

**THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF ABINGTON  
BOARD OF SELECTMEN MEETING**

To see if the Town will amend the Zoning and Land Use By-Laws of Naval Air Station (NAS) South Weymouth and the Zoning District Map as follows:

1. By adopting the following Zoning District Map change creating a Abington Development Overlay District which is located entirely in the Town of Abington, which shall contain the following subdistricts:

- A. Abington Discovery Subdistrict
- B. Abington Town Center Subdistrict

The Abington Discovery Subdistrict shall be overlaid on a portion of the Golf Course/Open Space District and on a portion of the Open Space-Corporation District, each located in the Town of Abington as shown on the map attached hereto and incorporated herein by reference.

The Abington Town Center Subdistrict shall be overlaid on a portion of the Golf Course/Open Space District and on a portion of the Open Space-Corporation District located in the Town of Abington as shown on the map attached hereto and incorporated herein by reference.

1. By amending **Section 3.3, Definitions of Miscellaneous Terms**, by adding at the end of the existing definition of Commercial Minimum, which reads as follows:  
“Commercial minimum- 900,000 gross square feet of commercial development provided, however, that commercial development on land located in Weymouth may cause the total amount of commercial development within NAS South Weymouth to exceed 2,000,000 square feet by an additional 1,000,000 square feet”, the following language “and provided further that commercial development on land located in Abington may cause the total amount of commercial development within NAS South Weymouth to exceed the originally contemplated 2,000,000 square feet (which may be located in any of the Towns) plus such additional 1,000,000 square feet of commercial development that may be located in Weymouth, by an additional 1,000,000 square feet.”

2. By amending **Section 4.2(A), Central Redevelopment Area**, by adding a new subsection 4.2(A)(11) to read as follows: “11. Abington Development Overlay District, located entirely in the Town of Abington, which is comprised of the (a) Abington Discovery Subdistrict and (b) Abington Town Center Subdistrict”.

3. By amending **Section 4.5(A), Central Redevelopment Area**, by adding a new subsection 4.5(A)(11) to read as follows:

“11. Abington Development Overlay District (ADOD).

The Abington Development Overlay District (ADOD) is located entirely in the Town of Abington and is established in accordance with the boundaries as shown on

the Zoning District Map. The ADOD is further described in Section 7A of these By-Laws.”

4. By amending **Section 5.5(D)(6) Prohibited Use**, by deleting the following language therefrom in its entirety: “in the Town of Abington, and the following uses (1)-(5) are expressly prohibited in the Town of Weymouth (the following use (6) is not prohibited in the Town of Weymouth but is allowed in the Town of Weymouth).” and inserting the following language in its stead: “in the Town of Abington, and the following uses (1)-(5) are expressly prohibited in the Towns of Abington and Weymouth (the following use (6) is not prohibited in the Towns of Abington and Weymouth but is allowed in the Towns of Abington and Weymouth).”

5. By amending **Section 5.8, Table of Permitted Uses**, by deleting the following language at the end of the existing third paragraph in its entirety: “; provided, however, that no use in the Mixed Use Overlay District shall be required to meet the standards of a Building Form, and all uses in the Mixed Use Overlay District shall use the Exhibit D, Table of Dimensional Standards.” and inserting the following language in its stead: “; provided, however, that no use in the Mixed Use Overlay District or the Abington Development Overlay District shall be required to meet the standards of a Building Form, and all uses in the Mixed Use Overlay District or the Abington Development Overlay District shall use the **Exhibit D**, Table of Dimensional Standards.”

6. By amending **Section 5.8, Table of Permitted Uses**, by adding to the end of the existing paragraph which reads as follows: “Although a use may be permitted in more than one Building Form, **Section 6.5** shall dictate what Building Form is permitted in each zoning district; provided, however, that nothing in **Section 6.5** shall apply to uses in the Mixed Use Overlay District.”, the following language “or in the Abington Development Overlay District.”

7. By amending **Section 6.2, Applicability**, by adding to the end of the existing first sentence which reads as follows: “The dimensional standards provisions of this Article shall apply to the development of all land, establishment of all uses, and construction of all structures within NAS South Weymouth, either as set forth specifically for a given Building Form (see **Section 6.5**) or, in the absence of a Building Form, as set forth for a given zoning district in the Table of Dimensional Standards (see **Exhibit D**); provided, however, that no Building Forms shall apply to uses in the Mixed Use Overlay District.”, the following language “or in the Abington Development Overlay District .”

8. By amending **Section 6.5, Form Building Codes**, by deleting the first sentence which reads as follows in its entirety: “This Section 6.5 shall not apply to the Mixed Use Overlay District.” and inserting the following language in its stead: “This Section 6.5 shall not apply to the Mixed Use Overlay District or to the Abington Development Overlay District .”

9. By amending **Section 6.6, Table of Dimensional Standards**, by deleting the first two sentences of such section, which read as follows in their entirety: “No Building Forms shall apply to the Mixed Use Overlay District. The Table of Dimensional Standards (which is attached to these By-Laws as **Exhibit D**) shall apply to the Mixed Use Overlay District.” and inserting the following language in its stead: “No Building Forms shall apply to the Mixed Use

Overlay District or to the Abington Development Overlay District . The Table of Dimensional Standards (which is attached to these By-Laws as **Exhibit D**) shall apply to the Mixed Use Overlay District and to the Abington Development Overlay District .”

10. By adding a new Section 7A, Abington Development Overlay District, to read as follows:

“7A. ABINGTON DEVELOPMENT OVERLAY DISTRICT.

7A.1. Purpose of District

The purposes of the Abington Development Overlay District (ADOD) are to balance conservation and development goals and protect and enhance the character of natural and cultural resources while promoting an economical use of the land with resulting economic benefit to NAS South Weymouth, and to ensure planned development in accordance with community goals and design guidelines. The Abington Development Overlay District is intended to facilitate the long-term economic growth of NAS South Weymouth by promoting and coordinating high quality commercial and residential development that preserves the pedestrian scale and promotes a healthy economy. Toward these ends, the Abington Development Overlay District permits the clustering of residential and commercial uses on large tracts of land which have open space as an integral characteristic, and ensures quality site planning designed to accommodate a site’s physical characteristics including topography, vegetation, water bodies, wetlands, open spaces, historic resources and major scenic views.

7A.2. Scope of Authority

In the Abington Development Overlay District, all requirements of the Abington Development Overlay District shall supersede all requirements of the underlying districts. In the event that a proponent wishes to develop in the Abington Development Overlay District, the provisions of the Abington Development Overlay District shall apply and any provision of these By-Laws that applies in the underlying districts shall not apply.

7A.3. Establishment of Sub-Districts

The Abington Development Overlay District shall contain the following subdistricts: Abington Discovery Subdistrict; and Abington Town Center Subdistrict. Each subdistrict is located entirely in the Town of Abington and is shown on the Zoning District Map.

7A.4. Non Applicability of other Provisions of these By-Laws.

Neither Building Forms nor the corresponding dimensional, parking and/or loading requirements for such Building Forms shall apply in the Abington Development Overlay District. Uses in the Abington Development Overlay District shall use **Exhibit D**, Table of Dimensional Standards. Parking and

loading requirements for the Abington Development Overlay District are set forth below in Section 7A.7.

7A.5. Multiple Buildings and Uses.

In the Abington Development Overlay District, more than one building and/or use may be located on a lot as a matter of right, provided that each building and/or use(s) are in compliance with the requirements of these By-Laws.

7A.6. Uses.

This Section 7A.6 and the Table of Permitted Uses, attached as **Exhibit C** to these By-Laws, sets forth the permitting requirements for uses within each Subdistrict of the Abington Development Overlay District, and all uses set forth in such Table of Permitted Uses shall be permitted in accordance with its requirements, in accordance with the “Notes to Table of Permitted Uses” following the Table, and in accordance with all other provisions for regulation of use as established in these By-Laws.

In addition to the uses set forth in the Table of Permitted Uses, the following additional uses shall be permitted by right in the Abington Development Overlay District:

Community Center – A facility for a social or educational, or recreational purpose, intended primarily for the occupants of a particular project, in which food and beverages may be served and live entertainment may be provided, and which may include performance and assembly space and indoor and outdoor recreational facilities.

Cultural Uses – An art gallery; art use; museum; public art display space; arts studio; production studio; or event ticket sales space.

Medical Center – A facility used for medical office, medical laboratory and/or out-patient surgery.

Movie and Entertainment Studio – a single building or multi-building grouping for the commercial production of movies, videos and other media and/or educational uses relating to cinema, art, entertainment or other similar cultural endeavors, including research.

Movie and Entertainment Studio Campus – a multi-building, multi-use area that may include a mix of uses that are customarily associated with mixed use, low scale developments and/or open spaces; which is designed and operated to support and serve the needs of a Movie and Entertainment Studio.

Outdoor Commercial Recreation Concentrated - See definition in Section 5.5(D(6)).

Streets - public and private streets and rights of way may traverse the Mixed Use Overlay District.

7A.7. Parking and Loading.

In the Abington Development Overlay District, Parking Spaces and on-street spaces shall be provided as follows:

<u>Use</u>	<u>Required Spaces for Parking (total of Parking Spaces and on-street spaces)</u>
Residential: 1.0 spaces per each dwelling unit (minimum) and 2.0 spaces per each dwelling unit (maximum).	
Light Industrial: 0.5 spaces per 1,000 square feet of Gross Floor Area (minimum) and 3.0 spaces per 1,000 square feet of Gross Floor Area (maximum)	
Movie and Entertainment Studio and Movie and Entertainment Studio Campus: 0.5 spaces per 1,000 square feet of Gross Floor Area (minimum) and 3.0 spaces per 1,000 square feet of Gross Floor Area (maximum)	
Biopharmaceutical Manufacturing: 0.5 spaces per 1,000 square feet of Gross Floor Area (minimum) and 3.0 spaces per 1,000 square feet of Gross Floor Area (maximum)	
Office/Commercial: 3.0 spaces per 1,000 square feet of Gross Floor Area (minimum) and 5.0 spaces per 1,000 square feet of Gross Floor Area (maximum)	
Retail (other than Anchor Retail): 3.0 spaces per 1,000 square feet of Gross Floor Area (minimum) and 4.0 spaces per 1,000 square feet of Gross Floor Area (maximum)	
Anchor Retail: 3.0 spaces per 1,000 square feet of Gross Floor Area (minimum) and 6.0 spaces per 1,000 square feet of Gross Floor Area (maximum)	
Outdoor Commercial Recreation, Concentrated (other than Stadium): as determined by the Permit Granting Authority	
Restaurant: 10.0 spaces per 1,000 square feet of Gross Floor Area (minimum) and 15.0 spaces per 1,000 square feet of	

Gross Floor Area (maximum)

Theater: 1 space per every 3 seats

Stadium: 1 space per every 4 seats (minimum) and 1 space for every 2 seats (maximum)

Health Club: 4.0 spaces per 1,000 square feet of Gross Floor Area (minimum) and 6.0 spaces per 1,000 square feet of Gross Floor Area (maximum)

Hotel: 0.75 spaces per each room (minimum) and 1.0 spaces per each room (maximum)

Medical Center: 4.0 spaces per 1,000 square feet of Gross Floor Area (minimum) and 6.0 spaces per 1,000 square feet of Gross Floor Area (maximum)

Minimum parking requirements may be reduced, and maximum parking requirements may be exceeded, by the Permit Granting Authority during site plan approval if the Permit Granting Authority finds that a lesser or greater amount of parking will not cause excessive congestion or endanger public safety, and/or that a lesser or greater amount of parking will provide positive environmental or other benefits.

The parking requirements may be met by a combination of parking interior to the lot(s) on which the use(s) occur, on streets or on other lots pursuant to **Section 7A.8**, all as is appropriate to a pedestrian-oriented environment, subject to site plan approval.

In the Abington Development Overlay District, spaces for loading shall be provided such that the location and design of loading areas is appropriate and functional to service the proposed development as determined by the Permit Granting Authority.

The loading requirements may be met by a combination of loading interior to the lot(s) on which the use(s) occur, on streets or on other lots pursuant to **Section 7A.8**, all as is appropriate to a pedestrian-oriented environment, subject to site plan approval.

7A.8. Shared Parking and Loading.

Shared parking and/or loading areas may be permitted for the purpose of servicing two or more principal uses on the same or separate lots, provided that:

A. Shared Facilities. Evidence is submitted that safe and accessible parking and/or loading is available on the lot on which the use(s) occur or on a lot located within 600 feet of the lots on which the use(s) occur, which other parking and/or loading satisfies the requirements of these By-Laws and has excess capacity during all or part of the day, which excess capacity shall be demonstrated by a competent parking and/or loading study conducted by a traffic engineer registered in the Commonwealth of Massachusetts.

B. Legal Agreement. If the uses are on separate lots, any contract, agreement or suitable legal instrument required by the Special Permit Granting Authority or Permit Granting Authority, as applicable, shall be filed as required.

7A.9. Special Dimensional Requirements.

A. All buildings in the Abington Discovery Subdistrict and the Abington Town Center Subdistrict must be located a minimum of 20 feet from any lot outside the Abington Development Overlay District used for residential purposes at the time of the applicable site plan approval application, which setback area shall be undeveloped and/or landscaped. The setback area may include parking areas and access ways, subject to approval of screening by the Permit Granting Authority. Upon a finding by the Permit Granting Authority that a setback of a lesser width would be sufficient to screen and/or separate the development in the Abington Development Overlay District from the lot outside of the Abington Development Overlay District, the setback may be reduced. This section shall not apply to any lot outside the Abington Development Overlay District whose boundary with the Abington Development Overlay District is located on any street or right of way.

7A.10. Special Site Plan Approval Provisions.

A site plan for a development in the Abington Development Overlay District may show proposed construction within a “Permissible Building Area”, where the mix of uses and related construction details are subject to change, and specify the maximum square feet of Gross Floor Area to be constructed within such Permissible Building Area. Although an approved site plan may show a proposed building, the site plan approval shall apply as long as the structure or other site features are constructed within the Permissible Building Area indicated. After the issuance of a certificate of occupancy for a building, the amount of Gross Floor Area by which such constructed building is less than the maximum Gross Floor Area allocated thereto or the amount by which the number of Dwelling Units constructed is less than the Dwelling Units proposed shall be available for reallocation to other proposed buildings or Dwelling Units within the

Abington Development Overlay District, subject to further site plan approval of the buildings to which such intensity of uses is reallocated, if required.”

11. By deleting **Section 13.2(B), Applicability**, in its entirety and substituting the following language in its stead: “Notwithstanding the provisions of **Section 13.2A**, Developments within the Discovery Subdistrict of the Mixed Use Overlay District or within the Abington Discovery Subdistrict of the Abington Development Overlay District shall not be considered Planned Developments and shall not be subject to the requirements of this Article.”

12. By amending **Section 13.2.4(A), Application and Review Procedure**, by deleting the following language in its entirety: “; provided, however, that in the case of Planned Developments defined under Section 13.2A hereof in the Mixed Use Overlay District, the twenty (20) acre figures set forth in clauses (i) and (ii) of this Section 13.4A shall be reduced to five (5) acres.” and inserting the following language in its stead: “; provided, however, that in the case of Planned Developments defined under Section 13.2A hereof in the Mixed Use Overlay District or in the Abington Development Overlay District, the twenty (20) acre figures set forth in clauses (i) and (ii) of this Section 13.4A shall be reduced to five (5) acres.”

13. By amending **Exhibit C**, Table of Permitted Uses, by adding columns to the existing **Exhibit C** for uses in each of the Subdistricts in the Abington Development Overlay District such that the amended **Exhibit C**, Table of Permitted Uses, will be in the form attached hereto.

14. By amending **Exhibit D**, Table of Dimensional Standards, by adding columns to the existing **Exhibit D** for each of the Subdistricts in the Abington Development Overlay District such that the amended **Exhibit D**, Table of Dimensional Standards, will be in the form attached hereto.