

3/2/16

ARTICLE 8

ZONING BYLAW AMENDMENT/RESIDENTIAL ZONING CHANGES—DEFINITIONS

To see if the Town will vote to amend the zoning bylaw, ARTICLE 2 DEFINITIONS, to encourage responsible new residential development by amending “Basement”, “Cellar”, “Attic”, “Story” and “Half Story” and “Gross Floor Area (GFA)”; or take any action related thereto. (Inserted at the request of the Redevelopment Board)

Proposed vote

VOTED:

That the Zoning Bylaw be and hereby is amended by:

Amending Article 2, Definitions, Section 2.01 General, with the following text changes:

Following the Definition of “Awning”:

Basement:

A portion of a building, partly below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, above the average finished grade of the ground adjoining the building. A basement is not considered a story unless its ceiling is ~~four (4)~~ three (3) feet (6) inches or more above the average finished grade.

Following the Definition of “Catering Service”:

Cellar:

A portion of a building, partly or entirely below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, below the average finished grade of the ground adjoining the building. A cellar is not deemed a story unless its ceiling is three feet six inches (3 feet 6 inches) or more above the average finished grade.

Following the Definition of “Garage, Public”:

Gross Floor Area:

The sum of the gross horizontal areas of all the floors of a principal building and its accessory building or buildings on the same lot, including basements, as measured from the exterior faces of the exterior walls, or centerlines of walls separating two (2) buildings, including:

- a. elevator shafts and stairwells on each floor,
- b. that part of attic space with headroom, measured from subfloor to the bottom of the roof joists, of seven feet ~~three inches~~ or more, except as excluded in (4), below;
- c. interior mezzanines, and penthouses;
- d. basements except as excluded in (2), below; and cellars in residential use;
- e. all weather habitable porches and balconies; and
- f. parking garages except as excluded in (1), below; but excluding:
 1. areas used for accessory parking garages, or off-street loading purposes;
 2. that part of basements devoted exclusively to mechanical uses accessory to the operation of the building;
 3. open or lattice enclosed exterior fire escapes;
 4. attic space and other areas for elevator machinery or mechanical equipment accessory to the operation of the building; and

3/2/16

5. porches and balconies.

Following the Definition of "Special Permit Granting Authority":

Story:

The portion of a building which is between one floor level and the next higher floor level or the roof. If a mezzanine floor area exceeds one-third of the area of the floor immediately below, it shall be deemed to be a story. A basement shall be deemed to be a story when its ceiling is ~~four (4)~~ three (3) feet six (6) inches or more above the finished grade. An attic shall not be deemed to be a story if unfinished and not used for human occupancy and its height is less than seven (7) feet ~~three inches~~ or more measured from subfloor to the bottom of the roof joists.

Story, Half:

A story which is under a gable, hipped, or gambrel roof, where less than one half the floor area has a clear height of seven (7) feet ~~three inches~~ or more.