

ARTICLE XX – AMEND ZONING BY-LAWS - ARTICLE 400 – USE, INTENSITY, DIMENSIONAL AND COVERAGE REGULATIONS FOR ALL DISTRICTS, SECTION 425.1 INTENSITY AND DIMENSIONAL REGULATIONS FOR ALL NEIGHBORHOOD BUSINESS DISTRICTS, NUMBER 4, LOT DIMENSION FOR NB-1 AND NB-2

To see if the Town will amend the Duxbury Zoning Bylaws (the Protective Bylaw of the Town of Duxbury) Section 425.1 Intensity and Dimensional Regulations for all Neighborhood Business Districts, Number 4, Lot Dimension for NB-1 and NB-2 to read as shown by underlining for additions and interlineation for deletions (such markings for illustrative purposes only), as follows:

425 INTENSITY AND DIMENSIONAL REGULATIONS FOR ALL NEIGHBORHOOD BUSINESS DISTRICTS

425.1 Lot Area, Frontage, Depth Dimensions and Coverage

1. Minimum lot size for NB-L is 30,000 square feet.

2. Lot Dimension for NB-L:

Frontage 200 linear feet

Depth 100 linear feet

Front setback 25

Side setback 25 to residential use; 0 to NB-1 or NB-2

Rear setback 15 to residential use; 0 to NB-1 or NB-2

3. Minimum lot size for NB-1 and NB-2 is 15,000 square feet.

4. Lot Dimension for NB-1 and NB-2:

Frontage 100 linear feet

Depth 100 linear feet

Front setback 10 linear feet

Side setback 0 linear feet

Rear setback 0 linear feet

5. In a Neighborhood Business District where present buildings are less than forty (40) feet from the right-of way line, new buildings may be placed as near the right-of-way line as the average buildings on said adjoining lots. A vacant lot shall, for this purpose, be treated as though occupied by a building set back forty (40) feet.

6. The minimum front setback shall be measured from the right-of-way giving legal access to any lot where a plan of the way is on file with the Registry of Deeds or, in the absence of such a plan, from a line twenty feet from and parallel with the center line of the traveled way. In the case of a corner lot, the distance of the front setback shall apply to any structure adjacent to either right-of-way.

7. In a Neighborhood Business District, no accessory building or structure shall be located within the required front setback. Accessory structures may be appended to the principal building or to another accessory building.
 - a) Corner Clearance – Within the triangle formed by the lines of intersecting ways and a line joining points on such lines fifteen feet distance from their point of intersection, or in the case of a rounded corner, the point of intersection, or in the case of a rounded corner, the point of intersection of their tangents, no structure and no foliage shall be maintained between a height three and one-half (3.5) feet and height of eight (8) feet above the plan through their curb grades.
 - b) Projections – Nothing herein shall prevent the projection of steps, stoops, not exceeding thirty square feet in any area, cornices, window sills or belt courses into any required setback.
 - c) Height – Maximum height shall be thirty (30) feet in all NB Districts.
 - d) Exemptions to Height Regulations – The limitations of height in feet shall not apply to chimneys, elevators, poles, ventilators, skylights, tanks, bulkheads, and other accessory structural features usually carried above roofs, nor to domes, towers, or spires of churches or other buildings provided such features are in no way used for living purposes and further provided that no such structural feature of any building shall exceed a height of sixty-five (65) feet from the ground. The Board of Appeals may grant a special permit for greater height for such structures and provided such greater height would not be hazardous or detrimental to the neighborhood.
 - e) Site Coverage – In all NB Districts the maximum site coverage of a lot shall be no more than fifty percent (50%) of the total area of the lot as defined in Section 302 and not “Lot Area.”
 - f) Bedrooms – Above ground floor apartments in all Neighborhood Business Districts shall be limited to no more than two (2) bedrooms.
 - g) Reduction of Minimum Requirements – No lot, setback, court or other open space already having less than the minimum requirements in this Bylaw shall be further divided or reduced with respect to such minimum requirement or requirements.

Proposed by the Planning Board

Explanation: To correct a scrivener's error in the warrant that unintentionally changed the Front setback to 0 when it is to remain at 10. Said error was made in the 2018 Special Town Meeting.

A two thirds vote of Town Meeting will be required to approve this article.

Recommendations: *Board of Selectmen Voted _____ to Recommend*
Finance Committee Voted _____ to Recommend