

TOWN OF MIDDLETON  
ZONING BYLAW  
REVIEW COMMITTEE  
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BOARD OF SELECTMEN: RICHARD KASSIOTIS  
BOARD OF ASSESSORS: VACANT  
ZONING BOARD OF APPEALS: CRAIG HARTWELL  
PLANNING BOARD: LISA SHEEHAN  
MASTER PLAN COMMITTEE: ANNIE WILTON  
CITIZEN-AT-LARGE: DAVID PARKER  
CITIZEN-AT-LARGE: NATALIE LOVETT

Date: June 17, 2022  
To: Bylaw Review Committee  
From: ZBRC Co-chairs Natalie Lovett and David Parker  
RE: **Middleton Zoning Audit**  
CC: Board of Selectmen, Board of Assessors, Board of Appeals,  
Planning Board, Master Plan Committee,  
Town Moderator, Building Commissioner, Town Planner

Pursuant to a citizen's petition that was amended at the May 8, 2018 Town Meeting as follows:

**Article #26, May 2018 Town Meeting: Zoning Bylaw Review Committee**

Voted: I move that the Town Moderator be directed to appoint a Zoning Bylaw Review Committee, according to section 2-5-4 of the Town's Charter to provide recommendations to the Bylaw Review Committee, and direct said committee to perform the duties required of said warrant article for presentation at the next annual Town Meeting.

...the Zoning Bylaw Review Committee is pleased to forward their finished Zoning Audit to the Bylaw Review Committee.

The Zoning Audit is the result of monthly meetings of the ZBRC over a two-year period, with assistance from Town Counsel Jay Talerman and Town Planner Katrina O'Leary. The completion of this audit will fulfill the ZBRC's duties as defined by the May 8, 2018 Warrant Article #26.



Town of Middleton, Massachusetts  
Zoning Bylaw Review Committee

## **MIDDLETON ZONING AUDIT**

May 2022

### **Committee Members:**

***Board of Selectmen: Richard Kassiotis***

***Board of Assessors: Vacant***

***Zoning Board of Appeals: Craig Hartwell***

***Planning Board: Lisa Sheehan***

***Master Plan Committee: Annie Wilton***

***Citizen-at-large: David Parker***

***Citizen-at-large: Natalie Lovett***

The Zoning Bylaw Review Committee (ZBRC) was formed as a result of a Citizen's Petition at the May 2018 Town Meeting. Current ZBRC membership includes 4 representatives from Town Boards and 2 Citizens-at-large. The Committee met approximately once a month, starting in 2020 and finishing in the spring of 2022. The goal of the committee was to review the zoning bylaws for areas of inconsistency and items that would not withstand judicial review based on current MA case law. Town Counsel Jay Talerma and Town Planner Katrina O'Leary assisted the committee in their review of the Zoning Bylaws.

This Zoning Audit is intended to be used by those taking the next step to amend our current Zoning Bylaw. In some cases, it contains proposed warrant language to make changes. In other cases, it includes simple recommendations for areas that may need "further study."

This Zoning Audit will fulfill the Zoning Bylaw Review Committee's responsibility to "provide recommendations to the Bylaw Review Committee" as written in the 2018 Citizen's Petition, Article #26, as amended.

SEC	TITLE	EXPLANATION	PROPOSED LANGUAGE
2.2	Institutional Overlay District	<i>See proposed removal of Section 8.3 below.</i>	To see if the Town will vote to Amend Section 2.2 of its Zoning Bylaws by eliminating the Institutional Overlay District, and amending the Town’s Zoning Map accordingly.
2.4.2.	Boundary Lines shown approx.-imately	Delete this section or revise language to rely on current zoning map as shown on our GIS maps.	
2.4.5	Lot split by district lines.	<p>Currently, our bylaw allows the “less restricted portion” of a lot that straddles a zoning district line to be extended by up to 30 feet into the “more restricted portion.” For example, business/light industrial districts can be expanded into residential districts. The proposed language above would allow this 30-foot expansion to go both ways. For example, the residentially zones portion of a lot that straddles the Business zoning district line can be expanded 30 feet into the business zone.</p> <p>The ZBRC discussed that before implementing it should be examined why 30ft is used. Town Counsel mentioned the Harrison case in these discussions.</p>	<p>To see if the Town will vote to Amend Section 2.4.5 of its Zoning Bylaws by replacing the language with the following language: Where a lot is transected by a district boundary, the regulations that apply to the larger part of the area of such lot may, at the option of the lot owner, apply in the smaller part beyond such district boundary for a distance not to exceed 30 linear feet, if the smaller part has frontage on an accepted way.</p>
3.1.5.	One structure or use per lot.	<p>Currently it is unclear how many structures/uses can be located on one lot. This clarifies the issue. However, we will have to expressly state that more than one structure/use is allowed in B and M1 zones</p> <p>This is a legal clarification, but should be checked for consistency throughout the Bylaw.</p>	<p>To see if the Town will amend its Zoning Bylaws by adding a new Section 3.1.5 which shall read as follows:  Except as may be otherwise expressly allowed herein, there may be only one principal structure and principal use on a lot.</p>

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3.2.1.3	Removal of sod...	<p>This section can be examined for both language clarifications as well as a further look at the Earth Removal policy generally. The language proposed has been recommended by Town Counsel.</p> <p>The interplay of Sections 3.2.1.3 and 6.2 of the Zoning Bylaw and Section 130 of Town Code should be examined so that it is clear what is meant by “accessory earth removal” and “earth removal necessitating a special permit.”</p>	<p>To see if the Town will vote to Amend Section 3.2.1.3 by adding the text in <b><u>bold underline</u></b> below:</p> <p><b><u>Subject to receipt of approvals as required under Section 6.2 of this Bylaw</u></b>, removal of sod, loam, sand, gravel or other earth product in connection with the construction of a building for which a building permit has been issued, subject to the Town bylaws, and further provided that the amount of such material removed does not exceed the amount contained, before construction, in the particular space to be occupied by the foundation of said building.</p>
3.2.1.4	Family day care, large and small	<p>This is a policy decision to be considered.</p> <p>Contemplate Site Plan Review for Day Care and consider definitions and separate regulations for large and small daycares.</p>	
3.2.1.6	Renting of room	The Committee discussed potentially clarifying this language to “renting of a room.”	
3.3.2.	Non-conforming Uses	This language has been recommended by Town Counsel in response to court cases.	<p>To see if the Town will vote to Amend Section 3.3.2 by replacing it with the following:</p> <p>Nonconforming uses. The Board of Appeals may award a special permit to change, <b><u>alter or modify</u></b> a nonconforming use in accordance with this section only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood, <b><u>and provided that such change, alteration or modification is not different in kind, character or degree.</u></b> The following types of changes to nonconforming uses may be considered by the Board of Appeals:</p> <ol style="list-style-type: none"> <li>1. Change or substantial extension of the use;</li> <li>2. Change from one nonconforming use to another, less detrimental, nonconforming use.</li> </ol>
3.3.4.	Non-conforming structures;	This language has been recommended by Town Counsel in response to court cases.	To see if the Town will vote to Amend Section 3.3.4 of the Zoning Bylaws by adding the underlined language and deleting the struck-through language, as shown below:

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	variance required		<p>Nonconforming structures; variance required. <b>(1)</b> Except as provided in Subsection 3.3.5, below, the reconstruction, extension or structural change of a nonconforming <b><u>single or two-family residential</u></b> structure in such a manner as to <del>increase an existing</del> <b><u>create a new</u></b> nonconformity shall require the issuance of a variance from the Board of Appeals; <b>and (2) The reconstruction extension or structural change of all other structures in such a manner as to increase an existing nonconformity, or create a new nonconformity shall require the issuance of a variance from the Board of Appeals,</b> provided, however, the extension of an exterior wall at or along the same nonconforming distance within a required yard shall require only the issuance of a special permit from the Board of Appeals.</p>
3.3.5.	Non-conforming single and two-family residential structures.	The recommendations for additional language were recommended by Town Counsel in response to court cases The language in italicize is re-formatting, as recommended by the Town Planner for clarity.	<p>To see if the Town will vote to amend Section 3.3.5 of the Zoning Bylaws by adding the underlined language, deleting the struck-through language, and moving the last paragraph between the second and third sentences of the section as shown below:</p> <p>Nonconforming single and two-family residential structures. Nonconforming single- and two-family residential structures may be reconstructed, extended, altered, or structurally changed upon a determination by the Building Inspector that such proposed reconstruction, extension, alteration, or change does not increase the nonconforming nature of said structure. <i>In the event that the Building Inspector determines that the nonconforming nature of such structure would be increased by the proposed reconstruction, extension, alteration, or change, the Board of Appeals may, by special permit, allow such reconstruction, extension, alteration, or change where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood, <b><u>provided that a variance will be required for all new non-conformities.</u></b></i> The following circumstances <del>shall may, at the Building Inspector's</del> <b><u>reasonable discretion,</u></b> not be deemed to increase the nonconforming nature of said structure:</p>
3.3.7.3	Reconstruction after catastrophe or demolition.	This language has been recommended by Town Counsel in response to court cases.	<p>To see if the Town will vote to amend Section 3.3.7.3 of the Zoning Bylaws by adding the underlined language, as shown below:</p> <p>In the event that the proposed reconstruction would (a) cause the structure to exceed the volume or area of the original nonconforming structure or (b) exceed</p>

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			<p>applicable requirements for yards, setback, and/or height or (c) cause the structure to be located other than on the original footprint, a special permit shall be required from the Board of Appeals prior to such demolition, <b><u>provided however that a variance shall be required in the event that a new non-conformity is proposed.</u></b></p>
4.1.2.1	Lot Width.	<p>The ZBRC and Town Counsel discussed revising this section. During this discussion, Town Counsel also discussed simplifying this language and also looking at language that will discourage “tailing” of lots.</p> <p>The proposed language and explanation below are recommendations from the Town Planner: This description eliminates “side” lot lines and requires that the measurement be taken between any lot lines that happen to be perpendicular to the frontage in the area that the structure will be located. This eliminates the confusion over “irregularly shaped lots” so that the second sentence can be removed. In Middleton, the rear and side setback requirements are the same in each district so there is little to no difference between a “rear lot line” and “side lot line.”</p>	<p>To see if the Town will vote to amend Section 4.1.2.1 so that it reads as follows:</p> <p><i>4.1.2.1. Lot width. Lot width shall be measured as the shortest distance between side lot lines taken through the dwelling <b><u>in a straight line parallel to a line connecting the lot frontage endpoints.</u></b> <del>In the event of an irregularly shaped lot and a question as to the identification of the appropriate side lot lines for the foregoing measurement, the matter shall be decided by the Building Commissioner with the advice of the Planning Board.</del> At no point between the street frontage line and the principal structure shall the lot be narrower than 75% of the required lot frontage.</i></p>
4.1.2.2	Front yard.	Research whether the measurement to street center line is still needed	
4.1.2.4	Business and Light Industrial District; North Main Street	This suggested language clarifies the intent of the section. Currently a 100-foot setback on North Main Street is required – this change would allow less than 100 ft setbacks by special permit from the ZBA. The ZBA is the most	<p>To see if the Town will vote to amend Section 4.1.2.4 of its Zoning Bylaws by adding the underlined language as shown below:</p> <p>Business and Light Industrial District; North Main Street. For lots with frontage on North Main Street, front yard building setback of not less than 100 feet from the center line of the street shall be required, <b><u>provided</u></b></p>

SEC	TITLE	EXPLANATION	PROPOSED LANGUAGE
		appropriate special permit granting authority.	<del>however that the Planning Board</del> <b>Board of Appeals may reduce such set back by a Special Permit.</b> The required front yard shall be maintained and planted as open space.
4.1.2.5	Business and Light Industrial District; lots abutting Residential District.	Review and revise as needed to protect abutting residential properties.  Add screening, noise, and light requirements	
4.1.2.6	Front yard; Business District.	The proposed change supports water conservation efforts.	To see if the Town will vote to amend Section 4.1.2.6 of its Zoning Bylaws by deleting the struck-through language as shown below:  Front yard; Business District. Front yards shall <del>be green and open,</del> be suitably landscaped, be unbuilt upon, be unpaved and not parked on. Adequate entrances and exits shall be allowed in this front yard.
4.1.2.7	IH total number of units	Currently the total number of apartment dwelling units in the IH district is capped at 416. This limitation should be reviewed to see if there is still a need for it.	
4.2.5.	Business District; special permit.	This section was created for the residential use lots that were rezoned Business years ago and became non-conforming. Many do not conform to the Business zone lot dimensions making it difficult to change to a conforming use. It is not the intention that this section be used by existing business use lots that are either vacant or have an existing business use.	To see if the Town will vote to amend Section 4.2.5 of its Zoning Bylaws by adding the underlined language as shown below:  Business District; special permit. A <u>residentially used</u> lot in the Business District which does not meet the area or frontage requirements of this Section 4.0 <u>may be converted to an allowed use</u> and apply for a special permit from the Board of Appeals to exempt such lot from the dimensional requirements for lot area, lot frontage and width, and side and rear yards. Any such special permit shall ensure compliance with the needs of public safety, health and welfare.
5.1.2.	Table of Parking Requirements.	Update as needed with advice from Building Commissioner	
5.1.5.	Parking lot plantings.	All business properties in town should have the same parking lot landscaping requirements.	To see if the Town will vote to amend Section 5.1.5. of its Zoning Bylaws by adding the underlined language as shown below:  <del>On properties located along the North Main Street frontage,</del> Parking lots containing 10 or more parking spaces shall have at least one tree per eight parking spaces, such trees to be located either within the lot or



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			within five feet of it. At least 5% of the interior of any parking lot having 25 or more spaces shall be maintained with landscaping, including trees, in plots of at least eight feet in width; trees shall be so located as to provide visual relief and sun and wind interruption within the parking area and to assure safe patterns of internal circulation.
5.1.7.	Pedestrian Circulation	Town Counsel suggested the addition of a new section 5.1.7. and the proposed language.	"All parking areas or parking lots that require five (5) or more spaces shall be designed to safely accommodate pedestrian access and circulation."
5.2.11	Permitted Signs	Section 5.2.11 has been reformatted and several words were added to clarify the intent of this section. These recommendations are at the recommendation of the Town Planner.	<p>5.2.11. Permitted signs — all Business and Industrial Districts.</p> <p><del>1.</del> Accessory signs. A premises shall be allowed to have one accessory ground sign and either one accessory roof or one accessory wall sign, subject to the provisions set forth below and unless otherwise specifically permitted hereby.</p> <p><del>a.</del> <b>1.</b> Ground signs. Only one ground sign is permitted on any premises regardless of the number of buildings on such premises.</p> <p style="padding-left: 40px;"><del>b.</del> <b>a.</b> No ground sign shall extend more than 15 feet above ground level.</p> <p style="padding-left: 40px;"><del>c.</del> <b>b.</b> For single-occupant buildings, the sign area shall not exceed 36 square feet.</p> <p style="padding-left: 40px;"><del>d.</del> <b>c.</b> For multiple-occupant buildings, the sign area shall not exceed 36 square feet plus an additional six square feet for each additional occupant up to a maximum area of 96 square feet.</p> <p style="padding-left: 40px;"><del>e.</del> <b>d.</b> Sign areas larger than 96 square feet and signs in excess of 15 feet above ground level may be allowed by special permit of the Board of Appeals in accordance with Section 5.2.7.</p> <p>2. Roof signs and wall signs. Each building located at a premises shall be entitled to only one roof sign or only one wall sign.</p> <p>a. The total sign area of any wall or roof sign shall not exceed more than one square foot for every one linear foot of the building frontage. See Exhibit 3, attached hereto, for an example of how to compute sign area.</p> <p>b. A building that is situated on lot where the main public entrances of the majority of its occupants face a parking lot shall be entitled to use the linear footage of the side of the building wall that faces the parking lot in determining the permissible sign area.</p> <p>c. The center line of any roof sign shall not exceed the midline of the roof and shall not extend above the ridge</p>

SEC	TITLE	EXPLANATION	PROPOSED LANGUAGE
			<p>of the roof. See the figure shown on Exhibit 2, attached hereto, for a depiction of permitted roof signs.</p> <p>d. All allowed wall signs and roof signs shall be limited to the designs shown on Exhibits 2 and 3, attached.</p> <p>e. Subject to the issuance of a special permit by the Board of Appeals in accordance with Section 5.2.7, a multi-occupant building may be permitted to erect multiple roof and wall signs for each occupant, provided in addition to all other criteria listed herein and in Section 9.4 of the Zoning Bylaw the owner or interested party is able to demonstrate to the Board that:</p> <p>(1) The combined sign area shall not exceed the sign area as determined under Subsection 2.a above.</p> <p>(2) In no event shall a building have a combination of wall and roof signs.</p> <p>(3) Wall signs on a single building, or multiple buildings within a premises, shall be consistent in size, color, and character providing for a uniform design.</p> <p>f. Subject to the issuance of a special permit by the Board of Appeals in accordance with Section 5.2.7, a building may have wall or roof signs on more than one side of a building, provided in addition to all other criteria listed herein and in Section 9.4 of the Zoning Bylaw the owner or interested party is able to demonstrate to the Board that:</p> <p style="padding-left: 40px;">(1) The building is located on a corner lot with legal frontage on both sides, as determined for the applicable zoning district;</p> <p style="text-align: center;">or</p> <p style="padding-left: 40px;">(2) The building is situated on a lot where the main public entrances for its occupants face its parking lot and a street on which the premises has legal frontage;</p> <p><b>and in either situation <del>(3)</del></b> the sign is to be placed on the side of the building with legal frontage or that faces its parking lot; and <b>(4)</b> the combined sign area of all such signs shall not exceed sign area as determined under Subsection 2.a above.</p>
5.3.2.	Landscaping requirements for property lines.	<p>Consider combining Sections 5.3. (General Landscaping requirements) and 5.4 (Performance standards for nonresidential development)</p> <p>The ZBRC discussed that some consideration may be given to leaving a natural state.</p>	<p>To see if the Town will vote to amend Section 5.3.2 of its Zoning Bylaws by increasing the buffer between residential and non-residential districts, as shown below:</p> <p>Landscaping requirements for property lines. Property line(s) with residential districts or uses shall be screened from nonresidential uses by means of plantings or maintenance of trees of a species common to the area and appropriate for screening, spaced to minimize visual intrusion, and providing an opaque year-round visual</p>

SEC	TITLE	EXPLANATION	PROPOSED LANGUAGE
			buffer between uses. Such plantings shall be provided and maintained by the owner of the property used for nonresidential purposes. No part of any building or structure or paved space intended for or used a parking area may be located within the buffer area. Planted buffer areas along property lines with residential districts or uses shall be at least <del>10</del> <b>25</b> feet in depth.
5.4	Performance standards	Multi-family development have been added to projects that fall under the listed performance standards.	To see if the Town will vote to amend the Title to Section 5.4 of its Zoning Bylaws so that it reads: “Performance Standards for Nonresidential <b><u>and Multi-family Residential</u></b> Development”; and to amend Section 5.4.1 by adding the underlined language shown below:  Purpose. The following performance standards have been adopted in order to control the size, scale, and impacts of larger nonresidential <b><u>and multi-family residential developments</u></b> . The Board of Appeals <b><u>and Planning Board</u></b> shall ensure that such standards are met during the course of any special permit application or site plan review for a nonresidential or multi-family use.
5.4.5.	Pedestrian and vehicular access; traffic management.	Language regarding MassDOT Highway Access Permits, Sidewalk requirements, Complete Streets, and Traffic Impact Assessment requirements should be added.	
6.1	Trailers and movable structures	Consider whether the SPGA should be changed to the Planning Board.	To see if the Town will vote to amend Section 6.1 of its Zoning Bylaws by deleting the struck-through language and adding the underlined language shown below:  Trailers and other movable structures shall not be occupied as dwellings; provided, however, that for reasons of necessity or hardship, the Board of Appeals, <b><u>by the applicable procedures under Special Permit</u></b> <del>after public notice and a hearing</del> , may grant <b><u>approval temporary occupancy permits</u></b> for such structures for dwelling purposes for not more than one year at a time in any part of the Town, or except as permitted by state law.
6.2	Earth Removal.	This section needs further review and discussion. The interplay of Sections 3.2.1.3 and 6.2 of the Zoning Bylaw and Section 130 of Town Code should be examined so that it is clear what is meant by “accessory earth removal” and “earth removal necessitating a special permit.”	

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6.3	Driveways.	For safety reasons, a variance should be required for driveways longer than 500 feet.	To see if the Town will vote amend Section 6.3.3 of its Zoning Bylaws by deleting the struck-through text, as shown below:  Maximum distance. The distance of any driveway measured from the street line to the point where the principal building is proposed shall not exceed a distance of 500 feet, <del>unless the Board of Appeals grants a special permit after a determination that said driveway will provide safe and reasonable access for fire, police and emergency vehicles.</del>
6.3.6.	Common Driveways	The Planning Board has more experience with residential development and subdivisions. Additionally, the ZBA has a very full agenda usually and the PB has more time to devote to permitting "Common Driveways."	To see if the Town will vote to amend Section 6.3.6 of its Zoning Bylaws by replacing "Board of Appeals" with "Planning Board" as the Special Permit Granting Authority.
6.6	Industrial Park	Additional language will preclude a landowner from using residentially zoned land to meet the minimum area requirement for an Industrial Park	To see if the Town will vote to amend Section 6.6.1 by adding the underlined language shown below.  I added the text in bold/underline below  General. An industrial park shall have a minimum lot size of at least 320,000 square feet (7.346 acres) <b><u>within the M-1 District or applicable Business districts.</u></b> This requirement does not prohibit the construction of more than one building on a lot of less than 320,000 square feet in the M-1 District <u>or applicable Business districts,</u> provided that the lot meets all other requirements of the M-1 District <u>or applicable Business district.</u>
6.7.	Approved Street Plan	Currently, the Planning Board has a section called "Providing Adequate Access" within their Subdivision regulations. The paragraph above would eliminate this provision and, instead, applicants would apply to obtain a special permit from the planning board to improve the unimproved way using our subdivision regulations.	To see if the Town will vote to amend Section 6.7.1 of its Zoning Bylaws by deleting the struck-through language and adding the underlined language shown below:  General. No building permit shall be issued unless the lot to be built upon has frontage on a street, as defined in this Zoning Bylaw, or, if it is on an unconstructed way, such way shall be constructed in accordance with the Planning Board <u>Subdivision</u> rules and regulations providing adequate access to existing lots, <u>with said plan being subject to receipt of Special Permit approval.</u> <del>A street plan based on the criteria set forth in the regulations relating to adequate access shall be approved by the Middleton Planning Board.</del>
6.8.	Marijuana establishment	Marijuana Establishment Temporary Moratorium section is	To see if the Town will vote to amend its Zoning Bylaws by deleting Section 6.8 in its entirety.

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	temporary moratorium.	obsolete as it sunsetted on June 30, 2018.	
7.1.	Multifamily or attached dwelling.	There is little open land left in Middleton zoned for multi-family housing – town should consider creating additional multi-family zoned land. The language of this section should also be reviewed. Town Counsel suggested that the Town could explore a temporary allowance of 2-family development.	
7.2.	Conversion of single-family dwelling in R2 district.	There are few single-family homes built before 1983 that could be converted to two family dwellings in the R-2 district; therefore, this section is almost useless. The town should consider: <ul style="list-style-type: none"> <li>o allow two-family homes “by right” in the R1a and R1b districts IF they have twice the required area and the required frontage for the district (this is allowed today by special permit from the PB)</li> <li>o allow accessory apartments “by right” in the R-1a district with a list of requirements so that they fit with surrounding neighborhood character</li> </ul>	
7.3.	Flexible Development	Examine existing Flexible Development section to determine why it has not been used by developers. Research other methods to reduce the number of roadways constructed for new homes.	
7.4.	Development Schedule	This section of the bylaw expired on June 30, 2015 and should be deleted.	To see if the Town will vote to delete Section 7.4 of its Zoning Bylaws, in its entirety.
8.1.	Floodplain Overlay District.	The FIRM maps have not changed for Middleton. However, FEMA does recommend adoption of their new Model Floodplain Overlay District bylaw.	
8.3.	Institutional Overlay District.	This section serves no real purpose. Most of the uses allowed in the IOD are all protected by the Dover Amendment in section 3 of MGL	To see if the Town vote to delete Section 8.3 of its Zoning Bylaws in its entirety.

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		c.40A. The other uses that may not be protected by Section 3 – camps, campgrounds, and recreation areas should be regulated as individual uses under our table of uses. The section also contains conflicting and misleading language.	
9.3.1.	Board of Appeals; establishment.	This revision memorializes current practice. Our Town Charter authorizes the Selectboard to appoint five ZBA members and two alternates; however, MGL chapter 40A, section 12 requires that the zoning bylaw contain language allowing “alternate members.”	To see if the Town will vote to amend Section 9.3.1 of its Zoning Bylaws by deleting the struck-through language and adding the underlined language, as shown below:  Establishment. There shall be a Board of Appeals under these bylaws which shall be appointed by the Select Board <del>of Selectmen</del> . <b><u>The Select Board may appoint two associate members to the Board of Appeals.</u></b>
9.4.8.	(Special permits) Lapse	The Zoning Act was updated in 2016 and now allows towns to increase the amount of time within which a special permit must be acted upon from 24 months to 36 months.	To see if the Town will vote to amend Section 9.4.8 of its Zoning Bylaws by replacing “24” with “36”.
9.5.2.	Site Plan Review Applicability	#3: add industrial uses. #4: The town should require legally nonconforming commercial/industrial uses in residential zones to obtain site plan approval for modifications to the structure/site. #5: Even though educational uses may be protected by §3 of MGL c. 40A, the town still has the right to require site plan review for new construction, alterations, additions, etc. #6: There are other uses that require a special permit but are not listed here.	To see if the Town will vote to add the following bold/underlined text to Section 9.5.2. t as follows:  3. An addition to or alteration of an existing building for commercial <b><u>or industrial use.</u></b> <b><u>4. Any changes to commercial uses in residentially zoned districts</u></b> <b><u>5. Any educational use, as defined under G.L. c. 40A, §3.</u></b> <b><u>6. Any other use or structure for which Site Plan Approval is prescribed under these Zoning Bylaws.</u></b>
9.5.5.	Contents of plan.	This allows the special permit granting authorities to adopt separate regulations for the special permit/variance process.	To see if the Town will vote to add a new Section 9.5.5.1.f to its Zoning Bylaws as follows:  <b><u>f. The Board may adopt regulations requiring additional information consistent with this Bylaw, and may require filing via electronic means.</u></b>
Other	Solar Bylaw	A solar energy bylaw could be considered.	