

LEGAL NOTICE  
PUBLIC HEARING

Town Clerk-Wakefield, Ma  
1/29/2024 11:47 AM

WAKEFIELD PLANNING BOARD

In accordance with the provisions of Chapter 40A, §5, of the General Laws of Massachusetts, the Wakefield Planning Board will hold a public hearing on **Tuesday, February 13, 2024 commencing at 7:15 P.M.** remotely via Zoom to hear and act upon the proposed zoning bylaw and zoning map set forth below. This hearing will be conducted by remote participation to the greatest extent possible. The public may not physically attend this hearing, but will be allowed to participate in the hearing, view and listen to the hearing in real time. Persons who wish to do so are invited to join utilizing the following link: <https://us06web.zoom.us/j/81309643651?pwd=HK5U8H-dcAFPgfw9lJk5f0xZai6i.1> If you do not have a camera or microphone on your computer you may use the following dial in number: 1-301-715-8592 Meeting ID: 813 0964 3651 Passcode: 736115. Please only use dial in or computer and not both, as audio feedback will distort the meeting. This meeting will be audio and video recorded. In compliance with the Americans with Disability Act, Wakefield provides reasonable accommodations including language assistance free of charge upon request. If you are a person with a disability and require information or materials in an alternate format, or if you require any other accommodation, please contact the Town's Disability Coordinator and Town Engineer, William Renault, at 781-246-6308 as far in advance of the event as possible. Every effort will be made to grant your request. Advance notification will enable the Town to make reasonable arrangements to remove an accessibility barrier for you. The proposed text of the amendments to the existing Wakefield Zoning Bylaws and the proposed amendment to the Zoning Map are as follows:

Proposed Town Meeting Article

To see if the Town will vote to amend the Zoning Bylaws by:  
1. adding as Article XX of the Zoning Bylaw, Chapter 190 of the Code of the Town, the following text:

ARTICLE XX. MBTA Communities Multi-Family Overlay District (MCMOD) § 190-114. Establishment, Applicability and Purpose

1. **Underlying Zoning.** The MBTA Communities Multi-Family Overlay District (MCMOD) is an overlay district superimposed on underlying zoning districts. The regulations for use, dimensions, and all other provisions of the Zoning Bylaw governing the underlying zoning district(s) shall remain full force, except for uses allowed as of right in the MCMOD.

2. **Applicability of MCMOD.** An applicant may develop multi-family dwellings located within the MCMOD in accordance with the provisions of this Article.

3. **Non-inclusion of partial lots.** A lot that is not 100% within the MCMOD district as drawn in Zoning Map of the Town shall be considered excluded from the MCMOD.

4. **Purpose.** The purpose of the MCMOD is to allow multi-family dwellings as of right in accordance with G.L. c. 40A, § 3A.

§ 190-115. **Permitted Uses.** In the MCMOD, a multi-family dwelling building with a maximum of four dwelling units per lot is allowed as of right, subject to site plan review, as provided in §190-23, the Table of Use of Regulations. The Planning Board shall be the site plan review authority.

§ 190-116. MCMOD Dimensional Standards

1. **Table of Dimensional Regulations.** Notwithstanding anything to the contrary in the Zoning Bylaw, the dimensional requirements applicable in the MCMOD shall be as set forth in Table 2, the Table of Dimensional Regulations.

2. **Height.** The limitation on the height of buildings shall not apply in the MCMOD to chimneys, ventilators, towers, elevator shafts, silos, spires, or similar features of buildings, which features are in no way used for living purposes and do not constitute more than 20% of the ground floor area of the building.

§ 190-117. Parking

1. Refer to Parking and Loading Requirements, §190-37, Location and design of off-street parking spaces, A.-C.

2. **Number of parking spaces.** The minimum number of off-street parking spaces shall be 1.5 spaces per dwelling unit, either in surface parking or within garages or other structures.

3. **Parking Materials.** The parking surface may be concrete, asphalt, bricks, or pavers, including pervious materials but not including grass or soil not contained within a paver or other structure.

4. **Parking Area.** The parking area located within the lot must reasonably and safely accommodate the entering and exiting of dwelling unit vehicles.

5. **Parking Area Location.** Parking areas shall be located to the rear or side of the principal building. Parking shall not be located between the building and any lot line adjacent to the public right-of-way.

6. **Buffers.** The surfaced areas of off-street parking areas shall be set back a minimum of 4 ft. from all buildings and side and rear property lines, except as may be approved by the Planning Board. Buffers between property lines and parking areas shall be landscaped. Buffers between the buildings (rear and side) and parking areas shall include landscaping or walkways.

§ 190-118. MCMOD Development Standards

1. **Site Design.** Site plans for developments in the MCMOD shall include the following:

a. **Connections.** Sidewalks shall provide a direct connection among building entrances, the public sidewalk (if applicable), and vehicular and bicycle parking.

b. **Vehicular access.** Where feasible, curb cuts shall be minimized, and shared driveways encouraged.

c. **Plantings.** Planting is encouraged to include the use of native vegetation. Refer to the Town of Wakefield Conservation Commission Native Planting policy.

d. **Outdoor Lighting Plan.** Plans must show the location and type of outdoor lighting and lighting fixtures, said lighting to be designed to minimize glare and light spillover onto adjacent properties and streets. All exterior lighting shall be designed and installed so as to be shielded or downcast, and to avoid light trespass onto adjacent properties. Lighting fixtures shall be selected in accordance with dark sky compliance principles. Plans shall depict the light intensity (foot-candle) in an appropriate grid. All exterior lighting shall be limited to 15 feet in height and shall cast a maximum of 8-foot candles of light on the ground. Lighting shall also be directed so as not to blind vehicular or pedestrian traffic, shine into adjacent buildings or spill over to abutting properties.

e. **Stormwater Management.** Refer to §170 Storm Drain System; Stormwater Management for Wakefield stormwater bylaw and associated requirements.

f. **Offsite Improvement Plans.** Plans shall depict full design, grading and layouts for any work required within the public way to support the project. This includes but is not limited to pedestrian, traffic and utility improvements.

2. **Buildings: General.**

a. **Position relative to the principal street.** The primary building shall have its principal façade and entrance facing the principal street, except as set forth below with respect to corner lots.

b. **Entries.** Entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk or right of way.

3. **Buildings: Shared Outdoor Space.** All multi-family dwelling units shall have outdoor space that residents can access. Such space may be located in any combination of the ground floor, courtyard, rooftop, or terrace. Space shall either be shared among all residents or allocated on a unit by unit basis.

4. **Buildings: Corner Lots.** A building on a corner lot shall have a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.

a. Such entries shall be connected by a paved surface to the public sidewalk or right of way.

b. All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.

c. Fire escapes serving more than one story shall not be located on either of the street-facing façades.

5. **Buildings: Principal Façade and Garages.** Parking garages shall be subordinate in design and location to the principal building façade. The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.

§ 190-119. Site Plan Review

1. **Applicability.** Site Plan Review is required for any building with three or four dwelling units. An application for Site Plan Review shall be reviewed by the Planning Board for consistency with the purpose and intent of § 190-118,

MCMOD Development Standards.

2. **Submission Requirements.** As part of any application for Site Plan Review for a project within the MCMOD, the Applicant must submit the following documents:

a. Application for Site Plan Review.

b. Site plans that show the position of the building on the site, points of vehicular access to and from the site and vehicular circulation on the site, stormwater management, utilities, and landscape treatments, including any screening of adjacent properties, and other information commonly required by the Planning Board for Site Plan Review.

c. Elevations of the building(s) showing the architectural design of the building.

d. Stormwater Report consistent with the requirements of §170 Storm Drain System; Stormwater Management, demonstrating no increase in stormwater rate or volume to adjacent properties or the public/private way.

e. Site plans and stormwater report shall be prepared and stamped by civil engineers, land surveyors, architects, and/or landscape architects, registered in the Commonwealth of Massachusetts per their area of expertise as required by law.

f. The plan shall be submitted on D-size sheets (24 inches by 36 inches). All plans shall be signed and stamped, and drawings should be prepared at a scale of suitable size.

g. Narrative of compliance with the applicable MCMOD Development Standards.

3. **Timeline.** Site Plan Review should be commenced no later than 30 days following the submission of a complete application and should be completed expeditiously. The Planning Board may, when appropriate, seek the input of other municipal boards or officials. In general, site plan review should be completed no more than 6 months after the submission of the application, provided, however, that no failure to meet the deadlines set forth herein shall result in a constructive approval.

4. **Site Plan Approval.** Site Plan approval for uses listed in §190-115, "Permitted Uses," shall be granted upon determination by the Planning Board that the following conditions have been satisfied. The Planning Board may impose reasonable conditions, at the expense of the applicant, to ensure that these conditions have been satisfied:

a. the Applicant has submitted the required information as set forth in the Town's requirements for a Building Permit and Site Plan Review; and

b. the project as described in the application meets the MCMOD Development Standards.

§ 190-120. **Severability.** If any provision of this Article XX is found to be invalid by a court of competent jurisdiction, the remainder of this Article shall not be affected but shall remain in full force and effect. The invalidity of any provision of this Article XX shall not affect the validity of the remainder of the Zoning Bylaw.

2. adding to § 190-4 of the Zoning Bylaw, the definitions section, the following definition:

"AS OF RIGHT

"Development that may proceed under the zoning in place at the time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval."

3. revising the first sentence of the definition of "Multifamily Dwelling" in § 190-4 of the Zoning Bylaw by changing the word "four" to "three," so that such sentence will read as follows:

"MULTIFAMILY DWELLING

"A building (other than an 'attached dwelling,' as defined herein) designed or intended or used as the home of three or more families, each in a separate dwelling unit, living independently of each other and who may have a common right in halls and stairways."

4. revising the Table of Use Regulations, § 190-23, by adding the following line after the entry for "Creative Development":

Principal Permitted Uses	SSR	SR	GR	MR	NB	LB	B	LI	I	Assisted Living	MCMOD
Multi-Family Dwelling (Pursuant to Article XX with a maximum of 4 dwelling units)	N	N	N	SP	N	N	N	N	N	N	Y

5. revising the Table of Dimensional Regulations, Attachment 2 to the Zoning Bylaws, by adding the following line after the entry for MR-2:

District	Lot Area	Maximum Density	Frontage and Width	Floor Area Ratio	Setbacks			Maximum Stories/Height	Maximum Building Coverage	Minimum Open Area	Distance Between Buildings
					Front	Side	Rear				
MCMOD	4,000	--	80	--	15	10	20	3/55	35%	30%	--

6. adding the following to the end of § 190-5 of the Zoning Bylaws:

"MBTA Communities Multi-family Overlay District (MCMOD)"

7. adding the following to the end of § 190-6.A of the Zoning Bylaws:

"(18) The MBTA Communities Multi-family Overlay District (MCMOD) is a special overlay district to allow multi-family dwellings as of right in accordance with G.L. c. 40A, § 3A, subject only to site plan review by the Planning Board, and is shown on the Zoning Map entitled 'MBTA Communities Multi-family Overlay District.' Within such district, all provisions of the Zoning Bylaw applicable to the underlying districts shall continue to apply except as provided in Article XX of the Zoning Bylaw."

8. adding the following to the end of § 190-7.A of the Zoning Bylaws:

"The MBTA Communities Multi-family Overlay District is located as shown on a separate map entitled 'MBTA Communities Multi-family Overlay District Map, dated \_\_\_\_\_, 2024.'" and

9. amending the Wakefield Zoning Map by adopting the "MBTA Communities Multi-family Overlay District Map, dated \_\_\_\_\_, 2024," a copy of which is on file with, and available for inspection at the office of, the Town Clerk; or to see what the Town will do about it.

A copy of the current zoning map is available for inspection in the Building Inspector's Office; existing text and proposed amendment are available for inspection at the Town Clerk's Office, Wakefield Town Hall, One Lafayette Street, Wakefield, Massachusetts during regular business hours. Any person wishing to be heard on this matter should appear at the time and place designated.

Wakefield Planning Board  
Theo Noell, Chair

1/29/2024 & 2/5/2024

