

9.2 MUNICIPAL BUILDING REUSE OVERLAY DISTRICT (MBROD).

9.2.1 Uses. Uses permitted in Municipal Building Reuse Overlay District. The Municipal Building Reuse Overlay District shall be considered as overlaying other districts established by this Zoning Bylaw. Any residential uses permitted in that portion of the districts so overlaid shall be permitted. In addition, any residential use (including, without limitation, elderly housing and multifamily housing or dwellings) and accessory uses to said residential use may be permitted in such an overlay district under a municipal building reuse special permit issued pursuant to this Section, notwithstanding provisions, restrictions or requirements of any other section of this Zoning Bylaw.

9.2.2 Dimensional Controls. Subject to the provisions of this Section, buildings in a Municipal Building Reuse Overlay District and existing at the time of the issuance of a municipal building reuse special permit may remain and may be rehabilitated and rebuilt in their then location. The special permit granting authority may allow reductions and/or alterations in the dimensional controls for buildings and/or land in the Municipal Building Reuse Overlay District as required under Table 2 (Table of Dimensional Regulations) and any other dimensional regulations or requirements of this Bylaw by the municipal building reuse special permit, according to procedure contained in Section 10.5, and if it deems the reductions and/or alterations will enhance the project as a whole or allow it to benefit the neighborhood in which it is situated or the Town of Wakefield as a whole.

9.2.3 Enlargement of Existing Building. The existing building may be enlarged in a manner harmonious with the external character and appearance of the building; however, no such enlargement shall exceed a size equivalent to 25% of the gross square footage of the existing building.

9.2.4 New Construction. An additional building or buildings which contain the same use or uses as contained in the existing building (or one or more accessory uses) may be constructed on the lot in a manner harmonious with the external character and appearance of the existing building.

9.2.5 Setback. The setback regulations applicable to the zoning district surrounding the lot, or in the case of a lot which is adjacent to two or more zoning districts, the setback regulations applicable to the least restrictive such adjacent zoning district, shall apply, except as otherwise permitted by the special permit granting authority in a municipal building reuse special permit.

9.2.6 Density. The special permit granting authority may allow reductions and/or alterations in the dimensional controls for buildings in the Municipal Building Reuse Overlay District as required under Table 2 (Table of Dimensional Regulations) and any other dimensional regulations or requirements of this Bylaw by the municipal building reuse special permit, according to procedure contained in 10.5, and if it deems the reductions and/or alterations will enhance the project as a whole or allow it to benefit the neighborhood in which it is situated or the Town of Wakefield as a whole.

9.2.7 Height. The height of any enlargement or additional building shall not exceed that allowed in the zoning district surrounding the lot, or in the case of a lot which is adjacent to two or more zoning districts, the height regulations applicable to the least restrictive such adjacent zoning district, shall apply, except as otherwise permitted by the special permit granting authority in a municipal building reuse special permit.

9.2.8 Open Space. Except as otherwise expressly authorized by the special permit granting authority in a municipal building reuse special permit, the open space on the lot or lots shall be not less than the lesser of the open space available at the time of the issuance of the municipal building reuse special permit or 25% of the area of the lot. Open space shall be completely devoid of any structure, parking space, loading

space, accessway, private yards, patios or gardens for the exclusive or principal use of residents of individual dwelling units. The special permit granting authority shall strive to maximize open space.

9.2.9 Mixed Residential Use. With the approval of the special permit granting authority in the municipal building reuse special permit, mixed residential uses may be authorized. C. Municipal building reuse special permit.

9.2.10 Special Permit. The Planning Board as the special permit granting authority may grant a municipal building reuse special permit for the rehabilitation and utilization of any building and the lot on which it is situated in a Municipal Building Reuse Overlay District, applying the criteria set forth in § 190-44 of this Zoning Bylaw, provided that as a result of the special permit process the following criteria are met:

1. Parking. There shall be adequate numbers of off-street parking spaces and loading and unloading spaces, provided that the special permit granting authority may vary the requirements set forth in Section 6.1 of this Bylaw. Parking may be located in any yard area approved by the special permit granting authority.
2. Signs. All proposed signs shall comply with section 6.2 of this Bylaw, except as specifically authorized by the special permit granting authority in the municipal building reuse special permit.

9.2.11 Special Permit Application Process. An application may be made to the Planning Board as the special permit granting authority for a municipal building reuse special permit in compliance with the conditions set forth in this section. Site plan review must be completed by the Planning Board, as part of the application process. The provisions of § ***190-45 and any site plan and special permit regulations of the Planning Board, as the same may be adopted and amended from time to time, shall apply.

9.2.12 Affordability. An application to the Planning Board may include housing permanently available to and affordable to low- and moderate-income households. If any affordability condition is so included, the municipal building reuse special permit shall give preference in the selection of buyers or tenants to Wakefield residents.

9.2.13 Miscellaneous Provisions.

1. Once recorded, a municipal building reuse special permit shall remain valid and applicable regardless of any change in ownership of the lot or lots to which the permit relates, and regardless of any change in condition of the building(s) on such lot or lots.

Notwithstanding any other provision hereof to the contrary, any building that is subject to a municipal building reuse special permit may be rebuilt if destroyed by fire or other casualty.

