

AMEND CHAPTER TWO OF THE ZONING BYLAW

(2/3 Vote Required)

To see if the Town will vote to the Zoning Bylaw, Chapter Two – Definitions, by inserting the following definition in the appropriate location within Chapter Two; or take any action relative thereto:

Personal Service Establishments - are those which administer personal services, including nail salons, tanning salons, day spas, tattoo shops, piercing, aromatherapy, skin clinics, medical spas, pet grooming, tailoring, shoe repair, and other similar uses.

This definition is being added to define a permitted use within Chapter 7 - Commercial District and Chapter 11 - Commercial II Districts.

AMEND CHAPTER SEVEN OF THE ZONING BYLAW

(2/3 vote required)

To see if the Town will vote to amend the Zoning Bylaw – Chapter Seven – Use Regulations – Commercial District (C), Sections 7.01 and 7.02, to insert the underlined language and delete the strikethrough language, as follows, or take any action relative thereto:

CHAPTER SEVEN

USE REGULATIONS - COMMERCIAL DISTRICT (C)

{Adopted 3-1-65; Article 46}

7.01 PERMITTED USES

- (a) Single family dwelling. Also apartments accessory to a commercial building (not to exceed two (2) dwelling units per building). **{Amended 4-29-91; Article 44}**
- (b) Office, bank, newspaper or job-printing establishment.
- (c) Retail store or shop, barber shop, beauty salon, personal service establishments, shop for the repair of personal or household items, laundromat, health and fitness center, artisan’s or craftsman's shop, livery or taxi service licensed by the Board of Selectmen, wholesale and retail sales not involving manufacture on the premises except of products the major portion of which are sold on the premises by the producer. **{Amended 4-17-84; Article 38, and 4-28-08; Article 67}**
- (d) Automobile service station. **{Amended 4-17-84; Article 38}**
- (e) Religious, educational, or governmental use. **{Amended 4-27-98; Article 113}**
- (f) Non-profit club.
- (g) Restaurants, including bakery and confectionery. **{Amended 4-29-91; Article 45}**
- (h) A multi-specialty physician office building wherein physicians and non-physician providers and support staff provide diagnostic and treatment services to ambulatory and outpatients, with the assistance and support of laboratory, radiology, physical therapy, pharmacy, mental health, and other related personnel and equipment. **{Amended 6-18-90; Article 96}**

- (i) Accessory uses customarily incidental to a permitted main use on the premises. **{Amended 4-29-91; Article 46}**
- (j) Walking, hiking, bicycling, roller skating, picnicking, cross-country skiing, and snow shoeing through the establishment of trails. **{Amended 4-24-95; Article 40}**
- (k) Farm including agriculture, horticulture, and viticulture, provided that the lot is not less than five (5) acres, including facilities for the sale of produce, wine and dairy products, insofar as the majority of such products for sale have been produced by the owner of the land on which the facility is located.
- (l) Fast Food Establishment **{Amended 4-27-98; Article 137}**
- (m) Walk Up Establishment **{Amended ATM June 5 & 12, 2017; Article 30}**
- (n) Fast Casual Restaurant **{Amended ATM June 5 & 12, 2017; Article 30}**
- (o) Craft Beverage Business with Tasting Room
- (p) Urgent Care Facility

7.02 Exceptions which may be allowed by Special Permit from the Special Permit Granting Authority (SPGA) in accordance with the regulations appearing in Section 24.09 of this Bylaw. **{Amended 4-11-83; Article 37}**

~~(a) Place of commercial amusement or recreation such as a bowling alley, theater (motion picture, dramatic, or musical), museum or golf driving range.~~

(a) Indoor Recreation Facilities

(b) Outdoor Recreation Facilities

(c) Indoor Family Amusement Centers

(d) Hotel, inn or motel **{Amended 4-27-98; Article 117}**

(e) The removal of sand, gravel, subsoil, topsoil or earth in accordance with Chapter 23 of this Bylaw. **{Amended 4-11-83; Article 35}**

(f) Multi-family dwelling provided that:
 (1) It does not exceed four (4) dwelling units.

- (2) There is not less than twenty thousand (20,000) sq. ft. of lot area per dwelling unit.
- (3) Adequate provision is made for off-street parking.
- (4) An environmental suitability study shows that the site is capable of sustaining this type of construction and use.
- (5) The entire multi-family dwelling and its necessary area requirements are located entirely in the Commercial District; or in a less restrictive district.

{Amended 4-29-85, Article 94} & {Amended 6-30-86; Article 125}

- (g) Two-family residence, provided there is not less than twenty thousand (20,000) square feet of lot area per dwelling unit. **{Amended 4-27-87; Article 46}**
- (h) Car Wash (Planning Board acting as SPGA) **{Amended 4-27-98; Article 139}**
- (i) Youth Center **{Amended 4-26-99; Article 162}**
- (j) Building heights greater than 35' or three stories, pursuant to a determination of the Special Permit Granting Authority that the design, siting and scale of the proposed building is consistent with the location, scale and characteristics of the uses of the site and is in harmony with the surrounding properties and land uses.

7.03 The following regulations shall be applicable in the Commercial District. (C)

Site Plan - See Chapter 25

In addition, applicants shall note the following:

- (a) Design Review is required for new structures, and exterior renovation or alteration of existing structures, in the Commercial District (C), as set forth in General Bylaws Section 1.30, et seq.
- (b) Per the Planning Board's direction, Design Review shall take place prior to or concurrently with the Site Plan Review Process in the Town of Sturbridge, and shall inform that process.
- (c) Property owners and designers shall use the Design Review Guidelines when applying for and undergoing the Design Review Process, which may include architectural review and/or sign review.
- (d) Applicants are encouraged to discuss their projects with the Planning Department if they

have any questions regarding the Design Review Guidelines. **{Amended 6-06-11; Article 24}**

These proposed changes will update the permitted uses to add some of the recently defined terms. Also with these proposed changes, the Planning Board would have the ability to grant a Special Permit for a height greater than 35' or three stories. Also proposed will be changes to the footnotes in Chapter Nineteen Table of Dimensional Requirements to reflect this proposed change. This is consistent with recent changes to other zoning districts.

AMEND CHAPTER EIGHT OF THE ZONING BYLAW

(2/3 vote required)

To see if the Town will vote to amend the Zoning Bylaw – Chapter Eight – Use Regulations – Commercial Tourist District (CT), Sections 8.01, to insert the underlined language, as follows, or take any action relative thereto:

CHAPTER EIGHT

USE REGULATIONS - COMMERCIAL TOURIST DISTRICT (CT)

{Adopted 4-24-89; Article 68}, {Amended 6-6-16; Article 35}

The Commercial Tourist District is intended to be an attractive neighborhood and commercial center that is pedestrian friendly, caters to residents and tourists alike and provides a variety of shopping opportunities, restaurants and inns, as well as establishments offering family entertainment during the day and night.

8.01 PERMITTED USES

- a) Single family dwelling. **{Amended 4-24-89; Article 68} & {Amended 4-29-91; Article 48} & {Amended 6-6-16; Article 35}**
- b) Dwelling units located within a structure which is primarily used for a permitted use in this district and secondarily used as a residence. **{Amended 4-24-89; Article 68} & {Amended 6-6-16; Article 35}**
- c) Hotels, motels and inns. **{Amended 4-24-89; Article 68}**
- d) Specialty shopping facilities such as gift shops, apparel shops, antique shops, bookstores, galleries, banks, professional and business services, newsstands, furniture, drapery, music and video, pharmacy, sporting goods, bicycle shops, jewelry, hobby, toy and game stores, camera and photo supplies, luggage and leather, sewing, needlework and piece goods, florists, photographic studios, art dealers and places for display or sale of handicrafts, provided all displays are within the building. Areas for the production of goods are to be limited to no more than 35% of total floor areas. Total area shall not exceed 7,500 square feet per shop. **{Amended 4-24-89; Article 68}{Amended 6-6-16; Article 35}**
- e) Restaurants, bakeries, delicatessens, candy, nut and confectionery stores, dairy, and specialty foods and/or beverage stores and places serving food and/or beverages for

consumption on the premises. Total floor area shall not exceed 7,500 square feet per place. **{Amended 4-24-89; Article 68} & {Amended 6-6-16; Article 35}**

- f) Microbrewery. Total floor area shall not exceed 7,500 square feet unless located within buildings existing at the time of adoption of this amendment. **{Amended 6-6-16; Article 35}**
- g) Walk up establishments.
- h) Indoor family amusement centers located within buildings existing at the time of adoption of this amendment. **{Amended 6-6-16; Article 35}**
- i) Professional Offices including facilities occupied by businesses that provide professional services and/or are engaged in the production of intellectual property. Total floor area shall not exceed 6,000 square feet per structure. Examples of these include: accounting, auditing and bookkeeping services; advertising agencies; attorneys; commercial art and design services; counseling services; design services including architecture, engineering, landscape architecture, urban planning; education, scientific and research organizations; financial management and investment counseling; management and public relations services; media postproduction services; news services; photographers and photography studios; secretarial, stenographic, word processing, and temporary clerical employee services; travel offices; security and commodity brokers; and writers and artists offices. **{Amended 6-6-16; Article 35}**
- j) Beauty salons and barber shops and other personal services. **{Amended 4-27-98; Article 119} & {Amended 6-6-16; Article 35}**
- k) Dry cleaning and laundromat. Total floor area shall not exceed 4,000 square feet. **{Amended 4-27-98; Article 120} & {Amended 4-26-99; Article 27}**
- l) Artist studio **{Amended 6-6-16; Article 35}**
- m) Arts Center **{Amended 6-6-16; Article 35}**
- n) Accessory uses customarily incidental to a permitted main use on the same premises. **{Amended 4-24-89; Article 68} & {Amended 4-29-91; Article 49}**
- o) Walking, hiking, bicycling, roller skating, picnicking, cross-country skiing, snow shoeing through the establishment of trails. **{Amended 4-24-95; Article 40}**
- p) Rental shops for the hourly or daily rental of bicycles, kayaks, canoes, snow shoes, cross country skis, and other similar sporting apparatus. **{Amended 6-6-16; Article 35}**
- q) Farm including agriculture, horticulture, and viticulture, provided that the lot is not less than five (5) acres, including facilities for the sale of produce, wine and dairy products,

insofar as the majority of such products for sale have been produced by the owner of the land on which the facility is located.

- r) Farmer’s market
- s) Religious, educational or governmental use. **{Amended 4-27-09; Article 12}**
- t) **Craft Beverage Business with Tasting Room**

8.02 Exceptions which may be allowed by Special Permit from the Special Permit Granting Authority (SPGA) in accordance with the regulations appearing in Section 24.09 of the Bylaw. **{Amended 4-11-83; Article 37}**

- (a) Lodging houses or tourist homes.
- (b) Dramatic or motion picture theaters.
- (c) Bed and breakfast (Planning Board acting as SPGA). **{Amended 4-27-92; Article 39}**
- (d) Youth Center **{Amended 4-26-99; Article 163}**
- (e) Building heights of greater than 35’ or three stories may be allowed (Planning Board acting as SPGA) when it is determined that the location, scale and characteristics of the proposed land uses on the site; the design, siting and scale of structures is in harmony with the surrounding properties and land uses. **{Amended 6-6-16; Article 35}**

8.03 The following regulations shall be applicable in the Commercial/Tourist District (CT)
Site Plan Review - See Chapter Twenty-Five **{Amended 4-27-92; Article 33}**

In addition, applicants shall note the following:

- (a) Design Review is required for new structures, and exterior renovation or alteration of existing structures, in the Commercial Tourist District (CT), as set forth in General Bylaws Section 1.30, et seq.
- (b) Per the Planning Board’s direction, Design Review shall take place prior to or concurrently with the Site Plan Review Process in the Town of Sturbridge, and shall inform that process.
- (c) Property owners and designers shall use the Design Review Guidelines when applying for and undergoing the Design Review Process, which may include architectural review and/or

sign review.

- (d) Applicants are encouraged to discuss their projects with the Planning Department if they have any questions regarding the Design Review Guidelines. **{Amended 6-06-11; Article 24}**

These proposed changes will add craft beverage business with tasting room to be consistent with the newly adopted definition for this use.

AMEND CHAPTER NINE OF THE ZONING BYLAW

(2/3 vote required)

To see if the Town will vote to amend the Zoning Bylaw – Chapter Nine – General Industrial District (GI), Sections 9.02, to insert the underlined language, as follows, or take any action relative thereto:

CHAPTER NINE

USE REGULATIONS - GENERAL INDUSTRIAL DISTRICT (GI)

{Adopted 3-1-65; Article 46}

9.01 PERMITTED USES

- (a) Wholesale warehouse and storage facilities. **{Amended 6-29-81; Article 88}**
- (b) Hotel, inn or motel **{Amended 4-27-98; Article 117}**
- (c) Any manufacturing or industrial use, including processing, fabrication and assembly, provided that no such use shall be permitted which would be detrimental or offensive or tend to reduce property values in the same or adjoining districts by reason of dirt, odor, fumes, smoke, gas, sewage, refuse, noise, excessive vibration or danger of explosion or fire.
- (d) Automobile repair shop, automobile storage garage, automobile salesroom or lot not to exceed 40 vehicles for sale. **{Amended 4-30-07; Article 31}**
- (e) Accessory uses customarily incidental to a permitted main use on the same premises.
- (f) Walking, hiking, bicycling, roller skating, picnicking, cross-country skiing, snow shoeing through the establishment of trails. **{Amended 4-24-95; Article 40}**
- (g) Farm including agriculture, horticulture, and viticulture, provided that the lot is not less than five (5) acres, including facilities for the sale of produce, wine and dairy products, insofar as the majority of such products for sale have been produced by the owner of the land on which the facility is located.
- (h) Office, bank, newspaper or job printing establishment. **{Amended 4-30-07; Article 33}**
- (i) Religious, educational or governmental use. **{Amended 4-27-09; Article 12}**

9.02 Exceptions which may be allowed by Special Permit from the Special Permit Granting Authority (SPGA) in accordance with the regulations appearing in Section 24.09 of this Bylaw.

- (a) The removal of sand, gravel, subsoil, topsoil or earth in accordance with Chapter Twenty-Three of this Bylaw. **{Amended 4-11-83; Article 35}**
- (b) Building heights greater than 35’ or three stories, pursuant to a determination of the Special Permit Granting Authority that the design, siting and scale of the proposed building is consistent with the location, scale and characteristics of the uses of the site and is in harmony with the surrounding properties and land uses.

9.03 The following regulations shall be applicable in the General Industrial District. (GI)

Site Plan - See Chapter Twenty-Five **{Amended 4-28-86; Article 103}**

In addition, applicants shall note the following:

- (a) Design Review is required for new structures, and exterior renovation or alteration of existing structures, in the General Industrial (GI), as set forth in General Bylaws Section 1.30, et seq.
- (b) Per the Planning Board’s direction, Design Review shall take place prior to or concurrently with the Site Plan Review Process in the Town of Sturbridge, and shall inform that process.
- (c) Property owners and designers shall use the Design Review Guidelines when applying for and undergoing the Design Review Process, which may include architectural review and/or sign review.
- (d) Applicants are encouraged to discuss their projects with the Planning Department if they have any questions regarding the Design Review Guidelines. **{Amended 6-06-11; Article 24}**

With this proposed change, the Planning Board would have the ability to grant a Special Permit for a height greater than 35’ or three stories. Also proposed will be changes to the footnotes in Chapter Nineteen Table of Dimensional Requirements to reflect this proposed change. This is consistent with recent changes to other zoning districts.

AMEND CHAPTER TEN OF THE ZONING BYLAW

(2/3 vote required)

To see if the Town will vote to amend the Zoning Bylaw – Chapter Ten – Use Regulations – Industrial Park District (IP), Sections 10.01 and 10.02, to insert the underlined language and delete the strikethrough language, as follows, or take any action relative thereto:

CHAPTER TEN

USE REGULATIONS - INDUSTRIAL PARK DISTRICT (IP)

{Adopted 3-1-65; Article 46}

10.01 PERMITTED USES

- a. Animal clinic or hospital including animal rescue.
- b. Business Support Services – An establishment within a building that is oriented toward providing services to other businesses, although it may also serve the general public. Examples of these services include but may not be limited to blueprinting, copying and printing services, mailing and mail box services, security system services, soils and materials testing laboratories, and other similar services.
- c. Child Day Care Center – A commercial or non-profit child day care facility designed and approved to accommodate 15 or more children. This may include infant centers, preschools and school age child day care facilities.
- d. Equipment Sales and Rental – Retail and service establishments which may offer a wide variety of materials and equipment for sale and/or rental.
- e. Handcraft industries including retail sales of the products produced on the premises.
- f. Health and Fitness Facilities.
- g. Information Processing Facilities – Office type facilities characterized by high employee densities, and occupied by business engaged in information processing, and other computer dependent and/or telecommunications based activities.
Examples of these include:
 - 1. Computer software and hardware design and development
 - 2. Consumer credit reporting
 - 3. Data processing services
 - 4. Health management organization (HMO) office where no medical services are provided
 - 5. Insurance claim processing
 - 6. Mail order and electronic commerce transaction processing
 - 7. Telemarketing
- h. Plumbing, heating and electrical warehouses, showrooms and manufacturers
- i. Laboratories for research and development
- j. Telegraph offices, telephone and express offices, radio and television broadcasting studios and facilities.
- k. Newspaper printing and job printing.

- l. Any manufacturing or industrial use, including processing, fabrication, packaging, and assembly, provided that no such use shall be permitted which would be detrimental or offensive or tend to reduce property values in the same or adjoining districts by reason of dirt, odor, fumes, smoke, gas, sewage, refuse, noise, excessive vibration or danger of explosion or fire.
- m. Food and beverage products manufacturing including distilleries, breweries, and co-packing and commercial kitchen space
- n. Wholesale warehouse or storage facilities including self-storage facilities.
- o. Automobile repair shop, automobile storage garage, automobile salesroom or lot not to exceed 40 vehicles for sale. **{Amended 4-17-84; Article 38}{Amended 4- 30-07; Article 31}{Amended 4-30-07; Article 31}**
- p. Accessory uses customarily incidental to a permitted main use on the same premises.
- q. Professional Offices ~~with a minimum floor area of 30,000 s.f. per building~~ and call centers **{Amended 4-24-89; Article 58} & {Amended 4-30-90; Article 37}**
- r. Professional, scientific and technical services
- s. Hotel, inn or motel **{Amended 4-27-98; Article 117}**
- t. A multi-specialty physician office building wherein physicians and non-physician providers and support staff provide diagnostic and treatment services to ambulatory and out patients, with the assistance and support of laboratory, radiology, physical therapy, pharmacy, mental health, and other related personnel and equipment. **{Amended 6-18-90; Article 95}**
- u. Walking, hiking, bicycling, roller skating, picnicking, cross-country skiing, snow shoeing through the establishment of trails. **{Amended 4-24-95; Article 40}**
- v. Farm including agriculture, horticulture, and viticulture, provided that the lot is not less than five (5) acres, including facilities for the sale of produce, wine and dairy products, insofar as the majority of such products for sale have been produced by the owner of the land on which the facility is located.
- w. Bank. **{Amended 4-26-99; Article 43}**

- x. Retail and wholesale fuel oil distribution and off site heating service, oil storage and associated office and garage space for motor vehicles of the fuel oil operation. **{Amended 4-26-04; Article 34}**
 - y. Religious, educational or governmental use. **{Amended 4-27-09; Article 12}**
- 10.02 Exceptions which may be allowed by Special Permit from the Special Permit Granting Authority (SPGA) in accordance with the regulation appearing in Section 24.09 of this Bylaw.
- (a) The removal of sand, gravel, subsoil, topsoil or earth in accordance with Chapter Twenty-Three of this Bylaw. **{Amended 4-11-83; Article 35} & {Amended 4-30-90; Article 38}**
 - (b) Restaurant, including bakery and confectionery. **{Amended 4-27-92; Article 26}**
 - (c) Building heights greater than 35' or three stories, pursuant to a determination of the Special Permit Granting Authority that the design, siting and scale of the proposed building is consistent with the location, scale and characteristics of the uses of the site and is in harmony with the surrounding properties and land uses.

10.03 The following regulations shall be applicable in the Industrial Park District.(IP)

Site Plan - See Chapter Twenty-Five

In addition, applicants shall note the following:

- (a) Design Review is required for new structures, and exterior renovation or alteration of existing structures, in the Industrial Park District (IP), as set forth in General Bylaws Section 1.30, et seq.
- (b) Per the Planning Board’s direction, Design Review shall take place prior to or concurrently with the Site Plan Review Process in the Town of Sturbridge, and shall inform that process.
- (c) Property owners and designers shall use the Design Review Guidelines when applying for and undergoing the Design Review Process, which may include architectural review and/or sign review.
- (d) Applicants are encouraged to discuss their projects with the Planning Department if they have any questions regarding the Design Review Guidelines. **{Amended 6-06-11; Article 24}**

These proposed changes will update the permitted uses to be more current. Also with these proposed changes, the Planning Board would have the ability to grant a Special Permit for a height greater than 35' or three stories. Also proposed will be changes to the footnotes in Chapter Nineteen Table of Dimensional Requirements to reflect this proposed change. This is consistent with recent changes to other zoning districts.

AMEND CHAPTER ELEVEN OF THE ZONING BYLAW

(2/3 vote required)

To see if the Town will vote to amend the Zoning Bylaw – Chapter Ten – Use Regulations – Commercial II Districts, Sections 11.01 and 11.02, to insert the underlined language and delete the strikethrough language, as follows, or take any action relative thereto:

CHAPTER ELEVEN

USE REGULATIONS - COMMERCIAL II DISTRICT (C2)

{Adopted 4-27-92; Article 47}

11.01 PERMITTED USES

- (a) Single family dwelling. Also apartments accessory to a commercial building (not to exceed two (2) dwelling units per building).
- (b) Office, bank, newspaper or job printing establishment.
- (c) Retail store or shop, barber shop, beauty salon, personal service establishments, shop for the repair of personal or household items, laundromat, health and fitness center, artisan’s or craftsmen's shop, wholesale and retail sales not involving manufacture on the premises except of products the major portion of which are sold on the premises by the producer.
- (d) Automobile service station.
- (e) Religious, educational, or governmental use. **{Amended 4-27-98, Article 113}**
- (f) Non-profit club.
- (g) Restaurants, including bakery and confectionery.
- (h) A multi-specialty physician office building wherein physicians and non-physician providers and support staff provide diagnostic and treatment services to ambulatory and out patients, with the assistance and support of laboratory, radiology, physical therapy, pharmacy, mental health, and other related personnel and equipment.
- (i) Accessory uses customarily incidental to a permitted main use on the premises.
- (j) Walking, hiking, bicycling, roller skating, picnicking, cross-country skiing, and snow shoeing through the establishment of trails. **{Amended 4-25-95; Article 40}**

- (k) Farm including agriculture, horticulture, and viticulture, provided that the lot is not less than five (5) acres, including facilities for the sale of produce, wine and dairy products, insofar as the majority of such products for sale have been produced by the owner of the land on which the facility is located.
- (l) Fast Food Establishment {**Amended 4-27-98; Article 137**}
- (m) Walk Up Establishment {Amended ATM June 5 & 12, 2017; Article 30}
- (n) Fast Casual Restaurant {Amended ATM June 5 & 12, 2017; Article 30}
- (o) Craft Beverage Business with Tasting Room
- (p) Urgent Care Facility

11.02 Exceptions which may be allowed by Special Permit from the Special Permit Granting Authority (SPGA) in accordance with the regulations appearing in Section 24.09 of this Bylaw.

~~(a) Place of commercial amusement or recreation such as a bowling alley, theater (motion picture, dramatic, or musical), museum or golf driving range.~~

- (a) Indoor Recreation Facilities
- (b) Outdoor Recreation Facilities
- (c) Indoor Family Amusement Centers

- (d) Hotel, inn or motel {Amended 4-27-98; Article 117}
- (e) The removal of sand, gravel, subsoil, topsoil or earth in accordance with Chapter Twenty-Three of this Bylaw. {Amended 4-11-83; Article 35}
- (f) Multi-family dwelling provided that:
 - i. It does not exceed four (4) dwelling units.
 - ii. There is not less than twenty thousand (20,000) sq. ft. of lot area per dwelling unit.
 - iii. Adequate provision is made for off-street parking.
 - iv. An environmental suitability study shows that the site is capable of sustaining this type of construction and use.
 - v. The entire multi-family dwelling and its necessary area requirements are located entirely in the Commercial District; or in a less restrictive district.
 - vi. {Amended 4-29-85; Article 94}

- (g) Two-family residence, provided there is not less than twenty thousand (20,000) square feet of lot area per dwelling unit.
- (h) Truck stop (Planning Board acting as SPGA).
- (i) Farm including agriculture, horticulture, and viticulture, provided that the lot is not less than five (5) acres, including facilities for the sale of produce, wine and dairy products, insofar as the majority of such products for sale have been produced by the owner of the land on which the facility is located.
- (j) Building heights greater than 35' or three stories, pursuant to a determination of the Special Permit Granting Authority that the design, siting and scale of the proposed building is consistent with the location, scale and characteristics of the uses of the site and is in harmony with the surrounding properties and land uses.

11.03 The following regulations shall be applicable in the Commercial II District (C2).

Site Plan - See Chapter Twenty-Five

In addition, applicants shall note the following:

- (a) Design Review is required for new structures, and exterior renovation or alteration of existing structures, in the Commercial 2 District (C2), as set forth in General Bylaws Section 1.30, et seq.
- (b) Per the Planning Board's direction, Design Review shall take place prior to or concurrently with the Site Plan Review Process in the Town of Sturbridge, and shall inform that process.
- (c) Property owners and designers shall use the Design Review Guidelines when applying for and undergoing the Design Review Process, which may include architectural review and/or sign review.
- (d) Applicants are encouraged to discuss their projects with the Planning Department if they have any questions regarding the Design Review Guidelines. **{Amended 6-06-11; Article 24}**

These proposed changes will update the permitted uses to add some of the recently defined terms. Also with these proposed changes, the Planning Board would have the ability to grant a Special Permit for a height greater than 35' or three stories. Also proposed will be changes to the footnotes in Chapter Nineteen Table of Dimensional Requirements to reflect this proposed change. This is consistent with recent changes to other zoning districts.

AMEND CHAPTER NINETEEN THE ZONING BYLAW

(2/3 vote required)

To see if the Town will vote to amend the Zoning Bylaw – Chapter Nineteen – Intensity Regulations, as follows, or take any action relative thereto:

Add a footnote 3 to the table (on the Max Height for the Commercial District) that states – ³ May be varied by Special Permit by the Planning Board.

Add a footnote 5 to the table (on the Max Height for the Commercial II District) that states – ⁵ May be varied by Special Permit by the Planning Board.

Add a footnote 6 to the table (on the Max Height for the General Industrial District) that states – ⁶ May be varied by Special Permit from the Planning Board.

Renumber the existing footnote 7 to footnote 8.

Add a new footnote 7 to the table (on the Max Height for the Industrial Park District) that states ⁷ May be varied by Special Permit from the Planning Board.

These proposed changes will update the Table to reflect that the Planning Board would have the ability to grant a Special Permit for a height greater than 35' or three stories. This is reflected by the addition of the footnotes on the height dimensions.