

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:**

1. To promote Economic Development with-in the Town of Holbrook
2. Create a Multi-Family District (as of right) within .5 miles of a Commuter Rail Station
3. Offer multi-family housing without age restriction
4. Offer multi-family housing suitable for families with children
5. Allow the number of housing units to 15 per acre.

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 March 17, 2022, 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 230 acres:**

**Map 13, Lots 2,3,4,5,6,7,8,9,10,11,111,12,13,14,15,16,18,19,20,21,22,23,24,25,26,26-1,27,28,29,30,30-1,31,32,32-1,33,34,35,35-1,35-2,35-3,35-4,36,37,38,39,40,40-1,59,60,61,62,63,64;**

**Map 14, Lots 57,57-1,58,59,60,61,62,62-1,63,63,65,66,67,68,69,70,71,72,73,74,75,76,77,78,79,80,81,82,83,84,85,86,87,88,89,90,90-1,91,92,93,94,95,96,97-1,98,99,100,102;**

**Map 19, Lots 1,2,3,4,5,6,7,7-2,7-3,8,8-1,8-C,8-4,8-5,9,10,11,11-1,12,12-1,12-2,12-3,13,14,15,16,16-1,16-2,16-3,17,19-19;**

**Map 20 Lots 19,20,21,24, part of map & lot 14-102**

**Map 25, Lots 5,6,8,9,10,11,12,13,14,14-1,15,16,17,18,129,129-1,129-2,130,130-1,130-2,130-3,131, part of map & lot 14-102**

**Map 26, Lots 7,8,9,10,11,12,15,16,17,19, part of map & lot 14-102**

**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.)** 43,560

<b>Maximum Lot Coverage by Building</b>	
By Residential Only	50%
By Mixed Use	50%
<b>Maximum Total Lot Coverage</b>	
By Residential Only	65%
By Mixed Use	75%
<b>Minimum Open Space</b>	
By Residential Only	35%
By Mixed Use	25%
<b>Minimum Lot Frontage (ft)</b>	
By Residential Only	75
By mixed Use	125
<b>Minimum Front Yard Depth (ft)</b>	
Union St, Phillips Rd	0
Other Streets	20
<b>Maximum Front Yard Depth (ft)</b>	
Union St, Phillips Rd	20
Other Streets	N/A
<b>Minimum Side Yard With (ft)</b>	10*
<b>Minimum Rear Yard Depth (ft)</b>	15**
<b>Maximum Height (stories)</b>	3***

(\*) 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.

<b>PRINCIPLE USES</b>	<b>MBTAOD</b>
Multifamily dwelling or multiple unit development	Y
Mixed Use Project (fronting on Union St and Phillips Rd)	PB
<b>Institutional, Recreational, and Educational Uses</b>	
Use of land or structure for Religious purposes	Y
Use of land for Educational purposes	Y
Public Park or Playground	Y
Community Center	Y
Child care center or school aged programs	Y
<b>Offices</b>	
Business, financial, or professional Offices	PB

Medical,	PB
<b>Retail Business and Consumer Service Establishments</b>	
Store for retail sales of merchandise provided all display, storage, and sales of materials are conducted within the building and providing no manufacturing or assembly on premises	PB
Personal Services Establishment including barber shop, beauty shop, nail salon, dry cleaners, and self-serve laundry (if not listed, not allowed)	PB
Studio for arts and handcrafts	PB
Indoor places solely for eating and drinking (no live entertainment)	PB
Outdoor seating for food establishments	PB

**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. The Planning Board may require arrangements for rideshare and electric vehicle parking, and recharging stations.

**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.

**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 the size of proposed use(s)
2. Impact on traffic flow, particularly during morning and evening rush periods.
3. Impact on traffic on side streets
4. Effect on pedestrian safety, including access to crosswalks and parking.
5. Impact to the visual character of the adjacent neighborhood.
6. Promotion of mixed uses along Union St. and Phillips Rd.

**9.6.10 Special Permit Relief.** By Special Permit, the Planning Board may deviate from any standard regarding parking, loading, signage, or landscaping, or the building design standards 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.