

MOTION: I move that the Town amend the Zoning Bylaws Section 9.0 Special Districts by adding Section 9.6 MBTA Overlay District. (MBTAOD)

9.6.1 Purpose. The purpose of the MBTA Overlay District is to:

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

1. To promote economic development within the town of Holbrook.
2. Preserve open space by locating new housing within existing developed areas.
3. To increase municipal tax base by incentivizing mix-use development.
4. Support public transit and local infrastructure incentivizing a pedestrian friendly zone within a half mile of the Holbrook train station and bus routes.

The MBTA Overlay District includes several changes to the table of Dimensional Regulations and to the table of Use Regulations.

9.6.2 OVERLAY DISTRICT: The MBTAOD is an overlay district superimposed on all underlying zoning districts, The map of the MBTAOD, entitled "MBTA Overlay District", dated XX/XX/2023, is hereby made part of the Zoning By-Law. The Zoning By-Law governing the underlying zoning district shall remain in full force and effect except for projects undergoing development pursuant to this section of the Zoning By-laws and MGL 40A section 3A. Within the boundaries of the MBTAOD a developer may elect to develop a project in accordance with this section, or to develop a Project in accordance with requirements of regulations for use, dimension and all other provisions of the Zoning By-Laws governing the underlying Zoning District(s). When a Building Permit is issued for any Project approved in accordance with this section, the provisions of the underlying district(s) shall no longer be applicable to the land shown on the plan which was submitted pursuant to this section for such project.

MBTAOD Consist of the following maps and lots and contains approximately XX acres:

Map XX, Lots XX;

Map XX, Lots XX

9.6.3 Site Plan Approval/Special Permits Required. In the MBTAOD, a Multi-Family Development Project shall be allowed after site plan approval pursuant to Section 10.6, subject to the additional design standards set forth herein. Any other project shall require a Special Permit from the Planning Board pursuant to Section 10.5 and the additional criteria set forth herein.

9.6.4 Dimensional Regulations: In the MBTAOD, the following dimensional regulations shall apply as set forth in the MBTAOD Dimensional Table Below.

REQUIREMENT

Minimum Lot Size (sq. ft.)	20,000
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Maximum Lot Coverage by Building

By Residential Only	45%
By Mixed Use	50%

Maximum Total Lot Coverage

By Residential Only	65%
By Mixed Use	75%

Minimum Open Space

By Residential Only	35%
By Mixed Use	25%

Minimum Lot Frontage (ft)

By Residential Only	125ft
By mixed Use	125ft

Minimum Front Yard Depth (ft)

Union St	15ft
Other Streets	20ft

Maximum Front Yard Depth (ft)

Union St	N/A
Other Streets	N/A

Minimum Side Yard With (ft)**Minimum Rear Yard Depth (ft)****Maximum Height (stories)**

(*) Except where the subject property shares a lot line with a residential home or adjacent to an underlying Residential District. In which case the minimum is 20 ft

(**) Except where the subject property shares a lot line with a residential home or adjacent to an underlying Residential District. In which case the minimum is 30 ft

(***) Four by Planning Board Special Permit

9.6.5 Use Regulations. Uses shall be governed by the MBTAOD Use Table, set forth below:

Y Designates a use permitted as of right

PB Designates a use that may be permitted by Planning Board Special Permit only.

If a use is not mentioned, it is not allowed.

PRINCIPLE USES**MBTAOD**

Multifamily dwelling or multiple unit development	Y
Mixed Use Project (fronting on Union St and Phillips Rd)	PB

Institutional, Recreational, and Educational Uses

Use of land or structure for Religious purposes	PB
Use of land for Educational purposes	PB
Public Park or Playground	PB
Community Center	PB
Childcare center or school aged programs	PB

Offices

Business, financial, or professional offices	PB
Medical	PB

Retail Business and Consumer Service Establishments

Store of retail sales of merchandise provided all display, storage, and sales of materials are conducted within the building. Manufacturing and/or assembly is permissible if limited to a maximum of 25% of total square footage and if 50% of sales occur onsite. Applicant is required to provide in writing the objective of business, expected hours of operations, and relevant details related to business operations for the Planning Board to evaluate as part of application. Approval for retail sales of merchandise, manufacturing, and/or assembly at the discretion and approval by the Planning Board.	PB
Personal Services Establishments are permissible at the discretion of the Planning Board. Applicant is required to provide in writing the objective of business, expected hours of operations, and relevant details related to business operations for the Planning Board to evaluate as part of application.	PB
Studio for arts and handcrafts at the discretion and approval by the Planning Board.	PB
Indoor places solely for eating and drinking at the discretion and approval by the Planning Board. Applicant is required to provide in writing the objective of business, expected hours of operations, and relevant details related to business operations for the Planning Board to evaluate as part of application. Live entertainment is permissible if parameters for acceptable entertainment is established within the order of conditions that is approved by the Planning Board. (****)	PB
Outdoor seating for food establishments at the discretion and approval by the Planning Board. (*****)	PB

(****) One and two day live entertainment permits can be granted at the approval of the Town Administrator.

(*****) Temporary permits for outdoor seating for food establishment up to 30 days can be granted by the Town Administrator including a fee of \$250 (prorated based on # of days per month which month(s) permit is granted).

Any changes to retail business or consumer service establishments, including change of ownership, business operations, or any change to the existing order of conditions, requires review and approval by the Planning Board.

9.6.6 Parking and Loading Design Standards. Adequate off-street parking and loading shall be provided in all new projects in accordance with section 6.2.2 Table of Parking and Loading Requirements.

1. Parking and loading design shall promote pedestrian flow within the development, maximize the efficient use of existing and proposed parking facilities, and minimize the area of land to be paved for parking and loading.
2. To foster a pedestrian-friendly environment and to create safer traffic flow, parking spaces shall be located behind or beside buildings wherever possible. In any case, parking shall not be located directly between the building and the street.
3. For all projects, developments, or lots with greater than 20 units, electric vehicle charging stations are required at 25% of the units to be built (i.e. 20 units would require 5 charging stations).
4. The Planning Board may require arrangements for rideshare and electric vehicle parking.

9.6.7 Building Design Standards. The following standards shall apply to new construction in the MBTAOD:

1. Facades shall create a visually appealing environment. Building materials should be compatible with, but not necessarily mimic, the older character of architectural styles found in the adjacent area.
2. Buildings should be attractive, yet not dominate the streetscape or surrounding landscape.
3. Multiple levels of buildings shall be distinguishable on all exterior elevations, delineated by architectural elements, such as cornices, change in materials, coining or other brickwork, balconies or other features.
4. Opaque, tinted or frosted glass is discouraged on public-facing facades. Windows, doors or other glazing shall be transparent.
5. Buildings must have a main entrance facing the street. All retail establishments in a multi-business development shall have separate entrances to the street.
6. All facades longer than fifty feet should be divided into shorter visual segments by architectural elements such as patterns, materials, or a variation in building height or roof lines.
7. New buildings should create streetscape that provide public amenities such as landscaping, seating, and art, in addition to shade.
8. Buildings shall relate well to the pedestrian scale by incorporating architectural details that provide aesthetic interest at the ground level, not allowing continuous facades of blank or impenetrable walls.
9. Landscaping should be applied to buffer parking areas from the street, neighboring lots, walls, and fences.
10. Building facades shall have protrusions, recesses, and a blend of materials to produce an interesting and playful elevation as opposed to a flat surface.
11. For all projects, developments, or lots with greater than 10 units, solar panels are required to be installed to cover 15% of the projected electricity use for the entirety of the site (includes vehicle charging stations, commercial operations, etc.).

9.6.8 Renovations or Conversions of Existing Buildings. When a project is proposed involving the renovations or conversion of an existing building in the MBTAOD, the Planning Board may authorize by Special Permit a deviation from any of the dimensional or design standards set forth in 9.6.7 subsections 6 and 7 above. No variance shall be required.

9.6.9 Decision Making Criteria. In addition to those criteria set forth in Section 10.6 governing Site Plan Approval and Section 10.5 governing Special Permits, the Planning Board shall consider the following criteria in order to approve a project:

1. Adequacy of the site in terms of size of proposed use(s).
2. Impact on neighborhood traffic flow, particularly during peak periods.
3. Impact on traffic on side streets.
4. Effect on pedestrian safety, including access to crosswalks and parking.
5. Potential negative impact to the visual character of the adjacent neighborhoods.
6. Promotion of mixed uses along Union St. and Phillips Rd.
7. Impact on the school system including capacity and educational services provided.

9.6.10 Special Permit Relief. By Special Permit, the Planning Board may deviate from any standard including parking, loading, signage, landscaping, the building design standards, and commercial business operations set forth in this Section in order to promote better project design, provided that such deviation does not result in a substantial detriment to the neighborhood or the Town of Holbrook.