



Town of Bridgewater

Town Council

January 2, 2024

7:00 PM

66 Central Square

Academy Building

Council Chamber/2nd Floor

The Town Council meeting is also aired via Facebook Live:

<https://www.facebook.com/bridgewaterma.org>

MEETING AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) December 19, 2023

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

F. HEARINGS

G. LICENSE TRANSACTIONS

- a) Petition P-2024-014: The Annual Licensing of Class III Auto Dealer

H. PRESENTATIONS

I. TOWN MANAGER'S REPORT

- a) Parking Issue at Train Station
- b) Fire Station Update
- c) Sale of 330 Bedford Street
- d) Stiles & Hart Park Update
- e) Waste Water for prison
- f) Recreational Marijuana Sales Update

J. DISCUSSIONS

- a) Town House Restoration Committee Update

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) **Order O-FY24-019: Eminent Domain Order of Taking for Two Lot Parcel on Broad Street**
Budget and Finance voted 2-0 to recommend at their 12/19/23 meeting. Finance Committee voted 6-0 to recommend at their 12/27/23 meeting.
- b) **Order O-FY24-020: Acceptance of Gift - Lopieke Trust**
Budget and Finance voted 2-0 to recommend at their 12/19/23 meeting. Finance Committee voted 6-0 to recommend at their 12/27/23 meeting.
- c) **Order O-FY24-021: Contractual Buyouts**
Budget and Finance meeting 1/2/24. Finance Committee voted 6-0 to recommend at their 12/27/23 meeting.

M. OLD BUSINESS

N. NEW BUSINESS

- a) **Proposed Zoning Amendment Ordinance D-FY24-004: Central Business District and Form Based Code**

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Town of Bridgewater

Town Council

December 19, 2023

7:00 PM

MEETING MINUTES

CALL TO ORDER

A quorum being duly present, Town Council President Erik Moore called the meeting of the Bridgewater Town Council to order at 7:00pm on Tuesday, December 19, 2023 in the Council Chambers.

PRESENT: Erik Moore, Paul Murphy, Shawn George, Dennis Gallagher, Kevin Perry, Mark Linde, Brad McKinnon and Susan Robinson. Also in attendance was Town Manager Michael Dutton and Town Attorney Jason Rawlins.

ABSENT: Fred Chase

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) December 5, 2023 Meeting Minutes

Councilor Perry made a motion to approve the December 5, 2023 meeting minutes, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Abstained; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

ANNOUNCEMENTS FROM THE PRESIDENT

Council President Moore asked for a moment of silence for all veterans who have passed.

Council President Moore thanked the DPW, Fire, Police and Town Manager's office for all of their efforts with dealing with the storm.

PROCLAMATIONS – None

CITIZEN OPEN FORUM – None

APPOINTMENTS – None

HEARINGS – None

LICENSE TRANSACTIONS

- a) Petition P-2024-005: The Annual Licensing of Establishments with Alcohol and Attendance Licenses

Councilor Perry made a motion to approve Petition P-2024-005, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

- b) Petition P-2024-006: The Annual Licensing of Class I, Class II and Class III Auto Dealers

Councilor Linde made a motion to approve Petition P-2024-006, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

- c) Petition P-2024-007: The Annual Licensing of a Common Carrier/Taxi Service Business

Councilor Perry made a motion to approve Petition P-2024-007, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

- d) Petition P-2024-008: The Annual Licensing of Common Victualler Establishments (Non-Alcohol)

Councilor Perry made a motion to approve Petition P-2024-008, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

- e) Petition P-2024-009: The Annual Licensing of an Antique Dealer's Business

Councilor Perry made a motion to approve Petition P-2024-009, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

- f) Petition P-2024-010: The Annual Licensing of Second Hand Gold/Pawn Shops

Councilor Perry made a motion to approve Petition P-2024-010, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

g) Petition P-2024-011: The Annual Licensing of Lodging Houses

Councilor Moore made a motion to amend Petition P-2024-011 by changing “5” to “6”, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

Councilor McKinnon made a motion to approve Petition P-2024-011 with the amendment, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

h) Petition P-2024-012: The Annual Licensing of Automatic Amusements (in establishment without alcohol)

Councilor Perry made a motion to approve Petition P-2024-012, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

i) Petition P-2024-013: The Granting of the Transfer of a Common Victualler License

Councilor McKinnon made a motion to approve Petition P-2024-013, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Absent at the time of the vote; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-0

PRESENTATIONS – None

TOWN MANAGER'S REPORT

Councilor McKinnon asked that the following items be on the next agenda: 1) Stiles & Hart Park; 2) Waste water for prison; 3) Fire station bid) and 4) Train station parking.

Councilor Linde asked that National Grid be on an agenda to update on the Monday storm and a veterans agent update be on the next agenda.

Councilor Murphy asked that a warming shelters update be on the next agenda.

DISCUSSIONS - None

COMMITTEE REPORTS

Councilor Perry noted that the Downtown Revitalization committee met last week with Bob Rulli who shared the progress of Vision for Reality. They will be meeting monthly going forward.

LEGISLATION FOR ACTION

a) Order O-FY24-019: Eminent Domain Order of Taking for Two Lot Parcel on Broad Street

Budget and Finance meeting 12/19/23. Finance Committee meeting 12/18/23.

Councilor Gallagher made a motion to postpone Order O-FY24-019 to the next meeting since Finance Committee was not able to meet on 12/18/23 due to the storm. The motion was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea.
Motion passed 8-0-0

b) Order O-FY24-020: Acceptance of Gift - Lopieke Trust

Budget and Finance meeting 12/19/23. Finance Committee meeting 12/18/23.

Councilor Gallagher made a motion to postpone Order O-FY24-020 to the next meeting since Finance Committee was not able to meet on 12/18/23 due to the storm. The motion was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea.
Motion passed 8-0-0

c) Resolution R-FY24-003: Town Council Meeting Dates – 2024

Councilor George made a motion to amend Resolution R-FY24-003 by changing the September 3, 2024 to September 10, 2024. The motion was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea.
Motion passed 8-0-0

Councilor Perry made a motion to approve R-FY24-003 with the amendments, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea.
Motion passed 8-0-0

d) **Resolution R-FY24-004: FY2025 Budget Resolution**

Budget & Finance voted 3-0 to recommend at their 12/5/23 meeting. Finance Committee voted 7-0 at their 12/4/23 meeting.

Councilor Perry made a motion to amend Resolution R-FY24-004, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea.
Motion passed 8-0-0

OLD BUSINESS – None

NEW BUSINESS - None

a) **Order O-FY24-021: Contractual Buyouts**

Town Manager Dutton noted that this funds sick buy back for Fire and Police retirements.

Councilor Linde made a motion to refer Order O-FY24-021, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea.
Motion passed 8-0-0

CITIZEN COMMENTS – None

COUNCIL COMMENTS

Councilor Murphy: thanked Town employees for their efforts with the storm and wished all a happy holidays.

Councilor George: thanked Town employees and asked that people be patient with the storm clean-up. Also wished everyone a happy holiday.

Councilor Gallagher: thanked all for their efforts with the storm and wished everyone a happy holiday.

Councilor Robinson: noted that the East Bridgewater YMCA is open for a warming station and you did not need to be a member. Thanked many people who go above and beyond and wished everyone a happy holiday.

Councilor Perry: thanked staff and businesses for their support during the storm and wished everyone a happy holiday.

Councilor McKinnon: thanked all for their help with the storm and wished everyone a happy holiday.

Councilor Linde: noted that the Library is another warming spot and wished everyone a happy holiday.

Councilor Moore: wished everyone a happy holiday and encourage people to check with their neighbors.

EXECUTIVE SESSION – None

ADJOURNMENT

Councilor McKinnon made a motion to adjourn, which was duly seconded.

A voice vote was taken with the results recorded as follows: Chase – Absent; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 8-0-0.

Meeting adjourned at 7:33pm.



Bridgewater Town Council

Introduced By:

Date Introduced: 1/2/2024

First Reading: 1/2/2024

Second Reading:

Amendments Adopted:

Third Reading:

Date Adopted:

Date Effective:

Petition P-2024-014: The Annual Licensing of Class III Auto Dealer

Applicant:

Karl Irving dba Woods Auto Parts
95 Water Street
Bridgewater, MA 02324

WHEREAS, Karl Irving dba Woods Auto Parts operating at 95 Water Street desires authorization to continue the operation of their Class III auto dealership; and

WHEREAS, Licenses for the operation of an auto dealership are subject to renewal annually; and

WHEREAS, the requisite inspections have been completed by the Inspector of Buildings and Fire Department; and

WHEREAS, the Tax Collector's Office has submitted its recommendation for the renewal candidates; and

WHEREAS, Said applicant has complied with the policies and requirements of the Town of Bridgewater, as well as, applicable state laws governing its industry; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town have such licensing authority and with approval Police and Fire Departments, Bridgewater Building Inspector/Zoning Enforcement Officer, who have oversight authority, it appears that the public good so requires such license be granted;

The Town Council of the Town of Bridgewater, Massachusetts, Chapter 140 - section 58 specifically; and also sections 57 and 59 generally, of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petitions, as submitted, and that Karl Irving dba Woods Auto Parts be granted a license to continue its operation as a Class III auto dealership for a period of one year - January 1, 2024 to December 31, 2024.

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

Committee Referrals and Dispositions:

Attachments: None



Bridgewater Town Council

Introduced By:	Town Manager
Date Introduced:	12/5/2023
First Reading:	12/5/2023
Second Reading:	12/19/2023
Amendments Adopted:	
Third Reading:	1/2/2024
Date Adopted:	
Date Effective:	

Order O-FY24-019: Eminent Domain Order of Taking for Two Lot Parcel on Broad Street

WHEREAS, the Town of Bridgewater wishes to create additional downtown parkland and passive recreational space for the people of Bridgewater for the public purpose of improving the living experience of residents of Bridgewater who live in the downtown area and providing outdoor passive recreational opportunities for residents and visitors alike.

Ordered, that by the Town Council for the Town of Bridgewater as follows:

1. That the Town of Bridgewater, by right of eminent domain, pursuant to the applicable provisions of Massachusetts General Laws, Chapter 79 and Chapter 121B and also Chapter 610 of the Acts of 1967 and of any and every power granted or implied, hereby takes for itself in fee simple for the purposes set forth or referred to, the Property located in the Town of Bridgewater presently known as 000 Broad Street more particularly described as Lots #1 and #2 in a Plan recorded with the Plymouth County Registry of Deeds at Plan Book 19, Page 406 and in a Deed recorded with the Plymouth County Registry of Deeds at Book 56779, Page 234, together with any and all easements and rights and privileges as specifically referred to if any, but not limited thereto, and all claims, rights and interests of any kind or nature therein, whether vested or otherwise, including the trees, buildings, structures, bridges, overhead bridges, standing upon or affixed thereto, including air rights and the fee, if any, in all streets and passageways in said area and rights, if any, either contiguous or nearly contiguous and adjacent or nearly adjacent to the Properties taken hereby.
2. It is further ordered that in accordance with the provisions of the General Laws, awards are made by the Town of Bridgewater for damages, if any, sustained by the owner or owners and all other persons including mortgagees of record having any and all interest in each parcel.
3. It is further Ordered that a copy of this Order of Taking and related plans, if any, be recorded at the Plymouth County Registry of Deeds, and the Land Registration Section thereof, if applicable, in compliance with M.G.L. Chapter 79.
4. The Parcel known as 000 Broad Street, Bridgewater, MA 02324 being taken, is specified as Parcel Lots #1

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

and #2 in a Plan recorded with the Plymouth County Registry of Deeds at Plan Book 19, Page 406.

Explanation:

To take by “friendly” Eminent Domain, a certain parcel of Land in the Town of Bridgewater for Municipal Purposes, namely, to create additional downtown parkland and open space for the benefit of all Bridgewater residents. The property will be incorporated into the Stiles and Hart Parkland.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Budget & Finance	12/19/23: Voted 2-0 to recommend
Finance Committee	12/27/23: Voted 6-0 to recommend

Attachments: None



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 12/5/2023
First Reading: 12/5/2023
Second Reading: 12/19/2023
Amendments Adopted:
Third Reading: 1/2/2024
Date Adopted:
Date Effective:

Order O-FY24-020: Acceptance of Gift - Lopieke Trust

ORDERED, that the Town Council assembled vote to:

WHEREAS: Massachusetts General Laws, Chapter 44, §53A, states as follows:

“An officer ... of any city or town ... may accept grants or gifts of funds from ... from a charitable foundation, a private corporation, or an individual, or from the commonwealth, a county or municipality or an agency thereof, ... and may expend such funds for the purposes of such grant or gift ... with the approval of the city manager and city council...,” and

WHEREAS: The Town of Bridgewater has received a gift of \$3,382.18, therefore, in accordance with Chapter 44, §53A of the Massachusetts General Laws, the Town Council votes to take the following action:

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the gift of \$3,382.18 from The Lopiokes Family Memorial Trust and in accordance with stated purpose thereof.

Explanation:

The Bridgewater Library and the Town of Bridgewater are the beneficiaries of two Lopiokes family trusts. These distributions are pursuant to the instruction contained in the respective trusts.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Budget & Finance	12/19/23: Voted 2-0 to recommend

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

• Finance Committee	• 12/27/23: Voted 6-0 to recommend
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Attachments: None



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 12/19/2023
First Reading: 12/19/2023
Second Reading: 1/2/2024
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY24-021: Contractual Buyouts

ORDERED, That the Town Council assembled vote to

Pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council of Bridgewater Massachusetts in Town Council assembled vote to appropriate \$171,800.00 to below schedule:

<u>Source of Funds</u>	<u>Account No.</u>	<u>GL Account Description</u>	<u>Amount</u>
EMPLOYEE LIABILITY FUND	80045-596100	TRANSFER TO GF	\$ 171,800.00
Total:			\$ 171,800.00
<u>Use of Funds</u>	<u>Account No.</u>	<u>GL Account Description</u>	<u>Amount</u>
Salaries Police Dept	02105001-519005	Contractual Payout	\$ 120,800.00
Salaries Fire Dept	02205001-519005	Contractual Payout	\$ 51,000.00
Total			\$ 171,800.00

Explanation:

Contractual Buyouts for Retirements FY24.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Budget and Finance	Meeting 1/2/24.
Finance Committee	12/27/23: Voted 6-0 to recommend

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

Attachments: None



Bridgewater Town Council

Introduced By: Erik Moore, Councilor
Susan Robinson, Councilor
Date Introduced: 1/2/2024
First Reading: 1/2/2024
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Proposed Zoning Amendment Ordinance D-FY24-004: Central Business District and Form Based Code

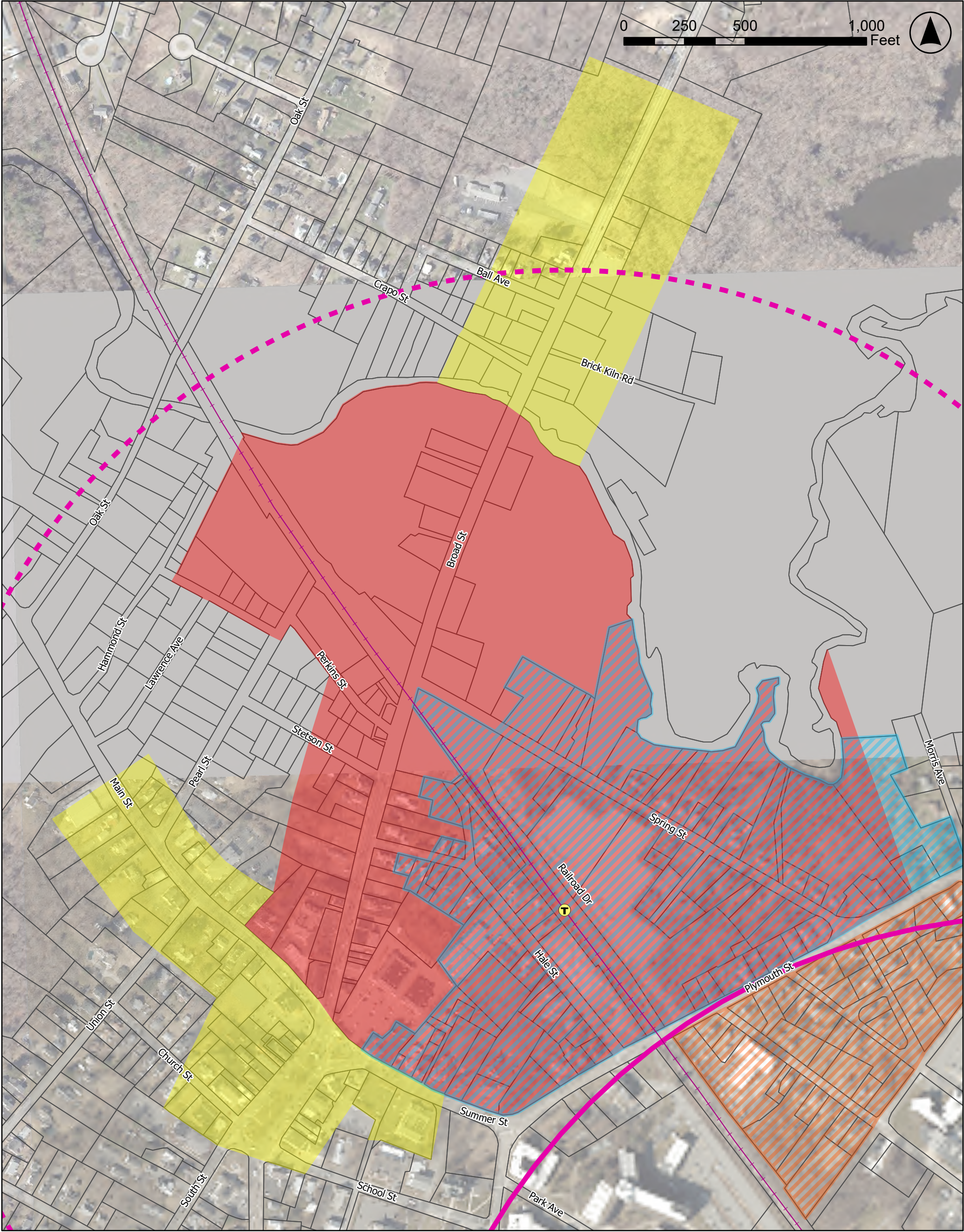
ORDERED, pursuant to MGL, Chapter 40A that the Town Council assembled votes to amend Zoning Ordinance amendment - Central Business District and Form Based Code, Amending Sec. 3.2 Table of Use Regulations; Sec. 4.2 Table of Dimensional Requirements; Sec. 6.1.4 for CBD Parking; Sec. 9.6, currently the standards for mixed-use in the CBD, modified as the standards for the Central Business District, Standard (CBD-S) proposed to remain under the purview of the Planning Board; a new Sec. 9.8 for the Central Business District, Redevelopment (CBD-R) that will focus on form-based code under administrative review; and Sec. 10.6 Site Plan Approval as attached.

Committee Referrals and Dispositions:

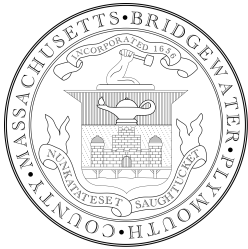
Referral(s)	Disposition(s)
•	•
•	•
•	•

Attachments: 1. Bridgewater CBD Zoning Combined

NOT FOR ACTION - FIRST READING



CBD Zoning & MBTA Communities Districts (Draft)



Date: 12/21/2023
Source: MassGIS, Town of Bridgewater
This map is for informational purposes only and is not suitable for legal, engineering, or surveying purposes.

Legend

MBTA Commuter Rail

- Commuter Rail
- Transit Station Area (1/2 mile)
- Proposed Transit Station Area (1/2 mile)
- Proposed Bridgewater Station Site

MBTA Communities Districts (Draft)

- Sub-District Partial CBD
- Sub-District Residential D

CBD Zoning Districts (Draft)

- CBD-Redevelopment
- CBD-Standard

Central Business District: Proposed Zoning Text Edits

Below are recommendations for zoning text changes for the CBD. This includes changes to: Sec. 3.2 Table of Use Regulations; Sec. 4.2 Table of Dimensional Requirements; Sec. 6.1.4 for CBD Parking; Sec. 9.6, currently the standards for mixed-use in the CBD, modified as the standards for the Central Business District, Standard (CBD-S) proposed to remain under the purview of the Planning Board; a new Sec. 9.8 for the Central Business District, Redevelopment (CBD-R) that will focus on form-based code under administrative review; and Sec. 10.6 Site Plan Approval.

Contents

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CBD-S	5
CBD-R	10
Site Plan Approval	44

3.2 TABLE OF USE REGULATIONS

The following edits should be made to the table . . .

A. Residential Uses

4. Multi-family dwellings

Consider marking this with an asterisk under CBD (rather than ‘N’) and adding a footnote below the Residential Uses table that says, “See Sections 9.6 and 9.8”

4a. Mixed use buildings

Mark as ‘Y’ under CBD (rather than ‘PB’)

{ . . . }

I. Accessory Uses and Off-Street Parking

15. Conversion of existing structure into a mixed use with a maximum of one commercial use on the first floor and two residential units. The conversion shall maintain the appearance of the existing structure.

Consider striking this use since Mixed use buildings are proposed to be a permitted use per the above.

Sec. 4.2 Table of Dimensional Requirements

Central Business District, Standard

Minimum Lot Size	No minimum lot size for existing non-conforming lots. Newly created lots require 10,000 sq. ft.
Minimum Lot Area Per Dwelling Unit	See Sec. 9.6.7 Density
Minimum Lot Frontage	No minimum lot frontage for existing non-conforming lots. New lots require 100 feet
Minimum Depth FRONT/REAR/SIDE	No setback front or side requirements for existing non-conforming lots. New lots require 5' front and 5' side setbacks. All lots require 15 feet rear setback.
Maximum Building Height STORY/FEET	3.5 /45'
Maximum % Building Coverage	No restrictions – determine by the required yard depth and parking requirements.
Maximum % Lot Coverage	80%
Minimum % Open Space	20%
Maximum % Impervious	N/A

Central Business District, Redevelopment

See Section 9.8

6.1.4 CBD Parking.

1. In the Central Business District, required off-street parking facilities or loading bays may be located on any lot within five hundred feet of the principal use they are designed to serve. The distance shall be measured as a straight line between the two closest points of the property lines. If the property on which the off-site parking is located is owned by anyone other than the property owner of the principal use, the property owner of the principal use must secure a letter of agreement with the other property owner confirming the indefinite use of the property for off-site parking.

2. In the Central Business District, all off-street parking spaces (surface or structured) and loading bays which are to be constructed or expanded, shall be constructed or expanded between a principal building and the rear and/or side lot lines unless otherwise allowed under paragraph 3, below. Such parking spaces or bays shall be set back at least the same distance as the principal building from the right of way of any street or a minimum of twenty feet, whichever is greater.

3. In the Central Business District, all off-street parking facilities existing as of the effective date of these provisions may be expanded between the setback line of the principal building and any street, provided a special permit is granted by the Planning Board. The special permit shall be granted if the Planning Board determines that such expansion could not be adequately accommodated elsewhere on the lot, and the design and layout of said improvements and related appurtenances are approved under Section 10.6 Site Plan Approval.

4. Applicants for development or redevelopment within the Central Business District, who cannot meet parking requirements on site (and/or off site per Section 6.1.4.1 above) shall demonstrate that there will, at a minimum, be no net loss of parking on site. Parking below the minimum requirement established in this section shall be allowed only through a special permit granted by the Planning Board, and shall be subject to the following requirements:

A. The applicant cannot meet the parking standards of these bylaws on the property where the use is proposed and/or on any lot within five hundred feet.

B. As many parking spaces as reasonably feasible have been added on site and/or off site in an attempt to meet the parking requirements, and, at a minimum, there has been no reduction in the existing number of parking spaces on site.

An applicant for no net loss of parking must submit an application for a special permit which contains a statement addressing both of the requirements set forth above.

9.6 CENTRAL BUSINESS DISTRICT, STANDARD (CBD-S)

9.6.1 Purpose. The purpose of this Section is to allow for the redevelopment of the Central Business District, Standard (CBD-S) to expand small retail and restaurant uses while providing flexibility to respond to changing household sizes and needs.

9.6.2 Powers and Administrative Procedures. The demolition of an existing building on a property in the CBD-S, and any subsequent redevelopment of that property, may be allowed through the special permit process. Any new construction that does not involve demolition of an existing building and any addition to an existing building are allowed by right and shall not require a special permit, so long as they comply with all other sections of these zoning bylaws, including Section 4.2 Table of Dimensional Requirements. Special permits for demolition shall not be required where emergency or immediate demolition is required to protect the safety and welfare of the public as determined by the Building Inspector.

The Planning Board is hereby designated the Special Permit Granting Authority (SPGA) for demolition in the CBD-S. The SPGA shall adopt rules relative to the issuance of special permits for demolition in the CBD-S and file a copy with the Town Clerk. The SPGA shall follow the procedural requirements for special permits as set forth in Section 9 of M.G.L. Chapter 40A. Note that historic properties in this area are also subject to Chapter 120 (Historic Properties) of the Town Code, including Article IV Demolition Delay.

9.6.3 Finding; Conditions. In all matters in which it has jurisdiction to issue Special Permits pursuant to the provisions of this Section, the Planning Board may issue such Special Permits only upon a finding that the proposed demolition and redevelopment is in harmony with the general purpose and intent of this Section. Any such Special Permit shall be subject to such conditions and safeguards as the Planning Board may prescribe and shall include design guidelines applicable to development of the site. In reviewing any application for such a Special Permit, the Planning Board shall give due consideration to promoting the public health, safety, convenience, and welfare; shall encourage the most appropriate use of land; and shall permit no building or use that is injurious, noxious, offensive or detrimental to its neighborhood.

9.6.4 Approval Criteria. No Special Permit under this Section shall be granted unless the Planning Board finds that:

1. The Plan complies with the provisions of this Article.
2. The impact of the development activities shown on the Plan is anticipated to be of benefit to the Town.
3. The Plan provides adequately for the convenience and safety of vehicular and pedestrian movement within the Project and in relation to streets, property or improvements outside the Project.
4. The Plan provides for the adequacy of the methods of disposal of sewage, refuse and other wastes, provision of utilities, and the methods of drainage for surface water and seasonal flooding, if any, and adequate provision of water for domestic purposes.

After notice and public hearing and after due consideration of the reports and recommendations of other town boards, commissions and/or departments, the SPGA may grant such a permit. The SPGA shall also impose, in addition to any applicable conditions specified in this section, such applicable conditions as the SPGA finds reasonably appropriate to improve the site design, housing, traffic flow, safety and/or otherwise serve the purpose of this section. Such conditions shall be imposed in writing and the applicant may be required to post a bond or other surety for compliance with said conditions in an amount satisfactory to the SPGA.

9.6.5 Application. No special permit for demolition in the CBD-S shall be granted unless the application and site plan meet the requirements contained in this Section and the SPGA's Rules and Regulations for demolition in the CBD-S applications.

9.6.6 Requirements. All development within the CBD-S, unless otherwise specified below, is subject to the following requirements:

1. The location, size, and proposed uses of the development are properly located on the site.
2. Adjacent properties are protected from nuisance caused by noise, fumes, drainage, shading, traffic, and/or glare of lights.
3. Significant natural features are preserved as much as possible.
4. Historic features or buildings are preserved as much as possible.
5. Properties located within the Historic District shall comply with the rules and regulations of the Historic District Commission.
6. For all new construction, ground floors must be designed to accommodate commercial use to a depth of at least 20 feet from the front façade, by maintaining a floor to ceiling height of at least 15 feet within this depth. (Note that any use allowed in the CBD per Section 3.2 Table of Use Regulations is permitted so long as the ground floor is designed to accommodate commercial uses.)
7. Architectural details of new buildings and additions, and textures of wall and roof materials, should be harmonious with the building's overall architectural style and should preserve and enhance the character of the surrounding area and meet the Design Standards of Section 9.6.8.
8. For new buildings and additions, the mass, proportion, and scale of the building, and proportions and relationships between doors and windows, should be harmonious among themselves and with those of the surrounding area and meet the Design Standards of Section 9.6.8.
9. Parcels in contiguous ownership shall be designed as and considered one project.
10. Parking shall comply with Section 6.1.4 CBD Parking.

11. All drive aisle widths shall be a minimum of 18' unless one-way traffic is proposed, and all parking areas shall maintain a minimum of 10% of the gross area as landscaping in addition to any other requirement in this Ordinance.

12. Drives and parking areas shall not be illuminated by lighting fixtures higher than twenty (20) feet. Sidewalks shall not be illuminated by lighting fixtures higher than fifteen (15) feet.

13. All lighting fixtures shall be shielded to have a total cutoff of all light at less than ninety (90) degrees. The total cutoff of all light shall occur within the property lines of the parcel to be developed.

9.6.7 Density. The allowed residential density under this Section is 18 units per acre. For a mixed use or multi-family residential development in the CBD-S, Density Bonuses may be granted by special permit solely at the discretion of the Planning Board serving as the SPGA, if the Board finds that the bonus provides a significant benefit to the Town of Bridgewater or the public at large. The Planning Board may allow for density bonuses of additional residential units until the total residential density reaches up to 26 units per acre for the following:

1. Preservation of Historic Structures – 2 units for the preservation of 1 Structure.
2. Donation of Open Space or the Preservation of Land through a Conservation Restriction – 1 unit for every 2 acres protected.
4. Public Improvements (i.e. plantings, sidewalk improvements, crosswalks, bike lanes, traffic amenities, benches, public art, pocket parks, etc.) – Developer's Agreement with the Town Manager in consultation with the Community & Economic Development Director shall be completed prior to Special Permit application. The Developer's Agreement shall recommend the appropriate density bonus. Alternatively, the Developer's Agreement may include a payment in lieu of improvements, if, at such time, the Town has established a Public Improvements Trust Fund. With this alternative, a bonus one-bedroom unit will be granted for each donation of \$30,000 and a bonus two-bedroom unit for each donation of \$60,000. These amounts will be adjusted annually for inflation at a rate of 3% beginning in 2025.
5. Providing Solar Energy or Green Roofs if allowed under the Town's zoning ordinance – 1 unit for the construction of solar energy or green roof for each building.

9.6.8 Design Standards. The standards below apply to any new construction as well as to additions, as relevant (for example, an addition to the rear of an existing building would not trigger compliance with standards related to frontages and front façades). Design standards do not apply to a change of use in an existing building that is not being expanded with an addition.

1. The building's location shall be visually parallel or perpendicular to the street. The design of proposed buildings, structures and additions shall complement, whenever feasible, the general setback, roof line, roof pitch, arrangement of openings, color, exterior materials, proportion and scale of existing buildings in the vicinity.

2. Buildings shall be placed close to the road and sidewalk to encourage pedestrian traffic; long horizontal facades shall be avoided by incorporating recesses and projections, of a minimum of two feet in depth; entrance ways shall be emphasized by use of rooflines, changes in materials, landscape treatments or other architectural elements; franchise architecture with highly contrasting color scheme, non-traditional forms, reflective siding and roof materials shall be avoided; drive-through elements shall be architecturally incorporated into the building; drive-through elements generally shall not face the street; the material used for additions shall complement the materials of the original structure.
3. Building styles do not necessarily have to be identical to existing styles or mimic historic styles but should be complimentary and enhance the appearance of the area.
4. Buildings may be 3.5 stories tall or 45' in height.
5. Rooflines: Pitched roofs are preferred, but flat roofs may be allowed for taller buildings and when green roofs are proposed; roof colors shall be earth tones or a color that is darker than the facade and garish roof colors shall not be used; visible roofing materials shall complement the color and texture of the building's facade; roof mounted mechanical equipment shall be screened from public view or grouped at the rear of the structure where visibility is limited.
6. Twenty percent (20%) of the gross square feet of each lot shall be vegetated. A landscaping plan stamped by a Registered Landscape Architect shall be submitted to the SPGA for review and approval.
7. Street facades should ensure that the building and landscaping enhances the streetscape and does not detract from the character of the area.
8. Building Signs: sign colors shall complement the colors on the building; carved wooded signs are encouraged; internally illuminated signs are not allowed; lighting fixtures illuminating signs shall be located so light is directed only onto the sign facade.
9. A minimum of 30% of the building's street side facade shall contain windows or glass-fronted doors on the ground floor and a minimum of 20% on the upper stories. The windows shall be divided by muntins and framed with a casing trim; awnings shall be designed as an integral part of the building facade; metal awnings are discouraged.
10. The requirement for commercial development may be accommodated on an adjacent parcel or parcels, providing the commercial development is constructed in conjunction and coordination with the residential development and reflects the character of a village or town center. An approved site plan of the entire development project must outline project phasing and scheduling as well as conditions of approval. Unless otherwise permitted elsewhere in this Section, no residential units are allowed on the ground floor of a mixed use development within the CBD-S.

9.6.9 Compliance. An as-built plan, certified by a registered professional land surveyor or engineer, shall be submitted to the Planning Board and the Building Inspector before the issuance of a permanent occupancy permit. The as-built plan shall attest to a development's conformity to its approved site plan by indicating landscaping, buildings, drainage flow, number of parking stalls, and limits of parking areas and drives.

Any changes in any approved special permit shall be submitted to the SPGA for review and approval prior to the issuance of a permanent occupancy permit.

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9.8 CENTRAL BUSINESS DISTRICT, REDEVELOPMENT (CBD-R)

9.8.1 Purpose. The purpose of this Section is to allow for the redevelopment of the Central Business District, Redevelopment (CBD-R) to expand walkable, mixed-use commercial centers while responding to the need for multi-family residential development in proximity to retail, services, and transit.

9.8.2 Note on Definitions. Terms specifically defined in Section 9.8.17 are identified in ALL CAPITAL LETTERS.

9.8.3 Applicability. This Section 9.8 shall apply to all development in the CBD-R other than changes of use in an existing structure, without additions.

9.8.3.1 Exemptions. The following activities shall be exempt from the provisions of this Section 9.8.

A. Normal maintenance of stormwater management systems as defined by the WETLANDS PROTECTION ACT (MGL CH. 131, §40) regulation 310 CMR 10.04 and MGL CH. 40A §3.

B. Emergency projects necessary for the protection of the public health or safety, provided that the work is to be performed or has been ordered to be performed by any agency of the Commonwealth or by the Town Manager.

C. Emergency repairs to existing utilities.

9.8.4 Development Plan Review. This section establishes the procedural and substantive provisions for the development of land in order to meet the unique growth and development issues of the CBD-R.

9.8.4.1 Development Plan Review Authority. The authority to perform Development Plan Review shall reside with the Technical Review Committee as described herein.

A. Technical Review Committee (TRC)

i. **Committee Purpose:** To review all development within the CBD-R for compliance and consistency with these Zoning Bylaws.

ii. **Committee Membership:** The TRC will be comprised of the following members:

- a. Director, Department of Community & Economic Development (DCED)
- b. Town Planner
- c. Building Inspector
- d. Town Engineer
- e. Additional Town staff may be invited to review specific projects that require their expertise, such as fire/EMS, police, other DPW staff, etc. These additional staff shall serve an advisory role to the TRC and are not part of the final decision.

B. Committee Meeting Schedule. The TRC will meet as needed at the mutual convenience of the members with a minimum ten (10) day notice and receipt of plans.

9.8.4.2 Development Plan Review Process.

A. Preliminary Application Review

- i. Prior to the submittal of a Development Plan Review application, all DEVELOPMENT PROJECTS shall submit materials to DCED for a preliminary application review meeting with DCED staff. The purpose of the preliminary application shall be to afford the applicant input from DCED staff during the formative stages of the concept design and to highlight areas where the applicant may need to give additional attention prior to filing a Development Plan application. A preliminary application meeting is intended to encourage discussion and to provide guidance to the applicant. However, any opinions or advice offered by DCED staff shall not constitute or imply an approval or a denial of a project.
- ii. The current owner of record or an authorized representative may request a preliminary application review meeting by submitting the required materials with a cover letter that is time-stamped at the Town Clerk's Office. The materials shall include one (1) original and five (5) copies of the required conceptual materials per the CBD-R Preliminary Application Submission Requirements and Checklist.
- iii. Prior to scheduling a preliminary application review meeting, and within ten (10) days of receiving the request, DCED shall notify the applicant as to whether the materials are adequate for a preliminary application review meeting and, if applicable, specify the time and location for the meeting. Said meeting shall be scheduled to occur within twenty (20) days of receiving the original request for a preliminary application review meeting. A petitioner may request to reschedule this meeting for another time through direct consultation with DCED.

iv. Comments shall be compiled by DCED staff and forwarded to the current owner of record or the authorized representative within five (5) business days of the review meeting. A copy of said comments shall be transmitted to the Building Inspector and the Town Clerk.

B. Development Plan Review Process

i. Upon advisement from DCED on the preliminary application review, an applicant may submit a complete Development Plan to DCED pursuant to the requirements of Section 9.8.4.3 and the Development Plan Review Application and Checklist.

ii. DCED Staff shall review all applications for completeness within ten (10) days of receiving the application. If deemed incomplete, based on the contents of the Development Plan Review Application and Checklist, DCED shall send a letter to the applicant via certified mail detailing the missing items and the applicant shall be invited to resubmit. Once the DCED Director deems an application complete, the Director shall submit the application to the TRC.

iii. Upon receipt of a complete application, the TRC has **thirty (30)** days in which to render a decision at a public meeting posted in accordance with the Open Meeting Law. An extension of time may be requested in writing by the applicant, but must be approved by the TRC. The application may be approved, approved with conditions, or denied. If the application is denied, the application may be resubmitted.

iv. Where an application requires a variance as determined by the DCED Director, the application may be conditionally approved by the TRC, pending the outcome of the variance request as described in Section 9.8.5.

9.8.4.3 Development Plan Review Submittals.

A. The current owner of record or an authorized representative shall submit a copy of the development plan review application to DCED after the original application is time-stamped at the Town Clerk's Office.

B. All plans and drawings submitted to the TRC shall be prepared by a professional licensed in the Commonwealth of Massachusetts in the applicable discipline (i.e. architecture, landscape architecture, and engineering) and shall include all

information required as part of the Development Plan Review Application and Checklist.

9.8.4.4 Decisions and Records.

A. The TRC determination shall be binding on the applicant. Approval of an application for Development Plan Review may be granted by the concurrence of at least three (3) TRC members. If the TRC does not approve a proposed project, the members of the TRC who oppose the project shall be obligated to identify the particular section(s) of the Zoning Ordinance with which the proposed project does not conform. Any applicant whose project is denied by the TRC for failure to conform with the Zoning Ordinance shall be advised of the finding of non-conformance and provided an opportunity to address such finding.

B. All records, minutes, and decisions of the TRC shall be filed with the Town Clerk. All correspondence with the TRC and/or the DCED shall be sent to the attention of the DCED Director at 66 Central Square, Bridgewater, MA 02324.

9.8.5 Waivers and Variances.

9.8.5.1 **Waivers.** A waiver may be requested for any of the checklist requirements referenced in Section 9.8.4 which may not be applicable to a particular project. An applicant may request a waiver, which may be granted at the discretion of the DCED.

9.8.5.2 **Variances.** Variances may be sought through the Board of Appeals per Section 10.3.2 Powers of the Board of Appeals.

9.8.6 Building Envelope Standards.

9.8.6.1 Introduction

A. The BUILDING ENVELOPE STANDARDS (BES) establish both the limitations and specific requirements for building form and frontages.

B. The form and function regulations work together to create the STREET-SPACE while allowing the building design greater latitude behind the façades.

9.8.6.2 **General Standards.** The following regulations apply to all BES, unless expressly stated otherwise within an individual BES or on the REGULATING PLAN.

A. **Transitions.** When the BES designation changes from Mixed-use (MU) or Transitional Frontage to Flex Frontage along the STREET-SPACE FRONTAGE or at

the BLOCK CORNER within a DEVELOPMENT PROJECT or BES SITE, the applicant should continue the MU or Transitional Frontage for a maximum additional distance of 50 feet along that STREET-SPACE FRONTAGE or around that BLOCK CORNER.

B. Façade Composition

i. Intent and Guiding Illustrations

a. Façade Compositions should create building facades that bring out changes in plane, material texture, and detail through the interplay of light and shadow. Façade Compositions should also provide comfort and interest for the pedestrian environment by providing human-scaled architectural character and avoiding large areas of undifferentiated or blank building facades. Through the careful selection of materials, FENESTRATION, and ornamentation, the FAÇADE COMPOSITION should appear as a unified whole rather than a collection of unrelated parts. The statements in this paragraph and illustrations which follow on the following page are advisory only. Specific prescriptions of this section are provided in the standards below:

1. Requirements and Configurations

a. Building FACADES must have changes in the surface plane through the use of elements such as bay windows, cornices, piers, pilasters, recessed storefronts, lobby entrances, seat walls, sills, wall thickness, or recessed or projecting windows.

b. The maximum length of the COMPLETE AND DISCRETE VERTICAL FAÇADE COMPOSITIONS along a FAÇADE on a BLOCK FACE shall be no more than 100 feet for all BES frontages. Modifications to the façade of existing buildings are exempt. DEVELOPMENT PROJECTS with STREET-SPACE frontage of less than 150 feet on a BLOCK FACE are exempt from the COMPLETE AND DISCRETE VERTICAL FAÇADE COMPOSITION requirement for that BLOCK FACE, provided that the DEVELOPMENT PROJECT does not encompass more than one BLOCK CORNER.

c. Building FACADES shall be designed so that each BLOCK CORNER encompasses a distinct COMPLETE AND DISCRETE VERTICAL FACADE COMPOSITION.

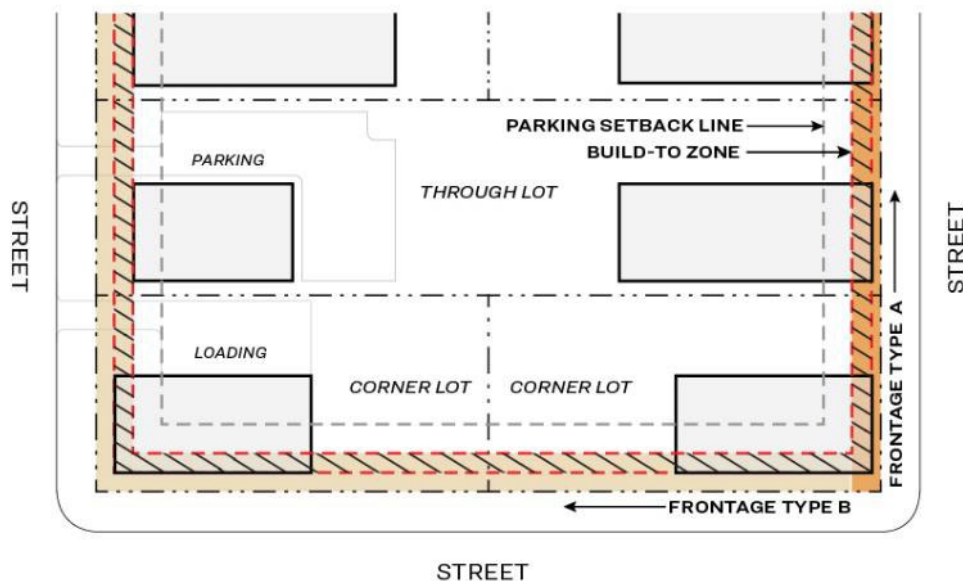
d. The average distance between STREET-SPACE entry doors shall be no greater than 60 feet for each FAÇADE.

C. Height

- i. The height of all buildings is regulated in STORIES. The minimum length and height of the FACADE that is required at the BUILD-TO ZONE is shown on the appropriate BUILDING ENVELOPE STANDARD.
- ii. A half story is not included in the maximum STORY limit.
- iii. Where any part of a parking structure constructed or approved under this Ordinance is located within 30 feet of another building constructed or approved under this Ordinance that portion of the parking structure shall be no taller than the allowable height for that building's primary roof ridge or parapet height.
- iv. A MEZZANINE is internally accessible from, and a continuation of, the GROUND STORY use. Any STORY above the GROUND STORY that does not meet the definition of a MEZZANINE shall be considered a STORY.
- v. The prescribed minimum CLEAR HEIGHT for an individual STORY shall be met by at least 80 percent of that individual STORY area.
- vi. Roof access for amenities is permitted (and does not count against the maximum STORY limit of their BES). Occupiable space for associated amenities, building code requirements, or other common area spaces is permitted within the penthouse enclosure.

D. Siting

- i. Building FACADES shall be built to the BUILD-TO ZONE as prescribed in the BES.
- ii. The PARKING SETBACK LINE is 20 feet behind the property line and extends vertically from the first-floor level as a plane unless otherwise indicated on the REGULATING PLAN or in the BES. Vehicle parking shall be located behind the PARKING SETBACK LINE, except where parking is provided below grade, on-street, or as otherwise indicated on the REGULATING PLAN or in the BES.



iii. CORNER LOTS and THROUGH LOTS shall satisfy all BES frontage requirements for each designated BES. For such lots, garbage bins, pick-up locations, and loading docks shall be located behind the PARKING SETBACK LINE. (See Diagram)

iv. Curb cuts and driveways shall be located at least 50 feet away from any BLOCK CORNER or parking GARAGE ENTRY on the same BLOCK face.

v. One curb cut per BES SITE is permitted on Broad Street, or two if the distance between is over 200 feet.

E. Elements

i. At least one functioning entry door shall be provided along each GROUND STORY FAÇADE with street FRONTAGE. No GROUND STORY FAÇADE may include a section greater than 75 feet without a functioning entry door unless otherwise specified in the BES.

ii. Neither BALCONIES nor STOOPS shall be enclosed above a height of 44 inches from their floor, except with insect screening and/or columns/posts supporting a roof or connecting with a BALCONY above. BALCONIES may be a single-floor platform or multiple platforms stacked at the upper STORY levels.

iii. Half stories are permitted within all BES frontages. On any street FRONTAGE, windows in half stories may be located only in DORMERS and/or windows in gable-ends.

iv. DORMERS are permitted so long as they do not break the primary eave line, are individually less than 15 feet wide, and their collective width is not more than

60 percent of the FACADE length. DORMERS do not constitute a STORY when they meet the foregoing standards.

v. All FRONT PORCHES shall be completely covered, either by a roof or by being inset into the main body of the building. FRONT PORCHES may be screened when all architectural elements (columns, railings, etc.) occur on the outside of the screen on the side facing the STREET-SPACE.

F. Permitted Encroachments

i. BAY WINDOWS, ramps, SHOPFRONTS, stairs, and STOOPS are permitted to encroach any required setbacks for a maximum of four (4) feet. Except for BALCONIES and upper-story BAY WINDOWS, none of these elements may encroach into any adjacent sidewalk.

ii. AWNINGS, BALCONIES, upper-story BAY WINDOWS, CANOPIES, and overhanging EAVES are permitted to encroach any required setbacks and the public right-of-way.

iii. A FRONT PORCH may encroach the front setback for a maximum of eight (8) feet.

iv. Temporary displays or café seating are permitted in the FRONTAGE ZONE of any adjacent sidewalk provided they do not encroach into any CLEAR PATH.

v. Neither BALCONIES nor STOOPS may project to within 5 feet of a COMMON LOT LINE.

G. Uses

i. All uses shall conform with Sec. 3.2 Table of Use Regulations.

H. Civic Buildings

i. Publicly-owned CIVIC BUILDINGS are exempt from this Section 9.8.5.

9.8.6.3 Mixed-use Frontage

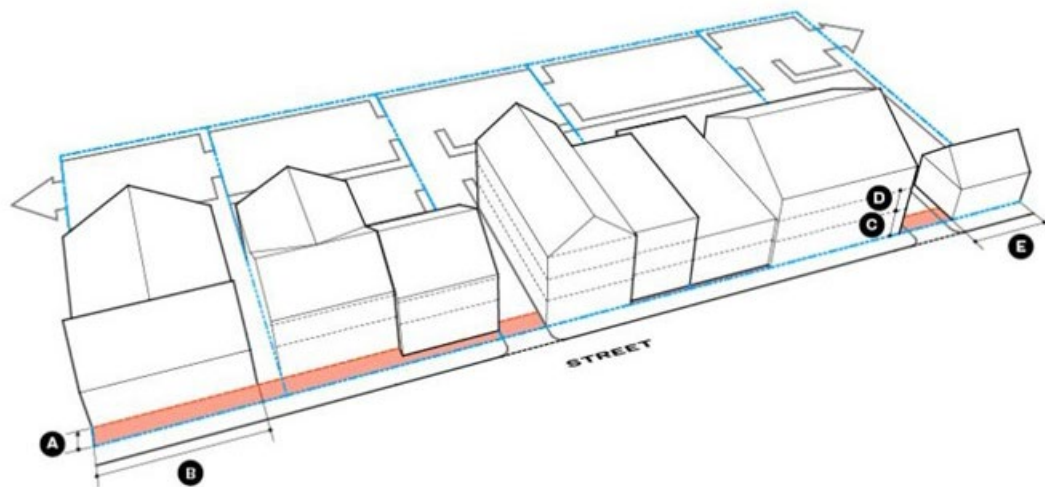
A. Illustrations And Intent. The photos and statements below are provided as illustrations of intent and are advisory only. They do not have the power of law. Refer to the standards on the following pages for the specific prescriptions and restrictions of the Village Center Frontage Building Envelope Standard. Where these photos or statements may be inconsistent with the regulations, the regulations prevail.

The purpose of this frontage is to develop village-scale mixed-use buildings that are close to the sidewalk and support pedestrian activity. New development should continue the character and historic patterns of Central Square. This frontage requires GROUND STORY activation through commercial and other uses that address the needs of the community and strengthen Bridgewater's historical core and sense of place.





B. Siting



A Primary Front Setback (min/max)	0 ft	10 ft
Side Setback (min)	0 ft	
Rear Setback (min)	0 ft*	
Lot Coverage (max)	90%	

* If abutting Residential, the minimum rear setback is twenty (20) feet.

C. Use & Elements

Ground Floor Fenestration (min/max)	30%	90%
Upper Story Fenestration (min/max)	20%	70%
Commercial Ground Story Space Depth (min)	25 ft	
Blank Wall (max)	20 ft	

D. Massing & Height

B Building width (max)	200 ft
C Façade Build Out (min)	80%

Ⓓ Ground Story Height (min/max)	15 ft	20 ft
Ⓔ Upper Story Height (min/max)	10 ft	12 ft
Ground Story Clear Height (min)	12 ft	
Upper Story Clear Height (min)	8 ft	
Building Height (max)	4 stories	
Building Footprint (max)	6,000 sf*	

* If located behind FRONTAGE buildings, 16,000 sf is permitted.

E. Design Standards

- i. Buildings at TERMINATED VISTAS serve as focal points and should be articulated with design features and character that respond visually to their location.
- ii. When a use other than retail occupies the GROUND STORY, the space should be designed to accommodate retail such as providing adequate clear height for ventilation and exhaust.
- iii. Building support functions, such as lobbies, rental offices, and club/activity rooms may be located at grade; however, excluding the lobby, no more than 25% of the BES SITE FRONTAGE shall be occupied by such uses.
- iv. Loading and servicing shall be to the rear and off an alley, if present.
- v. Within 8 feet of a BLOCK CORNER, the GROUND STORY FAÇADE may be chamfered to form a corner entry.

9.8.6.4 Transitional Frontage

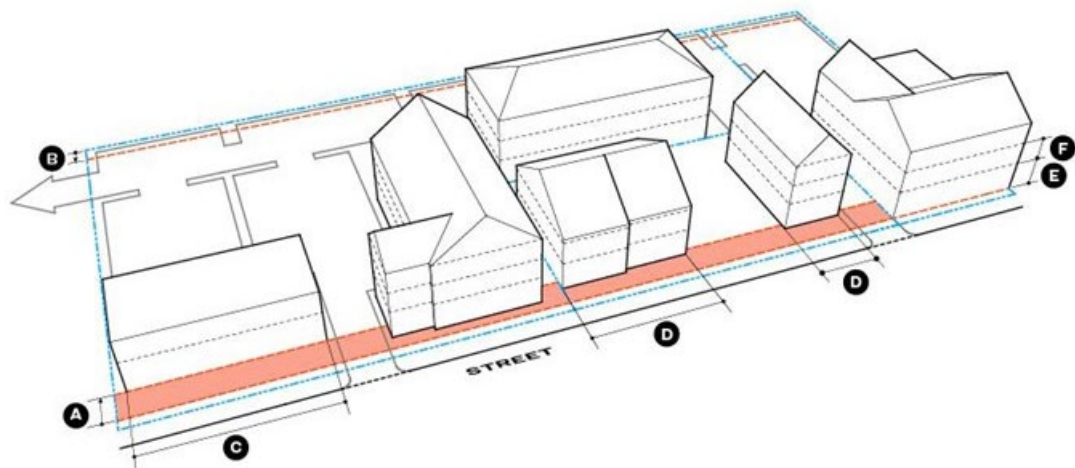
A. Illustrations And Intent. These photos and statements are provided as illustrations of intent and are advisory only. They do not have the power of law. Refer to the standards on the following pages for the specific prescriptions and restrictions of the Transitional Frontage Building Envelope Standard. Where these photos or statements may be inconsistent with the regulations, the regulations prevail.

The purpose of this frontage is to develop neighborhood-scale mixed-use buildings that are close to the sidewalk and support pedestrian activity. This frontage requires a CONVERTIBLE GROUND STORY to provide flexibility to changing community needs and ensure commercial activity can be located anywhere along the frontage type.





B. Siting



A Primary Front Setback (min/max)	5 ft	20 ft
Side Setback (min)	0 ft	
B Rear Setback (min)	10 ft*	
Lot Coverage (max)	75%	
Building Separation (min)	12 ft	

* If abutting Residential, the minimum rear setback is twenty (20) feet.

C. Use & Elements

Ground Floor Fenestration (min/max)	30%	70%
Upper Story Fenestration (min/max)	20%	70%
Convertible Ground Story Space Depth (min)	30 ft	
Blank Wall (max)	20 ft	

D. Massing & Height

C Building width (max)	200 ft
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Ⓓ Façade Build Out (min)	50%	
Ⓔ Ground Story Height (min/max)	15 ft	20 ft
Ⓕ Upper Story Height (min/max)	10 ft	12 ft
Ground Story Clear Height (min)	12 ft	
Upper Story Clear Height (min)	8 ft	
Building Height (max)	4 stories*	
Building Footprint (max)	6,000 sf**	

* Up to 6 stories is permitted for lots over 160,000 square feet provided the structure is behind FRONTAGE buildings on Broad Street, Spring Street or Plymouth Street and provided that any additional stories are occupied only by residential uses.

** If located behind FRONTAGE buildings, 25,000 sf is permitted.

E. Design Standards

- i. Buildings at TERMINATED VISTAS serve as focal points and should be articulated with design features and character that respond visually to their location.
- ii. When a use other than retail occupies the GROUND STORY, the space should be designed to accommodate retail such as providing adequate clear height for ventilation and exhaust.
- iii. Loading and servicing shall be to the rear and off the alley, if present.
- iv. Within 8 feet of a BLOCK CORNER, the GROUND STORY FAÇADE may be chamfered to form a corner entry.
- v. For RESIDENTIAL UNITS on the GROUND STORY, the finished floor elevation shall be no less than 3 feet above the average elevation of the fronting sidewalk for the BES SITE. Alternatively, the windowsills can be raised to a maximum of five (5) ft if landscaping is provided between the building and the right-of-way.

9.8.6.5 Flex Frontage

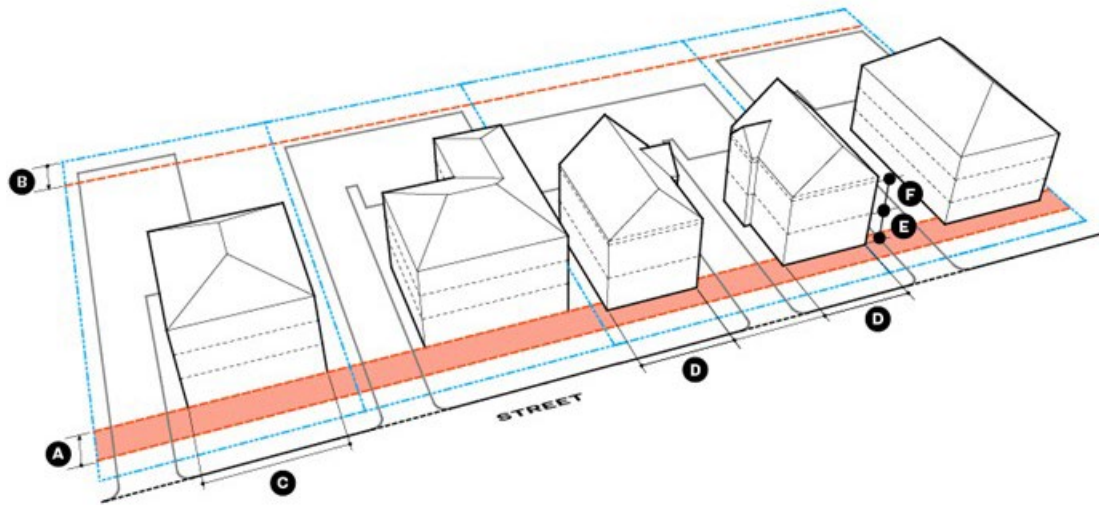
A. Illustrations And Intent. These photos and statements are provided as illustrations of intent and are advisory only. They do not have the power of law. Refer to the standards on the following pages for the specific prescriptions and restrictions of the Flex Frontage Building Envelope Standard. Where these photos or statements may be inconsistent with the regulations, the regulations prevail.

The purpose of this frontage is to develop neighborhood-scale buildings with a range of uses and housing types. Neighborhood-friendly businesses are allowed and encouraged, especially at intersections and adjacent to the village and neighborhood center frontages.





B. Siting



A Primary Front Setback (min/max)	10 ft	25 ft
Side Setback (min)	0 ft	
B Rear Setback (min)	20 ft	
Lot Coverage (max)	75%	
Building Separation (min)	12 ft	

C. Use & Elements

Ground Floor Fenestration (min/max)	30%	70%
Upper Story Fenestration (min/max)	20%	70%
Blank Wall (max)	20 ft	

D. Massing & Height

C Building width (max)	150 ft
D Façade Build Out (min)	50%

E Ground Story Height (min/max)	10 ft	20 ft
F Upper Story Height (min/max)	10 ft	12 ft
Ground Story Clear Height (min)	12 ft	
Upper Story Clear Height (min)	8 ft	
Building Height (max)	3 stories*	
Building Footprint (max)	3,500 sf**	

* Up to 6 stories is permitted for lots over 160,000 square feet provided the structure is behind FRONTAGE buildings on Broad Street, Spring Street or Plymouth Street and provided that any additional stories are occupied only by residential uses.

** If located behind FRONTAGE buildings, 8,000 sf is permitted.

E. Design Standards

- i. Loading and servicing shall be to the rear and off the alley, if present.
- ii. For RESIDENTIAL UNITS on the GROUND STORY, the finished floor elevation shall be no less than 3 feet above the average elevation of the fronting sidewalk for the BES SITE. Alternatively, the windowsills can be raised to a maximum of five (5) feet if landscaping is provided between the building and the right-of-way.

9.8.7 General Architectural Standards

9.8.7.1 **General Intent.** The primary purposes of the General Architectural Standards, working in tandem with the Building Envelope Standards, are to:

- A. reinforce, enhance, and support a vibrant and safe pedestrian environment through the application of high-quality materials and architectural designs and
- B. to achieve an aesthetic that promotes a distinct visual identity, is rich in character, creates inviting public spaces, and is strengthened by the diversity and quality of its architecture and public spaces.

The character of new building facades should complement the materials and general scale of surrounding neighborhood buildings and, through the application of these standards, create a cohesive ensemble of buildings.

9.8.8 Building Wall Materials. All Illustrations and precedent images that follow are for illustrative purposes only, with no regulatory effect. They are provided as examples and shall not imply that every element in the image is permitted.

9.8.8.1 **Intent.** The BUILDING WALL MATERIALS standards are intended to achieve simple configurations and solid craftsmanship. The building walls should be developed

using construction techniques and structural constraints of time-tested, long-lasting building materials.

9.8.8.2 General Standards for all Buildings/Building Envelope Standards

- A. To achieve simple configurations, the type and color variation of BUILDING WALL MATERIALS should be minimal and kept to three (3) or fewer.
- B. BUILDING WALL MATERIALS appearing heavier in weight shall be used below materials appearing lighter in weight (i.e. wood above brick; stone above brick; brick below metal panel; etc.).
- C. Siding shall be wood or composite material. Where siding, including panels, is not mitered at corners, siding shall incorporate corner boards on the outside building corners to conceal raw edges.
- D. Brick MASONRY may be painted.
- E. All STUCCO surfaces shall have a smooth or sand finish and shall be painted.
- F. All exposed MASONRY walls (i.e. STREET WALLS, GARDEN WALLS, other free-standing walls, parapet) shall have a cap to protect the top of the wall from the weather.
- G. The following building wall materials are prohibited: EIFS (Exterior Insulation and Finishing System), Styrofoam, and all other foam-based products; Vinyl and aluminum siding; Prefabricated STUCCO panels and sprayed on STUCCO finishes.

9.8.8.3 Permitted Materials

- A. Permitted building wall materials are masonry (brick, ground-face block, stone, or cast stone), clapboard (wood, Hardie board, or similar), cedar shingles, and terracotta.
 - i. Composition board may have smooth or grained finish.
- B. Permitted ORNAMENTATION MATERIALS are metal or cementitious panels or elements, thin/veneer brick panels or tile, ceramic tile, stucco, and other decorative elements.

Examples of appropriate masonry walls



Examples of appropriate siding materials



9.8.9 Doors

9.8.9.1 Intent

A. Permitted materials for doors include wood, metal, glass, and pre-engineered metal and glass systems.

B. Garage doors:

i. When an alley is within or adjacent to a BES site, garage doors shall face toward the alley.

ii. Garage doors clearly visible from the STREET-SPACE shall be no more than 12 feet in width, and where there are multiple garage doors, there shall be a separation between garage doors of at least 12 inches.

9.8.10 Windows

9.8.10.1 Requirements and Configurations

A. All windows shall be vertically proportioned such that their height is greater than their width, and shall meet the following:

- i. This proportion shall be measured to include all glass or unenclosed openings, and frame elements with a dimension less than 7 inches between glass or unenclosed openings, as one unit. Windows may include vertical or square glass or unenclosed openings.
- ii. Windows may be grouped horizontally, but only if each is separated by a frame element, column, pier, or wall section with a minimum width of 7 inches between glass or unenclosed openings.
- iii. Where muntins are used to divide panes of glass (either as true-divided lite windows or simulated-divided lite windows), muntins shall be applied to the exterior of the glass to create shadow and dimension.

B. Windows shall correspond to the clear height within a building and shall not span across the building structure such as floor structural and mechanical thicknesses. Windows on different story levels shall be separated by a minimum of 18-inch wall or framing element.

C. BAY WINDOWS shall create an opening of between four and eight feet in the main wall and shall project no more than 36 inches beyond the BUILD-TO ZONE.

D. Permitted window types: single-, double-, and triple-hung, casement, awning, clerestory, and transom.

E. When used, shutters shall be sized to fit the adjacent window such that the opening would be covered if both shutter leaves were closed. Shutters shall be constructed of wood and shall be mounted with appropriate hinges fastened to window frames and tiebacks fastened to masonry joints so as to appear to be operable.

F. On all upper stories, a minimum of 40 percent of window glass area per story shall be operable and openable.

G. All window glass shall be clear and non-reflective, except as may be required for LEED or other green building standards.

H. FENESTRATIONS should be inset from the plane of the exterior wall surface.

I. Permitted materials for windows are wood, metal, glass, vinyl, fiberglass, and pre-engineered metal and glass systems.

Examples of appropriate doors



Examples of appropriate windows



9.8.11 Shopfronts

A. Requirements & Configurations

- i. The bottom of all SHOPFRONT window glass shall be between 1 and 3 feet above the adjacent fronting CLEAR SIDEWALK and shall run from the sill to a minimum of 8 feet above the adjacent fronting CLEAR SIDEWALK. A durable BUILDING WALL MATERIAL shall be used below the SHOPFRONT window glass.
- ii. SHOPFRONT window glass shall be clear, with a light transmission of at least 90 percent (modified as necessary to meet applicable building and energy code requirements).
- iii. Window signs or other opaque window treatments or applications should be minimized. A minimum of 80 percent of the window surface shall allow a view into the building interior for a depth of at least 15 feet.
- iv. SHOPFRONT doors shall contain at least 60 percent transparent glass. Solid (completely opaque) doors are prohibited.
- v. SHOPFRONTS shall be differentiated from the FAÇADE above by an EXPRESSION LINE.

Examples of appropriate shopfronts





9.8.12 Awnings and Canopies

9.8.12.1 REQUIREMENTS & CONFIGURATIONS

- A. The top of all AWNINGS shall be mounted no more than one (1) foot above the opening below. AWNINGS shall shade windows.
- B. AWNINGS shall be made of durable fabric and may be either fixed or retractable. High gloss, plasticized, shiny, or reflective materials are prohibited.
- C. Backlit AWNINGS are prohibited.
- D. CANOPIES shall be mounted to the building wall and supported either from below brackets or from above by cables or chains or be structurally integrated with the building.
- E. CANOPY framing shall be constructed of either metal or wood.
- F. Permitted CANOPY roofing materials are metal standing seam (5V crimp or equivalent), slate, and glass.
- G. For SHOPFRONTS and lobbies, AWNINGS and CANOPIES are encouraged to provide weather protection and reduce glare for display areas.
- H. CANOPIES and AWNINGS should extend above the adjacent CLEAR SIDEWALK a minimum depth of three (3) to a maximum of six (6) feet and a minimum clear height of eight (8) feet.
- I. CANOPIES or AWNINGS should not project within two (2) feet of a curb.

Examples of appropriate awnings and canopies



9.8.13 Roofs

9.8.13.1 Detached dwellings and two-family or duplexes shall be limited to gable, hip, and gambrel roofs. Shed roofs are permitted on DORMERS, PORCHES, STOOPS, CANOPIES, and BALCONIES.

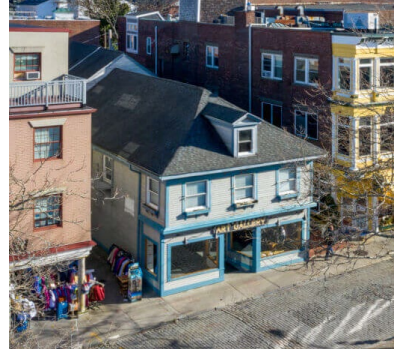
9.8.13.2 Flat roofs shall have a parapet around the entire perimeter of the building.

9.8.13.3 All pitched roofs shall be as follows:

- A. Roofs shall have a slope of no less than 4:12 to 12:12, except that the steep portion a gambrel roof may have a pitch up to 24:12.
- B. All roofs, except shed roofs, shall be symmetrically sloped.
- C. Pitched roofs, except those on the FAÇADE side of the building, may be “cut out” to allow roof access for terraces and mechanical equipment. The cut-out area shall not be within two (2) feet of the roof edge nor the ridge.
- D. Roof eaves shall overhand the walls below.
- E. Permitted roofing materials for pitched roofs are metal, slate, synthetic slate, cedar shingles, and composition shingles. Corrugated metal roofs are prohibited.

Examples of appropriate roofs





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9.8.14 Mechanical Equipment and Ventilation

9.8.14.1 REQUIREMENTS & CONFIGURATIONS

A. If MECHANICAL EQUIPMENT is located at grade, and CLEARLY VISIBLE FROM THE STREET-SPACE, it shall be screened by a PRIVACY FENCE or GARDEN WALL.

B. Air conditioning units shall not be installed over a doorway or protrude through any façade with FRONTAGE.

C. All MECHANICAL EQUIPMENT on a roof shall be screened.

D. All screening of MECHANICAL EQUIPMENT and penthouses placed on a roof shall be set back from the roof line by a distance at least equivalent to the height of the screening or penthouse to minimize visibility from surrounding streets and shall be a maximum height of 10 feet.

E. Louvers

i. Louvers should be installed in a clear zone above any shopfront windows.

ii. Louvers should be finished to match the color of the surrounding shopfront elements and integrated with the façade design.

iii. Insulated panels should be installed behind unused louvers that can be removed if the louvers are needed.

9.8.15 Street Walls, Garden Walls, and Privacy Fences

9.8.15.1 GARDEN WALLS

A. Permitted materials for GARDEN WALLS are brick stone, cast stone, or other masonry faced with stucco, iron, steel, or a combination of masonry, iron, and steel. GARDEN WALLS may include panels of wood, metal, or dimensional composite material between piers.

9.8.15.2 PRIVACY FENCES

A. Permitted materials for fences are wood, metal, dimensional composite material, and wood/dimensional composite material with masonry piers.

B. Chain link fences are prohibited.

9.8.15.3 GATES

A. Permitted materials for gates are wood, dimensional composite material, and metal, or combinations thereof.

9.8.16 Parking. Parking shall comply with Section 6.1.4 CBD Parking

9.8.17 Defined Terms. The following terms are defined as set forth below for the purpose of the CBD-R. Terms not defined here but defined elsewhere in the *Town of Bridgewater Zoning Ordinance*, shall have the meanings defined in the *Town of Bridgewater Zoning Ordinance*. If there are any conflicts between the terms defined in this Section 9.8.17 and those defined in Section 11.0 Definitions, those of Section 9.8.17 shall take precedence.

Awning: A cantilevered, projected or suspended from a building to cover the sidewalk portion of the STREET-SPACE; or a roof-like covering, usually of canvas, metal, or similar material and often adjustable, placed over the sidewalk, windows, or doors to provide protection from sun and rain. It is distinguished from a CANOPY because it is not permanent, nor a structural portion or architectural feature of the building and does not support substantial weight.

Balcony: An exterior platform attached to the upper floors of the building FACADE.

Bay Window: A U-shaped (or similarly shaped) enclosure including a window, extending the interior space of the building outward from the FACADE.

BES Site: That portion of a DEVELOPMENT PROJECT that is subject to the standards of a single BUILDING ENVELOPE STANDARD.

Block: An increment of land that may include lots, alleys, BES SITES, and tracts, that is circumscribed and not traversed by STREET-SPACES (pedestrian pathways excepted).

Block Corner: The outside corner of a BLOCK at the intersection of any two STREET-SPACES. Inside corners, where the resulting angle formed by the BLOCK FACE is less than 190 degrees (concave) are not considered BLOCK CORNERS for the purposes of this Ordinance.

Block Face: The portion of a block between BLOCK CORNERS fronting a street.

Bracket: An architectural element and structural member that projects from a wall and may support weight.

Building Envelope Standards (BES): The part of this Ordinance that establishes basic parameters regulating building form.

Building Wall Materials: Primary materials that cover more than 25 percent of the building FACADE excluding FENESTRATION.

Build-to Zone: The area between a minimum and maximum setback where the FAÇADE of the building must be built within. Façade build-out requirements must also be met within this area.

Canopy: A bracketed or suspended cover projecting from the building over the sidewalk portion of the STREET-SPACE, or a roof-like covering placed over the sidewalk, windows, or doors, to provide protection from sun and rain and, unlike an awning, it is a permanent, durable, structural portion of the building as opposed to a light covering of canvas, metal or other similar material.

Cap: The protective top layer of a masonry wall, such as a garden wall or parapet, is exposed to weather from above.

Civic Buildings: Buildings that house town and municipal uses and are on sites designated for those uses on the REGULATING PLAN.

Clear Height: Within a structure, the distance between the floor and ceiling. For entrances and other external building features, the unobstructed distance from the ground to the bottom of the lowest element above.

Clear Path: An area within a STREET-SPACE that is prescribed to be clear of obstructions, paved with smooth concrete, and that allows public passage.

Clearly Visible from the STREET-SPACE: Many requirements of this Ordinance apply only where the subject is “CLEARLY VISIBLE FROM THE STREET-SPACE.” A building element more than 40 feet from a REQUIRED BUILDING LINE or STREET-SPACE is not CLEARLY VISIBLE FROM THE STREET-SPACE (such as elements facing a COMMON LOT LINE). Also, Common or party walls are not CLEARLY VISIBLE FROM THE STREET-SPACE. This does not exempt vehicle parking lots or parking structures from any BUILDING ENVELOPE STANDARD requirements.

Common Lot Lines: Lot lines shared by adjacent private lots.



Complete and Discrete Vertical Facade Composition: A FACADE COMPOSITION that includes similar and related building elements that are distinct from adjacent FACADE COMPOSITIONS in all of the following ways, in order to break down the apparent scale of a large building into smaller apparent pieces in order to maintain a ‘human scale’ for the STREET-SPACE:

- A. Different fenestration type (window shape, proportion, and/or grouping);
- B. Change in wall material, or in the case of masonry, a change in color and/or proportion of masonry units employed;
- C. Change in total fenestration percentage of 10 percent or more; and
- D. Change in the height of the cornice or roof line.

Corner Lot: A lot in which one side lot line is adjacent to a street or STREET-SPACE and where special frontage standards, building placement, fencing, and landscape requirements may apply.

Development Project: A property that is the subject of Town approval for development.

Dormer: A projecting architectural feature with a vertical window built out from a pitched roof.

Expression Line: A line prescribed at a certain level of a building for a major part of the width of a FACADE, expressed by a variation in material or by a limited projection such as a molding, BALCONY, or CANOPY.

Façade: The building elevation facing a STREET-SPACE. Building walls facing private interior courts, common lot lines, alleys, and PEDESTRIAN PATHWAYS are not FACADES.

Facade Composition: The arrangement and proportion of materials and building elements (windows, doors, columns, pilasters, bays) on a given FACADE.

Fenestration: Glass area (including mullions and similar window frame elements with a dimension less than one inch) and/or unenclosed openings in the building wall area.

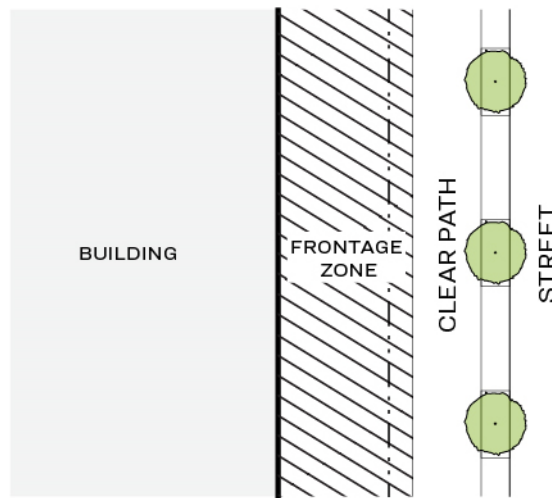
Front Porch: A single ground floor platform or two to three platforms stacked at the ground and upper STORY levels and attached to a FACADE.

Front Yard: A private open space extending across the entire frontage width of the BES SITE between the FACADE and the CLEAR WALKWAY area of the sidewalk. This area is contiguous with the STREET-SPACE and includes any FRONT PORCH.

Front Yard Fence: The fence or wall located along and surrounding the FRONT YARD or a FRONTAGE ZONE.

Frontage: That portion of the building that is coincident with the BUILD-TO ZONE as required by this Ordinance.

Frontage Zone: The area within the STREET-SPACE between the building and the CLEAR PATH of any sidewalk.



Garage Entry: An opening in the building FAÇADE and/or STREET WALL, located behind a curb cut, where vehicles may enter into the BLOCK interior for general parking and business servicing.

Garden Wall: A wall defining a property line and/or delineating a private area.

Grade: The ground level or elevation at the outside of the building on a lot after grading or construction, as shown on a grading plan certified by a licensed surveyor, or where a grading plan is not required, as submitted to the Zoning Office on the accepted elevation drawings. The

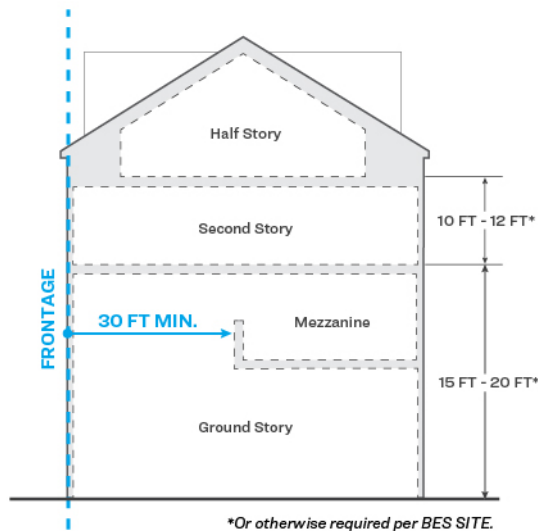
average GRADE shall be calculated individually along each Façade to establish the GROUND STORY.

Ground Story: The first occupiable level of a building where at least 50 percent of the finished floor elevation is at or above grade and within the finished floor elevation parameters established in the designated BES. The next STORY above the GROUND STORY is the SECOND STORY.

Header: A visible horizontal member (or assembly of members) spanning the top of a wall opening, such as for a door or window.

Masonry: A building wall material which may consist of brick, stone, concrete block, or cast stone, and which is bound together by mortar. This does not include pre-fabricated panels of masonry or masonry veneers.

Mechanical Equipment: Equipment including any heating, ventilation, and air conditioning (HVAC) or electrical machinery, including air compressors, hoods, mechanical pumps, exterior water heaters, water softeners, utility and telephone company transformers, meters or boxes, garbage cans (not including public sidewalk waste bins), storage tanks, generators, electric vehicle (EV) chargers, geothermal wells, cellular antenna, and similar elements. Mechanical equipment does not include solar panels or that which may be needed to power accessibility equipment, such as power door openers and wheelchair lifts.



Mezzanine: A partial STORY between the GROUND STORY and the SECOND STORY that is set back from the BUILDING FRONTAGE at least 30 feet and is no more than one third of the floor areas of the GROUND STORY.

Ornamentation Materials: Materials used to provide architectural accent on the FACADE and cover less than 25 percent of the FACADE excluding FENESTRATION.

Parking Setback Line: A line or plane that extends vertically up from the GROUND STORY floor level (unless otherwise noted on the REGULATING PLAN or BES) and is generally parallel to the property lot line. The PARKING SETBACK LINE establishes the closest point to the in which parking may be placed within the BES SITE.

Privacy Fence: A fence along alleys, pedestrian pathways, or COMMON LOT LINES.

Regulating Plan: The plan designates the STREET-SPACE frontage types and public spaces and includes the coding key for the BUILDING ENVELOPE STANDARDS.

Residential: Those uses set forth in Part A. Residential Uses in Section 3.2 Table of Use Regulations.

Second Story: The next story above the GROUND STORY.

Shopfront: That portion of the GROUND STORY FAÇADE FENESTRATION intended for marketing or merchandising of retail, business, and consumer service establishments per Section 3.2 Table of Use Regulations.

Sill: A horizontal member (or assembly of members) at the base of a window opening.

Stoop: An entry platform on the FACADE of a building that may be roofed but is not enclosed.

Story Height: The distance between one floor level and the floor level next above, or if there is no floor above, the ceiling above.

Street-Space: All space forward of and between REQUIRED BUILDING LINES, including but not limited to streets, PLAZAS, PEDESTRIAN PATHWAYS, MINI-PARKS, NEIGHBORHOOD PARKS, sidewalks, and transit service operator passenger platforms, but not GARAGE ENTRIES or ALLEYS.

Vestibule: An open or enclosed passage or hall, of not more than 30 square feet, between an exterior opening or door and the interior of a building.

Zero-Step Entry/Exit: An entrance that is flush at the threshold without steps.

10.6 SITE PLAN APPROVAL

10.6.1 Applicability. The following types of activities and uses require site plan review by the Planning Board:

1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or residential structure with two or more dwelling units. However, development in the Central Business District is not subject to Site Plan Approval except for any application requiring a special permit for demolition within the CBD-S per Section 9.6.

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