

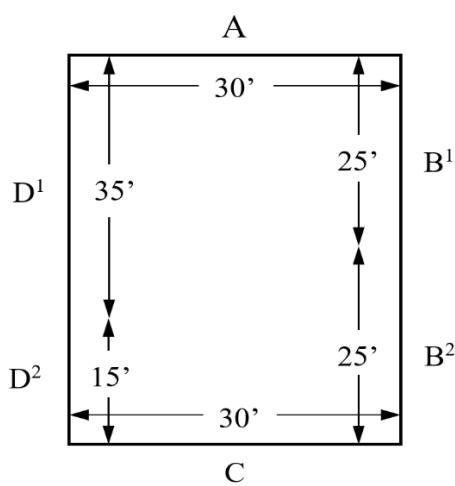
Warrant Articles- Zoning Updates

To see if the Town will vote to amend the Sherborn Bylaws by amending Sections 240-1.5 Definitions, Section 240-2.1 Classes of Districts, Section 240-3.2 Schedule of Use Regulations (3), (5), (14), (26), adding Section 240-3.2 (14A) and (26A); amending Table of Use Regulations 14A, 26, 26A and footnotes; amending Section 240-4.1 Basic Requirements A, A-1,A-2 and A-5; amending Section 240-4.2 Schedule of Dimensional Requirements footnotes * and #; amending 240-4.3 Special Requirements F; amending 240-4.4 Street Frontage F (5)(b); amending Section 240-4.9 Affordable Housing A (2) and adding A (3), (4) and (5) as listed below:

Section 240-1.5 Definitions

AVERAGE LOWEST FINISHED GRADE — *A wall may be divided into sections.* The average (mean) lowest elevation of the ground adjacent to all the *sections* of exterior walls of a building. It is calculated by determining the lowest elevation adjacent to each *section of* wall, weighting that elevation by the length of its adjacent *section of* wall (multiplying the elevation in feet by the length of the *section of* wall in feet), and dividing the sum of all weighted elevation figures by the total length of all exterior walls. The elevation figure used may be the height above mean sea level (msl), elevation relative to the top of the concrete foundation, or some other appropriate fixed point in the discretion of the building inspector. See illustration below:[**Added 1996; amended 2025**]

a.



Low points at each *section of* wall (height above msl):

A = 100'
B = 90'
B¹ = 95'
B² = 90'
C = 90'
D = 95'
D¹ = 95'
D² = 90'

A = $30 \times 100 = 3,000$
B = $50 \times 90 = 4,500$
B¹ = $25 \times 95 = 2,375$
B² = $25 \times 90 = 2,250$
C = $30 \times 90 = 2,700$
D = $50 \times 95 = 4,750$
D¹ = $35 \times 95 = 3,325$
D² = $15 \times 90 = 1,350$

Calculation: weighted elevations:

Total weighted elevation: $14,950 - 15,000$

Total length of walls: 160

Average lowest finished grade: $14,950/160 = 93.44$ $15,000/160 = 93.75$

STRUCTURE. A combination of materials, other than a building, constructed or placed in a fixed location on the ground or attached to anything having a fixed location on the ground. The term structure

shall include tennis courts, paddle tennis courts, and swimming pools, but shall not include walls or fences ~~six seven~~ feet or less in height, utility poles and guys, *patios at grade, or driveways.* [Added 1980; amended 2025]

240-2.1 Classes of Districts

The Town of Sherborn is hereby divided into the following classes of district:

Residence District A
Residence District B
Residence District C
Residence District EA [Added 1991; *amended 2008, 2017, 2023*]
Residence District M [Added 1979; *changed to EA in 2008*]
Business District G [Added 1983]
Business District P [Added 1983]

Overlay Districts

Flood Plain District [Added 1970]
Multi-Family Overlay District [Added 2025]
Wireless Communication Overlay Districts 1 and 2 [Added 1977]
Large-scale ground-mounted solar photovoltaic facilities [Added 2011; amended 2023]

240-3.2 Schedule of Use Regulations

(3) Renting rooms. This use is allowed in all districts. The renting of rooms or the furnishing of table board to not more than four persons not related by blood or marriage residing on the premises. This does not include transients or tourists. *Rooms may only be rented or licensed for occupancy for terms of more than 30 days.* [Amended 1973; 2025]

(5) Professional occupation. This use is permissive in all districts.

(e) There is no exterior storage of material or equipment, including the parking of commercial vehicles and no other exterior indication of such use or variation from the residential character of the premises, *except as otherwise expressly permitted by the Board of Appeals.* [Amended 1973; 2025]

(14) Private School. This use is permissive in all districts.

~~Daycare center, p~~Private elementary or secondary school, charitable or philanthropic institution, but not a hospital, rest home or sanitarium (except as permitted by Subsection 13 above. [Amended 1973; 1978; 2025]

(14A) *Day care / child care center*

For definition, see M.G.L. c. 15D, s. 1A. [Added 2025]

(26) *Two-Family Dwelling (Duplex) - This use is permissive in Residences A, B, and C Districts where approved as part of an Open Space Subdivision, and prohibited in all other districts.*

Single structure intended for dwelling by two families. Note: a Single Family Home with a single ADU is not considered to be a Two-Family Dwelling for the purposes of zoning. [Added 2025]

(26A) Multidwellings - This use is permissive in Residence EA Districts, prohibited in all other districts, except as otherwise provided in Section 240-4.5, 240-5.6 or 240-5.7.

Three-family dwelling or larger. Multidwelling buildings must conform in all respects with the purposes and requirements set forth in § 240-5.6 or 240-5.7. [Added 1970; amended 1991; 4-25-2023 ATM by Art. 23; 2025]

TABLE OF USE REGULATIONS¹ (amended 2013, 2014, 2018, 2025)

| Use ² | District | | | | | |
|----------------------------------|-----------|-----------|-----------|------------|-----------|-----------|
| | <u>RA</u> | <u>RB</u> | <u>RC</u> | <u>REA</u> | <u>BG</u> | <u>BP</u> |
| 14A) Day care/child care center | <i>A</i> | <i>A</i> | <i>A</i> | <i>A</i> | <i>A</i> | <i>A</i> |
| 26) Two-Family Dwelling (Duplex) | <i>OS</i> | <i>OS</i> | <i>OS</i> | <i>P</i> | <i>X</i> | <i>X</i> |
| 26A) Multidwellings** | <i>X</i> | <i>X</i> | <i>X</i> | <i>P</i> | <i>X</i> | <i>X</i> |

¹ This table is a summary of Section 3.2, Schedule of Use Regulations, and is not intended to make any substantive change to the Zoning Bylaw.

²See Section 3.2, Schedule of Use Regulations, for definitions.

A = Allowed P = Permissive X = Prohibited NA = Not Applicable

P* = Provided Town Meeting Preliminary Development Plan Approval has been granted

** This use is permissive as otherwise provided in Section 240-5.6 or 240-5.7.

OS = Permissive as otherwise provided in Section 240-4.5.

Section 240-4.1 Basic requirements.

- A. Small accessory **shed structure** exception. A reduction to one-half of the values shown in section **240-4.2** for minimum required side and rear setbacks in the Residence A, B and C Districts shall apply to small accessory **sheds-structures (including sheds, arbors, pergolas, pavilions, etc.)** provided that they meet the following criteria:
 1. The **shed structure** meets the minimum required front setback requirements shown in section **240-4.2**.
 2. The **shed structure** is not permanent in nature (i.e., not on a foundation);
 3. Its area is not more than 250 square feet;
 4. Its maximum height is 1.5 stories to allow for a pitched roof, and its height shall not exceed the distance to the nearest lot line;
 5. The **shed structure** shall not be used for the parking and storage of automobiles.

240-4.2 Schedule of Dimensional Requirements (Amended 1973, 1979, 1980, 1983, 1991, 1995, 1996, **2025**)

| District | Minimum Lot Size (in acres) | Minimum Continuous Frontage (in feet) | Minimum Lot Width | Lot Depth | Minimum Setback (in feet) | | | Maximum Height | | Maximum Lot Coverage |
|-----------------|-----------------------------|---------------------------------------|-------------------|-----------|---------------------------|------|------|----------------|------|----------------------|
| | | | | | Front | Side | Rear | Stories | Feet | |
| Residence A | 1 | 150 | 150* | | 60** | 30 | 30 | 2.5 | 35 | |
| Residence B | 2 | 200 | 200* | | 60** | 40 | 30 | 2.5 | 35 | |
| Residence C | 3 | 250 | 250* | | 60** | 40 | 30 | 2.5 | 35 | |
| Residence EA*** | 6 | 50 | Not applicable | 300 | 100** | 60 | 60 | 2.5 | 35 | |
| Business G | None | 100 | 100* | 150 | 60** | 15+ | -- | 2.5 | 35 | 1/3 |
| Business P | None | 100 | 100* | 150 | 60 | 30 | 30 | 2.5 | 35 | 1/3 |

* Measured both at front setback line and at building line. *Minimum lot width shall be continuously maintained between the frontage and the setback line.* At no point between the *required frontage setback line* and the building line shall lot width be reduced to less than 50 feet, *without an exception from the Planning Board.*

** Measured from Front Lot Line.

*** With a Special Permit for Multidwellings.

+ From abutting residence district.

Projects allowed by an Overlay District shall follow the dimensional standards of that Overlay District

If any dimensional requirement applicable to a residential district in the foregoing schedule shall be held by judicial process to be invalid with respect to any property that property shall thereafter be subject to the comparable dimensional requirement applicable to the residence district next preceding in the above alphabetical designation.

Section 240-4.3 Special requirements

F. Number and location of dwellings on one lot. The number and location of dwellings (dwellings in this section including accessory buildings excluding ADUs, apartments, or housekeeping units with approved building permits) on any one lot shall be such that every dwelling thereon can be provided with sufficient land to form a separate lot which will itself be in full conformity to the regulations of this section and on which that dwelling will be in full conformity thereto; and upon alienation of any dwelling, it shall be provided with such a lot and every remaining dwelling on the original lot shall be left capable of being provided therewith. This section shall not apply to duplex or multidwelling projects buildings in a Residence EA District or Open Space Residential Subdivision for which a special permit has been granted pursuant to § 240-4.5 or § 240-5.6, or to projects developed under the Multi-Family Overlay District in § 240-5.7. [Amended 4-25-2023 ATM by Art. 23; amended 2025]

240 -4.4 Street Frontage

F. (5) (b) The Planning Board may by special permit authorize an accessory structure, containing no dwelling units, having no more than 160 gross square feet to be located closer to the side and rear setbacks, but no closer than the setbacks specified in section 240-4.2.

240 -4.9 Affordable housing. [Amended 4-23-2024 ATM by Art. 14, 2025]

A. Purpose and intent.

(1) Affordable housing produced through this section should comply with the requirements set forth in MGL c. 40B, §§ 20 to 23, and related regulations, guidelines issued by Massachusetts Executive Office of Housing and Livable Communities (EOHLC), and other affordable housing programs developed by the Commonwealth of Massachusetts and/or the Town of Sherborn. EOHLC each year provides formulations to define "eligible households," "affordable housing," "subsidized housing inventory (SHI)" and similar terms used throughout this section.

(2) The purpose of this affordable housing (*also known as "inclusionary zoning"*) section is to create housing opportunities in Sherborn for people of varying ages and income levels; to increase the supply of affordable housing for eligible households with low and moderate incomes; to promote a mix and geographic distribution of affordable housing throughout the Town; to provide housing options for people who work in Sherborn; and to create housing units eligible for listing in the subsidized housing inventory.

(3) *No project shall be phased solely to avoid the provisions of the affordable housing requirements in this section. If a project is phased, the affordable housing requirements in this section shall apply to the aggregate project.*

(4) *If the project is phased, the affordable housing units shall not be delayed to the last phase.*

(5) *A development project may not be segmented to avoid the provisions of this section, nor may a developer divide or subdivide property or establish surrogate or subsidiary business entities to avoid the provisions of this section. If a project is segmented, subdivided, or held under surrogate or subsidiary business entities, the affordable housing requirements in this section shall apply to the aggregate project.*