

Annual Town Meeting Minutes

1st Session

May 4, 2015

Town Moderator, Stephen Doherty, called the session of 2015 Annual Town Meeting to order on May 4th at 7:30 p.m. at the Town Hall Auditorium, 298 Central Street, Saugus, MA with 43 members, plus the moderator present. A quorum is met.

Joyce Rodenhiser from precinct 1 and Jeffrey Moses from precinct 9 were appointed and sworn in as tellers.

Moderator Doherty led the meeting in the salute to the flag. Moderator Doherty asked for a Moment of Silence for our servicemen and women overseas. Moderator Doherty introduced new Town Meeting member Richard Christopher precinct 6 replacing Mr. Sean Maltais that moved to Wenham Hamilton, MA. Next was the acceptance of STM minutes from March 23, 2015.

Town Clerk, Ellen Schena, called the roll.

Town Meeting Member name	Present/ Absent	Town Meeting Member name	Present/ Absent	Town Meeting Member name	Present/ Absent
ATTUBATO, J	P	BARTOLO, J.	P	BILLINGSLEY, S.	P
BROWN, W.	P	CANTERBURY, M.	P	CARDINALE, C.	A
CARLSON, E.	P	CICOLINI, J.	P	CONNORS, A.	A
COSTIN, J.B.	P	COTTAM, D.	P	COTTAM, J.	P
COX, R.	P	DECAREAU, E.	P	DEVLIN, F.A.	P
DINARDO, A.	P	DOCKERY, M.	A	DOHERTY, S.	P
FALASCA, T.	P	FINN, C.	P	FOWLER, J.	P
GOODWIN, P.	P	GROARK, L.	P	GUARINO, K.	P
JOHNSON, P.	P	JONES, C.	P	LEUCI, W.	P
LONG, R.	P	LOPRESTI, A.	P	CHRISTOPHER, R	P
MANOOGIAN, P.	P	MCCARTHY, S.	A	MCLAUGHLIN, P.	P
MORESCHI, C.	P	MOSES, J.	P	PALCZYNSKI, J.	P
PAOLINI, M.	P	POLITANO, K.	P	PURACCHIO, S.	A
QUINLAN, E.	P	RANDO, P.	P	RING, D.	A
RODENHISER, J.	P	ROSSETTI, P.	P	SMITH, R.	P
SPENCER, B.	P	STEWART, W.	P	SWEEZEY, S.	P
TRAVERSE, T.	P	WITTEN, R.	P		

44 Members present, a quorum is met.

Moderator Doherty informed Town Meeting Members that there will be No Voting on any of the Financial Articles tonight because the Financial Committee has not completed their meetings / reports.

Reports from Committees:

Finance Committee Report.

Ken DePatto, Chairman of the Finance Committee spoke at 7:38pm concerning such areas as:

- Reviewing the Budgets for FY 2016
- Hope to begin voting on FY 16 budgets on 5/13 or 5/28
- There is a \$223,477 Deficit that need to be closed
- Currently working on a Financial Analysis on the proposed Ambulance Study.
- Projected Loss Surplus for 5 to 7 years
- Would disseminate this information in the Clerk's Office for those that cannot refer to email. Will ask the Town Clerk's Office to send out the emails and keep copies in the Office for those preferring hard copies.

Affordable Housing Trust Committee

Robert Cox, Chairmen spoke at 7:42pm concerning such areas as:

- The Development of State requirements on the Housing in Saugus.
- Resources on investments for Affordable Housing
- Complete and inventory of the affordable housing units in the town as per state requirements.
- Looking to do a study thru Grants on what Saugus's current housing is and what the needs for future affordable housing as well as handicap necessities.
- Affordable Housing engaged with the Attorney General's Office on abandoned housing identifying one on 21 Norman Road. Nice house but not handicapped assessable. It is about to go on the market.

Moderator Doherty made a motion to move Articles 18 through 21 out of order at 7:46pm.

Seconded by Mr. Finn at 7:46 p.m.

Unanimous voice vote at 7:47pm

As a courtesy to The District Manager of Veteran's Services, Mr. Cox moves Article 18 as recommend

Seconded at 7:48 p.m.

Article as written:

Article 18. To see if Town Meeting will vote to authorize the Board of Selectmen to petition the Legislature to enact legislation in the following form:

The Town of Saugus may, subject to the approval of the commissioner of revenue designate a place on its municipal tax bills, or the motor vehicle excise tax bills, or mail with such tax bills a separate form whereby taxpayers of the town can voluntarily check off, donate, and pledge an amount of money which shall increase the amount already due and which shall be paid over to the Saugus Veterans Relief Fund. The purpose of this Veterans Relief Fund is for the support of Saugus veterans and dependents in need of immediate assistance to include commercial food cars and/or heating and oil assistance; such recipients' status as veterans or their dependents, and their need, will be determined by the Town's Veterans Services Department.

Alicia Reddin, Veteran's Service Officer in Saugus speak at 7:49pm.

Ms. Reddin speaks in favor of the article highlighting the following:

- In 2014, there are 1401 men / women Veteran's in Saugus.
- Federal & State Standards
- This is not a "cash-in" hand program
- Tax checks accessibility

Article as voted: Vote to authorize the Board of Selectmen to petition the Legislature to enact legislation in the following form: The Town of Saugus may, subject to the approval of the commissioner of revenue designate a place on its municipal tax bills, or the motor vehicle excise tax bills, or mail with such tax bills a separate form whereby taxpayers of the town can voluntarily check off, donate, and pledge an amount of money which shall increase the amount already due and which shall be paid over to the Saugus Veterans Relief Fund. The purpose of this Veterans Relief Fund is for the support of Saugus veterans and dependents in need of immediate assistance to include commercial food cars and/or heating and oil assistance; such recipients' status as veterans or their dependents, and their need, will be determined by the Town's Veterans Services Department.

Article 18 passed as recommended by the The District Manager of Veteran's Services, by unanimous voice vote at 7:43pm.

Mr. Manoogian moves Article 19 as consideration

Seconded at 7:52pm

Article 19. To see if the Saugus Town Meeting will vote to authorize the Town Moderator appoint a committee of either three or five town meeting members to develop a proposal for the next special or annual town meeting that will recognize and / or memorialize the late Janet Leuci, long time Town Meeting Member from Precinct 4. Said proposal may include the naming of a place, structure or space within a structure or whatever deemed appropriate by said committee after consideration of previous similar dedications and practices of previous Saugus Town Meetings. (Peter Manoogian)

Recommendation:

Amendment by Mr. Peter Manoogian Pct 10 who speaks at 7:53pm asking to refer Article 19 to the Indian Rock Supportive Housing Inc. He requests that his colleague from precinct 9, Mr. Robert Long speak on this issue.

Mr. Robert long precinct 9 speaks at 7:54pm regarding a discussion 1 year ago to recognize Ms. Janet Leuci for all her service to the community. The committee on the Indian Rock supportive Housing Inc. took a vote to rename the residence and one of the recreation rooms on behalf of Janet Leuci. He recognized that Ms Leuci fought for many years and fought hard for the Affordable Housing Act for the town. He thanked all the Town Meeting members for this and the transfer of land.

Article as voted:

Vote to transfer to the Indian Rock Supportive Housing Inc. known as the Sachem House.

Seconded at 7:58pm

Article 19 passed as recommended by the Peter Manoogian, by unanimous voice vote at 7:58pm

As a courtesy to the Town Manager, Mr. Cox moves Article 20 as recommend

Seconded at 8:00pm

Article 20. To see if the Town will vote to repeal what was voted as Article 23 of the 2014 Annual Town Meeting Warrant now known as section 514A.00 in the Town of Saugus Bylaws and adopt the following revised bylaw that it is consistent with the recommendations of the Massachusetts Attorney General relative to Sections 4A, 4C, 4E and Section 5 as communicated to the Saugus Town Clerk on December 5, 2014. (Town Manager)

514A.00 Board of Health – Solid Waste Facility Environmental Performance Standards

Section 1: Preamble. This section establishes environmental performance standards for solid waste facilities subject to Board of Health enforcement.

Section 2: Purpose. The purpose of this section is to protect the rights of the people of Saugus to clean air and water guaranteed by Article 97 of the Articles of Amendment to the Massachusetts Constitution.

Section 3: Authority. This Section is adopted pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article 89 of the Articles of Amendment, and Massachusetts General Law Chapter 111, Section 31.

Section 4: Solid waste facilities shall not be operated in a manner to cause any dangerous, noxious, injurious or otherwise objectionable hazard; noise or vibration, smoke, dust, odor or other objectionable pollution; glare, conditions conducive to breeding of insects, rodents or other vermin, substances, conditions, or elements to an extent so as to adversely affect nearby neighborhoods. Minimum acceptable standards shall be as follows:

- A. Emissions shall be effectively confined within any building, or so regulated by the Massachusetts Clean Air Act, G.L. Ch. 111, sections 142A through 142O, as to prevent any nuisance, hazard, or other disturbance from being perceptible (without the use of instruments) at any lot line of the site location.
- B. All use and storage of flammable materials shall be confined and maintained in accordance with the strict provisions set forth by the Chief of the Fire Department acting in accordance with duly established fire prevention regulations, codes and standards.
- C. Any emission of visible smoke shall meet the then current color standards of the Massachusetts Department of Environmental Protection Division of Air Pollution, and in any event, no emission of smoke of a shade darker than 10% opacity limit, consistent with current DEP regulations.
- D. There shall be no emission of ash that can cause damage to the health of humans, animals or vegetation, or that can cause excessive soiling. In no event shall emission of any solid or liquid particles in concentration exceeding 0.2 grams per cubic foot of conveying gas or air be permitted.
- E. The maximum permissible sound pressure level at the closest residential lot line, shall not exceed 10 decibels over background using a general purpose sound level meter complying with the provisions of the American National Standards Institute, properly calibrated and operated on the "A" weighing network. This regulation shall not apply to:
 - 1. Transient noises of moving vehicles.
 - 2. Noises of safety signals and warning devices.
 - 3. Noises emanating from temporary construction and maintenance activities between 8:00 a.m. and 6:00 p.m.
- F. No direct or sky reflected glare whether from flood lights or from high temperature processes shall be permitted when it is determined to be hazardous to human health and welfare or obnoxious. This regulation shall not apply to street lighting or other utilities that are essential for public safety.
- G. The Board of Health may require such information, data and testing to be performed and supplied at the owners or developers expense in order to determine the findings of compliance.

Section 5: Violations. Any violation of this section shall be punished by a fine of \$300.00 per violation. Each day of violation shall constitute a new and separate violation.

Town Manager Scott Crabtree speaks at 8:00pm to explain that the Attorney General's office sent back corrections to language and wording issues to Article 23. This Article makes the changes as need that will protect the residents of Saugus.

Article as voted

Vote to repair Article 23 and replace/adopted with new Article 20 By-Law as per the Attorney General's Office.

Article 20 passed as recommended by the Town Manager, by unanimous voice vote at 8:02pm

Article as written:

Article 21. To see if the Town of Saugus will vote to amend the Saugus Zoning by-laws by adding (A) a new Article 19, Business Highway Sustainable Highway Zoning District, for the purpose of allowing a mixture of uses in the Business Highway Sustainable Highway Zoning District to promote sustainable development and smart growth principles while protecting existing abutting residential zoning districts and neighborhoods; (B) to amend the Saugus Zoning Map by adding a Business Highway Sustainable Highway Zoning District dated April 7, 2015, prepared by the Metropolitan Area Planning Council. (Town Manager)

(A)

Article 19

Business Highway Sustainable Development Zoning District

Special Provisions Applicable to the Business Highway Sustainable Development Zoning District.

Within the Business Highway Sustainable Development Zoning District (BHSD), the following provisions govern. Where these provisions conflict with other sections of the Saugus Zoning By-Laws (“By-Laws”), the provisions of this Article shall apply.

Section 19.1: Purpose and Intent

The primary purpose of the Business Highway Sustainable Development Zoning District (BHSD) is to realign an aging major arterial commercial strip corridor with the forces of market demand so it is restructured into a form which property owners and developers will reinvest and create attractive mixed use sustainable development centers that ensure the development and redevelopment of a mix of compatible uses including the creation of new housing opportunities.

Specifically the BHSD Zoning District is intended to:

- Embrace smart growth principles to enhance economic development opportunities along Routes 1 and 99.
- Provide the broadest range of compatible commercial and residential uses and encourage the development and redevelopment of underutilized or obsolete commercial property and ensure development and redevelopment that includes current retail and service trends, allows for a wide variety of mix uses, and includes the creation of new housing opportunities for a range of incomes and lifestyles. These uses include residential, office, retail, entertainment hotels, and other compatible uses.
- Prohibit auto-related services.
- Allow market-driven growth in places that are most conducive to accommodating additional activity.
- Promote developments that have an internal walkable and pedestrian-oriented environment with plazas and have open spaces and a mix of uses that connect to other buildings within a development.
- Create and support lively, human-scaled activity areas and gathering places within a development.
- Promote development that accommodates the automobile but also allows for development to be accessible by public transportation, biking and walking where feasible and practical.
- Discourage strip-style single story commercial development which requires incongruous architectural styles, excessive paved areas, and numerous curb cuts.
- Encourage consolidation of driveways, parking and curb cuts to provide more efficient and economical access and parking.
- Encourage internal vehicle connections to adjacent developments within the Business Highway District.
- Encourage a coordinated pedestrian path system to provide efficient and convenient pedestrian access from parking areas to and among the various permitted uses.
- Assure suitable uses, design and buffers to protect the character and property values of adjacent and nearby residential districts.
- Prohibit vehicular access to existing residential neighborhoods.

Section 19.2: Establishment/ Applicability/District Boundaries

The BHSD Zoning District includes parcels shown on the zoning map entitled “Town of Saugus Route 1 Corridor-Route 1 study area North” and “Town of Saugus, Route 1 Corridor-Study area South” dated April 7, 2015 and prepared by the Metropolitan Area Planning Council on file with the Town Clerk and hereby made a part of this by-law.

The BHSD Zoning District contains two sub-districts - the Business Highway sub-district (BH); and the Business Highway Residential sub-district (BHR).

It is the intent of the BHSD Zoning District to encourage a mix of uses and better use of the land that only can be accomplished by a comprehensive design and development of the entire lot or lots, and to protect existing residential district by mandating within the BHR subdistrict residential uses as transitional uses when new structures abut an existing residential zoning district.

Section 19.3: Relationship to Existing Zoning and Other Regulations:

A. The special provisions apply to all projects to develop and redevelop land within the BHSD Zoning District. These must conform to all applicable requirements of this By-Law, including any regulations or guidelines that may be adopted to support this By-Law.

B. All current regulations of existing Saugus Zoning By-Law shall remain in effect, except where these regulations supersede or provide an alternative to such requirements.

C. If the provisions of the BHSD Zoning District By-Law are in conflict with any other section of the Saugus Zoning By-Law, the regulations of the BHSD Zoning District By-Law shall prevail.

Section 19.4: Pre-Application Meeting

Prior to submitting an application to the Building Inspector for projects under the BHSD Zoning District, applicants shall contact the Town Manager and request a Pre-Application Meeting with relevant Town Officials and Boards. The purpose of

the meeting is to present the project concept and discuss zoning, public safety, traffic, wetland issues, drainage, housing concerns, infrastructure, etc. as applicable, in order to facilitate project development and coordinate the permitting processes. Project proponents are encouraged to bring sufficient information to the meeting to enable attendees to become familiar with the site and the project. This information includes photographs, a map of existing conditions, and a preliminary concept plan for the proposed project.

Section 19.5: Administration

A. For purposes of this By-Law, the Saugus Board of Selectmen (BOS) shall retain Special Permit Granting Authority (SPGA 2) for all uses and dimensional requirements as defined in the Saugus Zoning By-Law, including Table of Uses and Parking Regulations and Table of Dimensional and Density Regulations requiring SPGA 2. Provided the use is an allowed use in the BHSD Zoning District. The Saugus Planning Board is designated as the Special Permit Granting Authority (SPGA 3) for all uses so designated in the Business Highway Sustainable Development Zoning District. All Special Permit Applications made pursuant to this Article shall conform to the requirements of this Article and Article 12-Special Permits and Conditions, Section 12.1, 12.2, and 12.3 of the Saugus Zoning By-Law. The decision of the Board of Selectmen or the Planning Board for a Special Permit may be approval, approval with conditions, or denial of the requested special permit(s). Before the Saugus Board of Selectmen rules on a Special Permit application, they shall forward such application to the Saugus Planning Board for review and recommendation. Said recommendation from the Saugus Planning Board must be issued within 21 business days.

B. Consistent with the Saugus Zoning By-Law Section 12.6 Site Plan Review, the Planning Board will perform Site Plan Review, including sign review, for all applicable projects submitted under the Business Highway Sustainable Development Zoning District. Per Section 12.6 of the Saugus Zoning By-Law, the Planning Board shall hold a public hearing on all applications subject to site plan review. The applicability criteria shall include any new structure, group of structures, or additions in which there is:

1. Construction of any new structure, or
2. There is an increase of at least 1,000 square feet to an existing structure and where the final structure will have a total gross floor area in excess of 3,000 square feet.

C. All properties proposed for development – whether being subdivided or developed as a single parcel- shall be developed in accordance with a master plan that has been approved by the Planning Board.

1. Master plans shall meet the following requirements:

- a. Master plans shall be prepared when any property, existing at the time of adoption of this ordinance, is initially proposed for subdivision or land development. Subdivided properties that are intended to be developed at a later date shall be subject to this initial master plan.
- b. Master plans can be prepared simultaneously with and as part of site plan review and special permit or can be prepared before submittal for site plan review and special permit.
- c. Master plans shall show proposed buildings, land uses, lots, streets, and open space for the entire tract and shall be consistent with the Saugus Subdivision Rules and Regulations.
- d. The Planning Board may require changes in the master plan in order to meet the legislative intent and other standards of the Business Highway Zoning District.
- e. Development of property may be done in phases; however, any proposed subdivision or land development of a property or portion of a property must be consistent with the master plan. If a proposed subdivision or land development is not consistent with the master plan, the master plan as a whole may be revised provided the following requirements are met:
- f. The master plan complies with all (BHSD) zoning requirements.
- g. All owners of land within the original Master Plan development area, whose property is affected by the revised master plan, approve the revisions to the master plan that affect their properties.
- h. The revised master plan is approved by the Planning Board.

D. Applicants submitting plans shall also submit to the planning board architectural drawings, such as elevations, perspective drawings, and cross-sections, which demonstrate compliance with the standards in the Business Highway District.

E. Special Permit needing Planning Board approval as well as Site Plan Approval applications along with Master Plans can be prepared simultaneously to the Planning Board.

F. The Planning Board may adopt regulations for the implementation of this Article, including but not limited to design guidelines that support the intent of the Business Highway Sustainable Development District Design Criteria/Standards.

Section 19.6: Site Plan Review

Site Plan Review shall be consistent with the Saugus Zoning By-Law Section 12.6 Site Plan Review. This section is enacted under authority of M.G.L. Chapter 40A to accomplish the purpose set forth in Section 1.3 of the Zoning By-Law for the purpose of protecting the health, safety, convenience and general welfare of the inhabitants of the Town by providing for a review of plans for uses and structures that may have a significant impact on traffic, municipal and public services and utilities, environmental quality, and community values in the Town. The Planning Board shall perform Site Plan Review, including design review as well as sign review, for all applicable projects submitted under the Business Highway Zoning District. The applicability criteria shall include any new structures, group of structures, or additions in which:

A. Any new structure is constructed or

B. There is an increase of at least 1,000 square feet to an existing structure and where the final structure will have a total gross area in excess of 3,000 square feet.

The Planning Board shall conduct Site Plan Review and Master Plan Review concurrently with Special Permit review, as applicable. In performing Site Plan Review, the Planning Board may employ provisions for the imposition of reasonable fees for the employment of outside consultants in the same manner as set forth in Section 53G of M.G.L. chapter 44 as amended, entitled "Employment of outside consultants" as it relates to the Board's purview under the State's Zoning Act (M.G.L. Chapter 40A and Subdivision Control Law (M.G.L. Chapter 41). These services may include those of an urban designer, traffic engineer, architect and/or landscape architect as well as other consultants deemed necessary to give professional

consulting services to the planning board because the town lacks the necessary expertise to perform the work related to the application.

In addition to the above or as an alternative, the Planning Board may, at its option, appoint a volunteer Technical Advisory Team (TAT) to assist in the review of any project within the Business Highway Sustainable Development Zoning District that requires site plan review. Persons serving on this advisory committee may have expertise in an urban design, traffic engineering, architecture and/or landscape architecture as well as other fields deemed necessary to give professional consulting services to the planning board.

The TAT will provide advisory professional services to the Planning Board and may also submit a written report to the Planning Board. The TAT will be appointed at a regularly scheduled meeting where public notice has been provided.

Section 19.7: Special Permit Criteria

In addition to Article 19.5a- special permits and conditions-, in the Saugus Zoning By-Law, the Planning Board as well as the Board of Selectmen shall consider the following criteria before issuing a Special Permit for development or redevelopment under the provisions of the BHSD Zoning District:

- A. Adequacy of the site for the size of the proposed project.
- B. Suitability of the site for the proposed uses(s).
- C. Degree to which the proposed project complies with the purposes and intent of the Business Highway Sustainable Development Zoning District.
- D. The extent to which affordable housing is a component of the project.
- E. Impact on traffic and pedestrian flow, safety and access for emergency vehicles.
- F. Impact on Residential Zones including but not limited to noise, lighting and traffic.
- G. Extent to which the project promotes mixed-use development.
- H. The extent to which the project promotes sustainable building and site design.
- I. Extent to which buildings, driveways, parking areas, loading areas, outdoor activity areas, light sources, trash areas and other potential nuisances shall be located and designed to minimize adverse impacts on abutting residential properties. In order to limit the adverse impact of any proposed use the special permit may require alternative site layouts, including increased setbacks from residential property lines, different locations of buildings, parking areas, and driveways, the incorporation of loading and trash collection areas as part of the principal building design, and increased screening for light sources and outdoor activity areas.
- J. Driveway intersections with streets and traffic circulation patterns within lots shall be located and designed to minimize congestion and safety problems on adjacent streets and nearby intersections. The Special Permit may require alternative driveway locations and site design in order to alleviate potential congestion or safety problems.

Section 19.8: Inclusionary Housing

Projects developed under the BHSD Zoning District shall follow the requirements of the Saugus Zoning By-Law, Article 15: Inclusionary Housing.

Section 19.9: Uses

Except as provided in the Zoning Act, Ch. 40A M.G.L., the Saugus Zoning By-Law or in the BHSD, and the two sub-districts- Business Highway (BH) and Business Highway/Residential (BHR) - no building, structure or land shall be used except for the purpose permitted in the Business Highway Sustainable Zoning District as described. More than one principal permitted or special permit use(s) or structure on a lot is allowed. Any use not listed herein shall be construed to be prohibited.

- A. Within the Business Highway sub-district (BH), uses shall be regulated as follows:
 - 1. More than one principal Permitted or Special Permit use or structure on a lot within the Highway Business District is allowed.
 - 2. A single use or a mixed use either within a structure or among several structures is allowed.
 - 3. Ownership. Any land area proposed for development shall be in one ownership or shall be subject to a joint application filed by every owner of the land area proposed for development, under single direction, using one overall master plan and complying with all requirements of the Business Highway Zoning District.
 - 4. Ownership and Maintenance of Common Open Space, Plaza Areas, and Other Facilities. Common open space, plaza areas, and other common facilities shall have agreements stating ownership and maintenance responsibilities. The required usable open space and plaza areas shall be permanently deed restricted from future development.
- B. Within the Business Highway/Residential sub-district (BHR) uses shall be regulated as follows:
 - 1. More than one principal Permitted or Special Permit use or structure on a lot within the Highway Business District is allowed.
 - 2. A single use or a mixed use either within a structure or among several structures is allowed, however,
 - 3. Only single use residential buildings and their related accessory uses, when proposed either by themselves or as part of a larger single or mixed use development, shall be allowed, designed and located abutting any off site residential zoned districts . These single use residential buildings shall be designed to provide a transition between abutting off-site residential zoned districts and any new nonresidential single use, mixed uses, and other single use residential uses located in either the Business Highway/Residential or the Business Highway sub-districts.
- C. Within the Business Highway Sustainable Development District, except as provided above for the BHR sub-district, the following shall apply:
 - 1. Mix of allowed uses shall mean: A combination of uses from four general land use groups.
 - a. Office, Entertainment, Hotels, and Institutions
 - b. Retail and Restaurants
 - c. Residential-multifamily apartments & Townhouses
 - d. Light Industrial

D. These uses can be on one lot or adjoining lots, arranged vertically (in multiple stories or structures) or horizontally (adjacent to one another in one or more building). Mix of uses shall be balanced and compatible and shall contribute to a vibrant atmosphere within a development. In this District, this definition supersedes the Saugus Zoning By-Law definition of “Principal Use”. While no mixing of uses is required, it is recognized that development within the BHSD District will be more dynamic and sustainable with an appropriate mix of complementary uses. The concept is to create more dynamic and sustainable developments with an appropriate mix of complementary uses. As the size of properties increases, the potential for sterile one-use developments also increases. The Business Highway Zoning District encourages greater mixes of uses as property sizes increase. Structured parking is allowed in all single and mixed use development.

E. Suggested Mix of Uses

Within the BHSD Zoning District it is important to create more dynamic and sustainable developments with an appropriate mix of complementary uses. As the size of properties increases, the potential for sterile one-use developments also increases. To avoid this problem, the BHSD District encourages greater mixes of uses as property sizes increase.

Within the BHSD District it is strongly encouraged that a development meet the following mix of use requirements, depending on the size of the property at the time the property was zoned BHSD.

- **Tracts of developable land less than 1 acre-** Developments may consist of one of the land uses groups under allowed uses.
- **Tracts of developable land 1 to 10 acres-** Development is strongly encouraged to include at least two of the land use groups listed under allowed uses.
- **Tracts of developable land greater than 10 acres -**Development is strongly encouraged to include at least three of the land use groups listed under allowed uses.

F. Allowed Uses

A lot(s) and/or building(s) may be used for one or more of the following principle by-right permitted uses, in compliance with the standards and requirements contained in this article.

The following uses are permitted by right, subject to site plan approval, provided no-drive-through facilities are proposed. Uses of the same general character as those found in this section may be permitted after consultation with the Building Inspector.

1. Office, entertainment, institutional and related uses, as listed below:

- a. Professional, administrative, and business offices.
- b. Offices of doctor, dentist, and other healthcare providers.
- c. Hospitals, medical clinics, sanitariums, nursing homes, assisted living facilities, rest homes philanthropic institutions
- d. Bank or financial institutions, excluding drive-through facilities.
- e. Business services establishments including copy centers, retail printing and duplication services, computer rental, mailbox rental.
- f. Hotels, bed and breakfast facilities, convention centers, meeting space, and banquet facilities.
- g. Studio for dance, art, music, photography, or exercise
- h. Galleries and museums.
- i. Schools and day care centers.
- j. Technical schools and training centers
- k. Government administrative uses, post offices, community centers, and libraries.
- l. Club or fraternal organization.
- m. Emergency service facilities such as ambulance and fire services.

2. Retail, restaurant, and related uses, as listed below:

- a. Retail commercial sales, excluding drive-through facilities, offering dry goods, variety merchandise, clothing groceries, baked goods, beverages, flowers, plants, drugs, books, furnishings or other household supplies, antiques, hardware, jewelry, clocks, optical goods, cameras, home appliances, electronic equipment, videos, scientific and professional instruments, and/or similar goods. Shopping centers, as defined in this by-law, are only permitted by a special permit.
- b. Personal service businesses including but not limited to: barbershop and/or hairdresser, shoe repair, tailor, dry cleaning (pick up establishments only), laundromat.
- c. Restaurants and other food or beverage establishments, excluding drive through facilities.
- d. Studios for dance, music, art, or photography.
- e. Indoor sports facilities, including bowling alley, racquet sports, and health club.
- f. Bar or tavern
- g. Convenience stores, without fuel pumps.
- h. **Adult use-SP 2** (in accordance with definition and Section 12.C Saugus Zoning By-Law)

3. Multi-family Apartment units and attached townhouses

4. Accessory uses to principle use, including structured and surface and below ground parking.

G. Uses Allowed by Special Permit

The following uses may be permitted by Special Permit from the Planning Board (SP 3) or the Board of Selectmen (SP 2) in accordance with the special permit use criteria of Section 19.5a and Section 19.7 of this Article, the standards listed below, and all other regulations of the Saugus Zoning By-Law including Articles 12, 12.5, 12.5D and the Table of Use Regulations of the Saugus Zoning By-Law. Except that special permit powers and responsibilities of the Saugus Zoning Board of Appeals as it pertains to the Business Highway Sustainable Development (BHSD) Zoning District uses shall be the responsibility of the Planning Board.

Uses of the same general character as those found in this section may be permitted by the Planning Board as a Special Permit (SP 3) or the Board of Selectmen as a Special Permit (SP 2) after consultation with the Building Inspector.

1. Class One Special Permit Uses

On lots with a minimum area of 40,000 square feet and a minimum width at the building line of 100 feet, the following uses are permitted as class one conditional uses:

a. Nail salon, tanning salon, health clubs, fitness studios, health and beauty spas, public baths, sauna baths personal fitness establishments. SP 2

b. Places of business for Massage Therapy, Bodywork and Movement Education as defined and regulated by the Saugus Board of Health. SP2

c. Uses with drive through facilities, including restaurants, drug stores, banks and financial institutions, and other uses listed in Sections 19.9c provided. SP2

The stacking lanes shall not interfere with parking spaces or the internal and external circulation of the site and drive through windows shall face the rear or side yard of the site. Drive through windows shall not face a public street.

Restaurants shall have a minimum of seven (7) staking spaces for queuing cars accessing the ordering window or speaker. If pick up/payment windows are provided separately, the queuing distance between windows and/or speaker(s) shall be a minimum of three (3) stacking spaces.

Banks, service, and retail establishments shall have a minimum of four (4) stacking spaces for queuing cars accessing a drive-through window or speaker. The use provides sufficient on-site stacking lanes to accommodate a minimum of six (6) automobiles leading to the first drive-through window, bank teller window, remote teller window, or drive through automatic teller machine on the site, and two (2) automobiles for each additional drive-through facility on the site.

d. Veterinarian's office or commercial kennel, pet care or pet sales provided. SP2

1. Buildings are adequately soundproofed so that sounds generated within the building cannot be perceived at the lot boundary.

2. No shelter, run, or structure that will contain animals at night is located within 100 feet of any property line or street line.

e. Repair shop SP2 - excluding repair of automobiles, other vehicles, and large equipment - provided:

1. All items must be repaired on the premises in an enclosed and roofed building.

2. No outside storage is permitted.

f. Radio and/ or television studios – SP2

g. Funeral home or mortuary. SP2

2. Class Two Special Permit Uses

On lots with a minimum area of 3 acres and a minimum width at the building line of two hundred (200) feet, the following uses are permitted as Class Two conditional uses:

a. Shopping center – SP3

b. Indoor theaters, bowling alleys, billiard rooms, skating rinks, sports facilities, health clubs, racquet sports other indoor amusement centers and other similar places of amusement, recreation, entertainment or sports provided: SP2

1. Pick-up and drop-off areas are provided with at least one (1) automobile waiting space per screen or amusement center, up to a maximum of 6 spaces.

c. Outdoor amusement facilities such as golf courses, batting cages, miniature golf courses, golf driving ranges, amusement parks and similar uses, in accordance with the following:- SP2

1. Driving Ranges, provided:

(i) A minimum lot area of five (5) acres is provided.

(ii) Protective screens to stop stray golf balls from crossing property lines are installed, unless the Board of Commissioners/Supervisors/Borough Council determines that screens are unnecessary. Protective screens over six (6) feet in height are located at least 100 feet from the property line.

(iii) A fifty (50) foot wide landscaped buffer area is installed along all street ultimate right-of-way lines and along all property lines abutting a nonresidential use, and a one hundred (100) foot buffer is installed along all property lines abutting a residential use.

d. Building supply center, lumber yard and contractor's business, including masonry, carpentry, remodeling, electrical, house cleaning, plumbing, painting, roofing, landscaping contractor, wholesale establishment for the sale and distribution of supplies and general merchandise provided that: - SP2

1. Outdoor storage areas are limited to 50% of the total site area and are screened from public roads and residential properties.

2. All products stored outdoors are stored and displayed behind areas that are clearly defined for such purpose, such as completely enclosed fences, walls or other structures.

3. The display of goods and merchandise is not located between the building and the street and meets the minimum required rear and side yard setbacks.

4. Such uses have a defined pick-up area that does not interfere with the flow of internal traffic or required parking areas.

5. Commercial vehicles and outdoor storage areas are at least sixty (60) feet from residential property lines and street ultimate right-of-way lines.

6. A ten (10) foot wide landscaped buffer area is provided along all property lines.

e. Nursery and Truck gardens, stands for wholesale and retail sales, garden center, or greenhouse provided: - SP2

1. Outdoor storage is limited to 75% of the total site area.

2. Materials to be sold outdoors include; patio Block/Stone, wall/stone, flag/Stone, marble chips, mulch, peat moss, cow manure, top soil, block & board, treated and untreated lumber, nursery stock, trees, plants, hanging plants, ponds, pond accessories, other similar products.

3. No storage or displaying for sale of any chemical, fertilizers or other material potentially hazardous when exposed to the elements out of a building/ structure.

4. All non-plant materials are stored and displayed behind areas that are clearly defined for such purpose, and are screened from public roads and residential properties.

5. Such uses have a defined pick-up area that does not interfere with the flow of internal traffic or required parking areas.

6. Commercial vehicles and outdoor storage areas are at least sixty (60) feet from residential property lines and street ultimate right-of-way lines.

3. Class Three Conditional Uses

The following Light Industrial Uses shall be allowed only by Special Permit:

- a. light manufacturing employing electricity and/or other unobjectionable motive power, using hand labor and/or unobjectionable machinery or process.- SP2
- b. plant for the manufacture of electrical or electronic devices, appliances, apparatus or supplies. - SP2
- c. plant for the manufacturing of medical, dental, drafting supplies, optical goods or other precision instruments,; accessory manufacturing uses of light manufacturing nature incidental to a permitted use, and where the product is customarily sold on premises directly to the customer. - SP2
- d. general and scientific research and development and related production activity, and accessory uses. - SP2
- e removal of earth material other than for Residential Development purposes. - SP2
- f. wireless communications services - S2. In accordance with Article 14 of the Saugus Zoning By-Law wireless communications serves shall be allowed.

4. Accessory uses.

a. Accessory uses allowed. Accessory uses to a principal use (s), on the same lot with and customarily incidental to the use(s) permitted and utilized, including structured and surface parking lots. Accessory uses shall meet all the requirements for permitted uses. In addition the following accessory uses are allowed:

1. Swimming pools
2. Garage for storage of vehicles incidental to operation of business, clubs, motels, hotels
3. Accessory Manufacturing uses, of light manufacturing nature incidental to a permitted use, and where product is customarily sold on premises directly to a customer
4. Accessory off-street parking
5. Structured parking facilities
6. Accessory uses to scientific research and development and related production activity. SP2

5. Access.

No uses/uses within the BHSD Zoning District including the BH and BHR shall have vehicular access to any residential zoning district or neighborhood, except for emergency vehicle access.

Section 19.10 Dimensional and Density Regulations

For new construction all Dimensional and Density Regulations in the Business Highway Sustainable Development Zoning District shall be in accordance with this Section and any Table of Dimensional and Density Regulations, and notes thereto created to support these regulations.

A. Minimum lot size 40,000 sq. ft.

B. Frontage

1. Minimum lot frontage along the major arterials - Route 1 and route 99
For lots 40,000 - 3 acre=100 feet
For lots above 3 acres= 200 feet
2. Minimum lot frontage along all other public way ,a private way approved and endorsed by the Saugus Planning Board, or a private internal access street or drive = 70 feet
3. Where frontage is provided by an internal access street or drive such access shall contain a paved roadway width from curb to curb of at least twenty-four (24) feet. In addition sidewalks shall be provided on both sides of the roadway.
4. Where parking is allowed on the internal access street or drive, the paved width shall be increased nine (9) feet for each side of the access drive used for parallel parking and eighteen (18) feet for each side of the access drive used for head-in parking.

C. Setbacks

1. Front

For buildings fronting on routes 1/99 (major arterials) or other Town Roadways -50 feet
For buildings within a development fronting on internal public ways, private ways, access roads, internal roads, drives or parking areas – maximum setback of 25 feet.

2. Side - 15 feet

3. Rear - 50 feet (Please see footnote #1)

Footnote #1. Parcel located at 44 Collins Ave, Saugus , map id # D6-1-1, parcel id # F_783717_2990841, shall have a rear lot set back of 100 feet which shall be protected by a conservation easement in favor of the Town of Saugus

4. Setbacks between buildings within a development

a. For separate buildings up to 3 stories (40 feet) = 20 ft. setback between buildings is required

b. For separate buildings 4 to 6 stories (90 ft.) = 40 'setback between buildings is required.

5. For any building(s) side(s) in the BH subdistrict that abut(s) an existing residential district the side yard setback shall be 20 feet. Except that the rear building setback abutting an existing residential district shall be 50 feet.

6. When rear or side yard setbacks abut a residential district a screening area consisting of evergreen plantings and trees and or opaque fencing shall be required within the setback.

D. Additional Setback requirement within the BHR district.

1. A 50 foot setback buffer shall be created from any yard side that abuts an existing residential district zone .This setback shall be a buffer zone. The buffer zone shall not contain any structures, including accessory structures, parking lots, parking structures, roadways, driveways or access ways (except for emergency access), outdoor loading and trash storage areas. Buffers shall be heavily landscaped and planted with year round opaque planted screens, and/ or opaque fencing, walls or sound barriers. In certain circumstances the use of berms could be encouraged.

2. In addition buildings, driveways, parking areas, loading areas, outdoor activity arras, light sources, trash areas, and other potential nuisances shall be located and designed to minimize adverse impacts on abutting residential districts. In order to limit the adverse impact of a proposed residential, commercial or mixed use development on existing residential neighborhoods, in addition to an increased buffer area, locations of

buildings, parking areas, and driveway areas and the incorporation of loading and trash collection areas shall be located in such a manner as to lessen any negative impacts on existing residential districts.

E. Height

1. As-of-Right = 4 stories with a maximum height of 55 feet.
2. Special Permit by the Saugus Board of Selectmen (SP2) = 6 stories with a maximum height of 90 ft.

F. Additional Height requirements within the BHR district

1. Structures or portions of structures within 50 feet of the buffer zone shall not exceed a height of 3 stories to a maximum height of 40 feet.

G. Maximum Coverage

1. Maximum Building Area Coverage: 70%.
2. Maximum total Impervious Coverage: 85%.
3. Minimum of 10% of the lot(s) shall be reserved and maintained as open space.

H. Density

1. Residential = 30 units per acre

I. Structures on a site or lot

1. More than one principle structure may be permitted on a lot.

Section 19.11 : Parking

Parking spaces shall be 9 feet wide by 18 feet long, except for required Handicapped Spaces; and spaces designated “small or compact car spaces” shall be 8 feet wide by 16 feet long. No more than 35% of spaces shall be designated for “small cars”.

A. The following table provides Minimum and Maximum parking requirements for certain uses. All other Parking requirements shall be the same as listed in Article VIII-Off Street Parking and Loading Regulations in the Saugus Zoning By-Law.

For all other uses not specifically mentioned, the number of parking spaces shall be determined by the closest similar use, as determined by the Building Inspector.

Use	Minimum Parking Spaces:	Maximum Parking Spaces	Comments
Studio/1 Bedroom All other residential units	1 per unit 1.5 per unit	1 per unit 2 per unit	Reduction for smaller units
Motels, hotels	0.75 space for each guest room or dwelling unit, plus 1 space for each 500 s.f. of meeting, banquet or restaurant area	1 space for each guest room or dwelling unit, plus 1 space for each 400 s.f. of meeting, banquet or restaurant area	The Max. is in the current By-Law
Retail business and service establishments	1 space for each 300 s.f. of gross floor area on the first floor of a building, and one space for each 500 square feet of gross floor area thereafter for all floors used businesses, excluding basement storage area	1 space for each 250 s.f. of gross floor area on the first floor of a building, and one space for each 400 square feet of gross floor area thereafter for all floors used for office, retail or service businesses, excluding basement storage area	The current By-Law requires 1/300 sf—adjusted the minimum
Theaters	1 space for each five seats or for each 100 s.f. of auditorium area, if there are not fixed seats	1 space for each four seats or for each 50 s.f. of auditorium area, if there are not fixed seats	
Mixed uses in a single building	See Section 8.5 Combined Facilities of the Zoning By-Law.	Spaces required will be the sum of the requirements of the various individual uses	If dedeed condo parking, may not apply.

By grant of a Special Permit by the Planning Board, the Minimum number of off-street parking spaces required may be decreased provided that the following criteria have been met:

- o The purpose and intent of the by-law is achieved
- o The amount of off-street parking to be provided will be sufficient to serve the use(s) for which it is intended
- o The decrease in required off-street parking is based on a parking study prepared by a registered professional engineer. The parking study will include, at a minimum, the following:
 - Size and type of existing uses or activities on site
 - Size and type of proposed uses or activities on site
 - Rate of parking turnover
 - Peak traffic and parking loads to be encountered
 - Availability of public transportation, or transportation shuttle services
 - Other factors identified by the Planning Board

The Planning Board may consult with the Town Building Inspector, public safety officials and/or engineer prior to granting any decrease in parking.

If the Planning Board allows a decrease in the amount of required off-street parking, the Board may require that a portion of the site be reserved to meet the off-street parking spaces required by this bylaw. This reserved area shall not be developed and shall be either landscaped or maintained in a natural state. The reserved area shall not count towards the open space requirements.

B. Shared Parking

Notwithstanding any other parking requirements set forth in the By-law for individual land uses, when any land or building is used for two or more distinguishable purposes (including Mix Use development), the minimum total number of parking spaces required to serve the combination of all uses shall be determined in the following manner:

1. Multiply the minimum parking requirement for each individual use (See Section above) by the appropriate percentage (as shown in the Shared Parking Chart below) for each of the five designated time periods.
2. Add the resulting sums from each vertical column.
3. The column total having the highest total value is the minimum shared parking space requirement for that combination of land uses.
4. The calculations shall be reviewed and approved as part of the Site Plan and Design Review process.

Shared Parking Chart					
	Weekday	Weekday	Weekday	Weekend	Weekend
USE	Night Midnight to 7:00 a.m. (percent)	Day 7:00 a.m. to 5:00 p.m. (percent)	Evening 5:00 p.m. to Midnight (percent)	Day 6:00 a.m. to 6:00 p.m. (percent)	Evening 6:00 p.m. to Midnight (percent)
Residential	100	60	90	80	90
Office/Industrial	5	100	10	10	5
Commercial/Retail	5	80	90	100	70
Hotel	70	70	100	70	100
Restaurant	10	50	100	50	100
Restaurant associated with hotel	10	50	60	50	60
Entertainment/recreation (theaters, bowling allies, cocktail lounges and similar)	10	40	100	80	100
Day-care facilities	5	100	10	20	5
All other (unless documentation is submitted by a registered engineer, etc.)	100	100	100	100	100

Section 19.12: Design Standards

The Planning Board shall ensure that the following criteria are met during Site Plan Review. Site Plan Approval shall be granted upon determination by the Planning Board that the plan meets the following objectives. The Planning Board may impose reasonable conditions at the expense of the applicant including performance guarantees, to promote these objectives. These design criteria are intended to promote quality development that is compatible with the intent of the zoning for route 1 and the desire for contextual, human scale and pedestrian orientated projects.

Compatible Design helps enhance the quality of life for all residents while strengthening the economic viability of the Route 1 corridor, The Design Criteria seeks to encourage visual harmony and encourage creative design solutions. The Design Criteria encourages a variety of choices for achieving design compatibility with the Business Highway Zoning District. New building and/or substantial alterations shall incorporate features to add visual interest while reducing the appearance of bulk or mass. Such features include varied facades, rooflines, roof heights and materials. Continuous lengths of flat, blank walls adjacent to streets, pedestrian pathways, or open space shall not be permitted.

A. General Layout and Street Pattern

The following general layout and street pattern requirements shall be shown on the Master Plan:

1. Various land uses shall be laid out and spaced to make walking from one land use to any other land uses as easy as possible.
2. Retail uses shall be located as physically close to as many of the following on and off-site features as possible: existing retail areas, existing higher classification streets (Routes 1 and 99), and proposed plaza areas.
3. Single-use residential buildings, when proposed, shall be located and designed to provide a transition between abutting off-site residential zoning districts, when they exist, and the nonresidential uses in the Business Highway district.
4. Any streets or driveways internal to a development within the Business Highway District, shall be connected with internal streets or driveways of abutting properties zoned Business Highway. Streets or driveways shall be extended to abutting properties in logical locations, as determined by the planning board.

B. Building Design Standards

Any new structure or where there is an increase of 1,000 square feet to an existing structure shall strive to meet the following standards:

1. Pitched roofs with a minimum pitch of 6 vertical inches to every 12 horizontal inches are encouraged.
2. Building design and treatments that express corporate identity shall not take precedence over these uniform design

guidelines and such development shall conform to the architectural considerations in these guidelines.

3. Buildings that are stylized in an attempt to identify a particular tenant, particularly where the proposed architectural design is the result of corporate or franchise prototype design shall not take precedence over these uniform design guidelines and such developments shall conform to the architectural considerations of these guidelines.

4. No more than 15% of a structure's external building treatment shall be of metal.

5. Rear and side facades shall be of finished quality and shall be of color and materials that are similar to the front facade and blend with structures within the development as well as with structures in the surrounding area.

6. Any development with more than one building on the site shall have a common and coherent architectural theme throughout the development. They should share similar uniform design characteristics and vocabulary. Precise replication is not desirable; instead similar colors, materials and textures, and repeat patterns, rhythms and proportions of other units to achieve unity.

7. Predominant wall materials shall have the appearance of wood, brick, or stone. If painted or coated, only non-metallic finish will be used, shall be non-reflective.

8. Awnings and canopies shall be compatible with the architectural style of the building. Colors and patterns used for awnings and canopies shall be subdued and compatible with existing awnings on adjacent buildings.

9. For all buildings front facades shall be oriented toward existing or proposed streets or driveway, with an everyday entrance in the front façade. Side facades of buildings should not be oriented toward Route 1 or route 99.

10. Ground floor commercial building facades facing streets, squares, or other significant pedestrian spaces shall contain transparent windows encompassing a minimum of 40 percent of the façade surface.

11. Building shall incorporate features to add visual interest while reducing the appearance of bulk or mass. Facades must be interrupted at least once within every eighty (80) horizontal feet, with offsets of five (5) feet or more feet in depth along any building facade facing a public street or public parking. Offsets shall be continuous from grade to the roof. Roofs cannot extend more than 80 feet without a change in Roof Mass, shape or height.

12. Building facades of two hundred (200) feet or more which face public streets or public parking shall, in addition to offsets, include other design elements to break up the façade, such as awnings, porches, canopies, towers, balconies, bays, changes in building materials, gables, and planted trellises; medallions; opaque or translucent glass; artwork; vertical/horizontal articulation; lighting fixtures; or a similar architectural element not listed above, as approved by planning board.

13. The following features should be considered as potential elements to help break down building scale:

- Low planters and walls, base plantings and unique architectural treatments at pedestrian levels.
- Covered walkways, trellises or architectural awnings that provide varying degrees of shade and sun at ground level.
- Distinct and multiple architectural roof forms, clearly pronounced eaves, distinct parapet designs and cornice treatments
- Clearly pronounced recesses, projections, wall plane off-sets, and recessed entries
- Use of deep set windows and mullions
- Use of vertical accents or focal points

Ground level arcades and galleries/balconies on upper floors. Use of exterior façade treatments to define smaller masses through the use of different materials, textures and color.

14. Blank walls shall not be permitted along any exterior wall facing a street. Walls in these locations shall comprise a minimum of 35 percent window area and a maximum of 75 percent window area, with windows interspersed across the façade.

15. Walls or portions of walls where windows are not provided shall have architectural treatments designed to break up the bulk of the wall by incorporating treatments such as: masonry but not flat concrete block; belt courses of a different texture or color; projecting cornice; projecting metal canopy; decorative tilework; trellis containing planting; medallions; opaque or translucent glass; artwork; vertical/horizontal articulation; lighting fixtures; or a similar architectural element not listed above, as approved by the planning board.

16. Any development with more than one building on the site shall have a common and coherent architectural theme throughout the development.

17. Principal buildings shall have clearly defined, highly visible customer entrances with features such as canopies, porticoes, arches, and integral planters that incorporate landscaped areas and/ or areas for sitting.

18. Where parking is located to the rear of a building, any rear entrance is to be visible and accessible from the parking lot. Directional signage to the building entrance(s) shall be installed.

All entrances are to have sufficient illumination at night time.

19. Loading doors, service doors, and load docks shall not be located in any façade facing a street.

20. Mechanical equipment shall be screened and if located on roofs shall be screened, organized and designed as a component of the roof design, and not appear to be a leftover or add-on element. Mechanical equipment shall be installed to minimize the noise impacts on any adjacent residences, whether on the project lot(s) or on adjacent lot(s).

21. Buildings with less than 15,000 square feet of building area on the ground floor that are located adjacent to a residential zoning district shall have pitched roofs covering at least 80 percent of the building with a pitch of at least 6 vertical inches to every 12 horizontal inches.

22. Buildings with more than 15,000 square feet on the ground floor shall meet one of the following roof requirements:

- a. Pitched roofs covering at least 80 percent of the building with a pitch of at least 6 vertical inches to every 12 horizontal inches.
- b Parapets or mansard roofs that conceal flat roofs and rooftop equipment such as HVAC units along all roof edges.

23. All shopping centers and other retail establishments with 100,000 square feet or more in gross floor area shall meet the following additional requirements:

- a. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.

b. Large buildings and shopping centers shall have clearly defined, highly visible customer entrances for primary buildings featuring no less than three (3) of the following: canopies or porticoes; overhangs; recesses/ projections; arcades; raised corniced parapets over the door; peaked roof forms; arches; outdoor patios; and display windows.

24. Storefront landscaping shall be provided between the foundations of buildings and driveways/parking areas. A minimum of 25 percent of the area between the building foundation and driveways/parking areas shall be landscaped.

25. All sides of shopping centers and retail establishments with 50,000 square feet or more of floor area that directly face an abutting public street shall feature at least one (1) customer entrance. This requirement can be met for two sides of a shopping center or large retail establishment by a corner entrance that is visible from both sides.

26. It is desirable that new buildings incorporate green building techniques (such as those developed by the U.S. Green Building Council) to the maximum extent possible.

C. Common Use Area

Shopping centers or large retail establishments of 100,000 square feet or more of gross building floor area shall contain a common use area that will serve as a focal point for the center and provide walkways, seating, and landscaping. Water features, courtyards, mini-parks and plazas are encouraged. The common use area shall meet the following requirements:

1. It shall generally be located between the street and the front facade of the primary shopping center or large retail establishment building, within 200 feet of this building.

2. It shall be equal to or greater in size than five (5) percent of the gross floor area of the shopping center or large retail establishment.

3. It shall be directly connected to the sidewalk in front of the shopping center or large retail establishment, without intervening driveways or streets.

4. It shall consist of one contiguous area, and the shape and location of the common use area shall be approved by the Planning Board.

5. It shall be improved with either a gazebo, pavilion, clock tower, or paved patio area with a fountain to help identify this area as the central gathering place for the development. This improvement shall be a minimum of 300 square feet in size.

6. It shall contain shade trees, ornamental plantings, and seating; it may also contain outdoor dining areas.

D. Parking and Driveway Design Standards

Parking lots shall be landscaped according to the following regulations:

1. The ends of all parking rows shall be divided from drives by planting islands.

2. There shall be no more than 15 contiguous parking stalls in a row without a planting island.

3. Planting islands shall be a minimum of ten (10) feet by twenty (20) feet in area, underlain by soil (not base course material) and shall be protected by curbing, wheel stops, or bollards. Each planting island shall contain at least one (1) shade tree plus low growing shrubs and/ or groundcover to cover the entire area at maturity.

4. Parking lots shall be divided by planting strips placed at intervals of one (1) for every four (4) or fewer rows of parking. These planting strips shall meet the following requirements:

a. At least half of the planting strips shall be a minimum of 15 feet in width, and contain a 5 foot paved walkway leading towards the building, with 5 feet provided for plantings on both sides of the walkway.

b. All other planting strips shall be a minimum of ten feet in width, with all ten feet for plantings.

c. Strips shall run the length of the parking row, be underlain by soil, and be protected by curbs, wheel stops or bollards.

d. Planting strips shall contain plantings of one (1) canopy tree every twenty five (25) feet, two (2) shrubs per tree, and groundcover/shrubs to cover the entire remaining unplanted area at maturity.

5. A perimeter planting area at least 10 feet in width shall be provided along all property lines and street ultimate rights-of-way lines.

6. The maximum depth of a parking area located within the front yard of a general commercial building with less than 20,000 square feet of building area shall be sixty five (65) feet, measured perpendicular or radial to the street ultimate right-of-way line.

7. Each commercial use shall provide access easements for its parking aisles and driveways guaranteeing access to all abutting lots zoned General Commercial, unless all possible interconnections between two abutting lots must cross twenty (20) linear feet or more of wetlands, floodplain, or natural slopes of 15% or more. Parking areas on adjacent lots shall be directly connected by a driveway. These interconnections shall be constructed during the initial land development.

8. Large retail uses and shopping centers with over 100,000 square feet of gross building floor area shall provide the following:

a. A pickup area for public transportation located between the street and the front façade of the large retail use or shopping center. The pickup area must include a ten (10) foot by twenty (20) foot waiting area that is separated from other sidewalks in the development. The pickup area must also include an area where a forty-foot bus can park without blocking any lanes of the development's driveways.

b. Driveways and a parking area that can handle and are designed for the weight and length of a forty-foot passenger bus.

9. Properties with frontages of 600 feet or less on any individual street are only permitted one driveway intersection per street. Properties with frontages greater than 600 feet may be permitted a maximum of two driveways per street frontage, provided that such driveways are at least 300 feet apart. Regardless of frontage, a development may be restricted to a single driveway depending on usage and interior and exterior traffic patterns.

10. Parking areas containing 50 or more cars shall have a minimum driveway length of fifty (50) feet provided between the road ultimate right-of-way line and the first parking space or internal driveway intersection. Parking areas containing less than 50 cars shall have a minimum driveway length of twenty (20) feet provided between the road ultimate right-of-way line and the first parking space or internal driveway intersection.

E. Pedestrian Circulation Design Standards

Projects shall enhance the pedestrian environment and bicycle circulation by providing safe and convenient pedestrian access into plans for existing buildings as well as new construction and parking areas and should be designed in concert with landscaping plans so as to minimize the number and size of curb cuts and provide sidewalks along roads where possible

1. There shall be clear grade separated pedestrian connections between all parking areas and all buildings. A raised, landscaped sidewalk will be constructed through the main parking lot to facilitate safe pedestrian travel through the site. The sidewalks required within planting strips may be used to meet this requirement.
2. Continuous internal pedestrian walkways, no less than 5 feet in width, shall provide a direct link from the public sidewalk or street right-of-way to the principal customer entrance of all principal retail establishments on the site. Walkways shall also connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building and store entry points. The sidewalks required within planting strips may be used to meet this requirement.
3. Unobstructed sidewalks, no less than 6 feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. Along facades with building entrances, the required 6-foot wide sidewalk area shall be set back from the façade by a 3 foot area that either contains planting beds or additional sidewalk width.
4. All internal pedestrian walkways and crosswalks shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort.
5. Buildings and sidewalks shall be handicapped accessible.

F. Lighting Standards

1. Lighting shall be shielded to meet the following requirements:
 - a. No light shall shine directly into the windows of a building on abutting property.
 - b. No light shall shine directly from a light source onto the ground or improvements of an abutting property, although incidental light may be permitted to fall on abutting property. Such lighting shall not exceed one-half an ISO foot candle at ground level on the abutting property.
 - c. No light shall shine directly onto public roads.
2. Where the abutting property is residentially zoned or used, nonresidential uses shall direct light fixtures toward the proposed development and shield the residential properties from direct lighting or glare. The light source itself must not be visible from the abutting residential property.
3. No parking lot lighting standard or building fixture shall exceed twenty-five (25) feet in height from grade level, and no pedestrian lighting standard shall exceed fourteen (14) feet in height from grade level.
4. Light fixtures located closer to a side or rear lot line than the side or rear yard setback, shall be no more than ten (10) feet high, and shall direct the light source away from the property line.
5. Light fixtures shall not be located within any buffer zone separating an existing residential district or use from any development proposed within the Business Highway Zoning District.
6. No streamers or festoon lighting, comprising a group of incandescent light bulbs, shall be hung or strung on a building or any other structure.
7. No flashing or intermittent or moving lights, including lights on signs, shall be permitted.

G. Noise Control

1. No person shall cause, suffer, allow, or permit the operation of any sound source on a commercial property or public space or right-of-way in such a manner as to create a sound level that exceeds the background sound level by 10 dBC during daytime (7:00 AM to 9:00 PM) hours and by 5 dBC during nighttime (9:00 PM to 7:00 AM) hours when measured at or within the property line of the receiving property.
2. No delivery, loading, trash removal or compaction or other such operations shall be permitted between the hours of 10:00 PM and 7:00 AM unless the applicant submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level of forty five (45) dBC, as measured at the lot line of any adjoining property.

H. Other Requirements

1. Loading docks, utility meters, HVAC equipment, trash dumpsters and other service functions shall be incorporated into the overall design theme of the building so that the architectural design is continuous. These service functions shall not be located in any buffer zones separating existing residential zones or uses from development within the Business Highway Residential and the Business Highway Zones. These areas shall be located and screened so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and streets or primary public open space and shall incorporate effective techniques for noise buffering from adjacent uses.
2. Outdoor sales and storage areas shall conform to the following requirements:
 - a. Outdoor sales and storage areas shall not be located within twenty (20) feet of any public street or public sidewalk.
 - b. These areas shall be screened so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.
 - c. Outdoor areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls or fences. Materials, colors and design of screening walls or fences shall conform to those used as predominant materials and colors of the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors of the building.
 - d. To the maximum extent possible projects shall provide pedestrian-friendly amenities, such as outdoor seating, patios, porches or courtyards. Site landscaping shall be maximized.
 - e. Pedestrian connections shall be built between lots to the maximum extent possible to minimize vehicle traffic between adjacent lots.

- f. Curb cuts shall be minimized.

Section 19.13 : Business Highway Sustainable Development Access Standards

A. All tracts of land to be developed in the BHSD shall share access with an adjacent BHSD zoned property when available and feasible, consistent with subsection 2 below. If shared access cannot be provided by an existing driveway, the applicant shall provide access in a way that maximizes the potential for shared access in the future, consistent with subsection 3 below. When the requirements of subsections 2 and 3 cannot be satisfied, an independent access may be permitted consistent with subsection 4 below. Multiple access points may be provided when the requirements of subsection 5 are satisfied.

1. Existing Driveways. All existing driveways providing access to the property from public roads shall be eliminated, unless they meet the requirements in subsection 3 or 4 below.

2. Shared Access via Existing Driveways on Adjacent Properties

- a. When the nearest edge of an existing driveway on an adjacent property zoned BHSD having frontage on the same street is within 50 feet of the subject tract, that subject tract shall utilize the driveway on the adjacent tract as a shared access, provided it is feasible and that an easement granting access to the subject tract has been recorded.
- b. The shared access shall be the sole access to the site unless a second driveway is permitted consistent with subsection 5, herein.
- c. Shared access shall not be required when all possible interconnections between the two abutting lots would cross twenty (20) linear feet or more of wetlands, floodplains, and/or slopes of 15% or more.
- d. Shared access may be entirely located on one lot or split along a common lot line.
- e. Each property within the BHSD Zoning District shall provide an access easement guaranteeing internal vehicular access to all abutting lots zoned BHSD

3. Shared Access via New or Existing Driveway on the Property.

- a. When shared access cannot be provided via an existing driveway consistent with subsection above, a maximum of one driveway intersection shall be permitted per street frontage.
- b. This driveway shall be located on a side lot line bordering a property zoned BHSD. In order to accommodate required sight distances, or preserve environmental features, the driveway may be set back from the side lot line no greater than 50 feet. Shared access shall not be required when all possible interconnections between the two abutting lots would cross twenty (20) linear feet or more of wetlands, floodplains, and/or slopes of 15% or more
- c. Each property with a nonresidential use shall provide an access easement for this driveway guaranteeing access to all abutting lots zoned Business Highway Sustainable Development. In addition, the access easement shall provide access from the closest adjacent property line to the driveway. The easement between the driveway and the closest adjacent lot shall have a minimum width of 35 feet and shall be located between 50 and 100 feet from the street ultimate right-of-way line.
- d. The location of the driveway intersection and the easement connection to the closest adjacent lot shall be subject to approval by the Planning Board based on its ability to minimize the need for future driveways and/or maximize the distance from existing street and driveway intersections, including consideration for safe site distances.

4. Independent Access.

- a. When future shared access cannot be provided consistent with subsection 2 or 3 above, a maximum of one driveway intersection per street shall be permitted.
- b. The driveway intersection shall be separated from existing driveway intersections by a minimum of 300 feet.

5. Dual Access.

- a. A second driveway intersection per street may be permitted when it is located at least 300 feet from the first driveway intersection and at least 300 feet from adjacent property lines.
- b. When a second driveway can be permitted consistent with subsection 5.a. above, a separation from adjacent property lines may be reduced in order to provide future shared access, provided the second driveway is located within 50 feet of an adjacent property line and at least 300 feet from any other driveway intersection. The adjacent property must be zoned BHSD and the potential interconnection shall not cross twenty (20) linear feet or more of wetlands, floodplains, or slopes of 15% or more. Each property zoned BHSD shall, where feasible and practical, provide access easements to all abutting lots zoned BHSD consistent with subsection 3.c.

Examples of how model vehicular access standards work

Seconded at 8:03pm

Amendment sponsored by Mrs. Pam Goodwin precinct 5.

Seconded by Mr. Peter Rossetti at 8:04pm

Mrs. Pam Goodwin precinct 5 speaks at 8:05pm:

- Need to update the number of the By-Law Article.
- Amend small grammatical errors
- Need to make language changes
- Thanked Mr. Robert Loungo on all his hard work on this project.

Vote on Amendment to Article 21, by unanimous voice vote at 8:07pm

Town Manager Scott Crabtree speaks at 8:07pm regarding Article 21:

- This is an exciting Article for the Town of Saugus – moving forward.
- Hiring of Economic Development Coordinator Robert Luongo was for this purpose. Setting goals on what the Town is looking for and how to get there.
- Making changes to the Zoning is a work in progress with compromises of opinion and balancing healthy economic development for the community.
- Saugus has low payroll and low tax which we don't want to change.
- For the survival of the Town, we need to feed new revenue to continue the operations of the town and provide services such as; Police, Fire, Youth & Recreation, Senior center, Library, etc.
- Saugus' new growth and development are 10-15 years behind. We need to figure out what we don't want and what we do want.
- By re-zoning we can try to seek those companies to coming into town. Not retail or car dealerships but those companies that are more business 9 to 5 workers.
- Highlights the Purposes and Intent;
 - Economic development of underutilized properties for housing purposes.
 - Market driven growth in places that are most conducive to accommodate additional activity.
 - Promote a walk able environment
 - Development of consistency.
 - Discourage Strip Style Mall Development.
 - Encourage internal vehicle connections.
 - Prohibit auto usage and self-storage businesses.
 - Every project will require approval by the Planning Board.
 - 5 year Capital Improvement Plan.
 - Finally a New High School which is part of this plan.

Ms. Ann Devlin precinct 1 speaks at 8:21pm regarding SAVE which was established in 1973 to promote a better quality of life between a balance of development and environment. She is in Favor of this Article.

Ms. Debra Panetta, Chairman of The Board of Selectmen speaks at 8:22pm who is in favor of this Article.

Mr. Al DiNardo precinct 4 speaks at 8:23pm who is in favor of this Article because it helps us determine what is now put on Route 1.

Mr. Robert Long precinct 8 speaks at 8:26pm about the concerns on Forest Street being used by the Fire Dept / Emergency Vehicles with residential units at the Hilltop that will not have access to Forest Street. Also, concerns regarding the Palumbo property on RT near the Holiday Inn because of the noise and stone crushing on the site. Spoke about specific hours for building for the neighbors. He is in favor of the article.

Mr. Robert Cox precinct 4 speaks at 8:32pm about his concerns since most of the corridor goes thru his area. However, what we have now is not working. He agrees that Saugus needs to find a way to improve the quality on RT. 1. Is this Article better, yes it is. However, he has concerns regards storage capacity and auto capacity on RT 1/ The more needs on our water & sewage if more residential housing. Who is going to protect us with regards to, more people to protect so the qualifications? Need to make adjustments to the By-Laws on the qualifications of people coming in. Ultimately he is in favor of the Article.

Mr. Chris Finn precinct 9 speaks at 8:39pm stating he sits on the Economic Development Committee, Overlay Committee dealing with this Article. He does have concerns about the Hilltop and the Palumbo property. He is in favor of this Article.

Mr. Peter Rossetti precinct 2 speaks at 8:42pm stating his the Chairman on the Planning Board and they will decided on what and where the development will happen. He is in favor of the Article because it is better than what we have in Saugus. The Planning Board will have public hearings and will look at the plans and get input from the public.

Mr. Peter Manoogian precinct 10 speaks at 8:47pm speaking on the challenges facing the Economic Development and the in the inconsistency on the RT 1 corridor. He talks about the buffer zone that will be increased where it deals with residential areas. Shared parking, zoning issues and larger lot sizes as needed. He encourages internal traffic and the appearance of what we want RT 1 to look like in the future. He speaks about Chapter 44 §54g and the technical expertise. How this will increase Tax revenue to the town and help with affordable housing in Saugus. Companies want to come to Saugus if they know the rule upfront. He is in favor of this Article.

Mr. Eugene Decareau precinct 8 at 8:57pm speaks that he is in favor of this Article.

Mr. Thomas Traverse precinct 8 speaks at 8:58pm that he is in favor of this article.

Mr. William Brown precinct 6 speaks at 8:59pm that he is not completely sold on this Article. He has concerns regarding the increase in traffic on RT 1. Issues with some of the building planned on going in there. Concerned about the neighbors. He speak that RT 1 always sells itself and not sure Saugus needs this new zoning. He has not decided which way he will vote yet.

Mr. Robert Loungo, Economic Development Coordinator speaks at 9:05pm regards the maximum height is 55 feet and anything higher must be approved by the BOS with a Special permit. He speaks about the issues facing traffic on RT1 more

with retail shops that create traffic, Residential and Office Buildings do not have these traffic issues.

Mr. Brian Costin precinct 7 speaks at 9:08pm who is in favor of this Article.

Mr. Al Dinardo precinct 4 speaks again at 9:09pm says that Saugus needs to have a vision and this is in the right path.

Article as voted:

Article 21. To see if the Town of Saugus will vote to amend the Saugus Zoning by-laws by adding (A) a new Article ~~19~~ 21, Business Highway Sustainable Highway Zoning District, for the purpose of allowing a mixture of uses in the Business Highway Sustainable Highway Zoning District to promote sustainable development and smart growth principles while protecting existing abutting residential zoning districts and neighborhoods; (B) to amend the Saugus Zoning Map by adding a Business Highway Sustainable Highway Zoning District dated April 7, 2015, prepared by the Metropolitan Area Planning Council. (Town Manager)

(A)

Article ~~19~~ 21

Business Highway Sustainable Development Zoning District

Special Provisions Applicable to the Business Highway Sustainable Development Zoning District.

Within the Business Highway Sustainable Development Zoning District (BHSD), the following provisions govern. Where these provisions conflict with other sections of the Saugus Zoning By-Laws (“By-Laws”), the provisions of this Article shall apply.

Section ~~19~~ 21.1: Purpose and Intent

The primary purpose of the Business Highway Sustainable Development Zoning District (BHSD) is to realign an aging major arterial commercial strip corridor with the forces of market demand so it is restructured into a form which property owners and developers will reinvest and create attractive mixed use sustainable development centers that ensure the development and redevelopment of a mix of compatible uses including the creation of new housing opportunities.

Specifically the BHSD Zoning District is intended to:

- Embrace smart growth principles to enhance economic development opportunities along Routes 1 and 99.
- Provide the broadest range of compatible commercial and residential uses and encourage the development and redevelopment of underutilized or obsolete commercial property and ensure development and redevelopment that includes current retail and service trends, allows for a wide variety of ~~mix~~ mixed uses, and includes the creation of new housing opportunities for a range of incomes and lifestyles. These uses include residential, office, retail, entertainment, hotels, and other compatible uses.
- Prohibit auto-related services.
- Allow market-driven growth in places that are most conducive to accommodating additional activity.
- Promote developments that have an internal walkable and pedestrian-oriented environment with plazas and have open spaces and a mix of uses that connect to other buildings within a development.
- Create and support lively, human-scaled activity areas and gathering places within a development.
- Promote development that accommodates the automobile but also allows for development to be accessible by public transportation, biking and walking where feasible and practical.
- Discourage strip-style single story commercial development which requires incongruous architectural styles, excessive paved areas, and numerous curb cuts.
- Encourage consolidation of driveways, parking and curb cuts to provide more efficient and economical access and parking.
- Encourage internal vehicle connections to adjacent developments within the Business Highway District.
- Encourage a coordinated pedestrian path system to provide efficient and convenient pedestrian access from parking areas to and among the various permitted uses.
- Assure suitable uses, design and buffers to protect the character and property values of adjacent and nearby residential districts.
- Prohibit vehicular access to existing residential neighborhoods.

Section ~~19~~ 21.2: Establishment/ Applicability/District Boundaries

The BHSD Zoning District includes parcels shown on the zoning map entitled “Town of Saugus Route 1 Corridor-Route 1 study area North” and “Town of Saugus, Route 1 Corridor-Study area South” dated April 7, 2015 and prepared by the Metropolitan Area Planning Council on file with the Town Clerk and hereby made a part of this by-law.

The BHSD Zoning District contains two sub-districts - the Business Highway sub-district (BH); and the Business Highway Residential sub-district (BHR).

It is the intent of the BHSD Zoning District to encourage a mix of uses and better use of the land that only can be accomplished by a comprehensive design and development of the entire lot or lots, and to protect existing residential district by mandating within the BHR subdistrict residential uses as transitional uses when new structures abut an existing residential zoning district.

Section ~~19~~ 21.3: Relationship to Existing Zoning and Other Regulations:

A. The special provisions apply to all projects to develop and redevelop land within the BHSD Zoning District. These must conform to all applicable requirements of this By-Law, including any regulations or guidelines that may be adopted to support this By-Law.

B. All current regulations of ~~the~~ existing Saugus Zoning By-Law shall remain in effect, except where these

regulations supersede or provide an alternative to such requirements.

C. If the provisions of the BHSD Zoning District By-Law are in conflict with any other section of the Saugus Zoning By-Law, the regulations of the BHSD Zoning District By-Law shall prevail.

Section 19-21.4: Pre-Application Meeting

Prior to submitting an application to the Building Inspector for projects under the BHSD Zoning District, applicants shall contact the Town Manager and request a Pre-Application Meeting with relevant Town Officials and Boards. The purpose of the meeting is to present the project concept and discuss zoning, public safety, traffic, wetland issues, drainage, housing concerns, infrastructure, etc. as applicable, in order to facilitate project development and coordinate the permitting processes. Project proponents are encouraged to bring sufficient information to the meeting to enable attendees to become familiar with the site and the project. This information includes photographs, a map of existing conditions, and a preliminary concept plan for the proposed project.

Section 19-21.5: Administration

A. For purposes of this By-Law, the Saugus Board of Selectmen (BOS) shall retain Special Permit Granting Authority (SPGA 2) for all uses and dimensional requirements as defined in the Saugus Zoning By-Law, including Table of Uses and Parking Regulations and Table of Dimensional and Density Regulations requiring SPGA 2. Provided the use is an allowed use in the BHSD Zoning District. The Saugus Planning Board is designated as the Special Permit Granting Authority (SPGA 3) for all uses so designated in the Business Highway Sustainable Development Zoning District. All Special Permit Applications made pursuant to this Article shall conform to the requirements of this Article and Article 12-Special Permits and Conditions, Section 12.1, 12.2, and 12.3 of the Saugus Zoning By-Law. The decision of the Board of Selectmen or the Planning Board for a Special Permit may be approval, approval with conditions, or denial of the requested special permit(s). Before the Saugus Board of Selectmen rules on a Special Permit application, they shall forward such application to the Saugus Planning Board for review and recommendation. Said recommendation from the Saugus Planning Board must be issued with 21 business days.

B. Consistent with the Saugus Zoning By-Law Section 12.6 Site Plan Review, the Planning Board will perform Site Plan Review, including sign review, for all applicable projects submitted under the Business Highway Sustainable Development Zoning District. Per Section 12.6 of the Saugus Zoning By-Law, the Planning Board shall hold a public hearing on all applications subject to site plan review. The applicability criteria shall include any new structure, group of structures, or additions in which there is:

1. Construction of any new structure, or
2. There is an increase of at least 1,000 square feet to an existing structure and where the final structure will have a total gross floor area in excess of 3,000 square feet.

C. All properties proposed for development – whether being subdivided or developed as a single parcel- shall be developed in accordance with a master plan that has been approved by the Planning Board.

1. Master plans shall meet the following requirements:

a. Master plans shall be prepared when any property, existing at the time of adoption of this ordinance, is initially proposed for subdivision or land development. Subdivided properties that are intended to be developed at a later date shall be subject to this initial master plan.

b. Master plans can be prepared simultaneously with and as part of site plan review and special permit or can be prepared before submittal for site plan review and special permit.

c. Master plans shall show proposed buildings, land uses, lots, streets, and open space for the entire tract and shall be consistent with the Saugus Subdivision Rules and Regulations.

d. The Planning Board may require changes in the master plan in order to meet the legislative intent and other standards of the Business Highway Zoning District.

e. Development of property may be done in phases; however, any proposed subdivision or land development of a property or portion of a property must be consistent with the master plan. If a proposed subdivision or land development is not consistent with the master plan, the master plan as a whole may be revised provided the following requirements are met:

f. The master plan complies with all (BHSD) zoning requirements.

g. All owners of land within the original Master Plan development area, whose property is affected by the revised master plan, approve the revisions to the master plan that affect their properties.

h. The revised master plan is approved by the Planning Board.

D. Applicants submitting plans shall also submit to the planning board architectural drawings, such as elevations, perspective drawings, and cross-sections, which demonstrate compliance with the standards in the Business Highway District.

E. Special Permit needing Planning Board approval as well as Site Plan Approval applications along with Master Plans can be prepared simultaneously to the Planning Board.

F. The Planning Board may adopt regulations for the implementation of this Article, including but not limited to design guidelines that support the intent of the Business Highway Sustainable Development District Design Criteria/Standards.

Section 19-21.6: Site Plan Review

Site Plan Review shall be consistent with the Saugus Zoning By-Law Section 12.6 Site Plan Review. This section is enacted under authority of M.G.L. Chapter 40A to accomplish the purpose set forth in Section 1.3 of the Zoning By-Law for the purpose of protecting the health, safety, convenience and general welfare of the inhabitants of the Town by providing for a review of plans for uses and structures that may have a significant impact on traffic, municipal and public services and utilities, environmental quality, and community values in the Town. The Planning Board shall perform Site Plan Review, including design review as well as sign review, for all applicable projects submitted under the Business Highway Zoning District. The applicability criteria shall include any new structures, group of structures, or additions in which:

A. Any new structure is constructed or

B. There is an increase of at least 1,000 square feet to an existing structure and where the final structure will have a

total gross area in excess of 3,000 square feet.

The Planning Board shall conduct Site Plan Review and Master Plan Review concurrently with Special Permit review, as applicable. In performing Site Plan Review, the Planning Board may employ provisions for the imposition of reasonable fees for the employment of outside consultants in the same manner as set forth in Section 53G of M.G.L. chapter 44 as amended, entitled "Employment of outside consultants" as it relates to the Board's purview under the State's Zoning Act (M.G.L. Chapter 40A and Subdivision Control Law (M.G.L. Chapter 41). These services may include those of an urban designer, traffic engineer, architect and/or landscape architect as well as other consultants deemed necessary to give professional consulting services to the planning board because the town lacks the necessary expertise to perform the work related to the application.

In addition to the above or as an alternative, the Planning Board may, at its option, appoint a volunteer Technical Advisory Team (TAT) to assist in the review of any project within the Business Highway Sustainable Development Zoning District that requires site plan review. Persons serving on this advisory committee may have expertise in an urban design, traffic engineering, architecture and/or landscape architecture as well as other fields deemed necessary to give professional consulting services to the planning board.

The TAT will provide advisory professional services to the Planning Board and may also submit a written report to the Planning Board. The TAT will be appointed at a regularly scheduled meeting where public notice has been provided.

Section 19 21.7: Special Permit Criteria

In addition to Article 19.5a- special permits and conditions-, in the Saugus Zoning By-Law, the Planning Board as well as the Board of Selectmen shall consider the following criteria before issuing a Special Permit for development or redevelopment under the provisions of the BHSD Zoning District:

- A. Adequacy of the site for the size of the proposed project.
- B. Suitability of the site for the proposed uses(s).
- C. Degree to which the proposed project complies with the purposes and intent of the Business Highway Sustainable Development Zoning District.
- D. The extent to which affordable housing is a component of the project.
- E. Impact on traffic and pedestrian flow, safety and access for emergency vehicles.
- F. Impact on Residential Zones including but not limited to noise, lighting and traffic.
- G. Extent to which the project promotes mixed-use development.
- H. The extent to which the project promotes sustainable building and site design.
- I. Extent to which buildings, driveways, parking areas, loading areas, outdoor activity areas, light sources, trash areas and other potential nuisances shall be located and designed to minimize adverse impacts on abutting residential properties. In order to limit the adverse impact of any proposed use the special permit may require alternative site layouts, including increased setbacks from residential property lines, different locations of buildings, parking areas, and driveways, the incorporation of loading and trash collection areas as part of the principal building design, and increased screening for light sources and outdoor activity areas.
- J. Driveway intersections with streets and traffic circulation patterns within lots shall be located and designed to minimize congestion and safety problems on adjacent streets and nearby intersections. The Special Permit may require alternative driveway locations and site design in order to alleviate potential congestion or safety problems.

Section 19 21.8: Inclusionary Housing

Projects developed under the BHSD Zoning District shall follow the requirements of the Saugus Zoning By-Law, Article 15: Inclusionary Housing.

Section 19 21.9: Uses

Except as provided in the Zoning Act, Ch. 40A M.G.L., the Saugus Zoning By-Law or in the BHSD, and the two sub-districts- Business Highway (BH) and Business Highway/Residential (BHR) - no building, structure or land shall be used except for the purpose permitted in the Business Highway Sustainable Zoning District as described. More than one principal permitted or special permit use(s) or structure on a lot is allowed. Any use not listed herein shall be construed to be prohibited.

A. Within the Business Highway sub-district (BH), uses shall be regulated as follows:

1. More than one principal Permitted or Special Permit use or structure on a lot within the Highway Business Highway District is allowed.
2. A single use or a mixed use either within a structure or among several structures is allowed.
3. Ownership. Any land area proposed for development shall be in one ownership or shall be subject to a joint application filed by every owner of the land area proposed for development, under single direction, using one overall master plan and complying with all requirements of the Business Highway Zoning District.
4. Ownership and Maintenance of Common Open Space, Plaza Areas, and Other Facilities. Common open space, plaza areas, and other common facilities shall have agreements stating ownership and maintenance responsibilities. The required usable open space and plaza areas shall be permanently deed restricted from future development.

B. Within the Business Highway/Residential sub-district (BHR) uses shall be regulated as follows:

1. More than one principal Permitted or Special Permit use or structure on a lot within the Highway Business Highway/Residential Sub District (BHR) is allowed.
2. A single use or a mixed use either within a structure or among several structures is allowed, however,
3. Only single use residential buildings and their related accessory uses, when proposed either by themselves or as part of a larger single or mixed use development, shall be allowed, designed and located abutting any off site residential zoned districts. These single use residential buildings shall be designed to provide a transition between abutting off-site residential zoned districts and any new nonresidential single use, mixed uses, and other single use residential uses located in either the Business Highway/Residential or the Business Highway sub-districts.

C. Within the Business Highway Sustainable Development District, except as provided above for the BHR sub-district, the following shall apply:

1. Mix of allowed uses shall mean: A combination of uses from four general land use groups.
 - a. Office, Entertainment, Hotels, and Institutions
 - b. Retail and Restaurants
 - c. Residential-multifamily apartments & Townhouses
 - d. Light Industrial

D. These uses can be on one lot or adjoining lots, arranged vertically (in multiple stories or structures) or horizontally (adjacent to one another in one or more building). Mix of uses shall be balanced and compatible and shall contribute to a vibrant atmosphere within a development. In this District, this definition supersedes the Saugus Zoning By-Law definition of "Principal Use". While no mixing of uses is required, it is recognized that development within the BHSD District will be more dynamic and sustainable with an appropriate mix of complementary uses. The concept is to create more dynamic and sustainable developments with an appropriate mix of complementary uses. As the size of properties increases, the potential for sterile one-use developments also increases. The Business Highway Zoning District encourages greater mixes of uses as property sizes increase. Structured parking is allowed in all single and mixed use development.

E. Suggested Mix of Uses

Within the BHSD Zoning District it is important to create more dynamic and sustainable developments with an appropriate mix of complementary uses. As the size of properties increases, the potential for sterile one-use developments also increases. To avoid this problem, the BHSD District encourages greater mixes of uses as property sizes increase.

Within the BHSD District it is strongly encouraged that a development meet the following mix of use requirements, depending on the size of the property at the time the property was zoned BHSD.

- **Tracts of developable land less than 1 acre-** Developments may consist of one of the land uses groups under allowed uses.
- **Tracts of developable land 1 to 10 acres-** Development is strongly encouraged to include at least two of the land use groups listed under allowed uses.
- **Tracts of developable land greater than 10 acres -**Development is strongly encouraged to include at least three of the land use groups listed under allowed uses.

F. Allowed Uses

A lot(s) and/or building(s) may be used for one or more of the following principle by-right permitted uses, in compliance with the standards and requirements contained in this article.

The following uses are permitted by right, subject to site plan approval, provided no-drive-through facilities are proposed. Uses of the same general character as those found in this section may be permitted after consultation with the Building Inspector.

1. Office, entertainment, institutional and related uses, as listed below:

- a. Professional, administrative, and business offices.
- b. Offices of doctor, dentist, and other healthcare providers.
- c. Hospitals, medical clinics, sanitariums, nursing homes, assisted living facilities, rest homes, philanthropic institutions,
- d. Bank or financial institutions, excluding drive-through facilities.
- e. Business services establishments including copy centers, retail printing and duplication services, computer rental, mailbox rental.
- f. Hotels, bed and breakfast facilities, convention centers, meeting space, and banquet facilities.
- g. Studio for dance, art, music, photography, or exercise
- h. Galleries and museums.
- i. Schools and day care centers.
- j. Technical schools and training centers
- k. Government administrative uses, post offices, community centers, and libraries.
- l. Club or fraternal organization.
- m. Emergency service facilities such as ambulance and fire services.

2. Retail, restaurant, and related uses, as listed below:

- a. Retail commercial sales, excluding drive-through facilities, offering dry goods, variety merchandise, clothing groceries, baked goods, beverages, flowers, plants, drugs, books, furnishings or other household supplies, antiques, hardware, jewelry, clocks, optical goods, cameras, home appliances, electronic equipment, videos, scientific and professional instruments, and/or similar goods. Shopping centers, as defined in this by-law, are only permitted by a special permit.
- b. Personal service businesses including but not limited to: barbershop and/or hairdresser, shoe repair, tailor, dry cleaning (pick up establishments only), laundromat.
- c. Restaurants and other food or beverage establishments, excluding drive through facilities.
- d. Studios for dance, music, art, or photography.
- e. Indoor sports facilities, including bowling alley, racquet sports, and health club.
- f. Bar or tavern
- g. Convenience stores, without fuel pumps.
- h. **Adult use-SP 2** (in accordance with definition and Section 12.C Saugus Zoning By-Law)

3. Multi-family Apartment units and attached townhouses

4. Accessory uses to principle use, including structured and surface and below ground parking.

G. Uses Allowed by Special Permit

The following uses may be permitted by Special Permit from the Planning Board (SP 3) or the Board of Selectmen (SP 2) in accordance with the special permit use criteria of Section 19.5a and Section 19.7 of this Article, the standards listed below, and all other regulations of the Saugus Zoning By-Law including Articles 12, 12.5, 12.5D and the Table of Use Regulations of the Saugus Zoning By-Law. Except that special permit powers and responsibilities of the Saugus Zoning Board of Appeals as it pertains to the Business Highway Sustainable Development (BHSD) Zoning District uses shall be the responsibility of the Planning Board.

Uses of the same general character as those found in this section may be permitted by the Planning Board as a Special Permit (SP 3) or the Board of Selectmen as a Special Permit (SP 2) after consultation with the Building Inspector.

1. Class One Special Permit Uses

On lots with a minimum area of 40,000 square feet and a minimum width at the building line of 100 feet, the following uses are permitted as class one conditional uses:

a. Nail salon, tanning salon, health clubs, fitness studios, health and beauty spas, public baths, sauna baths personal fitness establishments. SP 2

b. Places of business for Massage Therapy, Bodywork and Movement Education as defined and regulated by the Saugus Board of Health. SP2

c. Uses with drive through facilities, including restaurants, drug stores, banks and financial institutions, and other uses listed in Sections 19.9c provided. SP2

The stacking lanes shall not interfere with parking spaces or the internal and external circulation of the site and drive through windows shall face the rear or side yard of the site. Drive through windows shall not face a public street.

Restaurants shall have a minimum of seven (7) staking spaces for queuing cars accessing the ordering window or speaker. If pick up/payment windows are provided separately, the queuing distance between windows and/or speaker(s) shall be a minimum of three (3) stacking spaces.

Banks, service, and retail establishments shall have a minimum of four (4) stacking spaces for queuing cars accessing a drive-through window or speaker. The use provides sufficient on-site stacking lanes to accommodate a minimum of six (6) automobiles leading to the first drive-through window, bank teller window, remote teller window, or drive through automatic teller machine on the site, and two (2) automobiles for each additional drive-through facility on the site.

d. Veterinarian's office or commercial kennel, pet care or pet sales provided. SP2

1. Buildings are adequately soundproofed so that sounds generated within the building cannot be perceived at the lot boundary.

2. No shelter, run, or structure that will contain animals at night is located within 100 feet of any property line or street line.

e. Repair shop SP2 - excluding repair of automobiles, other vehicles, and large equipment - provided:

1. All items must be repaired on the premises in an enclosed and roofed building.

2. No outside storage is permitted.

f. Radio and/ or television studios – SP2

g. Funeral home or mortuary. SP2

2. Class Two Special Permit Uses

On lots with a minimum area of 3 acres and a minimum width at the building line of two hundred (200) feet, the following uses are permitted as Class Two conditional uses:

a. Shopping center – SP3

b. Indoor theaters, bowling alleys, billiard rooms, skating rinks, sports facilities, health clubs, racquet sports other indoor amusement centers and other similar places of amusement, recreation, entertainment or sports provided: SP2

1. Pick-up and drop-off areas are provided with at least one (1) automobile waiting space per screen or amusement center, up to a maximum of 6 spaces.

c. Outdoor amusement facilities such as golf courses, batting cages, miniature golf courses, golf driving ranges, amusement parks and similar uses, in accordance with the following:- SP2

1. Driving Ranges, provided:

(i) A minimum lot area of five (5) acres is provided.

(ii) Protective screens to stop stray golf balls from crossing property lines are installed, unless the Board of Commissioners/Supervisors/Borough Council Selectmen determines that screens are unnecessary. Protective screens over six (6) feet in height are located at least 100 feet from the property line.

(iii) A fifty (50) foot wide landscaped buffer area is installed along all street ultimate right-of-way lines and along all property lines abutting a nonresidential use, and a one hundred (100) foot buffer is installed along all property lines abutting a residential use.

d. Building supply center, lumber yard and contractor's business, including masonry, carpentry, remodeling, electrical, house cleaning, plumbing, painting, roofing, landscaping contractor, wholesale establishment for the sale and distribution of supplies and general merchandise provided that: - SP2

1. Outdoor storage areas are limited to 50% of the total site area and are screened from public roads and residential properties.

2. All products stored outdoors are stored and displayed behind areas that are clearly defined for such purpose, such as completely enclosed fences, walls or other structures.

3. The display of goods and merchandise is not located between the building and the street and meets the minimum required rear and side yard setbacks.

4. Such uses have a defined pick-up area that does not interfere with the flow of internal traffic or required parking areas.

5. Commercial vehicles and outdoor storage areas are at least sixty (60) feet from residential property lines and street ultimate right-of-way lines.

6. A ten (10) foot wide landscaped buffer area is provided along all property lines.
- e. Nursery and Truck gardens, stands for wholesale and retail sales, garden center, or greenhouse provided: - SP2
 1. Outdoor storage is limited to 75% of the total site area.
 2. Materials to be sold outdoors include; patio Block/Stone, wall/stone, flag/Stone, marble chips, mulch, peat moss, cow manure, top soil, block & board, treated and untreated lumber, nursery stock, trees, plants, hanging plants, ponds, pond accessories, other similar products.
 3. No storage or displaying for sale of any chemical, fertilizers or other material potentially hazardous when exposed to the elements out of a building/ structure.
 4. All non-plant materials are stored and displayed behind areas that are clearly defined for such purpose, and are screened from public roads and residential properties.
 5. Such uses have a defined pick-up area that does not interfere with the flow of internal traffic or required parking areas.
 6. Commercial vehicles and outdoor storage areas are at least sixty (60) feet from residential property lines and street ultimate right-of-way lines.

3. Class Three Conditional Uses

The following Light Industrial Uses shall be allowed only by Special Permit:

- a. light manufacturing employing electricity and/or other unobjectionable motive power, using hand labor and/or unobjectionable machinery or process.- SP2
- b. plant for the manufacture of electrical or electronic devices, appliances, apparatus or supplies. - SP2
- c. plant for the manufacturing of medical, dental, drafting supplies, optical goods or other precision instruments,; accessory manufacturing uses of light manufacturing nature incidental to a permitted use, and where the product is customarily sold on premises directly to the customer. - SP2
- d. general and scientific research and development and related production activity, and accessory uses. - SP2
- e .removal of earth material other than for Residential Development purposes. - SP2
- f. wireless communications services - S2. In accordance with Article 14 of the Saugus Zoning By-Law wireless communications serves shall be allowed.

4. Accessory uses.

- a. Accessory uses allowed. Accessory uses to a principal use (s), on the same lot with and customarily incidental to the use(s) permitted and utilized, including structured and surface parking lots. Accessory uses shall meet all the requirements for permitted uses. In addition the following accessory uses are allowed:
 1. Swimming pools
 2. Garage for storage of vehicles incidental to operation of business, clubs, motels, hotels
 3. Accessory Manufacturing uses, of light manufacturing nature incidental to a permitted use, and where product is customarily sold on premises directly to a customer
 4. Accessory off-street parking
 5. Structured parking facilities
 6. Accessory uses to scientific research and development and related production activity. SP2

5. Access.

No uses/uses within the BHSD Zoning District including the BH and BHR shall have vehicular access to any residential zoning district or neighborhood, except for emergency vehicle access.

Section ~~19~~ 21.10 Dimensional and Density Regulations

For new construction all Dimensional and Density Regulations in the Business Highway Sustainable Development Zoning District shall be in accordance with this Section and any Table of Dimensional and Density Regulations, and notes thereto created to support these regulations.

A. Minimum lot size 40,000 sq. ft.

B. Frontage

1. Minimum lot frontage along the major arterials - Route 1 and route 99
 - For lots 40,000 - 3 acre=100 feet
 - For lots above 3 acres= 200 feet
2. Minimum lot frontage along all other public way, a private way approved and endorsed by the Saugus Planning Board, or a private internal access street or drive = 70 feet
3. Where frontage is provided by an internal access street or drive such access shall contain a paved roadway width from curb to curb of at least twenty-four (24) feet. In addition, sidewalks shall be provided on both sides of the roadway.
4. Where parking is allowed on the internal access street or drive, the paved width shall be increased nine (9) feet for each side of the access drive used for parallel parking and eighteen (18) feet for each side of the access drive used for head-in parking.

C. Setbacks

1. Front

For buildings fronting on routes 1/99 (major arterials). or other Town Roadways -50 feet
 For buildings within a development fronting on internal public ways , private ways, access roads , internal roads, drives or parking areas – maximum setback of 25 feet.

2. Side - 15 feet

3. Rear - 50 feet (Please see footnote #1)

Footnote #1. Parcel located at 44 Collins Ave, Saugus , map id # D6-1-1, parcel id # F_783717_2990841, shall have a rear lot set back of 100 feet which shall be protected by a conservation easement in favor of the Town of Saugus

4. Setbacks between buildings within a development

- a. For separate buildings up to 3 stories (40 feet) = 20 ft. setback between buildings is required
- b. For separate buildings 4 to 6 stories (90 ft.) = 40 foot setback between buildings is required.
5. For any building(s) side(s) in the BH subdistrict that abut(s) an existing residential district the side yard setback shall be 20 feet. Except that the rear building setback abutting an existing

residential district shall be 50 feet.

6. When rear or side yard setbacks abut a residential district, a screening area consisting of evergreen plantings and trees and/or opaque fencing shall be required within the setback.

D. Additional Setback requirement within the BHR district.

1. A 50 foot setback buffer shall be created from any yard side that abuts an existing residential district zone. This setback shall be a buffer zone. The buffer zone shall not contain any structures, including accessory structures, parking lots, parking structures, roadways, driveways or access ways (except for emergency access), outdoor loading and trash storage areas. Buffers shall be heavily landscaped and planted with year round opaque planted screens, and/or opaque fencing, walls or sound barriers. In certain circumstances the use of berms could be encouraged.

2. In addition buildings, driveways, parking areas, loading areas, outdoor activity areas, light sources, trash areas, and other potential nuisances shall be located and designed to minimize adverse impacts on abutting residential districts. In order to limit the adverse impact of a proposed residential, commercial or mixed use development on existing residential neighborhoods, in addition to an increased buffer area, locations of buildings, parking areas, and driveway areas and the incorporation of loading and trash collection areas shall be located in such a manner as to lessen any negative impacts on existing residential districts.

E. Height

1. As-of-Right = 4 stories with a maximum height of 55 feet.

2. Special Permit by the Saugus Board of Selectmen (SP2) = 6 stories with a maximum height of 90 ft.

F. Additional Height requirements within the BHR district

1. Structures or portions of structures within 50 feet of the buffer zone shall not exceed a height of 3 stories to a maximum height of 40 feet.

G. Maximum Coverage

1. Maximum Building Area Coverage: 70%.

2. Maximum total Impervious Coverage: 85%.

3. Minimum of 10% of the lot(s) shall be reserved and maintained as open space.

H. Density

1. Residential = 30 units per acre

I. Structures on a site or lot

1. More than one principle structure may be permitted on a lot.

J. Hillside Protection

1. The Provision of the Saugus Zoning By-Law Section 6.8(k) Hillside Protection shall be applicable to all properties and land area within the Business Highway Sustainable Development Zoning District including the Business Highway and Business Highway Residential Sub Districts.

Section 21.11 : Parking

Parking spaces shall be 9 feet wide by 18 feet long, except for required Handicapped Spaces; and spaces designated “small or compact car spaces” shall be 8 feet wide by 16 feet long. No more than 35% of spaces shall be designated for “small cars”.

A. The following table provides Minimum and Maximum parking requirements for certain uses. All other Parking requirements shall be the same as listed in Article VIII-Off Street Parking and Loading Regulations in the Saugus Zoning By-Law.

For all other uses not specifically mentioned, the number of parking spaces shall be determined by the closest similar use, as determined by the Building Inspector.

Use	Minimum Parking Spaces:	Maximum Parking Spaces	Comments
Studio/1 Bedroom All other residential units	1 per unit 1.5 per unit	1 per unit 2 per unit	Reduction for smaller units
Motels, hotels	0.75 space for each guest room or dwelling unit, plus 1 space for each 500 s.f. of meeting, banquet or restaurant area	1 space for each guest room or dwelling unit, plus 1 space for each 400 s.f. of meeting, banquet or restaurant area	The Max. is in the current By-Law
Retail business and service establishments	1 space for each 300 s.f. of gross floor area on the first floor of a building, and one space for each 500 square feet of gross floor area thereafter for all floors used businesses, excluding basement storage area	1 space for each 250 s.f. of gross floor area on the first floor of a building, and one space for each 400 square feet of gross floor area thereafter for all floors used for office, retail or service businesses, excluding basement storage area	The current By-Law requires 1/300 sf—adjusted the minimum
Theaters	1 space for each five seats or for each 100 s.f. of auditorium area, if there are not fixed seats	1 space for each four seats or for each 50 s.f. of auditorium area, if there are not fixed seats	
Mixed uses in a single building	See Section 8.5 Combined Facilities of the Zoning By-Law.	Spaces required will be the sum of the requirements of the various individual uses	If deeded condo parking, may not apply.

By grant of a Special Permit by the Planning Board, the Minimum number of off-street parking spaces required may be

decreased provided that the following criteria have been met:

- The purpose and intent of the by-law is achieved
- The amount of off-street parking to be provided will be sufficient to serve the use(s) for which it is intended
- The decrease in required off-street parking is based on a parking study prepared by a registered professional engineer. The parking study will include, at a minimum, the following:
 - Size and type of existing uses or activities on site
 - Size and type of proposed uses or activities on site
 - Rate of parking turnover
 - Peak traffic and parking loads to be encountered
 - Availability of public transportation, or transportation shuttle services
 - Other factors identified by the Planning Board

The Planning Board may consult with the Town Building Inspector, public safety officials and/or engineer prior to granting any decrease in parking.

If the Planning Board allows a decrease in the amount of required off-street parking, the Board may require that a portion of the site be reserved to meet the off-street parking spaces required by this bylaw. This reserved area shall not be developed and shall be either landscaped or maintained in a natural state. The reserved area shall not count towards the open space requirements.

B. Shared Parking

Notwithstanding any other parking requirements set forth in the By-law for individual land uses , when any land or building is used for two or more distinguishable purposes (including Mix Use development), the minimum total number of parking spaces required to serve the combination of all uses shall be determined in the following manner:

1. Multiply the minimum parking requirement for each individual use (See Section above) by the appropriate percentage (as shown in the Shared Parking Chart below) for each of the five designated time periods.
2. Add the resulting sums from each vertical column.
3. The column total having the highest total value is the minimum shared parking space requirement for that combination of land uses.
4. The calculations shall be reviewed and approved as part of the Site Plan and Design Review process.

Shared Parking Chart					
	Weekday	Weekday	Weekday	Weekend	Weekend
USE	Night Midnight to 7:00 a.m. (percent)	Day 7:00 a.m. to 5:00 p.m. (percent)	Evening 5:00 p.m. to Midnight (percent)	Day 6:00 a.m. to 6:00 p.m. (percent)	Evening 6:00 p.m. to Midnight (percent)
Residential	100	60	90	80	90
Office/Industrial	5	100	10	10	5
Commercial/Retail	5	80	90	100	70
Hotel	70	70	100	70	100
Restaurant	10	50	100	50	100
Restaurant associated with hotel	10	50	60	50	60
Entertainment/recreation (theaters, bowling allies, cocktail lounges and similar)	10	40	100	80	100
Day-care facilities	5	100	10	20	5
All other (unless documentation is submitted by a registered engineer, etc.)	100	100	100	100	100

Section ~~19~~ 21.12: Design Standards

The Planning Board shall ensure that the following criteria are met during Site Plan Review. Site Plan Approval shall be granted upon determination by the Planning Board that the plan meets the following objectives. The Planning Board may impose reasonable conditions at the expense of the applicant including performance guarantees, to promote these objectives.

These design criteria are intended to promote quality development that is compatible with the intent of the zoning for route 1 and the desire for contextual, human scale and pedestrian orientated projects.

Compatible Design helps enhance the quality of life for all residents while strengthening the economic viability of the Route 1 corridor, The Design Criteria seeks to encourage visual harmony and encourage creative design solutions. The Design

Criteria encourages a variety of choices for achieving design compatibility with the Business Highway Zoning District. New building and/or substantial alterations shall incorporate features to add visual interest while reducing the appearance of bulk or mass. Such features include varied facades, rooflines, roof heights and materials. Continuous lengths of flat, blank walls adjacent to streets, pedestrian pathways, or open space shall not be permitted.

A. General Layout and Street Pattern

The following general layout and street pattern requirements shall be shown on the Master Plan:

1. Various land uses shall be laid out and spaced to make walking from one land use to any other land uses as easy as possible.
2. Retail uses shall be located as physically close to as many of the following on and off-site features as possible: existing retail areas, existing higher classification streets (Routes 1 and 99), and proposed plaza areas.
3. Single-use residential buildings, when proposed, shall be located and designed to provide a transition between abutting off-site residential zoning districts, when they exist, and the nonresidential uses in the Business Highway district.
4. Any streets or driveways internal to a development within the Business Highway District, shall be connected with internal streets or driveways of abutting properties zoned Business Highway. Streets or driveways shall be extended to abutting properties in logical locations, as determined by the planning board.

B. Building Design Standards

Any new structure or where there is an increase of 1,000 square feet to an existing structure shall strive to meet the following standards:

1. Pitched roofs with a minimum pitch of 6 vertical inches to every 12 horizontal inches are encouraged.
2. Building design and treatments that express corporate identity shall not take precedence over these uniform design guidelines and such development shall conform to the architectural considerations in these guidelines.
3. Buildings that are stylized in an attempt to identify a particular tenant, particularly where the proposed architectural design is the result of corporate or franchise prototype design shall not take precedence over these uniform design guidelines and such developments shall conform to the architectural considerations of these guidelines.
4. No more than 15% of a structure's external building treatment shall be of metal.
5. Rear and side facades shall be of finished quality and shall be of color and materials that are similar to the front facade and blend with structures within the development as well as with structures in the surrounding area.
6. Any development with more than one building on the site shall have a common and coherent architectural theme throughout the development. They should share similar uniform design characteristics and vocabulary. Precise replication is not desirable; instead similar colors, materials and textures, and repeat patterns, rhythms and proportions of other units to achieve unity.
7. Predominant wall materials shall have the appearance of wood, brick, or stone. If painted or coated, only non-metallic finish will be used.
shall be non-reflective.
8. Awnings and canopies shall be compatible with the architectural style of the building. Colors and patterns used for awnings and canopies shall be subdued and compatible with existing awnings on adjacent buildings.
9. For all buildings front facades shall be oriented toward existing or proposed streets or driveway, with an everyday entrance in the front facade. Side facades of buildings should not be oriented toward Route 1 or route 99.
10. Ground floor commercial building facades facing streets, squares, or other significant pedestrian spaces shall contain transparent windows encompassing a minimum of 40 percent of the façade surface.
11. Building shall incorporate features to add visual interest while reducing the appearance of bulk or mass. Facades must be interrupted at least once within every eighty (80) horizontal feet, with offsets of five (5) feet or more feet in depth along any building facade facing a public street or public parking. Offsets shall be continuous from grade to the roof. Roofs cannot extend more than 80 feet without a change in Roof Mass, shape or height.
12. Building facades of two hundred (200) feet or more which face public streets or public parking shall, in addition to offsets, include other design elements to break up the façade, such as awnings, porches, canopies, towers, balconies, bays, changes in building materials, gables, and planted trellises; medallions; opaque or translucent glass; artwork; vertical/ horizontal articulation; lighting fixtures; or a similar architectural element not listed above, as approved by planning board.
13. The following features should be considered as potential elements to help break down building scale:
 - Low planters and walls, base plantings and unique architectural treatments at pedestrian levels.
 - Covered walkways, trellises or architectural awnings that provide varying degrees of shade and sun at ground level.
 - Distinct and multiple architectural roof forms, clearly pronounced eaves, distinct parapet designs and cornice treatments
 - Clearly pronounced recesses, projections, wall plane off-sets, and recessed entries
 - Use of deep set windows and mullions
 - Use of vertical accents or focal points

Ground level arcades and galleries/balconies on upper floors

Use of exterior façade treatments to define smaller masses through the use of different materials, textures and color.

14. Blank walls shall not be permitted along any exterior wall facing a street. Walls in these ~~locations~~ **locations** shall comprise a minimum of 35 percent window area and a maximum of 75 percent window area, with windows interspersed across the façade.

15. Walls or portions of walls where windows are not provided shall have architectural treatments designed to break up the bulk of the wall by incorporating treatments such as: masonry but not flat concrete block; belt courses of a different texture or color; projecting cornice; projecting metal canopy; decorative tilework; trellis containing planting; medallions; opaque or translucent glass; artwork; vertical/horizontal articulation; lighting fixtures; or a similar architectural element not listed above, as approved by the planning board.

16. Any development with more than one building on the site shall have a common and coherent architectural theme throughout the development.

17. Principal buildings shall have clearly defined, highly visible customer entrances with features such as canopies, porticoes, arches, and integral planters that incorporate landscaped areas and/ or areas for sitting.

18. Where parking is located to the rear of a building, any rear entrance is to be visible and accessible from the parking lot. Directional signage to the building entrance(s) shall be installed.

All entrances are to have sufficient illumination at night time.

19. Loading doors, service doors, and load docks shall not be located in any façade facing a street.

20. Mechanical equipment shall be screened and if located on roofs shall be screened, organized and designed as a component of the roof design, and not appear to be a leftover or add-on element. Mechanical equipment shall be installed to minimize the noise impacts on any adjacent residences, whether on the project lot(s) or on adjacent lot(s).

21. Buildings with less than 15,000 square feet of building area on the ground floor that are located adjacent to a residential zoning district shall have pitched roofs covering at least 80 percent of the building with a pitch of at least 6 vertical inches to every 12 horizontal inches.

22. Buildings with more than 15,000 square feet on the ground floor shall meet one of the following roof requirements:

a. Pitched roofs covering at least 80 percent of the building with a pitch of at least 6 vertical inches to every 12 horizontal inches.

b. Parapets or mansard roofs that conceal flat roofs and rooftop equipment such as HVAC units along all roof edges.

23. All shopping centers and other retail establishments with 100,000 square feet or more in gross floor area shall meet the following additional requirements:

a. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.

b. Large buildings and shopping centers shall have clearly defined, highly visible customer entrances for primary buildings featuring no less than three (3) of the following: canopies or porticoes; overhangs; recesses/ projections; arcades; raised corniced parapets over the door; peaked roof forms; arches; outdoor patios; and display windows.

24. Storefront landscaping shall be provided between the foundations of buildings and driveways/parking areas. A minimum of 25 percent of the area between the building foundation and driveways/parking areas shall be landscaped.

25. All sides of shopping centers and retail establishments with 50,000 square feet or more of floor area that directly face an abutting public street shall feature at least one (1) customer entrance. This requirement can be met for two sides of a shopping center or large retail establishment by a corner entrance that is visible from both sides.

26. It is desirable that new buildings incorporate green building techniques (such as those developed by the U.S. Green Building Council) to the maximum extent possible.

C. Common Use Area

Shopping centers or large retail establishments of 100,000 square feet or more of gross building floor area shall contain a common use area that will serve as a focal point for the center and provide walkways, seating, and landscaping. Water features, courtyards, mini-parks and plazas are encouraged. The common use area shall meet the following requirements:

1. It shall generally be located between the street and the front facade of the primary shopping center or large retail establishment building, within 200 feet of this building.

2. It shall be equal to or greater in size than five (5) percent of the gross floor area of the shopping center or large retail establishment.

3. It shall be directly connected to the sidewalk in front of the shopping center or large retail establishment, without intervening driveways or streets.

4. It shall consist of one contiguous area, and the shape and location of the common use area shall be approved by the Planning Board.

5. It shall be improved with either a gazebo, pavilion, clock tower, or paved patio area with a fountain to help identify this area as the central gathering place for the development. This improvement shall be a minimum of 300 square feet in size.

6. It shall contain shade trees, ornamental plantings, and seating; it may also contain outdoor dining areas.

D. Parking and Driveway Design Standards

Parking lots shall be landscaped according to the following regulations:

1. The ends of all parking rows shall be divided from drives by planting islands.

2. There shall be no more than 15 contiguous parking stalls in a row without a planting island.

3. Planting islands shall be a minimum of ten (10) feet by twenty (20) feet in area, underlain by soil (not base course material) and shall be protected by curbing, wheel stops, or bollards. Each planting island shall contain at least one (1) shade tree plus low growing shrubs and/ or groundcover to cover the entire area at maturity.

4. Parking lots shall be divided by planting strips placed at intervals of one (1) for every four (4) or fewer rows of parking. These planting strips shall meet the following requirements:

- a. At least half of the planting strips shall be a minimum of 15 feet in width, and contain a 5 foot paved walkway leading towards the building, with 5 feet provided for plantings on both sides of the walkway.
- b. All other planting strips shall be a minimum of ten feet in width, with all ten feet for plantings.
- c. Strips shall run the length of the parking row, be underlain by soil, and be protected by curbs, wheel stops or bollards.
- d. Planting strips shall contain plantings of one (1) canopy tree every twenty five (25) feet, two (2) shrubs per tree, and groundcover/shrubs to cover the entire remaining unplanted area at maturity.

5. A perimeter planting area at least 10 feet in width shall be provided along all property lines and street ultimate rights-of-way lines.

6. The maximum depth of a parking area located within the front yard of a general commercial building with less than 20,000 square feet of building area shall be sixty five (65) feet, measured perpendicular or radial to the street ultimate right-of-way line.

7. Each commercial use shall provide access easements for its parking aisles and driveways guaranteeing access to all abutting lots zoned General Commercial, unless all possible interconnections between two abutting lots must cross twenty (20) linear feet or more

of wetlands, floodplain, or natural slopes of 15% or more. Parking areas on adjacent lots shall be directly connected by a driveway. These interconnections shall be constructed during the initial land development.

8. Large retail uses and shopping centers with over 100,000 square feet of gross building floor area shall provide the following:

- a. A pickup area for public transportation located between the street and the front façade of the large retail use or shopping center. The pickup area must include a ten (10) foot by twenty (20) foot waiting area that is separated from other sidewalks in the development. The pickup area must also include an area where a forty-foot bus can park without blocking any lanes of the development's driveways.

- b. Driveways and a parking area that can handle and are designed for the weight and length of a forty-foot passenger bus.

9. Properties with frontages of 600 feet or less on any individual street are only permitted one driveway intersection per street. Properties with frontages greater than 600 feet may be permitted a maximum of two driveways per street frontage, provided that such driveways are at least 300 feet apart. Regardless of frontage, a development may be restricted to a single driveway depending on usage and interior and exterior traffic patterns.

10. Parking areas containing 50 or more cars shall have a minimum driveway length of fifty (50) feet provided between the road ultimate right-of-way line and the first parking space or internal driveway intersection. Parking areas containing less than 50 cars shall have a minimum driveway length of twenty (20) feet provided between the road ultimate right-of-way line and the first parking space or internal driveway intersection.

E. Pedestrian Circulation Design Standards

Projects shall enhance the pedestrian environment and bicycle circulation by providing safe and convenient pedestrian access into plans for existing buildings as well as new construction and parking areas and should be designed in concert with landscaping plans so as to minimize the number and size of curb cuts and provide sidewalks along roads where possible

1. There shall be clear grade separated pedestrian connections between all parking areas and all buildings. A raised, landscaped sidewalk will be constructed through the main parking lot to facilitate safe pedestrian travel through the site. The sidewalks required within planting strips may be used to meet this requirement.

2. Continuous internal pedestrian walkways, no less than 5 feet in width, shall provide a direct link from the public sidewalk or street right-of-way to the principal customer entrance of all principal retail establishments on the site. Walkways shall also connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building and store entry points. The sidewalks required within planting strips may be used to meet this requirement.

3. Unobstructed sidewalks, no less than 6 feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. Along facades with building entrances, the required 6-foot wide sidewalk area shall be set back from the façade by a 3 foot area that either contains planting beds or additional sidewalk width.

4. All internal pedestrian walkways and crosswalks shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort.

5. Buildings and sidewalks shall be handicapped accessible.

F. Lighting Standards

1. Lighting shall be shielded to meet the following requirements:

- a. No light shall shine directly into the windows of a building on abutting property.

- b. No light shall shine directly from a light source onto the ground or improvements of an abutting property, although incidental light may be permitted to fall on abutting property. Such lighting shall not exceed one-half an ISO foot candle at ground level on the abutting property.

- c. No light shall shine directly onto public roads.

2. Where the abutting property is residentially zoned or used, nonresidential uses shall

direct light fixtures toward the proposed development and shield the residential properties from direct lighting or glare. The light source itself must not be visible from the abutting residential property.

3. No parking lot lighting standard or building fixture shall exceed twenty-five (25) feet in height from grade level, and no pedestrian lighting standard shall exceed fourteen (14) feet in height from grade level.

4. Light fixtures located closer to a side or rear lot line than the side or rear yard setback, shall be no more than ten (10) feet high, and shall direct the light source away from the property line.

5. Light fixtures shall not be located within any buffer zone separating an existing residential district or use from any development proposed within the Business Highway Zoning District.

6. No streamers or festoon lighting, comprising a group of incandescent light bulbs, shall be hung or strung on a building or any other structure.

7. No flashing or intermittent or moving lights, including lights on signs, shall be permitted.

G. Noise Control

1. No person shall cause, suffer, allow, or permit the operation of any sound source on a commercial property or public space or right-of-way in such a manner as to create a sound level that exceeds the background sound level by 10 dBC during daytime (7:00 AM to 9:00 PM) hours and by 5 dBC during nighttime (9:00 PM to 7:00 AM) hours when measured at or within the property line of the receiving property.

2. No delivery, loading, trash removal or compaction or other such operations shall be permitted between the hours of 10:00 PM and 7:00 AM unless the applicant submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level of forty five (45) dBC, as measured at the lot line of any adjoining property.

H. Other Requirements

1. Loading docks, utility meters, HVAC equipment, trash dumpsters and other service functions shall be incorporated into the overall design theme of the building so that the architectural design is continuous. These service functions shall not be located in any buffer zones separating existing residential zones or uses from development within the Business Highway Residential and the Business Highway Zones. These areas shall be located and screened so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and streets or primary public open space and shall incorporate effective techniques for noise buffering from adjacent uses.

2. Outdoor sales and storage areas shall conform to the following requirements:

a. Outdoor sales and storage areas shall not be located within twenty (20) feet of any public street or public sidewalk.

b. These areas shall be screened so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.

c. Outdoor areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls or fences. Materials, colors and design of screening walls or fences shall conform to those used as predominant materials and colors of the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors of the building.

d. To the maximum extent possible projects shall provide pedestrian-friendly amenities, such as outdoor seating, patios, porches or courtyards. Site landscaping shall be maximized.

e. Pedestrian connections shall be built between lots to the maximum extent possible to minimize vehicle traffic between adjacent lots.

f. Curb cuts shall be minimized.

Section 19 21.13: Business Highway Sustainable Development Access Standards

A. All tracts of land to be developed in the BHSD shall share access with an adjacent BHSD zoned property when available and feasible, consistent with subsection 2 below. If shared access cannot be provided by an existing driveway, the applicant shall provide access in a way that maximizes the potential for shared access in the future, consistent with subsection 3 below. When the requirements of subsections 2 and 3 cannot be satisfied, an independent access may be permitted consistent with subsection 4 below. Multiple access points may be provided when the requirements of subsection 5 are satisfied.

1. **Existing Driveways.** All existing driveways providing access to the property from public roads shall be eliminated, unless they meet the requirements in subsection 3 or 4 below.

2. Shared Access via Existing Driveways on Adjacent Properties

a. When the nearest edge of an existing driveway on an adjacent property zoned BHSD having frontage on the same street is within 50 feet of the subject tract, that subject tract shall utilize the driveway on the adjacent tract as a shared access, provided it is feasible and that an easement granting access to the subject tract has been recorded.

b. The shared access shall be the sole access to the site unless a second driveway is permitted consistent with subsection 5, herein.

c. Shared access shall not be required when all possible interconnections between the two abutting lots would cross twenty (20) linear feet or more of wetlands, floodplains, and/or slopes of 15% or more.

d. Shared access may be entirely located on one lot or split along a common lot line.

e. Each property within the BHSD Zoning District shall provide an access easement guaranteeing internal vehicular access to all abutting lots zoned BHSD

3. Shared Access via New or Existing Driveway on the Property.

a. When shared access cannot be provided via an existing driveway consistent with subsection

above, a maximum of one driveway intersection shall be permitted per street frontage.

b. This driveway shall be located on a side lot line bordering a property zoned BHSD. In order to accommodate required sight distances, or preserve environmental features, the driveway may be set back from the side lot line no greater than 50 feet. Shared access shall not be required when all possible interconnections between the two abutting lots would cross twenty (20) linear feet or more of wetlands, floodplains, and/or slopes of 15% or more

c. Each property with a nonresidential use shall provide an access easement for this driveway guaranteeing access to all abutting lots zoned Business Highway Sustainable Development. In addition, the access easement shall provide access from the closest adjacent property line to the driveway. The easement between the driveway and the closest adjacent lot shall have a minimum width of 35 feet and shall be located between 50 and 100 feet from the street ultimate right-of-way line.

d. The location of the driveway intersection and the easement connection to the closest adjacent lot shall be subject to approval by the Planning Board based on its ability to minimize the need for future driveways and/ or maximize the distance from existing street and driveway intersections, including consideration for safe site distances.

4. Independent Access.

a. When future shared access cannot be provided consistent with subsection 2 or 3 above, a maximum of one driveway intersection per street shall be permitted.

b. The driveway intersection shall be separated from existing driveway intersections by a minimum of 300 feet.

5. Dual Access.

a. A second driveway intersection per street may be permitted when it is located at least 300 feet from the first driveway intersection and at least 300 feet from adjacent property lines.

b. When a second driveway can be permitted consistent with subsection 5.a. above, a separation from adjacent property lines may be reduced in order to provide future shared access, provided the second driveway is located within 50 feet of an adjacent property line and at least 300 feet from any other driveway intersection. The adjacent property must be zoned BHSD and the potential interconnection shall not cross twenty (20) linear feet or more of wetlands, floodplains, or slopes of 15% or more. Each property zoned BHSD shall, where feasible and practical, provide access easements to all abutting lots zoned BHSD consistent with subsection 3.c.

Examples of how model vehicular access standards work

Call for the question.

Seconded at 9:13 pm

Unanimous voice vote to call for the Roll Call.

Town Meeting Member name	Vote	Town Meeting Member name	Vote	Town Meeting Member name	Vote
ATTUBATO, J	Y	BARTOLO, J.	Y	BILLINGSLEY, S.	Y
BROWN, W.	Y	CANTERBURY, M.	Y	CARDINALE, C.	A
CARLSON, E.	Y	CICOLINI, J.	Y	CONNORS, A.	A
COSTIN, J.B.	Y	COTTAM, D.	Y	COTTAM, J.	Y
COX, R.	Y	DECAREAU, E.	Y	DEVLIN, F.A.	Y
DINARDO, A.	Y	DOCKERY, M.	A	DOHERTY, S.	
FALASCA, T.	Y	FINN, C.	Y	FOWLER, J.	Y
GOODWIN, P.	Y	GROARK, L.	Y	GUARINO, K.	Y
JOHNSON, P.	Y	JONES, C.	Y	LEUCI, W.	Y
LONG, R.	Y	LOPRESTI, A.	Y	CHRISTOPHER, R	Y
MANOOGIAN, P.	Y	MCCARTHY, S.	A	MCLAUGHLIN, P.	Y
MORESCHI, C.	Y	MOSES, J.	Y	PALCZYNSKI, J.	Y
PAOLINI, M.	Y	POLITANO, K.	Y	PURACCHIO, S.	A
QUINLAN, E.	Y	RANDO, P.	Y	RING, D.	A
RODENHISER, J.	Y	ROSSETTI, P.	Y	SMITH, R.	Y
SPENCER, B.	Y	STEWART, W.	Y	SWEEZEY, S.	Y
TRAVERSE, T.	Y	WITTEN, R.	Y		

**Yea: 43
Nay: 0
Absent: 6**

Article 21 passed as recommended by the Planning Board, by unanimous Roll Call vote at 9:18pm.

The Finance Committee is working diligently, but it not going to happen by next Monday May 11, 2015. Moderator Doherty speaks on the Special Town Meeting that is scheduled for May 18, 2015. The following Monday, May 25, 2015 is Memorial Day.

Moderator will accept a motion to suspend the meeting until possible June 1st.

Motion to suspend meeting given at 9:18pm

Unanimous voice vote at 9:19 pm adjourn to the call of the Moderator.

Respectfully submitted

Ellen Joyce Schena
Town Clerk