



TOWN OF BELLINGHAM

OFFICE OF TOWN CLERK

Bellingham Municipal Center
10 Mechanic Street
Bellingham, MA 02019

Town Clerk
Ann L. Odabashian

Tel: 508-657-2830
Fax: 508-657-2832

PUBLICATION OF TOWN BY-LAWS

The attached amendments to the

Zoning By-Laws #24 and 25

of the Warrant for the Bellingham Annual Town Meeting
that convened on May 23, 2012 – Case # 6455,
with the approval of the Attorney General is hereby:

PUBLISHED

Any claim to invalidity by reason of defect in the procedure of adoption and/or
amendment may only be made, in writing, within ninety days of this posting.

ATTEST:

Ann L. Odabashian
Bellingham Town Clerk

POSTED IN THE FOLLOWING PLACES:

Precinct # 1	North Civic/Senior Center & Stall Brook School
Precinct # 2	Clara Macy School & Depot Court Activity Room
Precinct # 3	Bellingham Municipal Center & Bellingham Public Library
Precinct # 4	Charlie's Tire & School Administration Bldg.
Precinct # 5	Wrentham Manor Activity Room & Li'l General Store



MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

July 18, 2012

Ann L. Odabashian, Town Clerk
10 Mechanic Street
Bellingham MA 02019

**RE: Bellingham Annual Town Meeting of May 23, 2012 – Case # 6455
Warrant Articles # 24 and 25 (Zoning)**

Dear Ms. Odabashian:

Articles 24 and 25 – We approve the amendments to the Bellingham by-laws adopted under these Articles on the warrant for the Annual Town meeting which convened on May 23, 2012.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

MARTHA COAKLEY
ATTORNEY GENERAL

Margaret J. Hurley

by: Margaret J. Hurley, Assistant Attorney General
Chief, Central Massachusetts Division
Director, Municipal Law Unit
Ten Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 x 4402



TOWN OF BELLINGHAM

OFFICE OF TOWN CLERK

Bellingham Municipal Center
10 Mechanic Street
Bellingham, MA 02019

Town Clerk
Ann L. Odabashian

Tel: 508-657-2830
Fax: 508-657-2832

June 21, 2012

TO WHOM IT MAY CONCERN:

**RE: ANNUAL TOWN MEETING
MAY 23, 2012 AT 7:30 PM.**

I hereby certify the following to be a true record of the vote adopted under Article 24 of the Qualified voters of the Town of Bellingham at the above referenced Annual Town Meeting.

ARTICLE 24. SPECIAL FLOOD HAZARD AREA REQUIREMENTS

To see if the Town will amend its zoning bylaws by replacing Section 4500 with the following, or take any other action in relation thereto:

4500 Special Flood Hazard Area Requirements

4510 District Establishment

The Flood Plain District herein also called "Special Flood Hazard Area" (SFHA) is hereby established as an overlay district to all other districts. All development in the SFHA District, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code which addresses Special Flood Hazard Area and coastal high hazard areas, 780 CMR)
- Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00.
- Inland Wetland Restriction, DEP, currently 310 CMR 13.00
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP, 310 CMR 15, Title 5;

The District also includes all special flood hazard areas within the Town of Bellingham designed as Zone A and AE on the Norfolk County Flood Insurance Rate Maps (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program NFIP). The map panels of the Norfolk Country FIRM that are wholly or partially with the Town of Bellingham are panel numbers 25021C0138E, 25021C0139E, 25021C0299E, 25021C0301E, 2502CO302E, 25021C0303E, 25021C0304E, 25021C0311E, 25021C0312E, 25021C0313E and 25021C0314E dated July 17, 2012. The exact boundaries of the District may be defined by the 100 –year base flood elevations shown on the FIRM and further defined by the Norfolk County Insurance Study (FIS) report dated July 17, 2012. The FIRM and the FIS report are incorporated herein by reference and are on file with the Town Clerk and Building Inspector.

4520 Development Regulations

The following requirements apply in Special Flood Hazard Area Districts:

- 4521 Within Zone A, where the base flood elevation is not provided on the FIRM, the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Inspector for its reasonable utilization toward meeting the elevation of flood proofing requirements, as appropriate, of the State Building Code.
- 4522 In the floodway designed on the Flood Insurance Rate Map, the following provisions shall apply:
- (a) All encroachments, including fill, new construction, substantial improvements to existing structures, and other development, are prohibited unless certification by a registered Professional Engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood level during the occurrence of the base flood. The base flood is the flood having a one percent chance of being equaled or exceeded in any given one year.
 - (b) Any encroachment meeting the above standard shall comply with the floodplain (Special Flood Hazard Area) standards of the State Building Code as well as the Performance Standards in 310 CMR (Wetlands Protection Regulations).
 - (c) Base Flood Elevation Data is required for subdivision proposals or other developments greater than 50 lots or 5

acres, whichever is the lesser, within the unnumbered A zones.

- (d) All subdivision proposals must be designed to assure that:
 - such proposals minimize flood damage;
 - all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - adequate drainage is provided to reduce exposure to flood hazards

- (e) Notification of Watercourse Alteration
In a riverine situation, the Building Inspector or Board of Selectmen shall require the applicant to notify the following of any alteration or relocation of a watercourse:
 - Adjacent communities

 - NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104

 - NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

- (f) In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(By: Planning Board)

VOTED: The Town unanimously voted to amend its Zoning Bylaws by replacing Section 4500, "Flood Plain Requirements" and all of its subsections with a new bylaw entitled "Special Flood Hazard Area Requirements" all as written in the Report and Recommendations of the Finance Committee as follows:

4500 Special Flood Hazard Area Requirements

4510 District Establishment

The Flood Plain District herein also called “Special Flood Hazard Area” (SFHA) is hereby established as an overlay district to all other districts. All development in the SFHA District, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code which addresses Special Flood Hazard Area and coastal high hazard areas, 780 CMR)
- Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00.
- Inland Wetland Restriction, DEP, currently 310 CMR 13.00
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP, 310 CMR 15, Title 5;

The District also includes all special flood hazard areas within the Town of Bellingham designed as Zone A and AE on the Norfolk County Flood Insurance Rate Maps (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program NFIP). The map panels of the Norfolk Country FIRM that are wholly or partially with the Town of Bellingham are panel numbers 25021C0138E, 25021C0139E, 25021C0299E, 25021C0301E, 2502CO302E, 25021C0303E, 25021C0304E, 25021C0311E, 25021C0312E, 25021C0313E and 25021C0314E dated July 17, 2012. The exact boundaries of the District may be defined by the 100 –year base flood elevations shown on the FIRM and further defined by the Norfolk County Insurance Study (FIS) report dated July 17, 2012. The FIRM and the FIS report are incorporated herein by reference and are on file with the Town Clerk and Building Inspector.

4520 Development Regulations

The following requirements apply in Special Flood Hazard Area Districts:

- 4521 Within Zone A, where the base flood elevation is not provided on the FIRM, the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Inspector for its reasonable utilization toward meeting the elevation of flood proofing requirements, as appropriate, of the State Building Code.
- 4522 In the floodway designed on the Flood Insurance Rate Map, the following provisions shall apply:
- (a) All encroachments, including fill, new construction, substantial improvements to existing structures, and other

development, are prohibited unless certification by a registered Professional Engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood level during the occurrence of the base flood. The base flood is the flood having a one percent chance of being equaled or exceeded in any given one year.

- (b) Any encroachment meeting the above standard shall comply with the floodplain (Special Flood Hazard Area) standards of the State Building Code as well as the Performance Standards in 310 CMR (Wetlands Protection Regulations).
- (c) Base Flood Elevation Data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within the unnumbered A zones.
- (d) All subdivision proposals must be designed to assure that:
 - such proposals minimize flood damage;
 - all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - adequate drainage is provided to reduce exposure to flood hazards
- (e) Notification of Watercourse Alteration
In a riverine situation, the Building Inspector or Board of Selectmen shall require the applicant to notify the following of any alteration or relocation of a watercourse:
 - Adjacent communities
 - NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
 - NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

- (f) In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(Recommended by Planning Board)
(Recommended by Finance Committee)
(Recommended by Conservation Commission)

Meeting adjourned at: 11: PM

Attendance:

P-1	P-2	P-3	P-4	P-5	TOTAL
41	65	71	86	66	329

No quorum required.

A true record.

ATTEST:



Ann L. Odabashian
Bellingham Town Clerk



TOWN OF BELLINGHAM

OFFICE OF TOWN CLERK

Bellingham Municipal Center
10 Mechanic Street
Bellingham, MA 02019

Town Clerk
Ann L. Odabashian

Tel: 508-657-2830
Fax: 508-657-2832

June 21, 2012

TO WHOM IT MAY CONCERN:

**RE: ANNUAL TOWN MEETING
MAY 23, 2012 AT 7:30 PM.**

I hereby certify the following to be a true record of the vote adopted under Article 25 of the qualified voters of the Town of Bellingham at the above referenced Annual Town Meeting.

ARTICLE 25. PARKING BYLAW

To see if the Town will vote to amend Section 3300 of the Zoning Bylaws, entitled "Parking and Loading Requirements" by deleting the current Section and all of its subsections, in their entirety and replacing the same with the following:

3300. Parking and Loading Requirements.

3310. Purpose

The purpose of this section is to establish standards ensuring the availability and safe use of parking areas. It is intended that any use of land involving the arrival, departure, long term or temporary parking of motor vehicles (not for automobile sales), and all structures and uses requiring the delivery or shipment of goods as part of their function, be designed and operated to:

- (a) Promote traffic safety by assuring adequate places for parking of motor vehicles off the street and for their orderly access and egress to and from the public way;
- (b) Prevent the creation of surplus amounts of parking spaces contributing to unnecessary development and additional generation of vehicle trips, resulting in traffic congestion and traffic service level deterioration;
- (c) Reduce unnecessary amounts of impervious surface areas from being created;

- (d) Reduce hazards to pedestrians and increase pedestrian connectivity between and within sites;
- (e) Promote access and convenience, in compliance with regulations of the Americans with Disabilities Act (ADA) and Massachusetts Architectural Board (AAB), for people with disabilities;
- (f) Increase the mobility and safety for bicyclists;
- (g) Protect adjoining lots and the general public from nuisances and hazards such as:
 - 1. Noise, glare of headlights, dust and fumes resulting from the operation of motor vehicles entering, exiting and idling in parking lots;
 - 2. glare and heat from parking lots; and,
 - 3. lack of visual relief from expanses of paving;
- (h) Reduce other negative impacts.

3320. Definitions. The following definitions shall apply to this parking bylaw. Additional terms which have commonly accepted denotations and connotations may also be utilized in this Bylaw.

Casual Dining: Full service eating establishment with typical turnover rates of approximately one hour or less; moderately priced; occasionally belongs to a restaurant chain; generally serves lunch and dinner; may serve breakfast or be open extended hours; generally does not take reservations; may or may not contain a bar.

Convenience Store: Convenience markets that sell convenience foods, newspapers, magazines etc; may be open 24-hours.

Discount Store / Superstores: Stores, such as home improvement, department, clothing, housegoods, toy, sporting goods, and pet supply stores, that offer a variety of customer services, centralized cashiering and a wide-range of products advertised at discount prices; long store hours typically 7 days a week; some may have garden center and/or service station; superstores may have a grocery department under the same roof that shares the same entrance and exits with the discount store area.

Entertainment/Commercial Recreation: Indoor or outdoor spaces for leisure activities, including but not limited to golf courses, bowling facilities, movie theaters, sports complexes, fitness or health clubs, and recreational community centers.

Fast Food: Characterized by large carry-out clientele; long hours of service; high turnover rates for eat-in customers; no table service by wait staff; typically pay at cash register before eating; may or may not have a drive

through. Generally considered to be hamburger, sub / sandwich, pizza, (in some circumstances) ethnic (i.e. Thai, Chinese, sushi, middle-eastern), coffee/donut shop, ice cream parlor, etc.

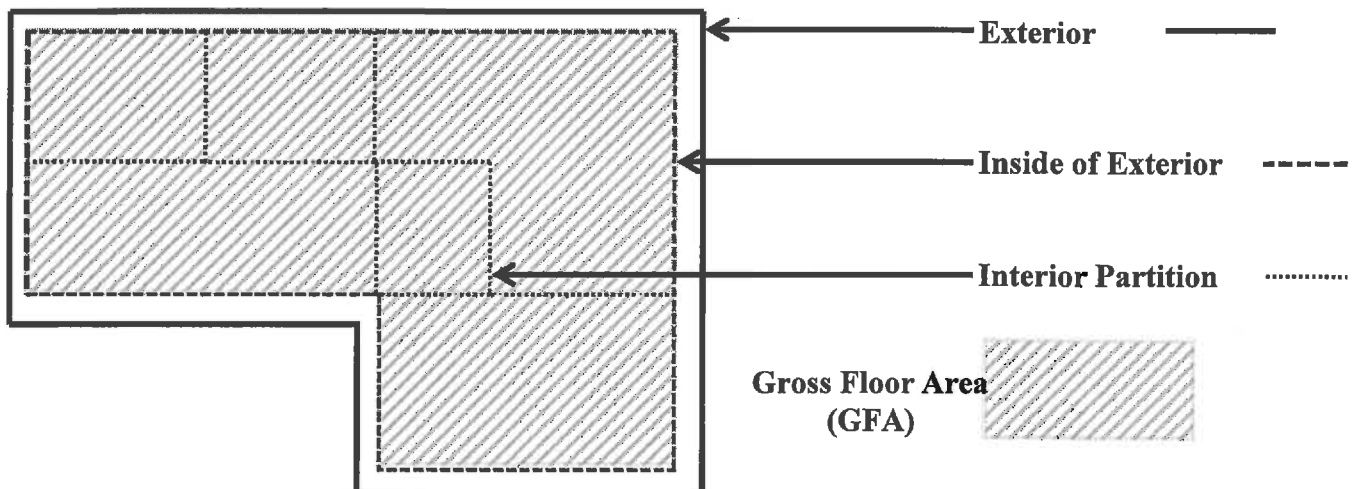
Fine Dining: Full service eating establishment with typical turnover rates of at least one hour or longer; generally do not serve breakfast and sometimes do not serve lunch; all serve dinner; usually requires a reservation and is generally not part of a chain; may have function space.

Freestanding General Retail: Free standing, single use retail structure. Retail uses include, but are not limited to: Convenience Stores, Freestanding Discount Store / Superstores, Personal Care Services, Specialty Retail, Pharmacy and/or Drugstore, Bank, Dry Cleaners.

Gasoline / Service Station with Convenience Store: The primary business is the fueling of motor vehicles; may have ancillary facilities for servicing and repairing motor vehicles and commonly sold convenience items such as newspapers, coffee or other beverages, and snack items usually consumed in the car or off-location.

General Light Industrial and/or Manufacturing: Free-standing facilities with an emphasis on light industrial and/or manufacturing activities including printing, material testing, assembly of data processing equipment, and/or the conversion of raw materials or parts into finished products; may also contain warehouse, office, and research functions.

Gross Floor Area (GFA): The area within the perimeter of the exterior walls of a building as measured from the inside surface of the exterior walls, with no deduction for interior hallways, stairs, closets, thickness of interior partition walls, columns, or other interior features.



Industrial Park: A mix of industrial, manufacturing, service and warehouse facilities with a wide variation in the proportion of each type of use from one location to another.

Ksf: 1,000 square feet (ratios are determined as x spaces/1,000 square feet (ksf)).

Offices: Locations where affairs of business, commercial or industrial organizations or professional person or firms are conducted; may contain a mixture of tenants or be a single-use tenant; no larger than 3-stories above grade.

Medical Clinic: An institution or place providing medical, surgical, dental, restorative, or mental services to persons not residing there.

Multi-use (aka Shared) Parking: Use of parking spaces by vehicles generated by two or more individual land uses that share a parking lot, with or without conflict or encroachment, as a result of variations in the accumulation of vehicles by hours, by day or by season, at the individual land use; and/or relationships among the land uses that result in visiting multiple land uses on the same auto trip. May include, but is not limited to, a mix of uses, including retail, dining/entertainment, office space or industrial, manufacturing, office, wholesale, and warehouse.

Personal Care Services: Spas, hair salons, nail salons, barbers etc.

Shopping Center: An integrated group of retail, service or commercial establishments that is planned, developed, owned and managed as a unit. Provides on-site parking facilities sufficient to serve its own parking demands.

Sports Complex: Outdoor parks used for non-professionals; may consist of one or more fields and field sizes may vary to accommodate games for different age groups; ancillary facilities may include a fitness trail, activities shelter, aquatic center, picnic grounds, basketball / tennis courts and a playground.

Specialty Retail: Retail uses including, but not limited to, apparel, hard goods and services such as real estate offices, dance or martial arts studios, florists, personal care services.

Non Designated use: Any use that is not specified herein.

3330. Number of Spaces

3331. Basic requirements. Off-street parking must be provided to service all increases in parking demand resulting from new construction, additions or change of use to one requiring more parking, without counting any existing spaces needed to meet requirements for any retained building or use. The number of spaces indicated in Section 3340 shall be the basis for determining adequacy of provisions. Any existing spaces removed shall be replaced in kind unless they are either in excess of the number required or removed at the request of the Town. Parking spaces also serving as loading areas shall not be credited.

For the purpose of computing the parking requirements of different uses, the number of spaces required shall be the largest whole number obtained after calculating the required parking, any fractional space should be rounded up to the next whole number.

Example #1: A 4,999 interior square foot freestanding retail structure has 4.999 ksf GFA ($4,999 / 1,000 = 4.999$); at 4 spaces per ksf GFA, the structure is required to have 19.96 parking spaces, which will then be rounded up to the next whole number. Therefore, the number of parking spaces required is 20.

Example #2: A 25,150 interior square foot medical clinic has 25.15 ksf GFA ($25,150 / 1,000 = 25.15$); at 5 spaces per ksf GFA, the structure is required to have 127.75 spaces, which will then be rounded up to the next whole number. Therefore, the number of parking spaces required is 128.

Example #3: A 1,300 interior square foot freestanding fast food restaurant has 1.3 ksf GFA ($1,300 / 1000 = 1.3$); at 17 spaces per ksf GFA, the structure is required to have 22.1 parking spaces, which will then be rounded up to the next whole number. Therefore, the number of parking spaces required is 23.

3332. Future changes must demonstrate the ability to meet parking standards.

3340. Schedule of Requirements

(a) Residential:

Single or Two-family having no boarders or lodgers: 2 spaces per dwelling unit

Multi-family (townhouse/condominiums)

Assisted elderly housing: 1 space per bedroom

Studio: 1.25 spaces per dwelling unit

One bedroom: 1.5 spaces per dwelling unit

Two or more bedrooms: 2 spaces per dwelling unit

Family Apartment: 1 space per dwelling unit in addition to the requirement for primary dwelling unit.

(b) Places of Public Assembly:

Religious Centers: 0.5 parking space for each person capacity based on the Massachusetts State Building Code.

General Public Assembly: 0.25 per person in permitted capacity.

The number of seats in benches, pews, or other continuous seating arrangements shall be calculated at twenty-four (24) inches per seat.

(c) Hotels, Motels, Room and Board, Other Commercial Accommodations:

1 parking space for each guest unit, plus 1 parking space for each eight units or fraction thereof.

(d) Dining:

Fine Dining: 20 spaces per ksf GFA

Casual Dining: 25 spaces per ksf GFA

Fast Food with or without a drive through: 17 spaces per ksf GFA

(e) Entertainment/Commercial Recreation:

Golf Course: 12 spaces per hole

Bowling Alley: 4 spaces per ksf GFA

Movie Theater (multiplex): 14 spaces per ksf GFA

Sports Complex: 50 spaces per field

Health/Fitness Club: 6 spaces per ksf GFA

Recreational Community Center: 3 spaces per ksf GFA

(f) Auto Service/Fuel Station:

1 space per pump, plus 4 spaces per ksf GFA for all other space including service areas, convenience store areas etc.

Motor Vehicle Sales and Service: 3 spaces per ksf GFA of interior sales area, plus 2 ksf GFA of interior storage or display area, plus 2 per service bay

Car Washes: 1 space per ksf GFA

(g) Retail Businesses / Other Service Establishments:

Freestanding General Retail / Other Service Establishments:
4 spaces per ksf GFA

Shopping Centers:

1. For retail only shopping centers, including specialty retail, use chart below.
2. For retail with additional uses, that may include any combination of dining, entertainment, or offices, in which the total additional uses are up to but not greater than 10% of the total GFA of the shopping center, use chart below.
3. For retail with additional uses (uses as listed in #2 above), in which the total additional uses exceed 10% of the total GFA of the shopping center, the parking spaces may be calculated either
 - a. Under Section 3340 as if each use were separate;
or
 - b. Under Section 3351 Allowed Reductions for Multi-Use Parking.

Shopping Center Parking Spaces Chart (For use with Section 3340(g) 1 and 2)

Building GFA	Less than 30,000 GFA	30,000 – 99,999 GFA	100,000-399,999 GFA	Greater than 400,000 GFA
Spaces per ksf GFA	4 ksf GFA	4.5 ksf GFA	5 ksf GFA	5.5 ksf GFA

(j) Offices and Business Services:

Offices: 4 spaces per ksf GFA

General Light Industrial/Wholesale/Warehouse: 2 spaces per ksf GFA

General Light Manufacturing: 2 spaces per ksf GFA

Medical Clinic: 5 spaces per ksf GFA

- (k) Convalescent, Nursing or Rest Home, Hospital or Sanitarium: 5 spaces per ksf GFA

(l) Other Uses:

Day Care Center: 6 spaces per ksf GFA

Animal Hospital/Veterinary Clinic: 4 spaces per ksf GFA

A number of spaces to be determined by the Building Inspector (or the Planning Board in cases referred to it under Section 1420) based upon evidence from similar uses under similar circumstances and best practices.

3350. Allowed reductions. Parking may be further reduced upon application for and grant of a special permit from the Planning Board, to account for additional factors as listed in Sections 3351 and 3352. The number of spaces may be reduced to less than that stipulated in this bylaw, if the Planning Board determines that a smaller number would be adequate for all parking needs because of such special circumstances as multi-use parking for uses having peak parking demands at different times, unusual age or other characteristics of site users or user-sponsored demand reduction devices such as carpooling, or land use or parking studies from similar establishments show parking requirements are less than what is required in this bylaw; or other reasons that are adequately supported.

3351. Multi-use (aka “shared”) Parking:

1. Determine the number of originally required parking spaces for different uses/facilities sharing the same parking lot.
2. Determine the percentages of maximum parking needed for different uses at different days and times determined either by a study of local conditions or the Parking Occupancy Rates table below.
3. Apply the percentages from Step 2 to the numbers from Step 1.
4. Add up the totals and select the total with the highest value.

Parking Occupancy Rates Table *This table defines the percent of the basic minimum needed during each time period for shared parking. (M-F = Monday to Friday)*

Uses	M-F	M-F	M-F	Sat. & Sun.	Sat. & Sun.	Sat. & Sun.
	8am-5pm	5pm-12am	12am-8am	8am-5pm	5pm-12am	12am-8am

Residential	60%	100%	100%	80%	100%	100%
Office and Business Services	100%	20%	5%	5%	5%	5%
Retail/Service	90%	80%	5%	100%	70%	5%
Hotel/Motel	70%	100%	100%	70%	100%	100%
Dining	70%	100%	10%	70%	100%	20%
Movie Theater	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
General Public Assembly	100%	20%	5%	10%	10%	5%
Religious Centers	10%	5%	5%	100%	50%	5%

3352. Flexible Parking Options:

1. Employment Density (number of employees per acre): reduce requirements 10-15% in areas with 50 or more employees per acre of site.
2. Land use mix (range of land uses located within convenient walking distance): reduce requirements 5-10% in mixed-use developments.
3. Walkability (walking environment quality): reduce requirements 5-15% in walkable locations and more if walkability allow more shared and off-site parking.
4. Parking and mobility management: reduce requirements 10-20% at worksites with effective parking and mobility management programs.
5. Other factors that with adequate support may warrant a reduction of parking spaces.

3360. Parking Area Design and Location

3361. Surfacing. All required parking areas and their access driveways, except those facilities serving single-family residences shall be paved, unless exempted by the Planning Board in acting under Section 1420 Development Plan Review, for cases such as seasonal or periodic use where unpaved surfaces will not cause dust, erosion, hazard or unsightly conditions. Permeable or porous paving is encouraged in low traffic areas such as reserve parking, painted parking lines, parking pullouts, crosswalks etc.

3362. Setback. No off-street parking area for five or more cars shall be located within 20 feet of a street right-of-way. When shopping cart corrals are proposed, the location of such corrals shall be next to handicap parking spaces.

3363. Backing. Parking areas for five or more cars shall not require backing into a public way.

3364. Proximity. Parking spaces more than 300 feet from the building entrance they serve may not be counted towards fulfillment of parking requirements unless in acting under Section 1420 the Planning Board determines that circumstances justify a greater separation of parking from use.

3365. Egress spacing. The following shall apply to entrances or exits to all parking areas having 20 or more spaces, except those located in the B-1 District, which are exempted:

- (a) Entrance or exit centerlines shall not fall within 100 feet of an intersection of street sidelines or within 250 feet of the centerline of any other parking area entrance or exit on the same side of the street, whether on the same parcel or not, if serving 20 or more parking spaces. Users shall arrange for shared egress if necessary to meet the requirements.

3366. Regulations. The Planning Board may adopt regulations for the administration of these design and location requirements.

3367. Driveways. All required parking spaces shall be provided with unobstructed access to and from a street and shall be properly maintained so as to permit them to be used at all times.

- (a) A shared driveway shall be considered to provide adequate access to more than two lots or more than four dwelling units only if the Planning board, in acting on a Definitive Subdivision Plan or Development Plan, or if the Board of Appeals or other Special Permit Granting Authority, in acting on a special permit, determines that such shared access provides some community benefit, such as environmental protection or improvement of egress safety, and does not circumvent the intent of the Subdivision Regulations, as well as meeting the requirements of paragraph (b).
- (b) Driveways, whether shared or not, must meet the following standards if more than 200 feet in length or serving five (5) or more parking spaces.

- 1. The traveled way shall be paved (unless paving is waived by the Planning Board as provided at Section 3331) at least ten (10) feet wide, and tree and shrub branches less than 13 feet above driveway grade must be cleared or trimmed to provide

12 feet wide for unobstructed travel.

2. Centerline radius shall be at least 80 feet, and grade shall not exceed 8%.

- (c) Driveways serving corner lots shall gain access from that street designated by the Planning Board in performing Development Plan Review, if applicable. In cases where Development Plan Review is not required, corner lot driveways shall gain access from that street determined by the Building Inspector to have the lower daily traffic volume, unless, following consultation with the Planning Board and the Police Safety Officer, the Building Inspector determines that allowing egress onto the busier street would be no less safe.
- (d) Driveways/egresses serving 10 or more parking spaces shall provide stopping and intersection sight distances based on the recommendations provided in AASHTO - Geometric Design of Highways and Streets, as most recently amended. Stopping sight distance is defined as the minimum sight distance required for a driver on the major roadway to perceive an obstruction in the roadway and to react by braking and safely stop the vehicle to avoid collision. Intersection sight distance is defined as the minimum sight distance for a driver on the stopped approach to perceive a vehicle approaching and to react by turning onto the major roadway and accelerate to the 85th percentile speed of the major roadway while not requiring the driver on the major roadway to reduce their speed to less than 70 percent of their initial speed. In the event intersection sight distance cannot be achieved, then the proponent must provide documentation that safe sight distance is achieved. The Planning Board shall consult with the Bellingham Police Department and, if necessary, a traffic consultant, to make a determination as to whether a reduced intersection sight distance is acceptable. Such a reduction of intersection sight distance shall be at the sole discretion of the Planning Board. Stopping sight distance cannot be waived.

3370. Loading Requirements. Adequate off-street loading facilities and space must be provided to service all needs created by new construction, whether through new structures or additions to old ones, and by change of use of existing structures. Facilities shall be so sized and arranged that no trucks need back onto or off of a public way, travel against one-way traffic, obstruct drive-thru traffic or be parked on a public way while loading, unloading or waiting to do so.

3380. Bicycles. One bicycle parking space shall be provided for every 20 off street automobile spaces required. Racks shall be securely anchored and wherever possible located within view of the building entrances or windows. Bicycle spaces shall be clearly marked as such.

3390. Alternative Dimensional Requirements. In order to reduce overall impervious surface of larger paved off-street parking, small vehicle and motorcycle parking spaces may have reduced dimensional requirements and still count toward the overall number of spaces required as follows:

In off-street parking facilities with more than 50 parking spaces, a maximum of 10% of the spaces may be dedicated for small car and/or motorcycle use. Small car and/or motorcycle parking shall be grouped in one or more contiguous areas and with appropriate signage.

Small car parking space stall dimensions: 8' wide by 16' long; 128 s.f.
Motorcycle parking space stall dimensions: 4' wide by 8' long; 32 s.f. or approximately four (4) motorcycle spaces for one (1) small car space.
Standard car parking space stall dimensions: 9' wide by 18' long; 162 s.f.
(Also see Section V Definitions for Parking Space for additional information)

Or act or do anything in relation thereto.

(By: Planning Board)

VOTED: The Town voted to amend Section 3300 of the Zoning By-laws, entitled "Parking and Loading Requirements" by deleting the current Section and all of its subsections in their entirety and replacing it as contained in the Report and Recommendations of the Finance Committee as follows:

3300. Parking and Loading Requirements.

3310. Purpose

The purpose of this section is to establish standards ensuring the availability and safe use of parking areas. It is intended that any use of land involving the arrival, departure, long term or temporary parking of motor vehicles (not for automobile sales), and all structures and uses requiring the delivery or shipment of goods as part of their function, be designed and operated to:

- (a) Promote traffic safety by assuring adequate places for parking of motor vehicles off the street and for their orderly access and egress to and from the public way;
- (b) Prevent the creation of surplus amounts of parking spaces contributing to unnecessary development and additional generation of vehicle trips, resulting in traffic congestion and traffic service

level deterioration;

- (c) Reduce unnecessary amounts of impervious surface areas from being created;
- (d) Reduce hazards to pedestrians and increase pedestrian connectivity between and within sites;
- (e) Promote access and convenience, in compliance with regulations of the Americans with Disabilities Act (ADA) and Massachusetts Architectural Board (AAB), for people with disabilities;
- (f) Increase the mobility and safety for bicyclists;
- (g) Protect adjoining lots and the general public from nuisances and hazards such as:
 - 4. Noise, glare of headlights, dust and fumes resulting from the operation of motor vehicles entering, exiting and idling in parking lots;
 - 5. glare and heat from parking lots; and,
 - 6. lack of visual relief from expanses of paving;
- (h) Reduce other negative impacts.

3320. Definitions. The following definitions shall apply to this parking bylaw. Additional terms which have commonly accepted denotations and connotations may also be utilized in this Bylaw.

Casual Dining: Full service eating establishment with typical turnover rates of approximately one hour or less; moderately priced; occasionally belongs to a restaurant chain; generally serves lunch and dinner; may serve breakfast or be open extended hours; generally does not take reservations; may or may not contain a bar.

Convenience Store: Convenience markets that sell convenience foods, newspapers, magazines etc; may be open 24-hours.

Discount Store / Superstores: Stores, such as home improvement, department, clothing, housegoods, toy, sporting goods, and pet supply stores, that offer a variety of customer services, centralized cashiering and a wide-range of products advertised at discount prices; long store hours typically 7 days a week; some may have garden center and/or service station; superstores may have a grocery department under the same roof that shares the same entrance and exits with the discount store area.

Entertainment/Commercial Recreation: Indoor or outdoor spaces for leisure activities, including but not limited to golf courses, bowling facilities, movie theaters, sports complexes, fitness or health clubs, and recreational community centers.

Fast Food: Characterized by large carry-out clientele; long hours of service; high turnover rates for eat-in customers; no table service by wait staff; typically pay at cash register before eating; may or may not have a drive through. Generally considered to be hamburger, sub / sandwich, pizza, (in some circumstances) ethnic (i.e. Thai, Chinese, sushi, middle-eastern), coffee/donut shop, ice cream parlor, etc.

Fine Dining: Full service eating establishment with typical turnover rates of at least one hour or longer; generally do not serve breakfast and sometimes do not serve lunch; all serve dinner; usually requires a reservation and is generally not part of a chain; may have function space.

Freestanding General Retail: Free standing, single use retail structure. Retail uses include, but are not limited to: Convenience Stores, Freestanding Discount Store / Superstores, Personal Care Services, Specialty Retail, Pharmacy and/or Drugstore, Bank, Dry Cleaners.

Gasoline / Service Station with Convenience Store: The primary business is the fueling of motor vehicles; may have ancillary facilities for servicing and repairing motor vehicles and commonly sold convenience items such as newspapers, coffee or other beverages, and snack items usually consumed in the car or off-location.

General Light Industrial and/or Manufacturing: Free-standing facilities with an emphasis on light industrial and/or manufacturing activities including printing, material testing, assembly of data processing equipment, and/or the conversion of raw materials or parts into finished products; may also contain warehouse, office, and research functions.

Gross Floor Area (GFA): The area within the perimeter of the exterior walls of a building as measured from the inside surface of the exterior walls, with no deduction for interior hallways, stairs, closets, thickness of interior partition walls, columns, or other interior features.

Industrial Park: A mix of industrial, manufacturing, service and warehouse facilities with a wide variation in the proportion of each type of use from one location to another.

Ksf: 1,000 square feet (ratios are determined as x spaces/1,000 square feet (ksf)).

Offices: Locations where affairs of business, commercial or industrial organizations or professional person or firms are conducted; may contain a mixture of tenants or be a single-use tenant; no larger than 3-stories above grade.

Medical Clinic: An institution or place providing medical, surgical, dental, restorative, or mental services to persons not residing there.

Multi-use (aka Shared) Parking: Use of parking spaces by vehicles generated by two or more individual land uses that share a parking lot, with

or without conflict or encroachment, as a result of variations in the accumulation of vehicles by hours, by day or by season, at the individual land use; and/or relationships among the land uses that result in visiting multiple land uses on the same auto trip. May include, but is not limited to, a mix of uses, including retail, dining/entertainment, office space or industrial, manufacturing, office, wholesale, and warehouse.

Personal Care Services: Spas, hair salons, nail salons, barbers etc.

Shopping Center: An integrated group of retail, service or commercial establishments that is planned, developed, owned and managed as a unit. Provides on-site parking facilities sufficient to serve its own parking demands.

Sports Complex: Outdoor parks used for non-professionals; may consist of one or more fields and field sizes may vary to accommodate games for different age groups; ancillary facilities may include a fitness trail, activities shelter, aquatic center, picnic grounds, basketball / tennis courts and a playground.

Specialty Retail: Retail uses including, but not limited to, apparel, hard goods and services such as real estate offices, dance or martial arts studios, florists, personal care services.

Non Designated use: Any use that is not specified herein.

3330. Number of Spaces

3331. Basic requirements. Off-street parking must be provided to service all increases in parking demand resulting from new construction, additions or change of use to one requiring more parking, without counting any existing spaces needed to meet requirements for any retained building or use. The number of spaces indicated in Section 3340 shall be the basis for determining adequacy of provisions. Any existing spaces removed shall be replaced in kind unless they are either in excess of the number required or removed at the request of the Town. Parking spaces also serving as loading areas shall not be credited.

For the purpose of computing the parking requirements of different uses, the number of spaces required shall be the largest whole number obtained after calculating the required parking, any fractional space should be rounded up to the next whole number.

Example #1: A 4,999 interior square foot freestanding retail structure has 4.999 ksf GFA ($4,999 / 1,000 = 4.999$); at 4 spaces per ksf GFA, the

structure is required to have 19.96 parking spaces, which will then be rounded up to the next whole number. Therefore, the number of parking spaces required is 20.

Example #2: A 25,150 interior square foot medical clinic has 25.15 ksf GFA ($25,150 / 1,000 = 25.15$); at 5 spaces per ksf GFA, the structure is required to have 127.75 spaces, which will then be rounded up to the next whole number. Therefore, the number of parking spaces required is 128.

Example #3: A 1,300 interior square foot freestanding fast food restaurant has 1.3 ksf GFA ($1,300 / 1000 = 1.3$); at 17 spaces per ksf GFA, the structure is required to have 22.1 parking spaces, which will then be rounded up to the next whole number. Therefore, the number of parking spaces required is 23.

3332. Future changes must demonstrate the ability to meet parking standards.

3340. Schedule of Requirements

(a) Residential:

Single or Two-family having no boarders or lodgers: 2 spaces per dwelling unit

Multi-family (townhouse/condominiums)

Assisted elderly housing: 1 space per bedroom

Studio: 1.25 spaces per dwelling unit

One bedroom: 1.5 spaces per dwelling unit

Two or more bedrooms: 2 spaces per dwelling unit

Family Apartment: 1 space per dwelling unit in addition to the requirement for primary dwelling unit.

(b) Places of Public Assembly:

Religious Centers: 0.5 parking space for each person capacity based on the Massachusetts State Building Code.

General Public Assembly: 0.25 per person in permitted

capacity.

The number of seats in benches, pews, or other continuous seating arrangements shall be calculated at twenty-four (24) inches per seat.

(c) Hotels, Motels, Room and Board, Other Commercial Accommodations:

1 parking space for each guest unit, plus 1 parking space for each eight units or fraction thereof.

(d) Dining:

Fine Dining: 20 spaces per ksf GFA

Casual Dining: 25 spaces per ksf GFA

Fast Food with or without a drive through: 17 spaces per ksf GFA

(e) Entertainment/Commercial Recreation:

Golf Course: 12 spaces per hole

Bowling Alley: 4 spaces per ksf GFA

Movie Theater (multiplex): 14 spaces per ksf GFA

Sports Complex: 50 spaces per field

Health/Fitness Club: 6 spaces per ksf GFA

Recreational Community Center: 3 spaces per ksf GFA

(f) Auto Service/Fuel Station:

1 space per pump, plus 4 spaces per ksf GFA for all other space including service areas, convenience store areas etc.

Motor Vehicle Sales and Service: 3 spaces per ksf GFA of interior sales area, plus 2 ksf GFA of interior storage or display area, plus 2 per service bay

Car Washes: 1 space per ksf GFA

(g) Retail Businesses / Other Service Establishments:

Freestanding General Retail / Other Service Establishments:

4 spaces per ksf GFA

Shopping Centers:

4. For retail only shopping centers, including specialty retail, use chart below.
5. For retail with additional uses, that may include any combination of dining, entertainment, or offices, in which the total additional uses are up to but not greater than 10% of the total GFA of the shopping center, use chart below.
6. For retail with additional uses (uses as listed in #2 above), in which the total additional uses exceed 10% of the total GFA of the shopping center, the parking spaces may be calculated either
 - a. Under Section 3340 as if each use were separate; or
 - b. Under Section 3351 Allowed Reductions for Multi-Use Parking.

Shopping Center Parking Spaces Chart (For use with Section 3340(g) 1 and 2)

Building GFA	Less than 30,000 GFA	30,000 – 99,999 GFA	100,000-399,999 GFA	Greater than 400,000 GFA
Spaces per ksf GFA	4 ksf GFA	4.5 ksf GFA	5 ksf GFA	5.5 ksf GFA

(j) Offices and Business Services:

Offices: 4 spaces per ksf GFA

General Light Industrial/Wholesale/Warehouse: 2 spaces per ksf GFA

General Light Manufacturing: 2 spaces per ksf GFA

Medical Clinic: 5 spaces per ksf GFA

- (k) Convalescent, Nursing or Rest Home, Hospital or Sanitarium: 5 spaces per ksf GFA

(l) Other Uses:

Day Care Center: 6 spaces per ksf GFA

Animal Hospital/Veterinary Clinic: 4 spaces per ksf GFA

A number of spaces to be determined by the Building Inspector (or the Planning Board in cases referred to it under Section 1420) based upon evidence from similar uses under similar circumstances and best practices.

3350. Allowed reductions. Parking may be further reduced upon application for and grant of a special permit from the Planning Board, to account for additional factors as listed in Sections 3351 and 3352. The number of spaces may be reduced to less than that stipulated in this bylaw, if the Planning Board determines that a smaller number would be adequate for all parking needs because of such special circumstances as multi-use parking for uses having peak parking demands at different times, unusual age or other characteristics of site users or user-sponsored demand reduction devices such as carpooling, or land use or parking studies from similar establishments show parking requirements are less than what is required in this bylaw; or other reasons that are adequately supported.

3351. Multi-use (aka “shared”) Parking:

5. Determine the number of originally required parking spaces for different uses/facilities sharing the same parking lot.
6. Determine the percentages of maximum parking needed for different uses at different days and times determined either by a study of local conditions or the Parking Occupancy Rates table below.
7. Apply the percentages from Step 2 to the numbers from Step 1.
8. Add up the totals and select the total with the highest value.

Parking Occupancy Rates Table *This table defines the percent of the basic minimum needed during each time period for shared parking. (M-F = Monday to Friday)*

Uses	M-F	M-F	M-F	Sat. & Sun.	Sat. & Sun.	Sat. & Sun.
	8am-5pm	5pm-12am	12am-8am	8am-5pm	5pm-12am	12am-8am

Residential	60%	100%	100%	80%	100%	100%
Office and Business Services	100%	20%	5%	5%	5%	5%
Retail/Service	90%	80%	5%	100%	70%	5%
Hotel/Motel	70%	100%	100%	70%	100%	100%
Dining	70%	100%	10%	70%	100%	20%
Movie Theater	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
General Public Assembly	100%	20%	5%	10%	10%	5%
Religious Centers	10%	5%	5%	100%	50%	5%

3352. Flexible Parking Options:

6. Employment Density (number of employees per acre): reduce requirements 10-15% in areas with 50 or more employees per acre of site.
7. Land use mix (range of land uses located within convenient walking distance): reduce requirements 5-10% in mixed-use developments.
8. Walkability (walking environment quality): reduce requirements 5-15% in walkable locations and more if walkability allow more shared and off-site parking.
9. Parking and mobility management: reduce requirements 10-20% at worksites with effective parking and mobility management programs.
10. Other factors that with adequate support may warrant a reduction of parking spaces.

3360. Parking Area Design and Location

3361. Surfacing. All required parking areas and their access driveways, except those facilities serving single-family residences shall be paved, unless exempted by the Planning Board in acting under Section 1420 Development Plan Review, for cases such as seasonal or periodic use where unpaved surfaces will not cause dust, erosion, hazard or unsightly conditions. Permeable or porous paving is encouraged in low traffic areas such as reserve parking, painted parking lines, parking pullouts, crosswalks etc.

3362. Setback. No off-street parking area for five or more cars shall be located within 20 feet of a street right-of-way. When shopping cart corrals are proposed, the location of such corrals shall be next to handicap parking spaces.