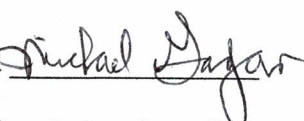


## **SUTTON PLANNING BOARD**

### **Meeting Minutes**

**February 8, 2021**

Approved 

\*Note- This meeting was held remotely via Zoom in accordance with Executive Orders from Governor Baker. The Chair read a notice regarding the remote meeting format. (see end of minutes)

Present: W. Baker, M. Gagan, R. Largess Jr., S. Paul, W. Talcott (Associate)

Absent: K. Bergeson (W. Talcott acting as a full member in his absence)

Staff: J. Hager, Planning & Economic Development Director

### **Action Items**

Form A Plans: None.

Endorse Plans: None.

12 John Road – Matt Bombaci from Bohler Engineering was present to ask the Board for their input on a potential business that would like to locate at the end of the John Road cul-de-sac inside Burnap Industrial Park on the Sutton Millbury town line. MIG Corporation, a construction company, would like to potentially purchase 12 and 16R John Road for a 40,000 s.f. building with outdoor laydown areas for construction materials. There will be no on site fueling as the site is partially within a groundwater protection overlay district. The current owner will also require the purchase of 11 Deborah Drive which is almost entirely wetlands. Mr. Bombaci primarily needed to know two things 1) because well over 60% of the lot is zoned a combination of Business Highway and Industrial Zoning, does the Board agree that under Section III.B.3. footnote 9 that the entire parcel may be considered Industrial allow the use of the entire parcel for industrial use except for a required 100' setback to the lot line which would in effect become a residential district boundary, 2) would the Board consider sponsoring, or at least supporting, an article allowing only 100' of frontage for lots on the cul-de-sac in the Industrial District (I) as is currently allowed in the Office Light Industrial District (OLI). The Board agreed while footnote #12 does not say Business Highway or Industrial that this is likely just because it wasn't anticipated a lot would have three different zoning district designations. The Board agreed they would consider the western part of the lot to be zoned Industrial (I) which will still require a 100' setback to activities on the site from this lot line. After viewing the zoning map and aerials of area that are Industrial Zoned, the majority of the Board agreed they would have no problem sponsoring an article that allowed a reduction in frontage to 100' on cul-de-sacs in the Industrial District. Much of this limited district is already developed and this article will primarily aid the fullest use of the Burnap Industrial Park.

### **Proposed Bylaw Changes:**

The Board reviewed the latest version of proposed bylaw changes which included the addition of articles previously considered for the addition of a Multi-Town Mixed Commerce District in South Sutton. (attached) The Board agreed that Articles A, B, D, E, G, H, and I had been thoroughly vetted and could move forward in their current form. They discussed an article regarding the definition of Service Companies. S. Paul noted this definition is intended to provide for companies like NEDT that primarily provide/sell off site services, not uses like tattoo parlors. Matt Piekarski, Director of Construction & Development for the Kraft Group, a sister company of Atlas Box, had provided the Board additional materials relative to their request for the Board's sponsorship of a zoning line shift to provide access to Boston Road from the Office Light Industrial (OLI) District in Northeast Sutton.

He stated this area amounts to 81 additional acres with about 32 that would be useable considering wetlands and power line easements. He stressed again their primary goal is to improve access they are not seeking significant additional development area. The majority of the Board agreed they would be comfortable bringing this article to public hearing noting the significant need for an additional access points for traffic safety.

They asked the Board to consider increasing the height of structures to as much as 70'. They had previously provided a significant amount of materials to support this request. The majority of the Board agreed that with a Special Permit process to exceed 35' that considered placement aesthetics, fire protection, etc., they were less concerned about the height increase and more concerned about traffic generation. They tentatively agreed to sponsor an article about height increases but will decide to how high and by what method moving forward.

### **Administrative Items**

Motion: To approve the minutes of 1/25/21, S. Paul  
2<sup>nd</sup>: R. Largess Jr.

Vote: 5-0-0: S. Paul – aye, M. Gagan – aye, R. Largess Jr. – aye, W. Baker – aye,  
W. Talcott – aye

Filing: The Board acknowledge the legal filing of a retreat lot application for an existing lot at 372 Central Turnpike. The hearing process will begin on February 22<sup>nd</sup>.

Correspondence: J. Hager mentioned she will be providing the Board with an update from KP Law regarding legislation that reduced the super majority vote typically required for Special Permits to only a simple majority when the Special Permit is for accessory dwelling units, open space subdivisions, or other permitting that expands the supply of housing.

Motion: To adjourn, R. Largess Jr.  
2<sup>nd</sup>: M. Gagan

Vote: 5-0-0: S. Paul – aye, M. Gagan – aye, R. Largess Jr. – aye, W. Talcott – aye,  
W. Baker – aye

Adjourned 9:20 PM

### **STATEMENT REGARDING REMOTELY CONDUCTED OPEN MEETING**

Good evening. This Open Meeting of the Sutton Planning Board is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus." While still ensuring public access, this Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies are allowed and encouraged to participate remotely. You can find the Order posted on the Town's website.

Regardless of our inability to meet in person, it is our intent to ensure continued transparency and the ability of the public to at least view the actions of our Board. Ensuring public access does not ensure public participation unless such participation is required by law. Tonight's public meeting will not feature public comment.

For this meeting, the Sutton Planning Board is convening by Zoom teleconference as specified on the legally posted agenda.

Please note that this meeting is being recorded. Accordingly, please be aware that others may be able to see you, and that you take care not to "screen share" your computer. Anything that you broadcast may be captured by the recording.



**ARTICLE A**

To see if the town will vote to amend the Zoning Bylaw Section III.A.4. Table of Use adding the following uses to the Office Light Industrial (OLI) District by adding the underlined text and deleting the strike-through text as shown below, or take any action in relation thereto.

<b>I. REGISTERED MARIJUANA BUSINESSES (RMB)</b>	<b>R-1</b>	<b>R-2</b>	<b>V</b>	<b>B-2</b>	<b>I</b>	<b>OLI</b>
1. Registered Marijuana Dispensaries (RMD) – Medical <sup>1</sup>	-	-	-	-	-	<u>P</u>
2. Marijuana Cultivators – Non-medicinal <sup>1</sup>	-	-	-	-	-	<u>S*</u>
3. Marijuana Product Manufacturers Non-medicinal <sup>1</sup>	-	-	-	-	-	<u>S*</u>
4. Marijuana Testing Facilities Non-medicinal <sup>1</sup>	-	-	-	-	-	<u>S*</u>
5. Marijuana Retailer Non-medicinal	-	-	-	-	-	<u>S*</u>
<b>J. OTHER</b>						
1. Use, Accessory	P	P	P	P	P	P

Footnotes:

<sup>1</sup>This use is also allowed by Special Permit in the Marijuana Business Overlay District (MBOD) ~~only~~.

**ARTICLE B**

To see if the Town will vote to amend the Zoning Bylaw, Section III.B.3, Table 2 – Table of Area Regulations – Footnotes by adding the underlined text as shown below, or take any action in relation thereto.

1. No building except a boathouse shall be within ten (10) feet of any watercourse or wetland area or, if subject to flooding, within ten (10) feet beyond its flood line. No building shall be within twenty-five (25) feet of any town boundary line, except within the Office Light Industrial (OLI) District. Said town boundary line is the actual line between town corner bounds.

**ARTICLE C**

To see if the Town will vote to amend the Zoning Map by revising the Office Light Industrial (OLI) Zoning District line located north of Boston Road and East of Dudley as shown on a map entitled “Proposed Zoning Line Revision for Property off Boston Road dated 1/11/21”, or take any action in relation thereto.

**ARTICLE D**

To see if the Town will vote to amend the Zoning Bylaw, Section I.C.3. Non-Conforming Lots by adding the following provision and re-letter accordingly, or take any action in relation thereto.

- c. Any lawful pre-existing non-conforming unimproved lot within the R-1, R-2 or V Districts with a minimum of 20,000 s.f. of area and 50' of frontage that is/was held in common ownership with an adjacent legally developed lot and for which the 5 year zoning change exemption period of G.L. C. 40A §6 has expired, may be determined to be buildable pursuant to a Special Permit granted by the Zoning Board of Appeals in accordance with the provisions of Section VII.A. The Zoning Board of Appeals must additionally find that said vacant lot is substantially consistent in size and frontage with other developed lots in the immediate area. Said special permit shall only apply to one such vacant lot held in common ownership.

**ARTICLE E**

To see if the Town will vote to amend the Zoning Bylaw Section VI.H.2.c. by deleting the strike through text and inserting the underscored text, or take any action in relation thereto.

- a. The area of said lot shall be at least three (3) times the minimum required lot area in the applicable residential zoning district. ~~Said lot shall also have at least three (3) times the required upland area.~~  
Required upland area shall not be tripled.

**ARTICLE F**

To see if the Town will vote to amend Section III.A.4. – Table of Use by adding the underlined text and removing the strike-through text as shown below and renumber accordingly, or take any action in relation thereto.

**Table 1- Table of Use Regulations**

	R-1	R-2	V	B-2	I	OLI
<b>B. COMMUNITY FACILITIES &amp; INSTITUTIONAL USES:</b>						
1. Church or other religious purpose, nonprofit educational facility, Town building except equipment garage	P	P	P	P	P	P
2. Country, hunting, fishing, tennis, or health clubs, golf courses, day camps or other camps or outdoor athletic fields. Structures used for, or in relation to these uses shall not exceed a 10,000 s.f. footprint	S	S	S	S	S	<del>S</del> *
3. Cemetery	S	S	S	S	S	<del>S</del> *
4. Town equipment garage	S	-	-	S	P	<del>P</del>
5. Public utility except power plant or refuse facility	S	S	S	S	S	P



	R-1	R-2	V	B-2	I	OLI
6. Power plant and refuse facility	-	-	-	-	S	S*
<b>C. AGRICULTURAL AND OPEN LAND USES:</b>						
1. Agriculture, horticulture, floriculture, or viticulture, provided <u>at least five acres</u> are so used. A farm stand may be maintained provided that the majority of products for sale, measured based on either gross sales dollars or volume, have been produced on the land.	P	P	P	P	P	P
2. When <u>less than five acres</u> are used for agriculture, horticulture, floriculture, or viticulture:						
a. Agriculture, horticulture, and floriculture, or viticulture	P	S	S	S	S	S*

b. Temporary stand maintained during the harvest season of the primary crop for retail sale of agriculture or farm products produced primarily on the same premises	P	P	P	S	S	S*
c. Year round stand for retail sale of agriculture or farm products produced primarily on the same premises	S	S	P	S	S	S*
d. Raising and for keeping of livestock, horses and poultry, not including the raising of fur animals for commercial use	P	S	S	S	S	S*
e. Raising of fur animals	S	-	-	-	S	-
f. Commercial stables, provided all animals are enclosed within pens or other enclosures	S	-	-	-	S	-
3. Year round or temporary stands for retail sale of agriculture or farm products not produced primarily on the same premises.	S	S	P	S	S	S*
4. Veterinary office in which all animals are completely enclosed in pens or other structures	S	S	S	-	-	-

**D. OFFICE USES:**

1. Business and professional offices, including banks and monetary institutions	-	-	P	P	P	S* P
2. Drive-through windows at banks and monetary institutions and other offices	-	-	-	S*	S*	S*
3. <del>Free standing automatic teller machines</del>	-	-	S	P	P	P
4. Planned Business Development (PBD)	-	-	-	S*	S*	S* P
5. <u>Research Offices or establishments devoted to research and development activities and Development</u>	-	-	S	S	P	S* P

	R-1	R-2	V	B-2	I	OLI
<b>E. RETAIL, TRADE AND SERVICE USES:</b>						
1. Stores selling goods to the public	-	-	S*	S*	-	S*
2. Drive-through window for a pharmacy whether located in a free-standing pharmacy building or as part of a multi-use retail building	-	-	-	S*	-	S*
3. Sales by vending machines located outside of a building or structure	-	-	S	S	S	-
4. Restaurants	-	-	P	S	-	<del>S*</del> P
5. Restaurant, cafeteria, tea room or catering accessory to permitted or allowed main use	S	S	P	P	P	P
6. Drive-through window for a restaurant, but only when a minimum of 1,000 s.f. is dedicated to the restaurant use.	-	-	-	S*	-	-
7. Hotels and motels	-	-	S	P	S	S*
8. Personal service establishments	-	-	P	P	-	<del>P</del>
9. Funeral home or mortuary establishment	S	S	P	-	-	-
10. Hospital or medical clinic	-	-	S	S	S	S*
11. Convalescent or nursing home	S	S	S	S	-	<del>S*</del>
12. Repair services for appliances, furniture, and other goods, except for vehicular and automotive repairs	-	-	P	S	-	<del>S*</del>
13. Motion picture establishment, amusement facilities, or sports complexes	-	-	S	S	-	<del>P</del> <u>S*</u>
14. For profit educational establishments	-	-	P	S	S	S*
15. Communications and television towers (does NOT include wireless communication facilities)	S	-	-	-	S	S
16. Wireless communications facility (refer to Section V.C. of this Bylaw)	-	-	-	S	S	S
17. Antique Shop (retail sale of antique furniture, artwork, collectible merchandise to the general public in a premises occupying less than 1,000 square feet)	S*	-	-	-	-	-
18. Commercial Kennels	S	-	-	S	S	<del>S*</del>
<del>19. Self Storage Facility</del>	-	-	-	-	-	<del>S*</del>
<u>19. Rental of goods, not including vehicles or construction equipment</u>	<u>-</u>	<u>-</u>	<u>S*</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>20. Wholesale Trade</u>	-	-	S	S	P	S*
<u>21. Brewery, Distillery, Winery</u>	<u>-</u>	<u>-</u>	<u>S*</u>	<u>S*</u>	<u>S*</u>	<u>S*</u>



	R-1	R-2	V	B-2	I	OLI
<b>F. VEHICULAR AND AUTOMOTIVE USES:</b>						
1. Establishments selling new and/or used automobiles, trucks, motorcycles, trailers, construction equipment, or boats	-	-	-	-	-	-
2. Establishments selling new and/or used automobiles at or over 26,000 gvw, including but not limited to trucks, construction equipment, municipal equipment.	-	-	-	-	S*	-
3. Automotive repair, automobile services (not including a junk yard or open storage of abandoned automobiles and other vehicles)	-	-	S	S	P	-
4. Railroad and railway express service	-	-	S	P	P	P
5. Trucking services and warehousing	-	-	-	S	P	S*
6. Commercial Gas Station primarily for passenger vehicles	-	-	S	S	S	-
7. <u>Warehouse Distribution Center</u>	-	-	-	-	<u>S*</u>	<u>S*</u>
<b>G. MANUFACTURING, PROCESSING, AND EARTH REMOVAL USES:</b>						
1. Processing	-	-	-	-	P	S*
2. <u>Manufacturing, assembly and processing, including associated offices and distribution facilities.</u> <del>wholesale trade, wholesale sales of construction material</del>	-	-	S	S	P	S*
3. Landscape contractors, arborists, and building contractors	-	-	S*	S	P	S*
4. Research and development facilities	-	-	S	S	P	S*
5. Accessory (whether or not on the same parcel) scientific research and development	-	-	-	S	S	S*
6. Earth removal	-	S	-	S	P	S
7. Earth removal incidental to an approved subdivision, site plan, or duly issued building permit	P	P	P	P	P	P
8. <del>Paving and</del> <u>Other contractors' yards, not including paving</u>	-	-	-	-	P	<u>S*</u>
9. <del>Accessory uses</del>	-	-	-	-	-	<u>S*</u>
<b>H. RENEWABLE ENERGY RESOURCES</b>						
1. Small Hydropower Installations	S*	S*	S*	S*	S*	S*
2. Small Wind Turbines	S*	S*	-	S*	S*	S*
3. Small Solar Photovoltaic Installations (less than 250 kW)	P	P	P	P	P	P
4. Large Ground-Mounted Solar Photovoltaic Installations (250 kW+)	-	-	-	P	P	P

## **ARTICLE G**

To see if the town will vote to amend the Zoning Bylaw, Section I.B. – Definitions by deleting the definition of “Self-storage Facility”, or take any action in relation thereto.

## **ARTICLE H**

To see if the town will vote to amend the Zoning Bylaw, Section I.B. – Definitions by adding the definition of “Brewery, Distillery, Winery”, or act to do anything in relation thereto.

Brewery, Distillery, Winery - A business where the primary use is the production and distribution of malt, spirituous, or vinous beverages with a tasting room and which holds the required State and Local licenses for the activities occurring on site, which may also include food, music, indoor and outdoor seating.

## **ARTICLE I**

To see if the Town will vote to amend the Zoning Bylaws by changing the title of “Board of Selectmen” to “Select Board”, as set forth in a document on file with the Town Clerk with strike-through text to be deleted and italicized text to be inserted, or to take any other action relative thereto.

## **ARTICLE J**

To see if the Town will vote to amend the Zoning Bylaw, Section I.B. – Definitions by adding the following definition, or take any action in relation thereto.

Service Companies – A service company is a business that generates income by providing services instead of selling physical products.

## **ARTICLE K**

To see if the town will vote to amend the Zoning Map of the Town of Sutton, Massachusetts to remove from the Office Light Industrial (OLI) zoning district and place within a new zoning district to be known as the Multi Town Mixed Commerce (MTMC) district, all that land currently zoned located south of Whitins Road in Sutton and south of the Northbridge Sutton town line that is located south of Main Street in Northbridge, totaling approximately 240 acres, the boundaries of said MTMC district being more particularly shown on a map placed on file in the Town Clerk's office, or act to do anything in relation thereto.

## **ARTICLE L**

To see if the Town will vote to amend the Zoning Bylaw for the Town of Sutton, Massachusetts, Section II.A. Division into Districts by establishing the Multi Town Mixed Commerce District by adding the underlined text as follows or act or do anything in relation thereto.



## A. Division into Districts

The Town of Sutton, Massachusetts is hereby divided into Six (6) Seven (7) zoning districts to be designated as follows:

Full Name	Short
Residential – Rural	R-1
Residential – Suburban	R-2
Village	V
Business – Highway	B-2
Industrial	I
Office Light Industrial	OLI
<u>Multi Town Mixed Commerce</u>	<u>MTMC</u>

## ARTICLE M

To see if the Town will vote to amend the Zoning By-Laws, Section III.A.4. - Table of Use Regulations by establishing permitted, special permit, and prohibited uses in the MTMC District by add the underlined text, or act or do anything in relation thereto.

	R-1	R-2	V	B-2	I	OLI	MTMC
<b>A. RESIDENTIAL USES:</b>							
1. One-family detached year-round or seasonal dwelling	P	P	P	-	-	-	-
2. Multifamily dwelling	-	S	S	-	-	-	-
3. Accessory residential building such as tool shed, boat house, barn, playhouse, stables, private swimming pool and private detached garage for non-commercial vehicles	P	P	P	-	-	-	-
4. Family day care	P	P	P	-	-	-	-
5. Home occupation	P	P	P	-	-	-	-
6. Home business	S	S	S	-	-	-	-
7. Bed and breakfast facility	S	S	S	-	-	-	-
8. Open Space Residential Development	P	P	-	-	-	-	-
9. Traditional Neighborhood Development	-	S*	S*	-	-	-	-
10. Condominium Development	S*	S*	-	-	-	-	-
11. Continued Care Retirement Communities	S*	S*	S*	S*	S*	S*	<u>S*</u>
12. Accessory Apartment	S*	S*	S*	-	-	-	-
<b>B. COMMUNITY FACILITIES &amp; INSTITUTIONAL USES:</b>							
1. Church or other religious purpose, nonprofit educational facility, Town building except equipment garage	P	P	P	P	P	P	<u>P</u>

	R-1	R-2	V	B-2	I	OLI	MTMC
2. Country, hunting, fishing, tennis, or health clubs, golf courses, day camps or other camps or outdoor athletic fields, with structures not to exceed a 10,000 s.f. footprint	S	S	S	S	S	S*	=
3. Cemetery	S	S	S	S	S	S*	=
4. Town equipment garage	S	-	-	S	P	P	=
5. Public utility except power plant or refuse facility	S	S	S	S	S	P	P
6. Power plant and refuse facility	-	-	-	-	S	S*	=
<b>C. AGRICULTURAL AND OPEN LAND USES:</b>							
1. Agriculture, horticulture, floriculture, or viticulture, provided <u>at least five acres</u> are so used. A farm stand may be maintained provided that the majority of products for sale, measured based on either gross sales dollars or volume, have been produced on the land.	P	P	P	P	P	P	P
2. When <u>less than five acres</u> are used for agriculture, horticulture, floriculture, or viticulture:							
a. Agriculture, horticulture, and floriculture, or viticulture	P	S	S	S	S	S*	=
b. Temporary stand maintained during the harvest season of the primary crop for retail sale of agriculture or farm products produced primarily on the same premises	P	P	P	S	S	S*	=
c. Year round stand for retail sale of agriculture or farm products produced primarily on the same premises	S	S	P	S	S	S*	=
d. Raising and for keeping of livestock, horses and poultry, not including the raising of fur animals for commercial use	P	S	S	S	S	S*	=
e. Raising of fur animals	S	-	-	-	S	-	=
f. Commercial stables, provided all animals are enclosed within pens or other enclosures	S	-	-	-	S	-	=
3. Year round or temporary stands for retail sale of agriculture or farm products not produced primarily on the same premises.	S	S	P	S	S	S*	=
4. Veterinary office in which all animals are completely enclosed in pens or other structures	S	S	S	-	-	-	=
<b>D. OFFICE USES:</b>							
1. Business and professional offices, including banks and monetary institutions	-	-	P	P	P	S*	P
2. Drive-through windows at banks and monetary institutions and other offices	-	-	-	S*	S*	S*	S*
3. Free-standing automatic teller machines	-	-	S	P	P	P	=
4. Planned Business Development (PBD)	-	-	-	S*	S*	S*	S*
5. Research and Development	-	-	S	S	P	S*	S*



	R-1	R-2	V	B-2	I	OLI	MTMC
<b>E. RETAIL, TRADE AND SERVICE USES:</b>							
1. Stores selling goods to the public	-	-	S*	S*	-	S*	S*
2. Drive-through window for a pharmacy whether located in a free-standing pharmacy building or as part of a multi-use retail building	-	-	-	S*	-	S*	S*
3. Sales by vending machines located outside of a building or structure	-	-	S	S	S	-	-
4. Restaurants	-	-	P	S	-	S*	P
5. Restaurant, cafeteria, tea room or catering accessory to permitted or allowed main use	S	S	P	P	P	P	P
6. Drive-through window for a restaurant, but only when a minimum of 1,000 s.f. is dedicated to the restaurant use.	-	-	-	S*	-	-	-
7. Hotels and motels	-	-	S	P	S	S*	S*
8. Personal service establishments	-	-	P	P	-	P	P
9. Funeral home or mortuary establishment	S	S	P	-	-	-	-
10. Hospital or medical clinic	-	-	S	S	S	S*	S*
11. Convalescent or nursing home	S	S	S	S	-	S*	S*
12. Repair services for appliances, furniture, and other goods, except for vehicular and automotive repairs	-	-	P	S	-	S*	P
13. Motion picture establishment, amusement facilities, or sports complexes	-	-	S	S	-	P	P
14. For profit educational establishments	-	-	P	S	S	S*	S*
15. Communications and television towers (does NOT include wireless communication facilities)	S	-	-	-	S	S	S
16. Wireless communications facility (refer to Section V.C. of this Bylaw)	-	-	-	S	S	S	S
17. Antique Shop (retail sale of antique furniture, artwork, collectible merchandise to the general public in a premises occupying less than 1,000 square feet)	S*	-	-	-	-	-	-
18. Commercial Kennels	S	-	-	S	S	S*	-
19. Wholesale Sales, wholesale sale of construction materials	-	-	S	S	P	S*	S*
<b>F. VEHICULAR AND AUTOMOTIVE USES:</b>							
1. Establishments selling new and/or used automobiles, trucks, motorcycles, trailers, construction equipment, or boats	-	-	-	-	-	-	-
2. Establishments selling new and/or used automobiles at or over 26,000 gvwt, including but not limited to trucks, construction equipment, municipal equipment.	-	-	-	-	S*	-	-
S3. Automotive repair, automobile services (not including a junk yard or open storage of abandoned automobiles and other vehicles)	-	-	S	S	P	-	-
4. Railroad and railway express service	-	-	S	P	P	P	-
5. Trucking Services and warehousing	-	-	-	S	PS	S*	S*

	<b>R-1</b>	<b>R-2</b>	<b>V</b>	<b>B-2</b>	<b>I</b>	<b>OLI</b>	<b>MTMC</b>
6. Commercial Gas Station primarily for passenger vehicles	-	-	S	S	S	-	-
7. <u>Warehouse and Distribution</u>	-	-	-	-	<u>S*</u>	<u>S*</u>	<u>S*</u>
8. <u>Fullfillment Center – 150,000 – 750,000 s.f.</u>	-	-	-	-	-	-	<u>S*</u>
9. <u>Fullfillment Center – Under 150,000 s.f.</u>	-	-	-	-	<u>S*</u>	-	<u>S*</u>
<b>G. MANUFACTURING, <u>CONTRACTING</u>, PROCESSING, AND EARTH REMOVAL</b>							
1. Processing	-	-	-	-	P	S*	<u>S*</u>
2. Manufacturing, wholesale trade, wholesale sales of construction material	-	-	S	S	P	S*	<u>S*</u>
3. Landscape contractors, arborists, and building contractors	-	-	S*	S	P	S*	-
4. Research and development facilities	-	-	S	S	P	S*	<u>S*</u>
5. Accessory (whether or not on the same parcel) scientific research and development	-	-	-	S	S	S*	<u>S*</u>
6. Earth removal	-	S	-	S	P	S	-
7. Earth removal incidental to an approved subdivision, site plan, or duly issued building permit	P	P	P	P	P	P	<u>P</u>
8. Paving and other contractors' yards	-	-	-	-	P	-	-
9. Accessory uses	-	-	-	-	-	S*	<u>S*</u>
<b>H. RENEWABLE ENERGY RESOURCES</b>							
1. Small Hydropower Installations	S*	S*	S*	S*	S*	S*	<u>S*</u>
2. Small Wind Turbines	S*	S*	-	S*	S*	S*	<u>S*</u>
3. Small Solar Photovoltaic Installations (less than 250 kW)	P	P	P	P	P	P	<u>P</u>
4. Large Ground-Mounted Solar Photovoltaic Installations (250 kW+)	-	-	-	P	P	P	-
<b>I. OTHER</b>							
1. Use, Accessory	P	P	P	P	P	P	<u>P</u>

## ARTICLE N

To see it the Town will vote to amend the Zoning By-Laws, Section III.B.3. Table 2 - Table of Area Regulations by establishing area regulations for the MTMC Zoning District by adding the underlined text, or act or do anything in relation thereto.



**Table 2**  
**Table of Area Regulations**  
 (numbers refer to footnotes)

District	Use	Minimum Required				
		Lots (1)		Yards (2-17)		
		Area (sq. ft.)	Width & Frontage (ft.)	Front (ft.)	Side (ft.)	Rear (ft.)
<b>R-1</b>	Any permitted structure or principal use	80,000	250	50	20	50
<b>R-2</b>	One family detached dwelling or other principal use					
	- Not serviced by water and sewer	60,000	175	40	15	40
	- Serviced by water or sewer	40,000	175	40	15	40
<b>R-2</b>	- Serviced by water and sewer	20,000	135	40	15	40
	Multi-family dwelling serviced by municipal sewer	40,000	150	40	15	40
	Per additional unit (up to 3)	+3,000				
<b>V</b>	One family detached dwelling or any other principal use (except multi-family dwellings)	20,000	100	25	20	25
	Multi-family dwelling Per additional unit (up to 3)	40,000 +3,000	100	25	20	25
<b>B-2</b>	Hotel or motel	40,000	200	50	20	40
	- Per room	+2,000				
	Any other permitted structure or principal use	40,000	200	50	20	50
<b>I</b>	Any permitted structure or principal use	40,000	200	50	20	50
<b>OLI</b>	Any permitted structure or principal use	80,000	200	50	20	50
<b>MTMC</b>	Any permitted structure or principal use	<u>80,000</u>	<u>200</u>	<u>50</u>	<u>20</u>	<u>50</u>

## ARTICLE O

To see it the Town will vote to amend the Zoning By-Laws, Section III.B.3. Table 2 - Table of Area Regulations - Footnotes by deleting the strikethrough text and adding the underlined text in the following footnotes and all other footnotes remain the same, or act or do anything in relation thereto.

2. No building except a boat house shall be within ten (10) feet of any watercourse or wetland area or, if subject to flooding, within ten (10) feet beyond its flood line. No building shall be within twenty-five (25) feet of any town boundary line, except within the MTMC District. Said town boundary line is the actual line between town corner bounds.
6. All lots in the OLI, I and MTMC districts shall have a lot frontage of at least two hundred (200) feet except when the majority of frontage of the lot is completely situated on a cul-de-sac, in which case the minimum lot frontage shall be one hundred (100) feet and the minimum width shall be one hundred and twenty five (125) feet.
7. All lots in the OLI and MTMC districts shall be serviced by public water and sewer or a private sewage treatment facility as approved by the Town. If a lot or lots is serviced by a private sewage treatment facility, the owner shall furnish an operation and maintenance plan, provide written permission for the Town to enter upon such facility for inspections, and post adequate bonding related to the construction and maintenance of the facility. Such private sewage treatment facility shall remain privately owned and maintained in perpetuity. *Why is this a requirement? Should we delete this provision entirely?*
8. All parking required in the OLI and MTMC districts shall be located on the site without use of abutting lots.
9. Any principal use allowed per the Table of Use sections B. – H. I. in a non-residential zoning district shall be at least one hundred (100) feet from any residential zoning district boundary as indicated on the Sutton Zoning Map, unless the use is permitted by right (P) in the abutting residential district. Any principal use allowed per the Table of Use sections B. – H. I. in a residential zoning district shall be at least one hundred (100) feet from any abutting residential property line in separate ownership, unless the use is permitted by right (P) in the abutting residential district. This buffer shall remain in its undisturbed state or may be upgraded. The area of said buffer may be counted toward the open space requirements on a lot. For the purpose of applying this requirement only, if 60% or more of a lot is zoned Business Highway (B-2), Office Light Industrial (OLI), Multi Town Mixed Commerce (MTMC) or Industrial (I), the entire lot shall be considered as located respectively within these districts.

## ARTICLE P

To see it the Town will vote to amend the Zoning Bylaw, Section III.B.3. Table 3 - Table of Height and Bulk Regulations by establishing height and bulk regulations for the MTMC District by adding the underlined text as follows, or act or do anything in relation thereto.



**Table 3**  
**Table of Height and Bulk Regulations**

	<b>R-1</b>	<b>R-2</b>	<b>V</b>	<b>B-2</b>	<b>I</b>	<b>OLI</b>	<b><u>MTMC</u></b>
Max bldg. height (ft.)	35	35	30	35	35	50**	50**
Max bldg. coverage of lot (covered area as % of total lot area)	10	20	50	50	50	*	*
Min habitable floor area per dwelling unit (sq. ft.)	768	768	768	NP	NP	--	--
Min open space (%)	--	--	10	25	40	--	--

(NP) = not permitted use)

\* Maximum coverage of lots in the OLI and MTMC districts by impervious surfaces including principal and accessory buildings and structures, parking and loading areas, and roadways and drives shall not exceed sixty percent (60%) of the lot.

\*\* For lots in the OLI and MTMC districts above thirty five (35) feet, such building must have an adequate system of automatic sprinklers as determined by the Authority Having Jurisdiction (AHJ) and/or the Sutton Fire Chief and if the AHJ and/or Fire Chief deems it necessary the applicant shall also install Fire Department connections also known as “stand pipes”. Additionally, structures over 35’ shall be set back from lot lines a minimum of 100’, and in all cases the applicant shall demonstrate and provide sufficient mitigation of visual impact along the residential zoning district boundary during the Site Plan Review application process.

## ARTICLE Q

To see it the Town will vote to amend the Zoning Bylaw, Section I.B. - Definitions, by adding the following definitions, or act or do anything in relation thereto.

**Warehouse with Distribution:** A building and related facilities where goods, products or materials are received, stored on site for short or longer terms and primarily distributed to a single or narrow group of retailers and/or wholesalers and/or pool of clients. The facility typically serves a single user. IE: Home Depot, Champion Container,

**Fullfillment Center:** A building and related facilities where goods or products are received and stored on-site temporarily for the purpose of delivery to retailers or direct to consumer destination. Such facilities may include automated systems, office space and a pick and pack area to be used for sorting and packaging goods and products for delivery from available, on-site inventory. The facility may serve one user or multiple users. IE: Amazon, ShipBob,

**Manufacturing:** A building and related facilities where goods and products are assembled and/or fabricated. Such facilities may include office space and warehousing of the raw materials/components and distribution of finished products. The following are expressly prohibited: petroleum production/refining, smelting, explosives/fireworks production, tanneries and slaughterhouses, *OTHERS?*