

FOXBOROUGH

SPECIAL TOWN MEETING WARRANT



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FOXBOROUGH, MA 02035

Special Town Meeting November 18, 2024

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LEGAL NOTICE
TOWN WARRANT

SPECIAL TOWN MEETING

Monday, the eighteenth day of November, A.D., 2024

COMMONWEALTH OF MASSACHUSETTS

NORFOLK S.S.

To either of the Constables of the Town of Foxborough:

Greetings:

In the name of the Commonwealth of Massachusetts and in accordance with the provisions of the By-Laws of said Town, and Amendments thereof, you are hereby required to notify and warn the inhabitants of the Town of Foxborough, qualified to vote at elections and town affairs to assemble in the auditorium of Foxborough High School on South Street at 7:00 o'clock in the afternoon on Monday, the eighteenth day of November A.D., 2024 to act on the following articles:

TABLE OF CONTENTS

ARTICLE	PAGE
1. FY25 Capital Budget Requests	3
2. Police and Fire Apparatus Revolving Fund Spending Limit Increase	3
3. Transfer to Fire Stabilization Fund	3
4. Fire Stabilization Fund Transfer to Fire Budget	3
5. Child Sexual Abuse Awareness Bylaw Clean Up	4
6. MBTA Communities (Patriot Place Version)	5
7. MBTA Communities (Subdistrict Version)	13
8. Zoning Bylaw Amendment - 69 & 75 Central Street.....	21
9. Zoning Bylaw Amendment - Accessory Dwelling Units	21
10. Amend Sewer Service Area Map.....	24
11. Disposition of Land at the rear 34 School Street.....	24
12. National Grid Easement	25
13. Acceptance of Peterson Lane as a Public Way	25
14. Acceptance of Authelet Way as a Public Way.....	25

ARTICLE 1:**(FY25 Capital Budget Requests)**

To see if the town will vote to adopt the recommendation of the Capital Improvement Planning (CIP) Committee, and to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money needed to fund the following supplemental Capital Requests for FY 2025; or take any other action related thereto.

Department	Description	Amount	Funding Source
Police	Body Cameras (payoff)	160,489	Free Cash
Police	Tasers (payoff)	99,706	Free Cash
Fire	SCBA Equipment (grant match)	50,000	Ambulance Receipts
Fire	Fire Engine & Ambulance Lease	351,210	Ambulance Receipts
Public Works	Trackless Municipal Tractor (supplement)	103,770.04	Free Cash
	Total	765,175.04	

Select Board

ARTICLE 2:**(Police and Fire Apparatus Revolving Fund Spending Limit Increase)**

To see if the Town will vote, pursuant to Chapter 44, Section 53E ½, to increase the spending limit for the existing Police and Fire Apparatus revolving fund for FY 2025; or to take any other action related thereto.

Name of Revolving Fund	Authorized Representative to Spend	FY25 Amended Authorization
Police and Fire Apparatus Revolving Fund	Police and Fire Departments	\$400,000

Select Board

ARTICLE 3:**(Transfer to Fire Stabilization Fund)**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the Fire Stabilization Fund for Fire equipment apparatus repair and acquisition; or take any other action related thereto.

Select Board

ARTICLE 4:**(Fire Stabilization Fund Transfer to Fire Budget)**

To see if the Town will vote to transfer a sum of money from the Fire Stabilization Fund to be expended by the Fire Department to fund the wages, in part, of the Department's mechanic, as well as the acquisition of parts and supplies for apparatus repair for FY 2025; or to take any other action related thereto.

Select Board

ARTICLE 5:

(Child Sexual Abuse Awareness Bylaw Clean Up)

To see if the Town will vote to amend the Child Sexual Abuse Awareness Bylaw as follows:

Section 1: Eligibility, Appointment, and Tenure

There shall be a Child Sexual Abuse Awareness Committee consisting of nine (9) volunteers. At or immediately after each annual meeting, the Select Board shall appoint or reappoint eligible volunteers to the committee, three per year for nine members total, each for a term of three years commencing July 1 or following said annual meeting, and expiring June 30th or end of annual town meeting, whichever is later. In addition, the select board shall, at the same time, or during the year, make any appointment necessary to fill the unexpected term of any vacated position in the committee.

Section 2: Powers and Duties

- A. The members of the Committee shall serve without compensation. They shall meet to elect officers, appoint subcommittees, and adopt rules as soon as practicable following each Annual Town Meeting. If any member is absent from five consecutive meetings, the Committee may vote that his/her position is vacated.
- B. The goals and objectives of the Child Sexual Abuse Awareness Committee are to raise awareness of the prevalence and circumstances in which children are being sexually abused and promote simple and effective ways for the public to be aware of risk factors and educate to reduce the opportunity of abuse in the Town of Foxborough. Every day adults come in contact with children of all ages and groups in Foxborough. The Foxborough Child Sexual Abuse Awareness Committee will provide guidance when adults are interacting with children in the Town of Foxborough.
- C. To attain these goals and objectives, the Committee shall gather information provided by the many public and private groups, agencies and institutions that disseminate relevant information to the prevention of sexual abuse to children. The Committee shall work with Foxborough's boards, committees and departments and participate and/or direct meetings and informational sessions towards accomplishing the published goals and objectives. The Committee shall act as liaison to public and private groups that use Town property related to children's activities.
- D. With these powers and duties, the Child Sexual Abuse Awareness Committee will work to provide:
 1. A code of conduct.
 2. Training of individuals (Town employees and volunteers) and organizations.
 3. Protocol for reporting incidents.
 4. A yearly curriculum to be dispensed for training to organizations, including but not limited to private schools, churches and youth leagues.
 5. A written progress report with recommendations to the Select Board by October 1 each year. Report shall include a written list of recommended required trainings to be completed the following year.

Section 3: Appointed Officials

The Child Sexual Abuse Awareness Committee shall have representatives from the following sectors:

1. Foxborough Public Schools
2. Foxborough Board of Recreation
3. Foxborough Public Safety

4. Foxborough Religious Institution
5. Foxborough Council on Aging and Human Services
6. Social Institutions
7. Private Educational or Instructional sites
8. Member at Large (2)

Section 4: Child Sexual Abuse Awareness Committee Budget

For the purposes of reaching the stated goal and objectives, a budget shall be appropriated to the Child Sexual Abuse Awareness Committee at the inception and thereafter be appropriated as part of the annual budget process.

; or take any other action related thereto.

Select Board

ARTICLE 6: (MBTA Communities – Patriot Place Version)

To see if the Town will vote to amend the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning, by adding the following new section thereto:

9.8. Foxborough Multifamily Overlay District

9.8.1. Purpose. The purpose of this Section 9.8. is to:

1. Allow multifamily residential development as of right in accordance with MGL c.40A, §3A, and the “Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act” promulgated pursuant thereto, as may be revised or amended from time to time.
2. Provide multifamily housing options that emphasize pedestrian-oriented and walkable neighborhoods, and that reduce dependency on motor vehicles by means of proximity to the commuter rail station located in Foxborough.

9.8.2. Overlay district. The Foxborough Multifamily Overlay District (FMOD) is established as an overlay district encompassing the area more particularly delineated on a map that is entitled “Foxborough Multifamily Overlay District (FMOD) in Foxborough, MA” dated November 18, 2024. This overlay district shall be deemed to be superimposed over portions of the Special Use (S-1) District and the Economic Development Area Overlay District (EDAOD), which such districts have been established in accordance with these bylaws. The map as it may be amended from time to time is on file with the respective offices of the Town Clerk and the Building Commissioner, and, together with any explanatory material thereon, is incorporated in and made part of these bylaws.

9.8.3. Relationship to existing zoning. All requirements and provisions of these bylaws that are applicable to the underlying district or overlay district shall remain in force and effect except where such provisions and requirements conflict with the provisions of this Section 9.8., in which event the provisions and requirements of the underlying district or overlay are superseded hereby.

1. The provisions of this Section 9.8. shall not affect the rights of any owner of property within the FMOD who seeks to develop or redevelop such property in accordance

with the provisions of these bylaws that are applicable to the underlying district or overlay district. Any such owner of property who seeks to develop or redevelop such property in accordance with the provisions of this Section 9.8. shall comply with the provisions and requirements hereof.

2. Terms that are used in this Section 9.8. shall have the respective meanings that are provided in Section 11.1. of these bylaws unless a specific definition of any such term is set forth in this section.

9.8.4. Permissible uses. The following uses are permitted in the FMOD:

1. A minimum of 15 and a maximum of 23 multifamily dwelling units per acre are allowed by right.
2. Accessory structures to multifamily dwellings are allowed by right.
3. Multifamily dwellings that combine multifamily dwelling units and nonresidential uses are permitted subject to compliance with the provisions of Section 9.8.5.
4. Uses that are permitted in the Special Use (S-1) District in accordance with Table 3-1 and Section 9.1. of these bylaws, and uses that are permitted in the EDAOD in accordance with Section 9.5.4. of these bylaws, are allowed as separate uses in the FMOD in accordance with the provisions and requirements of these bylaws that are applicable to such uses.

9.8.5. Mixed-Use Developments. Mixed-use developments that comply with the provisions of this Section 9.8.5. are permitted in the FMOD.

1. The Planning Board by grant of a special permit may authorize any multifamily dwelling in the FMOD to include any of the following nonresidential uses:
 - a. Banks.
 - b. Business or professional offices.
 - c. Medical, therapy or dental offices.
 - d. Restaurants or coffee shops.
 - e. Bakeries.
 - f. Retail sales or services with a maximum gross floor area not exceeding 12,000 square feet.
 - g. Personal service establishments that provide specialized goods or services that are used on-site by consumers, including, without limitation, barbershops, hair salons, garment or shoe repair, tailoring, dry cleaning services or other similar service establishments.
 - h. Workshops or studios for artists, artisans or craftsmen, which may include as an accessory use retail sales of products constructed or developed on such premises.
 - i. Galleries for the showing of works of art and crafts, which may include as an accessory use the retail sales of such items.

2. Nonresidential uses in a mixed-use development in the FMOD shall be situated on the ground floor of a multifamily dwelling, with the front façade of any such use facing a street, parking area or public space.
3. Access to and egress from multifamily dwelling units within a mixed-use development in the FMOD shall be separate, apart and clearly differentiated from the access to and egress from the nonresidential uses(s), provided that such access and egress may be provided from a shared lobby or other common area.
4. Nonresidential uses in a mixed-use development in the FMOD shall be exempt from the provisions of Table 3-1 of these bylaws.

9.8.6. Dimensional requirements. The following dimensional requirements shall apply to multifamily dwellings in the FMOD:

Table 9-3 Dimensional Regulations For Foxborough Multifamily Overlay District						
	Minimum Lot Size (square feet)	Yards (feet)			Maximum Height of Dwelling (feet)	Maximum Height of Accessory Structures (feet)
		Front	Side	Rear		
First 3 dwelling units	32,250	50	25	75	35	21
Additional dwelling units (per unit)	1,750					

9.8.7. Notes to Table 9-3.

1. A multifamily dwelling that is a mixed-use dwelling in accordance with the provisions of Section 9.8.5. may be constructed to a height of 48 feet, provided that the Planning Board by grant of a special permit may authorize such structure to be constructed to a height of 60 feet.
2. The Planning Board by grant of a special permit may vary any of the referenced dimensional requirements where it determines that the clustering of multifamily dwellings furthers the purposes of this Section 9.8., provided that a multifamily dwelling that is not a mixed-use dwelling in accordance with Section 9.8.5., an accessory structure to a multifamily dwelling, or any multilevel parking structure shall not exceed a height of 48 feet.
3. Lots in the FMOD may contain more than one multifamily dwelling.
4. The number of stories that a multifamily dwelling may have is restricted only by the height of any such structure as provided in Table 9-3 or in this Section 9.8.7.

9.8.8. Parking requirements. Off-street parking for multifamily dwellings in the FMOD shall

comply with the following requirements:

1. The provisions of Section 6.1. and Table 6-1 of these bylaws shall not apply to the parking requirements for multifamily dwellings except otherwise as specifically may be provided in this Section 9.8.8.
2. Each multifamily dwelling development shall provide a maximum of 1.5 parking spaces per dwelling unit.
3. The Planning Board by special permit may reduce the number of parking spaces that are required for a multifamily dwelling development where it determines that the parking spaces that are proposed are sufficient to meet the needs of such development.
4. Except with respect to a shared parking facility that is permitted by the Planning Board in accordance with Sections 9.8.8.6. and 9.8.8.7., all parking spaces that are required for a multifamily dwelling shall be located on the same lot as such dwelling.
5. Parking spaces are permitted in the front and side yards of multifamily dwellings if so authorized by the Planning Board in accordance with its site plan review under Section 9.8.11., provided that such spaces are not allowed within the front and side yard setbacks required pursuant to Table 9-3, and provided that multilevel parking structures are allowed only in the rear yard of a multifamily dwelling.
6. Parking spaces that are required for two or more multifamily dwellings that are under common or affiliated ownership and that are on adjoining lots may be provided in a shared parking facility pursuant to a special permit granted by the Planning Board.
7. Parking spaces that are required for two or more multifamily dwellings that are not under common or affiliated ownership and that are on adjoining lots may be provided in a shared parking facility pursuant to a special permit granted by the Planning Board, provided that each such use complies with the parking requirements that are set forth in Section 9.8.8.2.
8. Shared parking facilities authorized in accordance with the provisions of Sections 9.8.8.3. and 9.8.8.4. may be accessed by a shared driveway and may be provided in a shared multilevel parking structure that complies with the dimensional requirements for structures in the Special Use (S-1) District. The Planning Board in considering an application for a special permit for a shared parking arrangement shall apply the criteria and requirements of Section 6.1.2.4. to multifamily dwellings under common or affiliated ownership, and shall apply the criteria and requirements of Section 6.1.2.5. to multifamily dwellings that are not under common or affiliated ownership, to the extent that the same are applicable to this Section 9.8.8.
9. The Planning Board in accordance with its site plan review under Section 9.8.11. may apply the requirements of Sections 6.1.8., 6.1.9., 6.1.10. and 6.1.11. of these bylaws to any multifamily dwelling development.

10. Parking facilities for mixed-use developments that comply with the provisions of Section 9.8.5. shall accommodate sufficient parking for the permitted nonresidential uses(s) as determined by the Planning Board in accordance with its site plan review under Section 9.8.11., provided that separate and specific parking areas shall be designated for the multifamily dwelling and nonresidential uses.
11. Parking facilities provided under this Section 9.8.8. shall provide electric vehicle charging stations in accordance with the most recent edition of the International Energy Conservation Code (IECC) Base Code.
12. Multifamily dwellings that contain 25 or more dwelling units shall provide one bicycle storage space per dwelling unit within a covered area that is within or attached to each applicable dwelling.

9.8.9. Performance standards. All multifamily dwelling developments in the FMOD shall be subject to the performance standards of Section 6.5. of these bylaws.

1. The Planning Board may waive those standards that it determines to not be applicable to a proposed multifamily development or that would be inconsistent with the purposes of this Section 9.9.
2. Multifamily dwellings shall have common outdoor space that can be accessed by each of the residents thereof. Such space may be in any combination of ground floor, courtyard, rooftop or terrace.

9.8.10. Site plan review. All multifamily developments in the FMOD shall be subject to site plan review by the Planning Board in accordance with the provisions of Section 10.5. of these bylaws, provided that in no event shall an environmental impact statement pursuant to Section 10.6. of these bylaws be required for any such development. The Planning Board in granting site plan approval may impose such reasonable terms and conditions as it deems to be appropriate to serve the purposes of this Section 9.8, including reasonable regulations and requirements as to vehicular access and circulation of motor vehicles within a multifamily dwelling development, architectural design of buildings, site design, and screening from adjacent properties.

9.8.11. Severability. If any provision of this Section 9.8. is determined to be invalid by a court of competent jurisdiction, the remainder hereof shall not be affected but shall remain in full force and effect. The invalidity of any provision of this Section 9.8. shall not affect the validity of the remainder of these bylaws.

And, also, amend the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning, as follows:

1. Amend Section 2.2. by adding the following:

Foxborough Multifamily Overlay District FMOD

2. Amend Section 2.3.1. by adding the following:

Foxborough Multifamily Overlay District (FMOD) in Foxborough, MA.

3. Amend Section 3.1.7. Notes to Table of Use Regulations by adding the following new note:
 9. Multifamily dwellings shall be permitted in the R-40 Residential and Agricultural District, the Highway Business (HB) District, the Limited Industrial (LI) District, and the Special Use (S-1) District in accordance with the provisions of Section 9.8. of these bylaws.
4. Amend Section 4.1.2. Notes to Table 4-1 by adding the following new note:
 5. Dimensional regulations for multifamily dwellings in the Foxborough Multifamily Overlay District are set forth in Table 9-3. Notes 1 and 2 of this Section 4.1.2. do not apply to multifamily dwellings in the Foxborough Multifamily Overlay District.
5. Amend Section 4.1.3. Notes to Table 4-2 by deleting the first sentence of note 5 in its entirety and replacing it with the following new sentence:

Except for lots that are in the Foxborough Multifamily Overlay District, the minimum lot size within the S-1 District is 80,000 square feet.
6. Amend Section 4.1.3. Notes to Table 4-2 by deleting the first sentence of note 6 in its entirety and replacing it with the following new sentence:

Except for lots that are in the Foxborough Multifamily Overlay District, lots located in the S-1 District with frontage on streets other than Route 1 shall have a minimum of 200 feet of frontage.
7. Amend Section 4.4.2. by adding the following wording after the words “the S-1 District”:

“other than a structure that is in the Foxborough Multifamily Overlay District”
8. Amend Section 4.2.3 by deleting such section in its entirety and replacing it with the following new Section 4.2.3.:
 - 4.2.3. Accessory structures to multifamily structures. Except otherwise as provided in Section 9.8.4.2. with respect to accessory structures in the Foxborough Multifamily Overlay District, accessory structures to existing multifamily structures shall only be allowed by special permit from the Board of Appeals; provided that if a structure is shown on a special permit application that is submitted to the Planning Board to construct a multifamily structure, the accessory structure may be approved as part of that application.
9. Amend Section 4.4.3. by deleting such section in its entirety and replacing it with the following new Section 4.4.3.:

4.4.3. Controlling Provision. Insofar as the provisions of this Section 4.4. are in conflict with or are inconsistent with the provisions either of Section 9.5. or Section 9.8. of these bylaws, the provisions of such Section 9.5. or Section 9.8., as the case may be, shall govern.

10. Amend Section 6.5.3. by deleting the first sentence of such section and replacing it with the following new sentence:

Except for multifamily dwelling developments in the Foxborough Multifamily Overlay District, the development shall comply with Section 6.1. of these bylaws.

11. Amend Section 9.5.7. by deleting the second sentence of such section in its entirety and replacing it with the following new sentence:

Except for buildings or structures that are in the Foxborough Multifamily Overlay District, the height limitations applicable to buildings or structures in the EDAOD shall be as follows:

12. Amend Section 10.5.3.1. by deleting the first sentence thereof and replacing it with the following new sentence:

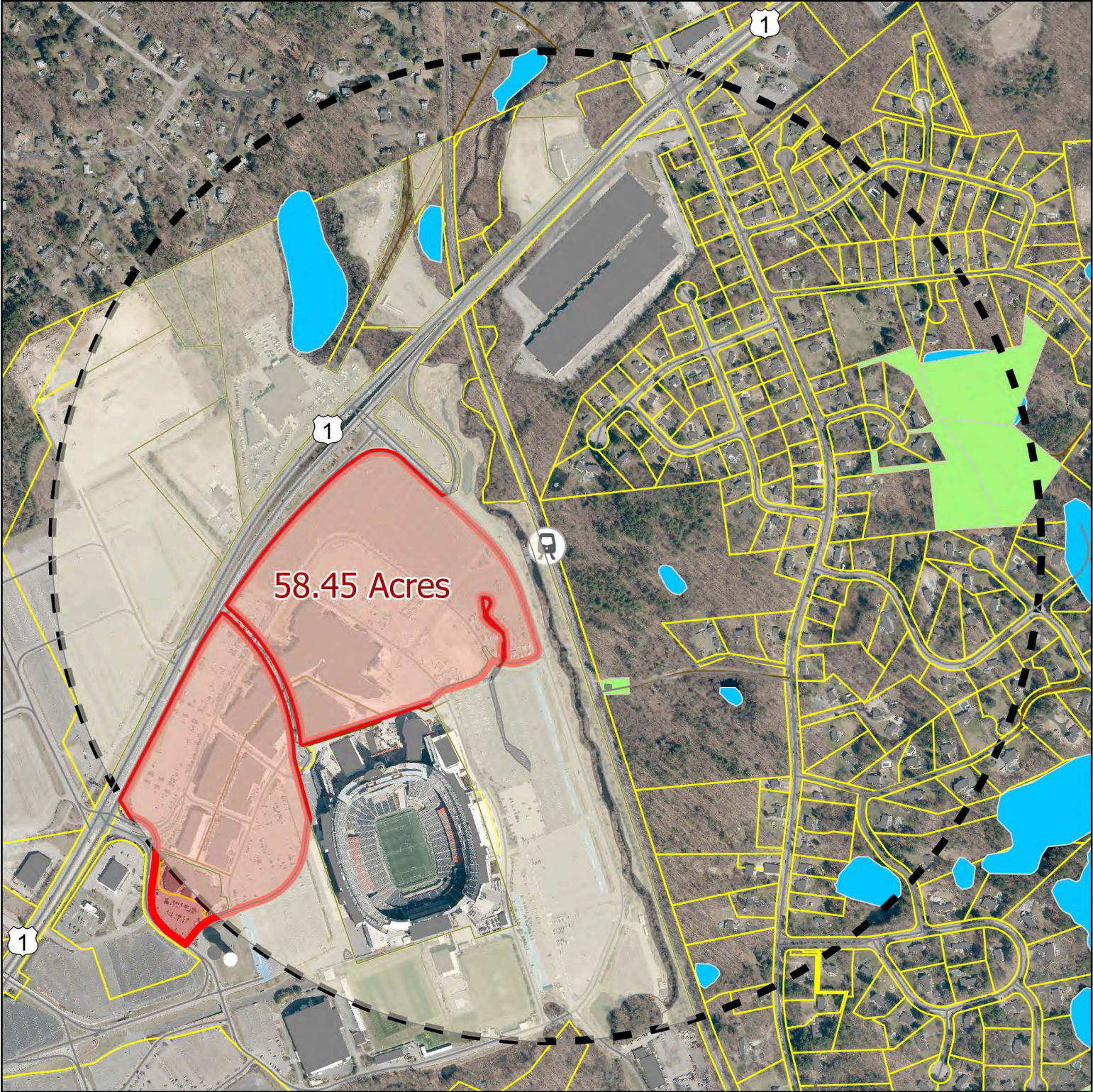
Any new building, any multifamily dwelling development in the Foxborough Multifamily Overlay District, and any addition to or any change of use of a predominantly nonresidential building in any zoning district.

; or take any other action with respect thereto.

Planning Board

Foxborough Multifamily Overlay District (FMOD) in Foxborough, MA

November 18, 2024



- Legend
- Train Station
 - Trails
 - Streets
 - Proposed District
 - Developable Land

- Buildings
- Open Space
- Water Bodies
- Parcels
- .5 mile Radius from Transit Station

(Patriot Place Exhibit)



ARTICLE 7:

(MBTA Communities – Subdistrict Version)

To see if the Town will vote to amend the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning, by adding the following new section thereto:

9.8. Foxborough Multifamily Overlay District

9.8.1. Purpose. The purpose of this Section 9.8. is to:

1. Allow multifamily residential development as of right in accordance with MGL c.40A, §3A, and the “Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act” promulgated pursuant thereto, as may be revised or amended from time to time.
2. Provide multifamily housing options that emphasize pedestrian-oriented and walkable neighborhoods, and that reduce dependency on motor vehicles by means of proximity to the commuter rail station located in Foxborough.

9.8.2. Overlay district. The Foxborough Multifamily Overlay District (FMOD) is established as an overlay district encompassing the areas that are more particularly delineated on a map that is entitled “Foxborough Multifamily Overlay District (FMOD) in Foxborough, MA” dated November 18, 2024. This overlay district shall be divided into the following two subdistricts:

- a. The Patriot Place Subdistrict, which is deemed to be superimposed over portions of the Special Use (S-1) District and the Economic Development Area Overlay District (EDAOD), which such districts have been established in accordance with these bylaws.
- b. The Multifamily Smart Growth Subdistrict, which is deemed to be superimposed over portions of the R-40 Residential and Agricultural District, the Highway Business (HB) District, and the Limited Industrial (LI) District.

The map as it may be amended from time to time is on file with the respective offices of the Town Clerk and the Building Commissioner, and, together with any explanatory material thereon, is incorporated in and made part of these bylaws.

9.8.3. Relationship to existing zoning. All requirements and provisions of these bylaws that are applicable to the underlying district or overlay district shall remain in force and effect except where such provisions and requirements conflict with the provisions of this Section 9.8., in which event the provisions and requirements of the underlying district or overlay are superseded hereby.

1. The provisions of this Section 9.8. shall not affect the rights of any owner of property within the FMOD who seeks to develop or redevelop such property in accordance with the provisions of these bylaws that are applicable to the underlying district or overlay district. Any such owner of property who seeks to develop or redevelop such property in accordance with the provisions of this Section 9.8. shall comply with the provisions and requirements hereof.

2. Terms that are used in this Section 9.8. shall have the respective meanings that are provided in Section 11.1. of these bylaws unless a specific definition of any such term is set forth in this section.

9.8.4. Permissible uses. The following uses are permitted in the FMOD:

1. A minimum of 15 and a maximum of 21 multifamily dwelling units per acre are allowed by right.
2. Accessory structures to multifamily dwellings are allowed by right.
3. Multifamily dwellings that combine multifamily dwelling units and nonresidential uses are permitted in the Patriot Place Subdistrict subject to compliance with the provisions of Section 9.8.5.
4. Uses that are permitted in the Special Use (S-1) District in accordance with Table 3-1 and Section 9.1. of these bylaws, and uses that are permitted in the EDAOD in accordance with Section 9.5.4. of these bylaws, are allowed as separate uses in the Patriot Place Subdistrict in accordance with the provisions and requirements of these bylaws that are applicable to such uses.
5. Uses that are permitted in the R-40 Residential and Agricultural District, the Highway Business (HB) District, and the Limited Industrial (LI) District in accordance with Table 3-1 of these bylaws are allowed as separate uses in the Multifamily Smart Growth Subdistrict in accordance with the provisions and requirements of these bylaws that are applicable to such uses.

9.8.5. Mixed-Use Developments. Mixed-use developments that comply with the provisions of this Section 9.8.5. are permitted in the Patriot Place Subdistrict.

1. The Planning Board by grant of a special permit may authorize any multifamily dwelling in the Patriot Place Subdistrict to include any of the following nonresidential uses:
 - a. Banks.
 - b. Business or professional offices.
 - c. Medical, therapy or dental offices.
 - d. Restaurants or coffee shops.
 - e. Bakeries.
 - f. Retail sales or services with a maximum gross floor area not exceeding 12,000 square feet.
 - g. Personal service establishments that provide specialized goods or services that are used on-site by consumers, including, without limitation, barbershops, hair salons, garment or shoe repair, tailoring, dry cleaning services, or other similar service establishments.
 - h. Workshops or studios for artists, artisans or craftsmen, which may include as an

- accessory use retail sales of products constructed or developed on such premises.
 - i. Galleries for the showing of works of art and crafts, which may include as an accessory use the retail sales of such items.
2. Nonresidential uses in a mixed-use development in the Patriot Place Subdistrict shall be situated on the ground floor of a multifamily dwelling, with the front façade of any such use facing a street, parking area or public space.
 3. Access to and egress from multifamily dwelling units within a mixed-use development in the Patriot Place Subdistrict shall be separate, apart and clearly differentiated from the access to and egress from the nonresidential uses(s), provided that such access and egress may be provided from a shared lobby or other common area.
 4. Nonresidential uses in a mixed-use development in the Patriot Place Subdistrict shall be exempt from the provisions of Table 3-1 of these bylaws.

9.8.6. Dimensional requirements. The following dimensional requirements shall apply to multifamily dwellings in the FMOD:

Table 9-3						
Dimensional Regulations For Foxborough Multifamily Overlay District						
	Minimum Lot Size (square feet)	Yards (feet)			Maximum Height of Dwelling (feet)	Maximum Height of Accessory Structures (feet)
		Front	Side	Rear		
First 3 dwelling units	32,250	50	25	75	35	21
Additional dwelling units (per unit)	1,750					

9.8.7. Notes to Table 9-3.

1. A multifamily dwelling in the Patriot Place Subdistrict that is a mixed-use dwelling in accordance with the provisions of Section 9.8.5. may be constructed to a height of 48 feet, provided that the Planning Board by grant of a special permit may authorize such structure to be constructed to a height of 60 feet.
2. The Planning Board by grant of a special permit may vary any of the referenced dimensional requirements where it determines that the clustering of multifamily dwellings furthers the purposes of this Section 9.8., provided that a multifamily dwelling in the Patriot Place Subdistrict that is not a mixed-use dwelling in accordance with Section 9.8.5., an accessory structure to any multifamily dwelling, or any multilevel parking structure shall not exceed a height of 48 feet.
3. Lots in the FMOD may contain more than one multifamily dwelling.

4. The number of stories that a multifamily dwelling may have is restricted only by the height of any such structure as provided in Table 9-3 or in this Section 9.8.7.

9.8.8. Parking requirements. Off-street parking for multifamily dwellings in the FMOD shall comply with the following requirements:

1. The provisions of Section 6.1. and Table 6-1 of these bylaws shall not apply to the parking requirements for multifamily dwellings except otherwise as specifically may be provided in this Section 9.8.8.
2. Each multifamily dwelling development shall provide a maximum of 1.5 parking spaces per dwelling unit.
3. The Planning Board by special permit may reduce the number of parking spaces that are required for a multifamily dwelling development where it determines that the parking spaces that are proposed are sufficient to meet the needs of such development.
4. Except with respect to a shared parking facility that is permitted by the Planning Board in accordance with Sections 9.8.8.6. and 9.8.8.7., all parking spaces that are required for a multifamily dwelling shall be located on the same lot as such dwelling.
5. Parking spaces are permitted in the front and side yards of multifamily dwellings if so authorized by the Planning Board in accordance with its site plan review under Section 9.8.11., provided that such spaces are not allowed within the front and side yard setbacks required pursuant to Table 9-3, and provided that multilevel parking structures are allowed only in the rear yard of a multifamily dwelling.
6. Parking spaces that are required for two or more multifamily dwellings that are under common or affiliated ownership and that are on adjoining lots may be provided in a shared parking facility pursuant to a special permit granted by the Planning Board.
7. Parking spaces that are required for two or more multifamily dwellings that are not under common or affiliated ownership and that are on adjoining lots may be provided in a shared parking facility pursuant to a special permit granted by the Planning Board, provided that each such use complies with the parking requirements that are set forth in Section 9.8.8.2.
8. Shared parking facilities authorized in accordance with the provisions of Sections 9.8.8.3. and 9.8.8.4. may be accessed by a shared driveway and may be provided in a shared multilevel parking structure that complies with the dimensional requirements for structures in the Special Use (S-1) District. The Planning Board in considering an application for a special permit for a shared parking arrangement shall apply the criteria and requirements of Section 6.1.2.4. to multifamily dwellings under common or affiliated ownership, and shall apply the criteria and requirements of Section 6.1.2.5. to multifamily dwellings that are not under common or affiliated ownership, to the extent that the same are applicable to this Section 9.8.8.

9. The Planning Board in accordance with its site plan review under Section 9.8.11. may apply the requirements of Sections 6.1.8., 6.1.9., 6.1.10. and 6.1.11. of these bylaws to any multifamily dwelling development.
10. Parking facilities for mixed-use developments in the Patriot Place Subdistrict that comply with the provisions of Section 9.8.5. shall accommodate sufficient parking for the permitted nonresidential uses(s) as determined by the Planning Board in accordance with its site plan review under Section 9.8.11., provided that separate and specific parking areas shall be designated for the multifamily dwelling and nonresidential uses.
11. Parking facilities provided under this Section 9.8.8. shall provide electric vehicle charging stations in accordance with the most recent edition of the International Energy Conservation Code (IECC) Base Code.
12. Multifamily dwellings that contain 25 or more dwelling units shall provide one bicycle storage space per dwelling unit within a covered area that is within or attached to each applicable dwelling.

9.8.9. Performance standards. All multifamily dwelling developments in the FMOD shall be subject to the performance standards of Section 6.5. of these bylaws.

1. The Planning Board may waive those standards that it determines to not be applicable to a proposed multifamily development or that would be inconsistent with the purposes of this Section 9.9.
2. Multifamily dwellings shall have common outdoor space that can be accessed by each of the residents thereof. Such space may be in any combination of ground floor, courtyard, rooftop or terrace.

9.8.10. Site plan review. All multifamily developments in the FMOD shall be subject to site plan review by the Planning Board in accordance with the provisions of Section 10.5. of these bylaws, provided that in no event shall an environmental impact statement pursuant to Section 10.6. of these bylaws be required for any such development. The Planning Board in granting site plan approval may impose such reasonable terms and conditions as it deems to be appropriate to serve the purposes of this Section 9.8, including reasonable regulations and requirements as to vehicular access and circulation of motor vehicles within a multifamily dwelling development, architectural design of buildings, site design, and screening from adjacent properties.

9.8.11. Severability. If any provision of this Section 9.8. is determined to be invalid by a court of competent jurisdiction, the remainder hereof shall not be affected but shall remain in full force and effect. The invalidity of any provision of this Section 9.8. shall not affect the validity of the remainder of these bylaws.

Also, amend the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning, as follows:

1. Amend Section 2.2. by adding the following:

Foxborough Multifamily Overlay District FMOD

2. Amend Section 2.3.1. by adding the following:

Foxborough Multifamily Overlay District (FMOD) in Foxborough, MA.

3. Amend Section 3.1.7. Notes to Table of Use Regulations by adding the following new note:

9. Multifamily dwellings shall be permitted in the R-40 Residential and Agricultural District, the Highway Business (HB) District, the Limited Industrial (LI) district, and the Special Use (S-1) District in accordance with the provisions of Section 9.8. of these bylaws.

4. Amend Section 4.1.2. Notes to Table 4-1 by adding the following new note:

5. Dimensional regulations for multifamily dwellings in the Foxborough Multifamily Overlay District are set forth in Table 9-3. Notes 1 and 2 of this Section 4.1.2. do not apply to multifamily dwellings in the Foxborough Multifamily Overlay District.

5. Amend Section 4.1.3. Notes to Table 4-2 by deleting the first sentence of note 5 in its entirety and replacing it with the following new sentence:

Except for lots that are in the Foxborough Multifamily Overlay District, the minimum lot size within the S-1 District is 80,000 square feet.

6. Amend Section 4.1.3. Notes to Table 4-2 by deleting the first sentence of note 6 in its entirety and replacing it with the following new sentence:

Except for lots that are in the Foxborough Multifamily Overlay District, lots located in the S-1 District with frontage on streets other than Route 1 shall have a minimum of 200 feet of frontage.

7. Amend Section 4.4.2. by adding the following wording after the words “the S-1 District”:

“other than a structure that is in the Foxborough Multifamily Overlay District”

8. Amend Section 4.2.3 by deleting such section in its entirety and replacing it with the following new Section 4.2.3.:

4.2.3. Accessory structures to multifamily structures. Except otherwise as provided in Section 9.8.4.2. with respect to accessory structures in the Foxborough Multifamily Overlay District, accessory structures to existing multifamily structures shall only be allowed by special permit from the Board of Appeals; provided that if a structure is shown on a special permit application that is submitted to the Planning Board to

construct a multifamily structure, the accessory structure may be approved as part of that application.

9. Amend Section 4.4.3. by deleting such section in its entirety and replacing it with the following new Section 4.4.3.:

4.4.3. Controlling Provision. Insofar as the provisions of this Section 4.4. are in conflict with or are inconsistent with the provisions either of Section 9.5. or Section 9.8. of these bylaws, the provisions of such Section 9.5. or Section 9.8., as the case may be, shall govern.

10. Amend Section 6.5.3. by deleting the first sentence of such section and replacing it with the following new sentence:

Except for multifamily dwelling developments in the Foxborough Multifamily Overlay District, the development shall comply with Section 6.1. of these bylaws.

11. Amend Section 9.5.7. by deleting the second sentence of such section in its entirety and replacing it with the following new sentence:

Except for buildings or structures that are in the Foxborough Multifamily Overlay District, the height limitations applicable to buildings or structures in the EDAOD shall be as follows:

12. Amend Section 10.5.3.1. by deleting the first sentence thereof and replacing it with the following new sentence:

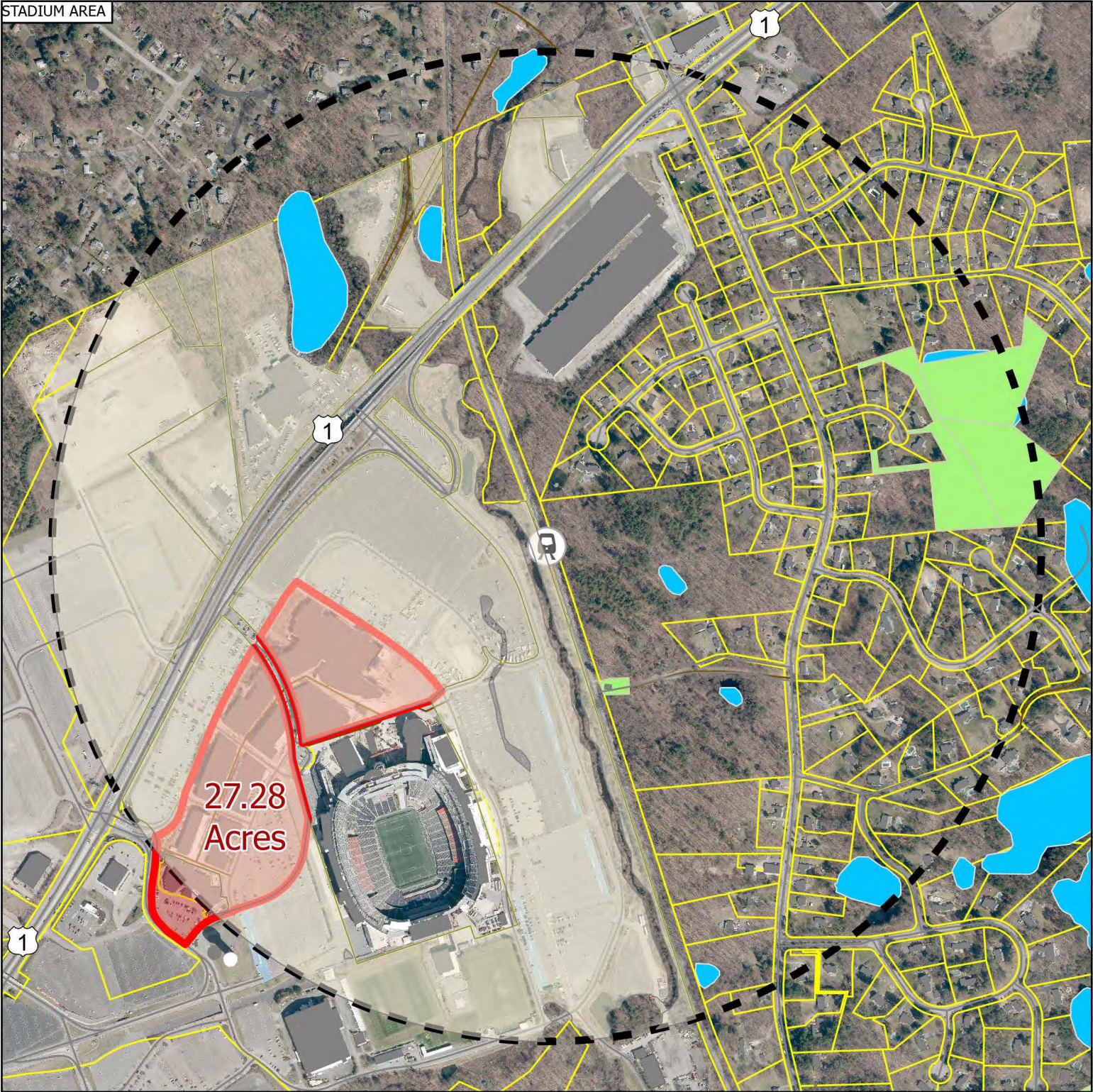
Any new building, any multifamily dwelling development in the Foxborough Multifamily Overlay District, and any addition to or any change of use of a predominantly nonresidential building in any zoning district.

; or take any other action with respect thereto.

Planning Board

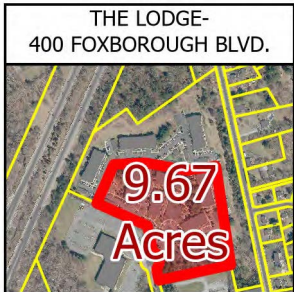
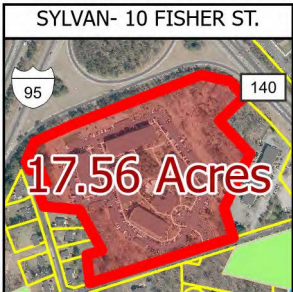
Foxborough Multifamily Overlay District (FMOD) in Foxborough, MA

November 18, 2024



- Legend
- Train Station
 - Trails
 - Streets
 - Proposed District
 - Developable Land

- Buildings
 - Open Space
 - Water Bodies
 - Parcels
 - .5 mile Radius from Transit Station
- (Subdistrict Exhibit)



ARTICLE 8:**(Zoning Bylaw Amendment - 69 & 75 Central Street)**

To see if the Town will vote to amend the Code of the Town of Foxborough, Chapter 275 as follows:

Amend the Zoning Map, Foxborough, MA that is dated November 16, 1990, as amended from time to time, by rezoning the parcels of property that are situated at 69 Central Street and identified as Assessors' Map 092, Lot 138, and at 75 Central Street and identified as Assessors' Map 092, Lot 137, from the R-15 Residential District to the General Business District (GB); and further, amend the corrected Foxborough Center Overlay District (FCOD) Plan that is dated May 29, 2013 by extending the area delineated on such plan so as to include such parcels therein. Such map and plan as amended are on file with the office of the Foxborough Town Clerk; or take any other action relative thereto.

Select Board

ARTICLE 9:**(Zoning Bylaw Amendment - Accessory Dwelling Units)**

To see if the Town will vote to amend the Code of the Town of Foxborough, as follows:

1. Amend Use Group G.11. of Section 3.1.6., Table 3-1 Table of Uses, by deleting the words "Accessory apartment" and replacing them with the words "Accessory dwelling unit," and by further deleting the letters PB under the R-40 and NB columns and replacing them with the letter Y.
2. Amend Section 3.1.7., Notes to Table of Use Regulations, by adding the following new note thereto:
 9. Only one accessory dwelling unit is allowed by right on any lot. Additional accessory dwelling units may be allowed on a lot only by means of the issuance of a special permit by the Planning Board in accordance with the provisions of Section 10.4. of these bylaws.
3. Amend Section 4.1.4. by deleting such section in its entirety and replacing it with the following"
 - 4.1.4. Dwellings per lot. Only one dwelling structure shall be located on a lot except where such structures are a single-family dwelling and an accessory dwelling unit that is provided in a separate structure that has been constructed in accordance with the provisions of Sections 8.1.1. and 8.1.2., or otherwise as expressly permitted by these bylaws.
4. Amend Section 8.1. by deleting it in its entirety and replacing it with the following:
 - 8.1 Accessory Dwelling Units**
 - 8.1.1. Accessory Dwelling Unit Requirements and Standards.** An accessory dwelling unit may be added to a single-family dwelling (the "principal dwelling"), provided that there is compliance with each of the following requirements and standards:
 1. One accessory dwelling unit is permitted on a lot as of right. Additional accessory dwelling units may be allowed on a lot only by means of the issuance of a special permit by the Planning Board in accordance with the provisions of Section 10.4. of these bylaws. The principal dwelling and the accessory dwelling unit shall be owned by the same individual(s) or entity(ies), provided that such owner(s) shall not be required to reside within either the principal dwelling or the accessory dwelling unit.

2. The accessory dwelling unit either shall be (i) attached to the principal dwelling as a newly-constructed addition thereto, (ii) contained within the principal dwelling by converting a portion thereof to a separate dwelling unit, (iii) a combination of the foregoing, or (iv) a detached structure that is situated on the same lot as the principal dwelling. A common wall or floor/ceiling shall separate the accessory dwelling unit from the principal dwelling where the accessory dwelling unit is attached to or contained within (or is a combination of) the principal dwelling.
3. The gross floor area of an accessory dwelling unit shall not exceed one-half the gross floor area of the principal dwelling or 900 square feet, whichever is less.
4. The principal dwelling and the accessory dwelling unit shall comply with or be granted appropriate relief from the dimensional requirements for single-family residential structures that are set forth in Section 4.1.1., Table 4-1, and otherwise as provided in Section 4.0. of these bylaws.
5. An accessory dwelling unit that is provided in a structure that is detached from the principal dwelling shall be located only in the rear and side yards of a lot, provided that an accessory dwelling unit may be located in the front yard of a lot if such unit is converted from a detached garage or is constructed as part of a detached garage that is authorized in accordance with these bylaws to be located in the front yard of a lot.
6. A special permit shall be required under Section 5.4.2. of these bylaws where the construction of an accessory dwelling unit increases the nonconforming nature of the principal dwelling to which it is attached, provided that no such special permit may be used as a means to deny an accessory dwelling unit that is allowed by right or to impose conditions on such use that otherwise are not permitted in this Section 8.1.1. A special permit shall not be required under such Section 5.4.2. for an accessory dwelling unit that increases the habitable floor area of the principal dwelling to which it is accessory by 25% or more.
7. The architectural design of the accessory dwelling unit and the type and color of the external materials used in its construction shall be comparable to that of the principal dwelling. An accessory dwelling unit that is attached to a principal dwelling or that is a combination of being attached to and contained within such structure shall give the appearance of being an integral part of the single-family dwelling when viewed from the street.
8. Neither the principal dwelling nor any accessory dwelling unit may be used for any short-term rental, as such term is defined in MGL c. 64G, §1, or otherwise leased or rented for a period that is less than thirty-one consecutive days.
9. Adequate off-street parking shall be provided on the lot on which an accessory dwelling unit is located for one motor vehicle either within a garage or carport, or on

a paved or all-weather gravel surface, provided that no additional parking space is to be provided for any accessory dwelling unit that is located not more than 0.5 miles from a commuter rail station.

10. Any stairway to the accessory dwelling unit that provides access other than at ground level shall be enclosed within the structure's exterior walls.
11. The design and adequacy of the sewage disposal system that serves the principal dwelling and the accessory dwelling unit shall comply with the provisions and requirements of 310 CMR 15.000 et seq. and such requirements of the Town of Foxborough Board of Health and Board of Water and Sewer Commissioners as may be applicable thereto.
12. The use and occupancy of the accessory dwelling unit shall be subject to the issuance of and compliance with all applicable Commonwealth of Massachusetts and Town of Foxborough permits and requirements that are not otherwise inconsistent with this Section 8.1.1.

8.1.2. **Site Plan Review.** All accessory dwelling units shall be subject to site plan review by the Planning Board in accordance with rules and regulations promulgated thereby that are not inconsistent with Section 8.1.1. or any other provision of applicable law.

5. Amend Section 9.7.5.G.11. by deleting the words "Accessory apartment" and replacing them with the words "Accessory dwelling unit."
6. Amend Section 11.1. by deleting the definition of ACCESSORY APARTMENT and replacing it with the following new definition:

ACCESSORY DWELLING UNIT – A separate, self-contained dwelling unit that is inclusive of sleeping, cooking and sanitary facilities on the same lot as a single-family dwelling, and that (i) maintains a separate entrance that is either directly from the outside or through an entry hall or corridor shared with such dwelling and that complies with the requirements of the state building code for safe egress, and (ii) is not larger in gross floor area than one-half the gross floor area of such single-family dwelling or 900 square feet, whichever is less. Any use of the term "accessory apartment" in these bylaws shall mean and include an accessory dwelling unit as such term is defined herein.

7. Amend Section 11.1. by deleting the definition of AREA (GROSS) and replacing it with the following new definition:

GROSS FLOOR AREA – The floor area within the inside perimeter of the exterior walls of any building exclusive of vent shafts and courts, and without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns or other features. The floor area of a building or any portion thereof that is not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area of a building shall not include shafts with no openings or interior

courts. Any use of the term “area (gross)” in these bylaws shall mean and include gross floor area as such term is defined herein.

; or take any other action related thereto.

Planning Board

ARTICLE 10: (Amend Sewer Service Area Map)

To see if the Town will vote to allow the following parcels to be incorporated in to the Sewer Service Area, and to amend the Sewer Service Area Map with the parcels so designated as follows:

ADDRESS	MAP	LOT	ESTIMATED CAPACITY
34 Main Street	078	052	266
35 Main Street	079	149	266
36 Main Street	078	053	600
38 Main Street	078	054	266
39 Main Street	078	067	266
41 Main Street	078	066	266
42 Main Street	078	055	600
2 Fales Place	078	056	266
48 Main Street	078	057	266
49 Main Street	078	064	266
50 Main Street	078	058	266
51 Main Street	078	063	266
52 Main Street	078	061	266
4 Bentwood	066	066	266
55 Main Street	066	065	266
1 Garfield Street	066	064	266
62 Main Street	066	001	600
2 Garfield Street	066	036	266
69 Main Street	066	035	600
70 Main Street	066	002	330
73 Main Street	066	034	1600
75 Main Street	066	033	266

; or take any other action related thereto.

Select Board

ARTICLE 11: (Disposition of Land at the rear 34 School Street)

To see if the Town will vote pursuant to G.L. c. 40, §§ 15 and 15A to change the purpose for which the Town owned property owned at the rear of 34 School Street, further identified as Assessor's Map 79, Parcel 16.1 (1,957+/- sq. ft.), is held to the purpose of disposition, sale or lease; and further, to authorize the Select Board to convey by sale or lease all or a portion of said town-owned land. Said real estate disposition shall be completed in compliance with General Law Chapter 30B to the extent applicable, and, further, the Select Board and other town officials shall be authorized to take all actions necessary to carry out this Article; or take any other action related thereto.

Select Board

ARTICLE 12:

(National Grid Easement)

To see if the Town will vote to grant an easement to the Massachusetts Electric Company for a new underground electrical service at 70 Elm Street; or take any other action related thereto.

Select Board

ARTICLE 13:

(Acceptance of Peterson Lane as a Public Way)

To see if the Town will accept as a public way Peterson Lane located within the “London Estates” subdivision, which has been constructed pursuant to the Planning Board Subdivision Control Regulations as follows, or to take any other action related thereto:

Peterson Lane – from its intersection with Authelet Way generally southerly approximately 883 feet more or less to its terminus at a cul-de-sac.

Planning Board

ARTICLE 14:

(Acceptance of Authelet Way as a Public Way)

To see if the Town will accept as a public way Authelet Way located within the “London Estates” subdivision, which has been constructed pursuant to the Planning Board Subdivision Control Regulations as follows, or to take any other action related thereto:

Authelet Way – from its intersection with Main Street generally easterly approximately 735 feet more or less to its terminus at the intersection with Peterson Lane.

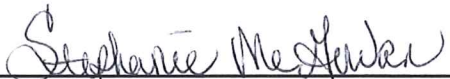
Planning Board


And you are requested to serve this warrant by posting attested copies thereof, one at the Town Office, and one at each place where the meeting is to be held, fourteen days at least before the day appointed for the holding of said meeting.

Hereof, fail not, and make due return of this warrant with your doings to the Town Clerk, at the time and place of said meeting.


Given under our hands and the seal of said Town this Twenty-Second day of October the year of our Lord Two Thousand and Twenty Four.


SELECT BOARD, TOWN OF FOXBOROUGH


Stephanie A. McGowan, Chair


William Yukna, Vice Chair


Deborah Giardino, Clerk


Mark S. Elfman


Dennis D. Keefe

A True Copy

Attest

 Constable, Town of Foxborough

RECEIVED
TOWN CLERK
2024 OCT 24 A 8:08
FOXBOROUGH, MA 02035