



**TOWN OF WAREHAM
DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT**

WAREHAM TOWN CLERK
2020 SEP 22 PM2:11

ARTICLE X.

TITLE: WAREHAM VILLAGE: REINVESTMENT SUBDISTRICT, WV-1R

To see if Town Meeting will vote to amend the Zoning By-Laws to create a new Article 17: REDEVELOPMENT DISTRICTS

and add the following district

WAREHAM VILLAGE REINVESTMENT SUBDISTRICT

also to be designated as WV-1R

on file with the Town Clerk

or to take any other action relative thereto.

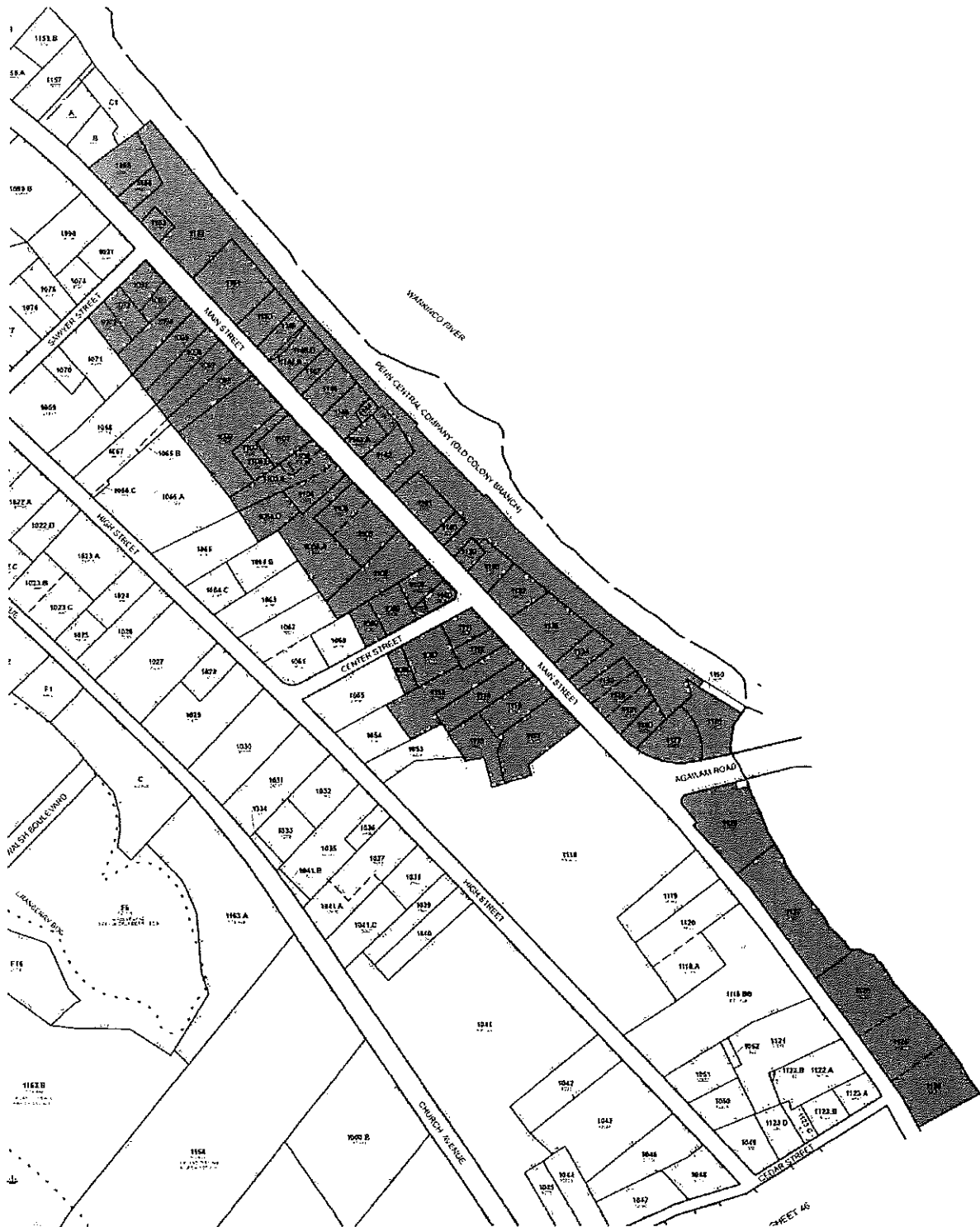
I. PURPOSE:

With the overall goal to improve Wareham Village as a town center where one may 'live, work and play,' the purposes of the WV-1R, Reinvestment Subdistrict are to provide the use options, density and dimensional standards that will encourage private capital to be reinvested in the village. The subdistrict is intended to improve the market potential for market-rate mixed-use development which may be realized in this valuable waterfront location, while ensuring a high quality public and natural environment through compliance with the subdistrict's performance standards and design guidelines.

II. APPLICABILITY:

Parcels to be rezoned to the WV-1R, Reinvestment Subdistrict being described as those parcels, or portions of parcels shown on the Town of Wareham Assessor's maps as Map 47; Lots 1056, 1057, 1058, 1059, 1064-A, 1064-D, 1072, 1073, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103-A, 1103-B, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1124, 1125, 1126, 1127, 1128, 1129, 1130,

1131, 1132, 1133, 1134, 1135, 1137, 1138, 1139, 1140, 1141, 1142, 1143-A, 1143-B, 1144, 1145, 1146, 1147, 1148-A, 1148-B, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1161. [To include in Appendix 1 of zoning bylaws]



III. ALLOWED USES:

Notwithstanding the uses allowed by right or by Special Permit in the WV-1 district, the following uses and any mix of these uses as allowed or required by the Performance Standards and Design Guidelines for this district, shall be allowed in the WV-1R, Reinvestment Subdistrict:

[See Table 320 and Table 330 of this Zoning By-Law]

IV. DIMENSIONAL STANDARDS:

For all development subject to Site Plan Review in accordance with this By-Law, the following dimensional standards will apply:

[See Table 622, revised of this Zoning By-Law]

V. PARKING STANDARDS:

For all development subject to Site Plan Review in accordance with this By-Law, the following parking standards will apply, as well as :

Use	Proposed WV1R Requirement
1-Family Dwelling	2 per dwelling unit
2-Family Dwelling	2 per dwelling unit
3,4, and 5+ Dwelling	1 per dwelling unit
1 bedroom	1 per dwelling unit
2 or more bedrooms	1 per dwelling unit
Elderly	0.75 per dwelling unit
Bank	1 space per 300 ft.
	2 Gross Leasable Floor Area (GFA)
Bowling Alley	2 per lane
Business, Retail < 1,000	1 per 300 ft. 2 GFA
Business, Retail > 1000	1 per 400 ft. 2 GFA
Convenience Store	1 space per 150 ft. 2 GFA
Day Care Center	1 space per employee at maximum capacity
	plus a drop-off or parking area capable of
	receiving 25 % of the capacity of the day care center as determined by the Office For Children (OFC)
Guest House	1 per unit plus 2 for residence
Health or Athletic Facility	.75 space per occupant as calculated under the

	Massachusetts State Building Code for maximum occupancy.
Hospital	1 per bed for hospital
Laboratories, research and development	1 space per 300 SF GFA
Manufacturing uses and Industrial non-manufacturing	1 per 1.5 employees on largest shift plus 1 per vehicle stored on premises
Marina and/or Yacht Club	.5 per slip (indoor facilities add 1 per 6 person capacity)
Motel or Hotel	1 per unit
Motor Vehicle Repair	2 per lift or bay
Nursing Home	1 per 4 beds
Offices (business, professional and Administrative)	1 space per 250 SF GFA
Personal Services	1 per 250 ft. 2 GFA
Recreations, Commercial Indoor	1 per 6 seats
Recreation, Commercial Outdoor	1 per 6 person capacity
Restaurant or Theater	1 per 6 seats
Restaurant w/o Seating	3 spaces

The Site Plan Review Special Permit Granting Authority is authorized to waive these parking standards by up to 15% [fifteen percent] when shared parking and/or public parking spaces are proven to be available.

VI. SITE PLAN REVIEW SPECIAL PERMIT:

Notwithstanding the criteria for applying Site Plan Review under section 1520 of this Zoning By-Law, development proposals for properties in the WV-1R, Reinvestment Subdistrict will be required to comply with a Site Plan Review under Article 15 of this Zoning By-Law as follows:

1. Any demolition, construction, redevelopment or improvement which expands the existing floor area by more than 1,000 square feet, will be subject to Site Plan Review under this section.
2. The Planning Board will be the Special Permit Granting Authority under this section.
3. In addition to the standards for Special Permits within this Zoning By-Law, the Performance Standards and Design Guidelines of this section will be criteria to apply in determining compliance with Site Plan Review under this Zoning By-Law.

VII. PERFORMANCE STANDARDS AND DESIGN GUIDELINES:

Note: Include this section in Article 7 section 730

PREFACE

In the following section, when the word 'shall' or 'must' is used, the criterium is a

requirement only altered by variance or as authorized by waiver from the Site Plan Review Special Permit Granting Authority. If the criterium is not absolutely required, words such as 'may,' 'should,' 'recommended' and 'encouraged' will be used.

1. USES

- a. Uses of buildings and property, shall be a mix of the options for WV-1R found in Table 320 and Table 330, and may be compatible uses not listed, if such use is found by the Site Plan Review Special Permit Granting Authority to be acceptable.
- b. First floor uses facing Main Street, and Main Street grade-level spaces shall be public activities and accessible uses such as retail stores, entertainment, displays, studios, galleries, lobbies, bars and restaurants.
- c. Waterfront access shall be provided to and/or along the waterfront side of the project.
- d. No more than 90% of the livable floor area of a building shall be committed to residential use.
- e. Office uses are discouraged on the first floor.

2. AMENITIES

- a. Public access from Main Street to the waterfront shall be maintained where it exists between buildings or replaced in a form suitable to the Site Plan Review Special Permit Granting Authority.
- b. Where possible, new public access should be incorporated into the development where access to the waterside is available.
- c. Streetscape treatments and waterside areas should include plantings and site amenities such as street furniture.

3. CLEARING AND SITE PREPARATION

- a. All demolition shall be in keeping with the town's Demolition Delay bylaw and environmental regulations.

4. UTILITIES

- a. All utilities on site shall be installed underground.
- b. Headhouses, pump stations, HVAC equipment or other ancillary utilities shall be located for minimal visual effect, partially or fully recessed, if possible, and otherwise masked with landscaping or located behind the roof line, as may be possible.
- c. All service entrances, dumpsters and loading facilities (if any) shall be screened from public view with solid fencing, wall and/or landscaping from public and parking areas.

5. SITE ELEMENTS

- a. The landscaping and site design should be coordinated with building architecture and shall benefit the public realm.
- b. Streetscape treatments may include plantings and site amenities. The site landscaping may be designed to soften the visual impact of a project. The landscape can also perform multiple duties for stormwater management as well as visual improvements. Continuity of design with the public street should be detailed, with street amenities added where possible.
- c. Green walls and plantings incorporated with other building elements are encouraged.
- d. Landscaping shall be composed of low-maintenance plants that are drought tolerant and are pest and disease resistant.
- e. Dumpster or other ancillary use enclosures shall be natural wood or stained wood solid fence and shall be of sufficient to mask such uses. Natural wood basket weave fences, concrete block walls, chain link fences, and snow fencing are not acceptable.

6. SIGNAGE

- a. Project signage shall be in conformance with the Zoning By-Laws. Overall the goal is to be inventive and appealing.

7. LIGHTING

- a. The project design is encouraged to be to be Dark Sky compliant to reduce light pollution to the natural environment surrounding the property. If this is not feasible due to security or safety concerns, please note where applicable. Specific requirements are as follows:
 - a. Lighting should serve to illuminate entries and signage, adjacent pedestrian and parking areas or to highlight significant architectural elements such as a main entry.
 - b. All parking lot fixtures should be down light and full cut:-off such that the fixture head is opaque at a minimum to the bottom of the bulb to minimize light pollution both to residents on site and to the surrounding area.
 - c. Free-standing fixtures should be coordinated in illumination with building mounted fixtures.
 - d. Security lighting should be concealed from view to the extent possible.
 - e. Site lighting is to be held to no more than 30 foot-candles unless otherwise recommended for public safety.

8. GREEN DESIGN

- a. Wareham has voted itself a green community and has adopted the "Stretch Code," an appendix to the MA Building Code. All designs must comply with Stretch Code requirements for energy- and resource-efficient materials, insulation, lighting, mechanical and building systems.
- b. Designers are encouraged to use green design principles and materials in building design and construction. For example, follow LEED or similar project standards.
- c. Surface parking lots should be liberally interspersed with trees for shading.
- d. Green walls and roofs are encouraged.
- e. Lights shall be LED fixtures or similar low-energy use.

9. ARCHITECTURE

- a. Building Materials - While the buildings are presumed to use modern materials, the building designs should reflect certain New England traditions including;
 - Clapboard and shingle siding, and frequent use of stone and brick masonry.
 - Peaked and gable-ended shingled roofs on low to mid-rise buildings.
 - Non-reflective glazing should be used, but overall, follow best practices for bird-friendly glass and lighting.
- b. Structured Parking - Multi-level parking structures shall be integrated into the buildings they support, if possible. If exposed, the walls shall be visually softened with green walls and/or covering fabrics.
- c. Relationship to Adjacent Building Typology - Consider the predominant building types, setbacks, and roof lines of the existing context. The massing of the Project should be modulated and/or stepped in perceived height, bulk and scale to create an appropriate transition to adjoining sites. Design may use architectural details, color and materials taken from the existing context as a means of addressing the perception of mass and height.
- d. Relationship to Main Street – The building must be inviting and accessible for those on the sidewalk and the street:
 - Massing should take into account the pattern of the existing street frontage as well as maintain a human scale by reasonably relating the height of buildings to the width of the public way.
 - Mid-rise buildings shall have a ground floor with base elements that relate to human scale.

- Where possible provide separate entrances distinguished between private residential and commercial use areas, while also supporting accessibility.
- e. Mass and Scale - The mass and scale of a building may be reduced by altering the building's bulk. The features that can minimize the mass and scale should be about the same size as the same features on adjacent properties. Such features may include:
 - Openings in adjacent building walls.
 - Facades that are made more visually interesting by adding architectural bands that break up the siding or cladding.
 - Using a human scale for these features so that they are related to the size of a person using the building.
- f. Façade Length and Articulation - Buildings or portions of a building with wide elevations can be divided into smaller parts through pronounced variation in wall plane articulation and materials and variations in the cornice/roofline to accomplish the desired divisions of elevations into smaller parts. This design technique is an effective way of breaking up the horizontal massing of a building.
- g. Roof Pitch, Style and Elements – Roof pitch is an important design element in determining general compatibility with existing buildings. Attention should be paid to the range of roof styles and range pitches that are common in the area from flat roofs to steeply pitched roofs (i.e. 6 in 12inch pitch), and elements such as dormers, parapets, turrets, etc. Long unbroken expanses of roofs should be avoided though use of dormers, skylights, chimneys and changes in ridge line.
- h. Wall Expanses – The use of facade divisions, such as building jogs/stepbacks, architectural detailing, and changes in surface materials, colors, textures and roof lines are an effective design technique for modulating building mass and scale. Facades on all sides of the building are visible from public ways and should feature characteristics similar to the front facade.
- i. Building Entrances – Entrances should be designed on the facades that front on and have a principal pedestrian access to Main Street. New buildings should provide for the pedestrian alleyways, where appropriate, in order to allow for passageways to parking at the rear of the lots and access to the waterfront.

VIII. SEVERABILITY:

If a Court of competent jurisdiction holds any provision of this By-Law to be invalid, the remainder of the By-Law shall not be affected thereby, and this invalidity shall not

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affect the validity of the remainder of the Town of Wareham Zoning By-Laws.

Revised Table 320 and Table 330

Explanation: The uses are permitted as in the WV1 district except as modified in the WV1R column.

PRINCIPAL USE	WV1	WV1R
Agricultural and Rural Uses	WV1	WV1R
Agricultural uses upon tracts less than 5 acres	Y	Y
Agricultural uses upon tracts of 5 acres or more	Y	N
Cider mill, ice house, temporary sawmill less 5 acres	N	N
Cider mill, ice house, temporary sawmill more than 5 acres	Y	N
Horticulture on less than 5 acres	N	N
Animal – Related Uses	WV1	
Animal kennels less than 5 acres	SPZ	N
Animal kennels more than 5 acres	Y	N
Riding stable less than 5 acres	N	N
Riding stables more than 5 acres	Y	N
Piggeries, fur farms less than 5 acres	N	N
Piggeries, fur farms more than 5 acres	Y	N
Veterinary hospital less than 5 acres	N	N
Veterinary hospital more than 5 acres	Y	N
Recreational Uses	WV1	
Campgrounds	SPZ	N
Golf course or golf club	SPZ	N
Non-profit recreation	Y	Y
Health or athletic facility	N	Y
Tennis Club	SPZ	SPP
Youth camp	SPZ	N
Residential uses	WV1	
1- family detached dwelling	Y ‡	Y
2- family dwelling	Y ‡	Y
3 to 4 family dwelling in existing structure	SPZ	Y
3 to 4 family dwelling in new structure	SPZ	Y
5 + family dwelling in existing structures	SPZ	Y
5 + family dwelling in new structure	SPZ	Y

Apartments in mixed use building	SPZ	Y
Manufactured home park	N	N
Residential Cluster Development	SPP	N
Seasonal conversion	SPZ	SPP
Educational and Institutional Uses	WV1	
Municipal use	Y	Y
Hospital, medical related facility	N	Y
Nursing home, intermediate care center	Y	Y
Day care center	Y	Y
Educational use, non-exempt	Y	Y
Educational use, exempt	Y	Y
Oceanographic and engineering research	Y	Y
Membership club		Y
Religious use	Y	Y
Other places of assembly	SPZ	SPP
Cemetery	N	N
Medical Marijuana Treatment Center	N	N
Marijuana Establishments	N	Y
Commercial Uses	WV1R	
Banks	Y	Y
Offices	Y	Y
Laboratory / research office		Y
Retail businesses	Y	Y
Service establishments not involving manufacture on premise	Y	Y
Motor vehicle service	Y	N
Motor vehicle sales	Y	N
Filling stations for gasoline, diesel fuel, liquid propane	N	SPP
Dry cleaning, drop off / pick up only	Y	Y
Laundromat	Y	Y
Conference Center	N	Y
Motel, hotel	N	Y
Bed & Breakfast	Y	Y
Guest house	N	N
Neighborhood convenience store	Y	Y
Wholesale business	Y	Y
Restaurant	Y	Y
Restaurant Drive through	N	N
Non-food Drive in/ Drive through establishment	N	N
Commercial recreational facilities	N	SPP
Other places of amusement	SPZ	SPP
Brewery and tap room		Y

Adult use	N		N
Marine Uses	WV1		
Marinas	Y		Y
Retail sale of marine equipment and supplies (not including fish products or food)	Y		Y
Utility	WV1		
Public utility	N		N
Public utility structures for public utility use not including repair stations or outside storage of supplies	SPZ		SPP
Wireless communication facility, not exceeding 40 feet in height	Y		Y
Wireless communication facility, exceeding 40 feet in height	SPZ		SPP
Large ground-mounted solar energy	N		N
Industrial Uses	WV1		
Manufacturing of products produced on premises the major portion of which are sold on premises from producer to consumer	N		Y
Light manufacturing	N		Y
Manufacturing of marine vessels	Y		N
Industrial (except earth removal)	N		SPP
Gravel, loam, sand, stone, or earth removal	N		N
Fish processing plants	N		N
Storage facilities	N		N
Junkyards and salvage yards	N		N
Hazardous waste facility	N		N
Solid waste facility	N		N
Transportation Uses	WV1		
Aviation field	N		N
Public service or other passenger station	N		SPP
Trucking and transportation terminals	N		SPP
ACCESSORY USE	WV1R		
Agricultural and Rural Uses	WV1R		
Farm stand or Roadside Stand	Y		Y
Recreational Uses	WV1R		
Food and Beverage services and accessory uses related to permitted recreational activities	N		Y
Food and Beverage services and accessory uses related to permitted motels, hotels, and Conference centers	N		Y
Residential Uses	WV1R		
Accessory apartment	N		N
Home occupation	Y		Y
Home Office of profession or trade conducted by a resident of the premise	Y		Y
Taking of boarders or lodgers	Y		Y
Storage Container for construction	Y		Y
Storage Container, Accessory	N		N

Educational and Institutional Uses	WV1		
Accessory uses for scientific research, Scientific development, or related production activities	SPZ		SPP
Commercial Uses	WV1		
Outdoor advertising	N		N
Marine Uses	WV1		
Filling Stations for marine vessels	Y		Y
Marine connected use	Y		Y
Utilities	WV1		
Direct antenna 5 feet or more in diameter	SPZ		SPP
Direct broadcast antenna under 5 feet in diameter	Y		Y
Wireless communications facility enclosed	Y		Y
Wireless communications facility attached to existing structure not exceeding 40 feet in height	Y		Y
On-site Solar Energy	Y		Y

A. Revised Table 622

Density and Dimensional Regulations	WV1	WV1R
Minimum Lot Area (square feet)	WV1	WV1R
1-family or 2-family dwelling	7,500	5,000
Other residential use:		
First dwelling unit	10,000 *1	1,000
Each additional unit	2,000 *2,3	1,000
Bed & Breakfast		
First unit	10,000 *1	10,000 *1
Each additional unit	2,000 *2,3	2,000 *2,3
Other nonresidential use	5,000	5,000
Minimum Frontage (feet)		
1 -family or 2-family dwelling	75	75
Other residential use	75	50
Nonresidential and Mixed use	75	50
Minimum Front Setback (feet)		
1-family or 2-family dwelling	*4	4
Other residential use	*4	0
Nonresidential and Mixed use	*4	0
Minimum Side/Rear Setback (feet)		
1-family or 2-family dwelling	10	10
Other residential use	10	10
Nonresidential and Mixed use	10	10
Maximum Height (feet)		
1-family or 2-family dwelling	40	40
Other residential use	40	60
Nonresidential and Mixed use	40	60 ⁵
Maximum Building Coverage (%)		
1 -family or 2-family dwelling	30	30
Other residential use	30	90
Nonresidential and Mixed use	30	90
Maximum Impervious Surface (%)		
1 -family or 2-family dwelling	70	90

Other residential use	70	90
Nonresidential and Mixed use	70	90

Add note 5. As measured from the existing sidewalk surface on Main Street

Option;

Maximum Height (feet) - 50 with Bonus of up to 65

Bonus for Increased Building Height

Maximum Building Height may be increased from a maximum of 50 feet, up to a maximum of 65 feet with a Special Permit issued under the following criteria:

1. The increased building height may be permitted if the project includes the following public benefits:
 - a. The building has a roof design different than a plain flat roof.
 - b. The street side includes some portion with open public access or pocket park
 - c. The increased height of the building is stepped back from the street frontage above 50 feet.
 - d. The project provides physical access to the waterfront.
2. The Planning Board shall be the Special Permit Granting Authority in this case, and shall consider:
 - a. The design of the roof and structure as a whole
 - b. Whether the open public access is functional for the intended purpose
 - c. In its sole discretion, the Planning Board may decide that a Maximum Building Height is appropriate and acceptable at some measurement less than 65 feet based on the Board's findings regarding the benefits and design proposed.