

## Proposed Amendment - redline

### § 199-3.1. Adaptive Reuse Overlay District (AROD).

A. Purpose of district. The purpose of the Adaptive Reuse Overlay District (AROD) is to:

- (1) Provide specific regulations allowing for the reuse of previously developed land containing privately owned buildings, municipal buildings, and public and private school buildings and as defined in § 199-3.1B below.
- (2) Allow for the reuse, redevelopment, and expansion of existing buildings as defined above throughout the Town to increase the Town's overall tax base, create employment opportunities and ensure efficient use of municipal services so as to not create an undue burden on them.
- (3) Ensure that such uses are compatible with their surroundings.
- (4) Maximize the use of the site's natural characteristics. B. Eligibility ~~for conversion~~.

- (1) Privately owned buildings, municipal buildings or public or private school buildings located in any zoning district are eligible for conversion to those uses listed in § 199-3.1D of this chapter, but only if they meet all of the following tests:
  - (a) They were used for not less than 5 years.
  - (b) They contain not less than 5,000 square feet in total gross floor area.

C. Scope of authority.

- (1) The AROD is superimposed over rather than replacing the underlying zoning districts. The regulations of this overlay shall govern all reconstruction, redevelopment or expansion of privately owned buildings, municipal buildings and public and private school buildings as defined in §199-3.1B above. Provisions of §199-3.1 shall supersede that of Article IV, Use Regulations, and Article V, Intensity Regulations, in this chapter. On all other matters, the provisions of the underlying districts shall continue.

The expansion of existing buildings, demolition of existing buildings and/or construction of new, standalone buildings, may be considered through the issuance of a special permit.

~~(1)~~(2) The special permit granting authority for this section shall be the Select Board. Any application for a special permit under this section shall be accompanied by a site plan and the Select Board shall not render any decision on the application for a special permit until the Planning Board has reviewed the site plan and has submitted its report with recommendations to the Selectmen, or 30 days have elapsed without such report. D. Uses permitted.

- (1) Uses allowed by right. Any uses permitted by right in the underlying zoning district in which the structure is located shall be permitted by right.
- (2) Uses allowed by special permit. If not allowable by-right in the underlying zoning district, the following uses are allowed by special permit and subject to site plan review:
  - (a) Assisted living.
  - (b) Senior housing.
  - (c) Nursing home.

- (d) Multiple dwelling.
- (e) Professional or administrative offices.
- (f) Elder care facility.
- (g) Community recreational center or personal training centers.
- (h) Medical clinic, [medical office](#), dental office, veterinarian office, and ancillary offices and facilities.
- (i) Senior center, community center or conference center with meeting rooms.
- (j) Studios for art, drama, speech or dance.
- (k) Retail sales where the sales area is not more than 10% of the total floor space of primary use and such sales are incidental to the primary use.
- (l) Research and development uses, including ancillary office use and electronic and computer laboratories, but not including ancillary manufacturing, assembly, sale or resale or storage for sale or resale of any goods, items, or material.
- (m) Municipal use.

~~(m)~~(n) [Other uses not listed that are similar to a listed individual use in character or impact. A use under this category is subject to a special permit. The special permit decision under this section shall include an evaluation and determination of consistency with the purpose of this section and the findings under Section 13.4.](#)

- (3) Multiple or mixed uses. Any combination of uses allowed by right in § 199-3.1D(1) and uses allowed by special permit in § 199-3.1D(2) may be allowed, provided they are compatible with each other and maintain the public health, safety and welfare of the community.
- (4) Uses required by MGL c. 40A, § 3, such as public and private nonprofit religious and educational institutions, are allowed in the AROD by right subject to site plan review. (Refer to § 199-9.6, Land or structures for certain religious or educational purposes.) E. Development standards.
  - (1) The lot area, lot frontage, coverage and setback requirements of the underlying districts shall govern development in the AROD. The SPGA may waive these requirements if the building meets the eligibility requirements in § 199-3.1B and the reuse of the building necessitates enhancements, which are not designed to increase the building capacity, but are required to make the building functional for the intended new use (i.e., lighting, elevator, railings, heating and cooling ducts, etc.) and the converted premises will be adequately landscaped in a way that promotes harmony with the neighborhood.
  - (2) Off-street parking spaces and loading and unloading spaces shall conform to the provisions of Article VIII. The SPGA may grant waivers if existing parking does not meet current parking requirements and additional space would be a detriment to the compatibility of the use with neighborhood character.
  - (3) All proposed signs shall comply with Article VII of this chapter, excepting that if the building and land on which situated are located in a single-family district, the special permit granting authority may permit a sign of no larger than six square feet which identifies only the building and its occupants.

F. Additional conditions.

(1) The SPGA may attach such additional conditions and limitations to a special permit granted under this section as may be necessary to protect the neighborhood surrounding the property,

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and as may be necessary to encourage the most appropriate use of the land and building to be converted.

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