



CANTON PLANNING BOARD

Members:
Thomas C. Scully, Chairman
Robert E. Panico, Vice Chairman
Patricia McDermott, Clerk
David McCarthy, Member
Michael Mitcheroney, Member

AGENDA

PLANNING BOARD

MEETING

WEDNESDAY, FEBRUARY 6, 2019
SALAH MEETING ROOM
TOWN HALL
801 WASHINGTON STREET
7:00 P.M.

SCHEDULED HEARINGS:

- (1) **69 KENNEY STREET SUBDIVISION (2016) - (Discussion of proposed Homeowners Association and Road Maintenance Agreement)** (Benjamin J. Losordo, Attorney; Elizabeth Losordo and Marilyn Panciocco, Owners)
- (2) **90 ELM STREET** - Discussion of Scenic Way Wall Repair - (Russ Lyman, Owner)
- (3) **Amend the Zoning Map by Rezoning Certain Business Parcels to Single Residence Zones - Article ()** - To see if the Town will vote to amend the Zoning Map to rezone the following parcels from Business (B) to the respective adjacent Single Family Zone: Single Residence AA (SR-AA), Single Residence B (SR-B), or Single Residence C (SR-C). Said parcels of land are identified by the Board of Assessors' Map and Lot numbers as follows:

Address	Parcel Number	Current Zone	Proposed Zone
2 Tracywood Road	088_021_000	B	SR-AA
4 Tracywood Road	088_019_000	Partially B, partially SR-AA	SR-AA
3 Tracywood Road	088_020_000	B	SR-AA
5 Tracywood Road	088_018_000	Partially B, partially SR-AA	SR-AA
1 Meetinghouse Road	079_103_000	B	SR-C
2 Meetinghouse Road	079_100_000	B	SR-C
5 Meetinghouse Road	079_104_000	Partially B, Partially SR-C	SR-C
6 Meetinghouse Road	079_099_000	Partially B, Partially SR-C	SR-C
20 Louise Street	079_106_000	Partially B, partially SR-C	SR-C
22 Louise Street	079_105_000	Partially B, partially SR-C	SR-C
1 Edward Street	079_090_000	Business	SR-C
5 Edward Street	079_089_000	B	SR-C
6 Edward Street	079_083_000	B	SR-C
7 Edward Street	079_088_000	Partially B, Partially SR-C	SR-C
8 Edward Street	079_084_000	Partially B, Partially SR-B, Partially SR-C	SR-B
16 Barbara Road	079_079_000	Partially B, Partially SR-B	SR-B

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(4) Amend Zoning By-laws Section 11.0 Definitions (*Abbreviated for space*). **Article**

() - To see if the Town will vote to amend Zoning By-Laws Section 11.0 as follows:

Motion 1: By amending the definition of “Adult day care facility” too add the words “(105 CMR 158)” as follows;

Motion 2: By adding the definition of “Assisted Living Facility” as follows;

Motion 3: By amending the title of “Business Office” to read “Business and Professional Office” and amending the definition to reflect the definition of “Business and Professional Office” in the Canton Center Economic Opportunity District but without the words “doctor” and “dentist” as follows;

Motion 4: By deleting the definition of “Business and Profession Office” from the subheading of the Canton Center Economic Opportunity District subheading as follows;

Motion 5: By adding the definition of “Exempt uses” as follows;

Motion 6: By amending the definition of “General or personal service establishment” to remove the following words “frozen food locker” and “medical or dental laboratory” as follows:

Motion 7: By adding the definition of “Healthcare facility/clinic” as follows;

Motion 8: By amending the definition of “Home occupation, non-intensive” to add the words “psychologist” and “social worker” as follows:

Motion 9: By adding the definition of “Hospice” as follows;

Motion 10: By amending the definition of “Hospital” to add the words “licensed by the Department of Public Health (105 CMR 13o)” as follows;

Motion 11: By adding the definition of “Independent Senior Living Apartments” as follows;

Motion 12: By adding the definition of “Long-term care facility” as follows;

Motion 13: By adding the definition of “Medical office or group of such offices” as follows;

Motion 14: By adding the definition of “Medical or dental labs” as follows;

Motion 15: By amending the definition of “Nursing or convalescent home” to replace the definition with the words “See definition for long-term care facility” as follows;

Motion 16: By adding the definition of “Pharmacy or drug store” as follows;

Motion 17: By adding the definition of “Rehabilitation Hospital” as follows;

Motion 18: By adding the definition of “Substance abuse detoxification or treatment center” as follows;

Motion 19: By adding the definition of “Veterinary Facility or Clinic” as follows;

Motion 20: By deleting the definitions for the “Village Overlay District”; *and*

Motion 21: By deleting the definitions for the “Senior Housing Overlay District”.

Planning Board

(5) Amend Zoning By-laws Table of Use - Article () - To see if the Town will vote to amend Zoning By-laws Section 3.1.4 Table of Use Regulations as follows or take any other action related thereto.

Motion 1:

To see if the Town will vote to amend the Zoning By-laws Section 3.1.4, Table of Use Regulations, Section A Residential Uses by adding the principal use of Assisted Living and/or Independent Living Facility” by allowing Assisted Living and/or Independent Living Facility by special permit “BA” under the General Residence (GR), Business (B), Central Business (CB), Limited Industrial (LI), Limited Industrial B (LI-B), Limited Industrial C (LI-C) zones, and to prohibit assisted living facilities and/or independent living facilities in the Single Residence (SR), Industrial (I), and Parkland and Open Space (POS) zones.

Principal Use	SR	GR	B	CB	LI	LI(B)	LI(C)	I	POS
<i>A. Residential Uses</i>									
Assisted Living and/or Independent Living Facility ¹	N	BA	BA	BA	BA	BA	BA	N	N

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Motion 2: To see if the Town will vote to amend the Zoning By-laws Section 3.1.4, Table of Use Regulations, Section B Exempt and Institutional Uses by combining religious purposes, educational purposes, and childcare centers into one line, titled “Exempt: uses exempted from prohibition by G.L. Chapter 40A, Section 3”, by separating Hospitals from Philanthropic, or charitable institutions, by adding and combining “Hospitals”, “Long-term care facility, “Hospice”, and “Substance abuse detoxification or treatment center” as follows:

Principal Use	SR	GR	B	CB	LI	LI(B)	LI(C)	I	POS
<i>B. Exempt and Institutional Uses</i>									
Exempt: uses exempted from prohibition by G.L. Chapter 40A, Section 3 ²	Y	Y	Y	Y	Y	Y	Y	Y	Y
Hospital, Long-term care facility, hospice, or substance abuse detoxification or treatment center³	N	N	N	N	BA	BA	BA	BA	N
Philanthropic, educational, or charitable institution, non-exempt	BA	BA	Y	Y	N	N	N	N	Y

Motion 3: To see if the Town will vote to amend the Zoning By-laws Section 3.1.4, Table of Use Regulations, Section F Commercial and Office Uses by amending the principle use zones for “Medical offices: offices of a doctor or dentist not a resident of the premises, or a group of such offices” and “General or Personal Service Establishments”, and “Business or professional office or agency” to expand their use by special permit in all Limited Industrial (LI) zones, and adding “Medical or Dental Labs”, “Healthcare facility/clinic” and “Medical marijuana facilities” with the proposed use zones as stated. Finally, to allow kennels, animal or veterinary hospitals in Business zones as a special permit, as stated below.

F. Commercial and Office Uses	SR	GR	B	CB	LI	LI(B)	LI(C)	I	POS
Kennel, animal or veterinary hospital	N	N	BA	N	Y	Y	Y	Y	N
Medical offices: offices of a doctor or dentist not a resident of the premises, or a group of such offices	N	N	Y	Y	BA	BA	BA	Y	N
Medical or Dental Labs	N	N	Y	Y	BA	BA	BA	Y	N
General or personal service establishment	N	N	Y	Y	BA	BA	BA	Y	N
Health care facility/clinic	N	N	BA	BA	BA	BA	BA	Y	N
Medical Marijuana Facilities ⁶	N	N	N	N	N	N	N	BA	N

Motion 4: To see if the Town will vote to amend the Zoning By-laws Section 3.1.4, Table of Use Regulations, Section G Retail Uses by adding “Pharmacy or drug store” as follows:

G. Retail Uses	SR	GR	B	CB	LI	LI(B)	LI(C)	I	POS
Pharmacy or drug store	N	N	Y	Y	Y	Y	Y	Y	N

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(6) Amend Zoning By-laws Section 4.2. Special Regulations - Article () - To see if the Town will vote to amend Zoning By-law 4.2 Special Regulations by adding Section 4.2.7 as follows or take any other action related thereto: **4.2.7 Hospitals, Long-term care Facility, or Substance Abuse Detoxification or Treatment Center.** a. **Roads**; b. **Refuse**; c. **Utilities**; d. **Safety**; e. **Open Space**; and f. **Bonding procedures and requirements**.

3. Dimensional Regulations

Hospital, Long-term care facility, or Substance Abuse Detoxification or Treatment Center Dimensional Regulations	
Minimum Lot Size	<ol style="list-style-type: none">1. Six to ten beds: 21,780 square feet (0.5 acre).2. Eleven to 20 beds: 43,560 square feet (1 acre).3. Every ten beds (or fraction thereof) over 20 beds: 21,780 square feet (0.5 acre). <p>Outpatient substance abuse treatment centers minimum lot size is determined by the underlying zone.</p>
Minimum Non-wetland Area	Same as minimum lot size.
Lot Width	200 feet
Frontage (ft.)	100 feet
Lot Coverage (%)	25
Open Space (%)	20
Setbacks	Determined by underlying zone
Proximity to existing residential zone	500 feet
Proximity to existing hospital, long-term care facility, or substance abuse detoxification or treatment center	500 feet
Maximum Number of Beds	115 beds
Maximum Height	40 feet or 3 floors, whichever is less

4. Landscaping Requirements *Planning Board*

(7) Amend Zoning By-laws Section 8.0 Special Residential Regulations -Article ()

- To see if the Town will vote to amend Zoning By-Laws Section 8.0 as follows:

Motion 1: By amending Zoning By-law 8.2.2 Multifamily Dwellings Requirements by adding number 8, as follows or take any other action thereto:

Motion 2: By amending Zoning By-law 8.3 Convalescent or Nursing Home, Boarding or Lodging House, or Tourist Home by removing reference to “convalescent or nursing home” in the title and Section 8.3.1 or take any other action thereto.

Motion 3: By adding Zoning By-law 8.7 “Assisted Living Facilities” as follows or take any other action thereto:

8.7 Assisted Living Facilities

8.7.1 General. An Assisted Living Facility may be authorized by special permit by the Zoning Board of Appeals, subject to the following requirements. This list is not intended to exclude the imposition of any additional conditions by the Zoning Board of Appeals or the Planning Board under Site Plan Review:

8.7.2 Requirements

8.7.3 Dimensional Regulations

Assisted Living Facility Dimensional Regulations

Minimum Lot Size	2.5 acres
Minimum Non-wetland Area	2.5 acres
Lot Width	200 feet
Frontage (ft.)	125 feet
Lot Coverage (%)	25
Open Space (%)	30
Setbacks	Determined by underlying zone
Minimum Lot Area per Dwelling Unit	4,000 square feet
Maximum Number of Units in an Assisted Living Facility	115 units
Maximum Height	40 feet or 3 floors, whichever is less

8.7.5 Landscaping and Buffering Requirements;

8.7.5 Accessory Uses

8.7.6 Non-Residential Uses

8.7.7 Public Transportation:

8.7.8 Decision.

Planning Board

(8) Amend Zoning By-Law Section 6.1 Off-Street Parking - Article () - To see if the Town will vote to amend Zoning By-law Section 6.1. Off-Street parking as follows: **6.1.1 Parking Requirements in All Districts. Separate “Hospitals, sanitariums, convalescent and nursing homes” from “Boarding and Lodging Houses, tourist homes hotels, and motels” and add them separately as “In-patient medical facilities, long-term care facilities, or hospitals”. Add new off-street parking requirements for “Assisted Living Facilities” and “Out-patient medical offices, facilities, and clinics” as follows:**

PRINCIPAL USE	REQUIRED PARKING
Assisted Living Facilities	0.5 spaces/ 1,000 building gross square footage plus employee parking as deemed adequate by the Board of Appeals
Boarding and lodging houses, tourist homes, hotels, motels	One parking space for each sleeping room for single or double occupancy, or, where not divided into such rooms (as in a dormitory), one space for each two (2) beds
In-patient medical facilities, long-term care	2.5 spaces/ 1,000 building gross square

facilities, or hospitals	footage
Out-patient medical offices, facilities, and clinics	4.0 spaces/ 1,000 building gross square footage

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(9) Amend Zoning By-laws – Delete Senior Housing Overlay District - Article ()
 - To see if the Town will vote to amend the Zoning By-laws: (1) By deleting Section 9.9 Canton Senior Housing Overlay District (SHOD) the text of which is being deleted appears below indicated by strike out; and (2) By relabeling section 9.9 as not used. ***Planning Board***

(10) Amend Zoning By-laws – Delete Village Housing Overlay District - Article ()
 - To see if the Town will vote to amend the Zoning By-laws: (1) By deleting Section 9.6 Village Housing Overlay District (VHOD) the text of which is being deleted appears below indicated by strike out. (Abbreviated for space); and (2) By relabeling section 9.6 as not used. ***Planning Board***

(11) Amend Zoning By-Law 4.1.6 – Notes to Tables of Dimensional Requirements - Article () - To see if the Town will vote to amend Zoning By-law 4.1.6 Notes to Tables of Dimensional Requirements by adding number 3 as follows or take any other action related thereto: **4.1.6. Notes to Tables of Dimensional Requirements.** The following notes shall be construed as requirements of this By-Law.

3. Residential Accessory structures.

- a. Permitted and required accessory uses to residential properties shall be on the same lot of record as the principal use to which they are necessary and shall be such as not to alter the character of the premises on which it is located.
- b. On lots less than three acres, no freestanding residential accessory building shall occupy part of the required Front Yard.
- c. In no case shall an accessory structure be allowed that is larger in size or height than the principal building.
- d. See the Table of Dimensional Requirements – Residence Districts for rear and side yard setbacks (Section 4.1.4)
- e. Residential accessory building size may not exceed the size and number requirements outlined below ^{1, 2}:

Lot size	Maximum	Maximum	Maximum
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	individual accessory building footprint	number of accessory structures	total accessory structure area
Less than 1/2 acre	No greater than 800 sq. ft.	3	1,000 s.f.
1/2 an acre to 1 acre	No greater than 1000 sq. ft.	4	1,000 s.f.
1 acre to 3 acres	No greater than 1,500 sq. ft.	5	2,000 s.f.
3 or more acres	Must be smaller than principal building, may be located in any yard (front, side, or rear)	No specific limit, lot coverage applies	No specific limit, lot coverage applies

- 1 Ground mounted solar panels are exempt from footprint size limitations, but not lot coverage limitations.
- 2 Historic storage or accessory structures on properties identified on the Massachusetts Cultural Resource Information System (MACRIS) or by the local or state Massachusetts Historical Commissions will not count towards maximum allowable square footage for the purposes of adding new accessory structures; however, expanding an existing historic structure will be counted towards the allowable square footage. ***Planning Board***

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(12) Amend Zoning By-laws Section 10.4.8 Lapse - Article () - To see if the Town will vote to amend Zoning By-Laws Section 10.4.8 as follows: **10.4.8 Lapse**. Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within 3 years following the filing of the special permit approval (plus such time as required to pursue or await the determination of an appeal referred to in G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk. ***Planning Board***

(13) Vote to Accept Beatrice Way as a Town Way Article () - To see if the Town will vote to accept Beatrice Way as a town way, as recommended by the Planning Board and laid out by the Board of Selectmen pursuant to G.L. c. 41 and c. 82;

<u>Property Address</u>	<u>Town Assessor ID</u>
0 Beatrice Way	Map 31, Parcel 26
0 Beatrice Way	Map 19, Parcel 20
10 Beatrice Way	Map 19, Parcel 19
15 Beatrice Way	Map 19, Parcel 22
20 Beatrice Way	Map 19, Parcel 21
30 Beatrice Way	Map 31, Parcel 20
40 Beatrice Way	Map 31, Parcel 27
50 Beatrice Way	Map 31, Parcel 28

Board of Selectmen

(14) Vote to Accept Cedarcrest Road Extension as a Town Way - Article () - To see if the Town will vote to accept Cedarcrest Road Extension as a town way, as recommended by the Planning Board and laid out by the Board of Selectmen pursuant to G.L. c. 41 and c. 82

Property Address

80 Cedarcrest Road

90 Cedarcrest Road

100 Cedarcrest Road

Town Assessor ID

Map 19, Parcel 15

Map 19, Parcel 16

Map 19, Parcel 18

Board of Selectmen

(15) 980 TURNPIKE STREET – 980 Turnpike Development Trust - Ronald J. Gillis, Jr. & Vincent F. Barletta (Trustees) – Site Plan Approval for the proposed construction of a 32,000 square foot pre-fab steel storage building - Jose Pichardo, Project Manager, Green Seal Environmental, Inc.; Michael Lovezzola, Barletta Construction; Stuart Clark, Green Seal Environmental, Inc.

GENERAL BUSINESS:

(16) Review & Approval of Minutes.

(17) Discussion of possible future “Short-term Rentals” articles

(18) Reinstate current Members of the Canton Center Design Review Board (“CCDRB”).

(19) Reappointment of current Master Plan Steering Committee members.

(20) Beaver Meadow Subdivision (James Lamar - Discussion of Final lot Release)

Topics not reasonably anticipated by the Chairman 48 hours in advance of the meeting.

Next Meeting: February 20, 2019