

BRIDGEWATER TOWN COUNCIL

Tuesday, June 26, 2018

7:30 p.m.

Academy Building

66 Central Square

Council Chamber, Room 203

Bridgewater MA

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TOWN CLERKS OFFICE
BRIDGEWATER, MA.

2018 JUN 22 P 12:21

MEETING AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) June 5, 2018

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

a) Annual Reappointments:

- Mr. Brian Alves – *Agricultural Commission*
- Mr. David Wolohojian – *Conant Trust*
- Mr. David Frim – *Disabilities Commission*
- Ms. Joan Colombo – *Elder Affairs Commission*
- Ms. Diane Roza – *Elder Affairs Commission*
- Ms. Gloria Lemieux – *Elder Affairs Commission*
- Mr. Victor Delmonte – *Elder Affairs Commission*
- Mr. Peter Caratelli – *Elder Affairs Commission*
- Mr. Matthew Rushton – *Finance Committee (Council Re-Appointment)*
- Mr. David Moore – *Historical Commission*
- Mr. Robert Wood – *Historical Commission*
- Ms. Sharon Anderson – *Historical Commission*
- Mr. Raymond Ajemian – *Planning Board*
- Mr. Brian Heath – *Zoning Board of Appeals*

F. HEARINGS - *None*

G. LICENSE TRANSACTIONS - *None*

H. PRESENTATIONS - *None*

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS - *None*

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

a) Resolution R-FY18-005: Amend September 2018 Meeting Date

This measure was not referred to any committee. 14 days has elapsed per section XVIII of the Council Rules & Procedures; therefore, this measure may be finally considered this evening.

M. OLD BUSINESS

a) Ordinance D-FY18-011: Zoning Ordinance - Amend Elm Street Retail Overlay (ERO) District.

At the conclusion of a joint hearing held by the Community & Economic Development Committee and Planning Board on 4/17/18, both committees voted "not to recommend" this measure to the Town Council.

b) Ordinance D-FY18-008: Zoning Ordinance - Elm Street Retail Overlay Usage

At the conclusion of joint hearings held by the Community & Economic Development Committee and Planning Board on 4/17/18 and 6/20/18, both committees voted to recommend with proposed amendments. This measure requires further advertising, pending adoption of amendments, therefore may not be finally considered this evening.

N. NEW BUSINESS

- a) Ordinance D-FY19-001: Zoning Ordinance – Amend Section 19, Mixed Uses CBD of Zoning Bylaws
(*Councilor Wood*)
- b) Order O-FY19-008: Transfer Order - Sewer Reserve Capital Transfer (*Town Manager*)
- c) Order O-FY19-009: Transfer Order - Water Reserve Capital Transfer (*Town Manager*)
- d) Order O-FY19-010: Collective Bargaining Agreement Ratification – Bridgewater Police Association
(*Town Manager*)

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, June 5, 2018

Council Resolution: R-FY18-005

Introduced By: Councilor Edward Haley
Date Introduced: June 5, 2018
First Reading: June 5, 2018
Second Reading: June 26, 2018
Amendments Adopted:
Date Adopted:
Effective Date:

Resolution R-FY18-005

AMEND SEPTEMBER 2018 TOWN COUNCIL MEETING DATE

WHEREAS: The Massachusetts State Primary Election was originally scheduled for September 18, 2018

WHEREAS: The Massachusetts State Primary Election date has been changed to September 4, 2018, which is in direct conflict with a scheduled Regular Town Council meeting and;

WHEREAS: It is not advisable to hold a public meeting on the same date as an election;

RESOLVED: The first Regular Town Council meeting in September 2018 be amended to September 11, 2018 to be held in the Academy Building, Council Chambers, 66 Central Square, Bridgewater MA, beginning at 7:30 p.m., unless otherwise noted.

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|--|----------------|
| <ul style="list-style-type: none">This measure was not referred to any committee(s). 14 Days has elapsed per Section XVIII of the Council Rules & Procedures, therefore may be finally considered. | |



Bridgewater Town Council

In Town Council, Tuesday, June 26, 2018

Council Ordinance: D-FY18-011

Introduced By: Councilor Edward Haley
Date Introduced: November 21, 2017
First Reading: December 19, 2017
Second Reading: June 26, 2018
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-FY18-011

ZONING ORDINANCE: AMEND ELM STREET RETAIL OVERLAY (ERO) DISTRICT

WHEREAS, the Marijuana Ad-Hoc Committee at its 08/03/2017 meeting voted to recommend to the Town Council, pursuant to Chapter 94G, a zoning moratorium on locating a recreational marijuana facility; and

WHEREAS, the Marijuana Ad-Hoc Committee at its 11/09/2017 meeting voted to recommend to the Town Council that an area be specifically zoned to locate and restrict marijuana retail establishments and its ancillary businesses. Further, the Committee voted that the recommended zoning measure be enacted regardless of whether the Town institutes a moratorium or a ban on retail sales of marijuana; and

WHEREAS, pursuant to G.L. c.94G, §3, a municipality may prohibit or limit recreational marijuana establishments by ordinance; and

WHEREAS, the Town has designated an area - *Elm Street Retail Overlay (ERO)* - where Medical Marijuana Establishments may be restricted to in order to minimize the adverse impacts of a Medical Marijuana Establishment on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said facilities;

WHEREAS, local regulation under G.L. c.94G, §3 provides that municipalities may regulate the time, place and manner of marijuana establishment operations and may adopt ordinances that impose reasonable safeguards on the operation of marijuana establishments, provided they are not “unreasonably impracticable.”, it is therefore;

ORDERED, that the Town Council assembled votes to amend *Section 21 Medical Marijuana Treatment Center* of the Bridgewater Amended Zoning By-Laws by adding Retail Marijuana Establishments to Elm Street Retail Overlay (ERO) District as a Special Permit and No for all other zones in the Use Table and to limit the number of special permits to the number of Medical Marijuana Establishments, as allowed by G.L. c.94G, §3 (2)(a)(iii).

Explanation:

The mission of the Ad-Hoc Marijuana Committee is to identify the issues associated with the retail sales of marijuana in the Town of Bridgewater and suggest possible solutions, including recommendations on the promulgation of ordinances and regulations. The proposed Legislation reflects the recommendation of the committee should the Town fail to enact a ban on retail establishments; or should the Town and other communities be subject to intervention either by the legislature or court challenge.

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|---|--|
| <ul style="list-style-type: none">• Community & Economic Development Committee• Planning Board | <ul style="list-style-type: none">• 4/17/18: At the conclusion of public hearing, vote 3-0 not to recommend to Council• 4/17/18: At the conclusion of public hearing, vote 3-0 not to recommend to council. |



Bridgewater Town Council

In Town Council, Tuesday, June 26, 2018

Council Ordinance: D-FY18-008

Introduced By: Councilor William Wood
 Date Introduced: November 7, 2017
 First Reading: November 7, 2017
 Second Reading: June 26, 2018
 Amendments Adopted:
 Date Adopted:
 Date Effective:

Proposed amendments voted by
 Community & Economic Development
 Committee and Planning Board

Proposed Ordinance D-FY18-008

ZONING ORDINANCE – ELM STREET ~~RETAIL~~ RECREATIONAL OVERLAY USAGE

WHEREAS, MGL Chapter 94G Section 3 allows local control; and
WHEREAS, the Elm Street Retail Overlay was established to allow Bridgewater to limit and restrict Retail Marijuana businesses to the location of the Medical Marijuana Establishments; and
WHEREAS, MGL 94G Section 3(2)(a)(iii) allows local control to limit the number of ~~Retail~~ Recreational Locations equal to the number of Medical Locations, it is therefore;

ORDERED, that the Town Council assembled votes to amend the Bridgewater Amend Zoning By-Laws by adding Marijuana Cultivation, Marijuana Product Manufacturing, and Marijuana Testing Facility as uses allowed by Special Permit to the Elm Street Retail Overlay (ERO) District and No for all other zones in the Use Table and to limit the number of special permits allowed to two (2), and to allow no more than two (2) marijuana establishments per special permit as allowed by MGL 94G Section 3(2)(a)(iii) also to add the following definitions:
MARIJUANA: all parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in section 1 of chapter 94C; provided, however, that “marijuana” shall not include: (i) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination; (ii) hemp; or

(iii) the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.~~adding Retail Marijuana Establishments to Elm Street Retail Overlay (ERO) District as a Special Permit and No for all other zones in the Use Table and to limit the number of special permits to the number of Medical Marijuana Establishments, as allowed by MGL 94G Section 3(2)(a)(iii).~~

MARIJUANA ESTABLISHMENT: a marijuana cultivator, marijuana testing facility, marijuana product manufacturer.

MARIJUANA CULTIVATOR: an entity licensed to cultivate, process and package marijuana, to deliver marijuana to Marijuana Establishments and to transfer marijuana to other Marijuana Establishments, but not to consumers.

MARIJUANA TESTING FACILITY: a laboratory that is licensed by the Cannabis Control Commission and is: (i) accredited to the most current International Organization for Standardization 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition

NOT FOR ACTION – REQUIRES FURTHER ADVERTISING PENDING THE ADOPTION OF AMENDMENTS.

arrangement or that is otherwise approved by the Cannabis Control Commission; (ii) independent financially from any medical marijuana treatment center or any licensee or marijuana establishment for which it conducts a test: and (iii) qualified to test marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94C, § 34.

MARIJUANA PRODUCT MANUFACTURER: an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to Marijuana Establishments and to transfer marijuana and marijuana products to other Marijuana Establishments, but not to consumers.

MARIJUANA PRODUCTS: products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

And that the Town Council assembled votes to amend the Bridgewater Amend Zoning By-Laws by adding the following criteria:

Administration

Special Permit Granting Authority (SPGA) shall be the Planning Board.

Use Regulations

1. No special permit shall be granted for any Marijuana Establishment sited within a radius of five hundred feet of a public or private, primary or secondary school, licensed daycare center, public library, public park or playground. The 500-foot distance under this section shall be measured in a straight line from the nearest point of the facility in question to the nearest point of the proposed Marijuana Establishment. Each applicant for a special permit under this section shall submit a plan signed by a licensed surveyor, depicting compliance with the linear distance requirements set forth herein.
2. All aspects of a Marijuana Establishment relative to the cultivation, possession, processing, distribution, dispensing or administration of marijuana, marijuana products, or related supplies must take place at a fixed location within a fully enclosed building and shall not be visible from the exterior of the building. A Marijuana Establishment shall not be located in a trailer, storage freight container, motor vehicle or other similar movable enclosure.
3. No outside storage of marijuana, marijuana products, or related supplies is permitted.
4. The Marijuana Establishment shall provide an odor control plan that provides for proper and adequate ventilation at such facilities in such a manner so as to prevent pesticides, insecticides or other chemicals used in the cultivation or processing of marijuana or marijuana related products from being dispersed or released outside the facilities. All resulting odors, smoke, vapor, fumes, gases and particulate matter from marijuana or its processing or cultivation shall be effectively confined to the premises or so disposed of so as to avoid any air pollution.
5. The Marijuana Establishment shall provide for adequate and proper security at the premises so as to avoid, deter and prevent illegal activities from taking place upon or about the applicant's premises.
6. No marijuana or marijuana product shall be smoked, eaten or otherwise consumed or ingested on the premises. All Marijuana Establishments permitted under this section shall comply with all state and local laws, rules and regulations governing the smoking of tobacco.

Dimensional Requirements

1. A Marijuana Establishment shall comply with the dimensional controls set forth in The Town of Bridgewater Zoning By-laws.

Abandonment or Discontinuance of Use

1. A special permit grant under this section shall lapse if not exercised within one year of issuance.
2. A Marijuana Establishment shall be required to remove all materials, plants, equipment and other paraphernalia within ninety days of ceasing operations or immediately following revocation of its license issued by the Cannabis Control Commission.
3. The SPGA may require the Marijuana Establishment to post a bond or other resources held in an escrow account in an amount sufficient to adequately support the dismantling and winding down of the Marijuana Establishment.

Special Permit Approval Criteria

1. After notice and public hearing, and after due consideration of the evidence submitted, including the reports and recommendations of other Town departments, the SPGA, may grant such a special permit provided that it finds that:
 - a) The Marijuana Establishment does not derogate from the purposes and intent of this Section and the Zoning Ordinance.
 - b) The application information submitted is adequate for the SPGA to consider approving the special permit request.
 - c) The proposed establishment is designed to minimize any adverse impacts on abutting properties.
 - d) The security plan provides sufficient assurance that adequate security controls have been implemented to ensure the protection of the public health and safety during hours of operation and that any marijuana or marijuana related products are adequately secured on-site or via delivery.
 - e) The odor control plan proposed adequately provides for the ongoing safe operation of the establishment and minimizes any adverse impacts to abutting properties from odor-emitting activities to be conducted on-site.
 - f) The proposed design and operation of the Marijuana Establishment will meet the requirements of this Section.

Application Requirements

1. All applicants are encouraged to contact the Community and Economic Development Director to schedule a pre- application meeting.
2. In addition to all the application requirements related to special permits the applicant shall include the following at the time of application:
 - (a) Copies of all licenses, permits and documentation demonstrating application status, registration or licensure by the Commonwealth of Massachusetts Cannabis Control Commission.
 - (b) A security plan showing the arrangement of pedestrian circulation and access to the public points of entry to the premises from the nearest public or private street or off-street parking area. The security plan shall detail how the property will be monitored so as to avoid, deter and prevent illegal activities from taking place upon or about the applicant's premises and shall show the location of any walkway structures, lighting, gates, fencing and landscaping.
 - (c) A list of all managers, officers, directors, persons or entities having direct or indirect authority over the management, policies, security operations or cultivation operations of the Marijuana Establishment.

- (d) A list of all persons or entities contributing 10% or more of the initial capital to operate the Marijuana Establishment, including capital in the form of land or buildings.
- (e) Proof that the Marijuana Establishment is registered to do business in the Commonwealth of Massachusetts as a domestic business corporation or another domestic business entity in compliance with 935 CMR 500 and is in good standing with the Secretary of the Commonwealth and Department of Revenue.
- (f) Documentation of a bond or other resources held in an escrow account in an amount sufficient to adequately support the dismantling or winding down of the Marijuana Establishment, if required.
- (g) An odor control plan detailing the specific odor-emitting activities or processes to be conducted on-site, the source of those odors, the locations from which they are emitted from the facility, the frequency of such odor-emitting activities, the duration of such odor-emitting activities, and the administrative and engineering controls that will be implemented to control such odors, including maintenance of such controls.
- (h) An applicant who is not the property owner shall submit evidence in the form of a deed, an executed lease or valid purchase and sale agreement documenting the applicant's contingent property interest and legal right to operate a Marijuana Establishment at the property.

Explanation:

1. *This measure is in keeping with the original strategy discussed in the Council and implements limits and controls.*
2. *Prior to the intervention of the State for Question 4, Question 4 allowed local control over the location and number of Retail Stores. Local control can be established by the Town Council since we are a City and not a Town form of government.*
3. *Should the Council decide to allow the Town to vote on a Ban, as now allowed by the revised Question 4 language, and should the ban fail, this measure will protect Bridgewater from having too many shops in unrestricted areas (e.g. Downtown)*

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|--|--|
| <ul style="list-style-type: none"> • Community & Economic Development Committee • Planning Board | <ul style="list-style-type: none"> • Hearings Conducted 4/20/18 and 6/20/18. At the conclusion of 6/20/18 hearing, vote 3-0 recommend ordinance with proposed amendments. • Hearings Conducted 4/20/18 and 6/20/18. At the conclusion of 6/20/18 hearing, vote 3-0 recommend ordinance with proposed amendments. |

RA/B

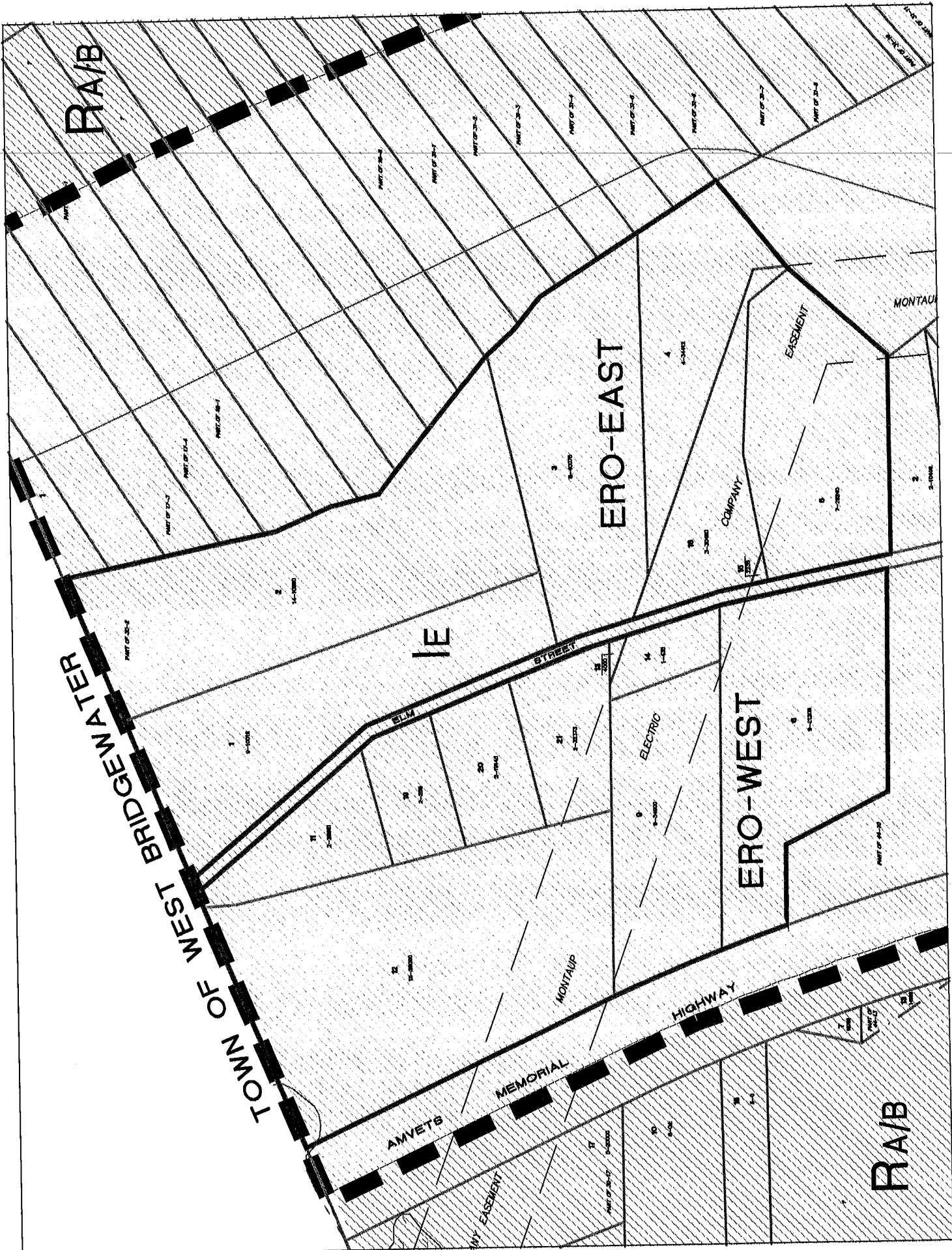
TOWN OF WEST BRIDGEWATER

IE

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RA/B



AMVETS

MEMORIAL

HIGHWAY

MONTAUP

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MONTAUP

COMPANY

STREET

ELEM

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Bridgewater Town Council

In Town Council, Tuesday, June 26, 2018

Council Ordinance: D-FY18-001

Introduced By: Councilor William Wood
Date Introduced: June 26, 2018
First Reading: June 26, 2018
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-FY19-001

ZONING ORDINANCE – AMEND SECTION 19, MIXED USES – CBD OF ZONING BYLAWS

ORDERED, pursuant to MGL, Chapter 40A that the Town Council assembled votes amend Section 19 of the Town of Bridgewater Zoning Bylaws as follows:

19.01 Purpose:

The purpose of this section is to allow for the redevelopment of the Central Business District to expand small retail and restaurant uses while providing flexibility to respond to changing household sizes and needs.

19.02 Powers and Administrative Procedures

The Planning Board is hereby designated the Special Permit Granting Authority (SPGA) for Mixed Use Development. The SPGA shall adopt rules relative to the issuance of special permits **for** Mixed Use Development 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.

In all matters in which it has jurisdiction to issue use Special Permits pursuant to the provisions of this Section, the Planning Board may issue such Special Permits only upon a finding that the proposed use 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.

Approval criteria. No Special Permit under Section 19 shall be granted unless the Planning Board finds that:

- (a) The Plan complies with the provisions of this Article.
- (b) The impact of the development activities shown on the Plan is anticipated to be of benefit to the Town.

- (c) The intersections and roadways providing access to the project will operate at an acceptable level of service based on the anticipated impact of vehicular traffic from all proposed development.
- (d) 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.
- (e) 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.

19.03 Applicability:

No Mixed Use Development special permit shall be granted unless the application and site plan meet the requirements contained in Section 19.4 and the SPGAs Rules and Regulations for Mixed Use Development applications.

19.04 Requirements (Amended 7/22/2016 D-2016-001)

A Mixed Use Development shall be allowed by special permit, subject of the following requirements:

1. The proposal shall meet all the land space requirements table (Section 8.40);
2. The location, size and proposed uses of the development are properly located on the site;
3. Adjacent properties are protected from nuisance caused by noise, fumes, drainage, shading, traffic and/or glare of lights;
4. Significant natural features are preserved as much as possible;
5. Preservation of historic features or buildings;
6. Properties located within the Historic District shall comply with the rules and regulations of the Historic District Commission.
7. Commercial uses shall be required on the first floor in its entirety. No residential uses are allowed at ground floor, or first floor, in mixed use development;
8. The allowed residential density under this Section is 18 units per acre. The Planning Board may allow for density bonuses up to 26 units per acre for the following:
 - a. Transfer of Development Rights (TDR) – 1.5 units for every 1 TDR
 - b. Preservation of Historic Structures – 2 units for the preservation of 1 Structure
 - c. Donation of Open Space or the Preservation of Land through a Conservation Restriction – 1 unit for every 2 acres protected
 - d. Payment to the Affordable Housing Trust Fund – a 1 bedroom unit for each donation of \$30,000 and a 2 bedroom unit for each donation of \$60,000. These amounts will be adjusted annually for inflation at a rate of 2% beginning in 2020.
 - e. Public Streetscape 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.
 - f. 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.

7. Density Bonuses are solely at the discretion of the Planning Board, if the Board finds that the bonus provides a significant benefit to the Town of Bridgewater or public at large.
- 8.9. Architectural details of new buildings and additions, 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 Design Guidelines as established herein.
- 9.10. _____ The mass, proportion and scale of the building, proportions and relationships between doors and windows should be harmonious among themselves and with those of the surrounding area and meet Design Guidelines established herein.
11. Parcels in contiguous ownership shall be designed as and considered one project.
12. Projects designed under this section shall have no minimum lot size, frontage requirement or setback requirement.
13. Each project submitted under this section must provide the commercial development on the first floor of each building or the commercial development shall equal 30% of the gross floor area of the project. In all instances the first floor of and street facing building shall be commercial development. The SPGA may reduce this requirement with a finding of exceptional circumstances. Exceptional circumstance may include: topography, environmental conditions, soil conditions and shape of the lot.
- ~~10.1. _____ The building's location shall be 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.~~
- ~~11.1. _____ Buildings should be placed close to the road and sidewalk to encourage pedestrian traffic; parking areas should be placed to the side or rear of buildings; long horizontal facades should be avoided by incorporating recesses and projections, of a minimum of two feet in depth; entrance ways should 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 should be avoided; drive-through elements should be architecturally incorporated into the building; drive-through elements generally should not face the street; the material used for additions should complement the materials of the original structure.~~
- ~~12.1. _____ Rooflines: the use of flat roofs should be avoided, A frame roofs are preferred; roof colors should be earth tones or a color that is darker than the facade and garish roof colors should not be used; visible roofing materials should complement the color and texture of the building's facade; roof mounted mechanical equipment should be screened from public view or grouped at the rear of the structure where visibility is limited. To prevent a canyon effect along the street scape, proposed structures achieving the maximum building height must utilize terracing of the structure, or creating architectural elements (including angled roofs, dormers and gable elements) above the second story.~~
- ~~13.1. _____ Building Signs: sign colors should complement the colors on the building; carved wooded signs are encouraged; internally illuminated signs are not allowed; lighting fixtures illuminating signs should be located so light is directed only onto the sign facade.~~
- ~~14.1. _____ A minimum of 60% of the building's street side facade shall contain windows. The windows should be divided by muntins and framed with a casing trim; awnings should be designed as an integral part of the building facade; metal awnings are discouraged.~~
15. The Planning Board, as part of a Special Permit, may increase residential density up to 18 units per upland-acre (2,420 square feet per unit) with a minimum 30% gross floor area commercial development. The 30% gross floor area is computed from the total gross floor area of the project. No residential units are allowed on the ground floor of a mixed use development within the Central Business District zone.

BDesign Guidelines

14. The building's location shall be 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.
15. Buildings should be placed close to the road and sidewalk to encourage pedestrian traffic; parking areas should be placed to the side or rear of buildings; long horizontal facades should be avoided by incorporating recesses and projections, of a minimum of two feet in depth; entrance ways should 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 should be avoided; drive-through elements

- should be architecturally incorporated into the building; drive-through elements generally should not face the street; the material used for additions should complement the materials of the original structure.
16. 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.
 17. Buildings may be 4 stories tall or 45' in height.
 18. Rooflines: ~~the use of flat roofs should be avoided.~~ A-frame roofs are preferred, but flat roofs may be allowed for taller building and when green roofs are proposed; roof colors should be earth tones or a color that is darker than the facade and garish roof colors should not be used; visible roofing materials should complement the color and texture of the building's facade; roof mounted mechanical equipment should be screened from public view or grouped at the rear of the structure where visibility is limited. To prevent a canyon effect along the street scape, proposed structures achieving the maximum building height must utilize terracing of the structure, or creating architectural elements (including angled roofs, dormers and gable elements) above the second story.
 19. 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.
 20. Street facades should ensure that the building and landscaping enhances the streetscape and does not detract from the character of the area.
 21. Building Signs: sign colors should complement the colors on the building; carved wooded signs are encouraged; internally illuminated signs are not allowed; lighting fixtures illuminating signs should be located so light is directed only onto the sign facade.
 22. A minimum of 60% of the building's street side facade shall contain windows. The windows should be divided by muntins and framed with a casing trim; awnings should be designed as an integral part of the building facade; metal awnings are discouraged.

CThe 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 Central Business District zone.

23. No units larger than 2 bedrooms will be allowed. All projects should provide a balanced mix of 1 & 2 bedrooms.
24. ~~Two~~ One parking spaces per unit plus one visitor parking space for every three units shall be provided.
25. The Planning Board may allow for shared parking between the Commercial and Residential uses on site.
26. All parking areas shall be designed behind the buildings and not adjacent to the street. The SPGA may waive this requirement if topography or other extenuating circumstances warrant it.
- ~~16.27.~~ 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 the requirement in section B (19).
- ~~17.28.~~ A properly screened dumpster shall be located that meets the following requirements; buffer adjacent residential uses, provides easy access for removal service, doesn't conflict with parking or interior vehicle access, plastic tops to reduce noise.
- ~~18.29.~~ A suitable snow storage area shall be provided without loss of any of the required parking spaces or displacement of drainage basin, swales, etc. The snow storage area shall accommodate a six (6) inch storm event for the driveways and access ways, parking, loading and sidewalk areas contained within the development.
- ~~19.30.~~ 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. 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.
- ~~20.31.~~ A Traffic Impact Assessment, Traffic Impact Statement and Regional Traffic Analysis shall be submitted as required by the Traffic Impact Study By-law.

19.05 Compliance:

An as -built, certified by a registered professional land surveyor or engineer shall be submitted to the SPGA and 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 the approved special permit shall be submitted to the SPGA for review and approval prior to issuance of permanent occupancy permit.

The special permit is granted for a period of two years and shall lapse if substantial use or construction has not been commenced by such date, except for good cause shown and provided that said construction once begun shall be actively and continuously pursued to completion within a reasonable time. Good cause and reasonable time shall be determined by a vote of the SPGA.

19.06 Appeals:

Any person aggrieved by a decision of the SPGA under this section may appeal to the Superior Court, the Land Court or the District Court pursuant to Chapter 40A of the Massachusetts General Laws.



Bridgewater Town Council

In Town Council, Tuesday, June 26, 2018

Council Order: O-FY19-008

Introduced By: Town Manager *(at the request of the Finance Director)*
Date Introduced: June 26, 2018
First Reading: June 26, 2018
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY19-008

TRANSFER ORDER - SEWER RESERVE CAPITAL SPECIAL PURPOSE

ORDERED, pursuant to Section 6-4 of the of the Bridgewater Home Rule Charter, that the Town Council assembled vote to appropriate and transfer the sum of **\$250,000**

- from SWR Reserved Special Purpose - Capital account# **6100-358000**
- to SWR WWTP Planning Upgrade # **61105-583004**

Explanation: To Fund planning contract for upgrade of WWTP.

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|-------------|----------------|
| • | • |



Bridgewater Town Council

In Town Council, Tuesday, June 26, 2018

Council Order: O-FY19-009

Introduced By: Town Manager *(at the request of the Finance Director)*
Date Introduced: June 26, 2018
First Reading: June 26, 2018
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY19-009

TRANSFER ORDER – WATER RESERVE CAPITAL SPECIAL PURPOSE

ORDERED, pursuant to Section 6-4 of the of the Bridgewater Home Rule Charter, that the Town Council assembled vote to appropriate and transfer the sum of **\$294,000**

- from WTR Reserved Special Purpose - Capital account# **6200-358000**
- to High Street Water Treatment Facility Capital Fund# **62125-530051**

Explanation: To Fund additional design work contract for upgrade of High Street Water Treatment Facility.

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|-------------|----------------|
| • | • |



Bridgewater Town Council

In Town Council, Tuesday, June 26, 2018

Council Order: O-FY19-010

Introduced By: Town Manager *(at the request of the Finance Director)*
Date Introduced: June 26, 2018
First Reading: June 26, 2018
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY19-010

COLLECTIVE BARGAINING AGREEMENT RATIFICATION – BRIDGEWATER POLICE ASSOCIATION

ORDERED, in accordance with section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council assembled vote to approve the negotiated agreement covering July 1, 2018 through June 30, 2021 with the Bridgewater Police Association.

Explanation:

The Town Manager negotiated an agreement with the Bridgewater Police Association. An affirmative vote of the Council will approve the contract as presented. A subsequent transfer request will fund the appropriation thereof.

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|-------------|----------------|
| • | • |