nor shall any lot containing any building or structure be altered in size or dimension, unless the resulting premises meet or exceed the minimum requirements specified in the Table of Dimensional Regulations, except where otherwise provided for in this Bylaw or G.L. c. 40A. Not more than one building designed or available for use as a dwelling shall be erected or converted to a dwelling on any lot, parcel, or tract of land in the town except where specifically provided for in this Bylaw.

5.2. Table of Dimensional Regulations

The minimum lot area, frontage, lot width, setback, yard and corner clearance requirements, maximum lot coverage, minimum lot landscaped and height, and Floor Area Ratio (FAR) shall be as shown in Appendix B: Table 5.2-1, Dimensional Regulations.

5.3. Interpretation

A. Lot Area

Lot area shall be determined by an area within a lot, including any area within the lot over which easements have been granted, provided that no area within a street shall be included in determining minimum lot area. Any area of any lot more than 500 feet from the lot frontage shall not be used to satisfy any of the minimum lot area in the Residence R, Residence A, Residence B, and Residence C Zoning Districts. In addition, neither the Floodplain Overlay District area of any lot nor any area determined by the Bedford Conservation Commission to be wetlands as defined under State Law or local bylaw shall be used to satisfy more than 35 percent of the minimum lot area.

B. Minimum Lot Area

When the distance between any two points on lot lines is less than 50 feet, measured in a straight line, the small portion of the lot that is bounded by the straight line and the lot lines shall not be considered in computing the minimum lot area unless the distance along the lot lines between the two points is less than 150 feet. See Figure 1, Minimum Lot Area.

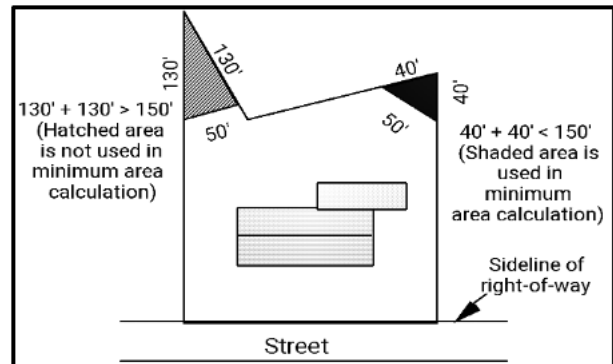


Figure 1. Minimum Lot Area

C. Frontage

Frontage shall be measured as follows:

1. In a continuous line along the sideline of the street(s) between the points of intersection of the side of lot lines with the sideline of the street(s).

2. In the case of a lot fronting all or partly on the turnaround of a dead-end street, frontage may be measured between the side lot lines therein referred to along a continuous line which at all points is at the minimum front yard setback for each lot.

D. Frontage Exception

A dwelling in Residence R, A, B, and C Districts may be constructed percent of the minimum lot frontage, provided that the lot width at the nearest point on the front wall of the dwelling to the sideline of the right of way shall not be less than the minimum lot frontage. See Figure 2. In the case of cluster developments, the Planning Board may authorize a minimum of 50 feet of frontage.

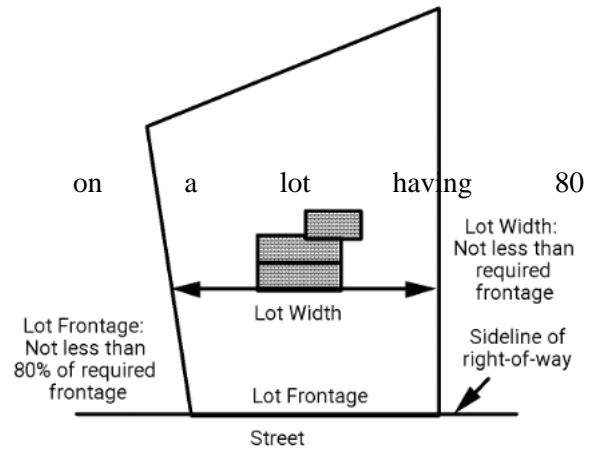


Figure 2. Frontage Exception.

E. Lot Width

Each lot shall have a width of not less than 80 percent of the required frontage at all points between the sideline of the right of way along which the frontage of the lot is measured and the nearest point on the front wall of the dwelling upon the lot. See Figure 3. In the case of Cluster Developments, each lot shall have a lot width of not less than 50 feet and the nearest point on the front wall of the dwelling shall be set back on its lot at least to a point where the lot width is a minimum of 125 feet in the Residence R District, 100 feet in the Residence A District, and 75 feet in the Residence B or C District. Lot width shall be measured along lines which are parallel to the sideline.

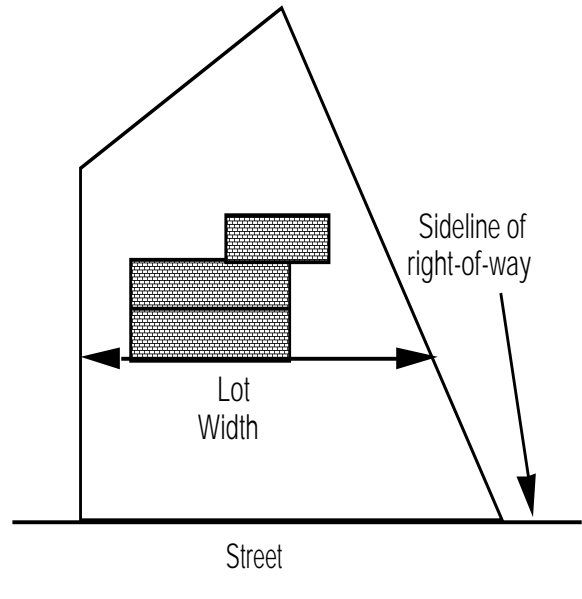


Figure 3: Lot Width

F. Yards

1. **Front Yards.** Front yards shall be measured between the sideline of the right of way and the nearest point of any structure, provided that nothing shall prevent the projection of uncovered steps and ramps or the construction of walls and fences. In all cases, corner lots shall be considered to have two front yards and two side yards. A lot having frontage on two streets shall have two front yards, each of which shall comply with the requirements of the front yard provisions.
2. **Side Yards.** Side yards shall be measured from the nearest point of any dwelling or structure to each side lot line, provided that nothing shall prevent the projection of uncovered steps and ramps or the construction of walls and fences. Notwithstanding the foregoing, in the Residential Districts, a building used as an accessory use may be placed not less than 10 feet from a side line, and not less than 10 feet from another building on the same lot, so long as the building is not to be located nearer the sideline of the right of way than the rearmost point of the dwelling

or any structure attached thereto, except for detached accessory dwelling units conforming to the requirements of Section 8.4.

3. Rear Yards. Rear yards shall be measured from the nearest point of any dwelling or structure attached thereto to the rear lot line provided that nothing shall prevent the projection of uncovered steps and ramps or the construction of walls and fences. In the Residential Districts, no building used as an accessory use shall be placed nearer to the rear lot line than 10 feet. Detached accessory dwelling units are governed by Section 8.4.

G. Corner Clearance

Between the sidelines of intersecting streets and a straight line joining points on the sidelines 10 feet 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 feet above the plane through their curb grades.

H. Building Height

1. In all Districts, the building height shall not exceed the dimensions noted in Table 5.2-1, Table of Dimensional Regulations.
2. In all Districts except Residential Districts, the height of a building shall be measured as the vertical distance from the average ground level around the perimeter of a building to either the top of the highest ridge in the case of a pitched roof or the highest point of the exterior in the case of a flat roof.
3. In the Residential Districts, the height of a building shall be measured as the vertical distance from the base elevation to the top of the highest ridge in the case of a pitched roof, or the highest point of the exterior in the case of a flat roof. See Figure 4.
4. For any accessory building in a Residential District, the maximum height shall be 25 feet and 1.5 stories. For this purpose, a half story is defined as a space under a sloping roof that has the line of intersection of the roof and wall face not more than three feet above the floor level and in which the habitable space with head room of five feet or more occupies no more than 60 percent of the floor area. Spaces not satisfying this definition shall be considered a full story.
5. Chimneys, spires, towers, ventilators, skylights, tanks, antennae and other projections not used for human occupancy or storage may extend not more than 8-feet above the height limits herein fixed.

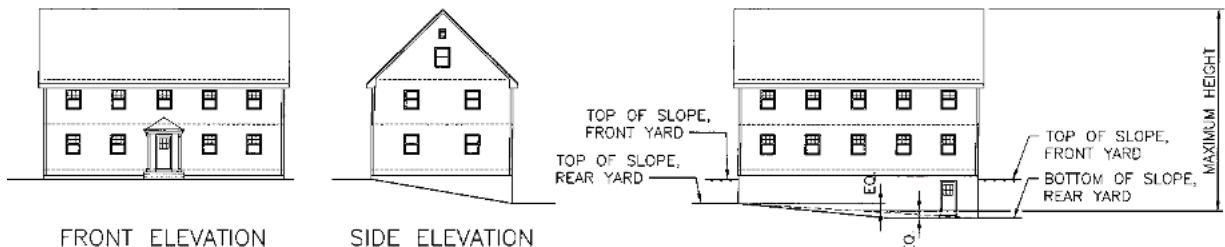


Figure 4.

I. Base Elevation

1. The intent of establishing a base elevation on residential lots is to remove the incentive to create layered “plateaus” that significantly raise the ground level at the structure’s foundation.
2. The base elevation is the average elevation of the ground between where the two corners of the lowest foundation wall of a building meet the ground. The base elevation shall be determined prior to disturbing the original ground which includes, but is not limited to, demolition of existing building, excavation for new building, clearing and grubbing, cutting and filling and general grading of the land. The base elevation shall be certified by a registered land surveyor and shown on a certified plot plan to be verified by the Building Inspector prior to commencement of work on the property.
3. In Residential Districts, with approval of the Inspector of Buildings, the base elevation may be adjusted to an elevation not more than two feet higher than the existing base elevation at the building foundation to facilitate proper stormwater drainage around or away from the building or for issues related to soils or topography. In these cases, the height of the building will be calculated from the new adjusted base elevation. The ZBA may grant a special permit allowing more than the two-foot adjustment to the base elevation if it finds that literal application of this requirement would be unreasonable for reasons of drainage, soils, or topography and that the requested relief is in harmony with the purposes and intent of this Bylaw and will not be substantially more detrimental or injurious to the neighborhood.

J. Lot Coverage

The total ground area covered by the principal and accessory structures shall not exceed the maximum coverage of the total lot area.

K. Minimum Lot Landscaping

1. The total ground area landscaped shall be at least the required minimum lot landscaping as noted in Table 5.2-1. The landscaping shall be designed to reduce the visual impact of the principal use upon adjacent property and within the lot. Particular attention shall be paid to the following aspects:
2. In the Industrial, Commercial and Business Districts or where required for specific types of development under other provisions of this Bylaw, a landscape buffer shall be provided where the developed area adjoins a Residential District. The adequacy of the landscape buffer shall be a matter for consideration in any review of a site plan or special permit within the purview of the Planning Board. The landscape buffer shall meet the following standards:
 - a. The nature of this buffer shall be appropriate to the aesthetic character of the structures and uses on the lot, as viewed across the relevant boundary.
 - b. It shall include substantially sight-impervious screening of any exterior equipment, storage, or loading areas with dense planting of trees and shrubs, which may be supplemented by a fence.
 - c. Buildings that present blank facades will require more planting to moderate their visual impact than those with architectural detailing and a scale compatible with a residential area.
 - d. Existing assets that have the potential to contribute to an attractive site perimeter should be identified and used to advantage as far as practicable; these may include vegetative,

topographic, water, or wetland features and structures such as historic buildings or stone walls. The proximity to existing or potential future residences shall be considered.

3. In all developments, existing trees shall be retained and used to satisfy the provisions of the minimum lot landscaping to the extent practicable.
4. Further tree planting may be required, including along road frontages.

L. Floor Area Ratio (FAR)

The maximum floor area ratio shall be as prescribed in Table 5.2-1, Table of Dimensional Regulations. Floor area ratio is defined as the total gross floor area of the building(s) on the site, exclusive of accessory parking structures, divided by the total area of the site.

M. Limitation of 1 Dwelling per Lot: Exceptions

A single-family dwelling, a single-family with an internal or external ADU, or a two-family dwelling is allowed as of right on a lot in all Residential districts.

N. Nonconformity by Eminent Domain

1. No building, structure or part thereof shall be constructed, altered, moved, added to or reconstructed, for use carried on, except in accordance with the requirements of this Bylaw, or as exempted within this Bylaw or in G.L. c. 40A, § 3, and no buildable or built-upon lot shall be subdivided, altered, or reduced except by eminent domain taking or by conveyance for a public purpose for which an eminent domain taking could have been made, so as to result in a violation of the dimensional or other requirements of this Bylaw.
2. Any lot reduced in size by an eminent domain taking or conveyance for a public purpose for which an eminent domain taking could have been made may, by special permit from the ZBA, be used for purposes allowed by this Bylaw despite its nonconformity. In this instance, any special permit application fee or legal ad cost shall be borne or waived by the Town. The following criteria shall govern the decision of the ZBA as to whether a special permit will be issued:
 - a. A determination by the ZBA that the lot was in conformance with the requirements of this Bylaw prior to the taking or conveyance for a public purpose;
 - b. A determination by the ZBA that denial of the special permit would result in hardship to the applicant;
 - c. A determination by the ZBA that sufficient area remains available on the lot that its use for purposes otherwise allowed under this bylaw would not be substantially detrimental to the neighborhood.

O. Special Dimensional Requirements

1. Educational Uses. In all Residential Districts, the following dimensional requirements shall apply to educational uses including accessory uses.
 - a. Minimum Front Yard. The minimum front yard shall be 75 feet.
 - b. Minimum Side Yard. The minimum side and rear yards shall be 75 feet.

- c. Athletic Facility. No athletic facility shall be erected within 75 feet of the boundary line with adjoining land zoned for residential use.
 - d. Landscape Buffer. A landscape buffer shall be provided to moderate the visual impact of the proposed development on adjoining land zoned for residential use as specified in Table 5.2.1.
 - e. Maximum Lot Coverage. The maximum lot coverage shall be 25 percent.
 - f. Minimum Landscaping. The minimum lot landscaping, including unpaved recreational facilities, shall be 50 percent.
2. Child Care Facilities and Religious Uses. In addition to the standards in Table 5.2-1, the following standards shall apply to child care facilities and religious uses in Residential Districts or on lots which are not in a Residential District but any portion of which lot is directly contiguous to a lot in a Residential District.
- a. Minimum Lot Area. The minimum lot area shall be one acre.
 - b. Maximum Floor Area Ratio. The maximum floor area ratio shall be 0.15. For the purpose of this subsection, floor area ratio is defined as the total gross floor area of the building(s) on the site, including accessory buildings, divided by the total area of the site not including any area in the Floodplain Overlay District.
 - c. Minimum Front, Side, and Rear Yards. The minimum front yard shall be 35 feet, minimum side yards shall be 25 feet, and the minimum rear yard shall be 30 feet. No playground area (an area designed or set aside for children for recreation or play) shall be located closer to a lot line than the minimum yard setback.
 - d. Minimum Lot Landscaping. The minimum lot landscaping shall be 35 percent exclusive of any playground area.
 - e. Landscape Buffer. A landscape buffer shall be provided to moderate the visual impact of the proposed development on adjoining land zoned for residential use as specified in Section 5.2.K.
 - f. Parking. All parking spaces and driveways, other than entrances, shall be set back at least 35 feet from the front property lines, 25 feet from side property lines and 30 feet from rear property lines. Parking spaces shall be located behind or beside buildings.
 - g. Waivers. In the case of proposed child care use facility or religious use, the Planning Board may recommend to the Inspector of Buildings to waive any requirement of this Bylaw upon written application of the project proponent, based upon a showing that the requirement sought to be waived is unreasonable in the particular circumstances.

6. Nonconforming Uses, Structures, and Lots

6.1. Nonconforming Uses

Any structure or use lawfully existing at the time of the adoption of this Bylaw or any amendment hereto and any use or structure lawfully begun or in respect of which a building or Special Permit has been issued before the first publication of notice of public hearing on this Bylaw or any amendment hereto may be continued or completed, although the structure or use does not conform to the provisions hereof. However, in the case of the issuance of a building or special permit, construction or operation thereunder shall conform to the provisions of this Bylaw or any amendment hereto, unless the construction or use has commenced within a period of not more than 12 months after the issuance of the permit. In cases involving construction, the construction shall be continued through to completion as continuously and expeditiously as is reasonable.

6.2. Nonconforming Structures

A nonconforming structure or use may be changed, extended, or altered, provided that in each case, the Zoning Board of Appeals (ZBA) grants a special permit and concludes that the proposed change, extension, or alteration is in harmony with the purpose and intent of this Bylaw and will not be substantially more detrimental or injurious to the neighborhood in which it is to take place than the existing nonconforming structure or use.

6.3. Pre-Existing Single-Family or Two-Family Dwellings

A single-family or two-family dwelling may be altered, reconstructed, extended, or structurally changed if the alteration, reconstruction, extension, or structural change does not increase any portion(s) of the existing nonconforming nature of the structure. The determination as to whether any proposed alteration, reconstruction, extension, or structural change increases the nonconforming nature of the structure (i.e. intensifies the existing nonconformities or results in additional nonconformities) shall be made by the Inspector of Buildings.

The following shall be deemed not substantially more detrimental to the neighborhood and do not require review by the Zoning Board of Appeals:

- An addition or multiple additions with a total footprint of 600 square feet or less and meeting the minimum setback requirements;
- Decks that meet the minimum setback requirements; and
- Teardown and reconstruction where the proposed building footprint and height are not larger or taller than the existing dwelling and where the building meets the minimum setback requirements.

6.4. Nonconforming Lots

Any increase in area, frontage, width, yard, or depth requirements of this Bylaw shall not apply to a lot of a single-family dwelling which, at the time of recording or endorsement, whichever occurs sooner, was not held in common ownership with any adjoining land, conformed to then-existing requirements and had less than the proposed requirement but at least 5,000 square feet of area and 50 feet of frontage. Prior to the issuance of a building permit under this Section 6, the Inspector of Buildings shall be provided with satisfactory documentary assurance that the land was not held in

common ownership, conformed to the then-existing provisions and meets the requirements of this Section 6.4.

Adjacent lots under common ownership shall not be treated as a single lot for local zoning purposes if, at the time of recording or endorsement, the lots: (i) conformed to then-existing requirements of area, frontage, width, yard or depth, where each such lot has not less than 10,000 square feet of area and 75 feet of frontage; and (ii) are located in a zoning district that allows for single-family residential use. Any single-family residential structure constructed on the lot shall not exceed 1,850 square feet of heated living area, shall contain not less than three bedrooms and shall not be used as a seasonal home or short-term rental.

6.5. Reconstruction after Fire or Demolition

A. Reconstruction as of Right

Reconstruction of a nonconforming structure that has been damaged by fire, flood, or other casualty or by vandalism, may be made without conformance to the provisions of this Bylaw. Except as provided in Subsection B below, reconstruction may be made as of right provided that the reconstruction shall have commenced within six months of the date the damage was sustained and the reconstruction will continue through to completion as continuously and expeditiously as is reasonable, and if the reconstructed structure:

1. Is entirely within the footprint of the damaged structure; and
2. Has a gross floor area not more than the gross floor area of the original structure; and
3. Does not exceed the greater of:
 - a. The height of the original structure, or
 - b. The height permitted under Table 5.2-1, Table of Dimensional Regulations.

B. Special Permit Required

If the cost of reconstruction will exceed 50 percent of the fair market value of the structure immediately prior to the damage, as determined by the Inspector of Buildings, the reconstruction shall only proceed if authorized by the ZBA by special permit and if the ZBA shall find that the reconstruction would not:

1. Substantially impinge upon any public right of way that adjoins the lot on which the structure is to be constructed;
2. Create a danger to public safety by reason of traffic access, flow and circulation; and
3. Be out of character with the traditional settlement and construction patterns of the area in which it is to be reconstructed.

6.6. Abandonment or Non-Use

Any structure or lot on which a nonconforming use is abandoned or superseded by a permitted use shall conform to the regulations for the district and the nonconforming use may not be resumed. A nonconforming use or structure other than a single or two-family dwelling not used for a period of

two years shall be deemed abandoned and shall not again be revived or used except in conformity with all applicable provisions of this Bylaw or any amendment hereto.

6.7. Reversion to Nonconformity

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

7. General Regulations

7.1. Off-Street Parking

A. Purposes and Intent

The purpose of these parking regulations is to:

1. Prevent the creation of unnecessary or surplus amounts of parking spaces which contribute to additional Single-Occupancy Vehicle (SOV) trips being generated, thereby exacerbating traffic congestion and traffic service level deterioration on impacted roadways within the Town;
2. Encourage and ensure use of Transportation Management strategies; and to encourage the development of a regional Transportation Management Association (TMA) to help reduce new SOV trips from being generated within the Town;
3. Encourage the use of bicycles to reduce traffic congestion and to reduce motor vehicle parking places by providing secure bicycle parking facilities;
4. Encourage and ensure use of Public Transportation opportunities and use of High Occupancy Vehicles (HOV) such as buses, carpools and vanpools, associated with new development within the Town; and
5. Reduce unnecessary amounts of impervious surface areas from being created within the Town, and particularly within the wellhead and aquifer recharge areas around public water supplies.

B. Parking Requirements

1. Permanent off-street parking facilities and adequate loading areas shall be provided on the same lot of each use or structure it serves, in accordance with Table 7.1-1, Off-Street Parking Requirements. Compliance shall be determined as part of any applicable site plan or special permit review. Whenever a change in the type or extent of use of any premises would require an increase of more than 20 percent in the number of required parking spaces, off-street parking spaces shall be provided in accordance with Table 7.1-1, Off-Street Parking Requirements. Where a use is not specifically included in Table 7.1-1, the regulations for the most nearly comparable use specified shall apply, as determined by the Inspector of Buildings.
2. The Planning Board may grant a special permit to increase the maximum parking spaces and ratios specified in Table 7.1-1 if all the following findings and conditions are met:
 - a. The applicant, site operator or owner agrees to reduce 20 percent of the estimated Institute of Transportation Engineers (ITE) trip generation rates related to the subject development or use in both the AM and PM peak hours, based upon the latest edition of "ITE Trip Generation" manual. The method or methods by which the reduction or reductions are accomplished shall be satisfactory to the Planning Board. The Planning Board may elect to determine compliance with this condition by monitoring traffic movements at the site after project completion and occupancy. The applicant, site operator or owner shall fund this monitoring program.

- b. The applicant has developed and submitted data and evidence, including but not limited to parking accumulation and utilization data, that demonstrate the need for additional parking spaces to be created, in the opinion of the Planning Board.

Table 7.1-1. Off-Street Parking Requirements

Use	Minimum Parking Spaces (or <u>Maximum</u> , where applicable)
Dwelling, including Multi-unit Structure Housing for the elderly Hotel, motel, lodging house	2 spaces per unit 1 space per unit 1 parking space for each bedroom plus additional spaces for the number of employees' vehicles which can be reasonably expected at any one time on the premises.
Educational use	1 parking space for each classroom plus 1 space for each 2 staff positions and 1 space for each 5 persons of rated capacity of the largest place of assembly plus additional spaces as shall be required for the number of students' vehicles which can be reasonably expected at any one time on the premises.
Nursing home	1 parking space for each sleeping room for single or double occupancy or, where not divided into rooms, 1 parking space for each 2 beds plus additional spaces as shall be required for the number of employees' vehicles which can be reasonably expected at any one time on the premises.
Retail, service, or business use	4 parking spaces for each 1,000 square feet of gross floor area, excluding permanent storage areas, staircases, corridors and restrooms.
Professional, general office, or research facility	A minimum of 2.5 parking spaces for each 1,000 square feet of gross floor area. A <u>maximum</u> of 2.86 parking spaces for each 1,000 square feet of gross floor area if the building or the property under common ownership has 10,000 square feet or more of gross floor area. Gross floor area does not include permanent storage areas, staircases, corridors and restrooms. Preferential carpool and vanpool parking shall be provided to encourage the use of carpooling and vanpooling.
Industrial use	A minimum of 2 parking spaces for each 1000 square feet of gross floor area. A <u>maximum</u> of 2.5 parking spaces for each 1,000 feet of gross floor area if the building or the property under common ownership has 10,000 square feet or more of gross floor area. Gross floor area does not include permanent storage areas, staircases, corridors and restrooms. Preferential carpool and vanpool

Restaurant, lodge, club, recreation use or other place of assembly	parking shall be provided to encourage the use of carpooling and vanpooling. One parking space for each four seats of rated capacity or one space for each four persons normally expected on the premises at the time of maximum use plus additional spaces as shall be required for the number of employees' vehicles which can be reasonably expected at any one time on the premises.
Bank or indoor amusement use	6.67 parking spaces for each 1,000 square feet of gross floor area, excluding permanent storage areas, staircases, corridors and restrooms.
Auto service station or auto body shop	3 parking spaces for each lubrication or repair bay, excluding the bays, plus additional spaces for the number of employees' vehicles that can be reasonably expected on the premises at any one time.
Child care Facility	1 parking space per 10 children of rated capacity of the child care facility plus one space for each staff person on the largest shift.
Mixed uses	See Section C below

C. Mixed uses

1. In the case of mixed uses, the requirements shall be calculated based upon each area of use to the end that, in the opinion of the Inspector of Buildings, adequate space shall be provided to accommodate the cars of all persons likely to be gathered at the premises at any one time. Parking spaces for one use shall not be considered as providing the required spaces for any other use, except when it can be clearly demonstrated that the need for parking occurs at different times.
2. Shared use of motor vehicle parking is strongly encouraged. Where shared parking between adjacent properties is feasible, a shared parking agreement shall be submitted. The shared parking agreement shall address issues such as the maintenance, striping, and snow plowing of shared parking area. Where shared parking is allowed in accordance with this section, the Inspector of Buildings retains the authority to waive strict compliance with the zoning bylaw.

D. Parking Dimensional Regulations

Off-street parking facilities shall be laid out or striped in compliance with the minimum provisions of Table 7.1-2 and Figure 4.

Table 7.1-2. Parking Stall Dimensions

Angle of Parking (degrees)	Width of Parking Stall (feet)	Depth of Parking Stall (feet)	Maneuvering Aisle (feet)
61°-90°	9	19	24
46°-60°	9	19	18
Less than 45°	9	19	14
Parallel	8	22	14

E. Additional Requirements

1. Residential Stalls. For single-family detached, single-family attached, or two-family dwellings, one parking stall may be provided directly behind another for each dwelling unit, provided that each stall shall meet the width and depth requirements in Table 7.1-2 and provided further that in no case shall stalls that are more than two-deep be considered in computing the requirements of the parking regulations.
2. Small Car Stalls. In parking facilities containing more than 40 parking stalls, 30 percent of the stalls may be for small car use. Such small car stalls, if provided, shall have a stall depth of at least 15 feet and a width of 7 feet 6 inches. The width of the maneuvering aisle shall not vary from that set forth in Table 7.1-2. Small car stalls shall be in one contiguous area and shall be suitably and conspicuously signed.
3. Non-residential Entrances. The construction of any entrance or driveway in a Business or Industrial District to a public way may only be authorized by special permit from the Zoning Board of Appeals (ZBA) when the driveway is not part of a development or project that requires a special permit or is subject to Site Plan Approval.
4. Layout and Setback. The required parking spaces, circulation areas, loading facilities and driveways shall be provided and maintained with a nuisance-free surface, adequate drainage, acceptable grading and a setback of all spaces and circulation other than entrances 20 feet from the sidelines of the street and 10 feet from all other property lines and bodies of surface water. In the Business or Industrial Districts, a common driveway may straddle the lot line and serve two lots or a driveway on one lot may lead to a parking facility on another lot subject to a binding agreement satisfactory in form to Town Counsel and executed by the owners of the adjacent lots.
5. Landscaping. All parking and loading facilities shall be suitably landscaped. The landscaping shall be designed to reduce the visual impact of the use on adjacent property using trees, shrubs, walls, fences or other landscape elements. Where the developed area in a Business or Industrial District is within 100 feet of any Residential District, a screen of planting shall be provided consisting of a fence or continuous dense line of shrubs or combination thereof or another type of landscaping as may be required under site plan approval. In the case of parking facilities for more than 40 spaces, at least ten percent of the area within the limits of the parking facilities shall be set aside for landscaped areas with a minimum width of 10 feet, curbing and shade trees.

F. Relief from Parking Regulations

The ZBA may grant relief by special permit from the parking requirements of this Section 7.1, except for an auto service station use, if the petitioner cannot comply with them and the ZBA finds that the proposed use of the premises is not different in kind in its effect on the neighborhood from the prior use and that a literal application of the parking regulations would be unreasonable or that relief may be granted without substantial detriment to the neighborhood and without derogating from the purposes of this Bylaw. In all cases, the petitioner shall submit a plan of the off-street parking facilities, and the ZBA shall make its determination based upon all applicable matters under this Bylaw.

G. Bicycle Parking Facilities

1. Requirement. One bicycle parking space is required for every 20 motor vehicle parking spaces, with a minimum of two and a maximum of 40. No bicycle parking is required where there are

fewer than 20 motor vehicle parking spaces. Any property owner required to have bicycle parking may elect to establish a shared bicycle parking facility with any other property owner within the same block to meet these requirements.

2. Conversion of Automobile Parking Spaces. For properties having 100 automobile parking spaces or more, one automobile parking space as required by Table 7.1-1 may be converted to bicycle parking for up to 15 bicycles. For every 200 automobile parking spaces or portion thereof, one automobile parking space may be converted to bicycle parking and shall still be counted as a parking space for the purpose of meeting the requirement of Table 7.1-1.
3. Placement and Access. Bicycle Parking shall be situated near the primary entrance(s) of the property. Bicycle Parking apparatus shall not be installed in a manner that will cause obstruction of pedestrian or motor vehicle traffic. Bicycle Parking shall be situated in a manner that protects it from normal snow removal activities and snow storage.
4. Security. Bicycle Parking apparatus shall be of a high-security design to which the frame and wheel of a parked bicycle may be attached; installed in a visible location to deter vandalism and theft; and permanently mounted to the ground or to a building or other immovable structure.
5. Dimensional Regulation. Each bicycle parking space shall be sufficient to accommodate a bicycle, seven feet in length and two feet in width. Inverted U-frame or other racks approved by the Planning Board that support the bicycle at 2 or more points above the center of gravity are required.
6. Exemption from Bicycle Parking Requirements. The following facilities are exempt from bicycle parking requirements:
 - a. Private residences;
 - b. Elderly housing;
 - c. Nursing home;
 - d. Hotel, motel or lodging house;
 - e. Child care facility;
 - f. Auto service station or auto body shop;
 - g. Vehicle dealership;
 - h. Repair garage; or
 - i. Funeral home.

7.2. Earth Removal

A. Removal Generally Prohibited

The removal from any property not in public use of soil, loam, peat, sand, gravel or stone is prohibited in all districts, except when incidental to and in connection with the construction of a building or street or other activity authorized by this Bylaw, provided that at least a six-inch layer of packed loam is left covering all open areas. No earth removal permit shall be required for moving earth within the limits of a lot or contiguous lots in the same ownership, provided that no moving shall take place across or within a street.

B. Removal of Earth Permitted Without Review by the ZBA

Under the following conditions, the removal of not more than 1,000 cubic yards of earth shall be permitted, provided that the Chief of Police has approved the days of operation, the trucking route and type of vehicle to be used on any street for removal of earth, and provided that at least 48 hours prior to any removal, the Inspector of Buildings has been given written notification of the volume of earth to be removed and a notice of approval by one or more of the following procedures as applicable:

1. Building Permit. Removal by building permit when the removal is at the site of, incidental to, and in connection with the excavation and grading necessary for the construction of a principal or accessory use permitted by this Bylaw;
2. Subdivision. Removal by approval of a definitive plan under the Subdivision Control Law when the removal is necessary to construct an approved street or definitive subdivision; and
3. Wetlands Protection Act. Removal pursuant to an order of conditions issued under the Wetlands Protection Act (G.L. c. 131, § 40) when the removal is incidental to a use permitted without review by the Planning Board in the Floodplain Overlay District.

C. Removal of Earth Subject to ZBA Approval

1. The ZBA may permit the removal of more than 1,000 cubic yards of earth after notice and a public hearing, if the ZBA finds that:
 - a. The volume proposed for removal does not exceed the minimum practical removal required to accomplish the construction, development, or improvement in accordance with the proposed plans;
 - b. The plans submitted in connection with the removal are designed to minimize changes in existing contours to enhance attractive land utilization, effective drainage, suitable road gradients, access or other design considerations; and
 - c. The removal will not be detrimental or injurious to abutters or the neighborhood, either by the alteration of existing topography or by a substantial change in the use of the streets in the neighborhood.
2. Procedure for Review by the ZBA. Any person who desires to remove more than 1,000 cubic yards of earth shall submit a written application for a special permit to the ZBA. Each application shall be accompanied by plans and specifications prepared by a Registered Professional Engineer or Registered Land Surveyor as follows:
 - a. A plan of the area from which removal is proposed and a strip 150 feet wide surrounding the area, showing all man-made features, lot lines, zoning boundaries, vegetative cover, soil characteristics and existing topography;

- b. A plan of the area showing the finished grade and treatment of the site after the proposed completion of the excavation;
 - c. An analysis and evaluation of the impact of the proposed earth removal on existing site features, particularly groundwater elevation, as determined between December first and April thirtieth, the groundwater significance and any existing surface water, wetlands and vegetative cover;
 - d. The estimated quantity of materials to be removed and topsoil to be stripped and replaced, together with a detailed statement of the hours and days of operation, the trucking route and type of vehicle to be used on any street for the removal of earth, the treatment of the site during operations to reduce dust and mud and, where appropriate, the proposed form of bond; and
 - e. Any additional information as the ZBA may determine.
3. Limitations. If a special permit is granted, the ZBA shall impose limitations on the time and extent of the permitted removal and other appropriate conditions, limitations and safeguards as it deems necessary to protect the neighborhood and provide for the public health, safety, convenience, and welfare of the Town, and may condition the continuance of the permit upon compliance with ZBA's regulations. The ZBA may require sufficient security, including necessary covenants, to ensure compliance with the terms, conditions and limitations of the earth removal permit.

8. Special Residential Regulations

8.1. Two-Family Dwelling Construction and Conversions

A. Purpose

The option of two-family dwellings is intended to give property owners a choice between building a single-family dwelling or a two-family dwelling of a similar overall size, to:

1. Increase the number of dwelling units available in town,
2. Increase the range of choice of housing accommodations,
3. Encourage greater diversity of population with particular attention to young adults and senior citizens, and
4. Encourage a more economic and energy-efficient use of the town's housing supply.

B. Development Standards

1. Parking:
 - a. No more than two outdoor parking spaces for each dwelling unit shall be in the front yard. All other parking spaces shall be either outdoor parking spaces located in a side or rear yard, or in a garage or carport; with no more than two garage spaces per dwelling unit;
 - b. Parking spaces shall be located so that both dwelling units shall have at least one parking space with direct and unimpeded access to the street without passing through a parking space designated to serve the other dwelling unit;
 - c. There shall be suitable screening (with evergreen or dense deciduous plantings, walls, fence, or a combination thereof) where there are more than two outdoor parking space or if the parking space is in the front yard and parallel to the street. Screening shall be sufficient to minimize the visual impact on abutters and the view from the street.
2. A single-family dwelling in existence on March 1, 1945, may be converted to a two-family dwelling provided that the conversion does not involve the addition of more than 600 square feet of gross floor area. If an addition of more than 600 square feet of gross floor area is proposed, the proposal shall meet the same criteria as for Dwellings constructed after March 1, 1945, as set out in Subsection B.4 below.
3. Dwellings constructed after March 1, 1945. A single-family dwelling built after March 1, 1945, may be converted to a two-family dwelling, or a two-family dwelling may be built on a vacant lot, or a two-family dwelling may be newly constructed upon demolition of an existing one- or two-family dwelling, provided that:
 - a. The lot and proposed dwelling conform to the dimensional criteria of this Bylaw;
 - b. The two-family structure (new or converted) is subject to a maximum floor area ratio (FAR) of 0.15 (15 percent)

- c. The two-family structure (new or converted) is subject to a maximum lot coverage of 0.10 (10 percent)

C. Two-Family Dwellings on Nonconforming Lots

Construction of a new two-family dwelling or conversion of a single-family dwelling built after March 1, 1945, to a two-family dwelling on a nonconforming lot shall require a special permit from the Zoning Board of Appeals (ZBA). In making any findings required under Section 6 for the replacement of an existing two-family dwelling, construction of a new two-family dwelling, or conversion of a single-family to a two-family dwelling on an existing undersized lot, the ZBA shall consider applying the development standards in Section 8.1.B. and an overall size limit of 0.15 floor area ratio or 3,000 square feet, whichever is greater.

8.2. Multiple Dwellings on a Lot in Residence D

A. Purpose

1. The Residence D District expands on the uses allowed in the Residence C District and is intended to allow an alternate form of development to conventional subdivision by allowing multiple units on a single lot, attached or detached units, and a density somewhat greater than other residential districts in exchange for a commitment to increased vegetative buffers, maintenance (or improvement) of streetscapes on existing roadways and documented public benefits.
2. The Residence D District is also intended to serve as a transition zone between other residential areas and non-residential areas, such as industrial/office parks or village centers, and shall be established only in locations adjacent to non-residential zones.

B. Authority

The Planning Board shall be the Special Permit Granting Authority for all uses requiring a special permit in the Residence D District as noted on Table 4.3-1, Table of Use Regulations. The Planning Board shall have the authority to approve a project within the Residence D District upon grant of a special permit in accordance with Section 2.4. and further upon a finding that the intent of this Section 8.2. has been met. The Planning Board may vary the dimensional and parking requirements of this section, or as noted in Table 5.2-1, Table of Density and Dimensional Requirements, if, in its opinion, a change will result in a desirable design of the development. This authority continues after occupancy.

C. Special Permits in Residence D; Decision Criteria, Design Standards, and Planning Board Findings

1. Special permit applications shall be filed in accordance with Planning Board's Rules and Regulations.
2. A special permit shall be issued if the Planning Board finds that the development is in harmony with the purpose and intent of Section 8.2 and that the proposal satisfies a significant majority of the following criteria.
 - a. A public benefit such as dedication of valued open space, active or passive recreational facilities, convenience amenities, or affordable housing more than the minimum requirement.
 - b. Open Spaces or Recreational facilities are provided in accordance with Section 8.7.

- c. Sidewalks and pedestrian trail connections are located within the site, as well as on existing ways where none exist, to enhance pedestrian access to buildings and between sites.
- d. Curb cuts shall be limited to the extent feasible while maintaining appropriate emergency vehicle access. The Planning Board may require provisions for off-site pedestrian and vehicular access to adjacent land to facilitate pedestrian access and to minimize curb cuts.
- e. Project design maximizes the opportunities for walking and bicycling.
- f. If the project is located on a scenic roadway or road otherwise preserving a more rural character, project structures should be located at a distance set back from the frontage so as not to disrupt the existing streetscape. This provision shall not apply where limited retail restaurant or personal service shops are proposed and would be more appropriately sited close to the street.
- g. Project density and design is appropriate for the neighborhood in which it is proposed, serving as a street-side transition between more and less intense uses, and integrating the physical design and interaction of activity in the area.
- h. The project incorporates best practices in energy efficient design, environmental protection, stormwater management, LEED (Leadership in Energy and Environmental Design) criteria and low impact development (LID) techniques wherever practicable.
- i. Existing mature vegetation is retained wherever possible, including winding of sidewalks and creative siting of structures.
- j. Landscape materials used as buffers are native, non-invasive, hardy for New England weather conditions and disease resistant.
- k. A mix of trees, shrubs, and perennial or annual flower beds are integrated as appropriate to the proposed use of the site

D. Retail, Restaurant, Personal Service Shops, Offices

When non-residential uses are proposed, uses shall be appropriate in character and scale for the neighborhood in which the property is located. The non-residential uses are intended to serve a local rather than regional population. Non-residential uses are appropriately located near the street frontage and in some instances internal to the residential development. Generally, street side non-residential uses shall not contain residential uses on the first floor. Retail, personal service, or restaurant structures may include second floor offices. Design of non-residential structures shall reflect a traditional New England scale with a maximum of 2 ½ stories and reflecting a pedestrian oriented Village character.

E. Parking

Parking shall be provided in accordance with Section 7.1. except that two spaces shall be provided for each residential unit, and bicycle parking shall be next to multi-unit structures unless individual garages are provided. Bicycle racks shall be provided at all structured common areas such as parks, playgrounds, or club houses. The Planning Board may waive parking requirements to allow a lower or higher number of spaces as it deems appropriate to support the type of residential use(s) or the incorporation of publicly accessible cultural or recreational amenities. Parking structures shall not be visible from the street and surface parking lots shall be appropriately landscaped to accommodate to promote pedestrian flow within and between developed sites.

F. Affordable Housing

It is the intent of this bylaw to increase the range of housing options for people of different income levels and at different life stages. Projects that provide a mix of housing types or that provide housing styles distinct from conventional single-family detached homes are desirable in this district. All residential proposals made in the Residence D zone shall allocate a minimum of 15 percent of the total number of dwelling units as housing that is affordable to households with income at or below 80 percent of the median income for the Boston Metropolitan Area as determined by the U.S. Department of Housing and Urban Development (HUD). The affordable units shall be subject to restrictions sufficient to maintain perpetual affordability exclusively for persons with qualifying incomes and to qualify the units as affordable under the Local Initiative Program of the Executive Office of Housing and Livable Communities (EOHLC). The applicant shall prepare the marketing plan and obtain EOHLC approval of the affordable units to ensure they are included in the Town's Chapter 40B Subsidized Housing Inventory.

G. Amendments

After approval, the applicant or property owner may seek to amend the approved plan. Minor amendments may be made by a majority vote of the Planning Board. It shall be a finding of the Planning Board, not subject to dispute by the applicant, whether a requested amendment is deemed to be major or minor. A major amendment shall require the filing of a request for amendment to the special permit.

8.3. Home Occupations

1. In all Residential Districts and the Commercial District, the practice or conduct of a profession or occupation in a dwelling or in an accessory building shall be permitted provided that:
 - a. The home occupation is conducted by a resident of the dwelling;
 - b. No employees or clients come to the premises;
 - c. The home occupation is secondary to the use of the dwelling as the principal place of residence of the person conducting the home occupation, and
 - d. No external changes are made that alter the residential character of the premises.
2. The ZBA may grant a special permit for a home occupation with not more than one full-time employee or equivalent (exclusive of other residents of the dwelling) or for home occupations where clients come to the premises.

8.4. Accessory Dwelling Units

An accessory dwelling unit (ADU) is a self-contained dwelling unit with provisions for cooking, eating, sanitation, and sleeping, located either a) within or attached to a structure constructed as a detached principal dwelling, separated from that principal dwelling in a manner that meets the Building Code, or b) in a detached accessory structure on the same lot as the principal dwelling.

A. General Objectives

The provision of accessory dwelling units is intended to:

1. Give homeowners greater options and flexibility to configure their properties to meet their own needs;
2. Encourage a more economic and energy-efficient use of the town's housing supply;
3. Help the town meet its housing needs without detracting from its historic development pattern;
4. Increase the range of choice of housing accommodations, particularly smaller rental dwellings; and
5. Encourage greater diversity of population.

B. General Conditions and Requirements for all Accessory Dwelling Units

1. A lot containing an accessory dwelling unit shall not be divided into separate lots, nor shall the dwelling units on that lot be converted into condominiums.
2. There shall be no more than one accessory dwelling unit on any lot.
3. There shall be no boarders or lodgers within either unit of a dwelling with an accessory dwelling unit. The provisions of Section 4.4.B.6 shall not apply to permitted accessory dwelling units.
4. The gross floor area of the accessory dwelling unit shall not be larger than 50 percent of the floor area of the principal dwelling or 900 square feet, whichever is smaller. Gross floor area for this purpose is defined as the sum of the gross horizontal areas of several floors measured from the exterior face of exterior walls or from the center line of a wall separating units but not including interior parking spaces or any space where the floor to ceiling height is less than six feet, or as defined in 760 CMR 71.02, whichever is more permissive.
5. An additional 100 square feet may be permitted if standards for Universal Design or Enhanced Energy Efficiency are met.
 - a. The Universal Design standard for this purpose is defined as providing at least the following features: low threshold entrance (maximum 4 inches) and no interior thresholds; a bedroom on the main entry level; infrastructure in bathrooms to accommodate installation of grab bars around toilets and tubs/showers; clear width at all doorways and openings of a minimum 32 inches.
 - b. The Enhanced Energy Efficiency standard for this purpose is defined as a five-point HERS rating improvement or equivalent compared to the otherwise applicable energy efficiency requirement of the Building Code, with verification to the satisfaction of the Inspector of Buildings.
6. The maximum height and minimum setbacks for an ADU shall be the same as for the principal dwelling or an accessory structure in the applicable zoning district, whichever are less restrictive.
7. Any dwelling unit may only be offered for short-term rental as defined under G.L. c. 64G if authorized by the Zoning Board of Appeals by special permit.

8. Creation of an accessory dwelling unit on a nonconforming property is subject to the provisions of Section 6 of this Bylaw, as modified by 760 CMR 71 or successor regulations.

C. Additional Requirements for Detached Accessory Dwelling Units

1. A detached ADU shall be sited further from the front lot line than the rear wall of the principal dwelling, with at least 10 feet between building walls.
2. A site plan shall be approved by the Planning Board. An application for site plan approval shall be reviewed in accordance with Section 2.5. The applicant shall supply a certified list of abutters, owners of land directly opposite on any public or private street or way and abutters to the abutters within 300 feet of the property line as they appear on the most recently applicable tax list, in order that notice of the review of the site plan at a public meeting shall be given. Sufficient information shall be submitted to enable the Planning Board to understand the relationship of the proposed detached ADU to its surroundings including information on existing buildings and structures on the applicant's or abutters' lots, and topography, and the Planning Board shall consider if the circumstances warrant the requirement of any adjustment to the plan or additional conditions. The Planning Board shall consider and render its decision based on its findings under Section 2.5.

D. Off Street parking requirements for all ADUs

In addition to the parking spaces required by Section 7.1 for the principal dwelling unit, there shall be at least one off-street parking space for the ADU, except that if any portion of a lot is within a half mile radius of a point of embarkation for any bus operated by a transit authority, no minimum parking applies to the ADU. All such parking spaces shall be subject further to the following conditions and requirements:

1. Each parking space and the driveway leading to it shall be paved or shall have an all-weather gravel or permeable grass paver surface. No motor vehicle shall be regularly parked on the premises other than in a parking space that complies with this section.
2. No more than two outdoor parking spaces shall be in the required front yard. All other parking spaces shall be either: 1) outdoor parking spaces located in a side or rear yard or 2) in a garage or carport.
3. If the principal dwelling unit and ADU both have parking, the spaces shall be located so that both the principal dwelling unit and the ADU shall have at least one parking space with direct and unimpeded access to the street without passing through a parking space designated to serve the other dwelling unit.
4. Where there are more than two outdoor parking spaces, there shall be provided suitable screening with evergreen or dense deciduous plantings, walls, fence, or a combination thereof in the area between the parking spaces and the nearest side lot line and, if a parking space is in the front yard and parallel to the street, in the area between the parking space and front lot line. Screening shall be sufficient to minimize the visual impact on abutters and to maintain the residential appearance of the neighborhood.

8.5. Common Driveways

The construction or alteration of a private driveway in a manner that it may be used by more than one residential lot, may only be authorized by special permit from the ZBA with a recommendation from the Planning Board, and shall meet the following minimum standards:

- a. Not more than two residential lots may share a common driveway.
- b. Common driveways may never be used to satisfy zoning frontage requirements.
- c. The minimum width shall be 15 feet.
- d. The maximum length shall be 250 feet.
- e. The design shall assure adequate and safe access for emergency vehicles.
- f. Common driveways shall access over lot frontage meeting the requirements of this Zoning Bylaw.

8.6. Cluster Development

A. Purpose

Cluster Development allows, by special permit from the Planning Board, a pattern of land development alternate to the standard Subdivision permitted in the Residential Districts. It is intended to encourage the conservation of open space and the efficient use of land in harmony with its natural features.

B. Standards

1. **Minimum Tract Size.** Cluster Development shall be permitted upon a single tract, in one ownership, with definite boundaries ascertainable from a recorded deed or recorded plan which has an area of not less than five times the minimum lot area of the zoning district within which it is situated (Residence C - 125,000 square feet; Residence B - 150,000 square feet; Residence A - 200,000 square feet; Residence R - 300,000 square feet). Existing public or private ways need not constitute boundaries of the tract, but the area within any ways shall not be counted in determining minimum tract size.”
2. **Number of Lots.** The number of lots permitted within any Cluster shall be determined by the Planning Board to assure compliance with the purposes of the Cluster Development and shall not exceed the larger of the numbers obtained by applying either of the following subsections:
 - a. The number of lots obtained by dividing the total area of the tract, exclusive of land situated within the Floodplain Overlay District or Wetland areas, by the minimum standard lot size permitted in the zoning district(s) within which the tract is located provided that no land shall be included which at the time of the submission of an application under this section is subject to a perpetual restriction of the type described in G.L. c.184, § 31 or any restriction similar thereto.
 - b. The number of lots obtained under standard Subdivision upon which a single-family dwelling could be constructed in the residential district(s) within which the tract is located without regard to the Cluster Development.
3. **Permitted Uses**

Single-family detached dwelling.

4. Utilities. Each lot shall be serviced by a municipal water service and municipal sewer. On-site disposal systems may only be permitted if municipal sewer is not available and if, prior to granting the cluster permit, the Board of Health reports that that each lot has passed a satisfactory percolation test and soils examination or that the Board of Health reports that the tract has been sufficiently tested to assure that the lots can comply with its regulations for disposal systems. If an onsite disposal system is permitted, a sewer line shall be installed for use when municipal sewer becomes available.
5. Dimensional Regulations. Except as provided in this section, dimensions shall comply with the provisions of Section 5 Dimensional Regulations.

C. Common Land

1. Size and Nature of Common Land. The area of Common Land shall equal at least 25 percent of the total area of the Cluster Development tract. This land shall have a shape, dimension, character and location suitable to assure its use for park, recreation, conservation or agricultural purposes by all the residents of the Cluster and no more than 50 percent of the minimum required Common Land shall be situated within the Floodplain Overlay District or wetlands as may be confirmed by the Conservation Commission. Each parcel of Common Land shall have at least 40 feet of frontage and no structure shall be constructed thereon more than 15 feet in height nor shall the maximum lot coverage, including paved areas, exceed 10 percent without Planning Board approval.
2. Access, Restrictions and Ownership. Provision shall be made so that the Common Land shall be readily accessible to the owners and occupants of the lots in the Cluster and owned by a corporation, non-profit organization, or trust whose owners or beneficiaries are all the owners and occupants of the lots, or by the Town or otherwise as the Planning Board may direct. In all cases, a perpetual and enforceable restriction authorized under G.L. c. 184, § 31 (including future amendments thereto and corresponding provisions of future laws) running to or enforceable by the Town shall be recorded with the Middlesex South Registry of Deeds. The restriction shall provide that the Common Land shall be retained in perpetuity for conservation, agriculture, recreation, or park. The restriction shall be in a form and substance approved by the Planning Board and may contain additional restrictions on the development and use of the Common Land as the Planning Board may deem appropriate.
3. Ownership and Maintenance. To ensure that the corporation, non-profit organization, or trust will properly maintain the Common Land, an instrument(s) shall be recorded at the Middlesex South Registry of Deeds to provide at minimum:
 - a. A legal description of the Common Land;
 - b. A statement of the purposes for which the Common Land is intended to be used and the restrictions on its use alienation;
 - c. The type and name of the corporation, non-profit organization or trust which will own, manage and maintain the Common Land;
 - d. The ownership or beneficial interest in the corporation, non-profit organization or trust of each owner of a dwelling in the Cluster Development and a provision that the ownership

or beneficial interest shall be appurtenant to the dwelling to which it relates and may not be conveyed or encumbered separately therefrom;

- e. Provisions for the number, term of office, and the manner of election to office, removal from office and the filling of vacancies in the office of directors and/ or officers of the corporation, or non-profit organization or trustees of the trust;
- f. Procedures for the conduct of the affairs and business of the corporation, non-profit organization or trust, including provision for the calling and holding of meetings of members and directors and/or officers of the corporation or non-profit organization or beneficiaries and trustees of the trust, and provision for quorum and voting requirements for action to be taken. Each owner of a dwelling shall have voting rights proportional to his ownership or beneficial interest in the corporation, non-profit organization or trust;
- g. Provision for the management, maintenance, operation, improvement and repair of the Common Land and facilities thereon, including provisions for obtaining and maintaining adequate insurance and levying and collecting from the dwelling owners' common charges to pay for expenses associated with the Common Land, including real estate taxes. It shall be provided that common charges are to be allocated among the dwelling owners in proportion to their ownership or beneficial interests in the corporation, non-profit organization or trust, and that each dwelling owner's share of the common charge shall be a lien against his real estate in the Cluster Development which shall have priority over all other liens except for municipal liens and first mortgages of record; and
- h. The method by which the instrument or instruments may be amended.

D. Limitation of Subdivision

No lot shown on a plan for which a permit is granted under this section may be further subdivided and a notation to this effect shall be shown on the plan.

E. Landscape Buffer

No building shall be erected within 50 feet of the boundary line with adjoining land zoned for residential use, except buildings for uses accessory to single-family dwellings as described in Section 4.4 and subject to the dimensional placement provisions of Section 5. A landscape buffer shall be provided to moderate the visual impact of the proposed development on adjoining land zoned for residential use, as specified in Section 5.2.

F. Procedures

- 1. Application. Submission requirements and procedures shall be in accordance with the Planning Board's special permit rules and regulations and Section 2.4 of this Bylaw, and where applicable, the Planning Board Subdivision Regulations.
- 2. Conditions. If a special permit is granted, the Planning Board may require that the Common Land shall be conveyed, free of any mortgage interest or security interest and subject to a perpetual restriction, before approving the release of any lots from the subdivision restriction covenant or, if there is no covenant, prior to the Inspector of Building's issuance of a building permit for any lot. The petitioner shall provide the Planning Board with satisfactory assurance of the conveyance and recording in the form of copies of the recorded instruments bearing the recording stamp.

G. Modifications

1. Minor Revisions. Following the Planning Board's approval under this Section 8.6, it may approve one or more amendments to the plan solely to make minor changes in lot lines consistent with the special permit, provided, however, that no amendment shall:
 - a. Grant any reduction in the size or change in location of the Common Open Land as provided in the permit;
 - b. Grant any change in the layout of the ways as provided in the permit;
 - c. Increase the number of lots as provided in the permit; or
 - d. Decrease the dimensional requirements of any lot below the minimum permitted by this Bylaw.
2. Any change in the number of lots, the layout of ways, the Common Open Land and its ownership or use, or any other conditions stated in the original special permit shall require a new special permit issued in accordance with this Bylaw.

8.7. Planned Residential Development

A. Purpose

Planned Residential Development allows by special permit from the Planning Board an alternative pattern of land development to the pattern permitted in the Residential Districts. It is intended to encourage the conservation of more significant open space, while at the same time providing for a greater mixture of housing types in the Town at somewhat greater dwelling unit densities than is permitted in Residential Districts and Cluster Developments, without a significant increase in Town-wide population density. The Planning Board shall consider whether the proposed site design, development layout, number, type and design of housing constitute a suitable alternative to the pattern of land development permitted in the residential district within which it is to be located.

B. Standards

1. Minimum Tract Size. Planned Residential development shall be permitted upon a single tract, in one ownership, with definite boundaries ascertainable from a recorded deed or recorded plan which has an area of not less than five times the minimum lot area of the zoning district within which it is situated (Residence C – 125,000 square feet; Residence B – 150,000 square feet; Residence A – 200,000 square feet; Residence R – 300,000 square feet). Existing public or private ways need not constitute boundaries of the tract, but the area within the ways shall not be counted in determining minimum tract size.
2. Permissible Density. Subject to the limitations upon density contained in Subsection 8.7.B.3 below, the number of dwelling units permitted within any PRD shall be determined by the Planning Board to assure compliance with the Standards of Planned Residential Development Subsection 8.7.B.2.a through 8.7.B.2.c.
 - a. PRD Tract. The number of dwellings units obtained by dividing the area of the tract, exclusive of land situated within the Floodplain Overlay District or Wetland areas, by the minimum standard lot size permitted in the zoning district(s) within which the tract is located, provided that no land shall be included which at the time of the submission of an

application under this section is subject to a perpetual restriction of the type described in G.L. c.184, § 31 or any restriction similar thereto.

- b. **Transferrable Development Rights.** The density of the PRD tract may be increased by 15 percent by conveying to the Town, or by restricting for the benefit of the Town, land which is not within the PRD tract and which at the time of submission of an application under this section was in private ownership and unencumbered by a perpetual restriction of the type described in G.L. c. 184, § 31 or any restriction similar thereto, provided the transfer or restriction is consonant with the purposes of this Bylaw generally and this Section 8.7 in particular. The number of transferable units is obtained by determining the area of land situated outside the Floodplain Overlay District or Wetland areas and (1) by dividing the area of land situated in any one or more Residential District(s) which the applicant proposed to convey or restrict by the minimum lot size permitted in the zoning district(s) within which the land is located and (2) by multiplying the number obtained therefrom by 60 percent.
 - c. **Low- and moderate-income housing.** The number of dwelling units may, with Planning Board approval, be increased to up to twice the number obtained through application of subsection 8.7.B.2.a, if 50 percent of these additional units, but no less than 10 percent of the total number of units in the Planned Residential Development, meet the requirements of the Executive Office of Communities and Development, Office of Private Housing for low- and moderate-income housing under the Local Initiative Program. The developer shall apply to the Division of Housing Development and shall be responsible for submitting all the material required for this application. The developer shall submit this application to the Division of Housing Development, either while the special permit application is submitted to the Planning Board, or prior to the submittal of the special permit application. These low- and moderate-income units are subject to the following general requirements:
 - i. The units must be serving households at or below 80 percent of median household income.
 - ii. The units must be subject to Use Restrictions to ensure that the units remain in perpetuity available exclusively to persons with qualifying incomes.
 - iii. The units must be sold or rented on a fair and open basis. The owners of the units must adopt an affirmative fair marketing plan.
3. **Maximum Allowable Density.** A number of units exceeding these provisions may be authorized by the Planning Board, up to the following maximum densities for the zoning district(s) within which the tract is located; Residence C – five units per acre; Residence B – four units per acre; Residence A – three units per acre; Residence R – two units per acre.
4. **Permitted Uses.** There shall be permitted in PRD:
- a. **Single-family Units.** Single-family detached and attached and multi-unit structures of all type without regard to dwelling unit configuration or form of ownership, provided, however, that no more than 80 percent of the dwelling units within the PRD shall be in buildings of the same type.
 - b. **Accessory Uses.** Accessory uses incidental to the principal uses indicated above.

- c. **Miscellaneous Uses.** Construction and maintenance of a structure such as a flagpole, gazebo, patio, or similar structure, which structure does not exceed 100 square feet in size, may be permitted by the Inspector of Buildings. However, any change to approved buildings including but not limited to attached greenhouses, dormers, decks, porches or carports, or the construction of significant detached structures, shall only be pursuant to amendment of the special permit if same is allowed.
5. **Lot Area, Frontage and Yard Requirements and Landscape Buffer.** There shall be no minimum lot area, frontage or yard requirements within a PRD. However, no building shall be erected within 50 feet of a public way or boundary line of the PRD, except buildings for uses accessory to residential use as described in Section 4.4.B. which shall be subject to the Planning Board's discretion. A landscape buffer shall be provided to moderate the impact of the proposed development on adjoining land zoned for residential use, as specified in Section 5.2.K.
6. **Height.** The maximum permitted height of any building within a PRD shall be 35 feet.
7. **Area of Residential Development.** The area developed for a residential use, including buildings, parking and other areas paved for vehicular use, shall not exceed 30 percent of the total area of the PRD tract. Foot and bicycle paths and recreational facilities, including buildings wholly devoted to recreation, shall not be counted in calculating the 30 percent limitation.

C. Common Open Space

1. **Minimum Use and Limitations.** All land within the PRD tract which is not covered by buildings, roads, driveways, parking areas or service areas or which is not set aside as private yards, patios or gardens for the residents shall be Common Open Space. The area of the Common Open Space shall equal at least 40 percent of the total area of the PRD tract. Such land shall have a shape, dimension, character and location suitable to assure its use for park, recreation, conservation or agricultural purposes by at least all the residents of the PRD and no more than 50 percent of the minimum required Common Land shall be situated within the Floodplain Overlay District or Wetland areas.
2. **Ownership.** Provision shall be made so that the Common Open Space shall be owned in common by and readily accessible to the owners of all units in the PRD, or by a corporation, non-profit organization or trust whose members are all the owners and occupants of the units, or by the Town or otherwise as the Planning Board may direct. In all cases a perpetual restriction of the type described in G.L. c. 184, § 31 (including future amendments thereto and corresponding provisions of future laws) running to or enforceable by the Town shall be recorded in respect to the land. Such restriction shall provide that the Common Open Space shall be retained in perpetuity for one or more of the following uses: conservation, agriculture, recreation or park. The restriction shall be subject to approval by the Planning Board and may contain additional restrictions on development and use of the Common Open Space as the Planning Board deems appropriate.
3. **Ownership Requirements.** To ensure that the corporation, non-profit organization, or trust will properly maintain the Common Open Space, an instrument(s) shall be recorded at the Middlesex South Registry of Deeds which shall, as a minimum, provide:
 - a. A legal description of the Common Open Space;

- b. A statement of the purposes for which the Common Open Space is intended to be used and the restrictions on its use and alienation;
- c. The type and name of the corporation, non-profit organization or trust which will own, manage and maintain the Common Open Space;
- d. The ownership or beneficial interest in the corporation, non-profit organization or trust of each owner of a dwelling in the cluster development and a provision that ownership or beneficial interest shall be appurtenant to the dwelling to which it relates and may not be conveyed or encumbered separately therefrom;
- e. Provisions for the number, term of office, and the manner of election to office, removal from office and the filling of vacancies in the office of directors and/or officers of the corporation or non-profit organization or trustees of the trust;
- f. Procedures for the conduct of the affairs and business of the corporation, non-profit organization or trust, including provision for the calling and holding of meetings of members and directors and/or officers of the corporation or non-profit organization or beneficiaries and trustees of the trust and provision for a quorum and voting requirements for action to be taken. Each owner of a dwelling shall have voting rights proportional to his ownership or beneficial interest in the corporation, non-profit organization or trust;
- g. Provision for the management, maintenance, operation, improvement and repair of the Common Open Space and facilities thereon, including provisions for obtaining and maintaining adequate insurance and levying and collecting from the dwelling owners common charges to pay for expenses associated with the Common Open Space, including real estate taxes. It shall be provided that common charges are to be allocated among the dwelling owners in proportion to their ownership or beneficial interests in the corporation, non-profit organization or trust, and that each dwelling owner's share of the common charge shall be a lien against his real estate in the PRD which shall have priority over all other liens except for municipal liens and first mortgages of record; and
- h. The methods by which the instrument or instruments may be amended.

D. Limitation of Subdivision

No lot shown on a plan for which a permit is granted under this section may be further subdivided, and a notation to this effect shall be shown on the plan.

E. Special provisions for the Bedford Housing Authority

Except as provided in Subsection 8.7.B.6. above, the limitations contained in Subsection 8.7.B. shall not apply to a PRD which will be owned by the Bedford Housing Authority and for which it is the applicant, provided that the Planning Board shall find that the proposed design is generally consonant with the purposes of this Bylaw.

F. Procedures

1. Application shall be made to the Planning Board in accordance with the Planning Board's special permit regulations.
2. Referral and Schedule. The Planning Board shall, within ten days of receipt of an application under this Section 8.7, refer the application to the Conservation Commission, Department of Public Works, Board of Health and Inspector of Buildings for written reports and

recommendations, and no decisions shall be made until the reports are returned or 35 days have elapsed following the referral.

3. Decision. A special permit shall be issued under this section if the Planning Board finds that the PRD is in harmony with the purpose and intent of this section and that the PRD contains a mix of residential, open space, or other uses in a variety of buildings to be sufficiently advantageous to the Town to render it appropriate to depart from the requirements of the Bylaw; otherwise applicable to the Residential District(s) in which the PRD is located. If a special permit is granted, the Planning Board may impose, as a condition thereof, that the installation of municipal services and construction of interior drives within the PRD shall comply with the requirements of the Subdivision Rules and Regulations_of the Planning Board, may require sufficient security to ensure compliance and the completion of planned recreational facilities and site amenities and may impose additional safeguards as public safety, welfare and convenience may require.

8.8. Continuing Care Campus

A. Purpose

Continuing Care Campus (CCC) allows by special permit from the Zoning Board of Appeals (ZBA) a greater flexibility in development from the pattern otherwise permitted in Residence Districts. It is intended to encourage the preservation of open spaces while at the same time allowing a greater mixture of buildings, structures and uses regarding density than is permitted in Residence Districts with special attention given to the concerns of the ill and elderly. Attention also shall be given by the ZBA as to whether site layout, number, type and size of buildings and structures constitute a suitable project for the neighborhood within which it is to be located and enhance the quality of living for the CCC residents, the immediate neighborhood and the Town generally.

B. Standards

1. Minimum Tract Size. Continuing Care Campus shall be permitted upon a single tract in one ownership with definite boundaries ascertainable from a recorded deed or record plan which has an area of not less than 50 acres. Existing public or private ways need not constitute boundaries of the tract, but the area within the ways shall not be counted in determining the minimum tract size.
2. Permissible Density. The density in Continuing Care Campus shall not exceed an average of 10 persons per acre exclusive of land within the Common Open Space.
3. Permitted Uses
 - a. Principal Uses:
 - i. Nursing/Special Care Facilities;
 - ii. Hospital Facilities;
 - iii. Congregate Living Facilities;
 - iv. Independent Living Facilities, provided that no more than 50 percent of the gross residential population shall be housed in the facilities.
 - v. Daycare Center for elderly persons;

- vi. Facilities for medical, rehabilitative, recreational, social and nutritional programs, dining rooms, kitchen facilities and laundry facilities; and
 - vii. Any other uses permitted in a Residential District.
- b. Accessory Uses. Accessory uses incidental to the principal uses indicated above, including the following, provided they shall be for the benefit of the CCC residents and retired or elderly persons and shall be limited in size and character necessary to serve them;
- i. Limited administrative and professional offices which are required for the operation of any of the principal or accessory uses;
 - ii. Lounge, snack bar and related kitchen facilities, barber shop, beauty parlor and pharmacy;
 - iii. Facilities for the sale of services and merchandise;
 - iv. Places of public assembly, including auditorium and chapel facilities; and
 - v. Lodging facility in a free-standing building, with not less than four, nor more than six bedrooms, for persons visiting a Continuing Care Campus, or its residents, provided that the lodging facility contains not more than one kitchen and provided, further, that space in a lodging facility not used for bedrooms or kitchen may be used as otherwise permitted by Section 8.8.c.3.b.
4. Frontage and Yard Requirements. No parking, building, or other above-ground structure shall be located within 100 feet of the CCC tract perimeter. Such areas, except for road or utility crossing, shall provide a continuous landscaped perimeter, unless nothing prevents the projection of walls and fences.
5. Height. The maximum height of any structure shall not exceed 35 feet.
6. Maximum Coverage. The maximum permitted coverage of all structures shall not exceed 30 percent of the land situated outside the Common Open Space and no more than 5 percent of the maximum coverage may be used for accessory structures.
7. Common Open Space. All land within the Continuing Care Campus tract which is not specifically reserved for the support of the CCC facilities, and which is not covered by buildings, roads, driveways, parking areas or service areas, or which is not set aside as private yards, patios, or gardens for residents shall be Common Open Space. The area of Common Open Space shall equal at least 35 percent of the total area of the CCC tract and no more than 75 percent off the minimum required Common Open Space shall be situated within the Floodplain Overlay District or Wetland areas. The Common Open Space shall have a shape, dimension, character and location suitable to enable its enjoyment and use for conservation or agricultural purposes by the residents of the CCC and the inhabitants of the Town. Provisions shall be made so that the Common Open Space is owned by the owners of the CCC, the Town or otherwise as the ZBA may direct and readily accessible to all residents in the CCC and the inhabitants of the Town.

In all cases, a perpetual restriction of the type described in G.L. Ch 184, § 31 (including future amendments thereto and corresponding provisions of future laws) shall be recorded in respect

to the Common Open Space. Such restriction shall provide that the Common Open Space shall be retained in perpetuity for use by residents in the CCC and the inhabitants of the Town for the purpose of conservation or agriculture. The restriction shall specifically prohibit the use of the Common Open Space for all terrain vehicles, snowmobiles, motorbikes, motorcycles and similar vehicles. It shall prohibit the construction of any above-ground structures, buildings, roads and paved areas, except for the construction and maintenance of duck walks, bicycle, equestrian and foot paths or similar facilities for the benefit of the residents. Such restrictions shall be subject to approval by the ZBA and may contain additional restrictions on development and use of the Common Open Space as the ZBA may deem appropriate.

8. Parking. Except as provided in this section, all parking shall comply to the extent applicable with the provisions of Section 7.1 Parking Regulations.
 - a. Nursing/Special Care or Hospital Facility: one parking space for every sleeping room for single or double occupancy or when not divided into rooms, one parking space for each two beds.
 - b. Congregate Living Facility: One parking space for each 20 beds.
 - c. Independent Living Facility: One parking space for each dwelling unit.
 - d. Employee: One parking space for each three employees which can be reasonably expected at any one time on the premises.
 - e. Public Assembly: One parking space for each four seats of rated capacity in the largest place designated for regular use as a place of public assembly.
 - f. Visitor: One parking space for each 20 residents in the congregate living or independent living facilities.

C. Procedures

1. Submission Requirements. Application for a special permit may be made to the ZBA in accordance with the ZBA's special permit rules and regulations.
2. Referral for Reports. Within 10 days of receipt of an application under this section, the ZBA shall refer the application to the Planning Board, Conservation Commission, Department of Public Works, Board of Health, and Inspector of Buildings for written reports and recommendations. No decisions shall be made until the ZBA has received the reports are returned or 35 days have elapsed following the referral without receipt of such reports.
3. Planning Board Report and Recommendation. The Planning Board shall review the petition and preliminary plans and shall submit in writing to the ZBA its report and recommendations relating to the proposed development, including at least the following:
 - a. Site Evaluation. An evaluation of the natural terrain of the CCC tract and surrounding areas and of the neighborhood in which the tract is situated.
 - b. Development Evaluation. An evaluation of the proposed development, including the design and use of the buildings, roads, utilities, drainage, and of the open spaces, of pedestrian

and vehicular circulation, of the location and adequacy of parking and of the provisions for grading, landscaping and screening.

- c. Restricted Land. An evaluation and opinion upon the degree to which any land restricted for the benefit of the CCC residents and the inhabitants of the Town:
 - i. Provides, or will in the future provide, additions to areas of open space between developed sections of the Town;
 - ii. Makes available land desirable for future public use; or
 - iii. Conforms to the Town's long-range land use plan.
 - d. Opinion of Suitability. Its opinion as to whether the proposed site layout, number, type, size and configuration of housing and other structures constitute a suitable development for the neighborhood within which it is located.
 - e. Effect on Town's Infrastructure. The effect of the proposed layout on the Town's existing roadways, water supply and sewage disposal facilities.
 - f. Adequacy of Plan. A statement that the applicant's plans comply with the Design Standards of the Subdivision Rules and Regulations of the Planning Board or, wherever the plans do not comply, a statement of the respects in which they do not so comply.
 - g. Recommendations. Recommendations for the granting or denial of the special permit, including recommendations for modifications, restrictions or requirements to be imposed as a condition of granting the special permit.
4. Conservation Commission's Report and Recommendations. The Conservation Commission shall review the petition and plans and shall submit in writing to the ZBA its report and recommendations upon the degree to which the proposed project enhances the conservation of significant environmental qualities, including at least:
- a. Environmental Impact. An evaluation and opinion upon the degree to which the project itself affects critical environmental areas.
 - b. Open Space Evaluation. An evaluation and opinion upon the degree to which the Common Open Space conserves:
 - i. Critical environmental areas and provides a valuable outdoor resource;
 - ii. Enhances the long-term conservation of critical environmental areas, unique natural features, scenic vistas or potential or existing farmland; or
 - iii. Provides a valuable addition to the open space resources of the Town.
5. Decision.
- a. The ZBA may issue a special permit under this section only if it finds that the CCC meets the requirements of and is in harmony with the general purpose and intent of this Section

8.8, and that the site layout, number, type and size of buildings and structures constitute a suitable development for the neighborhood in the vicinity of the CCC.

- b. If a special permit is granted, the ZBA may require:
 - i. That the installation of municipal services and construction of interior drives within the CCC shall comply, to the extent applicable, with the Subdivision Rules and Regulations of the Planning Board;
 - ii. Sufficient security to ensure compliance and completion of planned recreational facilities and site amenities; and
 - iii. Additional conditions and safeguards for public safety, welfare, and convenience, either as recommended by the Planning Board or Conservation Commission or on its own initiative. The ZBA shall give due consideration to the reports of the Planning Board and Conservation Commission. Where the ZBA's decision differs from the recommendations of the Planning Board or Conservation Commission, the reasons for this shall be stated in writing.

8.9. Conversion of Public Schools to Multiple Residential Use

A. Purpose

The purpose of this section is to encourage the most appropriate conversion and reuse of each public school building and to maintain consistency of treatment of each application.

B. Special Permit

The Planning Board may grant a special permit for the conversion of public school buildings, declared to be no longer required for public school purposes, to multiple residential use subject to the requirements of this Section 8.9 and any conditions and limitations imposed by the Planning Board.

Nothing in this section shall prohibit a public school building, declared to be no longer required for public purposes, from being razed.

C. Permitted Uses

Multiple family residences only shall be permitted as shown in Table 4.3-1: Use Regulations.

D. Procedures

1. Submission requirements and procedures shall be in accordance with the Planning Board's special permit rules and regulations and Section 2.4 of this Bylaw.
2. Special Permit Lapse. A special permit for School Building Reuse shall lapse if substantial use thereof or reconstruction has not begun within three years of the special permit approval (exclusive of time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, § 17).
3. Extension of Review Period. The deadline outlined in Section 8.9.E.2 may be extended up to one year upon mutual agreement between the Planning Board and the applicant.

4. Revocation of Permit. Failure to comply with the standards of this Section 8.9 or the conditions imposed by the Planning Board shall result in revocation of the special permit.

E. Performance Standards

1. Land Use. The proposed land use shall be compatible with land use in the surrounding area.
2. Parking and Other Facilities. Parking, loading and service areas shall be limited to rear yards where possible. Where rear yards are not possible, they may be located inside of front yards if sufficient landscape barriers are provided.
3. Additional Structures. No additional principal structures shall be permitted unless determined by the Planning Board to be essential to the overall plan and economic viability of the proposal, provided, however, that any additional principal structure so permitted shall not be used for dwelling purposes. Accessory buildings shall be suitably screened from adjacent properties, shall be of an architecture consistent with that of the principal building and shall be sited to be unobtrusive to the siting and layout of the principal structure and development plan.
4. Access to public way. Access shall be provided which minimizes traffic hazards.
5. Open Space. The general requirements of Section 8.8 shall apply to Common Open Space.
6. Exterior Lighting. Exterior lighting fixtures shall be arranged so that they neither unreasonably distract occupants of nearby properties nor interfere with traffic on any public way. They shall be placed or hooded to prevent direct light from shining onto any adjacent street or property.
7. Mix of Unit Sizes and Bedroom Count. Mixed unit sizes shall be encouraged. There shall be provided an average floor space of 1500 square feet or greater per unit.
8. Parking Requirements. At least two parking spaces shall be provided per dwelling unit. No space shall be considered available which reduces the effective width of the driveway. Impervious surface material shall be kept to a minimum.

9. Other Special Regulations

9.1. Special Requirements for the Industrial District

When property owners are proposing new development or redevelopment in Industrial A, Industrial B, and Industrial C Districts under a required site plan approval, full special permit or, where applicable, in a minor special permit amendment, their site design shall comply to the greatest practical extent with the following standards:

A. Landscape Buffer and screening

Provision of protective buffering elements at the outer perimeter of the site, where it abuts a Residential District, meeting or exceeding the criteria set forth in Section 5.2.L. Minimum Lot Landscaping and Standards and utilizing any combination of natural vegetative and topographic elements, man-made elements such as fencing and stone walls, and new tree or shrub plantings, to provide substantial, permanent protection to abutting residential areas.

B. Site Amenities

Provision where feasible of features and amenities to beautify and enliven the site for the enjoyment of employees, or in designated instances the public, in response to needs in the office/industrial real estate market. These features and amenities may include outdoor park and seating areas, active recreation improvements, and features of a similar nature.

C. Low Impact Development

Use of pervious paving and or other filtrating surfaces, rain gardens, bio-vegetated swales or other design features, as a secondary or primary means of managing surface stormwater and roof runoff.

D. Pedestrian and Bicycle-related Site Improvements

Provision of pedestrian paths, trails or walks to facilitate safe movement within the site, as well as connections to external sidewalks or public trails. Provision of bicycle racks, pavement route marking, signs, or other improvements designed to encourage bicycle travel. To accommodate bicycle and/or pedestrian travel, may include a site plan change, a proportional monetary contribution or other project mitigation, to facilitate a multi-modal street improvement program on an adjacent way. See Section 7.1.G, Bicycle Parking Facilities for specific standards.

E. Transit and Transportation Features

Provision of shuttle bus pullovers or turnarounds at building entrances, where transit is or might be available. Provision of preferred parking spaces for car and van pooling vehicles or fuel-efficient vehicles.

9.2. Industrial Mixed Use

A. Purposes

The purpose of this Section 9.2 is to foster desirable economic development for the community by facilitating the development and redevelopment of sites with combinations of land use that are different but compatible and economically complementary to one another. Projects may consist of multiple uses contained in a single building, or campus-type configurations involving more than one building on one parcel (or contiguous parcels in common ownership). In either case, the development is intended to improve site and community amenities, reduce environmental impacts, and add value to property.

B. Authority and Applicability

1. The Planning Board shall be the SPGA for Industrial Mixed-Use developments.
2. An Industrial Mixed-Use special permit shall be allowed in the following districts: Industrial A, Industrial B, Industrial C, and Commercial.
3. Industrial Mixed-Use development projects may be submitted at the applicant's discretion in a master planned permitting structure, wherein a general special permit is granted with the expectation that detailed phasing plans will be submitted for special permit review upon their readiness for construction.

C. Development Objectives & Plan Review Criteria for Industrial Mixed-Use Projects

The following are the Development Objectives to which all IMU special permit projects shall aspire, and the Review Criteria which the Planning Board shall apply in evaluating all IMU special permit applications:

1. Development Objectives. In proposing projects under the Industrial Mixed-use special permit, applicants shall consider and strive to attain the following objectives, whether the submission is a new development or a redevelopment/ retrofitting of an existing development, or any combination thereof:
 - a. Generate harmonious clusters of economic activity where the uses complement one another and in so doing help the community at large.
 - b. Facilitate combinations of uses that reflect the viable and emerging businesses of all types associated with the economy of the Boston metropolitan region and the Commonwealth of Massachusetts.
 - c. Invest capital to beautify properties and increase the physical and visual integration of uses and buildings.
4. Plan Review Criteria for Industrial Mixed-Use Projects. Plans reviewed by the Planning Board under an IMU special permit shall be evaluated in terms of the following criteria, wherever applicable, whether the submission is a new development or a redevelopment/retrofitting of an existing development, or any combination thereof, and subject to appropriate findings by the Planning Board:
 - a. The determination that the uses proposed are complementary to and compatible with one another economically and in terms of site usage, and that the mix of uses furthers the intent of this section and the zoning bylaw.
 - b. Where multiple buildings are involved, the extent to which improvements are included that will establish or enhance the distinct visual relationship of the buildings to one another, using elements such as: the physical siting of the buildings themselves; open space; common areas; landscaping; trails and walks; or other site amenities to define and reinforce that relationship.
 - c. The accommodation in site design of pedestrian walks and trails, bicycle travel and off-site connectivity to other trails, conservation areas and destinations.

- d. The reduction or avoidance of large concentrations of at-grade parking lots in favor of smaller, multiple lots where possible, or alternatively, to break up large expanses of pre-existing parking with landscape and pedestrian features.
- e. The use of viable shared parking arrangements, to minimize the amount of parking, impervious surface and stormwater runoff.
- f. The incorporation of low impact development techniques to provide or supplement stormwater management.
- g. The adequate addressing of all conventional site design issues, such as internal traffic circulation, public safety, provision of utilities and other aspects normally seen in all plans.

D. Permitted Uses

The following uses shall be allowed by special permit in Industrial Mixed-Use developments:

1. Business and Professional Offices. general offices: corporate and multi-occupancy
2. Light Manufacturing
 - a. Computer and related manufacturing or assembly
 - b. Electronic parts, circuitry and products, manufacturing or assembly
 - c. Medical device research, manufacturing or assembly
3. Information Technology, Life Sciences and Materials Sciences & Engineering
 - a. Information technology and data storage
 - b. Software development and services
 - c. Bio-pharmaceuticals research, development and manufacturing
 - d. Industrial biotechnology or informatics
 - e. Biological testing laboratories, excluding bio-safety level four (BL-4) as per Centers for Disease Control
 - f. Earth sciences, environmental research, testing & development
 - g. Material sciences and engineering
4. Health Care: medical clinics, offices & services
5. Institutional, Educational
 - a. Educational and training, for-profit
 - b. Non-profit foundation or institutional use

- c. Educational or child care facility, exempt under G.L. c. 40A, § 3
- 6. Retail, Services
 - a. Retail and personal services stores with gross floor area not exceeding 10,000 square feet
 - b. Bank
- 7. Restaurants, Hotels or Inns, Recreation
 - a. Restaurants with sit-down table service, not of the fast order or drive-through type, but not excluding take-out service
 - b. Hotel (only in the Industrial Districts).
 - c. Fitness business, any type, with gross floor area not exceeding 10,000 square feet
 - d. Recreation or cultural business with gross floor area not exceeding 5,000 square feet
- 8. Other Uses
 - a. Other uses determined to be fully compatible with those in this section but not listed herein
 - b. Municipal facilities
- 9. Accessory Uses
 - a. Free-standing parking structure
 - b. Private or public solar array
 - c. Common utility, power and communication facilities with screening and planting appropriate to the site & abutting uses

E. Mixed Use Minimum Criteria

The following are the minimum thresholds for constituting an IMU development:

- 1. Minimum Number of Uses. The proposed IMU development must have a minimum of two distinct uses as defined by the allowable uses in this section, whether contained in a single building or multiple buildings.
- 2. Minimum Mixed-Use Floor Area. No single use or like grouping of uses shall occupy more than 92 percent of the gross floor area of a single building or 94 percent of the total gross floor area of all buildings on the site.

F. Density

The following are the maximum density entitlements for an IMU special permit. The Planning Board may limit any development project to less than these density entitlements for circumstances that are necessary to protect the public interest or other properties, or to further the aims of this section and the Zoning Bylaw:

1. Maximum Floor Area Ratio (FAR). The FAR for any IMU development shall not exceed 0.35.
2. Increase in FAR. The FAR may be increased to 0.40 in cases where a Shared Parking Plan has been submitted and has demonstrated to the satisfaction of the Planning Board by means of a finding that it will reduce the parking supply to less than that required by Section 7.1 of this Bylaw, as verified by the Inspector of Buildings. Said finding shall be based on a determination that due to any combination of factors among the participating businesses such as hours of operation or employee work shifts, peak customer demand, minimal parking needs on-site or other complementary circumstances among businesses, a reduction in the required parking supply for the project is justified.

G. Dimensional and Performance Requirements

The following standards shall apply to all development projects seeking an IMU special permit:

1. Flexibility Criteria. It is the intent of this Section 9.2 to allow for a high degree of flexibility in the design or retrofitting of projects seeking an IMU special permit, in terms of the dimensions provided for the proposed development. The Planning Board shall determine the adequacy of the proposed dimensions and may adjust proposed dimensions upward or downward in accordance with the following criteria:
 - a. Adequacy of setbacks, yards and parcel perimeter buffering to avoid negative impacts on abutting and nearby uses from buildings or parking associated with the IMU development.
 - b. Aesthetic enhancement for the immediate vicinity and the wider area or district.
 - c. Use of existing site amenities within setback areas, including vegetation, landscaping, topographic characteristics, stone walls, surface water or other features.

10. Dimensional minima and maxima for the full development parcel:

- a. Minimum Lot Area: One acre
- b. Minimum Frontage: As in existing zoning district but may be reduced by the Planning Board within the IMU special permit discretionary authority.
- c. Minimum Front Setback: As in existing zoning district but may be reduced by the Planning Board.
- d. Minimum Side and Rear Yards: As in existing zoning district but may be reduced by the Planning Board.
- e. Maximum Building Height: As in existing zoning district.
- f. Minimum Lot Landscaping: 30 percent.
- g. Maximum Lot Coverage: 35 percent.

H. Parking Requirements, Site Access, Transportation

The following are the flexible parking provisions for an IMU development:

1. Type of Facility. Parking may be provided at ground level, at sub-grade within buildings or in attached or detached parking structures.
2. Parking Site Location and Distribution.
 - a. Parking within the front setback of buildings shall be confined to spaces for vehicles involving visitors: emergency services: handicapped access: drop-off and pick-up of people or goods: transit systems and preferred spaces for certified car and van pool users operating through an organized trip reduction program.
 - b. All other parking shall be located at the rear or side of buildings.
 - c. Effort shall be made to distribute parking among multiple smaller lots rather than in one or more large expanses of parking, or, in the event of pre-existing large concentrations of parking, to provide visual and functional relief by means of landscaping, separation, pedestrian ways and other amenities.
3. Parking Quantity.
 - a. Total parking supplied on site shall be evaluated by the Planning Board for adequacy to serve the proposed mix of uses.
 - b. After the parking required by zoning and any existing parking spaces are verified by the Inspector of Buildings, the Planning Board may deem parking supply excessive or inadequate and request revision of the parking plan, or it might deem the parking to be adequate.
 - c. In determining adequacy, the Planning Board shall consider whatever combination of pre-existing and newly proposed parking spaces constitutes an optimum quantity and shall make a finding to that effect.
 - d. Electric vehicle charging stations may be located within any parking area.
4. The granting of relief from parking regulations by the ZBA under Section 7.1 shall not apply.
5. Shared Parking
 - a. Shared parking arrangements may be proposed to reduce the extent of parking lots and impervious surface and reduce stormwater runoff. A Shared Parking Plan shall be provided, documenting that the planned arrangements will reduce the parking supply to less than that required by Section 7.1 of this Bylaw, as verified by the Inspector of Buildings.
 - b. The Shared Parking Plan shall demonstrate that the parking reduction is viable among building occupants due to any combination of factors, such as:
 - i. Hours of operation or employee work shifts,
 - ii. Peak customer demand,
 - iii. Minimal parking needs on-site or,

- iv. Other complementary circumstances among the businesses.
- c. Significant changes to these circumstances or to the participating businesses may require a special permit. Shared Parking Plans may be submitted for a minor special permit modification at any time after the development is operational to avoid anticipated future parking demand that might exceed the site's capacity.
- 6. Reserve Parking. The Planning Board may consider for approval the placing of some of the on-site parking supply into future reserve status, where it remains unbuilt until needed, provided it finds that the immediate parking demand is satisfied by the constructed parking spaces. Construction of the reserve parking areas, should it involve minimal adjustment to previously approved parking quantity or physical layout, shall be subject to a minor special permit amendment.
- 7. Curb Cuts. The Planning Board shall determine that the number of curb cuts shown on the Plans to serve the site along any frontage, including frontage on more than one street, is adequate but not excessive, considering both pre-existing and newly proposed curb cuts. This determination shall be made in consultation with DPW Engineering and may include referral to the Select Board sitting as Road Commissioners.
- 8. Transportation Mitigation
 - a. Trip Reduction. In IMU development projects that it deems sufficiently large in terms of employees and regular in terms of peak hour commuting patterns, the Planning Board may require participation in a transportation management association, existing transit shuttle bus, or other trip reduction program as a condition of the special permit.
 - b. Traffic Mitigation. In IMU development projects where, after Department of Public Works or other engineering review, determines that the net traffic increase will be of sufficient impact to result in traffic congestion at site curb cuts and/or reduction of level of service at area intersections, the Planning Board may require as a condition of the special permit that improvements be made within the public right of way to mitigate traffic impacts. Such mitigations shall be subject to review and approval by the Select Board acting as Road Commissioners. Performance guarantees to secure the proper construction of off-site traffic mitigations may be required by the Planning Board, in consultation with DPW Engineering. Alternatively, or in addition to, any physical improvements, other means of reducing traffic congestion may be required, including but not limited to contributions to a relevant traffic study or an adjacent capital improvement project being carried out under other auspices.

I. Procedures

- 1. Submission requirements and procedures shall be in accordance with Section 2.5 of this Bylaw and the Planning Board's special permit rules and regulations.
- 2. A special permit shall be issued if the Planning Board finds that the development is in harmony with this Section 9.2 and that it contains a compatible mix of uses sufficiently advantageous to the Town to render it appropriate to depart from the requirements of the Bylaw otherwise applicable to the Industrial or Commercial District in which the development is located.

3. Modification. After approval, the developer may seek amendments to the approved plan. Minor amendments may be made by a majority vote of the Planning Board. It shall be a finding of the Planning Board whether a requested amendment is deemed to be major or minor. A major amendment shall require the filing of an amended special permit application.

9.3. Outdoor Display

Outdoor display of merchandise is permitted for retail stores, supermarkets, and general merchandise stores where the merchandise:

1. Is displayed in an area, parallel to the front of the building in which the principal use is located, of no more than 50 percent of the front façade of the building; and
2. Is not displayed on those areas designated for zoning purposes as front, side or rear yards, or on public or private streets or ways, or on public sidewalks, and where there are private sidewalks, four feet of the sidewalk width remain unencumbered; and
3. Is a maximum of six feet in height; and
4. Is the type that is displayed or sold in the ordinary and customary operations of the principal use.

9.4. Hotels

A commercial establishment offering lodging for travelers and other transient guests, that may include uses accessory to the principal use, such as, but not limited to, meals, entertainment, retail stores, recreation facilities or other amenities, and subject to the following restrictions:

1. In a hotel in any district in which the use is allowed, guests may not use individual rooms or lodging units that contain permanent cooking facilities or other features and amenities for long-term occupancy as their sole residence.
2. Guests may not occupy rooms or lodging units for more than four continuous months, nor may guests stay in the hotel more than six months in any calendar year, except as provided below in Section 9.4.4.
3. Hotels in the Industrial Districts are permitted only under an Industrial Mixed-Use special permit from the Planning Board.
4. Upon the granting of a special permit for an Industrial Mixed Use in the Industrial A, Industrial B, or Industrial C Districts, a hotel located therein may contain lodging units that are suites with permanent cooking facilities for temporary or intermittent stay required for guests who are there as transient occupants engaged in business activity, or if for other purpose, subject to the limitations of 9.4.1. above.

9.5. Adaptive Reuse of Historic Structures for Bed & Breakfast Facility

Purpose. The purpose of this section is to provide for adaptive use of historic buildings to increase the economic feasibility of historic preservation. Toward that end, an eligible historic property may be used for a lodging and boarding establishment (bed and breakfast facility), with no more than six guest bedrooms, provided the conditions of this Section 9.5 are met.

A. Eligibility

A bed and breakfast facility shall be allowed by approval from the ZBA in a building which:

1. In whole or in part was built in or prior to 1860 or is of unknown age; or
2. Is listed on, or is within an area listed on the National Register of Historic Places, the Massachusetts Register of Historic Places, or is the subject of a pending application for listing on one of these registers; or
3. Has been determined by vote of the ~~Historical~~ District Commission or Historic Preservation Commission, as may have jurisdiction, to be:
 - a. importantly associated with one or more historic persons or events, or with the architectural, cultural, political, economic, or social history of the Town, the Commonwealth of Massachusetts, or the United States of America; or
 - b. historically or architecturally important by reason of period, style, method of building construction or association with a particular architect or builder, either by itself or in the context of a group of buildings; provided that the owner of the building and the Inspector of Buildings have been notified, in hand or by certified mail, within 10 days of the ~~Historical~~ applicable Commission's vote.

B. Basic Requirements

1. No adaptive reuse shall proceed without a special permit from the ZBA.
2. The owner of the building in which the facility is created shall occupy the building. For the purpose of this section, the "owner" shall be one or more individuals residing in a dwelling, who hold title and for whom the dwelling is the primary residence for voting and tax purposes. All guest rooms shall be in the principal structure.
3. Food Service. The facility shall contain no more than one kitchen and meals shall only be served to overnight guests.
4. Historical features. Distinctive historical features shall be maintained, and the appearance of the structure shall remain that of a one-family dwelling, subject further to the following conditions and requirements:
 - a. All stairways to second or third stories shall be enclosed within the exterior walls of the dwelling.
 - b. There shall be no enlargements or extensions of the dwelling in connection with any facility except for minimal additions necessary to comply with building, safety or health codes or for enclosure of a stairway to a second or third story. Any enlargements or extensions built after May 1, 1995, shall not be used as a lodging and boarding facility. The ZBA shall seek the recommendations of the Fire Department, Board of Health, and Planning Board before granting a special permit under this Section 9.5.

C. Parking facilities

There shall be two off-street parking spaces plus at least one off-street parking space for each guest room. To maintain the appearance of a single-family neighborhood all parking spaces on the lot shall be subject further to the following conditions and requirements:

1. Each parking space and the driveway leading thereto shall be paved or shall have an all-weather gravel surface. No motor vehicle shall be regularly parked on the premises other than in a parking space that complies with this section.
2. No more than two outdoor parking spaces shall be in the required front yard. All other parking spaces shall be either: 1) outdoor parking spaces located in a side or rear yard or 2) in a garage or carport.
3. Parking spaces shall be located so that there is direct and unimpeded access to the street without passing through another parking space
4. Suitable screening with evergreen or dense deciduous plantings, walls, fence, or a combination thereof shall be provided in (a) the area between the parking spaces and the nearest side lot line and, if the parking space is in the front yard and parallel to the street, (b) in the area between the parking space and front lot line. Screening shall be sufficient to minimize visual impact on abutters and to maintain the single-family appearance of the neighborhood.

D. Special Permit Renewal

Any special permit granted under this section shall be reviewed for re-approval by the ZBA no less than once every five years.

9.6. Registered Marijuana Dispensary (RMD)

A. Purpose

To provide for the placement of RMDs, in accordance with the Humanitarian Medical Use of Marijuana Act, G.L. c. 94C, App. § 1-1, et seq., in locations suitable for lawful medical marijuana facilities and to minimize adverse impacts of RMDs on adjacent properties, residential neighborhoods, historic districts, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security, and removal of RMDs.

B. Interpretation

Where not expressly defined in the Zoning Bylaws, terms used in the Bylaw shall be interpreted as defined in the Humanitarian Medical Use of Marijuana Act, G.L. c. 94C, App. § 1-1, et seq. and the Department of Public Health Regulations promulgated thereunder, 105 CMR 725.001, et seq., and otherwise by their plain language.

C. Special Permit

1. RMDs may be permitted in the Industrial C (IC) District pursuant to a special permit from the Planning Board.

D. Location

1. RMDs may not be located within 500 feet of the following:
 - a. School, including a public or private elementary, vocational, or secondary school or a public or private college, community college, or university

- b. Child care Facility
- c. Library
- d. Playground
- e. Public Park
- f. Youth center
- g. Public swimming pool
- h. Video arcade facility or
- i. Similar facility in which minors commonly congregate.
 - i. For these purposes, a place where minors commonly congregate shall include dance schools; gymnastic schools; martial arts dojos; technical schools; facilities that offer tutoring or after school instruction; licensed daycare facilities (including private home daycare); parks that have play structures and athletic fields intended for use by children; accredited Head Start facilities; commercial establishments that host children parties. This bylaw regulates intentional congregation of children such as at schools, play structures, athletic fields, and the like, rather than incidental congregation of children, such as at ice cream parlors, pediatric offices, and shopping venues, and the like.
 - ii. The applicant shall demonstrate compliance with buffer requirements under this regulation by providing maps and an inventory of tenants and owners within the buffer, or by any other means the Planning Board might require. The buffer requirements apply to facilities in adjacent communities as well as facilities within Bedford.
 - iii. This requirement shall not apply to any existing RMD that predates the establishment of a new facility where children commonly congregate.
- 2. The distance under this section is measured in a straight line from the nearest point of the property line of the protected uses identified above to the nearest point of the property line of the proposed RMD.
- 3. The distance requirement may be reduced by 25 percent or less only if:
 - a. The applicant demonstrates that the RMD would otherwise be effectively prohibited within the municipality; and,
 - b. The applicant demonstrates that the RMD will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to 105 CMR 725.004.
- 4. The distance requirement shall not apply where a permitted RMD exists prior to the establishment of one of the protected uses identified in Subsection D.1 within the buffer.

E. Procedures

1. The Planning Board shall be the SPGA for the RMD special permit.
2. Submission requirements and procedures shall be in accordance with Section 2.5 of this Bylaw and the Planning Board's special permit rules and regulations.
3. The Planning Board shall act on the special permit after a notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other town boards and departments.

F. Conditions of Approval

The Planning Board shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this section. In addition to any specific conditions applicable to the applicant's RMD, the Planning Board shall include the following conditions in any special permit granted under this Bylaw:

1. Hours of Operation, including dispatch of home deliveries.
2. The permit holder shall file a copy of any Incident Report required under 105 CMR 725.110 (F) with the Inspector of Buildings, Police Chief, and the Planning Board within 24 hours of creation by the RMD. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
3. The permit holder shall file a copy of any deficiency statement, plan of correction, summary cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by DPH or the Division of Administrative Law Appeals, as applicable, regarding the RMD with the Inspector of Buildings, Police Chief, and Planning Board within 48 hours of receipt by the RMD.
4. The permit holder shall provide to the Inspector of Buildings and Police Chief, the name, telephone number and electronic mail address of a contact person if the person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
5. The special permit shall be limited to the current applicant and shall lapse if the permit holder ceases operating the RMD.
6. The special permit shall lapse upon the expiration or termination of the applicant's registration by DPH.
7. The permit holder shall notify the Inspector of Buildings, Police Chief, and Planning Board in writing within 48 hours of the cessation of operation of the RMD or the expiration or termination of the permit holder's registration with DPH.

G. Exemption from RMD Special Permit Requirement

RMDs that demonstrate that they are protected pursuant to the agricultural exemption under G.L. c.40A, § 3 are not required to obtain a special permit but shall apply for Site Plan Approval pursuant to Section 2.5 of this Bylaw.

H. Prohibition Against Nuisances

No use shall be allowed in a RMD which creates a nuisance to abutters or to the surrounding area or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure of dwelling in the area.

9.7. Wireless Communication Facilities

A. Purposes

The design, construction and location of a wireless communications facility within any district shall minimize the visual and environmental impacts of the facility's presence, operation and maintenance. The term "wireless communications facilities" shall include but is not limited to antennas, antenna towers and support structures, equipment shelters, and other structures, equipment shelter, and other structures associated with the facilities. This section excludes any office, storage, or repair use unless otherwise allowed by the regulations of the district. Nothing in this section is intended to preclude the location of a wireless communication antenna as an accessory use and contained within the interior of any existing structure.

B. Special Permit Granting Authority

The SPGA for any wireless communications facility located on municipal property shall be the Select Board. For all other property in the Town, the SPGA shall be the ZBA.

C. Procedures

Submission requirements and procedures shall be in accordance with Section 2.5 of this Bylaw and the special permit rules and regulations of the SPGA having jurisdiction.

D. Setbacks and Height Requirements

1. Towers, antennas, antenna support structures, and other structures associated with wireless communications facilities located in a Residential District or upon a property abutting a residential use shall be set back from the nearest residential lot line a distance at least equal to their height.
2. In all districts, the height of wireless communication towers including antennas shall be no greater than that required to provide adequate communications coverage within the Town but no greater than the height limits set forth in FAR Part 77 for unlit structure of 125 feet above the local ground level, whichever is less.
3. In non-residential districts, the SPGA may allow a lesser height setback if the modification provides adequate safety, promotes co-location, and will not significantly affect the character and appearance of the surrounding area. In making a request for a lesser setback, a professional engineer registered to practice in the Commonwealth of Massachusetts shall certify that the tower is designed to collapse upon itself in the event of failure.

E. Design Provisions

Design provisions for wireless communication facilities shall include, but are not limited to:

1. No new wireless communications tower shall be used which involves lattice construction, requires three or more legs, or requires guy wire supports.

2. No wireless communications tower or facility structure shall contain any signs or devices for the purpose of advertisement.
3. The visible portions of all support facilities and structures such as vaults, equipment buildings or enclosures and utilities shall be constructed out of and/or finished with non-reflective materials.
4. All towers, antennas, and antenna support structures and similar facilities shall be screened from view to the maximum practical extent and shall be of neutral colors that are harmonious with, and blend with, the natural features, buildings, and structures in the surroundings. Facilities located on the exterior of a building shall be of colors and materials that match and/or blend with those of the building.
5. All wireless communication facilities mounted on buildings shall be designed and located to appear to be an integral part of the existing architecture of the building.
6. All electronic and other related equipment and appurtenances necessary for the operation of any wireless communications facility shall, whenever possible, be located within a lawfully pre-existing structure.
7. All satellite dishes shall be of mesh construction, unless technical evidence is submitted demonstrating that this requirement is infeasible. Microwave dishes are exempted from this provision.
8. All wireless communications facilities shall be protected against unauthorized climbing or other access by the public.
9. Whenever feasible, design and siting of wireless communication towers shall avoid the need for application of FAA lighting and painting requirements. Except as required by the FAA, towers shall not be artificially lighted. All towers shall meet the requirements set forth in FAR Part 77 and FAA Advisory Circular AC 70/7460-1J (both documents are obtainable from www.faa.gov).

F. Co-location

1. All new wireless communication facilities shall be co-located, to the maximum extent practicable and technologically feasible, with one or more existing wireless communications facilities, towers, buildings, or other structures whose height, location, and characteristics meet the needs of the proposed facility.
2. All new wireless communications towers or support structures shall be designed, to the maximum extent practicable and technologically feasible, for co-location of antenna and other necessary facilities for at least three other wireless communications providers, shall offer space to all other providers at market rates, and shall provide for towers that can be expanded upward, provided that in no event shall the height exceed the limitations specified in Section 9.7.D. Any special permit granted for a new facility under this section may be conditioned upon the written agreement of the facility operator to allow the co-location of other wireless communications providers on commercially reasonable terms.
3. Any applicant proposing not to co-locate the proposed facility or proposing to locate their facility in a Residential District shall provide written evidence and documentation

demonstrating why it is not feasible for their facility to be co-located with existing facilities or sited in other, non-residential districts.

G. Frequencies

All telecommunications facilities shall be operated only at Federal Communications Commission (FCC) designated frequencies, power levels, and standards, including FCC Radio Frequency Emission standards. The applicant shall provide certification demonstrating that the maximum allowable frequencies, power levels, and standards will not be exceeded. Certifications shall include technical specifications, a written explanation of those specifications, and, if necessary, field verification. The SPGA may condition any special permit granted under this section upon a periodic submittal of certification of continued compliance with the standards.

H. Repair and Upkeep

All wireless communications facilities shall be maintained in good order and repair. Paint finishes shall be maintained and repaired when blemished or graffiti are visible from the property line. The applicant shall provide an inspection schedule and shall file copies of inspections with the Inspector of Buildings.

I. License and Permits

The operator of every wireless communications facility shall submit to the Inspector of Buildings copies of all licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location, and operation of the facility, and shall maintain the licenses and permits and provide evidence of renewal or extension thereof when granted.

J. Construction and Removal

The construction contractor of the wireless communication structure, building and/or access facilities shall be responsible for all damages to municipal, commercial and residential structures, roads and property that may incur during the movement of materials, construction and maintenance of the permitted structures. The contractor will also be responsible for the security of materials stored at the site as well as for the partially completed facilities prior to acceptance. The contractor will be responsible for the removal of all excess building and scrap materials upon completion of the construction.

All structures associated with wireless communications use shall be removed within one year of the cessation of the use. Annual certification demonstrating continued compliance with the standards of the Federal Communications Commission, Federal Aviation Administration, and the American Standards Institute, including provisions for required maintenance, shall be filed with the Inspector of Buildings by the permit holder.

Prior to the issuance of a building permit for a wireless communications use, the applicant shall post and submit a bond or other financial surety acceptable to the town in an amount sufficient to cover the cost of demolishing and/or removing the facility in the event the Inspector of Buildings condemns the property or deems it to have been abandoned or vacant for more than one year. Said amount shall be certified by an engineer, architect, or other qualified professional registered to practice in the Commonwealth of Massachusetts. In the event the posted amount does not cover the cost of demolition and/or removal, the Town may place a lien upon the property covering the difference in cost.

I. Modifications

The SPGA may modify any portion of these standards and conditions if it can be demonstrated that it is technically infeasible to meet the standards or conditions, or that their effect is to prohibit the proposed use throughout the Town, or if the modification will promote the use of existing buildings,

or structures, co-location of wireless communication uses, improve safety, or otherwise promote the purpose of this bylaw.

9.8. Amateur Radio Towers

The ZBA may issue a special permit for an amateur radio facility (tower or antenna) subject to the following requirements:

1. The height of an amateur radio tower, inclusive of its appurtenant devices, shall not exceed one hundred (100) feet, and no dish antenna may be mounted on an amateur radio tower.
2. For purposes of public safety an amateur radio tower may not be erected nearer to any property line than a distance equal to the vertical height of the tower inclusive of any appurtenant devices measured from ground level at the base of the tower.
3. A ground-mounted amateur radio tower shall be in the rear yard only. A tower or antenna affixed to a residential structure shall be located on the side or rear of the structure.
4. To provide for visual buffering, the ZBA may require fencing or vegetative screening at or around the base of an amateur radio tower.
5. For purposes of safety the ZBA may require a fence or locked gate surrounding the base of an amateur radio tower of height determined by the ZBA to be sufficient to restrict unauthorized access.
6. An amateur radio tower shall be dismantled by the owner if the associated license to operate a transmitter has lapsed or has been revoked and has not been renewed for a period of one year.

10. Special District Regulations

10.1. Great Road District

A. Purposes

The purposes of the Great Road District are to:

1. Promote the economic vitality of Great Road's business areas;
2. Encourage mixed uses in a physical arrangement that is safer for pedestrian, bicycle and vehicular traffic;
3. Provide for small- and moderate-scale, single- and multi-use buildings that support a variety of retail and service uses;
4. Respect and preserve Bedford Center's historic character; and
5. Enable some flexibility in the application of these requirements to foster continued investment in the development of properties along Bedford's "main street."

B. District and Subdistricts

The Great Road District shall consist of the four subdistricts listed below and shown on the Bedford Zoning Map. The purpose of the subdistricts shall be to encourage uses that meet the consumer and service needs of Bedford residents, and as follows.

1. Shawsheen Subdistrict (GR/S). The GR/S subdistrict is a high-activity zone and a gateway to the town. It accommodates traditional suburban shopping center design and businesses, and it encourages infill development and a mix of residential uses. The GR/S subdistrict should facilitate a variety of uses, including businesses requiring a larger footprint than would be appropriate in settings such as the Center or North Road Subdistrict.
2. Marketplace Subdistrict (GR/M). The GR/M subdistrict is a high-activity business area. The regulations for this subdistrict should accommodate a mix of building types and sizes.
3. Center Subdistrict (GR/C). The GR/C subdistrict is a moderate-activity business area in the town center. It encourages small shops and services and promotes site planning that invites walking and biking. Design standards in this setting should meet the business community's needs while respecting the center historic district and surrounding neighborhoods. The Planning Board may approve residential use(s) throughout buildings and structures built prior to January 1, 1943, upon finding under Site Plan Review that residential uses are preferable to avoid long-term vacancies of commercial space and otherwise contribute to improved maintenance and sustainability of the historic building.
4. North Road Subdistrict (GR/NR). The GR/NR subdistrict is a moderate-activity gateway into the town center and flexible development node for small-scale mixed uses. Regulations should encourage a ground floor mix of limited retail, non-retail uses, and mixed residential uses such as live/work units. Development regulations take into consideration wetlands and other site constraints.

C. Context, Form, and Shape

Each Great Road subdistrict has a distinctive character and has evolved to meet different economic, civic, and social needs. The purpose of the Great Road District and its subdistricts are best addressed through customized requirements at the subdistrict level. This section describes the district’s dimensional, form, and space regulations and objectives to guide the design of development plans for the Great Road corridor. By meeting these standards, development along Great Road will help create the form, cohesion, order, and supporting infrastructure that make commercial areas attractive and desirable for residents and businesses. Where appropriate or to accommodate unique site constraints such as irregular lot shape, slope, or wetlands, or to encourage site planning, design, and access solutions that further the goals of the Great Road District, the Planning Board may grant a special permit to waive any of the requirements in Table 10.1-1, Subsections 1, 2, 4, and 5, as shown below, except for maximum building height, and subject to a finding that the special permit will better serve the public interest and foster improved site design.

Table 10.1-1. Great Road Dimensional Regulations

1. Basic Lot Regulations

Standard	Subdistrict			
	GR/S	GR/M	GR/C	GR/NR
Minimum Lot Area (sq.ft)	40,000	40,000	N/A ³	10,000
Minimum Lot Frontage (ft)	100	100	50	80
Minimum Lot Width (ft)	100	80	50	70
Maximum Width-Depth Ratio	1:3	1:4	N/A	1:3

2. Building Setbacks

Standard	GR/S	GR/M	GR/C	GR/NR
Minimum Front (ft)	20	20	20	20
Maximum Front (ft) ¹	50	35	25	35
Minimum Side (ft)	10	10	0	10
Minimum Rear (ft) ²	10	10	10	10

¹ A deeper setback may be allowed by special permit for large buildings located toward the rear of a lot in a courtyard-type configuration, i.e., multiple buildings on one lot, if the forwardmost buildings on the lot comply with the minimum-maximum front setbacks listed here. A single building with a large flagship tenant, such as a theater, may also have a deeper setback if the entrance to the large tenant is wrapped with liner shops that comply with the subdistrict’s front setback requirement.

² But 25 feet on a lot abutting a residential district.

³ N/A means “Not Applicable.”

3. Intensity Regulations

Town of Bedford Zoning Bylaw as approved by Town Meeting
March 25, 2025

Standard	GR/S	GR/M	GR/C	GR/NR
Minimum OS/Landscaped Area (% lot)	20	20	10	10

4. Building Regulations

Standard	GR/S	GR/M	GR/C	GR/NR
Building Height				
Minimum Height (stories)	1	1.5 ⁴	2	1.5 ⁴
Maximum Height (stories) ¹	3/4 ⁵	3	2.5 ⁴ /3 ⁵	2.5 ⁴ /3 ⁵
Maximum Building Height (ft) ¹	37/48 ⁵	37	37	37
Minimum Gr. Fl. Height (ft)	14	14	14	12
Maximum Gr. Floor Height (ft)	18	18	18	18
Minimum Upper-St. Height (ft)	10	10	10	10
Minimum Side and Rear Setback Ratio for Height Increase by special permit	1:1	1:1	1:1	1:1
Min. Façade Buildout (% Lot Width)	60%	65%	70%	65%

5. Fenestration Requirements

Standard	GR/S	GR/M	GR/C	GR/NR
Ground, Min. Front ²	65%	75%	70%	70%
Ground, Min. Side ³	25%	25%	20%	20%
Upper-Story, Maximum Front	50%	50%	40%	40%
Upper-Story, Maximum Side	20%	20%	20%	20%
Maximum Ground Fl. Entrance Spacing (ft)	35	35	25	30
Minimum Depth, Common Spaces	30	30	25	25
Maximum Length Blank Wall (ft) (maximum length of building front in the same vertical plane)	50	50	50	50

¹ Maximum building height may not be waived by special permit from the Planning Board.

² Percentages are of building façade area between 2 feet and 10 feet above the sidewalk.

³ A corner lot is considered to have two front facades but the Planning Board may at its discretion approve a reduction in the minimum fenestration for the less prominent façade

⁴ A half story is intended to mean the uppermost occupied floor is contained within a sloped roof structure to lessen the visual mass of the structure.

⁵ The greater height is only allowed by special permit from the Planning Board

D. Development Standards

In the Great Road District, the following building and site components shall be provided in any development requiring site plan approval under Section 2.5 or a special permit from the Planning Board.

1. Setbacks

- a. No use other than landscaping, outdoor dining, public art, sidewalks, multi-use paths, street furniture, seating, and permitted signs shall be permitted in the front yard of any lot.

- b. The maximum front setback may be increased for purposes of amenities such as a plaza, square, courtyard, recessed entrance, sidewalk, multi-use path, raised terrace, façade offsets, or outdoor dining but not for automobile use.

6. Sidewalks

- a. Except as provided below, any development of 10,000 square feet or more shall provide a public realm at least 10 feet wide, consisting of sidewalk, street furniture, pedestrian space and landscape planting, along the full length of the front lot line. Sidewalks shall be a minimum of 5 feet in width and may be located wholly or partially within the street right of way. If on the lot, sidewalks shall be considered part of the minimum required landscaped open space.
- b. Sidewalks shall be separated from the road with a 3-foot-wide landscaped buffer to protect pedestrians and create a pleasing environment, unless pre-existing conditions prevent this alignment or where MassDOT imposes a different requirement for that portion of The Great Road controlled by MassDOT. The landscaped buffer shall consist of shade trees placed at appropriate intervals and other landscaping, and street design elements such as benches, shrub, or grass. Landscaping shall be organized in clusters of plantings rather than in a rigid line along the front of the lot.
- c. Outdoor restaurant and café seating, merchandise displays, planters, and sandwich board signs placed on or beside the sidewalk shall be located no more than 3 feet from the building and shall leave a pathway of at least 4 feet that is free of obstruction.
- d. A development of less than 10,000 square feet may provide a sidewalk meeting the minimum specification of this section or provide a payment in lieu of sidewalk construction to the Bedford Sidewalk Fund.
- e. At its discretion, the Planning Board may authorize a payment in lieu of sidewalk construction by special permit for a development of 10,000 square feet or more, where construction of a sidewalk is infeasible for physical or economic reasons. The burden of proof shall be on the applicant.

7. Walkways

- a. All developments shall provide accessible walkways connecting building entrances to building entrances, buildings to streets, and buildings to sidewalks and adjacent public features, such as parks and playgrounds, with minimal interruption by driveways.
- b. Parking lot aisles and access and interior driveways shall not count as walkways. Walkways must incorporate wider gathering points that may include special features such as water elements or public art. The Planning Board may require benches, waiting areas, bicycle racks, stroller bays, and other sheltered spaces near building entrances.
- c. To the maximum extent possible, walkways should have some degree of shelter achieved using building fronts, trees, low hedges, arcades, trellised walks, or other means to delimit the pedestrian space.
- d. Walkways and related pedestrian amenities shall be considered part of the minimum required landscaped open space.

- e. To encourage sidewalk connections between adjacent properties at the street by eliminating curb cuts on Great Road, the Planning Board may waive the maximum lot width-depth ratio, fenestration, or minimum façade buildout requirements, or any combination thereof, in Section 10.1.C.
8. Landscaping
 - a. The minimum lot landscaping in the GR District shall be in accordance with Section 10.3.C. and shall conform to a landscaping plan approved by the Planning Board.
 - b. There shall be a minimum planting zone of three feet between the sidewalk in front of a building and the street travel lane, unless pre-existing conditions prevent the alignment or where MassDOT imposes a different requirement for that portion of The Great Road controlled by MassDOT. Shade trees and other plantings shall be incorporated in the landscaping plan to help soften the building façade, create a protective barrier between the street and sidewalk, reduce glare, reduce stormwater runoff, absorb pollutants, provide shade, create an appealing environment, and contribute to a sense of place. Selection of trees shall conform to Planning Board guidelines.
 - c. To the maximum extent possible, unity of landscape design shall be achieved by repetition of certain plant varieties and other materials and, where appropriate, by correlation with adjacent properties.
 - d. Side and rear yards shall be landscaped with trees, shrubs, walls, fences, or other landscape elements to reduce the visual impact of the principal use on adjacent property. On lots abutting a single-family residential district, landscaping shall consist of a substantially sight-impervious screen of evergreen foliage at least 8 feet in height or planting of shrubs and trees complemented by a sight-impervious fence of at least 5 feet but not more than 8 feet, in height, or other type of landscaping as may be required by the Planning Board.
 - e. Wherever possible, existing trees and mature, healthy vegetation shall be preserved and changes to the natural topography of a site shall be minimized.
 - f. Site landscaping shall not block a driver's view of oncoming traffic. Corner clearances shall comply with Section 5.2.H. of this Bylaw.
 9. Exterior Lighting. Throughout the GR District, the goal of an exterior lighting plan shall be to light sidewalks and walkways, building entrances, and parking areas in a consistent, attractive, safe, and unobtrusive manner that minimizes off-site impacts. To this end, exterior lighting in the GR District shall conform to Section 8.9.E.6. of this Bylaw and the following standards and shall be in accordance with a lighting plan approved by the Planning Board.
 - a. Pedestrian Lighting
 - i. Pedestrian lighting shall complement the character, aesthetic appeal, and safety of a development and promote greater pedestrian activity.
 - ii. Pedestrian lighting shall use consistent fixtures, source colors, and illumination levels. To prevent glare and light pollution, developments shall be equipped with downcast or full-cutoff fixtures.

- iii. When pedestrian lighting is used in conjunction with street lighting, the illumination provided by the former shall be distinguishable from the illumination provided by the latter to clearly define the pedestrian path of travel.
- iv. Placement of fixtures shall facilitate uniform light levels and work with the placement of sidewalks, landscaping, signage, building entries, and other features to contribute to the continuity of the streetscape. The Planning Board prefers the use of a greater number of low fixtures in a well-organized pattern rather than fewer, taller fixtures.

b. Parking Areas

- i. Within parking areas, there shall be a unified system that provides attractive lighting throughout the lot.
- ii. Fixtures shall minimize spill light and glare onto adjacent properties. Fixtures adjacent to Residential Districts shall direct the light away from residential properties and limit off-site light levels.
- iii. Lighting shall be turned off one hour after the close of business, except as needed to provide for minimum security levels.
- iv. Lighting shall complement the lighting of adjacent streets and properties and shall use consistent fixtures, source colors, and illumination levels. When adjacent to walkways and gathering areas, lighting shall not overpower the quality of pedestrian area lighting.

10. Pedestrian Gathering Spaces. In the GR/S, GR/M, or GR/C Subdistrict, any development of 25,000 square feet or more shall provide one or more accessible pedestrian plazas or similar gathering spaces for outdoor dining, public art, or social or cultural activities. The purpose of the gathering spaces is to encourage people to linger, shop and socialize, and to experience the commercial corridor on foot whenever possible.

- a. The pedestrian gathering space (or combined spaces if more than one) shall measure at least 5 percent of the net floor area on the lot but not more than a total of 2,500 square feet shall be required. At least one gathering space shall measure 1,500 square feet or more with a minimum width of 20 feet. No gathering space shall measure more than 3,000 square feet. The Planning Board may grant a special permit for a smaller gathering space if it meets the purpose of this Section 10.1.D.6.
- b. The pedestrian gathering space shall be at the street level in front, beside, or in between buildings, which is to be used exclusively by pedestrians and shall connect to the sidewalk and walkways. For purposes of this section, a landscaped pedestrian arcade located within a building footprint and open to the outdoors may be counted toward the minimum area required for gathering space.
- c. Where possible, the pedestrian gathering space shall be open on one side to an adjacent larger space, natural view, or activity area such as an outdoor café, coffee cart, food stand, game table, or playground. Within the gathering space, at least one seating area or activity pocket shall be placed along the edge, looking into the plaza. The gathering space shall provide amenities such as benches, kiosks, and other partly enclosed outdoor structures to facilitate waiting or group activities. For a gathering space within sitting walls, the walls

shall be no higher than 20 inches and at least 12 inches wide. Creativity is encouraged in the design of the pedestrian gathering space and the activities it supports.

- d. Shade trees, ornamental trees, and other landscaping shall be included to provide shelter from the sun, reduce noise, beautify the district, and mitigate fumes. All landscaping shall use non-invasive species that tolerate Bedford's climate and shall facilitate ongoing maintenance and watering.
- e. Nothing in this Bylaw shall prohibit the serving of foods and drinks at outdoor tables in a pedestrian gathering space.
- f. A pedestrian gathering space shall be considered part of the minimum required landscaped open space. The area required for a sidewalk shall not be included in the gathering space.

11. Access and Parking

- a. No driveway or parking lot shall be placed between the front building line and front lot line or in front of a building as seen from the street if the building is located on a different lot than the driveway or parking lot. A driveway and parking lot may be placed in the front of a building that is located behind another building when viewed from a street. No driveway or parking lot shall be located between a pedestrian gathering space and a street except for a pedestrian gathering space located behind a building when viewed from a street. No driveway or parking lot shall intersect or be mixed with a pedestrian gathering space.
- b. Driveways and parking lots may be located to the side and rear of buildings, to the rear of a pedestrian gathering space, or underground. Where parking is located to the rear of buildings with additional buildings behind, a quadrangle effect should be created to allow parking, landscaping, and walkways or bikeways to be surrounded on all sides by shops and activity centers.

12. Buildings

- a. On any lot abutting Great Road, North Road, or Shawsheen Avenue, the main entrance shall be on the front façade, which shall face the street.
- b. Walls visible from a public way shall have architectural treatment, design elements such as masonry that provide texture and color, decorative tile work, artwork, opaque or translucent glass, or lighting fixtures.
- c. The front building façade shall have setbacks only to accommodate sidewalks, gathering spaces and their amenities, or landscaping and shall have a vertical orientation. This means the building shall have greater height than width or that the building's façade and roof lines shall be designed to reduce the massing and bulk so that the building appears as a group of smaller masses with a clearly vertical orientation.
- d. Rooflines shall provide visual interest, be consistent with the surrounding architecture, and interrupt massing wherever appropriate. When the gable end of a building faces the street, it must be peaked. The "top" of buildings should be treated with a distinct outline by using projecting parapet, cornice, or other projection. Breaking the rooflines into smaller

segments is encouraged by using dormers, varying the direction of the slope, having different projecting architectural elements, or using a variety of building materials.

- e. Exterior uncovered stairways, covered and uncovered (but not enclosed, glazed, or screened) entrance porticoes, stoops, vestibules, bulkheads, first-floor open-air porches, and cantilevered balconies are permitted if they project no more than four feet into any setback.
- f. Building front facades shall be articulated to achieve a human scale and interest. The use of different textures, shadow lines, uneven angles, detailing, and contrasting shapes shall be required for site plan approval.
- g. Upper-story exteriors shall be accentuated with balconies, terraces, or porches to enliven the building façade.
- h. The ground floor of the front of buildings facing the street shall be designed for occupancy by businesses that are essential for a high-level activity zone such as retail, restaurants, and personal services. Large buildings that face Great Road but are set back via a courtyard may have a wider variety of ground floor nonresidential uses, such as commercial entertainment, healthcare, or business services.
- i. The main business entrance to each ground floor business, identified by larger doors, signs, canopy, or similar means of accentuation, shall be from the building front.
- j. Arcades and canopies are encouraged. They should be used to connect buildings to one another, create a sense of human scale, and shelter pedestrians. Arcades and canopies shall not be considered part of the building and may be located within the front yard setback with approval by the Planning Board. Awnings shall not extend across multiple storefronts or multiple buildings. Long expanses shall be broken into segments that reflect the door or window openings below them.
- k. Ground-floor display windows shall be framed on all sides by the surrounding wall and shall be highlighted with frames, lintels, and sills or equivalent trim and may be recessed into the wall or projected from the wall.
- l. The main features of the architectural treatment of the building front facades, including the materials used, shall continue on all sides of the building that are visible from a street or pedestrian gathering space. The Planning Board may approve alternate treatment of side and rear building walls if it determines that the proposed alternative will serve the purposes of this Section 10.1.
- m. Accessory structures, air conditioning equipment, electric utility boxes, satellite dishes, trash receptacles, and other ground-level utilities shall not be visible from the street and adjacent lots.
- n. Rooftop mechanical equipment shall be screened from public view using materials that are architecturally compatible with the rest of the building.
- o. Applicants shall incorporate sustainable design principles in LEED (Leadership in Energy and Environmental Design), the Massachusetts Stretch Code, Energy Star, and other programs to the maximum extent possible.

- p. Where first-floor residential uses are allowed, access to the units shall be via a stoop or porch unless the access conflicts with architectural access requirements in the State Building Code. An elevated entrance shall not be required for live/work units.
 - q. Newly constructed residential uses shall incorporate universal design elements to the maximum extent possible. New multifamily construction of 6 or more units and greater than one story in height shall include elevators.
13. Signs. All signs and awnings shall conform to the maximum area, height, number, setback, and illumination requirements as set forth in Bedford bylaws.

E. Site Plan Approval Required

All new construction and additions for any use other than single-family or two-family dwellings shall be subject to Site Plan Approval following the standards and procedures of Section 2.5. The Planning Board may adopt rules and regulations to implement Site Plan Approval and this Section 10.1, including guidelines and design standards that will apply to any development in the Great Road District requiring a special permit or site plan approval.

F. Use Regulations

The use regulations that apply in the Great Road District shall be in accordance with Appendix A, Table 4.3-2.

G. Vehicular and Bicycle Parking Requirements

The following parking requirements shall apply in the Great Road District.

- 1. General
 - a. Required off-street parking areas shall be provided on the same lot they serve, except that the Planning Board may grant a special permit for off-street parking areas to be provided on another lot. No parking lot shall be otherwise used or diminished in size unless the Planning Board finds that it is no longer needed by the principal place of business or residence it serves.
 - b. The surfaced area of off-street parking areas shall be set back a minimum of 10 feet from all buildings and lot lines. Such setback areas, except for entrance and exit drives, shall be landscaped with grass, trees, shrubs, flowers, or other landscaping or hardscape materials of adequate height and density to visually obscure parked vehicles from view.
 - c. At least 10 percent of the interior of any parking area with 20 or more parking spaces shall be landscaped and routinely maintained. The landscaping shall be distributed in islands and shall include one or more shade trees of a species as approved by the Planning Board with a 3 ½ - inch caliper or greater per island. The location of trees within parking areas shall maximize shade on vehicles and pavement to ameliorate heat islands. In addition, landscaping shall use non-invasive species and should consider drought-tolerant and native plantings to the maximum extent possible. Where feasible, landscaped islands shall be built below the grade of the impermeable parking surfaces so that runoff from the site is directed into them.
- 2. Parking requirements by class of use. All development in the GR/S, GR/M, and GR/N Subdistricts shall provide off-street parking in accordance with Table 10.1-2. There are no minimum off-street parking requirements for development in the GR/C Subdistrict.

Table 10.1-2. Great Road District Parking Regulations

Use	Minimum Spaces	Notes
Retail sales	1 per 300 sq.ft.	No parking required for retail ≤ 800 sq.ft.; limited to one per building
Restaurant	1 per 4 seats	
Specialty foods	1 per 300 sq.ft.	
Craft Brewery with service area	1 per 300 sq.ft.	
Farmer's market	Determined by Planning Board	
Custom fabrication or artesian industrial	1 per 300 sq.ft.	
Art gallery	1 per 300 sq.ft.	
Walk-in-take-out food service	1 per 250 sq.ft.	
Hotel	1 per guest room + 1 per 300 sq.ft. administrative space	
Bed and breakfast, inn	1 per guest room	
Bank	1 per 400 sq.ft.	
Professional or business office	1 per 350 sq.ft.	Reduce to 1 per 500 sq.ft. for offices above the ground floor
Medical or dental office	1 per 150 sq.ft.	
Commercial recreation, commercial entertainment	1 per 250 sq.ft.	
Membership club or lodge	1 per 250 sq.ft.	
Funeral home	1 per 250 sq.ft.	
Auto service station	No parking required	
Co-worker center	1 per 400 sq.ft.	
Single-family residential	2 per unit	
Home occupation	No parking required	
Mixed-use, vertical	Sum of spaces required per use x 90%	For upper-story housing units, average of 1.5 spaces per unit
Mixed-use, horizontal	Sum of spaces required per use x 80%	For upper-story or free-standing housing units, average of 1.5 spaces per unit
Live/work units	1 per unit	

Use	Minimum Spaces	Notes
Independent living or assisted living residence	0.75 spaces per unit	
Municipal facility	1 space per 300 sq.ft.	

3. Bicycle Parking. Off-street bicycle parking for all uses and structures in the Great Road Districts shall be provided in accordance with Table 10.1-3 unless waived by special permit from the Planning Board. Floor space shall be measured consistently with Section 7.1.
 - a. Where the required computation is a fraction, the number of bicycle spaces shall be rounded up to the nearest whole number Minimum Number of Parking Spaces.
 - b. Where bicycle parking is required, the minimum number of bicycle parking spaces provided at each site shall be two, and the maximum shall be 20, not including long-term parking.
 - c. During the permitting process, depending upon the scale of the use, the Planning Board may impose requirements for showers or changing facilities.
 - d. Minimum number of parking spaces: Convenience and food stores, restaurants, theaters, and commercial recreation shall provide at least one short-term bicycle parking space and one long-term bicycle parking space per 1000 square feet of floor area.

Table 10.1-3. Great Road District Bicycle Parking Standards

<u>Use</u>	<u>Long-Term Spaces</u>	<u>Short-Term Spaces</u>
Office (medical, professional, agencies or government)	0.3/1,000 sq.ft.	0.1/1,000 sq.ft.
Retail sales and personal services	0.1/1,000 sq.ft.	0.3/1,000 sq.ft.
Food stores, restaurants, theaters, and commercial entertainment	0.1/1,000 sq.ft.	0.5/1,000 sq.ft.
Mixed use or multifamily residential	1 per unit	1 per unit

- e. For any other use not specifically listed in this section, the minimum number of short-or long-term bicycle spaces shall be as determined by the Planning Board.
- f. Short-term bicycle parking shall be located within 40 feet of a pedestrian entrance to the building or buildings containing the use or uses it serves and shall not obstruct pedestrian traffic or gathering areas. Racks for short-term bicycle parking may be sheltered with awnings, roofs, or enclosed structures.
- g. Long-term bicycle parking for business and commercial uses may be provided in either an outdoor location that is covered and allows for secure storage with appropriate illumination, or within an indoor storage area such as a bicycle storage room, bicycle lockers, pods, lids, or a lockable bicycle enclosure.

- h. Residential long-term bicycle parking shall be provided in secure, sheltered locations such as a bicycle parking room on the ground floor of a building or bicycle lockers equipment with appropriate racks.
- i. Each bicycle parking space shall be sufficient to accommodate a bicycle, seven feet in length and two feet in width. Inverted U or Ring and Post style frame racks that support the bicycle at two or more points above and on either side of the bicycle's center of gravity are required. An alternative style of rack that, in the opinion of the Planning Director, provides a comparable level of security and convenience may be provided. Racks must be secured to the ground.

11. Overlay Districts

11.1. Depot Area Mixed-Use Overlay District

A. Purpose

The Depot Area Mixed Use Overlay District allows by special permit an alternative pattern of land development to the pattern normally permitted in the underlying District. It is intended to encourage revitalization; to improve design by providing greater flexibility while remaining sensitive to environmental impacts and consistent with the design principles herein and with any design guidelines the Planning Board may adopt; to promote village style redevelopment with a mix of retail, restaurants, offices and multifamily housing; to improve the balance among land uses; to enhance the Depot area's unique identity and development potential as a focal point for bicycle- and pedestrian-related uses; to reduce auto dependency, roadway congestion, and air pollution by locating multiple destinations and trip purposes in close proximity; and to promote a greater sense of community.

B. Authority

The Planning Board shall be the special permit Granting Authority (SPGA) for Depot Area Mixed Use Overlay developments. The Planning Board may vary the dimensional and parking requirements of this section if, in its opinion, the change will result in an improved design. This authority continues after occupancy.

C. Special Permit Goals

In approving or negotiating the special permit, the Planning Board shall consider, among other factors, the degree to which a proposal achieves the following goals:

1. Increases the range of housing options for people of different income levels and different life stages.
2. Enhances pedestrian access to buildings and between sites and promotes site features and layouts conducive to walking and bicycling.
3. Promotes integrated physical design and interaction among activities.
4. Encourages compatibility with the historic nature of the area and the character of the Town.
5. Includes best practice provisions for energy and environmental design for structures and orientation and low impact development (LID) practices for stormwater management.
6. Includes a balance of land uses.

D. Uses Allowed By Special Permit

The following types of uses (and none other) shall be permitted in Depot Area Mixed Use developments. These uses may be commingled into a single structure or may be in separate structures on the site.

1. Business and Professional Office

Town of Bedford Zoning Bylaw as approved by Town Meeting
March 25, 2025

2. Research Facility
3. Residential
 - a. Single-family
 - b. Two family
 - c. Multifamily
7. Retail store not exceeding 2,000 square feet of sales floor area
8. Housing for the Elderly
9. Personal Service Shop
10. Lodge & Club
11. Restaurant
12. Child care Facility
13. Bank
14. Private Recreation
15. Municipal Use
16. Underground and Above-ground Utilities
17. Parking Facility
18. Repair Shop and Building Trade not exceeding 2,000 square feet of gross floor area

E. Prohibited Uses

Notwithstanding the range of uses allowed above, the following uses are not permitted in developments approved under this Section 11.1:

1. Drive-through establishments;
2. Storage trailers and outdoor storage of goods associated with a commercial use; and
3. Adult entertainment establishment including adult bookstore, adult cabaret, adult motion picture theater, adult paraphernalia store, or adult video store, being any the establishment having a substantial or significant portion of its stock in trade, books, magazines, videos, motion picture films, objects, devices or other audio/visual media, which are distinguished or characterized by their emphasis depicting, describing or relating to nudity, sexual conduct or sexual excitement as defined in G.L. c. 272, § 31.

F. Review Criteria

1. In addition to the specific criteria contained within this Section 11.1, the Planning Board shall consider the following:
 - a. Adequacy of the site in terms of the size of the proposed use(s);
 - b. Adequacy of the provision of open space, its accessibility to the general public, or its association with adjacent or proximate open space areas;
 - c. Suitability of the site for the proposed use(s);
 - d. Impact on traffic and pedestrian flow and safety;
 - e. Impact on the visual character of the Depot Area and surrounding neighborhood;
 - f. Adequacy of utilities, including sewage disposal, water supply and stormwater drainage; and
 - g. Impact of the proposal on the existing mix of structures and businesses in the Depot Area.
2. **Mix of Uses.** The mix of uses shall be balanced and compatible and shall contribute to a vibrant village atmosphere, including first floor street-front uses comprised of retail, restaurant, bank, personal service shop and office uses.
3. **Ground floor uses.** First-floor units fronting on main streets shall be reserved for retail, restaurant, bank, personal service shop and office uses except as specified below.

Residential uses shall be allowed on first floors of buildings only where:

- a. the building is set behind another building which has frontage on the street,
- b. the residential portion of the first floor of a building is set behind street-front retail/office/restaurant/bank/personal service shop uses within the same building, or
- c. the Planning Board determines that street-front residential uses will not have an adverse impact on the continuity of the commercial street-front uses.

G. Dimensional Requirements

Design flexibility is key to good development. The purpose, goals, and general criteria above plus design parameters such as building heights, setbacks, open space requirements, and parking shall govern each proposed development rather than specific density, FAR or lot coverage limits.

1. **Minimum Lot Frontage:** 50 feet
2. **Minimum Percent Open Space:** Open space, landscaping, and pedestrian amenities shall contribute to the village character of the development, link parcels and uses and encourage walking. The underlying Commercial District requires 30 percent landscaping. The Planning Board may lower the requirement to a minimum of 10 percent to promote village-style development. The open space must be usable, open, and available to the public and may consist

of landscaped gardens, plazas, sitting areas, sidewalks or similar features. Landscaped areas within and around parking areas shall not count toward the required minimum open space.

3. **Maximum Height of Structures:** 37 feet or 2 ½ stories. The intent is to allow for three occupied floors, with the uppermost occupied floor within a sloped roof to lessen the visual mass of the structures.
4. **Minimum Lot Size:** 20,000 square feet. For purposes of calculating minimum lot size, adjacent parcels or parcels on opposite sides of a road right-of-way or on opposite sides of railroad right-of-way or path may be combined in a single application.
5. **Setbacks and Yard Regulations for Buildings.** To facilitate flexible design and a village atmosphere, buildings shall be constructed in accordance with the front, side and rear yard distances specified below:
 - a. **Minimum Front Yard Depth:** 0 feet. The purpose is to allow zero setback structures where appropriate in the District; it is not meant for all portions of the District, where front yard landscaping would be an appropriate amenity.
 - b. **Maximum Front Yard Depth:** 20 feet or the average of the setbacks to buildings on the same side of the street or way within 200 feet of the lot in question, whichever is less.
 - c. **Minimum Side Yard Width:** 0 feet except where the property shares a lot line with a Residential District, in which case, minimum is 25 feet.
 - d. **Minimum Rear Yard Depth:** 0 feet, except where the property shares a lot line with a Residential District, in which case, minimum is 25 feet.
6. The required front yard shall be measured from the nearest exterior line of the street right of way in question.
7. No lot on which a building is located shall be reduced or changed in size or shape so that the building or lot fails to comply with the frontage, building coverage, yard distances, or other dimensional provisions of this bylaw.

H. Vehicle and Pedestrian Features

Vehicle, pedestrian, and bicycle features shall be designed to provide a network of pathways and promote walking within the District. Curb cuts shall be minimized and subject to design review by the Planning Board. The Planning Board may require allowance for pedestrian and vehicular access to existing or future developments on abutting properties to facilitate pedestrian access and to minimize curb cuts.

1. Vehicle Parking

- a. Adequate off-street parking shall be provided. In determining adequacy, the Planning Board shall consider the extent to which the design maximizes pedestrian flow within the development, maximizes the efficient use of existing and proposed parking facilities, and minimizes the area of land to be paved for parking.

- b. To maintain an environment safe for pedestrians, motor vehicle parking spaces shall be located behind or beside buildings wherever possible. Motor vehicle parking shall not be located directly between the building and the street alignment.
 - c. Parking for non-residential uses shall be in accordance with Table 7.1-1. Parking for residential uses shall be 1.5 spaces per unit or 1 space per unit for Housing for the Elderly except as provided below.
 - d. Shared Motor Vehicle Parking.
 - i. Shared use of motor vehicle parking is strongly encouraged; however, parking spaces for one use shall not be considered as providing the required spaces for any other use, except when it can be clearly demonstrated that the need for parking occurs at different times.
 - ii. A shared parking agreement may be submitted to the Planning Board as part of any special permit request. Said shared parking agreement shall address issues such as the maintenance, striping, and snow plowing of the shared parking area. At its discretion, the Board may reduce parking requirements based upon the shared parking agreement.
 - e. Parking reduction for transportation demand. The Planning Board may allow a reduced number of parking spaces, to a minimum of 1 space per unit for units with 2 bedrooms or less, if the plan includes measures to limit transportation or parking demand. Such efforts may include but are not limited to a deeded commitment to participate in a Transportation Management Association (TMA), use of vehicles owned by the property management and parked within the site, or a discount for use of a rental car (such as 'Zip Car') located within 500' walking distance of the site.
 - f. Off-Site Motor Vehicle Parking. Off-site motor vehicle parking for any use may be considered by the Planning Board if located within 500' walking distance of the subject site boundary. The owner of the property containing the proposed off-site parking shall submit a legally binding agreement to the Planning Board.
 - g. Parking Facilities.
 - i. Structured parking is only allowed beneath proposed structures and shall not be visible from the street.
 - ii. Surface parking lots shall be appropriately landscaped and designed to promote pedestrian flow within and between sites.
2. Bicycle Parking
- a. Long-term bicycle parking shall be provided for all new developments in the Depot Area Overlay District. Long-term parking shall be at least 50 percent sheltered from the elements.
 - b. Bicycle parking or storage spaces are to be located as close as possible to the building entrance(s).

- c. At least one bicycle parking or storage space shall be created for each residential unit created. However, no bicycle parking is required for residential units where there are fewer than four residential units created.
 - d. At least two bicycle parking or storage spaces shall be created for each commercial use within the site.
 - e. Any property owner required to have bicycle parking may elect to establish a shared bicycle parking facility with any other property owner in close proximity.
3. Pedestrian Access. Developments shall be made pedestrian-friendly by use of amenities such as wide sidewalks/pathways, outdoor seating, and/or appropriate landscaping. Structures, parking, pathways and other pedestrian amenities shall be designed to maximize ease of pedestrian access.

I. Affordable Housing Units

1. In developments of 8 or more dwelling units, no less than 10 percent of the total number of units shall be affordable to households with income at or below 80 percent of the median family income for the Boston Metropolitan Area as determined by the U.S. Department of Housing and Urban Development (HUD).
2. The Planning Board may require that an additional 5 percent of the total units be affordable to households with annual family incomes of 81-100 percent of area median.
3. All affordable units must be subject to use restrictions, deed restrictions, or other legally binding instruments to ensure that the units remain affordable and available in perpetuity exclusively to people with qualifying incomes.
4. The units must be sold or rented on a fair and open basis, and the owners of the units must adopt an affirmative fair housing marketing plan.
5. The minimum area for a residential unit in the Depot Area Mixed Use Overlay District shall be 550 square feet, and the maximum area shall not exceed 1200 square feet. Affordable units shall be developed under the Local Initiative Program of the Massachusetts Executive Office of Housing and Livable Communities or another subsidy program that allows the housing to count toward the affordable housing requirements of Chapter 40B of the Massachusetts General Law.
6. Affordable residential units shall be subject to a Monitoring Agreement to ensure continued compliance with these provisions. The Town may require, for itself or its designee, an option to purchase or lease affordable units for rents, sale prices, or resale prices that are affordable to eligible households. The option shall apply to the initial and any subsequent sale or lease of affordable units.
7. In computing the number of required affordable units, fractions shall be rounded up.

J. Design Standards

Buildings shall be of a design similar to or compatible with the traditional architecture in the Town in terms of scale, massing, roof shape, spacing and exterior materials. The design standards below are intended to promote quality development consistent with the Town's sense of history, human

scale, and pedestrian-oriented village character. To provide additional guidance, the Planning Board may promulgate more detailed design guidelines.

1. **Scale.** The size and detailing of buildings shall be pedestrian-oriented and shall reflect community preference for moderate-scale structures that resemble houses or barns rather than city blocks. Building design shall incorporate features to add visual interest while reducing appearance of bulk or mass. Such features include, as appropriate, varied facades, rooflines (e.g., gable direction, pitch), roof heights, materials, and details such as brick chimneys or shutters. Blank walls are prohibited except in alleys between buildings.
2. **Architectural Details-Existing Historic Buildings.** Any alteration of or addition to an existing historic structure shall employ materials, colors, and textures as well as massing, size, scale and architectural features that are compatible with the original structure. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
3. **External Materials and Appearance**
 - a. Except for windows and minor trim, buildings shall avoid the appearance of reflective materials such as porcelain enamel or sheet metal.
 - b. Predominant wall materials shall have the appearance of wood, brick or stone painted or coated in a non-metallic finish. Structures should include adequate first floor windows to provide visibility of shop spaces.
4. **Sustainable Building and Site Design.** New buildings shall incorporate best practices in energy efficiency, environmental protection, and stormwater management; shall comply with current Leadership in Energy and Environmental Design (LEED) criteria, as promulgated by the U.S. Green Building Council; and shall incorporate Low Impact Development site design components.

K. Signs

All signs and awnings shall conform to the maximum area, height, number, setback and illumination requirements as set forth in Bedford bylaws.

L. Procedures

1. Submission requirements and procedures shall be in accordance with Section 2.5 of this Bylaw and the Planning Board's special permit rules and regulations.
2. Public hearing, notice, and decision procedures and timelines shall be in accordance with G.L. c. 40A, §§ 9 and 11 and this Bylaw.
3. The Planning Board may grant a special permit under this Section 11.1 if it finds that the development is in harmony with the purpose and intent of this section and that it contains a compatible mix of uses sufficiently advantageous to the Town to render it appropriate to depart from the requirements of the Bylaw otherwise applicable to the Commercial District in which the development is located.

4. Amendments. After approval, the developer may seek amendments to the approved plan. Minor amendments may be made by a majority vote of the Planning Board. It shall be a finding of the Planning Board, not subject to dispute by the applicant, whether a requested amendment is deemed to be major or minor. A major amendment shall require the filing of an amended special permit application.

11.2. Pine Hill Overlay District

A. Purpose

The Pine Hill Overlay District (PH) is intended to promote development or redevelopment of a mix of residential uses to promote an active pedestrian environment, distinctive architecture that respects the context of the surrounding neighborhood, reduce demand for vehicle ownership and parking due to access to public transit and bicycle trails, and provide broader housing opportunities within walking or biking distance to shopping, personal services, municipal facilities and services, and other activities of daily living.

B. Authority

The Planning Board shall be the special permitting granting authority (SPGA) under this Section 11.2.

C. Special Permit Goals

The PH Overlay District will provide for a greater mixture of housing types in the Town at greater density than is otherwise permitted in Residential Districts. The Planning Board shall consider whether the proposed site design, development layout, and types of dwelling units constitute a suitable alternative to the pattern of land development permitted in the Residential District within which it is to be located.

In approving or negotiating the special permit, the Planning Board shall consider, among other factors, the degree to which a proposal achieves the following goals:

1. Increases the range of housing options for people of different income levels, disabilities, and ages, especially 55+.
2. Enhances pedestrian and bicycle access by linking to abutting pathways, roads, and trails. Additionally, onsite layout, features, and amenities will emphasize pedestrian and bicycle access.
3. Fosters and encourages social interaction and physical activity through the built environment.
4. Includes best practice provisions for energy and environmental design for structures and orientation and low impact development (LID) practices for stormwater management.
5. Incorporates coherent architecture and high quality architectural and landscaping design, and its massing respects the context of the surrounding neighborhood.
6. Provides universal design elements related to senior friendly living in at least 30 percent of the dwelling units and disability friendly living in all units.

D. Permitted Uses

Only the following types of uses shall be permitted in a PH Overlay District development. It is intended to permit multiple one-and two-family dwellings on a single parcel.

1. Single-family dwellings
2. Two-family dwellings
3. Accessible community-amenity accessory structures and uses such as community building(s), covered parking, flagpole, fence, gazebo, patio, greenhouse, shed, sport court.

E. Dimensional Requirements

1. Minimum Tract Size: A PH Overlay District Development shall be permitted upon a tract consisting of one or more parcels of land, in common ownership, comprising at least 5 acres.
2. Maximum density: 6 units per acre.
3. Tract Coverage and Floor Area Ratio
 - a. Building footprints shall not exceed 20 percent tract coverage.
 - b. Total of all floor areas shall not exceed a floor area ratio of 0.35.
4. Maximize dwelling footprint: Residential dwellings shall be less than 1,500 square feet of living area to provide modest size housing opportunities.
5. Minimum Frontage: The overall tract shall have a minimum of 100 feet of frontage on a public way.
6. Setbacks:

Minimum Front Yard depth: 20 feet
Minimum Side Yard Width: 15 feet
Minimum Rear Yard Depth: 15 feet
7. Distance between buildings and structures: 10 feet.
8. Maximum Height of Structures: 26 feet and 2 stories.

F. Common Space

Accessible common space consisting of green space, landscaping, and pedestrian amenities shall contribute to the village character of the development, link uses and encourage walking. A minimum of 30 percent of the tract area shall be common space, and may consist of courtyards, sidewalks, sports courts, swimming pool, patios, stormwater management and other common unenclosed facilities which may involve hardscape features.

G. Pedestrian and Bicycle Amenities

Development shall be made pedestrian-friendly by use of amenities such as wide sidewalks/pathways, outdoor seating, and/or appropriate landscaping. Structures, parking, pathways and other pedestrian amenities shall be accessible by people with disabilities and

designed to maximize ease of pedestrian access. Bicycle features shall include bike racks and be designed to provide pathways connecting to any existing and proposed bicycle routes.

H. Affordable Housing

1. No less than 10 percent of the total number of units shall be affordable to households at or below 80 percent of the Area Median Income for the Boston Metropolitan Area as determined by the most recent calculation of the U.S. Department of Housing and Urban Development.
2. The affordable units shall be subject to an affordable housing restriction to ensure that the units remain affordable and available in perpetuity exclusively to people with qualifying incomes.
3. The units must be sold or rented on a fair and open basis, and subject to an approved affirmative fair housing marketing plan.
4. Affordable units shall be developed under any affordable housing program of the Commonwealth of Massachusetts that allows the housing to qualify as low- or moderate-income housing under G.L. c. 40B, §§ 20-23.
5. Affordable residential units shall have a monitoring agent responsible to ensure continued compliance with the requirements of this Section 11.2. The Town may require, for itself or its designee, an option to purchase or lease affordable units for rents, sale prices, or resale prices that are affordable to eligible households. The option shall apply to the initial and any subsequent sale or lease of affordable units.
6. In computing the number of required affordable units, fractions shall be rounded up.

I. Parking

1. Preexisting dwelling units shall be entitled to 2 parking spaces; new dwelling units shall have 1.5 parking spaces per dwelling unit, and these spaces may be garage, carport, or surface parking and may be tandem in arrangement.
2. Any attached garage shall not extend farther than the front face of the dwelling unit.
3. The Planning Board may approve additional parking for guests, employees of any management entity, or users of public recreation facilities, open spaces and trails. Units designed to meet ADA standards shall have parking spaces sufficient to allow van parking.

J. Design Standards

1. Quality of Architecture.
 - a. The same quality of material and design shall be reflected on all sides of a dwelling and shall incorporate features to add visual interest while reducing the appearance of bulk or mass. Featureless walls (i.e. walls without fenestration, doors, or architectural details similar to the other dwelling faces) are prohibited.
 - b. Architectural design shall reflect modernized adaptations of recognized styles such as village vernacular, craftsman, bungalow, Victorian, or Edwardian cottage. Contemporary

designs complementary to Bedford's traditional architecture may be proposed if they are respectful of neighborhood scale and context and represent original architectural design.

2. Sustainable Building and Site Plan

- a. New buildings shall incorporate best practices in energy efficiency, environmental protection, and stormwater management.
- b. Developments shall incorporate sustainable design features of Leadership in Energy and Environmental Design (LEED) criteria, as promulgated by the U.S. Green Building Council, or other recognized performance standard acceptable to the Planning Board.
- c. Developments shall incorporate Low Impact Development site design components.
- d. There shall be common space with walkways throughout. Housing shall be sited around a well-landscaped green(s) or courtyard(s) as organizing elements. The greens/courtyards shall be landscaped with trees, shrubs, and other plantings well suited to the site and surrounding vicinity as well as other landscape elements but also shall be fully accessible for use by residents.

3. Accessibility of Design

- a. All newly constructed dwelling units shall include features that permit future residents to modify them to meet accessibility needs. These features may include but are not limited to infrastructure in bathrooms to accommodate installation of grab bars around toilets and tubs/showers; clear width of all door openings that are a minimum of 32 inches and a maximum of 48 inches; limited use of thresholds.
- b. Units constructed or renovated specifically to be fully accessible shall meet ADA standards for accessible design.
- c. Accessibility features over and above what is required by this paragraph may be required as part of the special permit process at the discretion of the Planning Board.

K. Maintenance of Common Areas

A condominium association, homeowners association, or similar entity shall be established to oversee maintenance of roadways, walkways, utilities, landscaped areas, and other common areas.

L. Procedures

1. Submission requirements and procedures shall be in accordance with Section 2.4 of this Bylaw and the Planning Board's special permit rules and regulations.
2. Public hearing, notice, and decision procedures and timelines shall be in accordance with G.L. c. 40A, §§ 9 and 11 and this Bylaw.
3. The Planning Board may grant a special permit under this Section 11.2 if it finds that the development is in harmony with the purposes of this section and that it provides for housing opportunities sufficiently advantageous to the Town to justify departing from the requirements that otherwise apply in the Residence District in which the development is located.

1. The site plan proposes an appropriate mix of dwelling units and supporting amenities, including consideration of how the plan addresses senior housing options, disability access options, and universal design in dwelling units.
2. The massing and architecture of units respects the context of the neighborhood.
3. Access to pedestrian networks, bicycle trail, and/or public transit is readily available to future residents of the development.
4. Project design maximizes the opportunities for walking and bicycling.
5. Landscaping is adequate and comprised of species that are native, non-invasive, hardy for New England weather conditions and disease resistant.
6. Common space is adequate, accessible and well distributed in relation to the size of the development.
7. Water supply, sewage disposal and stormwater drainage are adequate to serve the proposed development.
8. Vehicular access, emergency access and parking are adequate for the proposed density and placement of dwellings.
9. Sustainable design features have been adequately provided in the project design.

M. Amendment

The applicant or property owner may seek to amend the approved plan. The Planning Board shall determine whether a proposed change is a minor or major amendment, and its determination shall be un rebuttable. Minor amendments may be made by a majority vote of the Planning Board without a public hearing. A major amendment shall require the filing of an application for amendment to the Special Permit.

N. Surety

If occupancy of any dwelling units is requested prior to completion of all site improvements, the Planning Board may require a performance guaranty to secure the completion of the outstanding improvements in exchange for the release of completed phases of construction.

O. Lapse

A special permit shall lapse if substantial use thereof has not commenced within three years of the approval. Upon request of the applicant, the Planning Board may grant an extension of up to one year. Multiple extensions may be granted.

11.3. Floodplain Overlay District

A. Purposes

The purposes of the Floodplain Overlay District are to:

1. Protect persons and property against the hazards of floodwater inundation by preserving the natural flow pattern of the rivers and those portions of their tributaries located within the Floodplain District and by preserving natural floodwater storage areas;

2. Eliminate new hazards to emergency response officials;
3. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and adversely affect areas located beyond the site of flooding;
4. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
5. Eliminate costs associated with the response and cleanup of flooding conditions; and
6. Protect the Town against unsuitable use or development of areas subject to flooding.

B. Applicability

The boundaries of the Floodplain Overlay District shall be as provided in Section 3 of this Bylaw. The floodplain management regulations of the Floodplain Overlay District shall take precedence over any less restrictive conflicting local laws, ordinances, or codes.

C. Floodplain Administrator

The Town of Bedford hereby designates the Inspector of Buildings to serve as the official floodplain administrator for the Town.

D. Permit Required

1. The Town requires a permit for all proposed construction or other development in the Floodplain Overlay District, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities, or drilling, mining, paving and any other development that might increase flooding or adversely affect flood risks to other properties.
2. No building permit or zoning approval shall be issued for development in the Floodplain Overlay District unless the applicant has obtained all local, state, and federal permits necessary to carry out the proposed development. The proponent must acquire all necessary permits and demonstrate that they have been acquired.

E. Floodway Encroachment

1. In Zones A and AE, along 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. When proposing a subdivision or other development, the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.
2. In Zone AE, along watercourses that have a regulatory floodway designated on the Town's FIRM, encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

F. Unnumbered A Zones

In A Zones, in the absence of FEMA BFE data and floodway data, the Inspector of Buildings will obtain, review, and reasonably utilize base flood elevation and floodway data available from a federal, state, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

G. Permitted Uses

The following uses are permitted within the Floodplain Overlay District:

1. Wildlife management, boating, fishing, and hunting where otherwise legally permitted;
2. Construction and maintenance of at-grade sidewalks, duck walks, bicycle, equestrian and footpaths or bridges, and unpaved recreation areas that do not alter the existing topography;
3. Flower and vegetable gardens, lawns, pastures, soil conservation, forestry, grazing, and farming, including nurseries, truck gardening, and harvesting of crops;
4. Construction and maintenance of public and private water supplies, ponds, ditches and other water bodies;
5. Repair, alteration, extension or restoration of existing buildings, that is determined by the Inspector of Buildings not to require coming into conformance with substantially different Building Code standards, provided there shall be no incremental coverage of any Floodplain area.
6. Construction and maintenance of accessory structures that do not interfere with water flow, floodway or affect groundwater, including fences, flag poles, patios, in-ground swimming pools (not exceeding one foot above existing grade) screenhouses, and similar structures; and
7. Construction and maintenance in the floodplain area only of at-grade and nonpaved parking for any uses permitted in the Floodplain Overlay District without review by the Planning Board.

H. Uses Permitted Subject to Site Plan Approval by the Planning Board

The following uses may be permitted by the Planning Board provided, however, that a certification by a registered professional engineer is submitted by the applicant demonstrating that any encroachment shall not result in any increase in flood levels during the occurrence of the 100-year flood:

1. Any use permitted in the underlying district in which the land is situated, subject to the same use and development regulations as may otherwise apply thereto, provided that applicant demonstrates to the Planning Board's satisfaction that the land is in fact not subject to flooding during a 100-year storm, nor subject to conditions of flowing or standing surface water, nor a recharge area for a groundwater aquifer, nor unsuitable for the proposed use because of hydrological, soil or topographic conditions.

2. The following uses, together with the minimal filling, diking, or drainage as is necessary to practically accomplish the construction, subject to the same use and development regulations as may otherwise apply in the underlying district and provided that the Planning Board finds the use in harmony with the purpose and intent of the Floodplain Overlay District:
 - a. Telephone, telegraph, power and transmission lines, and municipal land use, including, but not limited to, temporary storage of equipment, pumping stations, and well fields, provided that the equipment, buildings, and other structures are located, elevated, and constructed to minimize or eliminate flood damage;
 - b. Non-residential buildings and other structures, including greenhouses, cold frames, and garden sheds, used in connection with fishing or raising and harvesting of crops grown on the premises;
 - c. Golf courses and parks (but excluding amusement parks);
 - d. Roads, driveways, utilities, and other associated roadway facilities over any portion of the Floodplain Overlay District to serve lands not in the district, provided that the uses shall not be permitted if there is other reasonable access to the land not in the district;
 - e. Above-grade bridges or similar structures for foot, bicycle, and horse travel;
 - f. Activities that are necessary for and incidental to flood or mosquito work performed by or under the direction of an authorized public agency;
 - g. Accessory structures, including above-ground swimming pools, bicycle sheds, and pool houses, but excluding residential, industrial, and commercial buildings, may be permitted only under this Section 11.3, and
 - h. Repair, alterations, extension, or restoration of existing buildings that are determined by the Inspector of Buildings to require coming into conformance with Building Code standards, provided, however, that there shall be no incremental coverage of any Floodplain area; ~~and~~

I. Procedure for Review by the Planning Board

1. Site Plan Approval application procedures, review, and decision period shall be in accordance with Section 2.5 of this Bylaw.
2. The Planning Board shall impose any conditions and safeguards as public safety, welfare, and convenience may require, including that no use may be permitted unless that use, when combined with all other existing and anticipated uses, will not increase the water surface elevation of the 100-year flood.

J. Recreational Vehicles

In Zone A and AE, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

K. Subdivision Proposals

All subdivision proposals and development proposals in the Floodplain Overlay District shall be reviewed by the Planning Board to assure that:

1. The proposals minimize flood damage;
2. Public utilities and facilities are located and constructed to minimize flood damage; and
3. Adequate drainage is provided.

L. Watercourse Alterations or Relocations in Riverine Areas

In a riverine situation, the Inspector of Buildings shall notify the following of any alteration or relocation of a watercourse:

1. Adjacent Communities, especially upstream and downstream
2. Bordering States, if affected
3. NFIP State Coordinator

Massachusetts Department of Conservation and Recreation

4. NFIP Program Specialist

Federal Emergency Management Agency, Region I

M. Requirement to Submit New Technical Data

1. If the Town acquires data that changes the base flood elevation in the FEMA-mapped Special Flood Hazard Areas, the Town will, within six months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.)
2. Notification shall be submitted to:

NFIP State Coordinator

Massachusetts Department of Conservation and Recreation

NFIP Program Specialist

Federal Emergency Management Agency, Region I

N. Variances to Building Code Floodplain Standards

1. The Town will request from the State Building Code Appeals Board a written or audible copy of the portion of the hearing related to the variance and will maintain this record in the Town's files.
2. The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to

amounts as high as \$25 for \$100 of insurance coverage and (ii) construction below the base flood level increases risks to life and property.

3. The notification shall be maintained with the record of all variance actions for the referenced development in the Floodplain Overlay District.

O. Zoning Variances Related to Community Compliance with the NFIP

A variance from the provisions of this Section 11.3 must meet the requirements under G.L. c. 40A, § 10 and may only be granted if:

1. Good and sufficient cause and exceptional non-financial hardship exist;
2. The variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and
3. The variance is the minimum action necessary to afford relief.

P. Disclaimer of Liability

The degree of flood protection required by this Bylaw is considered reasonable but does not imply total flood protection.

Q. Definitions Applicable to this Section 11.3

(Some of these terms may not appear in the Zoning Bylaw, but the definitions are required by FEMA)

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
 - (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.
- [US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. New construction includes work determined to be substantial improvement. [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY - see **FLOODWAY**.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO or AH. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the

building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3 is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

11.4. Aquifer Protection Overlay Districts

A. Purpose

The purpose of the Aquifer Protection Districts is to protect the public health by preventing contamination of the ground and surface water resources providing public water supply. For the purpose of 310 CMR 40.000, areas designated as Zone I, Zone II, and Zone III are classified as current or potential drinking water source areas.

B. Authority

The Select Board shall be the Special Permit Granting Authority for all uses requiring a special permit in the Aquifer Protection Overlay Districts.

C. Establishment of Districts

1. **Overlay Districts.** The Aquifer Protection Districts are herein described as overlay districts. The Aquifer Protection Districts are delineated on a map entitled "Hydrogeologic Zones for Bedford Water Supply Wells." The Aquifer Protection Districts Map is hereby made a part of this Zoning Bylaw and is on file in the office of the Town Clerk.
2. **District Boundary Disputes.** Where the bounds of the Aquifer Protection Districts are in dispute, as delineated on the Aquifer Protection Districts Map, the burden of proof shall be upon the owners of the land in question to show where the district boundary line should be located. Resolution of boundary disputes shall be through a special permit application to the Select Board. Any application for a special permit for the purpose of resolving boundary disputes shall be accompanied by documentation prepared by a person who meets the following requirements:
 - a. Is experienced in delineating hydrogeologic zones in Massachusetts, and
 - b. Has one of the hydrogeologic credentials listed in Table 11.4-1.

Table 11.4-1. Hydrogeologic Credentials

Title	Conferring Entity
Registered Professional Hydrogeologist, or Registered Professional Hydrogeologist – Ground Water	American Institute of Hydrology
Certified Professional Geologic Scientist	American Institute of Professional Geological Scientists
Registered Professional Engineer-Sanitary, Civil or Environmental	Commonwealth of Massachusetts
Certified Ground Water Professional	Association of Ground Water Scientists and Engineers

- c. An exception to the above requirement is that a Registered Land Surveyor may determine the outermost boundary of Zone III, by defining the boundary of the watershed in which the Town wells are located.
- d. The determination of the location and extent of Zone II shall be in conformance with the criteria set forth in 310 CMR 22.00 and in the Department of Environmental Protection’s “Guidelines and Policies for Public Water Systems” (most recent edition). The applicant shall provide all information and procedures used in preparing the Zone II delineation as part of the application.
- e. The Select Board shall not grant a special permit under this Subsection unless the applicant demonstrates that the provisions governing the Aquifer Protection District(s), under this section, may be waived without detrimental effect to groundwater quality.

D. Use Regulations

Table 11.4-2: Aquifer Protection Districts Use Regulations

(Y = Permitted; SP = Special Permit Required; N=Prohibited)

Type of Use	Zone	
	II & IIIA	IIIB
1 Landfills and open dumps, as defined in 310 CMR 19.006;	N	N
2 Landfilling of sludge and septage, as defined in 310 CMR 32.05;	N	N
3 Automobile graveyards and junkyards, as defined in G.L. c. 140B, § 1;	N	N
4 Stockpiling and disposal of snow or ice removed from highways and streets located outside of Zones II and III that contains sodium chloride, calcium chloride, chemically treated abrasives or other chemicals used for snow and ice removal;	N	Y
5 Individual sewage disposal systems;	N	Y
6 Privately owned treatment or disposal works for non-sanitary wastewaters that are subject to 314 CMR 5.00, except the following:	N	N
a 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);	Y	Y

	Type of Use	Zone	
		II & IIIA	IIIB
	b treatment works approved by the Massachusetts Department of Environmental Protection, and the Bedford Department of Public Works, for the treatment of contaminated ground or surface waters;	Y	Y
7	Facilities that treat, dispose of, generate or store hazardous waste that are subject to G.L. c. 21C and 310 CMR 30.00, except for the following:	SP	SP
	a very small quantity hazardous waste generators, as defined by 310 CMR 30.00;	Y	Y
	b small quantity hazardous waste generators, as defined by 310 CMR 30.00;	SP	Y
	c household hazardous waste collection centers or events operated pursuant to 310 CMR 30.390;	N	Y
	d waste oil retention facilities required by G.L. c. 21, § 52A; and	Y	Y
	e treatment works approved by the Massachusetts Department of Environmental Protection, and the Bedford Department of Public Works, designed in accordance with 314 CMR 5.00 for the treatment of contaminated ground or surface waters.	Y	Y
8	Outdoor storage of sodium chloride, calcium chloride, chemically treated abrasives or other chemicals used for the removal of ice and snow on roads except where covered to prevent the generation and escape of contaminated runoff or leachate.	N	N
9	Storage, use, or production of liquid or solid hazardous materials as defined in G.L. c. 21E, as amended, unless within a building, or other structure, which by design* will contain any release, or storage which is within an aboveground double walled container capable of containing 110% of the primary container's contents and with additional precautionary measures to protect from vandalism, corrosion, or other environmental factors and whose piping and/or other related equipment includes similar safeguards.	N	N
10	Storage of liquid petroleum products of any kind, except the following:	SP	SP
	a approved portable containers related to normal building and property use;		
	b emergency electrical generators required by statute, rule or regulation;		
	c treatment works approved by the Massachusetts Department of Environmental Protection and the Bedford Department of Public Works designed in accordance with 314 CMR 5.00 for the treatment of contaminated ground or surface waters;		
	d packaged consumer goods;		
	e building heating; and		
	f waste oil retention facilities required by G.L. c. 21, § 52A.		

	Type of Use	Zone	
		II & IIIA	IIIB
	provided that the storage listed in items b, c, e and f are within a building, or other structure, which by design* will contain any release, or storage which is within an above-ground double walled container capable of containing 110% of the primary container's and with additional precautionary measures to protect from vandalism, corrosion, or other environmental factors and whose piping and/or other related equipment includes similar safeguards.		
11	Storage of sludge and septage as defined in 310 CMR 32.05, except for storage and treatment of Bedford municipal water treatment sludge;	N	N
12	Outdoor storage of commercial fertilizers and soil conditioners, as defined in G.L. c. 128, § 64, except where covered to prevent the generation and escape of contaminated runoff or leachate;	N	N
13	Storage of animal manure, except for quantities incidental to household garden use. Storage must be covered and contained in accordance with the specifications of the United States Soil Conservation Service:		
	a generated on-site;	SP	Y
	b generated off-site.	N	N
14	The removal of soil, loam, sand, gravel, or any other mineral substances within four feet of the historical high groundwater table elevation. Excavations for the construction of building foundations, the installation of utility works, and the dredging or maintenance of water bodies and drainage systems are permitted without special permit.	SP	SP

* The Town of Bedford may require documentation to be submitted by the owner/operator regarding the integrity of the design.

E. Procedures

1. Special permits required under this Section 11.4 shall be in addition to, and separate from, any other special permit required under any section of this Zoning Bylaw or any other law or regulation. Special permits required under this Section 11.4 shall be issued in accordance with Section 2.4 and in accordance with the additional requirements specified below:
2. Special Permit Requirements. A special permit shall be only granted if the Select Board determines that the intent of this bylaw as well as its specific criteria are fully met.
3. Application Requirements. Requests for a special permit shall be made in writing and clearly state the provision or requirement from which the special permit is sought. The following application requirements are the minimum criteria for submitting a complete application:
 - a. Seven copies of the application for special permit shall be filed by the applicant, with the Town Clerk.
 - b. A Site plan, prepared by a professional engineer or land surveyor, showing existing and proposed structures and facilities. Minimum requirements for information included on the

site plan shall be as described in Section 2.5 and the Planning Board's rules and regulations.

- c. A description of the proposed work plan including a construction schedule.
 - d. A description of measures that will be taken to ensure that the quantity and quality of on-site groundwater recharge will not be significantly diminished by the proposed usage;
 - e. A description of all chemicals, pesticides, fuels, or other potentially toxic or hazardous materials to be used, generated, or stored on the site; together with a description of precautionary measures that will be taken to protect from vandalism, corrosion, leakage, or other adverse environmental effects;
 - f. Identify any public or private wells and surface water, and the distance between proposed activities or uses.
4. **Inter-Agency Review.** Upon receipt of the application, the Town Clerk shall certify copies as to the date of receipt, and shall immediately transmit copies to the Select Board, Conservation Commission, Board of Health, Department of Public Works, Fire Department, and Planning Board. Any reviewing party to which special permit applications are referred for review shall make any recommendations as they deem appropriate and shall send copies thereof to the Select Board. Failure of these reviewing parties to make recommendations within 35 days after having received copies of all required materials shall be deemed a lack of opposition thereto.
 5. **Public Hearings.** The Select Board shall hold a public hearing in accordance with the provisions of G.L. c. 40A, § 9, as amended, within 65 days after the application is deemed complete. Notice of the public hearing shall be given in accordance with the provisions of G.L. c. 40A, § 11, as amended.
 6. **Decision Process.** The Select Board's decision shall consider the accuracy of the information provided in the application, the reliability of the proposed control measures, and the recommendations of the other review boards, and shall issue its decision thirty (30) days following the close of the public hearing unless the period is extended in accordance with G.L. c. 40A. During the deliberations of the Select Board, additional information may be sought from a reviewing party to clarify its response. The Select Board may grant a special permit only if it finds that the proposed use:
 - a. Is in harmony with the purpose and intent of this Bylaw; and
 - b. It will not be detrimental or injurious to the District.

In making its determination, the Select Board shall consider the simplicity, reliability, and feasibility of the control measures proposed and the degree of threat to groundwater quality which would result if the control measures failed.

7. **Posting.** The special permit or a clear and concise summary of the special permit shall be posted in a conspicuous location at or near the operation, facility, or system requiring the special permit.

F. Design and Operation Guidelines

At a minimum, the following design and operations guidelines shall be observed within all Aquifer Protection Districts.

1. Safeguards. Provision shall be made to protect against toxic or hazardous materials discharge or loss through measures such as provision for spill control in the vicinity of chemical or fuel delivery points, secure storage areas, and indoor storage for hazardous, corrosive, or soluble materials.
2. Locations. Where the premises are partially outside of the Aquifer Protection District, potential pollution sources shall, to the extent feasible, be located outside the District.
3. Erosion Control. Any operation that might result in increased erosion or sedimentation shall be safeguarded by appropriate erosion control measures such as filter-fabric. Such measures shall be put into place before the beginning of the operation and shall remain in place until all danger of erosion or sedimentation is passed.
4. Recharge. Precipitation falling within the Conceptual Zone II/IIIA shall be directed to the groundwater whenever possible. Infiltration basins, drywells, or other systems such as pervious vegetated swales shall be used on lots wherever practicable to increase the quantity of runoff recharged to the groundwater. However, no recharge shall be allowed in the immediate vicinity of the wellfield.

G. Severability

A determination that any portion or provision to this Section 11.4 is invalid shall not render any other portion or provision hereof invalid.

11.5. Assisted Living Overlay District

A. Purpose

Assisted Living facilities are intended to expand housing options for seniors by providing access to smaller semi-independent living units, group style living and residential homes with support services including assistance with daily living, and/or memory care. These alternate forms of residential style living shall provide for a higher density of bedrooms per acre than other residential developments in town to provide older adults with independence in a residential setting with personalized assistance.

B. Applicability

Assisted Living facilities not proposed under the provisions of Section 8.8 ~~10.1~~ may be permitted on any qualifying parcel or parcels within the Assisted Living Overlay District by special permit.

C. Authority

The Planning Board shall be the Special Permit Granting Authority for all Assisted Living facilities in Assisted Living Overlay Districts. The Planning Board may vary the dimensional and parking requirements of this section by special permit, if, in its opinion, the change will result in a desirable design of the development. The Planning Board may not consider increases in density as specified in Section 11.5.E.10.

D. Application

The applicant for an Assisted Living development shall submit a PDF of all application materials along with two paper copies of the application and supporting documents.

1. Development Statement. A development statement shall consist of a summary of the proposal, a list of the parties in interest with respect to the land, a list of the development team, and a written statement describing the major aspects of the proposed development, including physical impacts, municipal fiscal impact, and any mitigation proposed to any adverse impacts.
2. Development Plans. Site plans and specifications showing all site improvements and meeting the requirements for a Site Plan under Section 2.5 and the Planning Board's rules and regulations, and the following:
 - a. Site perspective, sections, elevations at a scale appropriate to illustrate the proposal.
 - b. Detailed utility and drainage plans;
 - c. Detailed plans for landscaping and outdoor amenities.
3. Additional information as the Planning Board may determine necessary to evaluation the proposal.

E. Dimensional Regulations

1. Minimum Lot Area – 2 acres
2. Minimum Lot Frontage - 150 feet
3. Minimum Lot Width - 50 feet
4. Minimum Front Yard - 50 feet
5. Minimum Side Yard – 50 feet (25 feet if adjacent to public open space, rail trail, etc.)
6. Minimum Rear Yard – 50 feet (25 feet if adjacent to public open space, rail trail, etc.)
7. Maximum Height – 37 feet, not to exceed 3 stories of living space. Height may be increased by special permit of the Planning Board only to accommodate screening of mechanical equipment under sloped roof lines. In granting the special permit, the Planning Board may require increased yard setbacks where appropriate to reduce noise, lighting, or shading impacts on abutting residential dwellings.
8. Maximum Lot coverage - 25 percent
9. Minimum Lot Landscaping – 25 percent (including outdoor patios, sidewalks, gardens, etc.)
10. Maximum Floor Area Ratio – 0.50
11. Maximum Residential Density - 25 bedrooms/acre, but not more than 100 total units.

F. Development Standards and Planning Board Findings

A special permit shall be issued under this section if the Planning Board finds that the development is in harmony with the purpose and intent of this section and that the proposal satisfies the following criteria.

1. The incorporation of open space, active or passive recreational facilities, outdoor seating areas, or community gardens for the benefit of residents and/or the public.
2. Provision of convenience amenities such as transportation to area shopping, medical appointments and transit stops, sundries, hair salon, exercise classes.
3. Sidewalks and pedestrian trail connections are made to adjacent public sidewalks or trails.
4. Curb cuts shall be limited to the extent feasible while maintaining appropriate emergency vehicle access.
5. Project density and design is appropriate for the neighborhood in which it is proposed and integrates the physical design and interaction of activity in the area.
6. Project design incorporates best practices in energy efficient design, environmental protection, stormwater management, LEED (Leadership in Energy and Environmental Design) criteria and low impact development (LID) techniques wherever practicable.
7. Existing mature vegetation is retained wherever possible, including winding of sidewalks and creative siting of structures.
8. Landscape materials used as buffers are native, non-invasive, hardy for New England weather conditions and disease resistant.
9. A mix of trees, shrubs, and perennial or annual flower beds are integrated as appropriate to the proposed use of the site.
10. All units meet Americans with Disabilities Act (ADA) and Massachusetts Architectural Access Board standards for accessibility or are adaptable to meet the standards. Accessible features shall include but are not limited to infrastructure in bathrooms to accommodate installation of grab bars around toilets and tubs/showers; clear width of all door openings that are a minimum of 32 inches and a maximum of 48 inches; limited use of thresholds.

G. Parking

Parking shall be provided at a ratio of 0.5 parking spaces per unit of assisted living. Where there is a component of independent living units within an assisted living facility, parking for the units shall be provided at a ratio of 1.0 parking spaces per unit. The Planning Board shall have the authority to alter parking requirements to allow a lower or higher number of spaces as it deems appropriate to support the type of residential use(s) and/or the anticipated demand for visitors and employees. Parking structures shall not be visible from the street and surface parking lots shall be appropriately landscaped to accommodate visual buffers from the street and abutting properties and to promote pedestrian flow within and between developed sites.

H. Amendments

After approval of an Assisted Living facility by grant of a special permit, the applicant or property owner may seek amendments to the approved plan. Minor amendments may be made by a majority

vote of the Planning Board. It shall be a finding of the Planning Board, not subject to dispute by the applicant, whether a requested amendment is deemed to be major or minor. A major amendment shall require the filing of a request for amendment to the special permit and a new public hearing in accordance with the special permit provisions of the zoning bylaw and G.L. c. 40A, § 9.

11.6. Multifamily Housing Overlay District

A. Purpose

1. The purposes of the Multifamily Housing Overlay District (MFHOD) are to:
 - a. Allow creation of housing as-of-right in a variety of sizes and types;
 - b. Reduce dependency on automobiles by providing opportunities for multifamily housing near public transportation, bikeway networks, shopping, and local services;
 - c. Preserve open space by allowing new multifamily housing within or adjacent to existing developed areas and infrastructure;
 - d. Encourage economic investment in the redevelopment of properties;
 - e. Expand the customer base for local businesses; and
 - f. Ensure compliance with G.L. c. 40A, § 3A.

B. Establishment and Applicability

1. Applicability of MFHOD. An applicant may develop multifamily housing located within the MFHOD in accordance with the provisions of this section.
2. Requirements specified in this section will override equivalent provisions elsewhere in the Bylaw. Refer to other sections of these Bylaws for details not described in this section, such as dimensional interpretation rules, parking layout and bike parking specifications.
3. The requirements of the Floodplain and Aquifer Protection Overlay Districts remain applicable within their boundaries.

C. Underlying Zoning

The MFHOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimension, and all other provisions of this Bylaw governing the respective underlying zoning districts shall remain in full force, except for multifamily housing and related accessory uses allowed as of right or by special permit in the MFHOD. Uses that are not identified in Section 11.6 are governed by the requirements of the underlying zoning district(s).

D. Districts

1. The MFHOD is comprised of the following districts, which are shown on the MFHOD Boundary Map:
 - a. Loomis/Depot Corridor
 - b. Shawsheen West

2. For dimensional and other standards, the Loomis/Depot Corridor District is further divided into three subdistricts: East (LDE), Center (LDC), and West (LDW). For the purpose of dimensional and other standards, the Shawsheen West District is further divided into two subdistricts: Roberts (SWR) and Alfred (SWA).

E. Permitted Uses

1. Uses Permitted as-of-Right
 - a. Multifamily housing
 - b. Accessory Uses:
 - i. Parking and parking structures in compliance with Section I and J of this Section 11.6.
 - ii. Home occupation employing only household members and with no on-site clients.
 - iii. Accessory uses allowed in Residential districts under Section 4.4(B)(1) and (2).
 - c. Community-amenity structures and uses including community building(s), flagpole, fence, gazebo, patio, greenhouse, shed, indoor or outdoor pool, sport court, playground, bicycle storage, solar panels installed over one or more parking spaces.

F. Uses Permitted by Special Permit

Accessory uses that are permitted by Special Permit in Residential districts under Section 5.

G. Dimensional and Other Standards

Table 11.6-1. MFHOD Dimensional and Density Standards

Standard\Subdistrict	Loomis/Depot Corridor			Shawsheen West	
	East	Center	West	Roberts	Alfred
Lot Size					
Minimum (sq. ft.)	20,000	10,000	20,000	20,000	20,000
Height					
Stories (max)	3	2.5	3	2.5	4
Feet (max)	37	35	35	35	56
Maximum density (dwelling units/acre)	20	15	20	15	18

Table 11.6-2. MFHOD Frontages and Setbacks

Standard\Subdistrict	Loomis/Depot Corridor			Shawsheen West	
	East	Center	West	Roberts	Alfred
Minimum Frontage	100	100	100	100	50
Front Yard Setback					
Min (ft)	20	20	20	20	20
Side Yard Setback					
Min (ft)	15	15	15	15	15

Standard\Subdistrict	Loomis/Depot Corridor			Shawsheen West	
	East	Center	West	Roberts	Alfred
Rear Yard Setback Min (ft)	30	30	30	30	30

1. Other Standards

- a. More than one principal building is permitted on a lot. Residential Floor Area Ratio (FAR) is not restricted.
- b. Lot coverage is not restricted beyond the setback requirements listed in Table H.6-2 above and the common space requirements listed in this section.

2. Exceptions

a. Height Exceptions

- i. The height limit shall not apply to elevator storage shafts or chimneys.
- ii. The Planning Board may waive the height requirement to accommodate the installation of solar photovoltaic, solar thermal, air-source heat pump equipment, or energy storage equipment. Such installations shall not exceed eight feet (8 ft) above the roof and shall not be designed to provide additional habitable space within the development. Such equipment shall be evaluated during Site Plan Approval for its impact to abutters with respect to noise and shadow.

b. Frontage Exception

The minimum frontage requirement may be waived by a majority vote of the Planning Board but not reduced to less than 20 feet.

H. Off-Street Parking

- 1. Number of Motor Vehicle Parking Spaces. Bedford traffic regulations prohibit on-street overnight parking. There are no minimum or maximum off-street parking requirements.
- 2. Bicycle Parking and Amenities
 - a. At least one (1) securable bicycle parking or storage space shall be created for each residential unit, unless such unit has a garage.
 - b. For multifamily development of 10 or more dwelling units, covered bicycle parking shall be integrated into the structure of the building(s).
 - c. Bicycle features shall be designed for functionality and access, including additional bicycle racks, if needed. Bicycle parking facilities shall comply with the standards of Section 7.1. G.

I. Development Standards

1. Universal Design. Bedford is committed to ensuring that quality housing is accessible to people of all ages, abilities, and income levels. All newly constructed dwelling units shall include features that permit future residents to modify them to meet accessibility needs. Such features include but are not limited to:
 - a. Infrastructure in bathrooms to accommodate installation of grab bars around toilets and tubs/showers;
 - b. Clear width of all door openings that are a minimum of 32 inches and a maximum of 48 inches;
 - c. Limited use of thresholds.
 - d. Units constructed or renovated specifically to be fully accessible shall meet ADA standards for accessible design.
 - e. Developments of 10 or more dwelling units with three or more stories shall provide elevators.
2. Sustainable Design
 - a. New buildings shall incorporate best practices in energy efficiency, environmental protection, and stormwater management.
 - b. Developments shall incorporate Low Impact Development site design components.
3. Outdoor Space and Site Design
 - a. In developments of 10 or more units, accessible common space consisting of courtyards, green space, landscaping, and pedestrian amenities shall be used to promote outdoor enjoyment, link to or buffer adjacent uses and encourage walking.
 - b. Multifamily housing developments with multiple buildings shall incorporate a well-landscaped green(s) or courtyard(s) as organizing elements.
 - c. Common space may include community amenity structures as allowed under Section 11.6.F. Play structures and leisure amenities for children and adults are expected to be provided in proportion to the size of development.
 - d. Outdoor space may also incorporate stormwater management features, which should be thoughtfully integrated in the design.
 - e. Trees, shrubs, and other plantings shall be well-suited to the site and surrounding vicinity. Native species shall be given preference over non-native species. Invasive species shall not be allowed.
 - f. Shade trees shall be planted where appropriate for healthy growth, as determined during the Site Plan Approval process, and given preference over ornamental trees.

4. Pedestrian Amenities. Development shall be made pedestrian-friendly by use of amenities such as wide sidewalks/pathways and outdoor seating. Structures, parking, pathways and other pedestrian amenities shall be accessible by people with disabilities and designed to maximize ease of pedestrian access.
5. Vehicular Access. Curb cuts shall be minimized and shared driveways are encouraged within developments. Internal vehicular circulation patterns shall minimize paved surfaces to the extent possible while accommodating circulation for emergency access.
6. Mechanicals
 - a. Electric, cable TV and similar utility services shall be installed underground, unless the utility provider indicates that unique conditions affecting the property prohibit such underground installation. Transformers and related mechanical equipment proposed at ground level shall be screened by a combination of fencing and plantings.
 - b. Emergency generators shall be sited in a manner subject to review and approval of the Fire Department.
 - c. HVAC equipment installed on rooftops shall be screened from view from abutting properties and public ways.
7. Dumpsters. Dumpsters shall be screened by a combination of fencing and plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building(s).
8. Stormwater Management. Disturbance of one (1) acre or more of soil is subject to a Stormwater Permit pursuant to Bedford's MS4 General Permit.
9. Building Facades and Orientation
 - a. The same quality of material and design shall be reflected on all sides of a dwelling. Featureless walls (i.e., walls without fenestration, doors, or architectural details similar to the other dwelling faces) are prohibited.
 - b. The primary building shall have its principal façade and entrance facing the principal street. This requirement may be waived by the Planning Board during Site Plan Approval
 - c. Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.
 - d. The orientation of multiple buildings on a lot should reinforce the relationships among the buildings and consider solar access.
10. Parking in Relation to Buildings. Parking shall be subordinate in design and location to the principal building façade. Any attached garage shall not extend farther than the front face of the dwelling. Parking spaces may be garage, carport, or surface parking and may be tandem in arrangement when allocated to an individual dwelling unit.
 - a. Surface parking. Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the front yard.

- b. Integrated garages. The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
- c. Parking structures. Building(s) dedicated to structured parking on the same lot as one or more multifamily buildings shall be subordinate.

J. Affordability Requirements

There are no affordability requirements for multifamily developments in the MFHOD.

K. Site Plan Approval

1. Applicability

- a. Site Plan Approval is required for all proposed multifamily projects, including an increase in the number of units. An application for Site Plan Approval shall be reviewed by the Planning Board for consistency with the purpose and intent of Section 11.6.

b. Process

- i. Site Plan Approval shall be conducted in accordance with Section ~~7.5~~ 2.5 of this Bylaw and the Planning Board Site Plan Rules and Regulations.
- ii. In addition to the technical submission requirements of the Site Plan Rules and Regulations, the applicant shall submit a development statement consisting of a project narrative, a list of the parties in interest with respect to the land, a list of the development team and a written statement describing the major aspects of the proposed development.

c. Implementation

- i. A site plan approval shall lapse if substantial use thereof has not commenced within two (2) years of the approval. Upon request of the applicant or successor in ownership, the Planning Board may grant an extension of up to one year. Multiple extensions may be granted.
- ii. For multifamily developments where there are multiple buildings, or in the case of townhouse style development, if occupancy of certain dwelling units is requested prior to completion of all site improvements, a performance guaranty may be required to secure the completion of the outstanding improvements in exchange for the release of completed phases of construction.
- iii. For multifamily developments where dwelling units are intended to be sold to individual owners, a condominium association, homeowners association, or similar entity shall be established to oversee maintenance of roadways, walkways, utilities, landscaped areas, and other common areas.

- 2. Project Phasing. An Applicant may propose, in a Site Plan Approval submission, that a project be developed in phases subject to the approval of the Site Plan Approval Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase.

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3. Amendments. After approval, the applicant or property owner may seek amendments to the approved site plan. Amendments may be proposed pursuant to the Site Plan Regulations and approved by a majority vote of the Planning Board at any regularly scheduled public meeting

12. DEFINITIONS

In this Bylaw, the following terms and constructions shall apply unless a contrary meaning is required by the context or is specifically prescribed in the text of the Bylaw. Words used in the present tense include the future. The singular includes the plural and the plural includes the singular. The word "shall" is mandatory and "may" is permissive or discretionary. The word "and" includes "or" unless the contrary is evident from the text. The word "includes" or "including" shall not limit a term to specified examples but is intended to extend its meaning to all other instances, circumstances, or items of like character or kind. The word "lot" includes "plot". the word "used" or "occupied" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied". The words "building," "structure," "lot," or "parcel," shall be construed as being followed by the words "or any portion thereof." The word "person" includes a firm, association, organization, partnership, company, or corporation, as well as an individual. Terms and words not defined herein but defined in the Massachusetts State Building Code shall have the meaning given therein unless a contrary intention is clearly evident in this Bylaw.

Abandoned, Abandonment: The visible or otherwise apparent intention of an owner or occupant to discontinue or abandon a particular nonconforming use or structure including, but not limited to, the removal of equipment or furnishings customarily incident to a particular use without their immediate replacement with similar equipment or furnishings or the replacement of a nonconforming use or structure with a conforming use or structure.

Above-ground Utility: Above-ground structures for communications or other utility uses

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 floor area than 1/2 the 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 of accessory dwelling units.¹

Accessory Use: Any use which is customarily accessory and incidental to a permitted principal use.

Adaptive Reuse: Lodging and Boarding Establishment (Bed and Breakfast Facility), with no more than six guest bedrooms.

Affordable Housing: Dwelling units which are available for rent or purchase to households earning up to 150 percent of the median income for the Boston Metropolitan Area as determined by the most recent calculation of the U.S. Department of Housing and Urban Development. (See also, Low or Moderate Income Housing.)

Agriculture: Agriculture includes farming in all of its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping of horses as a commercial enterprise,

¹ ADU definition from the Affordable Homes Act. The ADU amendments go into effect on 2/7/25.

the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur-bearing animals, and any forestry or lumbering operations, performed by a farmer, who is hereby defined as one engaged in agriculture or farming as herein defined, or on a farm as an incident to or in conjunction with such farming operations, including preparations for market, delivery to storage or to market or to carriers for transportation to market.²

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

Art Gallery: A for-profit or non-profit establishment engaged in the sale, loan, or display of art books, paintings, sculpture or other works of art.

Artisan Industrial: An establishment for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, custom woodwork, and related items.

Assisted Living: Assisted Living shall include a range of housing opportunities primarily oriented toward senior living, providing assistance with activities of daily living, and instrumental activities of daily living, as defined by G.L. c. 19D. All assisted living facilities are required to be certified by the Massachusetts Executive Office of Elder Affairs. Assisted Living facilities may offer dementia care. An Assisted Living facility may also include up to 25 percent of its units as Independent Living.

Auto Body Shop: Establishment where the principal service is the repair and painting of automobiles or similar light motor vehicles (maximum 10,000-pound gross vehicle weight and 135-inch wheelbase), provided that all but minor repairs shall be conducted entirely within a building.

Auto Service Station: Sale of motor vehicle fuel, related products and services, including a car wash, where all maintenance and service, other than minor service at the island and emergency repairs, is conducted entirely within a building.

Aviation: Aviation field and related facilities.

Bank: Bank, loan agency or similar financial facility.

Building Code: The State Building Code of the Commonwealth of Massachusetts as amended from time to time. Terms used in this Bylaw shall have the same meaning as ascribed to them in the Building Code unless the context of usage in this Bylaw clearly indicates another meaning.

Building: A structure enclosed within exterior walls or firewalls, built, erected and framed of a combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals or property. For the purpose of this definition, “roof” shall include an awning or any similar covering, whether or not permanent in nature. The word “building” shall be construed, where the context requires, as though followed by the words “or part or parts thereof”.

Business and Professional Office: Office of a business, doctor, lawyer, accountant, architect, engineer or similar office.

² Definition of agriculture under state law, G.L. c. 128, §1A,

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Child Care Facility: Use of land, buildings or structures for a facility or program providing day care to children as defined in G.L. c. 15D.

Cluster Development: Single-family dwelling in accordance with the provisions of Section 8.6.

Co-Work Center: A managed facility designed and intended to serve as office space for self-employed entrepreneurs and small start-up companies, typically offering shared meeting space and shared equipment and supplies, with shared and private offices, and opportunities for collaboration and networking.

Commercial Entertainment: An establishment that provides indoor entertainment services such as cinema or theatre for live performances, by a private for-profit enterprise.

Commercial Recreation: An establishment that provides recreation-related products or services, such as a dance or martial arts studio, hobby classes and tutoring, or health and fitness facility, by private enterprise for a fee, with the long-term intent of being profitable.

Common Driveway (Residential): A private driveway that may be used by more than one residential lot.

Congregate Living Facility: A facility providing private or communal lodging for persons requiring limited medical attention or supervision and who ordinarily are ambulatory. In addition to bed space the facilities may include semi-private or private food preparation facilities, common dining facilities and common semi-private or private bath and toilet facilities.

Conservation Use: Wildlife management, boating, fishing and hunting.

Continuing Care Campus: A large property with residential facilities offering a range of levels or types of support, aimed primarily at enabling aging-in -place, which may include nursing care, congregate living, independent living, day care for elderly persons and facilities for medical or rehabilitation programs.

Craft Brewery/Distillery: A small, independently owned facility in which beer, fermented on the premises, or other alcoholic beverage, is bottled and sold, typically in conjunction with a bar, tavern, or restaurant use.

Custom Fabrication: See Artisan Industrial.

Dormitory: A building designed or occupied as a residence for students or staff of an educational institution owned or operated by or for the institution.

Drive-through Service: A building or kiosk feature, such as a window, door, or mechanical device, through which occupants of a motor vehicle receive or obtain a product or service.

Dwelling, Accessory. See Accessory Dwelling Unit.

Dwelling, Single-Family: A detached dwelling unit designed and used exclusively as a single housekeeping unit with common cooking and living facilities.

Dwelling, Two-Family: A building that constrains two dwelling units and is either divided vertically so that the dwelling units are side by side but separated by a shared wall (sometimes called duplex) or is divided horizontally so that one dwelling unit is above another.

Dwelling, Multifamily. See Multifamily Housing.

Earth Removal: Removal in accordance with the provisions of Section 7.3.

Educational Institutional Use: Use of land, buildings and structures for providing learning in a general range of subjects on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic, or by a recognized religious sect or denomination or by a non-profit educational entity which may include athletic facilities, dormitories, fraternities or sororities, administrative offices and similar facilities and activities whose purpose is substantially related to furthering learning.

Elderly: Two or more persons sharing a household, the older of which is 55 years of age or over or a single person who is 55 years of age or over.

Family Day Care Home: Any private residence which receives for temporary custody and care not more than six children, including participating children living in the residence, provided however, that the dwelling and provider have received a license from the Commonwealth of Massachusetts, Department of Early Education and Child Care, to provide family day care, as defined by G.L. c. 15D.

Farmer's Market: A place where two or more farmers sell their own agricultural products directly to the general public at a fixed location, which includes fruits and vegetables, meat, fish, poultry, dairy products, and grains.

Forestry: Cultivating and harvesting of forest products including, if upon more than five acres, the sale of firewood.

Fraternity or Sorority House: A building occupied by a group of students of either sex of an educational institution as their residence during the academic year.

Frontage: A continuous portion of a sideline of a street between the side lot lines of a lot.

Funeral Home: Undertaking or funeral establishment.

Greenhouse: A commercial greenhouse, salesroom or stand for the sale of nursery, garden or farm products.

Gross Floor Area: Gross floor area is the sum of the gross horizontal areas of several floors of a building measured from the exterior face of exterior walls, or from the center line of a wall separating two buildings but not including interior parking spaces or any space where the floor to ceiling height is less than six feet.

Groundwater: All water found beneath the surface of the ground.

Health Care: uses including medical clinics, offices and diagnostic services directly administered for the benefit of patients.

Home Occupation: The practice or conduct of a profession or occupation in a dwelling or in an accessory building in accordance with Section 8.3.

Hospital Facility: A facility or institution where sick or injured persons are given medical and surgical care.

Hotel: An establishment that provides paid lodging on an overnight or short-term basis.

Housing for Elderly: Single-family detached or multi-unit structures of all types owned and operated by the Bedford Housing Authority and for which it is the applicant, provided that the ZBA shall find that the proposed design is generally consonant with the purpose of this Bylaw.

Independent Living Facility: A facility providing independent dwelling for a retired or elderly couple or individual. In addition to bed space the facilities ordinarily would include private toilet, bath, food preparation facilities and private dining area.

Independent Living: housing primarily oriented toward senior living wherein each resident individual or couple ordinarily would have their own room or rooms which include a private bathroom, sleeping quarters, living room and kitchen or kitchenette and dining areas.

Indoor Amusement: Theater, cinema and bowling alley, electronic game center, and interactive learning or play center.

Industrial Mixed Use: Industrial, office, and business uses as allowed by special permit from the Planning Board in Section 9.2., Industrial Mixed Use.

Information Technology, Life and Material Science & Engineering: Information technology & data storage; software development & services; biopharmaceuticals research, development and manufacturing; Industrial biotechnology or informatics; biological testing laboratories, excluding bio-safety level four (BL-4) as per Centers for Disease Control regulations; Earth sciences, environmental research, testing & development; material sciences and engineering.

Light Manufacturing: Research or testing laboratory; computer and related manufacturing or assembly; electronic parts, circuitry and products, manufacturing or assembly; medical device, research or assembly; printing or publishing plant, bottling works, manufacturing establishment or other assembling, packaging, finishing or processing use.

Live/Work Unit: An area or areas within a building where residential and nonresidential purposes are combined, and where the residential use of the space is clearly secondary or subordinate to the primary use as a place of work.

Lodge and Club: Private lodge or club operated for members or employees.

Lot: An area of land with definite boundaries that is used or available for use as the site of a building or buildings.

Low- or Moderate-Income Housing: Dwelling units available for rent or purchase to households earning not more than 80 percent of the median income for the Boston Metropolitan Area, as determined by the most recent calculation of the U.S. Department of Housing and Urban Development.

Maximum Floor Area Ratio: The total gross floor area of the building(s) on the site, excluding parking structure(s), divided by the total area of the site.

Mixed-Use Development: Development containing a mix of residential uses and non-residential uses, including, without limitation, commercial, institutional, industrial or other uses;

Mixed-Use Development, Horizontal: An integration of retail, personal services, restaurant, office, or multifamily residential uses in a development comprised of two or more structures on the same lot. The multifamily residential uses may be located above the ground floor of a commercial structure, in separate structures on the same lot, or a combination thereof.

Mixed-Use Development, Vertical: An integration of retail, personal services, restaurant, office, or multifamily residential use in a single structure in which the office or residential uses are located above the ground floor.

Multifamily Housing: A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.

Municipal Use: Town of Bedford facility.

Nonconforming Use or Structure: A use or structure lawfully existing at the time of adoption of this Bylaw or any subsequent amendment hereto, and any use or structure lawfully begun or in respect of which a building permit or special permit has been issued before the first publication of notice of public hearing on this Bylaw or any amendment hereto, which does not conform to one or more provisions of this Bylaw.

Nursing Home: Sanitarium or nursing, rest or convalescent home.

Nursing/Special Care Facility: A facility for the care of persons requiring daily attention by medical or nursing personnel or for the reasons of ill health or physical in-capacity.

One Ownership: Undivided ownership of a lot by one or more natural or legal persons, whether title thereto be joint, in common or by the entirety.

Parking Facility: Commercial parking lot or parking garage.

Personal Service Shop: Barber or beauty shop, tailor or dressmaker, laundry or dry-cleaning shop, watch and shoe repair, self-service dry cleaning or laundry shop.

Philanthropic Use: Charitable or non-profit library, museum, art gallery or other similar use.

Principal Use: The main or primary purpose for which a structure or lot is designed, arranged or intended or for which it is permitted to be used, occupied or maintained under this Bylaw.

Private Recreation: Country club, riding stable, playground and tennis, fishing, boating, skiing, ski run and tow, skating, swimming, and similar non-municipal facilities for organized athletic activities. (See also, Commercial Recreation.)

Public School Property Reuse: Reuse of a public school building to a multiple residential use in accordance with the provisions of Section 8.9.

Record or Recorded: Title to a lot as disclosed by a deed recorded in the Middlesex County South District Registry of Deeds, or a Certificate of Title issued by the Land Court and registered in the Land Court Section of the Registry or record title disclosed by all pertinent public records.

Registered Marijuana Dispensary (RMD) (or Medical Marijuana Treatment Center): a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including

development of related products such as edible marijuana-infused products (“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.

Religious Institutional Use: Use of land, building and structures for public worship carried on by a recognized religious sect or denomination which may include religious instruction, maintenance of a convent, parish house and similar facilities and activities whose purpose is substantially related to furthering the beliefs of the sect or denomination.

Repair Shop and Building Trade: Repair shop for appliances, office equipment, bicycles, lawn mowers or similar equipment, caterer and shop of a builder, electrician, mason, plumber or similar occupation.

Restaurant: Restaurant where the principal service is the sale of food or beverage to be consumed by persons at tables indoors and/or in permitted outdoor seating areas, and the incidental sale of food to “take out” (see Take Out Retail).

Retail or Wholesale of New or Rebuilt Auto Parts. Establishment where the principal service is the retail or wholesale of new or rebuilt auto parts.

Retail Store: Drug store, book, stationery and gift shop, antique shop, florist, televisions and radio sales, hardware store, news store, neighborhood grocery, dry good and variety store or similar retail facility.

Sideline of Street: A line which coincides with the sideline of the street right of way.

Specialized Institutional Uses: Uses such as a professional education and training center, for profit; and research or applied research foundation, not for profit; cultural institution for research, curating and/or public viewing.

Specialty Food: A food store of less than 5,000 square feet primarily engaged in selling foods associated with a particular nationality, religious observance, cuisine, dietary practices, or health and wellness or nutrition regimen;

Storage Yard, Open-air Sales: Lumber yard, contractor’s yard or other open-air establishment for the storage, distribution or sale at wholesale or retail of materials (but not including salvage materials), merchandise, products or equipment, provided that all operations shall be confined to the premises disturbing dust, noise, odors or other objectionable effects and provided further that the use is not hazardous by reason of the potential for fire, explosion, radiation release or other casualty.

Street: An improved public way laid out by the Town of Bedford, the Middlesex County Commissioners or the Commonwealth of Massachusetts, or a way which the Bedford Town Clerk certifies is maintained by public authority and used as a public way, or a way in existence 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 the land and the buildings erected or to be erected thereon. A way shall not be a street with respect to any lot which does not have appurtenant to it a recorded right of access to and over the way for vehicular traffic.

Structure: A combination of materials assembled at a fixed location to give support or shelter, such as a building, framework, retaining wall, tent, reviewing stand, platform, bin, fence, sign, flagpole, recreational tramway, mast for radio antenna or the like. The word “structure” shall be construed, where the context requires as though followed by the words “or part or parts thereof”.

Supermarket and General Department Store: Supermarket, department and general discount store, furniture and floor covering sales or similar type retail facility.

Take Out Retail: Where the principal service is the preparation and sale of food for take-out where no seating is provided for patrons to eat the food on the premises.

Underground Utility: Underground facilities for communications or other utility uses

Vehicular Dealership: Salesroom and related dealership facilities, including open-air display for automobiles, boats, motorcycles, farm implements or similar light motor vehicles (maximum 10,000-pound gross vehicle weight and 135-inch wheelbase).

Warehouse: Warehouse or other building for the storage or wholesale marketing of materials, merchandise, products or equipment.

Wetland: Any wet meadow, marsh, swamp, bog, or areas of flowing or standing water all as defined in G.L. c. 131 and the Department of Environmental Protection Wetland Protection Regulations.

Zone I: The protective radius required around a public water supply well or wellfield, as defined in 310 CMR 22.02.

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), as defined in 310 CMR 22.02. For the purpose of this bylaw, the Zone I area is incorporated into Zone II.

Zone III: The land area beyond the area of Zone II from which surface water and groundwater drain into Zone II, as defined in 310 CMR 22.02.

Zone IIIA: The land area beyond Zone II from which groundwater drains directly into Zone II, such as areas of glacial till and bedrock adjacent to Zone II.

Zone IIIB: The area beyond Zone II which drains into Zone II by surface water flow, such as the drainage basin of rivers that run near a well.

Designations in Table 4.3-1:

Permitted uses: Yes. Prohibited uses: No. Allowed by special permit from the Zoning Board of Appeals or Planning Board or Select Board: SP.

Special Permit within Industrial Mixed-Use: SPM.

Site Plan Review Required: R. Site Plan Review Not Required: NR.

APPENDIX A

Table 4.3-1. Table of Principal Uses (For the Great Road District, see Table 4.3-2)

	Residential Districts					Business District	Industrial District			Site Plan Approval
	R	A	B	C	D	C	IA	IB	IC	
EXTENSIVE LAND USES										
Forestry	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NR
Agriculture ³	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NR
Greenhouse	SP	SP	SP	SP	SP	Yes	Yes	Yes	Yes	NR
Earth Removal (Sec. 7.3)	SP	SP	SP	SP	SP	SP	SP	SP	SP	NR
Conservation Use	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NR
Private Recreation	SP	SP	SP	SP	SP	SP	SP	SP	SP	R
RESIDENTIAL USES										
Single Family Dwelling	Yes	Yes	Yes	Yes	Yes	No	No	No	No	NR
Two Family Dwelling (Sec. 8.1)	Yes	Yes	Yes	Yes	Yes	No	No	No	No	NR
Cluster Development (Sec. 8.6)	SP	SP	SP	SP	SP	No	No	No	No	NR
Planned Res. Development (Sec. 8.7)	SP	SP	SP	SP	SP	No	No	No	No	NR
Housing for Elderly	SP	SP	SP	SP	SP	No	No	No	No	NR
Home Occupation (Sec. 8.3)	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	NR
Public School Conversion (Sec. 8.9)	SP	SP	SP	SP	SP	SP	SP	SP	SP	R

³ Agriculture shall be limited to properties of 5 acres or more, except that the growing of crops, the keeping of bees, and the accessory keeping of livestock subject to appropriate permits by the Board of Health, may be conducted on any property.

Designations in Table 4.3-1:

Permitted uses: Yes. Prohibited uses: No. Allowed by special permit from the Zoning Board of Appeals or Planning Board or Select Board: SP.

Special Permit within Industrial Mixed-Use: SPM.

Site Plan Review Required: R. Site Plan Review Not Required: NR.

Personal Service Shop	No	No	No	No	SP	No	No	No	No	R
Funeral Home	No	No	No	No	No	No	No	No	No	R
Repair Shop & Bldg. Trade	No	No	No	No	No	Yes	Yes	Yes	Yes	R
Indoor Amusement	No	No	No	No	No	Yes	No	No	No	R
Hotel (Sec. 9.4)	No	No	No	No	No	No	SPM	SPM	SPM	R
Restaurant ⁴	No	No	No	No	SP	No	SPM	SPM	SPM	R
Bank	No	No	No	No	No	No	SPM	SPM	SPM	R
Business & Professional Office	No	No	No	No	SP	Yes	Yes	Yes	Yes	R
Auto Service Station ⁵	No	No	No	No	No	No	No	No	No	R
Auto Body Shop ⁶	No	No	No	No	No	Yes	No	No	No	R
Retail/Wholesale New/ Rebuilt Auto Parts	No	No	No	No	No	Yes	No	No	No	R
Vehicular Dealership ⁷	No	No	No	No	No	Yes	No	No	No	R
Parking Facility ³	No	No	No	No	No	Yes	Yes	Yes	Yes	R
Mixed Business & Residential (Sec. 9.9)	No	No	No	No	No	No	No	No	No	R
Take Out Retail	No	No	No	No	No	No	No	No	No	R
INDUSTRIAL USES										
Warehouse	No	No	No	No	No	Yes	Yes	Yes	Yes	R
Storage Yard, Open-air Sales ⁸	No	No	No	No	No	Yes	Yes	Yes	Yes	R

⁴ Requires a minimum lot of 2 acres, or located within a retail shopping center, industrial mixed-use building, or industrial mixed use campus on a parcel containing at least two acres.

⁵ Prohibited within 1300 feet of another station. All maintenance and service must be conducted entirely within a building, other than minor service or emergency repairs.

⁶ Use is allowed only if located entirely within a building, excluding minor repairs.

⁷ Display of vehicles may include open-air display for automobiles, boats, motorcycles, farm implements, of similar light vehicles with a maximum 10,000 pound gross vehicle weight and 135 inch wheelbase.

⁸ Disturbing dust, noise, odors or other objectionable effects shall be confined to the premises, and the use is not hazardous by reason of the potential for fire, explosion, radiation release or other casualty.

Designations in Table 4.3-1:

Permitted uses: Yes. Prohibited uses: No. Allowed by special permit from the Zoning Board of Appeals or Planning Board or Select Board: SP.

Special Permit within Industrial Mixed-Use: SPM.

Site Plan Review Required: R. Site Plan Review Not Required: NR.

Light Manufacturing ⁹	No	No	No	No	No	Yes	Yes	Yes	Yes	R
IT, Life and Materials, Science & Engineering	No	No	No	No	No	Yes	Yes	Yes	Yes	R
Health Care	No	No	No	No	No	SP	Yes	Yes	Yes	R
Industrial Mixed Use ¹⁰	No	No	No	No	No	No	SPM	SP	SPM	NR

⁹ Disturbing smoke, fumes, dust, odors and noise to shall be confined to the premises, and no operations shall constitute a fire, explosion, radiation release, or other hazard.

¹⁰ Subject to Section 9.2.

Table 4.3-2. Table of Principal Uses, Great Road

Table Legend: Y= Permitted; SP= Planning Board Special Permit; N=Prohibited

Use	GR/S	GR/M	GR/C	GR/NR
Retail sales	Y	Y	Y	Y
Maximum floor area per retail establishment, except grocery stores, unless waived by the Planning Board	N/A	15,000	3,000	3,000
Restaurant, with or without accessory outdoor seating; maximum of 5,000 sq.ft.	Y	Y	SP	Y
Restaurant, greater than 5,000 sq.ft. GFA	SP	SP	N	SP
Specialty foods	Y	Y	Y	Y
Repair Shop	Y	Y	Y	Y
Craft brewery/distillery	Y	Y	N	SP
Farmer's market	Y	Y	SP	Y
Custom fabrication or artisan industrial	N	Y	N	Y
Personal services	Y	Y	Y	Y
Art gallery	Y	Y	Y	Y
Walk-in takeout food service (drive-through is prohibited)	Y	Y	SP	Y
Hotel	Y	Y	N	N
Bed and breakfast, inn	Y	Y	Y	Y
Bank	Y	Y	Y	Y
Professional or business office	Y	Y	Y	Y
Medical or dental office	Y	Y	SP*	SP
Commercial recreation	SP	SP	SP	SP
Commercial entertainment	Y	SP	SP	SP
Membership club or lodge	SP	SP	SP	SP
Funeral home	SP	SP	N	SP
Auto service station	SP	N	N	SP
Co-worker center	Y	Y	SP	Y

Use	GR/S	GR/M	GR/C	GR/NR
Home occupation	Y	Y	Y	Y
Mixed-use, vertical	Y	Y	Y	Y
Mixed-use, horizontal	SP	SP	SP	SP
Live/work units	Y	Y	N	Y
Independent living or assisted living residence	SP	SP	N	SP
Municipal facility	Y	Y	Y	Y
Drive-through service	N	N	N	N
Residential use in a building built prior to January 1, 1943	N	N	Y	N

*Sole proprietors are encouraged over group practices.

For Site Plan Review requirements in Great Road District, see Section 10.1.E

APPENDIX B
Table 5.2-1. Table of Dimensional Regulations

ZONING DISTRICT	MINIMUM LOT AREA IN SQ FEET OR ACRES	MINIMUM LOT FRONTAGE IN FEET	FRONTAGE EXCEPTION IN FEET	MINIMUM LOT WIDTH IN FEET	MINIMUM FRONT YARD IN FEET	MINIMUM SIDE YARD IN FEET	MINIMUM REAR YARD IN FEET	CORNER CLEARANCE	MAX HEIGHT IN FEET/STORIES	MAX LOT COVERAGE %	MINIMUM LOT Landscaping %	Max Floor Area Ratio or Density
RESIDENCE R												
Standard	60,000	200	160	160	35	15	30	15	35/3	—	—	—
Cluster Development	40,000	125	50	125	35	15	30	15	35/3	—	—	—
RESIDENCE A												
Standard	40,000	150	120	120	35	15	30	15	35/3	—	—	—
Cluster Development	30,000	100	50	100	35	15	30	15	35/3	—	—	—
RESIDENCE B												
Standard	30,000	125	100	100	35	15	30	15	35/3	—	—	—
Cluster Development	20,000	75	50	75	35	15	30	15	35/3	—	—	—
RESIDENCE C												
Standard	25,000	115	92	92	35	15	30	15	35/3	—	—	—
Cluster Development	15,000	75	50	75	35	15	30	15	35/3	—	—	—
RESIDENCE D	10 acres	50	-	50	20	50	50	15	35/3	25	50	4 Dwellings per acre

ZONING DISTRICT	MINIMUM LOT AREA IN SQ FEET OR ACRES	MINIMUM LOT FRONTAGE IN FEET	FRONTAGE EXCEPTION IN FEET	MINIMUM LOT WIDTH IN FEET	MINIMUM FRONT YARD IN FEET	MINIMUM SIDE YARD IN FEET	MINIMUM REAR YARD IN FEET	CORNER CLEARANCE	MAX HEIGHT IN FEET/STORIES	MAX LOT COVERAGE %	MINIMUM LOT Landscaping %	Max Floor Area Ratio or Density
COMMERCIAL	20,000	90	—	50	35	20/50*	20/50*	15	37/-	30	30**	0.30
INDUSTRIAL A	4 acres	150	—	100	100	50/100*	50/100*	15	42/-	25	25**	0.25
INDUSTRIAL B	2 acres	125	—	75	60	50/75*	50/75*	15	56/4	25	25**	0.40
INDUSTRIAL C	5 acres	150	—	50	100	50/100*	50/100*	15	80/6	25	25**	0.40

* Where the use abuts a residential district, the higher yard size applies.

** Where the use abuts a residential district, a landscape buffer shall be provided as specified in Section 5.3.L

See Section 10.1 for regulations that apply in the Great Road District.