

FOXBOROUGH ZONING BY-LAW AMENDMENTS

FALL TOWN MEETING 2011

ARTICLE 1. BY THE PLANNING BOARD. TO SEE IF THE TOWN WILL VOTE TO AMEND SECTIONS 3, 7, AND 11 OF THE ZONING BY-LAW AND TO AMEND THE ZONING MAP AS FOLLOWS:

Item 1: Amend Table 3-1 TABLE OF USES, by inserting I-8.

(Public and Quasi-Public Facilities)	R-15	R-40	GB	NB	HB	G1	L1	S-1
8. Large-Scale Ground-Mounted Solar Photovoltaic Installation	N	N	N	N	PB	PB	Y	Y

Item 2: Amend Table 3-1 TABLE OF USES, by inserting L.16.

(Accessory Uses)	R-15	R-40	GB	NB	HB	G1	L1	S-1
16. On-Site Ground-Mounted Solar Photovoltaic Installation	PB	Y	PB	PB	PB	Y	Y	Y

Item 3: Amend Section 11.0 Definitions by inserting the following in proper alphabetical order:

As-of-Right Siting: Development which may proceed without the need for a special permit, variance, amendment, waiver, other discretionary approval, or as provided by MGL Ch. 40A section 3. As-of-right development is subject to site plan review and can be reasonably regulated by the building commissioner.

Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

On-Site Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic installation that is structurally mounted on the ground, is accessory, and is not roof-mounted. The power produced is typically utilized primarily by uses in the immediate vicinity and/or has less nameplate capacity than 250 kW DC.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

Solar Photovoltaic Array: An arrangement of solar photovoltaic panels.

Item 4: Amend the Zoning Map by rezoning approximately 57.5 acres owned by the Town of Foxborough in the vicinity of Belcher Road (commonly identified as the “old dump” or “former landfill”) to Limited Industrial or “LI.” This land is identified as Map 108 Lot 3174, Map 94 Lot 2848, and Map 108 Lot 2847 as shown on the Town of Foxborough Assessors Maps. It is currently zoned to Limited Industrial LI generally west of the present or former location of a perennial stream known as Spring Brook shown on said Assessors Maps and zoned Residential and Agricultural R-40 generally east of said Spring Brook.

For that parcel of land identified as Map 108 Lot 3174 measuring 25.29+/- acres, rezone from LI Limited Industrial and Residential and Agricultural R-40 to LI Limited Industrial.

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For that parcel of land identified as Map 108 Lot 2847 measuring 19.15+/- acres, rezone from LI Limited Industrial and Residential and Agricultural R-40 to LI Limited Industrial.

For that parcel of land identified as Map 94 Lot 2848 measuring 36.58+/- acres, rezone from Residential and Agricultural R-40 to LI Limited Industrial.

Item 5: Amend the Zoning By-Law by inserting a new section 7.4.

SECTION 7.4 SOLAR ENERGY REGULATIONS

7.4.1 Purpose: The purpose of this bylaw is to promote the creation of solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

7.4.2 Applicability: This section applies to Large-Scale and On-Site Ground-Mounted Solar Photovoltaic Installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment. Roof-mounted systems are regulated by the State Building Code.

7.4.3 General Requirements for Solar Photovoltaic Installations

1. The construction and operation of all solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.
2. No solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.
3. **Site Plan Review:** Solar photovoltaic installations shall undergo site plan review by the Planning Board prior to construction, installation or modification as provided in this section. In addition to the Plan and Application requirements in section 10.5 of this By-Law, the following shall be submitted for Large-Scale Ground-Mounted Solar Photovoltaic Installations and as directed by the board, for On-Site Ground-Mounted Solar Photovoltaic Installations:
 1. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
 2. Documentation of the major system components to be used, including the photovoltaic panels, mounting system, and inverter;

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3. Name, address, and contact information for proposed system installer;
 4. Documentation of actual or prospective access and control of the project site (see also Section 7.4.3.4);
 5. An operation and maintenance plan (see also Section 7.4.3.6);
 6. Proof of liability insurance; and
 7. Description of financial surety that satisfies Section 3.12.3.
- 4. Site Control:** The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed Large-Scale Ground-Mounted Solar Photovoltaic Installation.
- 5. Operation & Maintenance Plan:** The project proponent shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- 6. Utility Notification:** No large-scale ground-mounted solar photovoltaic installation shall be constructed until evidence has been given to the board that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

7.4.4 Dimension and Density Requirements

1. For Large-Scale Ground-Mounted Solar Photovoltaic Installations, front, side and rear setbacks shall comply with Table 4-2 and section 4.1.3 of these By-Laws.
2. All appurtenant structures to solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be screened and/or joined or clustered to avoid adverse visual impacts.

7.4.5 Design Standards

1. Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible,

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lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

2. A sign complying with the Sign By-Law and visible from the nearest public way shall be required to identify the owner and provide a 24-hour emergency contact phone number. The board may require additional identification signs to be erected and maintained. A compliant sign may also be erected as a means for students and the public to understand the operation and principles of the solar photovoltaic installation. Solar photovoltaic installations shall not be used for displaying other signs or any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.
 3. Reasonable efforts, as determined by the board, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
 4. If required by the Town, the site or specific portions of the site shall be secured with a fence or barrier to restrict access.
 5. Screening, buffers and landscaping shall be provided in compliance with section 6.4 of this By-Law.
 6. In order to minimize the impacts on the land, soil, and habitats, clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws.
- 7.4.6 **Safety and Environmental Standards:** The large scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the fire chief. The board may require that the owner or operator shall develop an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation. The board may require that owners or operators of on-site solar photovoltaic installations comply with this section.
- 7.4.7. **Monitoring and Maintenance:** The large - scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar

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photovoltaic installation and any access road(s), unless accepted as a public way.

7.4.8. Abandonment or Decommissioning: Any ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with this section shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the board and building commissioner by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

1. Physical removal of all large- scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
3. Stabilization or re-vegetation of the site as necessary to minimize erosion. The board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

7.4.9. Abandonment: Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the board. If the owner or operator of the Large-Scale Ground-Mounted Solar Photovoltaic Installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation.

7.4.10. Financial Surety: The owners or operators of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. The board may require on-site ground-mounted solar photovoltaic provide such surety. This surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

Or take any other action relative thereto.

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ARTICLE 2. BY THE PLANNING BOARD. TO SEE IF THE TOWN WILL VOTE TO AMEND SECTIONS 3 AND 7 OF THE ZONING BY-LAW AS FOLLOWS:

Item 1. Amend subsection L within Table 3.1 Table of Uses to add new subsections L.17 and L.18 to read as follows:

	R-15	R-40	GB	NB	HB	GI	LI	S-1
17. On-Site Wind Turbines	PB	PB	PB	PB	PB	PB	PB	PB
18. Utility-Scale Wind Turbines and other Renewable Energy facilities	N	N	N	N	N	PB	PB	PB

Item 2. Amend Section 7 (Special Regulations) to add a new subsection 7.5 as follows:

SECTION 7.5 RENEWABLE ENERGY REGULATIONS

7.5.1 Purpose. The purpose of this Section 7.5 is to provide by special permit or site plan review, as the case may be, for the construction and operation of Renewable Energy facilities and to provide for standards for the placement, design, construction, monitoring, modification and removal of Renewable Energy facilities that address public safety, minimize impacts on scenic, natural and historic resources of the Town and provide adequate financial assurance for decommissioning, as may be necessary.

7.5.2 Definitions.

Cogeneration Energy: Thermal energy and electrical energy simultaneously produced from the same process.

Distribution: The delivery of energy derived from Renewable Energy or Cogeneration Energy, to a distribution network that may include but is not limited to: transformers, transmission lines, substations, controller, inverters, batteries and/or other electrical collection or supply equipment derived from facilities on the lot.

Geo Energy: Energy derived from the temperature of the earth that is use to produce electrical or thermal energy.

On-Site Wind Turbine: A Wind Turbine designed or operated to provide energy principally to the residential and accessory structures located on a lot, or on contiguous lots held in common ownership. A Wind Turbine designed or operated to provide more than 50% of its rated energy production for either (i) off-site consumption or (ii) for commercial or industrial use(s) shall not be considered an On-Site Wind Turbine.

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Renewable Energy: Energy obtained from Solar Energy, Wind Energy, or Geo Energy.

Solar Energy: Energy from the sun that is converted to produce electrical or thermal energy.

Utility-Scale Wind Turbine: A Wind Turbine designed or operated to provide energy for consumers on or off the premises and which does not meet the requirements established for an On-Site Wind Turbine.

Wind Energy: Energy from the wind that is converted to produce electrical energy.

Wind Facility: All equipment, machinery and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, transmission, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines.

Wind Turbine: A machine with turbine apparatus (rotor blades, nacelle and tower) capable of producing electricity by converting kinetic wind energy into rotational, mechanical and electrical energy that drives an electrical generator.

7.5.3 General Requirements

- 1. Compliance with Applicable Law:** The construction and operation of all such proposed Renewable Energy facilities shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, environmental, electrical, communications and aviation requirements.
- 2. Unauthorized Access:** All ground mounted electrical and control equipment shall be secured to prevent unauthorized access.
- 3.** Wind Turbines shall be sited with consideration of the potential shadowing or flicker impacts on neighboring or adjacent residential properties. Where applicable, the applicant shall provide a mitigation plan to reasonably minimize any identified potential material adverse impacts on neighboring or adjacent residential uses.
- 4.** Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the Wind Turbine and its ancillary facilities and is otherwise prescribed by applicable laws, regulations, and bylaws.
- 5.** Wind Turbines and associated equipment shall conform to the applicable provisions of the Department of Environmental Protection's Division of Air Quality Noise Regulations (310 CMR 7.10). An analysis prepared by a

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qualified professional shall be submitted to demonstrate compliance with these criteria, as measured at the nearest inhabited residential dwelling in existence at the time of approval, if required by the Planning Board in connection with a special permit.

6. Reasonable efforts shall be made to locate utility transmission lines from a Wind Turbine underground, depending on soil conditions, shape, and topography of the site and any requirements of a utility provider, as may be applicable. Electrical transformers for utility connections may be above ground.
7. Wind turbines shall be lighted only if required by the Federal Aviation Administration.
8. Signage: Signs on a Wind Turbine shall comply with the Town of Foxborough's sign regulations. Signs and advertising affixed to a Utility-Scale Wind Turbine shall be permitted, provided such signs conform to the size and setback requirements applicable to wall signs incidental to a structure associated with the stadium in the Economic Development Overlay District, notwithstanding that the Utility-Scale Wind Turbine may not be attached to the stadium, pursuant to the Town of Foxboro sign regulations.

7.5.4 Dimension and Density Requirements: No Wind Facilities, including any Wind Turbines, shall be erected or installed except in accordance with the following design standards:

1. **Height:** On-Site Wind Turbines shall be no taller than 100 feet. Utility-Scale Wind Turbines shall be no taller than 500 feet. The height of Utility-Scale Wind Turbines and On-Site Wind Turbines shall be measured from the natural grade to the tip of the rotor blades at its highest point. Utility-Scale Wind Turbines may exceed 500 feet if:
 - The owner/operator demonstrates by substantial evidence that such height reflects industry standards for a similarly sited, Wind Turbine;
 - Such excess height is necessary for the effective operation of the Wind Turbine or to prevent financial hardship to the applicant; and
 - The Wind Turbine satisfies all other criteria for the granting of a special permit or site plan approval, as the case may be, under the provisions of this section.
2. **Setbacks:** Wind Turbines shall be set back from all residential structures on adjacent lots, public roads and lot lines (provided no setback shall be required from building or buildings which are on the same parcel and which are serviced by the Wind Turbine) by no less than a distance equal to the overall height of the Wind Turbine.

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3. The Planning Board may reduce the minimum setback distance as appropriate, based on site-specific considerations, if the project satisfies all other criteria for the granting of a special permit or site plan approval, as the case may be, under the provisions of this section.

7.5.5 Proposed condition photographs shall be prepared by superimposing the proposed Wind Facility on preexisting condition photographs. The photographic superimpositions shall include the tower, turbine rotor at its highest point, nacelle, mounts, equipment shelters, cables as well as cable runs, and security barrier, if any, for the total height, width and breadth.

7.5.6 System Conditions: Wind Turbines shall be maintained in good condition in accordance with an operation and maintenance plan and applicable manufacturers' warranties that shall be submitted to the Building Inspector concurrent with a request for a building permit. Maintenance shall include, but not be limited to, painting, structural repairs and security measures.

7.5.7 Removal Requirements: Any Wind Turbine which has reached the end of its useful life or has been abandoned shall be removed. A Wind Turbine shall be considered abandoned when it fails to operate for one year. Upon a Notice of Abandonment issued by the Building Inspector, the owner will have 30 days to provide sufficient evidence that the Wind Turbine has not been abandoned or the Town of Foxboro shall have the authority to enter the owner's property and remove the Wind Turbine at the owner's expense. The Town may elect to require the applicant for a special permit or site plan review to provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the facility. The amount and form of the security shall be mutually determined by the applicant and the Board, but in no event shall exceed 125 percent of the estimated cost of removal. The applicant shall submit an estimate of the costs associated with removal, prepared by a qualified engineer.

Item 3. Amend the first sentence of Section 9.5.10, to read as follows:
Site Plan Review pursuant to Section 10.5 of these By-Laws, will be required for any new building, Renewable Energy facility, any addition to any existing building or structure or any change of use in the EDAOD.

Or take any other action relative thereto.

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ARTICLE 3. BY THE PLANNING BOARD. TO SEE IF THE TOWN WILL VOTE TO AMEND SECTIONS 3, 4, AND 9 OF THE ZONING BY-LAW AS FOLLOWS:

Item 1. Amend subsection I.6 within Table 3.1 Table of Uses to read as follows:
 Commuter rail, bus and/or other transportation stations, facilities and related or accessory parking and other similar structures and improvements.

Item 2. Amend Subsection I within Table 3.1 Table of Uses to add a new subsection I.9 to read as follows:

(Public and Quasi-Public Facilities)	R-15	R-40	GB	NB	HB	GI	LI	S-1
9. Water, gas, electric, sewer and telecommunication lines and associated infrastructure/apparatus necessary to provide and maintain utilities and services.	Y	Y	Y	Y	Y	Y	Y	Y

Item 3. Amend subsection L.9 within Table 3.1 Table of Uses to read as follows:
 Nonresidential Accessory Uses and structures within: (a) a building devoted to an allowed principal use (regardless of gross area of the Accessory Use); or (b) an area outside of a building devoted to an allowed principal use or within a separate structure which Accessory Use(s) do not exceed fifteen percent (15%) of the gross area of the principal building or buildings providing for the principal use.

Item 4. Amend Section 4.5.1 to read as follows:
 Structures in the Public Interest. The following structures, which, in the opinion of the Building Commissioner, are obviously intended to be located in the public interest and which by design, correspond to the aesthetic standards of the surrounding area and serve necessary municipal and/or other public functions while providing for the protection of the health and welfare of the neighborhood pursuant to Section 3.1.7.5 hereof, shall be exempt from the minimum yard requirements: telephone booths and pedestals, underground utility equipment, electrical apparatus, mailboxes, bus, train and other transportation shelters/facilities, flagpoles, fences, retaining walls, trash disposal units, or any similar structures.

Item 5. Amend Section 9.4.7.6 to read as follows:
 Publicly or privately owned treatment works and their appurtenances that meet the Groundwater Discharge Permit Program Requirements of 314 CMR 5.00.

Item 6. Amend Section 9.4.8.7 to read as follows:

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Commercial establishments or municipal facilities for the washing, servicing, or repair of motor vehicles, airplanes or boats (unless any such activities are incidental to an allowed principal use under these By-Laws).

Item 7. Amend Section 9.5.6.3.c to read, in relevant part, as follows:

Notwithstanding any other provisions of these By-Laws except Section 9.5.6.3.b, above, for the purposes of applying the requirements of these By-Laws to the EDAOD, adjacent or contiguous lots (including lots separated by a public or private: (i) Street or Way, (ii) pedestrian, bicycle, vehicular or other path or right-of-way or other areas used for transportation infrastructure, (iii) thoroughfare, (iv) highway or (v) driveway) under common or affiliated ownership (whether the ownership interest in such lot is fee simple or leasehold) shall be deemed a single lot.

Item 8. Amend Section 9.5.6 to add the following new subsection 4:

4. Multiple Buildings on a Lot: Multiple buildings, dwelling units and/or structures are permitted on a lot, provided all such improvements are in conformity with the requirements of this Section 9.5 and any applicable minimum lot area requirements.

Item 9. Amend Section 9.5.9.5 to read as follows:

Multi-level parking structures (above-grade and/or below-grade) shall be permitted in the EDAOD, provided that such structures comply with all dimensional and other zoning requirements set forth in these By-Laws.

Or take any other action relative thereto.

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ARTICLE 4. BY THE PLANNING BOARD. TO SEE IF THE TOWN WILL VOTE TO AMEND SECTION 6, 9, AND 11 OF THE ZONING BY-LAW AS FOLLOWS:

Item 1. Amend Section 11 by amending or adding the following definitions:

Municipal Recreation Facility: Land, including accessory structures, owned and/or operated by the Town of Foxborough or accessible for use by the public and which is used for one or more of the following uses: a golf course, riding stable, playgrounds, playing fields, trails, a swimming pool, volleyball, bocce, tennis or basketball court(s), or other similar recreation facilities but excluding recreational fitness centers. No indoor or outdoor active recreation area or parking for same shall be located any nearer the lot line than the minimum building setback.

High Tech Office Facility: An office facility, all or a portion of which may also be devoted to laboratory, product development, prototype manufacturing and/or similar use(s).

Spa: Commercial establishment providing resort-type facilities devoted especially to health, fitness, weight loss, beauty and relaxation.

Item 2. Amend Table 6-1 (Minimum Off-Street Parking Requirements) to include the following:

High Tech Office Facility	One (1) Space per 500 s.f. Net
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Item 3. Amend Section 9.5.4.9 to read as follows:

Indoor and outdoor resort, conference, and/or entertainment facilities on a lot of not less than fifty (50) acres in size, housing permanent or temporary activities and events including, but not limited to, business meetings, sporting events, concerts, family events and amusements, and trade shows. Such facilities may include, but not be limited to, theaters, arenas, amphitheaters, shopping, dining and food services, hotel guest rooms, suites, resort amenities and personal services for occupants of the facilities.

Item 4. Amend Section 9.5.4 to add the following subsections:

12. Facilities for the production and Distribution of Renewable Energy and/or Cogeneration Energy.
13. Gas service station(s) and/or car wash(es), in connection with retail/mercantile use(s).
14. High Tech Office Facilities.
15. Multi-family dwellings, subject to the regulations applicable within the EDAOD under these By-Laws.
16. Commuter rail, bus and/or other transportation stations/facilities and related or accessory parking and other similar structures and improvements.
17. Spas.

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- Item 5. Amend Section 9.5.6 to add the following new subsection 3(d):
Where the majority of a lot transected by a zoning district boundary is located within the EDAOD, the regulations of these By-Laws and this Section applicable to the larger part of such lot may also, at the option of the lot owner, be deemed to govern in the smaller part of the lot beyond the EDAOD boundary, provided that the larger part of the lot has frontage on an accepted way and that a vegetated buffer of at least one hundred feet (100') is created along substantially all of the lot line where the smaller part of such lot abuts any lot in a residential district, except for utility lines, jogging trails, pedestrian paths, accessways, emergency vehicle access or other infrastructure and as otherwise may be permitted by the terms of these By-Laws.
- Item 6. Amend Section 9.5.7.2 to read as follows:
The building height of any structure located less than one hundred fifty (150) feet from the layout of Route One shall not exceed forty (40) feet; provided that upon the granting of a Special Permit pursuant to the requirements set forth in Section 9.5.7.5, below, any principal structure located less than one hundred fifty (150) feet from the Route 1 right of way may be erected to a height in excess of forty (40) feet but not greater than one hundred and fifty (150) feet.
- Item 7. Amend Section 9.5.7.3 to read as follows:
The building height of any structure, other than a stadium, that is located (i) greater than one hundred fifty (150) feet from the layout of Route One, and (ii) greater than two hundred (200) feet from any property line that abuts a residential zoning district in the Town shall not exceed three hundred (300) feet.

Or take any other action relative thereto.