

**ARTICLE 12: Amend Section 3.9 "Lancaster Road Commercial District<sup>(A1)</sup>" of the Shirley Protective Zoning By-Law**

To see if the Town will vote to amend Section 3.9 "Lancaster Road Commercial District" of the Shirley Protective Zoning By-Law, as set forth below, with text to be inserted shown by bold underlining and text to be deleted shown by strikethrough, and vote to authorize the Town Clerk to assign appropriate numbering to the Shirley Protective Zoning By-Law, its index and its subsections, to reflect the amendments made or take any other action relative thereto.

~~3.9 Lancaster Road Commercial District (revised 06/08/2009)~~

~~The purposes of the Lancaster Road Commercial District are to provide for a broad mix of retail, service and light industrial uses in the southern end of town, including businesses that serve highway travelers and commuters.~~

~~3.9.1 Use Regulations~~

~~a. Permitted Commercial Uses:~~

- ~~1. Retail store~~
- ~~2. Professional or business office~~
- ~~3. Restaurant, take-out food service establishment or delicatessen, excluding drive through service~~
- ~~4. Barber or beauty shop~~
- ~~5. Bank~~
- ~~6. Business service establishment~~
- ~~7. Banking machine, as a stand-alone structure, or where public access is available only via a drive-up windows or from outside a building~~
- ~~8. Shop of an electrician, painter, paper-hanger, plumber, upholsterer, carpenter, cabinet maker, general appliance repair person, or of a person engaged in a similar occupation~~
- ~~9. Shop for custom work involving the manufacture of articles to be sold on premises; or shop and display area of an upholsterer, cabinet-maker or similar craftsman receiving customers on the premises~~
- ~~10. Accessory uses customarily incidental to a permitted commercial use, in accordance with Section 2.5 of this Bylaw~~
- ~~11. Restaurant for the serving of food or beverages inside the premises or outside but on the premises, such as at tables on an adjoining deck or patio, but not including drive through service~~
- ~~12. Take-out food establishment or delicatessen where food is prepared and sold at retail but not consumed on the premises, but not including drive through service~~
- ~~13. Personal service, such as barber and beauty shop, laundry agency, shoe and hat repair, bicycle and household appliance repair, dressmaking, dry-cleaning and pressing or tailor shop where no work is done on the premises for retail stores elsewhere~~

~~b. Uses Allowed by Special Permit from the Planning Board~~

- ~~1. Hotel, inn~~
- ~~2. Sale of automobiles and trucks, accessories, farm equipment, aircraft, motorcycles, and camping trailers~~
- ~~3. Veterinary clinic or animal hospital~~
- ~~4. Drive through for restaurant or food service establishment~~
- ~~5. Laundromat~~

- ~~6. Commercial parking lot~~
- ~~7. Commercial sports or recreation facility, indoor or outdoor~~
- ~~8. Contractor's yard~~
- ~~9. Accessory uses customarily incidental to a Special Permitted commercial use, in accordance with Section 2.5 of this Bylaw~~
- ~~10. Private and commercial communication towers and antennas for radio, television, and/or wireless telecommunications, subject to Section 4.15~~
- ~~11. Grocery store or supermarket, not exceeding 80,000sf.~~
- ~~12. Dry cleaning and pressing or tailor shop~~
- ~~13. Auto filling stations, service stations and repair shops (not including junkyards) provided that there shall be no storage of automobiles on the premises other than those in the process of or awaiting repair or awaiting delivery or pickup after repair.~~
- ~~14. Assembly, fabrication, processing, printing, wholesaling and distribution, warehousing and interior storage~~

### ~~3.9.2 Density and Dimensional Regulations~~

- ~~a. Minimum Lot Area (All Uses): 20,000 square feet~~
- ~~b. Minimum Frontage: 100 feet~~
- ~~c. Minimum Yard Setbacks:~~
  - ~~1. Front: 20 feet~~
  - ~~2. Side: 15 feet~~
  - ~~3. Opposite Side: 30 feet~~
  - ~~4. Rear: 25 feet~~
- ~~d. Maximum Front Yard Setback: 40 feet~~
- ~~e. Lot Width: 100 feet~~
- ~~f. Building & Use Intensity~~
  - ~~1. Maximum Height: 45 feet~~
  - ~~2. Maximum Number of Stories: 3 stories~~
  - ~~3. Maximum Lot Coverage: 75%~~
  - ~~4. Maximum Building Coverage: 25%~~
  - ~~5. Maximum Floor Area Ratio: .60~~
  - ~~6. Minimum Open Space % Lot Area: 25%~~

### **3.9 Lancaster Road Commercial District (revised 06/08/2009)**

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#### **3.9.1 Use Regulations**

##### **a. Permitted Commercial Uses:**

- 1. Retail store**
- 2. Professional or business office**
- 3. Restaurant, take-out food service establishment or delicatessen, excluding drive through service**
- 4 Barber or beauty shop**
- 5. Bank**

**6. Business service establishment**

**7. Banking machine, as a stand-alone structure, or where public access is available only via a drive-up windows or from outside a building.**

**8. Shop of an electrician, painter, paper-hanger, plumber, upholsterer, carpenter, cabinet maker, general appliance repair person, or of a person engaged in a similar occupation.**

**9. Shop for custom work involving the manufacture of articles to be sold on premises; or shop and display area of an upholsterer, cabinet-maker or similar craftsman receiving customers on the premises.**

**10. Accessory uses customarily incidental to an as of right permitted commercial use<sup>[A2]</sup>, in accordance with Section 2.5 of this Bylaw.**

**11. Restaurant for the serving of food or beverages inside the premises or outside but on the premises, such as at tables on an adjoining deck or patio, but not including drive through service.**

**12. Take-out food establishment or delicatessen where food is prepared and sold at retail but not consumed on the premises, but not including drive-through service.**

**13. Personal service, such as barber and beauty shop, laundry agency, shoe and hat repair, bicycle and household appliance repair, dressmaking, dry cleaning and pressing or tailor shop where no work is done on the premises for retail stores elsewhere.**

**b. Uses Allowed by Special Permit from the Planning Board**

**1. Hotel, inn**

**2. Sale of automobiles and trucks, accessories, farm equipment, aircraft, motorcycles, and camping trailers.**

**3. Veterinary clinic or animal hospital**

**4. Drive-through for restaurant or food-service establishment**

**5. Laundromat**

**6. Commercial parking lot**

**7. Commercial sports or recreation facility, indoor or outdoor**

**8. Contractor's yard**

**9. Accessory uses customarily incidental to a Special Permitted commercial use<sup>[A3]</sup>, in accordance with Section 2.5 of this Bylaw.**

**10. Private and commercial communication towers and antennas for radio, television, and/or wireless telecommunications, subject to Section 4.15<sup>[A4]</sup>**

**11. Grocery store or supermarket, not exceeding 80,000 s.f.**

**12. Dry cleaning and pressing or tailor shop**

**13. Auto filling stations, service stations and repair shops (not including junkyards) provided that there shall be no storage of automobiles on the premises other than those in the process of or awaiting repair or awaiting delivery or pickup after repair.**

**14. Assembly, fabrication, processing, printing, wholesaling and distribution, warehousing and interior storage.**

**3.9.2 Density and Dimensional Regulations**

**a. Minimum Lot Area (All Uses): 20,000 square feet**

**b. Minimum Frontage: 100 feet**

**Minimum Yard Setbacks:**

**1. Front: 20 feet**

2. Side:	15 feet
3. Opposite Side:	30 feet
4. Rear:	25 feet
d. Maximum Front Yard Setback:	40 feet
e. Lot Width:	100 feet

**f. Building & Use Intensity**

1. Maximum Height:	45 feet
2. Maximum Number of Stories:	3 stories
3. Maximum Lot Coverage:	75%
4. Maximum Building Coverage:	25%
5. Maximum Floor Area Ratio:	60%
6. Minimum Open Space % Lot Area:	25%

**3.9.3 Open Space Requirements**

For purposes of this Section, open space shall mean a portion of a lot or other area of land associated with a building or group of buildings in relation to which it serves to provide light and air, or scenic, recreational or similar purposes. Such space shall, in general, be available for entry and use by the occupants of the building(s) with which it is associated, and at times to the general public<sup>[A5]</sup>, but may include a limited proportion of space so located and treated as to enhance the amenity of development by providing landscaping features, screening or buffering for the occupants or neighbors or a general appearance of openness. Open space may include parks, plazas, lawns, landscaped areas, decorative plantings, pedestrian ways, and active and passive recreational areas. Minimum open space requirements will be established by the Planning Board for each development location during site plan review and with special consideration given to potential residential abutters. Refer to section 3.7.2 f<sup>[A6]</sup>.

**3.9.4 Vehicular Access, Parking and Loading**

**a. Access.**

Buildings erected in the Districts need not be located on lots which have frontage on a street. However, provisions for access to all buildings by emergency and service vehicles in lieu of public street access shall be made possible by the layout and design of driveways, interior service roads, or pedestrian and bicycle circulation corridors not normally open to vehicular traffic, all to the reasonable satisfaction of the Town of Shirley Fire Department and any related entities having jurisdiction.

**b. Parking.**

Each development shall provide enough parking spaces either on or off the lot within the District to satisfy the requirements as outlined in section 5 of this by-law and Planning Board determination of need.

**c. Loading Requirements.**

It is the intent of this section that sufficient off-street loading facilities be constructed within the District to meet the needs of users located therein. Loading space(s) should not interfere with traffic flow. The specific number of loading spaces and requirements

shall be determined by section 5 of this by-law and the Planning Board or other entity having jurisdiction, during site plan review.

### 3.9.5 Landscaping, Buffering, Lighting

a. In Shopping Centers and Office Parks, landscaping shall be provided and maintained in accordance with planting approved by the Planning Board and incorporated as part of the plans on which the Permit is based.

b. Landscaping shall be provided and maintained in front and side yards abutting public ways for aesthetic reasons to break up lines of buildings and for screening accessory facilities under the requirements discussed below. Specifically, landscape screening shall be provided adjacent to

1. Abutting existing residential properties where a side or rear lot line of a development adjoins a residential district or an existing residential use within the same district the following buffer requirements shall apply:

a. A strip of land not less than fifty (50) feet from such side or rear lot lines shall be provided

b. Such strip shall contain a continuous screen of planting of vertical habit in the center of the strip not less than three (3) feet in width and six (6) feet in height at the time of occupancy so as to maintain a dense screen year round.

c. At least 50% of the plantings shall consist of evergreens and shall be evenly spaced along the length of the buffer strip.

d. In lieu of continuous planting, a solid brick, stone or wood fence of a design approved by the Planning Board, or a planted earthen berm of a design approved by the Planning Board may be established and maintained with plantings in an amount no less than 20 % of the amount required above.

2. Abutting limited access highways, in addition to the landscaping in front and side yards mentioned above, the following shall apply:

Landscape screening shall consist of planting, including evergreens, the plantings to be of such height and depth as is needed and as determined by the Planning Board during site plan review to screen adequately from view from abutting area any unshielded light source, either inside or outside.

3. In the designated districts<sup>[A7]</sup>, outdoor lighting including lighting on the exterior of a building or lighting in parking areas, shall be arranged to minimize glare and light spilling over the neighboring properties. Except for low level intensity pedestrian lighting, other lighting shall be designed and located so that:

a. The luminaire (LED) has an angle of cutoff less than 76 degrees;

b. A line drawn from the height of the luminaire (LED) along the angle of cutoff intersects the ground at a point within the development site;

**c. The bare light bulb, lamp or light source is completely shielded from direct view at any point five feet above the ground on neighboring properties or streets.**

**d. Lighting shall be directional to preclude light pollution of neighbors or the night sky. Dark Sky lighting is required. Refer to Town of Shirley Lighting By-law.**

**4. For any conflict of this section and other sections in the by-law, the more restrictive regulations shall apply.**

**Summary:** *This article amends the use regulations of the Lancaster Road Commercial District.*

*A two-thirds vote is required for passage of this article.*

**Sponsored by:  
PLANNING BOARD  
ECONOMIC DEVELOPMENT COMMITTEE**

**Board of Selectmen:  
Finance Committee:**

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**ARTICLE 13: Amend Section 13 “Description of District Boundaries” of the Zoning By-Law – Place parcels in Lancaster Road Mixed-Use District<sup>[A8]</sup>**

To see if the Town will vote to amend Section 13 “Description of District Boundaries” of the Shirley Protective Zoning By-Law, as set forth below, and vote to authorize the Town Clerk to assign appropriate numbering to the Shirley Protective Zoning By-Law, its index and its subsections, to reflect the amendments made, or take any other action relative thereto:

**In the Mixed-Use district created in a previous article place parcels in the area identified as the Lancaster Road Mixed-Use District.**

Lancaster Road Mixed-Use District: consists of the following parcels: 2-A-1, 2-A-2 and the eastern portion of 2-A-1.1 up to the westerly bound of the power line easement as shown on the Assessors maps dated January 1, 2014. On the easterly portion of said parcels, the district will run to the centerline of Lancaster Road.

**Summary:** *This article places parcels in the Lancaster Road Mixed-Use District.*

*A two-thirds vote is required for passage of this article.*

**Sponsored by:  
PLANNING BOARD  
ECONOMIC DEVELOPMENT COMMITTEE**

**Board of Selectmen:  
Finance Committee:**

**ARTICLE 14: Amend Section 13 “Description of District Boundaries” of the Zoning By-Law – Remove parcels from R1 (Residential 1); place parcels in (I) Industrial and Mixed-Use:**

To see if the Town will vote to amend Section 13 “Description of District Boundaries” of the Shirley Protective Zoning By-Law, as set forth below, and vote to authorize the Town Clerk to assign appropriate numbering to the Shirley Protective Zoning By-Law, its index and its subsections, to reflect the amendments made, or take any other action relative thereto:

Corresponding with the defining of the Lancaster Road Mixed-Use District<sup>[A9]</sup> as voted in a previous article, and also expanding the Lancaster Road Industrial District, take the following actions to update the bounds of the “Southwest Shirley” R-1 (Residential 1) district Description of Boundaries and “Lancaster Road” I (Industrial) district Description of Boundaries

- a. **insert** at the end of the “Southwest Shirley” R-1 (Residential 1) district Description of Boundaries, the following “; excluding those areas designated as the Lancaster Road Mixed-Use District<sup>[A10]</sup> and Lancaster Road Industrial District.”

**and also**

- b. **delete** the existing paragraph within the “Lancaster Road” I (Industrial) district Description of Boundaries” which currently states:  
“Lancaster Road: starting at Lancaster Road on the Shirley/Lancaster town line; thence northerly along Lancaster Road to the R-1 district boundary; thence westerly along said R-1 district boundary for a distance of 608 ft.; thence northerly along said R-1 district a distance of 202 ft., thence westerly along a property line, and its extension, on a straight line to the Shirley/Lunenburg town lines; thence southerly along said town line to the intersection of the Shirley/Lunenburg/Lancaster town lines, thence easterly along the Shirley/Lancaster town line to the place of beginning.”

and **replace it** with the following, in which the changed text is underlined:

“Lancaster Road: starting at Lancaster Road on the Shirley/Lancaster town line; thence northerly along Lancaster Road to the Mixed-Used district boundary; thence westerly along said Mixed-Use district boundary for a distance of 608 ft.; thence northerly along said Mixed-Use district boundary a distance of 202 ft., thence westerly along the property line of parcel 2-A-1.1 to the western bound of the powerline easement; thence northerly along the powerline easement to the northern most bound of parcel 1-A-1; thence westerly, southwesterly and westerly along the bounds of said parcel 1-A-1; to the intersection with parcel 9-A-2; thence northerly along the bound of parcel 9-A-2 to the intersection of parcel 10 B 7; thence westerly along the northern most bound of parcel 9-A-2 to the Shirley/Lunenburg town lines; thence southerly along said town line to the intersection of the Shirley/Lunenburg/Lancaster town lines, thence easterly along the

Shirley/Lancaster town line to the place of beginning as shown on the Assessors maps dated January 1, 2014."

**Summary:** *This article removes parcels from R-1 now Lancaster Road residential and places parcels in the Lancaster Road Industrial and Mixed-Use districts.*

*A two-thirds vote is required for passage of this article.*

**Sponsored by:**  
**PLANNING BOARD**  
**ECONOMIC DEVELOPMENT COMMITTEE**

**Board of Selectmen:**  
**Finance Committee:**

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