

PUBLIC HEARING NOTICE
Town of Orleans Planning Board

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 5, the Orleans Planning Board will hold a public hearing on February 13, 2024 at 4:00 PM at the Orleans Town Hall. The meeting is also available via remote participation, through Zoom.com, using the following login information:

The purpose of the hearing is to accept public comments on the following proposed amendments to the Zoning By-laws. Written comments may be submitted to the Planning Board at 19 School Road, Orleans, MA 02653 or by emailing the Planning Board at gmeservey@town.orleans.ma.us. Anyone having an interest in the hearing is invited to access the remote meeting via Zoom.com using the login information supplied below. Instructions regarding how to access and participate in the remote meeting will be posted in the Planning Board agenda page for this meeting located at <https://www.town.orleans.ma.us/planning-board>. All proposed text can be viewed using the same website link above.

Link to join Webinar: <https://us02web.zoom.us/j/85806277173>

By Phone: (646) 558-8656

Webinar ID: 858 0627 7173

**ARTICLE ##. AMEND ZONING BYLAWS SECTION 164-31 Apartment
Development**

To see if the Town will vote to amend Section 164-31, to add a new subsection G. to read as follows:

(**Bold underline** = new language ~~strikethrough~~ = language removed)

G. Tenure of Rental Units. Units that are rented shall be leased for periods of not be less than thirty (30) days.

**ARTICLE ##. AMEND ZONING BYLAWS SECTION 164-13 Schedule of Use
Regulations**

To see if the Town will vote to add a new Section 164-13, to read as follows:

(**Bold underline** = new language ~~strikethrough~~ = language removed)

DISTRICTS

RESIDENTIAL	R	RB	LB	GB	VC	I	CD#	SC	MB
<u>Apartments, 3 to 6 units, subject to the conditions of §164-31 B, C, E, and G</u>	<u>O</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>
Apartments, <u>7 or more units,</u> subject to the conditions of §164-31	O	A	A	A	A	O	O	O	O

ARTICLE ##. AMEND ZONING BYLAWS SECTION 164-40 Accessory and Congregate Dwellings

To see if the Town will vote to amend Section 164-40.A, to read as follows:

(**Bold underline** = new language ~~strikethrough~~ = language removed)

§ 164-40 Accessory and Congregate Dwellings.

A. Accessory dwellings shall be permitted subject to the following provisions:

(1) The accessory dwelling shall contain no more than ~~eight hundred (800)~~ **one-thousand two hundred (1,200)** square feet of floor area.

~~(2) Any building addition which is involved shall not increase existing lot coverage by more than two percent (2%) of the lot area.~~

(3) The Board of Health must have documented to the Building Commissioner that sewage disposal will be satisfactorily provided for in accordance with the provisions of Title 5 and local Board of Health regulations, including provisions for an appropriate reserve area on the site.

~~(4) Lot area must equal at least 30,000 square feet of contiguous buildable upland.~~

(5) The dwellings if leased shall be for periods of not less than ninety (90) days.

ARTICLE ##. AMEND ZONING BYLAWS SECTION 164-34 Off-Street Parking Regulations

To see if the Town will vote to amend Section 164-34. B., Table of Minimum Requirements as follows:

(**Bold underline** = new language ~~strikethrough~~ = language removed)

Table of Minimum Requirements

RESIDENTIAL	
TYPE OF USE	REQUIRED NUMBER OF SPACES
Dwelling unit having 2 or more bedrooms	2 spaces <u>1 space</u>
Dwelling unit having fewer than 2 bedrooms	1 space
Home occupation	Additional spaces may be required by the Board of Appeals
Multifamily apartment or condominium 1-bedroom	1.5 spaces per unit (see note)
Multifamily apartment or condominium 2- or 3 bedrooms	2 spaces per unit
All multifamily buildings must provide visitor parking	1 space per 3 units

ARTICLE ##. AMEND ZONING BYLAWS SECTION 164-22 Modifications

To see if the Town will vote to add a new Section 164-22 A (11), to read as follows:

(**Bold underline** = new language ~~strikethrough~~ = language removed)

- (11) **Up to two (2)** ~~One (1) single-family or two-family dwellings~~ may be erected on any lot located in the General Business, Limited Business, or Village Center District, **which lot is connected to public sewer services,** regardless of common ownership with that of adjoining land located in the same district, which existed on January 1, 2023 and ~~contained at least twenty thousand (20,000)~~ **ten thousand (10,000)** s.f. of buildable upland and had a minimum frontage of one hundred (100) feet.

ARTICLE ##. AMEND ZONING BYLAWS SECTION 164-32 Dwellings in commercial structures or accessory to commercial uses

To see if the Town will vote to amend Section 164-32, as follows:

(**Bold underline** = new language ~~strikethrough~~ = language removed)

§ 164-32 Dwellings in commercial structures or accessory to commercial uses.
Up to four (4) dwellings in commercial structures or accessory to commercial uses may be permitted **on a lot either within the commercial structure or in a separate structure on the same lot** where allowed under § 164-13, subject to the following conditions:

1. General Requirements:

- a. A site plan shall be submitted and reviewed as provided in § 164-33.
- b. Architectural Review Committee approval is required, as provided in § 164-33.1
- c. Prior to occupancy of any dwelling unit in a commercial structure, screening as described in § 164-34D(1) and as required under Site Plan approval must be installed along side and rear lot lines, except in the Village Center District.
- d. At least thirty percent (30%) of the floor area on the parcel shall be used for commercial purposes.**
- e. In the Village Center District, first floor units fronting on streets shall be reserved for commercial uses.**

~~2. Village Center District~~

~~Up to three (3) units may be permitted on a lot either within the commercial structure or in a separate structure located on the same lot¹. The following criteria must be met:~~

- ~~a. In mixed use buildings, first floor units fronting on streets shall be reserved for commercial uses.~~
- ~~b. Any building used exclusively for residential purposes must be located behind other buildings that have frontage on the street. In no case shall any building used exclusively for residential purposes front the street.~~
- ~~c. In the event of a corner lot the Site Plan Review Committee shall determine which street frontage will be the primary street frontage.~~

- d. ~~At least 30% of the floor area on the parcel shall be used for commercial purposes.~~
- e. ~~One (1) off-street parking space will be required for each dwelling unit. When units with two (2) or more bedrooms are proposed parking must be provided that meets the requirements of § 164-34 or an affidavit must be supplied to the building commissioner indicating the provision, through a shared parking agreement or other means, of the off-street parking spaces.~~

~~3. Other Business Districts~~

~~No more than two (2) dwelling units may be allowed on a lot within a structure used for commerce through new construction, addition, or conversion. The following criteria must be met:~~

- a. ~~At least 30% of the floor area on the parcel shall be used for commercial purposes.~~
- b. ~~(Reserved)~~
- c. ~~Off-street parking shall be provided for the dwelling units as per requirements of this chapter.~~
- d. ~~For each dwelling unit having in excess of one (1) bedroom, unpaved open space of at least four hundred fifty (450) square feet shall be provided.~~
 - ~~1 Up to four (4) units may be allowed, see Section 164-19.1. E.~~

ARTICLE ##. AMEND ZONING BYLAWS SECTION Add new 164-28.1

Conversion of existing hotel, motel, or motor inn to multiple dwellings.

To see if the Town will vote to add a new Section 164-28.1, to read:

§ 164-28.1 Conversion of existing hotel, motel, or motor inn to multiple dwellings.

A. Existing hotels, motels, or motor inns may be converted to multiple dwellings subject to the provisions herein.

B. Such conversion to dwellings may have a total of not more than one hundred (100) dwelling units.

C. Exterior additions, not to exceed fifteen percent (15%) of the ground area of the existing dwelling, shall be permitted, provided that all required yard setbacks are maintained.

D. Number of units. Each hotel, motel, or motor inn rental unit may be converted to one (1) dwelling unit, including dormitory housing units. Any conversion proposing more dwelling units than the number of current rental units shall be limited to no more than a fifteen percent (15%) increase in total units.

Ex: 60 rental units = conversion of up to 69 dwelling units

60 * 115% = 69

E. There shall be not less than a five-foot buffer strip of planting of grass between any driveway or parking area and the abutter's line and around the dwelling, and no parking area shall be less than ten (10) feet from the side line of the street or way.

F. The sewage disposal system shall be approved by the Board of Health before a permit may be granted for any such remodeling. No Special Permit shall be granted by the Zoning Board of Appeals unless the property is fully connected to town sewer or the Board of Health certifies that the septic system can achieve an effluent nitrogen concentration of 19 milligrams per liter (mg/l) or less, as measured at the point of discharge.

G. Other Dimensional Requirements. The applicable district frontage and yard requirements shall be observed. With third floor housing, the building height provisions of Section 164-19.1. E. 1 through E. 7 may be utilized in the Village Center, General Business, and Limited Business districts. In such instances the mean height measured between the bottom of the eave and the highest point of the ridge on a pitched roof shall not exceed 35 feet.

And further to amend Section 164-13, Schedule of Use Regulations to add the following:

DISTRICTS

RESIDENTIAL	R	RB	LB	GB	VC	I	CD#	SC	MB
<u>Conversion of Existing Hotel, Motel, or Motor Inn to Multiple Dwellings</u>	<u>O</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>