

CANTON PLANNING BOARD  
 REPORT AND MOTION  
 ANNUAL TOWN MEETING – MAY 9<sup>th</sup>, 2022

ARTICLE #39 AMEND ZONING BY-LAW  
 Section 4.0 Dimensional Requirements  
 (Select Board for Planning Board)

**Article 39.** To see if the Town will vote to amend Section 4.0 “Dimensional Requirements,” of the Zoning By-Laws by adding dimensional and height requirements for the Commercial Mixed-Use District (newly added), Limited Industrial B (existing), and Limited Industrial C (existing) districts as follows, with bolded and underlined text indicating changed language:

1. That the Town amend Zoning By-Laws Section 4.1.5, “Table of Dimensional Requirement – Nonresidential Districts” by adding dimensional requirements for the Commercial Mixed-Use District (newly added), Limited Industrial B (existing), and Limited Industrial C districts (existing), as follows. Front setbacks in the Limited Industrial zone are proposed to change from 60’ to 30’, however front setbacks in the Limited Industrial B zone will remain 60’.

**4.1.5 Table of Dimensional Requirements – Nonresidential Districts**

REQUIRED	B	C-MU	LI	LIB	LIC	I
<i>Min. Lot Size</i>		<b><u>15,000 sf</u></b>	<b><u>1.5 acres</u></b>	<b><u>20,000 sf</u></b>	<b><u>10 acres</u></b>	
<i>Lot Width (through the principal building)</i>		<b><u>150’</u></b>	200’	<b><u>200’</u></b>	<b><u>250’</u></b>	
<i>Frontage and frontage lot width (ft.)</i>		<b><u>100’</u></b>	100’	<b><u>100’</u></b>	<b><u>250’</u></b>	100’
<i>Lot Coverage (%)</i>	90	<b><u>70</u></b>	40	<b><u>50</u></b>	<b><u>30</u></b>	50
<i>Front Yard Setbacks</i>	25 <sup>1</sup>	<b><u>25’</u></b>	<b><u>30’</u></b>	<b><u>60’</u></b>	<b><u>10’</u></b>	60’
<i>Rear Yard Setbacks</i>	6 <sup>6</sup>	<b><u>15’<sup>6,7</sup></u></b>	25’ <sup>7,8</sup>	<b><u>25’<sup>7,8</sup></u></b>	<b><u>10’</u></b>	10 <sup>7,8</sup>
<i>Side Yard Setbacks</i>	6’	<b><u>10’</u></b>	25’	<b><u>25’</u></b>	<b><u>10’</u></b>	20 <sup>7,8</sup>
<i>Accessory Structure Rear Yard Setbacks</i>	3 <sup>9</sup>	<b><u>3’<sup>9</sup></u></b>	3 <sup>9</sup>	<b><u>3’<sup>9</sup></u></b>	<b><u>3’<sup>9</sup></u></b>	3 <sup>9</sup>
<i>Accessory Structure Side Yard Setbacks</i>	3 <sup>9</sup>	<b><u>3’<sup>9</sup></u></b>	3 <sup>9</sup>	<b><u>3’<sup>9</sup></u></b>	<b><u>3’<sup>9</sup></u></b>	3 <sup>9</sup>

(Footnotes 1 through 5 are found in Section 4.1.4)

<sup>6</sup> 20’ for residential buildings

<sup>7</sup> 35’ when rear property line abuts residential district or a lot with a residential building as the primary structure

<sup>8</sup> 35’ if side yard abuts a railroad right-of-way

<sup>9</sup> Only for accessory structures less than 15’ in height

2. That the Town amend Zoning By-Laws Section 4.3.1, the table of “Maximum Height of Buildings” by adding height requirements for the Commercial Mixed-Use District (newly added), Limited Industrial B (existing), and Limited Industrial C (existing) districts as follows, and by clarifying that the height allowed in the Limited Industrial district can be increased to 52 feet or four stories by special permit:

**4.3 HEIGHT REGULATIONS**

**4.3.1 Maximum Height of Buildings.** In all districts, no building shall be constructed to exceed the “Maximum Height” specified in the following table for the district in which said building is located:

<b>District</b>	<b>Maximum Height</b>
Residence AA Residence A Residence B Residence C General Residence	25 ft. plus one foot for each additional foot by which: (a) the setback exceeds the required setback distance, or (b) the narrower side width, or (c) rear yard depth, whichever of the three additional distances is the smallest; provided, however, the height shall not in any case exceed 40 ft.
<b>Commercial Mixed-Use District</b>	<b>35 feet or three stories<sup>1</sup></b>
Limited Industrial	40 feet or four stories, whichever is lower; <b>52 feet or four stories by special permit</b>
Limited Industrial B	<b>40 feet or three stories<sup>2</sup></b>
Limited Industrial C	<b>70 feet<sup>3</sup></b>
Industrial	52 feet or four stories by Special Permit
Business	40 feet

<sup>1</sup> Increase in height to 50'/4.5 stories in the C-MU district when parcels are aggregated to three acres or more and meet the requirements of Section 6.9

<sup>2</sup> Increase in height to 52'/4 stories by special permit in the Limited Industrial B zone when meeting the requirements of Section 4.3.4 and not abutting a residential district

<sup>3</sup> See Section 6.8.5 for additional footnotes

or to take any other action related thereto.

**PUBLIC HEARING:**

This is to certify that a public hearing concerning the subject matter above, as place on the warrant for the 2022 Annual Town Meeting, was held by the Planning Board on February 16th, 2022 at 5:30 P.M. and continued to March 2<sup>nd</sup>, 2022 at 6:00 P.M., in the Salah Meeting Room, Town Hall, 801 Washington Street, Canton, Massachusetts, in accordance with the provision of the Massachusetts General Laws, Chapter 40A.

Said amendment is contained, in its entirety, in a document available for public review on file in the office of the Planning Board, the Town Clerk, the Board of Selectmen, at Memorial Hall, and at the reference desk of the Canton Public Library. It is also available online on the Planning Department website.

Notice of the subject matter for the public hearing, sufficient for identification, has been published in the Canton Citizen, a newspaper of general circulation in the Town on January 27th and February 3<sup>rd</sup>, 2022.

**REPORT:**

On February 16<sup>th</sup>, and again on March 2<sup>nd</sup>, 2022, the Planning Board discussed the proposed article to amend Section 4.0 Dimensional Requirements. The Commercial Mixed Used District (newly formed), Limited Industrial B District (existing), and Limited Industrial District C (existing) are not currently in the table of maximum height requirements. The proposed changes update the table of height requirements to include existing and new zoning districts and reflect recommendations in the 2018-2020 Canton Route 138 Economic Development Study.

**RECOMMENDATION:**

On February 16<sup>th</sup>, 2022, the Planning Board voted unanimously with four (4) members in favor and none opposed, to recommend that this Article be adopted at Town Meeting with one correction in the motion, that the applicable language be added directly into this section of the by-laws. The hearing was closed on March

2<sup>nd</sup>, 2022, with no changes to the vote and one small clarification in the motion, that the minimum lot size for Limited Industrial districts is not changing and was incorrectly bolded and underlined.

Voted 4-0

In favor: Patricia McDermott, Kathy McCormack, David McCarthy, and Joseph Amrhein

Not present: Robert E. Panico

**MOVED:**

That the Town will vote to amend Section 4.0 “Dimensional Requirements,” of the Zoning By-Laws by adding dimensional and height requirements for the Commercial Mixed-Use District (newly added), Limited Industrial B (existing), and Limited Industrial C (existing) districts as follows, with bolded and underlined text indicating changed language:

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<i>Front Yard Setbacks</i>	25 <sup>1</sup>	<b><u>25’</u></b>	<b><u>30’</u></b>	<b><u>60’</u></b>	<b><u>10’</u></b>	60’
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<i>Side Yard Setbacks</i>	6’	<b><u>10’</u></b>	25’	<b><u>25’</u></b>	<b><u>10’</u></b>	20’ <sup>7,8</sup>
<i>Accessory Structure Rear Yard Setbacks</i>	3 <sup>9</sup>	<b><u>3’<sup>9</sup></u></b>	3 <sup>9</sup>	<b><u>3’<sup>9</sup></u></b>	<b><u>3’<sup>9</sup></u></b>	3 <sup>9</sup>
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<sup>3</sup> See Section 6.8.5 for additional footnotes

or to take any other action related thereto.

Respectfully submitted,

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David McCarthy  
Chair of the Canton Planning Board