

Comprehensive Zoning Updates - Summary of Articles Sponsored by the Planning Board West Brookfield Annual Town Meeting 2023

This project began after adoption of the 2017 Master Plan. The West Brookfield Zoning Bylaws were first adopted in the 1970's and it has never had a comprehensive update. Funding for this project was provided by a grant from the Office of Energy & Environmental Affairs. The Planning Board started work on this zoning update in 2020 holding both virtual and in-person meetings. The work was completed with the assistance of the Central Massachusetts Regional Planning Commission. In addition to numerous meetings a survey was distributed in the community; these results are posted on the Planning Board website. During the process the Planning Board sought the input of the Board of Selectmen, Zoning Board of Appeals, Fire Department, Zoning & Building Department, Health Department, town residents, and developers. The goal of this project was to create a clean document that is easy to use, as well as update land uses to promote residential and commercial development consistent with our small New England town. A public hearing was opened on February 2, 2023, and closed on March 12, 2023.

***ZBL = Zoning Bylaw**

Warrant Article	A <u>YES</u> VOTE	A <u>NO</u> VOTE
ARTICLE 19: Definitions – to see if the Town will amend the Zoning Bylaws by amending the definitions as specified in Attachment 1.		
Explanation: to create a new section in the ZBL*compiling all zoning definitions into one chapter for clarity and consistency.	A YES vote will move all definitions into one Section in the ZBL. It will also add the following new definitions: Clear View Triangle, Dark Sky Lighting, Electronic Message Board, Multi-family dwelling, Name Rate Capacity (solar & wind).	A NO vote will keep all definitions in respective Sections in the ZBL: Open Space Residential Development, Ground Water Protection District, Wireless Communication Facilities, Wind Energy Systems, Back Lot Zoning, Adult Use Marijuana Overlay District.
ARTICLE 20: Miscellaneous - to see if the Town will amend eight sections of the current Zoning Bylaws for clarity and consistency purposes as specified in Attachment 2.		
Explanation: to amend eight sections of the current ZBL for clarity and consistency purposes.	A YES vote will: <ul style="list-style-type: none"> • Delete reference to Industrial Zoning District. • Adding the words “and the latest revision date on” to allow for the latest Zoning Map revision date. • Converting the Schedule of Dimensional Requirements into a table format. • Allow garages within the front yard by Special Permit. • Amending Signs adding the words “and municipal uses” to the types of uses that are allowed bulletin or announcement boards. • Amending Signs adding a new subsection Electronic Message Center provisions. 	A NO vote will make none of these changes to the ZBL.

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	<ul style="list-style-type: none"> • Amending Signs language requiring placement of signs outside of a clear view triangle, except for public signs. • Adding language allowing house trailers, mobile homes or camping trailers “during construction of a new residence or reconstruction after a fire or other casualty for a period not to exceed one year, or longer with proven hardship by the Board of Appeals.” 	
<p>ARTICLE 21: Site Plan Review – to see if the Town will amend Zoning Bylaws related to Site Plan Review as specified in Attachment 3.</p>		
<p>Explanation: to amend the current ZBL Section on Site Plan Review to provide for a comprehensive review of site plans for commercial uses and accessory dwelling units to protect the health, safety, convenience and welfare of the citizens of the Town. Site Plan Review regulates the development of structures and sites in a manner that considers the following concerns and, where necessary, requires modification of development proposals to eliminate or minimize potential problems and nuisances.</p>	<p>A YES vote will: Adopt the updates to General Requirements for Major Site Plan Review; a distinction between minor and major site plan review as well exemptions from site plan review; clarify that the requirements of this section pertain to “full or major site plans”.</p>	<p>A NO vote will make updates to the Site Plan Review process.</p>
	<p>(Continued on next page)</p>	

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ARTICLE 22: “Accessory Dwelling Units” (ADU) - to see if the Town will amend Zoning Bylaws related to Accessory Dwelling Units as specified in Attachment 4.		
<p>Explanation: An Accessory Dwelling Unit or ADU (also known as an “in-law apartment”) is a self-contained housing unit incorporated within a single- family dwelling (or in a detached accessory structure with a Special Permit).</p>	<p>A YES vote will:</p> <ul style="list-style-type: none"> • Encourage a more balanced and diverse population and income mix. • Provide older homeowners with a means of obtaining, through tenants in accessory dwelling units, rental income, companionship, security and services, enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave. • Add moderately priced rental units to the housing stock to meet the needs of smaller households, and make housing units available to moderate income households who might otherwise have difficulty finding housing within the Town. • Develop housing units that are appropriate for households at a variety of stages in their life cycle. • Protect stability, property values, and the residential character of a neighborhood. 	<p>A NO vote will make no changes to the ZBL related to Accessory Dwelling Units. Currently, an ADU is allowed by right only if incorporated into a single-family dwelling. Detached ADU’s are not allowed.</p>
<p>Master Plan Goals supporting by this Article:</p> <ul style="list-style-type: none"> • Fully understand and plan for current and future housing needs. • Increase the amount and variety of housing options in certain areas. • Identify suitable areas for development of housing targeted at independent seniors, empty-nesters and young professionals. 		
ARTICLE 23: Village Center District & Village Center District Zoning Map as specified in Attachment 5.		
<p>Explanation: This zoning change came out of the Master Plan update. It is meant to promote our village center to protect and strengthen the traditional New England Character. The mission of this bylaw is to encourage a Village Center District that respects the historic context of the town center and promotes a safe framework for pedestrians, bicyclists and motorists while encouraging mixed uses, economic growth & thoughtful development. The Town Common Overlay District will not be changed with this article.</p>	<p>A YES vote will: Create a new downtown Village Center District to promote a mixture of residential, office, commercial and mixed uses; ensure new development relates to existing civic uses & historic character; encourage adaptive reuse of abandoned, vacant, or underutilized buildings or structures; encourage a diverse mix of land uses that are appropriate to both the needs of the community and the scale of the surrounding neighborhoods; Create a sense of place. It will create a new section of the ZBL, a new category in the Use Regulations Table, and update to the Zoning Map with the new district.</p>	<p>A NO vote will make no changes to the ZBL or Zoning Maps related to a Village Center District.</p>

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<p>Master Plan Goals supporting by this Article:</p> <ul style="list-style-type: none"> • Preserve and enhance the existing Town Center area and Route 9 and Route 67 corridors. • Consider alternate zoning districts for the Town Center and Route 9/67 corridor to encourage and support desirable, small scale business growth. • Increase tax base through encouraging and seeking appropriate and desirable businesses. 		
<p>ARTICLE 24: General District Expansion - Zoning Map changes as specified in Attachment 6.</p>		
<p>Explanation: the purpose of this article is to extend the General District along Route 9 east to the Brookfield town line and Route 67 south to Warren. This change will increase the number of allowed commercial uses and is being proposed as a tool to help support economic growth in town and increase tax revenue by supporting future development.</p>	<p>A YES vote will expand the General Zoning District in the following locations:</p> <ul style="list-style-type: none"> • Along Rt 9 to Brookfield where there are existing non-conforming uses, such as wire manufacturing. • Rt 67 south to Warren towards the Mass Pike. • Rt 67 north to include the end of Wigwam Rd and the Purple Onion. 	<p>A NO vote will keep the existing boundaries of the Zoning Districts.</p>
<p>Master Plan Goals supported by this Article:</p> <ul style="list-style-type: none"> • Consider rezoning of areas of Route 9/67, Town Center, and General District to ensure compatibility of new business and commercial uses. • Preserve and enhance the existing Town Center area and Route 9 and Route 67 corridors. • Increase tax base through encouraging and seeking appropriate and desirable businesses. • Encourage the expansion of the industrial base by creating specific zoning districts and requirements for various compatible uses. 		
<p>ARTICLE 25: Brookhaven Lake Neighborhood - Zoning Map changes as specified in Attachment 7.</p>		
<p>Explanation: the purpose of this article is to amend the current Zoning Map to change the Zoning District around Brookhaven Lake from Rural Residential to Residential Neighborhood.</p>	<p>A YES vote will change the minimum size of a buildable lot from 2-acre to 1-acre and will be consistent with the current zoning around Lake Wickaboag. Most parcels around Brookhaven are currently about ¼ an acre. This change would decrease the number of lots needed to build a house to about 4 lots. All building code, sanitary codes, wetland regulations, etc. would still apply.</p>	<p>A NO vote will keep the current zoning around Brookhaven Lake as Rural Residential. This will keep the number of lots needed to build a home around Brookhaven at roughly 8 lots.</p>

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Zoning Bylaw Amendment - Definitions

To see if the Town will vote to amend the Town of West Brookfield Zoning Bylaws by amending the Definitions in the Zoning Bylaws as specified below and as shown in Attachment 1:

adding to Section 1.4 new definitions, including but not limited to, “clear view triangle unit;” and

amending the definitions for “Rated Nameplate Capacity” to distinguish between the definitions related to Ground-Mounted Solar Energy Facilities (Non-Residential) and Wind Energy Systems; and

amending Section 4.52 by relocating the definitions for Open Space Residential Development (OSRD) to Section 1.4 Definitions; and

amending Section 9.3 by relocating the definitions for the Ground Water Protection District to Section 1.4 Definitions; and

amending Section 10.02 by relocating the definitions for Wireless Communications Facilities to Section 1.4 Definitions; and

amending Section 11.2 by relocating the definitions for Wind Energy Systems to Section 1.4 Definitions; and

amending Section 12.2 by relocating the definitions for the Back Lot Zoning Bylaw to Section 1.4 Definitions; and

amending Section 13.5 by deleting the numbering in advance of each definition for the Adult Use Marijuana Overlay District.

amending Section 13.5 by relocating the definitions for Adult Use Marijuana Overlay District to Section 1.4 Definitions. (Sponsored by the Planning Board)

Amend the West Brookfield Zoning Bylaw Section 1.4 by adding the following definitions:

Clear View Triangle – An area of unobstructed vision at intersections and where driveways intersect with streets or in medians of a divided driveway. The clear view triangle extends 25 feet from the point of intersection along the street, the drive aisle and the median.

Dark Sky Lighting: Lighting practices that aim to minimize light pollution by utilizing low light levels, as needed, directing light downward, and using a warm bulb type.

Electronic Reader Board – A sign which provides for a changeable message through the use of an electronically displayed message or other similar means and which forms an integral part of the sign and may also be referred to as an LED message center.

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LED Message Center – See Electronic Reader Board.

Multi-Family dwelling: A building or planned development with buildings containing three or more dwelling units, including units that are located over one another.

Amend the Town of West Brookfield Zoning Bylaws by amending the definitions for “Rated Nameplate Capacity” to distinguish between the definitions related to Ground-Mounted Solar Energy Facilities and Wind Energy Systems as follows:

Rated Nameplate Capacity (Solar) – the maximum rated output of electric power production equipment, such as solar energy facilities or solar photovoltaic facilities. The manufacturer typically specifies this output with a ‘nameplate’ on the equipment.

Rated Nameplate Capacity (Wind): The maximum rated output of electric power production equipment. This output is typically specified by the manufacturer with a “nameplate” on the equipment.

Amend the Town of West Brookfield Zoning Bylaws by relocating the definitions in Section 4.52, Open Space Residential Development to Section 1.4, Definitions.

Amend the Town of West Brookfield Zoning Bylaws by relocating the definitions in Section 9.3, Ground Water Protection, to Section 1.4, Definitions.

Amend the Town of West Brookfield Zoning Bylaws by relocating the definitions in Section 10.02, Wireless Communications Facilities Overlay District, to Section 1.4, Definitions.

Amend the Town of West Brookfield Zoning Bylaws by relocating the definitions in Section 11.2, Wind Energy Systems, to Section 1.4, Definitions.

Amend the Town of West Brookfield Zoning Bylaws by relocating the definition in Section 12.2, Back Lot Zoning Bylaw, to Section 1.4, Definitions.

Amend the Town of West Brookfield Zoning Bylaws by relocating the definitions in Section 13.5, Adult Use Marijuana Overlay District, to Section 1.4, Definitions.

Amend the Town of West Brookfield Zoning Bylaws by amending the definition for Minimum Yard as follows:

Minimum Yard – A required open space, unoccupied and unobstructed by any structure or portion of a structure, except the following:

- A. Fences, walls, poles, posts and other customary yard accessories, ornaments, and furniture.
- B. In front yards only, eaves, steps, non-covered porches, and signs.
- C. Accessory building as permitted by in Sections Section 4.31 (Corner Lots) and 4.33.

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ATTACHMENT 1

SECTION 1. GENERAL

1.1 Definitions: For the purposes of this bylaw, the following terms shall have the meanings hereby assigned to them.

Accessory Building or Use – a building or use customarily incidental to and located on the same lot with a principal building or use or an adjoining lot under the same ownership.

Agricultural Solar Photovoltaic Facility – a solar photovoltaic system that is for the exclusive purpose of providing electricity for a property that is primarily in agricultural use as defined under MGL c. 40A, §3. The electricity produced to be used solely for the benefit of the agricultural property.

Antenna – The surface from which wireless radio signals are sent and received by a personal wireless service facility. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Back Lot – A back lot shall be defined as a lot having less than the required frontage to meet the zoning bylaw requirements but having adequate frontage on a street to allow driveway access to the lot and having additional acreage, as set forth in this bylaw. *(Relocated from Section 12.2 Back Lot Zoning)*

Basic Maximum Number – The number of units that would be allowed on a site using the standard Zoning bylaw Provisions and/or Subdivision Rules and Regulations as determined by a Yield Plan. *(Relocated from Section 4.52 Open Space Residential Development)*

Building Integrated Wind Energy Facility: A wind energy facility permanently mounted on a building or other inhabitable structure. This definition applies to wind turbines of any capacity that are designed to be operated in direct contact with a building. *(Relocated from Section 11.2 Wind Energy Systems)*

Buildings – an independent structure having a roof supported by columns or walls and designed for the shelter, housing, or enclosure of persons, animal, or property of any kind.

Bylaw: The Town of West Brookfield Zoning Bylaw. *(Relocated from Section 11.2 Wind Energy Systems)*

Camouflaged – A personal wireless facility that is disguised, hidden, painted, screened, part of an existing or proposed structure or placed within an existing or proposed structure is considered camouflaged. *(Relocated from Section 10.02 Wireless Communications Facilities)*

↯ Cannabis Cultivation: The use of land and/or buildings for planting, tending, improving, harvesting, processing and packaging, the preparation and maintenance of soil and other media and promoting the growth of cannabis by a cannabis cultivator, micro-business, research facility, craft marijuana cultivator cooperative, registered marijuana

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dispensary or other entity licensed by the Commission for cannabis cultivation. Such use is not agriculturally exempt from zoning. The cultivation and processing of medical marijuana in accordance with these regulations is considered to be a manufacturing use and is not agriculturally exempt from zoning. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

2) **Cannabis or Marijuana or Marihuana:** All parts of any plant of the genus Cannabis, not excepted in 935 CMR 500.002: Cannabis or Marijuana or Marihuana(a) through (c) and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; clones of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in M.G.L. c. 94G, § 1; provided that cannabis shall not include:

- (a) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination;
- (b) hemp; or
- (c) the weight of any other ingredient combined with cannabis or marijuana to prepare topical or oral administrations, food, drink or other products. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

3) **Cannabis or Marijuana Products:** Cannabis or marijuana and its products unless otherwise indicated. These include products have been manufactured and contain cannabis or marijuana or an extract from cannabis or marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Canopy – Cover and shade created by trees. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Carrier – A company that provides wireless services. *(Relocated from Section 10.02 Wireless Communications Facilities)*

4) **Ceases to Operate:** Marijuana Establishment closes and does not transact business for 60 days, as defined by state regulations and/or this section, with no substantial action taken to reopen. The Special Permit Granting Authority may determine that an establishment has ceased to operate based on its actual or apparent termination of operations. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Clear View Triangle – An area of unobstructed vision at intersections and where driveways intersect with streets or in medians of a divided driveway. The clear view triangle extends 25 feet from the point of intersection along the street, the drive aisle and the median.

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Co-location – The use of a single mount on the ground by more than one carrier (vertical co-location) and/or several mounts on an existing building or structure by more than one carrier. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Commercial Use – where the electricity generated by a solar energy facility is produced, distributed, and utilized for use on site or sale or resale off site which allows a monetary gain directly or indirectly to the owner of the property.

5) **Commission:** The Massachusetts Cannabis Control Commission established by M.G.L. c. 10, § 76, or its designee. The Commission has authority to implement the state marijuana laws, which include, but are not limited to, St. 2016, c. 334 as amended by St. 2017, c. 55, M.G.L. c. 94G, and 935 CMR 500.000. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

6) **Craft Marijuana Cooperative:** A Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth. A cooperative is licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to Marijuana Establishments, but not to consumers. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Dark Sky Lighting: Lighting practices that aim to minimize light pollution by utilizing low light levels, as needed, directing light downward, and using a warm bulb type.

Dwelling – a building, a modular unit, or portion thereof designed exclusively for residential occupancy, including single family, two family, and multiple family dwellings, but not including hotels, motels, boarding houses, or structures solely for the use of transient or overnight occupants.

Dwelling Unit – one or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for the same, and including rooms for living, sleeping, and eating.

Electronic Reader Board – A sign which provides for a changeable message through the use of an electronically displayed message or other similar means and which forms an integral part of the sign and may also be referred to as an LED message center.

Elevation – The measurement of height above the ground at a given point. *(Relocated from Section 10.02 Wireless Communications Facilities)*

7) **Enclosed Area Cultivation:** A Marijuana Cultivation operation located, in whole, in a building, greenhouse or other enclosed area which would be subject to security provisions of 935 CMR 500.110 (5)(a) and 935 CMR 500.120. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Facility – see Wireless Communication Facility *(Relocated from Section 10.02 Wireless Communications Facilities)*

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Fall Zone – A 360 radius on the ground equal to 120% of the height of a facility from ground level at the base of the facility. The fall zone is the area within which there is a potential hazard from falling debris (such as ice) or collapsing material. Therefore, no roads, habitable dwellings, business or institutional uses, or public recreation facilities shall be located within the Fall Zone. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Family – any number of individuals living together as a single housekeeping unit.

Farm – any parcel of land which is used primarily for the raising of agricultural products (including dairy, horticultural, floricultural), livestock and/or poultry. It may include the raising of forest products. Necessary farm structures located within the prescribed limits, and the storage of equipment used in included.

Frontage – The horizontal distance measured along the front lot line between the points of intersection of the side lot lines with the front lot line. The minimum required frontage shall be uninterrupted and continuous along one street. For corner lots, frontage shall be measured between one side lot line and the mid-point of the arc made by the corner radius. A lot shall only be deemed to have frontage along a street (as defined under definition #13) to which it has both legal and physical access.

Functional Equivalent Services – Cellular, Personal Communication Services (PCS). Enhanced Specialized Mobile Radio, Specialized Mobile Radio and Paging. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Hazardous Waste: A waste which is hazardous to human health or the environment. Hazardous wastes have been designated by the Regulations of the Massachusetts Hazardous Waste Management Act, M.G.L. c. 21C. *(Relocated from Section 9.3 Ground Water Protection)*

Height: The height of a wind turbine measured from natural grade to the tip of the rotor blade at its highest point, or blade-tip height. *(Relocated from Section 11.2 Wind Energy Systems)*

8) **Hemp:** The plant of the genus Cannabis or any part of the plant, whether growing or not, with a delta-9-tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis of any part of the plant of the genus Cannabis, or per volume or weight of cannabis or marijuana product, or the combined percent of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus Cannabis regardless of moisture content. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

9) **Hemp Cultivator:** an agricultural establishment authorized by the Massachusetts Department of Agricultural Resources to cultivate hemp for commercial and industrial purposes *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Home Occupation – Occupations such as preserving or home cooking, repair of portable equipment or appliances, real estate agent, craft manufacture, private instruction in music

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or dancing, resident carpenter, contractor, electrician, painter, plumber, beautician, barber, or other artisan establishment offering services to the general public.

~~10)~~ **Host Community:** A municipality in which a Marijuana Establishment is located or in which an applicant has proposed locating an establishment. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~11)~~ **Host-Community Agreement:** An agreement, pursuant to General Laws, Chapter 94G, Section 3(d), between a Cannabis Establishment and a municipality setting forth additional conditions for the operation of a Cannabis Establishment, including stipulations of responsibility between the parties and a community impact fee reasonably related to the costs imposed upon the municipality by the operation of the marijuana establishment or medical marijuana treatment center which fee shall not amount to more than 3 per cent of the gross sales of the marijuana establishment or medical marijuana treatment center. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Impervious Surface: Materials or structures on, above, or below the ground that do not allow precipitation or surface water to penetrate directly into the soil. *(Relocated from Section 9.3 Ground Water Protection)*

Interim Wellhead Protection Area (IWPA): Where the Zone II has not yet been delineated and approved by the Massachusetts Department of Environmental Protection (DEP), an interim wellhead protection area shall consist of the area within on-half mile radius (2,640 feet) measured from the well or wellfield for sources whose approved pumping rate is 100,000 gpd or greater. Regulations applying to a Zone II shall apply equally to an interim wellhead protection area. *(Relocated from Section 9.3 Ground Water Protection)*

Large-Scale Ground-Mounted Solar Energy Facility – a commercial solar photovoltaic system that is structurally mounted on the ground and has a minimum nameplate output capacity of greater than 250 kw DC.

Large Wind Energy Facility: A wind energy facility with a rated nameplate capacity of greater than 100kW / 0.1MW. *(Relocated from Section 11.2 Wind Energy Systems)*

LED Message Center – See Electronic Reader Board.

~~13)~~ **Licensee:** A person or entity licensed by the Commission to operate a Marijuana Establishment under 935 CMR 500.000. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Lot – A single area of land in one ownership defined by metes and bounds or boundary lines in a recorded deed or in a recorded plan.

Lot Width – The shortest distance from side lot line to side lot line. At no point, between the front lot line and the rear of the principal structure located on the lot, shall the lot have a width less than eighty percent (80%) of the minimum frontage required.

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~~14)~~ **Manufacture:** To compound, blend, extract, infuse or otherwise make or prepare a cannabis or marijuana product. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Major Residential Development – Any new development that will create more than three (3) residential lots. *(Relocated from Section 4.52 Open Space Residential Development)*

~~12)~~ **Marijuana Independent Testing Laboratory:** A laboratory that is licensed by the Commission and is:

- a. Accredited to the International Organization for Standardization 17025 (ISO/IEC 17025: 2017) by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Commission;
- b. Independent financially from any Medical Marijuana Treatment Center (RMD), Marijuana Establishment or licensee for which it conducts a test; and
- c. Qualified to test cannabis or marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94C, § 34. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~15)~~ **Marijuana Cultivator:** An entity licensed to cultivate, process and package marijuana, and to transfer marijuana to other Marijuana Establishments, but not to consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~16)~~ **Marijuana Establishment:** A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Marijuana Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a medical marijuana treatment center. Marijuana establishments permitted in accordance with these regulations are considered to be a commercial and/or manufacturing use and are not considered being subject to any agricultural exemptions under zoning. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~17)~~ **Marijuana Membership Club:** An organization, club, lodge or other private grounds (non-profit and private) allowing on-site consumption of marijuana or marijuana products, but not operating as a licensed marijuana social consumption operator, and where no sales of marijuana or alcoholic beverages occur. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~18)~~ **Marijuana Microbusiness:** A collocated Marijuana Establishment that can be either a Tier 1 Marijuana Cultivator or Product Manufacturer or both, in compliance with the operating procedures for each license. A Microbusiness that is a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of marijuana per year from other Marijuana Establishments. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~19)~~ **Marijuana Process or Processing:** To harvest, dry, cure, trim and separate parts of the cannabis or marijuana plant by manual or mechanical means, except it shall not

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include manufacture as defined in 935 CMR 500.002. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~20)~~ **Marijuana Product:** Products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~21)~~ **Marijuana Product Manufacturer:** An entity licensed to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~22)~~ **Marijuana Research Facility:** An entity licensed to engage in research projects by the Commission. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~23)~~ **Marijuana Retailer:** An entity licensed to purchase and transport cannabis or marijuana product from Marijuana Establishments and to sell or otherwise transfer this product to Marijuana Establishments and to consumers. Retailers are prohibited from delivering cannabis or marijuana products to consumers; and from offering cannabis or marijuana products for the purposes of on-site social consumption on the premises of a Marijuana Establishment. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~24)~~ **Marijuana Transporter:** An entity, not otherwise licensed by the Commission, that is licensed to purchase, obtain, and possess cannabis or marijuana product solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments, but not to consumers. Marijuana Transporters may be an Existing Licensee Transporter or Third-Party Transporter. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~25)~~ **Medical Marijuana Treatment Center, also known as a Registered Marijuana Dispensary (RMD):** A not-for-profit entity registered under 105 CMR 725.100: Registration of Registered Marijuana Dispensaries, that acquires, cultivates, possesses, processes (including development of related products such as edible cannabis or marijuana products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing cannabis or marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of cannabis or marijuana for medical use. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Minimum Yard – A required open space, unoccupied and unobstructed by any structure or portion of a structure, except the following:

- A. Fences, walls, poles, posts and other customary yard accessories, ornaments, and furniture.
- B. In front yards only, eaves, steps, non-covered porches, and signs.

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C. Accessory building as permitted by in Sections Section 4.31 (Corner Lots) and 4.33.

Mining: The removal or relocation of geologic materials such as topsoil, sand, gravel, metallic, ores, or bedrock. *(Relocated from Section 9.3 Ground Water Protection)*

Mobile Home – A structure, transportable in one or more sections, which is built on a permanent chassis, and designed to be used as a dwelling with permanent foundation, when connected to the required utilities. A travel trailer, motor home, or modular home is not to be considered as a mobile home.

Monopole – The type of mount that is self-supporting with a single shaft of wood, steel or concrete and a platform (or racks) for panel antennas arrayed at the top. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Mount – the structure or surface upon which antennas are mounted, including the following four types: *(Relocated from Section 10.02 Wireless Communications Facilities)*

1. Roof-Mounted Mounted on the roof of a building
2. Side-Mounted Mounted on the side of a building.
3. Ground-Mounted Mounted on the ground.
4. Structure-mounted Mounted on a structure other than a building

Multi-Family dwelling: A building or planned development with buildings containing three or more dwelling units, including units that are located over one another.

Non-Conforming Use – a use of land existing at the time of enactment of this bylaw which does not conform to the regulations for use in the district in which it is situated.

Non-Structural Stormwater Management Techniques – Stormwater management techniques that use natural pre-treatment of stormwater in conjunction with on-site groundwater recharge to mimic pre-development drainage to the greatest practicable extent. *(Relocated from Section 4.52 Open Space Residential Development)*

Omni directional (whip) antenna – A thin rod that beams and receives a signal in all directions. *(Relocated from Section 10.02 Wireless Communications Facilities)*

On-Site Wind Facility: A large wind energy facility located at a commercial, industrial, agricultural, institutional, or public facility that will generate electricity primarily for on-site use. *(Relocated from Section 11.2 Wind Energy Systems)*

~~26~~ **Open Area Cultivation:** a marijuana cultivation operation conducted wholly in the open air, and not located in any building, greenhouse or other enclosed area which would be subject to security provisions of 935 CMR 500.110 (6) and 935 CMR 500.120. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Panel Antenna – A flat surface antenna or dish antenna usually developed in multiples. *(Relocated from Section 10.02 Wireless Communications Facilities)*

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Passive Recreation – As defined by MGL Chapter 61B, these uses include hiking, camping, nature study and observation, boating, golfing, non-commercial youth soccer, horseback riding, hunting, fishing, skiing, swimming, picnicking, private non-commercial flying, including hang gliding, archery, and target shooting. Such recreational use shall not include horse racing, dog racing, or any sport normally undertaken in a stadium, gymnasium, or similar structure. *(Relocated from Section 4.52 Open Space Residential Development)*

Premises – A lot together with all structures, buildings, and uses thereon.

~~27)~~ **Propagation:** The reproduction of cannabis or marijuana plants by seeds, cuttings, or grafting. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

~~28)~~ **Provisional Marijuana Establishment License:** A certificate issued by the Commission confirming that a Marijuana Establishment has completed the application process. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

Radio Frequency (RF) Engineer – A registered engineer specializing in electrical or microwave engineering, especially the study of radio frequencies. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Radio Frequency Radiation (RFR) – The emissions from wireless communication facilities. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Rated Nameplate Capacity (Solar) – the maximum rated output of electric power production equipment, such as solar energy facilities or solar photovoltaic facilities. The manufacturer typically specifies this output with a ‘nameplate’ on the equipment.

Rated Nameplate Capacity (Wind): The maximum rated output of electric power production equipment. This output is typically specified by the manufacturer with a “nameplate” on the equipment. *(Relocated from Section 11.2 Wind Energy Systems)*

Recorded or Of Record – Recorded or registered in the Worcester County Registry of Deeds or a record title to a parcel of land disclosed by any or all pertinent records.

Residential Ground-Mounted Solar Photovoltaic Facility – a residential solar photovoltaic system that is structurally mounted on the ground where the electricity generated by the solar facility is produced and solely utilized on the residential site, by the owner of the residential property. The output to not exceed 110% of the residential site, for the use and benefit of the owner of the residential property.

Residential Use – Where the electricity generated by a solar energy facility is produced solely on a residential site, for the use and benefit of the owner of the residential property.

~~29)~~ **RMD Applicant:** A previously Registered Marijuana Dispensary with a final or provisional certificate of registration, that is in good standing with the DPH. *(Relocated from Section 13.5 Adult Use Marijuana Overlay District)*

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Security Barrier – A locked, impenetrable wall or fence that completely seals an area from unauthorized entry or trespass. This area shall include the base of the structure, all equipment shelters and the outreach of all antennas and panels so as to prevent falling ice, etc., from harming someone below. The minimum height of the impenetrable wall or fence shall be 10 feet.

Separation – The distance between one carrier’s array of antennas and another carrier’s array. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Shadow / Flicker: Shadow flicker is caused by sunlight passing through the swept area of the wind turbine’s blades, creating a stroboscopic effect. *(Relocated from Section 11.2 Wind Energy Systems)*

Site (or Project Site): The lot or lots on which a wind energy facility is located, together with all mandatory setback areas, if any, extending beyond the boundaries of such lot or lots. *(Relocated from Section 11.2 Wind Energy Facilities)*

Small Wind Energy Facility: A wind energy facility with a rated nameplate capacity of not more than 100 kW / 0.1MW. *(Relocated from Section 11.2 Wind Energy Facilities)*

Small-Scale Ground-Mounted Solar Energy Facility – a commercial solar photovoltaic system that is structurally mounted on the ground and has a nameplate output capacity of less than 250 kw DC.

Solar Energy Facility – a ground-mounted solar photovoltaic installation that is designed, constructed, and intended to convert solar energy to electricity generated for residential or commercial use. In this bylaw “Solar Energy Facility” shall include and the bylaw shall apply and not be limited to solar energy facilities, whether referred to as “Solar Energy Facility”, “Photovoltaic Facility”, “Solar Photovoltaic System”, or otherwise.

Street – (a) a public way or a way which the Town Clerk certifies is maintained and used as a public way or (b) a way shown on a plan approved and endorsed in accordance with the Subdivision Control Law or (c) a way in existence when the Subdivision Control Law became effective in West Brookfield having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby.

Structural Stormwater Management Techniques – These techniques generally require heavy infrastructure and often result in significant alteration of the site hydrology, including, but not limited to, catch basins, subsurface piping, stormwater inlets, and subsurface leaching facilities. *(Relocated from Section 4.52 Open Space Residential Development)*

Toxic or Hazardous Material: Any substance or mixture of physical, chemical, or infectious characteristics posing a significant, actual, or potential hazard to water supplies or other hazards to human health if such substance or mixture were discharged to land

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or water of the Town of West Brookfield. Toxic or hazardous materials include, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids or alkalis, and all substances defined as Toxic or Hazardous under M.G.L. c. 21 C and 21E and 310 CMR 30.00, and also include such products as solvents and thinners in quantities greater than normal household use. *(Relocated from Section 9.3 Ground Water Protection)*

Transmitter Receiver – Equipment that sends or receives telecommunications service signals. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Use – the purpose for which land or building is occupied, or maintained, arranged, designed, or intended.

Utility-Scale Wind Energy Facility: A commercial wind energy facility, where the primary use of the facility is electrical generation to be sold to the wholesale electricity markets. *(Relocated from Section 11.2 Wind Energy Systems)*

Wind Energy Facility: All equipment, machinery and structures utilized on a single site in connection with the conversion of wind to electricity. This includes, but is not limited to transmission, storage collection and supply equipment, substations, transformers, service, and access roads, and one or more wind turbines. *(Relocated from Section 11.2 Wind Energy Facilities)*

Wind Monitoring or Meteorological Tower: A temporary tower equipped with devices to measure wind speeds and direction. A meteorological tower is used to determine how much wind power a site can be expected to generate. *(Relocated from Section 11.2 Wind Energy Systems)*

Wind Turbine: A device that converts kinetic wind energy into rotational energy that drives an electrical generator. A wind turbine typically consists of a tower, nacelle body, and a rotor with two or more blades. *(Relocated from Section 11.2 Wind Energy Systems)*

Wireless Communication Facility – Any and all materials, equipment storage structures, monopoles, towers, satellite dishes and/or antennae intended for transmitting or receiving telecommunications services, equivalent to Personal Wireless Service Facility as defined by the Telecommunications Act. *(Relocated from Section 10.02 Wireless Communications Facilities)*

Yard, Front – A yard extending across the full width of a lot lying between the front lot line and the principal building. The minimum front yard extends from the front lot line for the depth specified in section 4.2. On a corner lot, the two (2) yards lying between the main building and the intersecting streets shall both be deemed front yards.

Yard, Rear – A yard extending across the full width of the lot lying between the rear line of the lot and the rear line of the main building extended to the side lines of the lot. The minimum rear yard extends from the rear lot line for the depth specified in section 4.2.

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Yard, Side – The portion of the yard situated between the main building and the side line of the lot, extending from the front yard to the rear yard. The minimum side yard extends from the side lot line for the depth specified in section 4.2.

Zone I: The protective radius required around a public water supply well or wellfield; for purposes of this bylaw, the required radius is four hundred feet (400'). (*Relocated from Section 9.3 Ground Water Protection*)

Zone II: That area of an aquifer which contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated (180 days of pumping at safe yield, with no recharge from precipitation). It is bounded by the ground water divides which result from pumping the well and by the contact of the aquifer with less permeable materials such as till or bedrock. In some cases, streams or lakes may act as recharge boundaries. In all cases, Zone II shall extend up gradient to its point of intersection with prevailing hydro-geologic boundaries (a ground water flow divide in contact with till or bedrock, or a recharge boundary). (*Relocated from Section 9.3 Ground Water Protection*)

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Zoning Bylaw Amendment - Miscellaneous

To see if the Town will vote to amend the Town of West Brookfield Zoning Bylaws by amending the following sections in the Zoning Bylaws as specified below:

amending Section 2.1, Classes of Districts, by deleting the reference to “I – Industrial;” and

amending Section 2.2, Incorporation of Zoning Map, by adding the words “and the latest revision date on” to allow for the latest Zoning Map revision date; and

amending Section 4.2 by converting the Schedule of Dimensional Requirements into a table format; and

amending Section 4.33, Location of Accessory Buildings, by adding the words “and except for garages which may be allowed within the front yard upon approval of a Special Permit by the Board of Appeals provided that all other dimensional regulations are met;” and

amending Section 5.3.A.5 Signs, by adding the words “and municipal uses” to the types of uses that are allowed bulletin or announcement boards; and

amending Section 5.3.B signs, by adding a new subsection 11 for Electronic Message Center provisions; and

amending Section 5.3.C by adding language requiring placement of signs outside of a clear view triangle, except for public signs; and

amending Section 5.4, Trailers, by adding language allowing house trailers, mobile homes or camping trailers “during construction of a new residence or reconstruction after a fire or other casualty for a period not to exceed one year, or longer with proven hardship by the Board of Appeals.” (Sponsored by the Planning Board)

Amend the West Brookfield Zoning Bylaw Section 2.1 by deleting the reference to the former Industrial District as follows:

2.1 Classes of Districts: For the purposes of this bylaw the Town of West Brookfield is hereby divided into the following districts:

~~I—Industrial~~

Amend the Town of West Brookfield Zoning Bylaws Section 2.2 by adding a provision for the latest revision date of the Zoning Map as follows:

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2.2 Incorporation of Zoning Map: Said districts are located and bounded as shown on a map entitled “Proposed Zoning Map of West Brookfield, Massachusetts” dated May 1973, and the latest revision date on _____, and on file in the Office of the Town Clerk. The Zoning Map with all explanatory matter thereon, is hereby made a part of this bylaw.

Amend the Town of West Brookfield Zoning Bylaws by converting the Schedule of Dimensional Regulations to a table format as follows:

4.2 Schedule of Dimensional Requirements:

Zoning District	Min. Lot Size	Min. Lot Frontage	Min. Yard Depth (ft.)			Max. Stories	Max. Height
	Sq. ft.	Ft.	Front	Side	Rear		
Rural Residence	90,000	225	70	50	50	2 ½	35
Neighborhood Residence	45,000	175	40	30	30	2 ½	35
General	25,000	125	30	20	20	3	40

Rural Residence:

- ~~_____ 90,000 sf Minimum Lot Size~~
- ~~_____ 225 ft Minimum Lot Frontage~~
- ~~_____ 70 ft Minimum Front Yard~~
- ~~_____ 50 ft Minimum Side Yards~~
- ~~_____ 50 ft Minimum Rear Yard~~
- ~~_____ 2 1/2 Maximum Stories in Height~~
- ~~_____ 35 ft Maximum Height~~

Neighborhood Residence:

- ~~_____ 45,000 sf Minimum Lot Size~~
- ~~_____ 175 ft Minimum Lot Frontage~~
- ~~_____ 40 ft Minimum Front Yard~~
- ~~_____ 30 ft Minimum Side Yards~~
- ~~_____ 30 ft Minimum Rear Yard~~
- ~~_____ 2 1/2 Maximum Stories in Height~~
- ~~_____ 35 ft Maximum Height~~

General:

- ~~_____ 25,000 sf Minimum Lot Size~~

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- ~~———— 125 ft Minimum Lot Frontage~~
- ~~———— 30 ft Minimum Front Yard~~
- ~~———— 20 ft Minimum Side Yards~~
- ~~———— 20 ft Minimum Rear Yard~~
- ~~———— 3 Maximum Stories in Height~~
- ~~———— 40 ft Maximum Height~~

Amend the Town of West Brookfield Zoning Bylaws by adding language to Section 4.33 to allow garages in front yards by Special Permit as follows:

4.33 Location of Accessory Buildings: No accessory building shall be located in a front yard except for property abutting the shoreline of Lake Wickaboag or Brookhaven Pond, in which case an accessory building may be allowed by Special Permit issued by the Board of Appeals, and except for garages which may be allowed within the front yard upon approval of a Special Permit by the Board of Appeals provided that all other dimensional regulations are met.

Amend the Town of West Brookfield Zoning Bylaws by adding the words “and municipal uses” to Section 5.3.A.5.

5.3 Signs:

A. The following signs are permitted in any district:

- 5) Churches, ~~and~~ institutions and municipal uses shall be allowed two (2) bulletin or announcement boards for each building, one of which may not exceed twenty (20) square feet in area, and one of which may not exceed ten (10) square feet in area.

Amend the Town of West Brookfield Zoning Bylaws by adding subsection 11 to Section 5.3.B for Electronic Message Center provisions as follows:

5.3 Signs:

A. Commercial, Industrial, or other advertising signs or devices shall conform to the following requirements:

- 11) Electronic reader board signs (also known as LED message centers) shall be equipped with dimmers. Lighting intensity shall be dimmed after dusk and before dawn so as not to impact the vision of motorists.

Amend the Town of West Brookfield Zoning Bylaws by adding language to Section 5.3.C requiring signs, except for public signs, to be located outside of a clear view triangle so as not to obstruct the vision of motorists.

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5.3 Signs:

- C. Signs affecting vehicular or pedestrian traffic shall be modified as to position or location at the discretion of the Building Inspector. Except for public signs, no signs shall be located within a clear view triangle and shall not obstruct the vision of motorists.

Amend the Town of West Brookfield Zoning Bylaws by adding a provision allowing the use of a house trailer, mobile home, or camping trailer during construction of a new residence or reconstruction after a fire or other casualty for a period not to exceed one year, or long with proven hardship by the Board of Appeals.

- 5.4 Trailers:** Not more than one house trailer, mobile home, motor home or camping trailer, may be kept, or stored on any parcel of land, and no house trailer, mobile home, or camping trailer may be used as temporary or permanent living quarters while so located except during construction of a new residence or reconstruction after a fire or other casualty for a period not to exceed one year, or longer with proven hardship by the Board of Appeals. Space shall not be leased for trailers. The foregoing regulations, however, shall not prohibit the establishment of a family campground under the provisions of Chapter 140 of the General laws.

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Zoning Bylaw Amendment – Site Plan Review

To see if the Town will vote to amend the Town of West Brookfield Zoning Bylaws by:

amending the title of the existing Section 5.11, General to Section 5.13, General Requirements for Major Site Plan Review; and

adding a new Section 5.11, Purpose and Intent; and

amending the title of the existing Section 5.12, Notice of Hearing, to Section 5.14; and

adding a new Section 5.12, Site Plan Classifications that includes a distinction between minor and major site plan review as well exemptions from site plan review; and

amending the new Section 5.13, General Requirements for Major Site Plan Review to clarify that the requirements of this section pertain to “full or major site plans,” and to add the statement that “the Board of Appeals will review major site plans;” and

deleting portions of Section 5.13.1 and Section 5.13.3 to eliminate redundancy with Section 5.12.2.A.b and Section 5.12.2.A.c; and

adding a statement in Section 5.13.7 that “a fee of two hundred fifty dollars (\$250.00) is due at the time of submission of major site plans; “ and

amending the title of the existing Section 5.13, Building Permit, to Section 5.15; and

amending the new Section 5.15, Building Permit, to clarify that the section pertains to major site plan review; and

amending the title of the existing Section 5.14, Review, to Section 5.16; and

amending the title of the existing Section 5.15, Report by Planning Board, to Section 5.17. (Sponsored by the Planning Board)

Amend the West Brookfield Zoning Bylaws by adding a new Section 5.11, Purpose and Intent.

SECTION 5. SPECIAL REQUIREMENTS

5.1 Site Plan Review

5.11 Purpose and Intent: The purpose of this Section is to provide for a comprehensive review of site plans for commercial uses and accessory dwelling units to protect the health, safety, convenience and welfare of the citizens of the Town of West Brookfield. Site Plan Review regulates the development of

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structures and sites in a manner that considers the following concerns and, where necessary, requires modification of development proposals to eliminate or minimize potential problems and nuisances. The primary areas of concern are:

- 1.) Balancing the rights of landowners to use their land with the corresponding rights of abutting property owners to live without undue disturbances (e.g. noise, smoke, fumes, dust, odor, glare, storm water runoff, etc.);
- 2.) The convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent areas or roads;
- 3.) The adequacy of parking, loading facilities, drainage and methods of waste disposal to protect from pollution of surface or groundwater; and
- 4.) The protection of historic and natural environmental features on the site under review, and in adjacent areas.

Amend the West Brookfield Zoning Bylaws by adding a new Section 5.12, Site Plan Classifications.

5.12 Site Plan Classifications: The Town of West Brookfield requires a Minor Site Plan Review for permitted or by right uses (Section 5.12.2) and a Major Site Plan Review for uses requiring approval of a Special Permit (as outlined in Sections 5.13 through 5.17). Uses that are exempt from Site Plan Review are indicated in Section 5.12.1.

- 1.) **Exemption from Site Plan Review:** Site Plan Review shall not be required for the following; however, a sketch may be required with a building permit application.
 - A. The construction or enlargement of any single-family or two-family dwelling, or building accessory to such dwelling;
 - B. The construction or alteration of any building used exclusively for agriculture, horticulture, or floriculture;
 - C. Construction, expansion or alteration providing for not more than five hundred (500) square feet of new footprint total floor area after construction; or,
 - D. Customary home occupations as defined in this Bylaw.
- 2.) **Minor Site Plan Review:** Except for the above exempt uses, a minor site plan is required for uses that are indicated as permitted or by right uses in the Schedule of Use Regulations (Section 3.2). The Planning Board

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reviews minor site plans. The following includes information that should be included on a minor site plan; however, upon initial review by the Planning Board, it may be determined that additional items are needed or that some items may be waived. See Section 5.12.2.E for Waivers.

- A. Information to be included on minor site plan
 - a. Property boundaries, location map, scale of the plan, north arrow, and five (5) signature lines for the Planning Board approval
 - b. A diagram (which may be the same plan) showing to scale the true location, ground coverage outline and dimensions of buildings or structures proposed to be erected and future additions or expansions.
 - c. Names of all adjoining owners as found in the most recent tax list
 - d. Lot lines, easements, locations of existing public or private ways nearest such land, curbs, sidewalks, as well as fences and walls
 - e. Existing and proposed well and septic system locations
 - f. Driveway location – Each property shall be limited to one driveway per street frontage unless the Planning Board determines that the site specific conditions warrant an alternative configuration.

- B. Procedures
 - a. An applicant for Minor Site Plan Review under this Bylaw shall file with the Planning Board, at a regularly scheduled meeting, 12 copies of the plans and any required written materials.
 - b. A filing fee of fifty dollars (\$50.00) shall be required at the time of submission.

- C. Review by Other Boards

After reviewing the application for completeness and determining the site plan requirements have been met, the Planning Board shall transmit to the Conservation Commission, Board of Health, Board of Assessors, Building Inspector, Board of Appeals, Board of Selectmen, Fire and Police Departments, and other boards as deemed necessary, one copy of the site plan. Said boards and departments shall submit recommendations in writing to the Planning Board within twenty-one (21) days for by right development regarding adequacy of the data, any potential impacts of the proposed development, and any recommended conditions.

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D. Decision

The Planning Board shall deliver its decision in writing to the Building Inspector within thirty (30) days after determining that the application is complete to allow the issuance of a building permit. The Planning Board's final action rendered in writing shall consist of either:

- a. Approval of the minor site plan based upon a determination that the proposed plan is in compliance with the standards set forth in this Bylaw;
- b. Disapproval of the minor site plan based upon a determination that the proposed plan does not meet the standards for review set forth in this Bylaw; or
- c. Approval of the minor site plan subject to any conditions, modifications and restrictions as required by the Board which will ensure that the project meets the Standards for Review.

E. Waivers: The Planning Board may waive certain site plan requirements that are not applicable for all projects.

- a. Literal compliance is impractical due to the nature of the proposed use;
- b. The location, size, width, depth, shape, or grade of the lot makes compliance impossible;
- c. Such waiver would be in the public interest; and/or
- d. Such waiver would not sacrifice the protection of natural features. Applicants seeking waivers will submit a formal request for waiver of particular requirements along with the site plan application.

3.) Major Site Plan Review: For uses requiring approval of a special permit. See Sections 5.13 through 5.17 for the Major Site Plan Review process.

Amend the West Brookfield Zoning Bylaws by amending the title of the existing Section 5.11, General to Section 5.13, General Requirements for Major Site Plan Review, adding that this section pertains to full or major site plan, that the Board of Appeals will review major site plans, that items to be submitted include those for a minor site plan as well as items listed herein, deleting text in Sections 5.12.2.A.b and Section 5.12.2.A.c, and that a fee of two hundred fifty dollars (\$250.00) shall be due at the time of submission.

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5.1311 General Requirements for Major Site Plan Review: A full or major site plan review is a prerequisite for a special permit, when a special permit is required by the Board of Appeals, for uses in any District as specified in Section 3.2. The Board of Appeals will review major site plans.

Such Site Plan review shall be in accordance with the standards set forth below and only after a public hearing by the Board of Appeals, with due notice given on application in writing to said Board for site plan review of any initial proposal, or proposal for exterior alteration or building. Approval of such site plan or expansion or alteration thereof shall be endorsed by said Board in writing on the plan with such conditions as the Board may impose.

Each application to the Board of Appeals for site plan review of such an initial proposal or such an alteration or expansion proposal shall be submitted in duplicate in writing and shall include the following information which is to be prepared by a registered Engineer, register Land Surveyor, registered architect, or registered landscape architect.

Applicants shall submit to the Board of Appeals **the items required for a minor site plan review (Section 5.12.2.A) as well as the following** plans, drawings, supporting documents and other related information as specified above no later than the time of the public hearing.

- 1.) A diagram and a statement of the ownership, area, dimensions, ~~boundaries,~~ and principal elevations of land for which site plan review is sought, ~~with the names of all adjoining owners as found in the most recent tax list and the locations of existing public or private ways nearest such land;~~
- 2.) A plan, profile and representative cross-sections of all proposed driveways and parking areas, loading areas, service areas, and proposed surface drainage systems.
- 3.) ~~A diagram (which may be the same plan) showing to scale the true location, ground coverage outline and dimensions of buildings or structures then proposed to be erected together with generalized indications of all future additions or expansions then contemplated; other~~ **Other** information shall be shown as may be required to ensure compliance with all provisions of this bylaw and the purposes of the Site Plan Review;
- 4.) Plan showing proposed circulation of traffic within the proposed development and in all public ways adjacent thereto;
- 5.) All facilities for sewerage, refuse and other waste disposal;
- 6.) Provisions for surface water runoff and applicable landscape features.
- 7.) A review fee of two hundred fifty dollars (\$250.00) shall be required at the time of submission.

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Amend the West Brookfield Zoning Bylaws by amending the title of the existing Section 5.12, Notice of Hearing to Section 5.14.

5.14~~12~~ Notice of Hearing: Notice of public hearing on each such application shall be given by the Board of Appeals in the manner prescribed in Section 17 of Chapter 40A of the General Laws.

Amend the West Brookfield Zoning Bylaws by amending the title of the existing Section 5.13, Building Permit to Section 5.15 and clarifying that this section pertains to major site plan review.

5.15~~13~~ Building Permit: No permit to build or alter or expand any building or structure requiring a major site plan review under this bylaw shall be issued by the Board of Selectmen or their designated agent until he shall have received from the Board of Appeals a written statement of final approval by said Board. The Board of Selectmen or their designated agent shall enforce the fulfillment of any conditions or revisions which the Board of Appeals may impose in order to satisfy any of the factors upon which the Major Site Plan review is based.

5.16~~14~~ Review: In reviewing each such application, the Board of Appeals shall study the site plan with reference to the health, safety, and welfare of the prospective occupants, the occupants of neighboring properties and users of the adjoining streets or highways, and the welfare of the Town generally including its amenities. In addition to compliance with all of the land space and building requirements set forth herein the Board shall look for:

- 1.) Traffic safety and ease of access at street and highway entrances and exits of driveways, taking account of grades, sight distances, and distances between such driveway entrances, exits and the nearest existing street or highway intersections;
- 2.) Safety and adequacy of driveway layout, off-street loading areas for materials and products, off-street loading sites for customers, and sufficiency of access for service vehicles such as electricity, gas, fuel, telephone, laundry, rubbish removal, water, sewer, fire, police, ambulance or other routine or emergency vehicles;
- 3.) Safe and adequate means of disposal of sewage, of garbage and rubbish, safety and adequacy of water supply and distribution, and of firefighting facilities on the site, safety and adequacy of heating and ventilating as proposed, also of cooking facilities, if such are to be furnished;
- 4.) Assurance of positive storm water drainage and snow-melt runoff from all driveways and from all parking and loading areas on the site.

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Amend the West Brookfield Zoning Bylaws by amending the title of the existing Section 5.15, Report by Planning Board to Section 5.17.

5.17~~15~~ Report by Planning Board: The Board of Appeals shall within 10 (ten) days of receiving the plan submit 1 (one) copy to the Planning Board and shall within 30 (thirty) days meet with them to consider the plan, which if it complies with the provisions and requirements of this bylaw, may be approved by the Board of Appeals with or without conditions; if it does not comply with the provisions and requirements of this bylaw, it can be disapproved or approved with conditions which will bring about compliance. The applicant shall be notified within sixty (60) days from the date of submission of the plan of action taken or approval will be assumed. A building permit shall not be issued in a case requiring site plan approval unless such approval has been obtained.

ARTICLE 22 Attachment 4

Zoning Bylaw Amendment – “Accessory Dwelling Units”

To see if the Town will vote to amend the Town of West Brookfield Zoning Bylaws by:

adding to Section 1.4 new definitions, including but not limited to, “accessory dwelling unit;” and

amending Section 3.1 by adding that no more than one residential structure may be permitted on any lot “except with the approval of an accessory dwelling unit in accordance with the requirements set forth in Section 14 of these bylaws;” and

amending the table of uses in Section 3.22 by adding a new item 9.1 “accessory dwelling unit within an existing single-family dwelling;” and

amending the table of uses in Section 3.22 by adding a new item 9.2 “accessory dwelling unit, detached unit;” and

amending the table of uses in Section 3.22, item 9.2, detached accessory dwelling unit, to require a Special Permit in all zoning districts; and

adding a new Section 14 “Accessory Dwelling Units.” (Sponsored by the Planning Board)

Amend the West Brookfield Zoning Bylaw Section 1.4 by adding the following definitions:

Accessory Dwelling Unit: a self-contained housing unit incorporated within a single-family dwelling.

Detached Accessory Dwelling Unit: an accessory structure approved by a Special Permit that is not larger in floor area than 1/2 the floor area of the principal dwelling or a maximum 1,500 square feet.

Primary Residence: The dwelling unit an individual lives in for the majority of the year.

Amend the Town of West Brookfield Zoning Bylaws by amending Section 3, Use Regulations as shown in Attachment 1.

Amend the Town of West Brookfield Zoning Bylaws by adding a new Section 14, Accessory Dwelling Units as follows:

Section 14. Accessory Dwelling Unit Bylaw

14.1 Purpose and Intent:

The intent of permitting accessory dwelling units is to:

ARTICLE 22 Attachment 4

1. Encourage a more balanced and diverse population and income mix;
2. Provide older homeowners with a means of obtaining, through tenants in accessory dwelling units, rental income, companionship, security and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
3. Add moderately priced rental units to the housing stock to meet the needs of smaller households, and make housing units available to moderate income households who might otherwise have difficulty finding housing within the Town;
4. Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle;
5. Provide housing units for persons with disabilities;
6. Protect stability, property values, and the residential character of a neighborhood.

14.2 Procedural Requirements:

1. Review procedure: Refer to Section 3 (Use Regulations) and Section 5.1 (Site Plan Review) for procedures.

14.3 Use and Dimensional Regulations:

1. The Building Commissioner may issue a Building Permit authorizing the installation and use of an accessory dwelling unit within an existing or new owner-occupied, single-family dwelling, and the Special Permit Granting Authority (SPGA) may issue a Special Permit authorizing the installation and use of an accessory dwelling unit in a detached structure on a single-family home lot only when the following conditions are met:
 - a. The unit will be a complete, separate housekeeping unit containing both kitchen and bath.
 - b. Only one accessory dwelling unit may be created within a single-family house or house lot.
 - c. The owner(s) of the residence in which the accessory dwelling unit is created must continue to occupy at least one of the dwelling units as their primary residence, except for bona fide temporary absences.
 - d. Any new separate outside entrances serving an accessory dwelling unit shall be located on the side or in the rear of the building.
 - e. The minimum floor area of an accessory dwelling unit shall be in accordance with the State Building Code.

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- f. The gross floor area of an accessory dwelling unit (including any additions) shall be not larger in floor area than 1/2 the floor area of the principal dwelling or a maximum 1,500 square feet.
 - g. An accessory dwelling unit shall not have more than two bedrooms.
 - h. The construction of any accessory dwelling unit must be in conformity with the State Building Code, Title V of the State Sanitary Code and other local bylaws and regulations.
 - i. There is no minimum lot size for an accessory dwelling unit provided that all dimensional regulations are met and there is sufficient space to provide for adequate and safe water supply and sewage disposal.
 - j. Off-street parking spaces shall be available for use by the owner-occupant(s) and tenants with adequate access and egress from the site.
2. In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility, the SPGA may grant a waiver from any limitation or requirement hereof upon a finding that such a waiver is reasonable necessary to provide for the installation of features that facilitate access and mobility for disabled persons.
 3. Approval for an ADU requires that the owner must occupy one of the dwelling units. The zoning approval and the notarized letters required in 13.3.4 and 13.3.5 below must be recorded in the County Registry of Deeds or Land Court, as appropriate, in the chain of title to the property, with documentation of the recording provided to the Building Commissioner, prior to the occupancy of the accessory dwelling unit.
 4. When a structure, which has received a permit for an accessory dwelling unit, is sold, the new owner(s), if they wish to continue to exercise the Permit, must, within thirty (30) days of the sale, submit a notarized letter to the Planning Board stating that they will occupy one of the dwelling units on the premises as their primary residence, except for bona fide temporary absences.
 5. Prior to issuance of a permit, the owner(s) must send a notarized letter to the Planning Board stating that the owner will occupy one of the dwelling units on the premises as the owner's primary residence, except for bona fi de temporary absences.
 6. Prior to issuance of a permit, a floor plan must be submitted showing the proposed interior and exterior changes to the building.

14.4 Administration and Enforcement

1. It shall be the duty of the Zoning Enforcement Officer to administer and enforce the provisions of this Bylaw.
2. No building shall be constructed or changed in use or configuration, until the Building

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Commissioner has issued a permit. No permit shall be issued until a sewage disposal works permit, when applicable, has first been obtained from the Board of Health and the proposed building and location thereof conform with the town's applicable bylaws and regulations. . Any new building or structure shall conform to all adopted state and town laws, bylaws, codes and regulations. No building shall be occupied until a certificate of occupancy has been issued by the Building Inspector where required.

3. The Building Commissioner shall refuse to issue any permit, which would result in a violation of any provision of this chapter or in a violation of the conditions or terms of any special permit or variance granted by the Board of Appeals or its agent.
4. The Building Inspector/Zoning Enforcement Officer shall issue a cease and desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this chapter.
5. Construction or use according to a building permit or special permit shall conform to any subsequent amendment of this chapter unless the construction or use is begun within a period of not more than six months after the issuance of a permit granted before the effective date of the amendment. To qualify for this exemption, construction must be completed in a continuous and expeditious manner.
6. The SPGA may grant a waiver to allow for the deviation from any dimensional regulations set forth in this bylaw by up to ten percent (10%) upon a finding that such a waiver is reasonably necessary and would not frustrate the intent and purpose of this bylaw.

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Zoning Bylaw Amendment – “Village Center District Bylaw”

To see if the Town will vote to amend the Town of West Brookfield Zoning Bylaws by:

adding to Section 1.4 new definitions, including but not limited to, “Mixed-Use Structure;” and

adding to the establishment of districts in Section 2.1 a new item “VC – Village Center” including a description of the Purpose and Intent for the district; and

adding to the table of uses in Section 3.21 a column for the “VC” (Village Center) district; and

amending the table of uses in Section 3.21, items 4.1 and 4.2, to require a Special Permit in the Village Center district for “Commercial Greenhouses under five acres and over five acres in size;” and

adding to the table of uses in Section 3.22 a column for the “VC” (Village Center) district; and

amending the table of uses in Section 3.22 by modifying item 2 to item 2.1 and adding a new item 2.2 for “Alteration or conversion of a single-family home to an exclusively commercial use;” and

amending the table of uses in Section 3.22 by modifying item 4 to item 4.1 and adding a new item 4.2 for “Multifamily dwellings containing no more than six (6) dwelling units;” and

amending the table of uses in Section 3.22, item 4.2, to require a Special Permit in the Village Center district for “Multifamily dwellings containing no more than six (6) dwelling units;” and

adding to the table of uses in Section 3.23 a column for the “VC” (Village Center)” district; and

amending the table of uses in Section 3.23 by adding a new item 1.1 for “Retail sales and services which do not exceed ten thousand (10,000) square feet in total gross floor space; and

amending the table of uses in Section 3.23 by modifying item 1 to item 1.2 and amending this item to clarify that it is for “retail uses with more than ten thousand (10,000) square feet of gross floor area on any individual floor;” and

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amending the table of uses in Section 3.23, item 4, to require a Special Permit in the Village Center district for “animal or veterinary hospital;” and

amending the table of uses in Section 3.23, item 5, to require a Special Permit in the Village Center district for “commercial breeding, sale, grooming or boarding of dogs, cats or fur-bearing animals hospital;” and

amending the table of uses in Section 3.23 by modifying item 8 to item 8.1; and

amending the table of uses in Section 3.23 by identifying the use of “serving food and beverages for consumption off the premises” as item 8.2; and

amending the table of uses in Section 3.23, item 8.2, to require a Special Permit in the Village Center district for “serving food and beverages for consumption off the premises;” and

amending the table of uses in Section 3.23 by adding item 8.3 for “restaurant or café where live music or other entertainment is offered as a complement to its normal operations, subject to any applicable licensing or other restrictions;” and

amending the table of uses in Section 3.23, item 8.3, to require a Special Permit in the General and Village Center districts for a “restaurant or café where live music or other entertainment is offered as a complement to its normal operations, subject to any applicable licensing or other restrictions;” and

amending the table of uses in Section 3.23 by adding a new item 17 for “art galleries, artisan shop, jewelry makers, or handicrafts;” and

amending the table of uses in Section 3.23 by adding a new item 18 for “tattoo and body piercing;” and

amending the table of uses in Section 3.23, item 18, to require a Special Permit in the General and Village Center districts for “tattoo and body piercing;” and

amending the table of uses in Section 3.23 by adding a new item 19 for “mixed-use structure;” and

adding to the table of uses in Section 3.24 a column for the “VC (Village Center)” district; and

amending the table of uses in Section 3.24 to require a Special Permit in the Village Center district for “automotive “filling” or service station;” and

adding to the table of uses in Section 3.25 a column for the “VC (Village Center)” district; and

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adding to the table of uses in Section 3.26 a column for the “VC (Village Center)” district; and

amending the table of uses in Section 3.26 to require a Special Permit in the Village Center district for “schools – private, including dormitories accessory thereto;” and

amending the table of uses in Section 3.26 to require a Special Permit in the Village Center district for “country, golf, swimming, skating, yacht, or tennis club, or other social, civic, or recreational lodge or club, not conducted as a business;” and

amending the table of uses in Section 3.26 to require a Special Permit in the Village Center district for “cable TV facilities;” and

adding a new Section 3.29 “Village Center District Bylaw;” and

amending Section 8.3 of the Town Common Overlay District Bylaw by deleting the word “General” and adding the words “Village Center” in its place; and

amending Section 8.5 of the Town Common Overlay District Bylaw by deleting subsections seven (7) and nine (9); and

amending the Town of West Brookfield Zoning Map (Sponsored by the Planning Board).

Amend the West Brookfield Zoning Bylaw Section 1.4 by adding the following definitions:

Civic Use: A land use that provides a public, cultural, or institutional benefit to the community. Specific uses may include, but shall not be limited to, government offices, religious institutions, educational institutions, and medical facilities (not including veterinary operations). For the purposes of this bylaw, civic uses shall not include open space as defined below.

Dark Sky Lighting: Lighting practices that aim to minimize light pollution by utilizing low light levels, as needed, directing light downward, and using a warm bulb type.

Floor Area, Gross: The sum of the gross horizontal area of the several floors of a building measured from the exterior face of exterior walls or, from the centerline of a wall separated two buildings but not including interior parking spaces, loading space for motor vehicles or any space where the floor to ceiling height is less than six feet.

Hotel: A facility in which lodging is provided and offered to the public for compensation, and which is open to transient guests and within which access to units is primarily from interior lobbies, courts, or hallways.

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Inns, Beds and Breakfasts: Any building or group of buildings in which there are more than three and up to 12 guest rooms, used for the purpose of offering public lodging on a day-to-day basis. Meals may be offered to the general public for compensation.

Live-Work Space: A dwelling unit in which up to 50% of the floor area is used for the production, showing and sale of art or handcrafted artisan crafts.

Mixed Use: A combination of residential and commercial uses, arranged vertically (in multiple stories of buildings), or horizontally (adjacent to one another in one or more buildings within a lot).

Mixed-Use Structure: A single building designed to encourage a diversity of compatible land uses which include a mixture of two or more of the following uses: residential, office, retail, or personal services, with the ground floor used primarily as a non-residential use.

Vertical Mixed-Use Structure: Means a structure in which two or more uses are separate by different floors of the same building

Horizontal Mixed-Use Structure: Means a structure in which two or more uses are present in the same structure with uses separated by common walls

Motel: A building (or group of buildings) containing living or sleeping accommodations and offering transient lodging accommodations to the general public with most rooms having direct primary access to the outside without the necessity of passing through the main lobby of the building.

Multi-Family dwelling: A building or planned development with buildings containing three or more dwelling units, including units that are located over one another.

Village Open Space: Parcels of undeveloped land set aside for public use as part of a coordinated site development process that is accessible to the public.

Personal Services: Services for everyday affairs including barber shops, beauty salons, laundrettes, dry cleaning, shoe repair and other similar service businesses.

Transparency: The amount of transparent space that occupies a building façade including standard street level windows and doorway windows.

Amend the West Brookfield Zoning Bylaws by amending Section 2, Establishment of Districts, and Section 3, Use Regulations as shown in Attachment 1.

Amend the West Brookfield Zoning Bylaw by adding a new Section 3.29, VILLAGE CENTER DISTRICT BYLAW as follows:

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Section 3.29 Village Center District Bylaw

3.29.1 Mission and Intent: The Town of West Brookfield finds that the revitalization of our village center will protect and strengthen the traditional New England Character of the Town. It will also benefit the general health, welfare and safety of the Town of West Brookfield by promoting a diverse and vibrant mix of commercial, recreational, residential, housing, transportation, and employment opportunities.

The mission of this bylaw is to encourage a Village Center District that respects the historic context of the town center and promotes a safe framework for pedestrians, bicyclists and motorists while encouraging mixed uses, economic growth and thoughtful development.

3.29.2 Purpose: The purpose of the Village Center District is to:

- a) Promote a mixture of residential, office, commercial and mixed uses.
- b) Complement the town center historic district and incorporate a sense of history of the area and community;
- c) Ensure new development relates to existing civic uses and encourage adaptive reuse of abandoned, vacant, or underutilized buildings or structures;
- d) Promote a consistently high level of design quality throughout the district.
- e) Encourage a diverse mix of land uses that are appropriate to both the needs of the community and the scale of the surrounding neighborhoods.
- f) Create a sense of place including appropriate signage, such as wayfinding and branding, which is signage that provides maps, routes and directions within a district' and identifies properties of local, regional and historic significance within a district.
- g) Encourage a district that incorporates Complete Streets Principles (streets safe for pedestrians, bicyclists and motorists)
- h) Incorporate recommendations of the West Brookfield Master Plan, and other local and regional plans.
- i) Promote the Town of West Brookfield as a Healthy Community.

3.29.3 Establishment: The Village Center District is hereby established and consists of those areas shown on Zoning and Overlay District Map, Town of West Brookfield, on file with the Town Clerk and dated <insert date that map is adopted by the Town>.

3.29.4 Applicability: The regulations within this section shall apply to those lots located in whole or part within the Village Center District. The regulations established herein shall be considered controlling wherein they should be found in conflict with other sections of this bylaw with the following exceptions:

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- A. In the event of conflict with Section 8, Town Common Overlay District, all parcels lying wholly within or having principal frontage within the Town Common Overlay district shall be subject to the provisions of Section 8 of the Town of West Brookfield Zoning Bylaw.
- B. All development activities within the Village Center District shall comply with applicable laws, regulations, and standards of the Town of West Brookfield, provided that they are consistent with state and federal law.

3.29.5 Permitting and Procedures

- A. **Authority:** The Planning Board shall act as the administering authority for any Site Plan Review procedure associated with this Village Center zoning district bylaw. The Board of Appeals shall also serve as Special Permit Granting Authority for the purposes of this section.
- B. **Site Plan Review:** In order to ensure development which is fully in keeping with the goals and provisions of this bylaw, all applicants seeking to develop any properties governed under this section shall be required to submit a Site Plan Review application to the Planning Board, and shall comply with all applicable provisions of Section ## of the Town of West Brookfield Zoning Bylaw.

3.29.6 Use Provisions: All uses to be in accordance with section 3.2 of the Zoning Bylaws or Section 8, Town Common Overlay District.

3.29.7 Dimensional Requirements

3.29.71 Existing Structures: All existing structures within the established boundaries of this district shall be considered conforming so long as the principal use in effect prior to the date of adoption of this bylaw remains unchanged. Substantial alterations of use, excluding demolition, on lots otherwise not conforming with the provisions of this bylaw may be allowed by grant of special permit by the special permit granting authority.

3.29.72 New Construction: The following dimensional requirements shall apply to all new construction within the established boundaries of the Village Center district. For the purposes of this section, New Construction shall mean any structure erected on a previously vacant parcel, parcel on which a previously existing structure has been demolished or subdivided parcel of land excluding accessory units subject to the provisions of Section 3.29.73.

A. Single or Two-family Residential Structures:

- i. Lot Size 10,000 sf minimum
- ii. Front-yard Setback 0 – 25 ft
- iii. Side-yard Setback No less than 10 ft from the property line and 20 ft from nearest abutting residential structure,

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excluded accessory structures subject to the provisions of section 3.29.73

- iv. Rear-yard Setback 10 ft Minimum
- v. Height Limitations 2 Stories or 35 ft

B. Commercial, Institutional and Vertical Mixed-Use Structures: Dimensional requirements shall vary by no more than +/- 10% of the average height, lot size, front, side and rear yard setbacks of the nearest four abutting parcels which share common frontage with the applicant parcel. In the case that such measurements cannot be determined, the following standards shall apply:

- i. Minimum Lot Size 15,000 sf
- ii. Front yard Setback 0 – 10 ft
- iii. Side yard Setback No minimum provided
- iv. Rear-yard Setback No minimum provided applicant can demonstrate adequate alternative provision for parking, otherwise, 20 ft minimum
- v. Height Limitations 2.5 stories or 35 ft

3.29.73 Accessory Structures: Residential accessory structures as defined by Section 1.4 shall be placed no less than 10 feet from side and rear lot lines. Garages may be allowed within the front yard upon approval of a Special Permit by the Board of Appeals provided that all other dimensional regulations are met.

3.29.8 Special Conditions: Uses permitted in accordance with Section 3.29.7 shall be subject to the following conditions:

1. Off-Street Parking shall be provided only in accordance with the provisions of Section 3.29.11 of this bylaw.
2. Abutters shall be screened from any effects of business activity by fencing, plantings or other means.
3. No outside storage of goods or materials shall be permitted
4. Outside sales and/or seating may be permitted on any parcel with principal frontage on West Main Street, excluding those parcels with frontage within the Town Common District for which the provisions of Section 8 shall govern.
5. There shall be no more than one driveway entrance per 125 feet of frontage

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3.29.9 Minimum Design Standards for Site Plan Approval: In order to receive Planning Board approval, the Planning Board must find that the Site Plan meets the following design criteria:

- a. Commercial uses should be pedestrian-friendly, either clustered together or laid out as small-scale “Main Street” style shops, with buildings brought up to the street and sidewalk, and parking oriented in a manner pursuant to Section 3.29.11 of this bylaw.
- b. All uses should be linked by a network of sidewalks or bicycle paths, which should also connect to the town wide paths or walkways where feasible;
- c. Streets and roads should be lined with street trees, sidewalks and decorative, pedestrian scale lighting;
- d. Commercial and civic uses should be architect-designed, consistent with any supplementary design guidelines pursuant with Section 3.29.10.

3.29.10 Supplementary Design Guidelines: In addition to the minimum design standards pursuant to §3.29.9, priority shall be given to applicants who have demonstrated good-faith efforts to adhere to any design guidelines the Planning Board may from time to time chose to promulgate. Such guidelines shall seek to encourage visual harmony, maintain the historic integrity and encourage innovative design solutions within the Village Center District. Any design guidelines shall be made freely available to the general public upon their adoption by the Planning Board.

3.29.11 Parking Requirements: All new construction, substantial renovations and changes in principal use shall be subject to the parking requirements of section ## of this bylaw, except as provided herein:

A. Shared Onsite Parking:

- Non-competing Uses. In mixed-use developments, applicants may propose a reduction in parking requirements based on an analysis of peak demands for non-competing uses. Up to [75%] of the requirements for the predominant use may be waived by the Planning Board if the applicant can demonstrate that the peak demands for the two uses do not overlap.
- Competing Uses. In mixed-use developments, applicants may propose a reduction in parking requirements where peak demands do overlap. In these cases, the Planning Board may reduce the parking requirements of the predominant use by up to [30%].

B. Off-Site Parking: Separate from, or in conjunction with shared parking provisions, an applicant may use off-site parking to satisfy their parking requirements in accordance with the following conditions:

- Off-site parking shall be within five hundred (500) feet of the property for which it is being requested.
- Off-site parking spaces provided by a separate private property owner shall be subject to a legally binding agreement that will be presented to the Planning Board as a condition of the Special Permit. Where an agreement shall expire within a

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specified timeline, the applicant or current property owner shall continue to provide evidence to the Zoning Enforcement Agent that the agreement has been extended.

C. Design of Parking Facilities: To the extent reasonably practical, all Parking spaces shall should be located behind or to the side of a building. In no cases shall any portion of the front yard setback be utilized for parking.

- Parking facilities should be screened from the streetscape with landscaping. The landscaped buffers shall be maintained in good condition and shall utilize plantings of a type that will provide adequate screening at all times of year that are attractive in all seasons.
- Parking facilities should utilize best management practices including use of pervious materials, parking lot landscaping, and bioswales to minimize runoff and facilitate percolation of rainwater into the ground.
- Lighting for parking shall not be cast onto neighboring properties but should utilize dark sky practices including directing light downward and using a warmer light bulb type.

3.29.12 Severability: If any section or provision of this bylaw is found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the validity of any other section or provision of this Bylaw.

Amend the West Brookfield Zoning Bylaws by deleting the word “General” and adding the words “Village Center” in its place as follows:

8.3 General: The Town Common Overlay District shall be considered as overlying the Village Center ~~General~~ District and governed by all regulations thereof except as provided in this Section.

Amend the West Brookfield Zoning Bylaws, Section 8.5, by deleting subsections seven (7) and nine (9) as follows:

8.5 Special Conditions: The uses in Section 8.43 above may be permitted subject to the following conditions:

1. Maximum retail floor area, not including storage areas, restrooms, or stairwells, shall be 1,200 square feet.

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2. Off-street parking shall be provided behind the front yard setback in the ratio of one space per 200 square feet of net floor area devoted to the non-residential use or portion thereof.
3. The business use shall be owned by the resident occupant of the dwelling.
4. The business use shall be owned by the resident occupant.
5. Hours of operation shall be no earlier than 9 A.M. nor later than 8 P.M.
6. The business use may occupy a portion of the dwelling, an outbuilding, or both.
7. ~~Abutters shall be protected from activity resulting from the business use by fences, plantings, or other means.~~
8. If the business use is intended to occupy a portion of the dwelling, Section 5.5 Conversions shall apply.
9. ~~No outside storage of goods or materials shall be permitted.~~

Amend the West Brookfield Zoning Bylaws by amending the Zoning Map to include the VILLAGE CENTER DISTRICT as shown in the following maps.

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Zoning Map Amendment – Village Center District

To see if the Town will vote to amend the Town of West Brookfield Zoning Bylaws by rezoning the following parcels to Village Center District as follows, and as shown on a plan entitled, “Zoning and Overlay District Map, Town of West Brookfield,” included as Attachment 1 and on the Rezoning Exhibit included as Attachment 2.

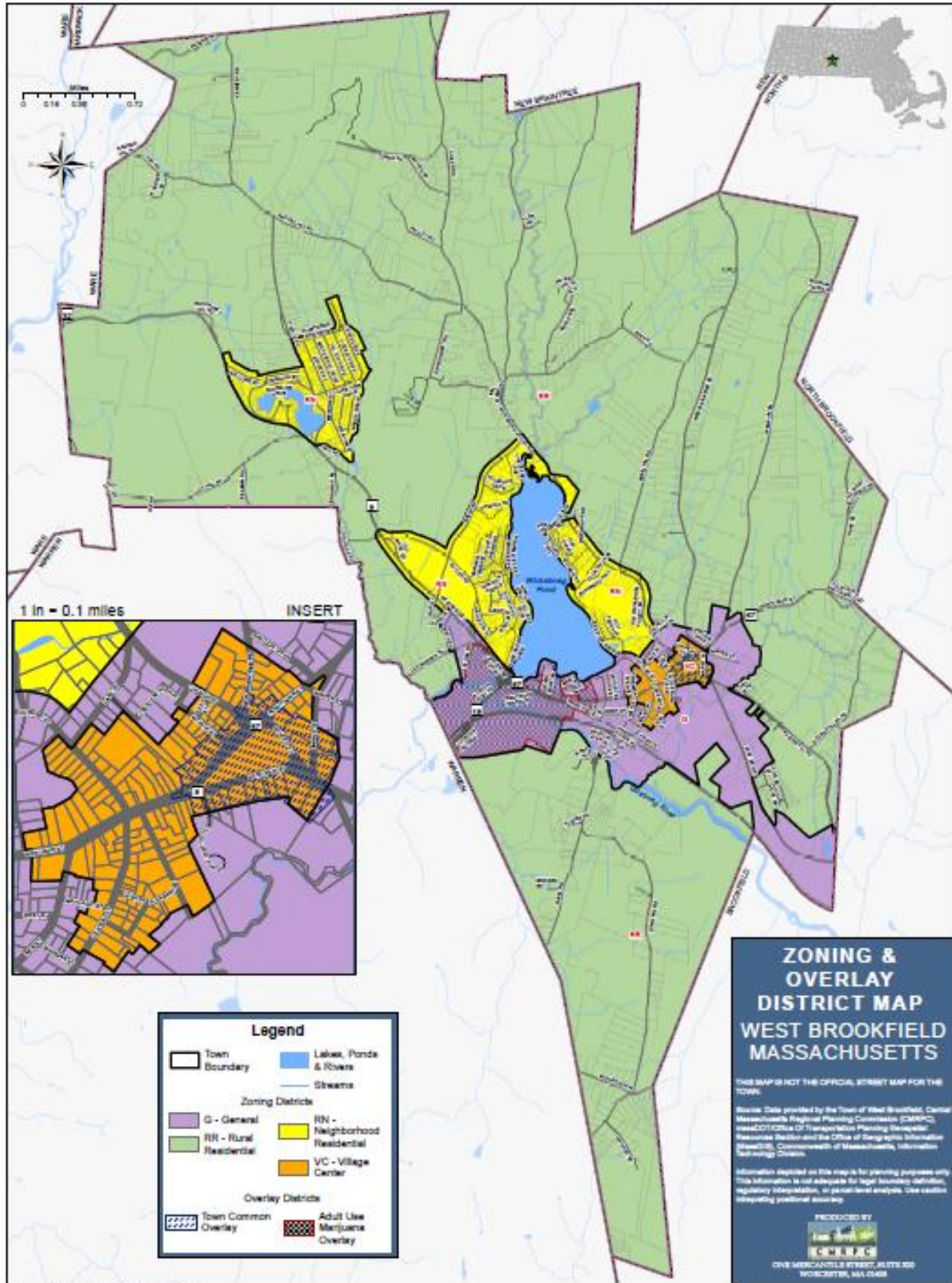
Rezone from General (G) to Village Center (VCD) Map 38, Parcels: 13, 14, 15, 16, 25, 26, 27, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 63, 64, 65, 66, 67, 68, 68-1, 69, 70, 71, 72, 73, 74, ; and

Rezone from General (G) to Village Center (VCD) Map 40, Parcels: 60, 61; and

Rezone from General (G) to Village Center (VCD) Map 41, Parcels: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 10-1, 11, 12, 13, 14, 15, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 63, 64, 65, 66, 67, 68, 69, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 105, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 119-1, 120, 121, 122, 123, 124, 125, 126, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150.

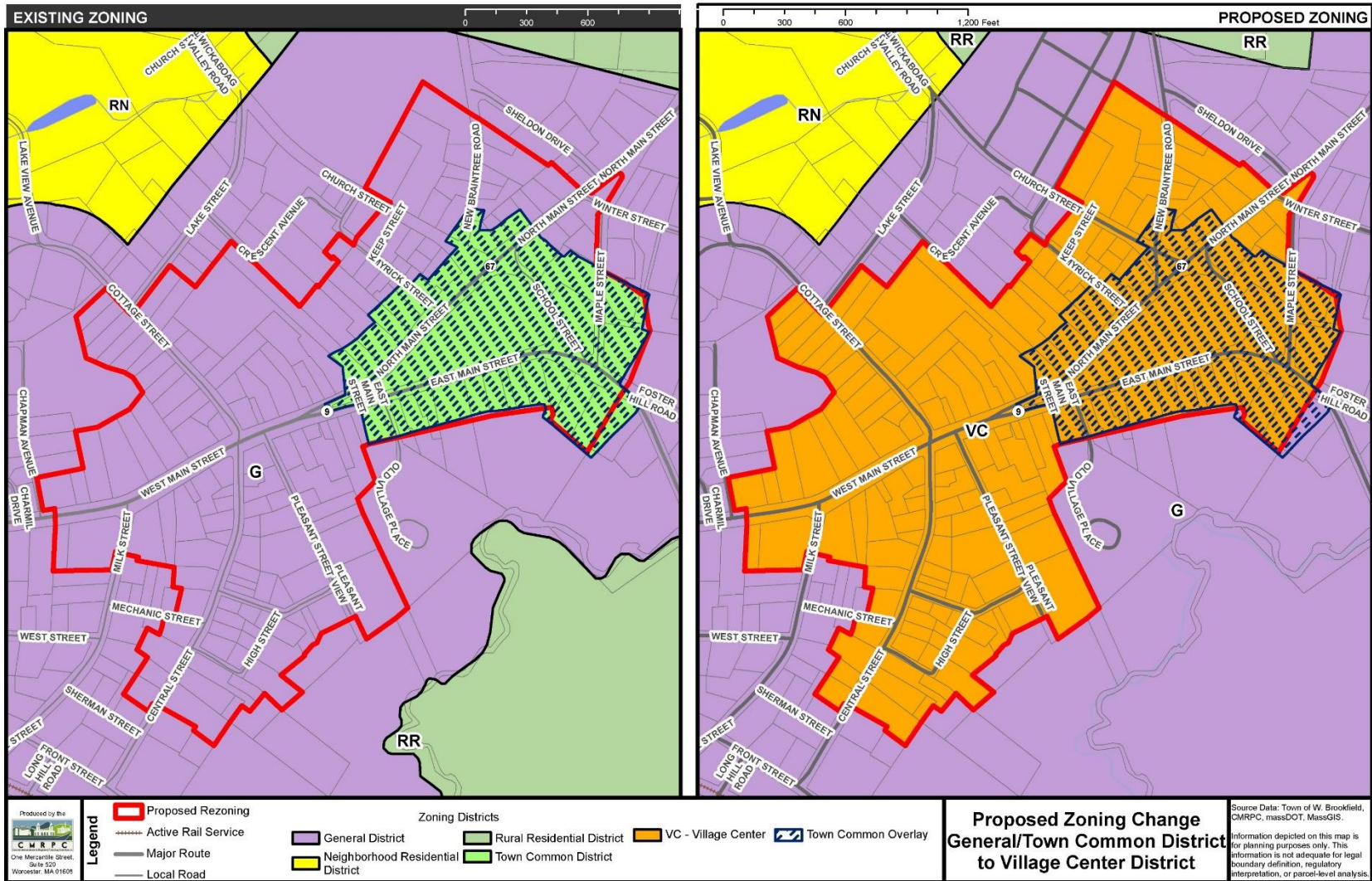
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Zoning and Overlay District Map, Town of West Brookfield.



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Rezoning Exhibit – Village Center District



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SECTION 2. ESTABLISHMENT OF DISTRICTS

2.1 Classes of Districts: For the purposes of this bylaw the Town of West Brookfield is hereby divided into the following districts:

RR- -Rural Residential

Purpose and Intent: To encourage low-density residential development and agricultural commercial activity and preserve open space in a manner consistent with the traditional rural, agricultural character of the community.

RN- -Neighborhood Residential

Purpose and Intent: to encourage residential development that meets the housing needs of a broad spectrum of the town's population in a manner consistent with village and residential neighborhood development.

G- -General

Purpose and Intent: to provide sites for small-scale business development for local and transient services compatible with low- and medium-density residential development within village settings which, through landscaping and design or through preservation, enhance the natural landscaping and historic environs; at the same time protecting any existing views, minimizing the visibility of parked cars, avoiding the appearance of commercial strips as well as congestion in the abutting streets and ways, and retaining the character and the quality of life in the rural New England village.

~~I—Industrial~~

VC – Village Center (See Section 3.29 for Village Center District Bylaw)

Purpose and Intent: To promote a mixture of residential, office, commercial and mixed uses that complement the town center and incorporates a sense of history while ensuring new development relates to existing civic uses and encourages adaptive reuse of abandoned, vacant, or underutilized buildings or structures; at the same time promoting a consistently high level of design quality, encouraging a diverse mix of land uses that meet the needs of the community, the scale of the surrounding neighborhoods and creates a sense of place.

2.2 Incorporation of Zoning Map: Said districts are located and bounded as shown on a map entitled Proposed Zoning Map of West Brookfield, Massachusetts, dated May, 1973, and on file in the Office of the Town Clerk. The Zoning Map with all explanatory matter thereon, is hereby made a part of this bylaw.

2.3 Lots in Two Districts: When a district boundary line divides any lot in one ownership of record at the time such line is adopted, a use that is permitted on one portion of the lot may be extended thirty (30) feet into the other portion provided the first portion includes the required frontage.

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SECTION 3. USE REGULATIONS

3.1 Basic Requirements: No building, structure, or land shall be used for any purpose or in any manner other than is permitted and set forth in the provisions of this bylaw and in accordance with the following notation:

Y – Use Permitted

SP – Use allowed as an Exception under Special Permit by the Board of Appeals as provided in Section 6.44 hereafter.

N – Use Prohibited Permitted uses and uses allowed by the Board of Appeals shall be in conformity with all dimensional requirements and all other applicable requirements of this bylaw.

If an applicant for a building permit is referred to the Zoning Officer for a determination and; that use is not specifically listed in the Use Regulation Table and; The Zoning Officer determines the proposed use meets the intent & purpose of the bylaw or bylaw section; The Zoning Officer may refer the applicant to the Zoning Board of Appeals for a Special Permit and; The Zoning Board of Appeals may issue a Special Permit upon determining the proposed use meets the intent & purpose of the bylaw and other requirements as determined by the Zoning Board of Appeals.

An applicant for two or more special permits pertaining to a single property, or adjoining properties under the same ownership, may combine them in a single special permit application and the Zoning Board of Appeals shall subsequently administer the application in the same way as a single application.

The combining of uses may be allowed by special permit provided said uses are allowed either by right or by special permit within the district in which the subject property is situated.

There shall be no more than one residential structure on any lot.

3.21 Agricultural Use	Definition, Condition	RR	RN	G	<u>VC</u>
1. Farm	Agricultural, orchard, plant or tree nursery, livestock and/or poultry, but not including the raising of furbearing animals for commercial use, and which may include one single-family dwelling.	Y	Y	Y	<u>Y</u>
2. Sales room or stand, - seasonal	For the display or sale of agricultural or horticultural products on a seasonal basis – <i>under five acres in size.</i>	Y	Y	Y	<u>Y</u>
	For the display or sale of agricultural or horticultural products on a seasonal basis – <i>over five acres in size.</i>	Y	Y	Y	<u>Y</u>
3. Farm sales room or stand - non-seasonal,	Whose primary business is the sale or display of agricultural or horticultural products – <i>under five acres in size.</i>	Y	Y	Y	<u>Y</u>

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	Whose primary business is the sale or display of agricultural or horticultural products – <i>over five acres in size.</i>	Y	Y	Y	<u>Y</u>
4.1. Commercial Green Houses – <i>under five acres in size</i>		SP	SP	SP	<u>SP</u>
4.2. Commercial Green Houses – <i>over five acres in size</i>		Y	Y	Y	<u>SP</u>
5.1. Riding Stables – <i>under five acres in size</i>		SP	SP	SP	<u>N</u>
5.2 Riding Stables – <i>over five acres in size</i>		Y	Y	Y	<u>N</u>

3.22 Residential Use	Definition, Condition	RR	RN	G	<u>VC</u>
1. Single-family detached dwelling, together with such accessory structures as are normally incidental thereto, including garage	Garaging or parking of one commercial vehicle with a maximum gross vehicle of 26,000 pounds shall be a permitted accessory use; garaging or parking of larger commercial vehicle or more than one commercial vehicle may be allowed by special permit. Farms are exempt.	Y	Y	Y	<u>Y</u>
2.1 Alteration and conversion of a single-family dwelling to two-family dwelling	Shall apply to single-family dwellings containing at least 6 rooms exclusive of hall and bathroom existing prior to the date of adoption of the Bylaw to accommodate not more than two families, provided that the exterior design of the structure is not changed from the character of a single-family dwelling.	SP	SP	SP	<u>Y</u>
<u>2.2 Alteration or conversion of a single-family home to an exclusively commercial use</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
3. Two-family dwellings		SP	SP	SP	<u>Y</u>
4.1 Multifamily dwellings or apartments		N	N	SP	<u>N</u>
<u>4.2 Multifamily dwellings</u>	<u>Containing no more than six (6) dwelling units</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>
5. Mobile home or mobile home park		N	N	N	<u>N</u>
6. Use of Single-Family dwelling as Boarding House / Bed and Breakfast	Renting of one or two rooms and the furnishing of board by a resident family to not more than three non-transient persons provided that sufficient parking is provided on the premises. Use of up to three rooms for provisions of “Bed and Breakfast” facilities for not more than six transient persons, by special permit in Rural Residential.	Y	Y	Y	<u>Y</u>
7. Use of residential premises for professional purposes	Professional office or studio of a resident physician, dentist, attorney, architect, artist, musician, engineer, real estate or insurance broker or member of other recognized profession provided that no more than two other persons are regularly employed therein in connection with such use, and further provided that	Y	Y	Y	<u>Y</u>

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	any display or advertising shall be in accordance with provisions of section 5.3.				
8. Customary Home Occupation	Customary home occupation conducted by a resident of the premises provided that no more than one (1) other person is regularly employed therein in connection with such use, and that there is no exterior storage of material or equipment, and there is incidental display of products visible from the street, and that any display or advertising is in accordance with those allowed for residential uses under Section 5.3.	Y	Y	Y	Y

3.23 Commercial Use	Definition, Condition	RR	RN	G	VC
1.1 Retail	<u>Retail sales and services which do not exceed ten thousand (10,000) square feet in total gross floor space, except as otherwise provided in Section 12.72A.</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>
1.2 Retail	Retail store distributing merchandise to the general public <u>with more than ten thousand (10,000) square feet of gross floor area on any individual floor.</u>	N	N	Y	<u>N</u>
2. Personal Service Establishment	Craft, consumer, or commercial service establishment dealing directly with the general public.	SP	SP	Y	<u>Y</u>
3. Undertaking establishment or funeral home		N	N	Y	<u>Y</u>
4. Animal or veterinary hospital	Subject to Special Conditions of Section 3.3	SP	SP	SP	<u>SP</u>
5. Commercial breeding, sale, grooming or boarding of dogs, cats, or fur-bearing animals	Subject to Special Condition No. 1 of Section 3.3	SP	SP	SP	<u>SP</u>
6. Commercial Greenhouse		SP	SP	Y	<u>N</u>
7. Riding Stable	Subject to Special Condition No. 1 of Section 3.3	Y	SP	N	<u>N</u>
8.1 Restaurant or café	Whose primary use is serving food and beverages for consumption on the premises	N	SP	Y	<u>Y</u>
8.2 Restaurant or café	Whose primary use is serving food and beverages for consumption off the premises, provided the applicant shall demonstrate adequate off-street parking and on-site vehicle circulation, the provision of which shall have minimal adverse effects on existing roads, sidewalks and other infrastructure	N	N	SP	<u>SP</u>
8.3 Restaurant or café	<u>Where live music or other entertainment is offered as a complement to its normal operations, subject to any applicable licensing or other restrictions</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>SP</u>
9. Business or professional office or agency		N	SP	Y	<u>Y</u>

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10. Bank or other financial institution		N	N	Y	<u>Y</u>
11. Insurance or real estate office		N	SP	Y	<u>Y</u>
12. Commercial indoor amusement or recreation place, or place of assembly		N	N	SP	<u>SP</u>
13. Commercial outdoor amusement or recreation place not including an outdoor movie theater		SP	SP	SP	<u>SP</u>
14. Hotel or Motel		N	N	Y	<u>N</u>
15. Beauty and Barber shops		N	SP	SP	<u>Y</u>
16. The Commercial use of Automatic Amusement Devices	Wherein the use of such devices is the primary commercial use of the premise.	N	N	N	N
17. Tattoo and body piercing		N	N	SP	SP
18. Mixed-Use Structure		N	N	N	Y

3.24 Automotive Sales and Service Use	Definition, Condition	RR	RN	G	<u>VC</u>
1. Automotive “filling” or service station	Subject to Special Condition No. 2 of Section 3.3.	N	N	SP	<u>SP</u>
2. Repair of storage garage for motor vehicles or trailers	Which may include body repair, welding or soldering shop for motor vehicles or trailers, provided such operation shall be sufficiently insulated so that any noise, flashing, fumes, gases, smoke and vapor should be confined to the premises.	N	N	SP	<u>N</u>
3. Salesroom for franchised dealer or recognized agent of motor vehicle manufacturer	Whose principal business is the sale of new motor vehicles, the purchase and sale of secondhand motor vehicles being incidental thereto, together with indoor storage and service facilities reasonably incidental to such salesroom.	N	N	SP	<u>N</u>
4. Contracting business and equipment storage yard.		SP	SP	SP	<u>N</u>
5. Sales room for the purchase of secondhand motor vehicles as an additional use to an automotive repair garage with no more than 1 unit per 2000 square feet of open land area.		N	N	SP	<u>N</u>

ARTICLE 23 Attachment 5

3.25 Industrial Use	Definition, Condition	RR	RN	G	<u>VC</u>
1. Wholesale warehouse and storage	Subject to Special Condition No. 1 of Section 3.3	N	N	SP	<u>N</u>
2. Any manufacturing or industrial use	Including processing fabrication and assembly, provided that no such use shall be permitted which would be detrimental or offensive or tend to reduce property values by reason of dirt, odor, fumes, smoke, gas, sewage, refuse, noise, excessive vibration or danger of explosion fire and subject to Special Condition No. 1 of Section 3.3.	N	N	SP	<u>N</u>
3. Newspaper printing or job printing		N	N	SP	<u>N</u>

3.26 Institutional, Education, and Recreational Use	Definition, Condition	RR	RN	G	<u>VC</u>
1. Church or other place of worship	Parish house, rectory, convent, and other religious institutions.	Y	Y	Y	<u>Y</u>
2. Schools or playgrounds – public, religious, sectarian, or denominational		Y	Y	Y	<u>Y</u>
3. Schools – private, including dormitories accessory thereto		SP	SP	SP	<u>SP</u>
4. Nursery school	Or other use for the day care of children or a privately organized camp, providing any outdoor play area is at such a distance and so screened from any residential structure on an adjoining lot as to avoid nuisance.	Y	Y	Y	<u>Y</u>
5. Public buildings and premises for government use including public libraries		Y	Y	Y	<u>Y</u>
6. Country, golf, swimming, skating, yacht, or tennis club, or other social, civic, or recreational lodge or club, not conducted as a business		SP	SP	SP	<u>SP</u>
7. Family campground subject to Special Condition No. 3 of Section 3.3		SP	SP	N	<u>N</u>
8. Cable TV Facilities	The uses defined under Sec. 3.26, No. 8 shall be exempt from dimensional requirements described in Sec. 4.2	SP	SP	SP	<u>SP</u>
9. Ground-Mounted Solar Energy Facilities (Non-Residential)		SP	SP	SP	<u>N</u>
10. Wind Energy Systems		SP	SP	SP	<u>N</u>

ARTICLE 24 Attachment 6

Zoning Bylaw Amendment – Zoning Map General District Expansion

To see if the Town will vote to amend the Town of West Brookfield Zoning Bylaws by rezoning the following parcels to General as follows, and as shown on a plan entitled, “Zoning and Overlay District Map, Town of West Brookfield,” and Rezoning Exhibits included on the following four pages.

Rezone from Rural Residential (RR) to General (G) Map 6, Parcels: 2, 2-7, 2-8, 6, 7, 8, 9, 10, 11, 12; and

Rezone from Rural Residential (RR) to General (G) Map 6, Parcel: the portion of Parcel 5 with frontage along Route 9 as shown on the attached rezone exhibit; and

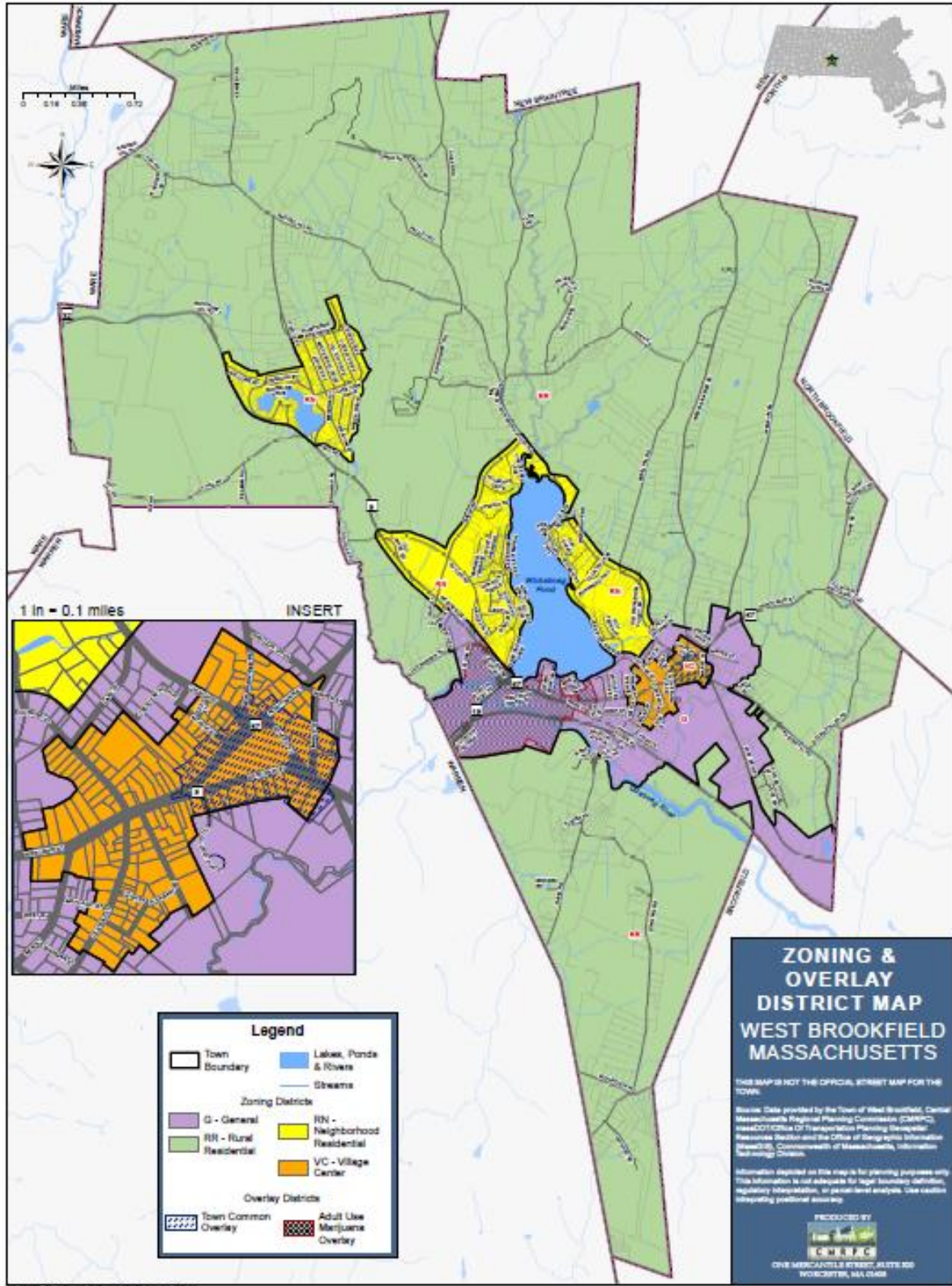
Rezone from Rural Residential (RR) to General (G) Map 7, Parcels: 1, 2, 4, 5; and

Rezone from Rural Residential (RR) to General (G) Map 9, Parcels: 1, 2, 2-1, 2-5, 2-6, 3, 4, 5, 6, 8, 8-1, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 23; and

Rezone from Rural Residential (RR) to General (G) Map 12, Parcels: 18, 19, 20, 21, 22, 24; and

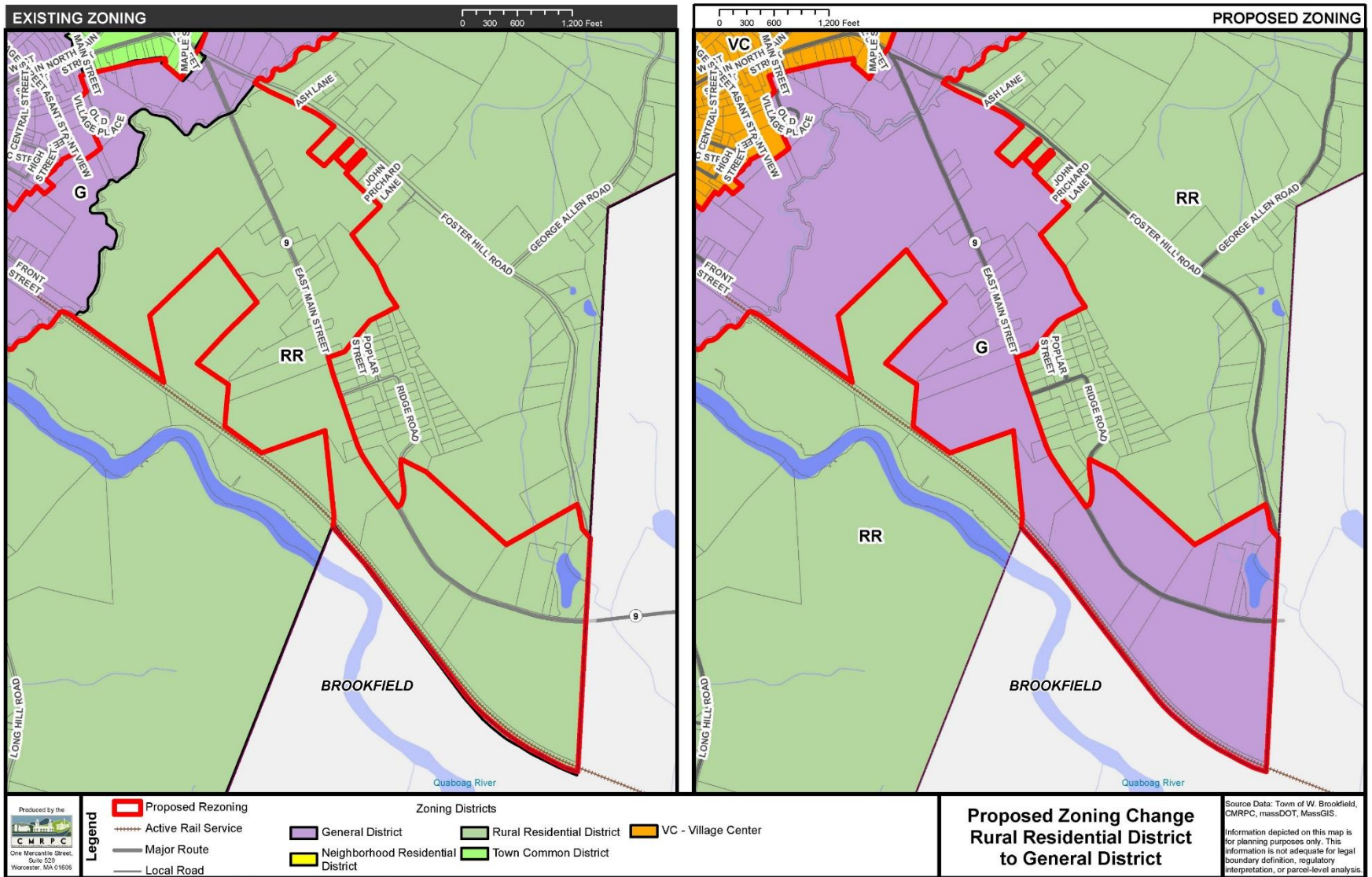
Rezone from Rural Residential (RR) to General (G) Map 41, Parcels: 2, 3; and

Zoning and Overlay District Map, Town of West Brookfield



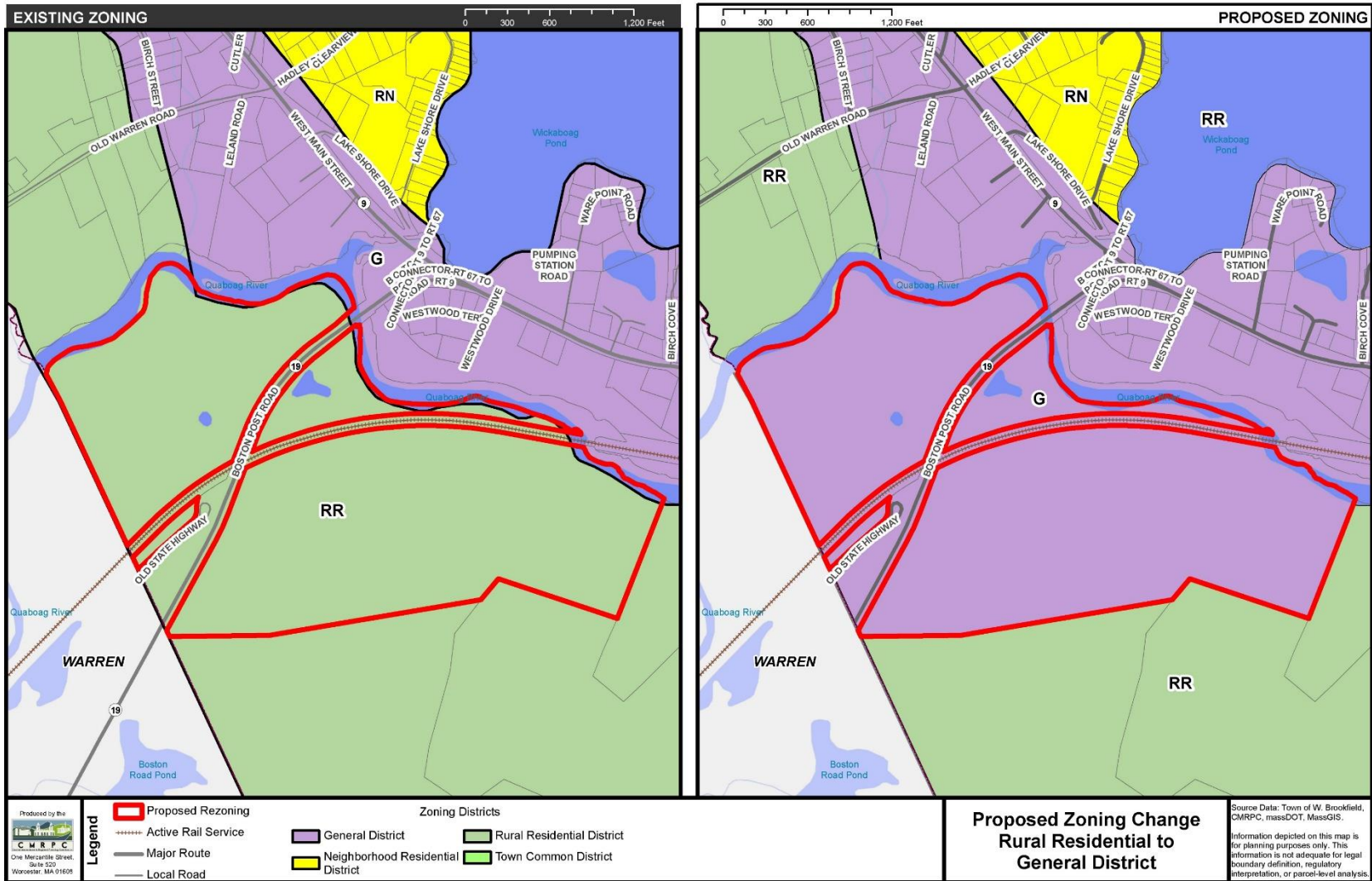
ARTICLE 24 Attachment 6

Rezoning Exhibits General District Expansion – Route 9 to Brookfield



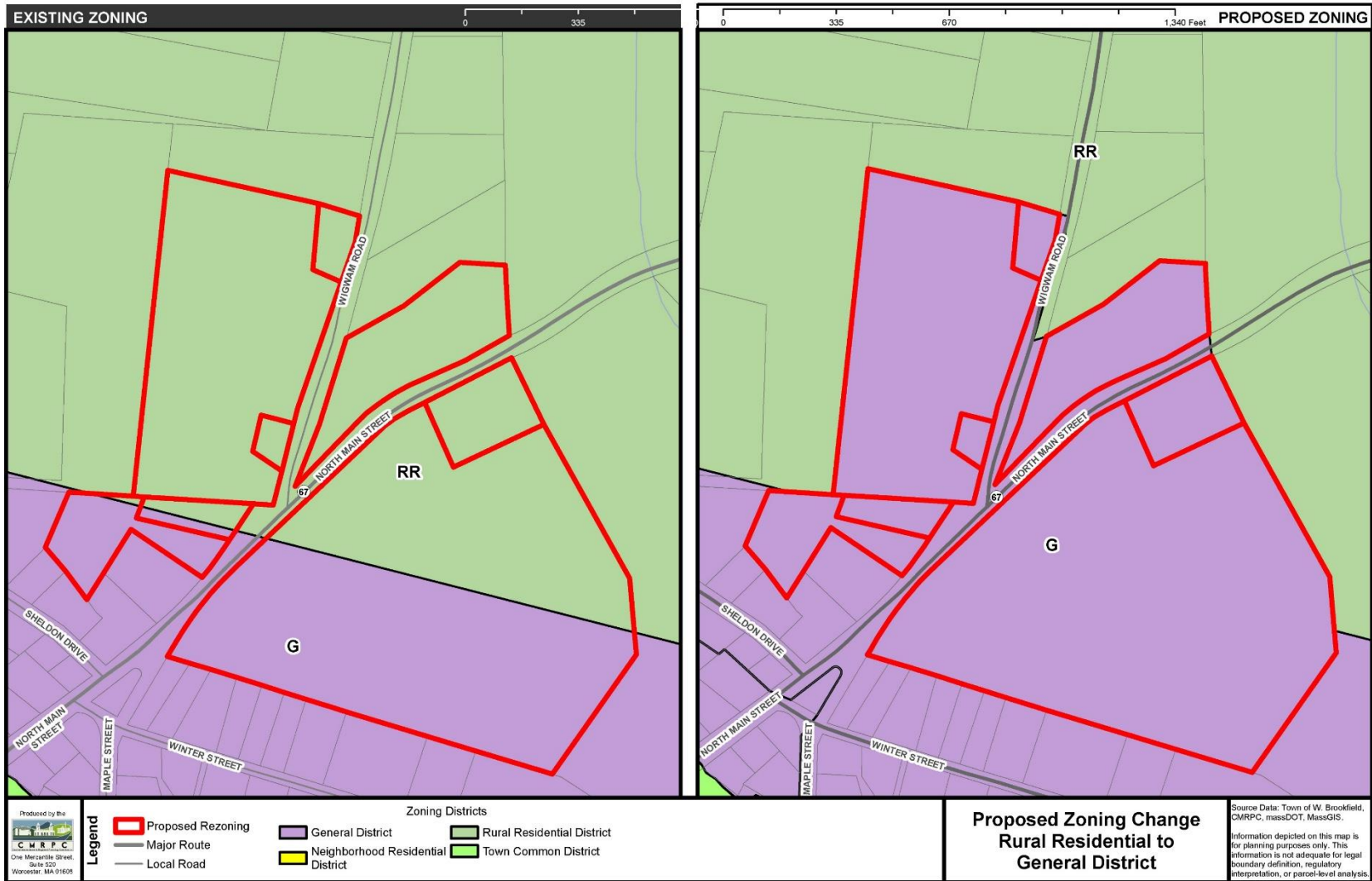
ARTICLE 24 Attachment 6

Rezoning Exhibits General District Expansion – Route 67 to Warren



ARTICLE 24 Attachment 6

Rezoning Exhibits General District Expansion – Route 67 to Wigwam Rd



ARTICLE 25 Attachment 7

Zoning Bylaw Amendment – Zoning Map Brookhaven Lake Neighborhood

To see if the Town will vote to amend the Town of West Brookfield Zoning Bylaws by rezoning the following parcels to Residential Neighborhood as follows, and as shown on a plan entitled, “Zoning and Overlay District Map, Town of West Brookfield,” included with the Rezoning Exhibit on the following two pages.

Rezone from Rural Residential (RR) to Neighborhood Residential (RN) Map 51, Parcels: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 17-1, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 89; and

Rezone from Rural Residential (RR) to Neighborhood Residential (RN) Map 52, Parcels: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 90, 91, 95, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 113, 114; and

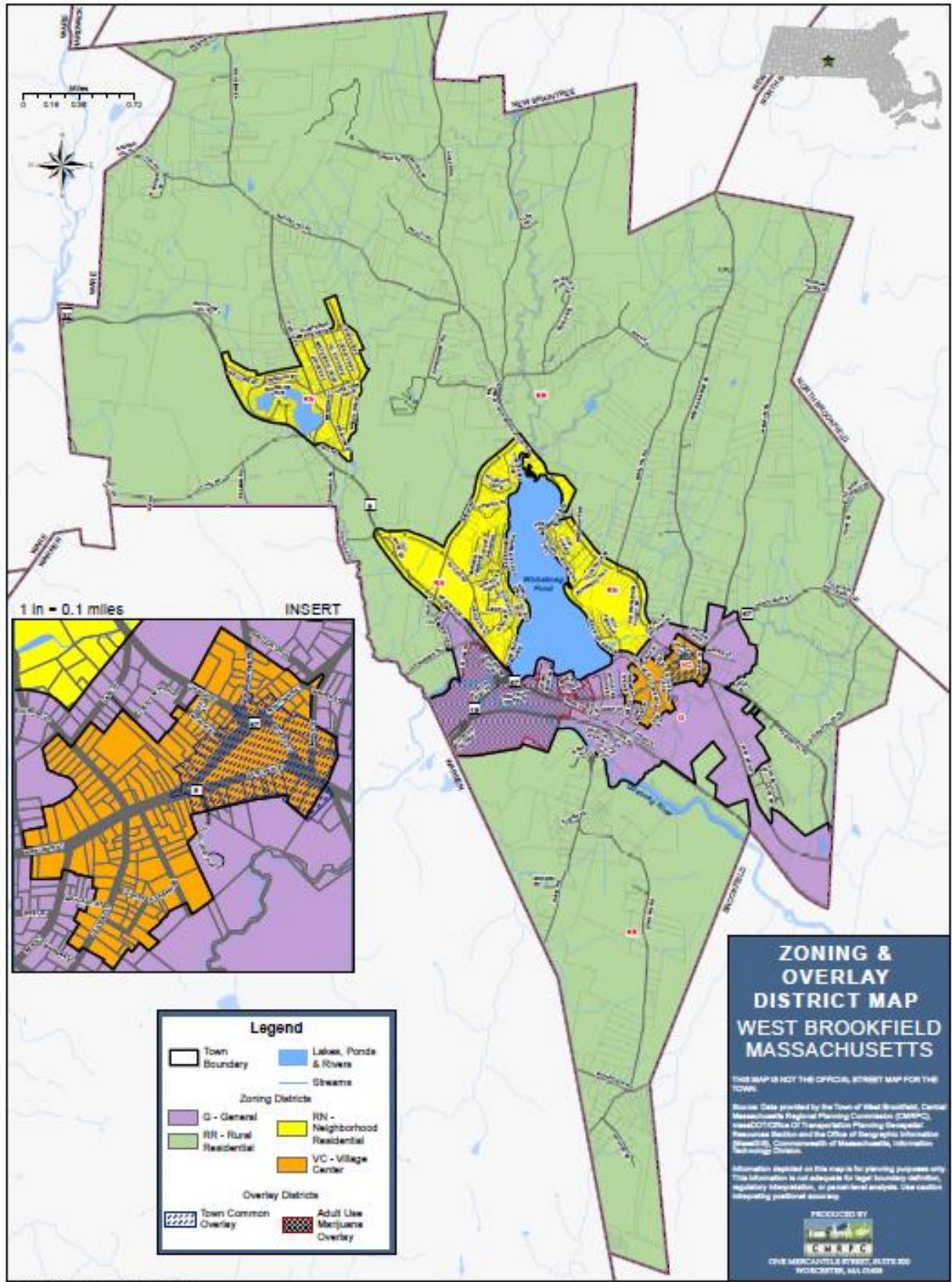
Rezone from Rural Residential (RR) to Neighborhood Residential (RN) Map 53, Parcels: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 68-1, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 101-1, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 121, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 146, 145, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 188, 189, 190, 191, 192, 194, 194-1, 195, 196, 197, 198, 199, 200, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 214, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225; and

Rezone from Rural Residential (RR) to Neighborhood Residential (RN) Map 54, Parcels: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18; and

Rezone from Rural Residential (RR) to Neighborhood Residential (RN) Map 55, Parcels: 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85, 87.

ARTICLE 25 Attachment 7

Zoning and Overlay District Map, Town of West Brookfield



ARTICLE 25 Attachment 7

Rezoning Exhibit - Brookhaven Lake Neighborhood

