



# TOWN OF NORTHBOROUGH PLANNING BOARD

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## **Zoning- Related Articles approved at the April 24, 2023 ANNUAL TOWN MEETING**

### **ARTICLE 37: Zoning Bylaw Section 7-02-040, Definitions**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-02-040, by adding the text shown below as underlined, or take any action relative thereto.

**TRANSIENT** – Occupancy of a dwelling unit or sleeping unit for not more than thirty (30) days.

### **ARTICLE 39: Zoning Bylaw Section 7-02-040, Definitions**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-02-040, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

**STRUCTURE** – A combination of materials assembled at a fixed location to give support or shelter, such as a building, retaining wall which retains more than four (4) feet of unbalanced fill, tent of one hundred twenty (120) square feet or more and for the use of ten (10) or more persons, reviewing stand, platform, fence ~~six (6)~~ more than seven (7) feet ~~or more~~ in height, sign, flagpole, recreational tramway, mast for radio antenna, or the like.

### **ARTICLE 40: Zoning Bylaw Section 7-03-050, Site Plans, paragraph A.(2)**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-050, Site Plans, paragraph A.(2), by adding the text shown below as underlined, or take any action relative thereto.

A.(2) A special permit with site plan approval shall be required for any use requiring a special permit in accordance with Section 7-05-030, Table of Uses, in which case the special permit granting authority shall also act as site plan approval authority. Land clearing and grading activities for a use requiring a special permit shall be incorporated within the special permit with site plan approval.

**ARTICLE 41: Zoning Bylaw Section 7-03-050, Special permit with site plan approval, paragraph D.(1)**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-050, Special permit with site plan approval, paragraph D.(1), by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

D.(1) Procedures. The procedures and time lines for a special permit with site plan approval shall be the same as any other special permit and shall conform to the requirements of MGL C. 40A, 9, as amended, and the provisions of Section 7-03-040. Submission requirements shall be in accordance with the rules and regulations of the ~~special permit granting authority~~ Planning Board.

**ARTICLE 42: Zoning Bylaw Section 7-05-020, Classification of uses, paragraph C.(4)(c)**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020, Classification of uses C.(4)(c), by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

C.(4)(c) The maximum gross floor area of the accessory dwelling unit shall not exceed ~~twenty-five percent (25%) of the gross floor area of the existing dwelling or eight~~ seven-hundred (8700) square feet, ~~whichever is greater.~~

**ARTICLE 43: Zoning Bylaw Section 7-05-020, Classification of uses, paragraph J.(2)(b)[3]**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020, Classification of uses, by deleting paragraph J.(2)(b)[3] and renumbering paragraph J.(2)(b)(4) as shown below, or take any action relative thereto.

~~[3] One dwelling unit per industrial establishment, on the same lot as and incidental to a permitted industrial use, occupied by the owner or an employee, such as a watchman's or caretaker's quarters.~~

[4] Solar photovoltaic installation, canopy-mounted: A solar photovoltaic system that is structurally mounted on a canopy over a parking area.

**ARTICLE 44: Zoning Bylaw Section 7-06-030, Table 2. Table of Density and Dimensional Regulations**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-06-030, Table 2. Table of Density and Dimensional Regulations, by adding the text shown below as underlined, or take any action relative thereto.

**Table 2. Table of Density and Dimensional Regulations.<sup>1</sup>**

	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Width	Minimum Yard Setbacks			Maximum Front Setback <sup>2</sup>	Maximum Lot Coverage	Minimum Open Space	Maximum Height	
District	(sq. ft.)	(feet)	(feet)	Front	Side	Rear				Stories	Feet
<b>RA</b>	80,000	200	200	30	15	25	-	<u>25%</u>	-	-	35
<b>RB</b>	40,000	150	150	30	15	25	-	<u>25%</u>	-	-	35
<b>RC<sup>3</sup></b>	20,000	100	100	30	15	25	-	<u>30%</u>	-	-	35
<b>GR<sup>3</sup></b>	15,000	100	100	30	15	25	-	30%	-	-	35
<b>MSR<sup>3</sup></b>	15,000	100	100	30	15	25	-	30%	-	-	35
<b>DN<sup>3</sup></b>	10,000	50	None	15	20	20	30	30%	20%	-	35
<b>DB</b>	4,000	50	None	6	None	None	20	-	15%	-	45
<b>BE</b>	20,000	150	None	15	20	25	75	-	20%	3.0	45
<b>BW</b>	20,000	150	None	15	20	25	75	-	20%	3.0	45
<b>BS</b>	40,000	150	None	40	25	25	-	-	25%	3.0	45
<b>HB</b>	40,000	150	None	50	25	25	-	-	25%	-	-
<b>I<sup>4</sup></b>	60,000	150	None	40	20	25	-	50%	25%	-	60

1 Additional requirements apply in some districts and for some classes of use. See Section 7-06-030, Supplemental regulations.

2 Maximum front setback applies only to new construction.

3 See Section 7-06-030(J)(5) for lot regulations that apply to two-family dwellings.

4 See Section 7-06-030(C)(4) for lot regulations that apply to industrial uses that abut residential districts. (4-24-17 ATM; 4-27-09 ATM, Art. 31; 4-26-10 ATM, Art. 28; 4-24-12 ATM, Arts. 48, 49; 4-22-13 ATM; 4-23-18 ATM, Art. 39; 7-18-20 ATM, Arts. 43, 44, 45.)

**ARTICLE 45: Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District, paragraph C.(3)**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010, Groundwater Protection Overlay District, paragraph C.(3), by adding the text shown below as underlined, or take any action relative thereto.

- (a) Where a lot is located partially in one groundwater protection area and partially in one or more other groundwater protection area(s), the minimum lot size requirement shall conform to the minimum lot size requirement of the groundwater protection area within which the building is located. If the building will be located partially in one groundwater protection area and partially within one or more other groundwater protection area(s), the minimum lot size requirement shall conform to the minimum lot size for the most restrictive groundwater protection area. No land area that lies within a more restrictive

groundwater protection area shall be used to satisfy the land area requirement of a less restrictive groundwater protection area.

**ARTICLE 46: Zoning Bylaw Section 7-09-020, Site design standards, paragraph C.(6)**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-020, Site design standards, by adding a new paragraph C.(6), as set forth in the text shown below as underlined, or take any action relative thereto.

(6) Utilities. Utilities, including telephone, cable and electric services, shall be placed below ground.

**ARTICLE 48: Zoning Bylaw Section 7-09-040, Signs, paragraph B, Definitions**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-040 Signs, paragraph B, Definitions., by adding the text shown below as underlined, or take any action relative thereto.

B. Definitions. For the purpose of this section, the following terms shall have the following meanings:

(12) **EXTERNALLY ILLUMINATED SIGN** – A sign which utilizes an external and stationary light source which is shielded and directed solely at the sign.

(19) **INTERNALLY ILLUMINATED SIGN** - A sign that is illuminated by a light source internal to the sign. Internally illuminated signs include signs which utilize translucent panels.

**ARTICLE 49: Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District, paragraphs C.(5) and D**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010, Groundwater Protection Overlay District, paragraphs C.(5) and D.(4), by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

C. Establishment and delineation.

(5) The special permit granting authority shall be the Zoning Board of Appeals, except that for wireless communications facilities applications, two-family dwelling unit applications, or any applications in the Industrial District, the special permit granting authority shall be the Planning Board. The special permit granting authority shall hear and act upon all cases of appeal and petitions for special permits which are brought under this chapter. ~~The special permit granting~~

~~authority shall, within five (5) business days of receipt of application of filing, forward to the Groundwater Advisory Committee (consisting of one (1) member each or one (1) designee each from the Board of Selectmen, Conservation Commission, Board of Health, Planning Board, and Water/Sewer Commission) five (5) copies of said application or filing. Within sixty five (65) days of receipt of application or filing, the special permit granting authority shall hold a public hearing. Prior to the public hearing, the Groundwater Advisory Committee shall report its findings and recommendation to the special permit granting authority. The special permit granting authority shall render its decision within ninety (90) days of the public hearing.~~

D. Use regulations.

(4) Procedures for issuance of special permit.

(c) Upon receipt of the special permit application, the Town Clerk shall transmit one (1) copy each to the Board of Selectmen, Conservation Commission, Planning Board, Board of Health, and Water and Sewer Commissioners ~~(Groundwater Advisory Committee)~~ for their written recommendations. Failure to respond in writing to the clerk of the special permit granting authority within twenty-one (21) days following receipt of the application by the applicable board or commission ~~public hearing~~ shall indicate approval by said board or ~~commission~~ committee.

(e) After notice and public hearing and after coordinating, clarifying and weighing the comments received ~~and recommendations of the Groundwater Advisory Committee~~, the special permit granting authority may grant such a special permit; provided that it finds that the proposed use:

[1] Meets the purpose and intent of this chapter and will not derogate from the purpose of the Groundwater Protection Overlay Districts.

[2] Will not, during construction or thereafter, impair ambient groundwater quality or reduce existing recharge capacity beyond that allowed per this chapter.

[3] Will not adversely affect the quality or the yield of an existing or potential water supply.