

2021 ANNUAL TOWN MEETING

ARTICLE 31: ZONING BYLAW – SCIENCE LIFE CENTER AT RIVERSIDE RD.

To see if the Town will vote to amend the Zoning By-law, Section IV., “Establishment of Districts and Boundaries” to create a new Office & Research and Development Districts (B), and to amend Section V., Use Regulations, Section VI., Dimensional and Other Requirements, and Section VIII., Vehicular Requirements to establish the allowed uses in and dimensional and other requirements for the Office & Research and Development Districts (B), the text of which change is set forth below, with language to be inserted shown in bold italic (and any inconsistent existing language deleted) and all existing numbering and lettering adjusted accordingly, or take any other action relative thereto.

SECTION IV. ESTABLISHMENT OF DISTRICTS AND BOUNDARIES

A. DISTRICT DESIGNATIONS

For the purpose of this Zoning By-Law the Town is hereby divided into the following classes of districts to be known as:

1. Single Family Residence Districts (A)
2. Single Family Residence Districts (B)
3. Single Family Residence Districts (C)
4. Single Family Residence Districts (D)
5. Multiple Dwelling Districts (A)
6. Multiple Dwelling Districts (B)
7. Business Districts (A)
8. Business Districts (B)
9. Office & Research and Development Districts (A)
10. **Office & Research and Development Districts (B)**
11. Commercial Districts
12. Wetlands and Flood Plain Protection District (A)
13. Wetlands and Flood Plain Protection District (B)
14. Aquifer Protection Overlay Districts
15. Personal Wireless Service Overlay Districts

SECTION V. USE REGULATIONS

E. OFFICE AND RESEARCH AND DEVELOPMENT DISTRICTS A and B

1. By-Right Uses
 - a. Open space;
 - b. Public park and playground;
 - c. Wildlife and plant management by nonprofit organization;
2. By-Right Uses Allowed With Site Plan Approval
 - a. Office or office buildings of 5,000 square feet or less gross floor area;
 - b. Professional and management training facility of 5,000 square feet or less gross floor area
 - c. Personal service facility, such as cafeterias and banks, for the occupants of a development but not for the general public;
3. Uses Allowed With Site Plan Approval and By Special Permit
 - a. Office or office building of greater than 5,000 square feet gross floor area;
 - b. Professional and management training facility of greater than 5,000 square feet gross floor area;
 - c. Research and/or laboratory facility not involving manufacturing of product for sale in the normal course of business, and not creating a hazard to health, safety, or welfare.
 - d. ***In Office & Research and Development District B only, (i) light manufacturing, and manufacturing in the fields of medical, pharmaceutical and biological sciences and technology, including fabrication, manufacturing, assembly or processing of materials that does not create smoke, odor, noise or vibration to a degree that is offensive when measured at the property line and (ii) all All other lawful accessory uses consistent with a first class office and/or research and/or laboratory building are permitted, including, but not limited to, vivariums-life science facilities engaged in biotechnology research, including testing and development in a biosafety level 1 or 2 as currently or subsequently defined equivalent by the U.S. Center for Disease Control, and proper storage and disposal of lab chemical and biological waste in accordance with state and federal laws and regulations as incidental to the primary use; however, lab facilities that exceed***

2021 ANNUAL TOWN MEETING

biosafety level 2 shall be prohibited; and lab facilities that include a vivarium will require a separate special permit.

- e. Private cemetery.
- 4. **Prohibited Uses**
 - a. *In the Office and Research and Development District B only, drive-in auto claim centers, walk-in retail investment centers, walk-in treatment centers, or other walk-in uses similar to the foregoing; a hospital, a health clinic, or an ambulatory care facility; principally and primarily 24 hour call centers; biosafety level 3 or 4 lab facilities; or principally warehouse and distribution facilities shall be prohibited.*
- 5. **Pre-Existing Allowed Uses**
 - a. *In the Office and Research and Development District B only, notwithstanding Section III.B, the use of ~~buildings-13 Riverside Road~~ in existence, but vacant, on the date of the adoption of the Office and Research and Development District B may continue without a special permit required pursuant to Sections V.E.3.a or V.F.3.b provided the vacant building(s) are being marketed for re-tenanting.*

SECTION VI. DIMENSIONAL AND OTHER REQUIREMENTS

A. BUSINESS, OFFICE & RESEARCH AND DEVELOPMENT, AND COMMERCIAL DISTRICTS

- 1. **Minimum Requirements.**
Every lot in the Business, Office and Research and Development and Commercial Districts shall have the lot size, frontage and access on a street of at least the distance, and the width at the street setback line as specified in the following table. Every building or structure in such districts shall be so situated as to have at least the buffer setback from the street sideline and from all lot lines specified in such table. The ratio of the total area of the floor space of all buildings on any lot to the total area of such lot shall not exceed the ratio specified in such table. The total portion of a lot in such district covered by parking areas shall not exceed the percentage specified in such table.
- 2. **Table of Dimensional Requirements.**

	District				
	Business A	Business B	Office & Research and Development District (A)	Office & Research and Development District (B) <u>(f)(g)(i)</u>	Commercial
Min. Street Frontage	50 ft.	50 ft.	400 ft. (a)	50 ft.	50 ft.
Min. Street Setback	15 ft.	25 ft.	150 ft.	25 ft.	25 ft.
Min. Lot line Setback	10 ft.	10 ft.	200 ft. (b)	10 ft. (h)	20 ft.
Max. Bldg. Coverage	25%	25%	15%	25% (d)	25%
Max. Floor to Lot Ratio	1:2	1:2	1:2.5	1:2(e)	1:2
Max. Parking Coverage	50%	50%	25%	50%	50%
Min. Lot Size	-	-	600,00 SF (a)	-	-
Natural or Landscaped Buffer	-	-	65 ft. (c)	-	-

Notes for Office & R & D Districts Only

- (a) In reference only to applications for a Site Plan Approval for an Office and Research and Development District involving sites partly within the Town of Weston and partly in an abutting municipality the Special Permit Granting Authority for Site Plan Approval may vary the requirements for such projects in the following particulars only:
 - (i) Frontage and access requirements may be satisfied in another abutting municipality in accordance with the requirements and standards of that municipality for Office and Research and

2021 ANNUAL TOWN MEETING

- Development districts when the area in the Town to be used for the project is with without frontage in the Town of Weston.
- (ii) The requirement of a minimum lot area of 600,000 square feet may be met if the area of the total lot is equal to or exceeds 600,000 square feet of which not less than 300,000 square feet is located in the Town of Weston.
 - (iii) Parking requirements - see Section VIII "Vehicular Requirements."
 - (b) The Special Permit Granting Authority for Site Plan Approval may reduce the minimum lot line setback to not less than 100 feet if topography and other natural features effectively screen the development from neighboring residential property, and shall reduce the minimum lot line setback to not less than 65 feet if the lot line is adjacent to permanently open land, a railroad or limited-access highway.
 - (c) No buildings, structures, parking areas or recreation facilities shall be located within the 65-foot buffer around the perimeter of the site except for access roads crossing the buffer
 - (d) ***In the Office & Research and Development District B, in calculating the Maximum Building Coverage, structured parking shall not be considered a Building.***
 - (e) ***In the Office & Research and Development District B, in calculating the maximum floor to lot ratio, the total area of all floors of all buildings shall exclude all parking areas, parking structures and the traditional roof appurtenances such as mechanical or utility rooms providing service to the building itself whether screened or fully enclosed.***
 - (f) *In the Office & Research and Development District B, the following requirements shall apply regarding attenuation of noise:*
 - (i) *noise emanating from the property will not exceed 5 dBA above ambient at adjacent residential districts (not including overlay districts) or conservation land, including such residential districts across a public or private way between the hours of 9PM to 7AM, and will not exceed 40 dBA at the property line; and*
 - (ii) *operations at the property will not cause significant traffic on adjacent public or private ways between the hours of 9PM to 7AM.*
 - (g) *In the Office & Research and Development District B, the following requirements shall apply regarding air quality:*
 - (i) *General laboratory exhausts shall be combined so that flows do not fall below 10,000 cfm, exit velocity is maintained above 3,000 fpm, and the exhaust stack height is a minimum of 10 ft above the highest roof on the building.*
 - (h) *In the Office & Research and Development District B, the minimum building setback shall be 200 feet from existing single family residential uses (not including overlay districts) or conservation restricted land, including across a public or private way.*
 - (i) *In the Office and Research and Development District B only, the following additional criteria shall apply to any site plan review under Section XI:*
 - (i) *The project shall comply with all Federal and State air quality laws and regulations, mitigate any harmful exhaust, and produce no unreasonable odors at the property lines abutting existing single family residential uses (not including overlay districts) or conservation restricted land, including across a public or private way. The project's compliance shall be reviewed by a third party contracted by the Town and paid for by the applicant.*
 - (ii) *The project shall incorporate Transportation Demand Management (TDM) measures to reduce vehicle traffic, particularly during peak hours.*
 - (iii) *The noise generated by both standard and special laboratory equipment shall be mitigated for both overall decibel level and for specific tonal sounds and shall be reviewed against a baseline standard measured by a third party contracted by the Town and paid for by the applicant.*
 - (iv) *Site lighting and lighting operations, including, but not limited to, overall lumens, lighting color, shielding, and lighting hours shall be designed to International Dark Sky Lighting Association Standards and to minimize light trespass and intrusion on to adjacent properties. The Planning Board will have the lighting scope reviewed by a peer reviewer, to be paid for by the applicant to ensure best practices are met.*

B. HEIGHT REGULATIONS

1. On all land located within the Town of Weston, no building shall exceed the height limitations set forth in the table below. In all cases, height shall be determined by measuring the vertical distance from the Grade Plane to the highest point of a building.
2. Table of Height Limitations

2021 ANNUAL TOWN MEETING

DISTRICT		HEIGHT LIMITATION	NOTES
Business A	Lots of less than thirty-five acres	35 Feet or 2 ½ Stories whichever is less	(a)
	Lots of thirty-five acres or more	52 Feet or 4 Stories whichever is less	
Business B	Lots of less than five acres	35 Feet or 2 ½ stories whichever is less	(a)
	Lots having at least five acres but less than thirty-five acres	45 Feet or 3 Stories whichever is less	
Office & Research and Development (A)		40 Feet	(b)
Office & Research and Development (B)		45 Feet	
Commercial, Single Family Residential (A, B, C, D), and Multiple Dwelling Districts (A & B)	Pitched Roofs	37 feet or 2-1/2 stories whichever is less	(a)
	Flat Roofs	32 Feet or 3 Stories	(a)

Notes:

a) The height of all buildings located within this District shall be measured to the highest point of the entire building. Stories shall be measured from the floor level of the lowest story above grade. Attics in pitched roof construction shall constitute ½ story.

b) In Office & Research and Development Districts ONLY, in the situation where a building used exclusively for office or research and development purposes is built with differing roof heights, each portion having a different roof height shall be considered as a separate building for purposes of height determination. For all other uses within an Office & Research and Development District, the entire building shall be considered a single entity for purposes of height determination.

3. Exceptions

- a) Except as provided in Section V.J. on any building located within any District, domes, cupolas and other ornamental features, solar collectors, chimneys, ventilators, skylights, tanks, bulkheads, machinery, antennas, transceivers, and other accessory features which are required above roofs may not exceed twenty (20) feet measured vertically from the highest point of the entire building.
- b) Parapets, and penthouses for stairs and elevators shall not be considered accessory features. In a situation where a parapet, staircase, elevator penthouse, or other element not considered an accessory feature extends above the level of the highest point of the roof, the highest of such elements shall be considered the highest point of the building.
- c) Freestanding antenna constructions not attached to a building including antenna for use by federally licensed amateur radio operator and not otherwise regulated, shall not exceed fifty (50) feet in height measured from the ground.
- d) On any building located within Business B and Office and Research and Development District (A) only, rooftop screens or fences erected to conceal equipment shall not exceed twelve (12) feet in height. ***In the Office and Research and Development District (B) only, roof top screens and mechanical equipment, fully enclosed mechanical penthouses or fences erected to conceal equipment shall not exceed twenty-five (25) feet in height and shall not be included in the height calculation of the building. provided that such roof top screens and mechanical equipment, fully enclosed mechanical penthouses or fences are set back a minimum of one foot from the edge of the roof for every foot in height above the roof on building facades adjacent to residential districts (not including overlay districts) or conservation restricted land, including across a public or private way***

SECTION VIII. VEHICULAR REQUIREMENTS

2021 ANNUAL TOWN MEETING

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9. **Special Provisions for Office and Research and Development Districts (B)**
a) ***In the Office and Research & Development District (B) only, all Office and Research and Development uses shall have a minimum number of parking spaces at a ratio of 1 parking space per 375 square feet of Gross Floor Area, but shall not exceed 850 total parking spaces in the District, provided that the Planning Board may allow an increase in the maximum number of parking spaces through the issuance of site plan approval.***
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Title	compareDocs Comparison Results
Date & Time	5/13/2021 9:54:45 AM
Comparison Time	0.43 seconds
compareDocs version	v4.3.400.130

Sources	
Original Document	[#5125876] [v1] greatland article Counsel edits -KS edits.docx
Modified Document	[#5125876] [v10] Zoning Article.docx

Comparison Statistics	
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Deletions	1
Changes	4
Moves	0
Font Changes	0
Paragraph Style Changes	0
Character Style Changes	0
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Deletions	
<u>Moves / Moves</u>	
Font Changes	
Paragraph Style Changes	
Character Style Changes	
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Deleted cells	
Merged cells	
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Comments color	By Author.
Balloons	False

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Include Moves	Word	False
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Show Track Changes Toolbar	Word	True
Show Reviewing Pane	Word	True
Update Automatic Links at Open	Word	[Yes / No]
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Detail Report	Word	Separate (View Only)
Document View	Word	Print
Remove Personal Information	Word	False