

From: Paige Impink [<mailto:pfimpink@comcast.net>]

Sent: Tuesday, November 2, 2021 9:34 AM

To: Steve Sadwick <ssadwick@tewksbury-ma.gov>

Subject: bylaw review

Hi Steve,

The OSRC would like to request an update to the draft zoning bylaw, to specify “native plantings” every place that “plantings” are referenced. Furthermore, if the zoning bylaw committee is in agreement, any place where plantings are referenced, to add “and pollinators where possible”. For example, in 6.1.12. Landscaping Requirements C and D, there are mentions of shrubbery so “native” should be added.

Also thinking that the weed control piece in H3 should be checked with Arthur Markos. Anything sprayed for weed control will end up in the stormwater system so you would want to be sure it is an acceptable herbicide, or that integrated pest management and drought resistant plantings are utilized by the contracted landscape company.

Do you need every reference in the bylaw to be listed out? I just need time to do that if so.

Thank you,
Paige

6.1.12 Landscaping Requirements

- A. General Standards. All parking lots and loading facilities shall be suitably landscaped to minimize their visual impact on the lot and upon adjacent property by the use of existing vegetation where appropriate and by the use of new trees, shrubs, walls, fences or other landscape elements.
- B. Any parking lot with more than 40 parking spaces shall include a landscaped area(s) not less than 5% of the total area of the parking lot. Landscaped area(s) shall be provided with a minimum width of at least 10 feet, curbing and **native** shade trees of at least 12 feet in height or such other landscaping as may be required by the Planning Board.
- C. Planted Area Requirements. Areas shall be planted with native plant species and shall contain an appropriate mix of flowers, shrubs, hedges and trees. **Native** plant species shall be appropriate to proposed use, siting, soils, and other environmental conditions. Where the Planning Board determines that the planting of trees is impractical, the applicant may substitute **native** shrubbery for trees.
- D. Shrubs and Hedges. **Native** shrubs and hedges shall be at least 2 feet in height at the time of planting, and have a spread of at least 18 inches.
- E. Grass. Grass is preferable to mulch where practical.
(New F.) The use of pollinators is encouraged.
- F. Tree Preservation. Existing trees with a caliper of 6 inches or more shall be preserved wherever feasible.
- G. Tree Requirements. **Native** deciduous trees shall be at least 2 inches in caliper as measured 6 inches above the root ball at time of planting. Deciduous trees shall be expected to reach a height of 20 feet within 8 years after planting. **Native** evergreens shall be a minimum of 8 feet in height at the time of planting.
- H. 3. Maintenance of Landscaped Areas. The owner of the nonresidential use shall be responsible for the maintenance, repair, and replacement of all landscaping materials installed in accordance with this section. All plant materials shall be maintained in a healthy condition. Dead limbs, refuse, and debris shall be promptly removed. Dead plantings shall be replaced with new live plantings at the earliest appropriate season. Bark mulch and non-plant ground surface materials shall be maintained so as to control weed growth.

Proposed amendments for Tewksbury Town Meeting 5/5/21

I move that multi-family (MF) not be an allowed use in an office/research (OR) zone.

If Office/Research zones get multi-family housing, then we permanently lose the tax benefit that offices bring to the town. Right now, the office market is crummy, but before the pandemic, office construction was booming in Waltham & Boston. In a few years the economy will need new office buildings again. Office buildings are taxed as commercial property, almost twice as high as residences. If residences are built on an OR site, the opportunity for an office building is gone for the foreseeable future – at least several decades and probably more like 50 years -- and with it the chance of bringing in significant revenue for decades.

1. Proposed Change to Use Table in the OR Column:

- | |
|--|
| A.2.D. Multifamily up to 7 units---- change from PB to N |
| A.2.F. Multifamily Development---- change from PB to N |

The allowed height of a building that abuts houses should be measured from the ground level of the nearest part of lowest abutting house, provided the elevation of the ground at that part of the house is lower than the ground at the building.

If the ground plan of a building at any point is higher than the ground plane of any abutting house (at the point closest to both), then the height of the building shall be measured from the lowest ground plane of an abutting house at the point closest to the building.

2. BUILDING HEIGHT:

The height of a building measured as the vertical distance from the grade plane to the highest point of the roof. Not included are spires, cupolas, antennae, or similar parts of structures which do not enclose potentially habitable floor space.
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Exclude Cinema & Adult use from OR zone.

3. Proposed Change to Use Table in the OR Column:

- | |
|--|
| A.4.AA. Cinema---- Change from PB to N |
| A.4.HH Adult Use—Change from PB to N |

Limit # of stories to 3
Limit height to 30'

4. 5.3.4 Industrial Districts

OR- Maximum Height (Stories)—5

8.2.4.B 5 units per acre, or 10 bedrooms

5. 8.2.4.B Multifamily density change

Maximum density shall be 7 units per acre nor more than 14 bedrooms per acre. This will allow for flexibility in the number of bedrooms per unit to vary from one to 3 bedrooms. The ratio of three-bedroom market rate units to three-bedroom affordable units (as required under Section 8.3) shall be 1 to 1.

6.3.A Billboards at 1000' from residence zone

6. 6.3.A Billboards at 1000' from residence zone

Locations. Off-premises signs shall be permitted in the Industrial 1 and Office/ Research Zoning Districts located adjacent to either Interstate 93 or Interstate 495. No off-premises sign edge shall be located closer than 25 feet from the Interstate highway right-of way or within 500 feet of a Residential use.

From: Contact form at Tewksbury MA [<mailto:cmsmailer@civicplus.com>]

Sent: Sunday, October 31, 2021 8:33 AM

To: Alexandra Lowder

Subject: [Tewksbury MA] Comments/questions for meeting on Nov 2 (Sent by Carolyn Watkins, timandca@posteo.net)

Hello alowder,

Carolyn Watkins (timandca@posteo.net) has sent you a message via your contact form (<https://www.tewksbury-ma.gov/user/3064/contact>) at Tewksbury MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.tewksbury-ma.gov/user/3064/edit>.

Message:

1- the final proposed zoning draft is just too large. I realize some items have to be changed at the same time as other items but this draft is just too large. Breaking/grouping it into several smaller sections would be beneficial for both the residents to absorb all the aspects of the proposal and vote accordingly. This 108 page proposal means that if someone doesn't like some sections, the entire thing is voted down.

2- I personally like the historic look of a New England town center as ours represents. I wouldn't mind a few changes/additions. But the proposed changes in zoning, in my opinion, will allow the changes to be too drastic. It will look more like a city which is not the town I chose to move to.

3- The changes in the draft would allow for a significant increase in the building of residences, how is the town planning to provide services for this population increase? One being the schools, we will out-grow the brand new elementary school quickly.

----- Forwarded message from PeterZdinak <peterzdinak@aol.com> -----
Date: Tue, 2 Nov 2021 09:02:11 -0400
From: PeterZdinak <peterzdinak@aol.com>
Subject: Input on Final Zoning Draft
To: zoning@tewsbury-ma.gov

Hello,

Unfortunately I will not be able to attend the zoning bylaw public hearing tonight, but I do want to provide some comments on the zoning bylaw changes.

First, I would like to thank all the zoning bylaw committee members for all the time and hard work they have put in to preparing the zoning bylaw change documents.

I support all the changes to the bylaw, except one: the set-back distance of off-premise signs to a residential use. Specifically the change from existing bylaw paragraph 5291 “within 1000 feet of a Residential or Multifamily District or Use” to draft zoning bylaw paragraph 6.3.A “within 500 feet of a Residential use.” 1000 feet was the distance agreed upon at Town Meeting just a few years ago when the billboard article was adopted, and should not be changed. This is a substantial change to the bylaw itself, not just an wording or organizational change.

If “500 feet” in the draft zoning bylaw paragraph 6.3.A is changed to “1000 feet” I will be able to support the zoning bylaw change article at Town Meeting; otherwise I will vote against it.

Thank you,

Peter Zdinak

187 Bradford Road

Tewksbury, MA 01876

COMMENTS FROM DEDICATED EMAIL ADDRESS

1----- Forwarded message from George Ferdinand <georgeferdinand@mail.com> -----
Date: Fri, 17 Sep 2021 14:25:50 +0200
From: George Ferdinand <georgeferdinand@mail.com>
Subject: Bylaws update
To: zoning@tewksbury-ma.gov

Change Proposed:
under
SECTION 7000. SPECIAL RESIDENTIAL REGULATIONS
7010. AFFORDABLE HOUSING REQUIREMENT
7014. Provisions:

Remove B & C *its concerning the fee-in-lieu-of units payment*

Sincerely,
George Ferdinand

2----- Forwarded message from Bob O'Brien <bobobrien@hotmail.com> -----
Date: Fri, 1 Oct 2021 20:38:57 +0000
From: Bob O'Brien <bobobrien@hotmail.com>
Subject: Recommended bylaw modifications
To: zoning@tewksbury-ma.gov

Re: input to the bylaw proposal to be presented in spring of 2022.

I would like to have all "fees in lieu" completely removed from our bylaws. There will be zero opportunity for any resident, any developer, any landowner et al to request a waiver in lieu of any kind.

This includes affordable housing subsidizing fees in lieu, sidewalk fees in lieu, and all other current and future such waivers.

The second path/ option of this article if necessary: is to transfer the fee in lieu bylaw (if it must legally remain as a bylaw) : is to transfer all fee in lieu responsibilities
From the current decision board : planning board to the zoning board of appeals.

Thank you

3----- Forwarded message from "Bowden, Dohn A" <Dohn_Bowden@uml.edu> -----
Date: Mon, 27 Sep 2021 15:00:59 +0000
From: "Bowden, Dohn A" <Dohn_Bowden@uml.edu>
Subject: Comments on Final Zoning Draft and Final Update to Proposed Zoning Map 2021
To: zoning@tewksbury-ma.gov

Hello,

[Type here]

Several years ago, when Village Residential (VR) was being proposed, I went to the meeting to discuss the properties on Marshall and Erlin. I identified these parcels in blue on the map below. At that time, the VR line was agreed to be drawn where the blue line is drawn on the map below. These properties below the line (away from Main St) were to remain Residence 40 (R40). I now see that once again these properties are to be changed to VR. The area I have marked is residential. If this is changed to VR then we could have other establishments move into what is now residential. Main St is already infringing upon our neighborhood, and we need to protect what us lifelong residences have and look forward to for many years to come. As stated before, it was documented that these properties would NOT be changed. It is apparent that someone is looking to do something in this area and have once again made an update to the map.

4----- Forwarded message from MARIE P GARAVANIAN <garavanian1@comcast.net> -----
Date: Thu, 2 Sep 2021 15:27:48 -0400 (EDT)
From: MARIE P GARAVANIAN <garavanian1@comcast.net>
Subject: Half acre lots
To: zoning@tewksbury-ma.gov

To the committee: Some of our senior citizens have one acre lot housing and would like to stay in Tewksbury when downsizing. It would be beneficial to us if we could divide the plots into 1/2 acreages to build homes more suited to seniors. We need different designs of housing such as wider doors, ramps and/or no stairs- deeper stairs, one floor living, heated garages and less land to take care of. Many of us want and are able to live independently in Tewksbury, but cannot find such accommodations in what is being built-large three story family style monsters with inflated prices. We do not add children to schools, use too many town services, have paid taxes for expanding school space for many years so kids belonging to others can be educated, and have added our talents and money for Tewksbury's benefit. Many seniors do not approve of 55+ adult complexes which add to traffic congestion, overloaded sewerage systems, destruction of open spaces and animal habitat. Tewksbury is being destroyed as a peaceful town to live in because of poor zoning practices.

Respectively submitted by,
Marie P Garavanian

5----- Forwarded message from harry winn <harrywnn@yahoo.com> -----
Date: Wed, 20 Oct 2021 10:25:24 -0400
From: harry winn <harrywnn@yahoo.com>
Subject: Reduced lot size
To: zoning@tewksbury-ma.gov

Good morning,
I am hoping to see more positive information on the Reduced Lot Size topic. I was at a few meetings where the consultants that were there seemed to think favorably of reducing lot sizes in certain parts of Tewksbury. It makes sense to allow this to happen so that people can get the full use out of their lots.

Thank you,
Harold Winn
30 Chuckies Way