

**NOTICE OF PUBLICATION OF ATM 2019 AMENDMENTS to the ZONING BYLAW**  
**Posted May 9, 2019**

The Town of Wellesley shall henceforth publish amendments to the Town Bylaw and Zoning bylaw by way of a pamphlet and post said pamphlet in each precinct and on the bulletin board of the Town Hall and on the website for the Town of Wellesley ([www.wellesleyma.gov](http://www.wellesleyma.gov)) (MGL Chapter 40 Section 32).

**Zoning Bylaw Amendments (ATM 2019)**

- **Article 29**, ZBL – Renumbering Roman Numerals to Arabic Numbers
- **Article 30**, ZBL – Renumbering and Corrections
- **Article 31**, ZBL – Off street Parking Amendments
- **Article 32**, ZBL – Outdoor Lighting Clarifications
- **Article 33**, ZBL – Zoning Map Corrections
- **Article 34**, ZBL – Rezoning of 999 Worcester Street

**Article 29**

**ZBL – Renumbering Roman Numerals to Arabic Numbers**  
**Revised Language – All Sections**

Amendments to the Zoning Bylaw, as shown in the document titled “Town of Wellesley Zoning Bylaws as Renumbered and Revised under Article 29”, and dated April 3, 2019 (a copy of which is on file with the Town Clerk), by changing the manner in which the Sections and references thereto are numbered from Roman Numerals to Arabic numbers (such that Section I becomes Section 1, Section IA becomes Section 1A, Section II becomes Section 2, and so forth throughout the remainder of the Zoning Bylaws), instituting a consistent internal arrangement protocol (lettering and numbering) throughout the Bylaw with updated references, and correcting identified grammatical, typographical, and formatting errors; and

to apply the aforementioned Arabic numbering system to all Zoning Bylaw amendments adopted at this Town Meeting.

**Article 30**

**ZBL – Renumbering and Corrections**  
**Revised Language - Sections I, IA, IB, XXVIA, XXVI, XXIX, XXVII, XXVIII**

Amendments to the Zoning Bylaw by renumbering Section I, Establishment of Districts, as Section IA, by renumbering Section IA, Definitions, as Section IB, by renumbering Section XXVIA, Notice for Public Hearings, as Section XXVI, by renumbering Section XXIX, Interpretation, as Section XXVII, and by inserting a new Section I, General Provisions, (or Section 1 as noted above) to include provisions of the Preamble, Section XXVI., Adoption/Amendment Procedures, Section XXVII., Existing Bylaws Not Repealed, and Section XXVIII., Invalidity, which Sections are to be

deleted in their entirety, and amending the references to all affected Sections throughout the Bylaw, as follows:

## SECTION 1. GENERAL PROVISIONS

### A. Title

This Bylaw is and shall be known as “the Zoning Bylaw of the Town of Wellesley, Massachusetts,” and may be referred to or cited as, including throughout this document, “this Zoning Bylaw” or “the Zoning Bylaw.”

### B. Scope of Authority

The Zoning Bylaw of the Town of Wellesley, Massachusetts, is enacted in accordance with the provisions of the Zoning Act, Massachusetts General Laws (M.G.L.), c. 40A, and any and all amendments thereto.

### C. Purpose

This Zoning Bylaw is enacted for the following intended purposes, as authorized by, but not limited to, the provisions of the Zoning Act, M.G.L., c. 40A, as amended, Section 2A of 1975 Mass. Acts 808, and Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts:

1. To lessen congestion in the streets;
2. To conserve health;
3. To secure safety from fire, flood, panic, and other dangers;
4. To provide adequate light and air;
5. To prevent overcrowding of land;
6. To avoid undue concentration of population;
7. To encourage housing for persons of all income levels;
8. To facilitate the adequate provision of transportation, water, water supply, drainage, sewerage, schools, parks, open space, and other public requirements;
9. To conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment;
10. To encourage the most appropriate use of land throughout the Town, consistent with the goals and policies of the Town of Wellesley Comprehensive Plan; and
11. To preserve and increase amenities by the promulgation of regulations to fulfill said objectives.

### D. Applicability

All buildings or structures hereinafter erected, reconstructed, altered, enlarged, or moved, the use of all premises in the Town, and any applicable permitting, shall be in conformity with the provisions of this Zoning Bylaw. No building, structure or land shall be used for any purpose or in any manner other than as expressly permitted within the district in which such building, structure or land is located. Where the application of this Zoning Bylaw imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants, or agreements, the provisions of this Zoning Bylaw shall control.

#### **E. Other Laws and Regulations**

Nothing contained in this Zoning Bylaw shall be construed as repealing or modifying any existing bylaw or regulation of the Town, but it shall be in addition thereto. Furthermore, this Zoning Bylaw shall not be construed to authorize the use of any land or structure for any purpose that is prohibited by any other provision of the General Laws or by any other bylaw, rule, or regulation of the Town of Wellesley; nor shall compliance with any such provision authorize the use of any land or structure in any manner inconsistent with this Zoning Bylaw, except as required by the Massachusetts General Laws.

#### **F. Amendment**

This Zoning Bylaw may from time to time be changed by amendment, addition, or repeal by the Town Meeting in the manner provided for in M.G.L., c. 40A, § 5, and as required by M.G.L., c. 40, § 32, and any amendment(s) thereto.

#### **G. Severability**

The invalidity of any section or provision of this Zoning Bylaw shall not invalidate any other section or provision herein.

### **Article 31**

#### **ZBL – Off street Parking Amendments Revised Language – Section XXI**

Amendments to the Zoning Bylaw by deleting Section XXI, Off-Street Parking in its entirety, and inserting in its place a new Section as follows. This amendment (including the deletion of existing Section XXI, Off-Street Parking) shall be effective as of July 1, 2019.

#### **SECTION XXI. OFF-STREET PARKING.**

## A. Purpose

It is the intent of this Section that any use of land involving the arrival, departure, parking or storage of motor vehicles upon such land be so designed and operated as to assure that all structures and land uses shall have sufficient off-street automobile parking to meet the needs of persons employed at, or making use of, such structures or land uses.

## B. Definitions

As used herein the following words and phrases shall have and include the following respective meanings:

Parking Space - An area exclusive of maneuvering area and driveway for the parking of one motor vehicle.

Parking Area - An area either used or required for parking of five or more motor vehicles not for sale or rental, including necessary maneuvering space, maneuvering aisle, and driveway, but not including such areas on a lot used for one or two-family dwellings.

Storage Area - An area either used or required for the storage of motor vehicles held for sale or rent.

Maneuvering Space - An area in a parking area which (1) is immediately adjacent to a parking space, (2) is used for and/or is necessary for turning, backing, or driving forward a motor vehicle into such parking space but (3) is not used for the parking or storage of motor vehicles.

Maneuvering Aisle - A maneuvering space which serves two or more parking spaces, such as the area between two rows of parking spaces.

Driveway - An area on a lot, in addition to parking and maneuvering spaces and aisles, which is designed or used to provide for the passage of motor vehicles to and from a street or way.

Motor Vehicle - Any vehicle for which registration is required in order to travel legally on Massachusetts highways.

Use - The purpose for which land or buildings are employed, arranged, designed, or intended, or for which either is occupied or maintained.

Service Area - An area used for maneuvering and/or temporary parking of motor vehicles or storage containers employed in providing the pickup and delivery of goods and services.

### C. Applicability

The following activities shall be subject to the requirements of this Section, and a Parking Plan demonstrating compliance with this Section and submitted in accordance with subsection E., Administration, shall be required for any of these activities:

1. The erection, enlargement, or alteration of a building or structure for which a parking area or storage area would be required by subsection D., Regulations and Restrictions, 2., Required Parking;
2. The construction of a new parking area or storage area, or the enlargement or alteration of an existing parking area or storage area; enlargement or alteration shall include any installation, removal, or relocation of any curbing, landscaping islands, traffic islands, or driveways, and any striping or restriping of pavement markings on an existing parking area or storage area which alters the configuration of the parking area or number of parking spaces; and
3. Any change in the use or uses of the structure or land that would require greater parking requirements, as required by D., Regulations and Restrictions, 2., Required Parking, from those applicable to the former use(s) of said structure or land.

### D. Regulations and Restrictions

#### 1. General Provisions

The following general provisions shall apply:

- a. No existing off-street parking spaces shall be eliminated by the replacement or enlargement of an existing structure, unless replaced by spaces provided in accordance with this Section;
- b. No existing parking area or existing storage area shall be discontinued or altered if the requirements of this Section would not thereafter be satisfied;
- c. Enlargements or alterations to existing structures with less parking than is required by this Section (unless such deficient parking was allowed by a Variance or Special Permit) shall only be required to provide additional parking to accommodate the additional use (e.g. based on the applicable square footage, ground coverage, dwelling unit, guest room);

- d. Changes in the use or uses of existing structures, or parts thereof, or of land, shall require additional off-street parking spaces in accordance with the provisions of this Section, but only to the extent of such change;
- e. Nothing herein shall be construed to prohibit the owner of a parking or storage area from restricting the use thereof to his customers, employees, or other invitees, nor from charging a reasonable fee for the use thereof; and
- f. Areas required to be kept open and unoccupied by buildings or structures under Section XVIII, Area Regulations, C., Ratio of Building to Lot Area, and Section XIX, Yard Regulations, may be used to satisfy the provisions of this Section.

## 2. Required Parking

In all districts which require off-street parking in accordance with this Zoning Bylaw, off-street parking shall be provided for uses (excluding public housing for the elderly according to Table 21.1, Off-Street Parking Requirements. The Table provides the minimum number of parking spaces required for various uses in the zoning districts, but is not intended to indicate the allowed uses in the districts.

Where two or more uses are conducted on a single lot, the minimum number of required parking spaces shall be the sum of the requirements for the uses.

**Table 21.1, Off-Street Parking Requirements**

USE	ZONING DISTRICT	MINIMUM NUMBER OF PARKING SPACES
Apartment house, apartment hotels.	Business Districts A, Industrial Districts A.	One space for each apartment dwelling unit contained in buildings.
Hotel, inn, lodging house, restaurant or other eating place.	Single Residence Districts A, General Residence Districts A, Limited Residence Districts, Business Districts A, Industrial Districts A.	Either one space per two guest rooms or one space for each 100 sq. ft.* of area in which food is served, whichever is greater.
Building used for administrative, clerical, statistical & professional offices, and other similar uses.	Administrative and Professional Districts ***, Limited Business Districts.	One space for 100 sq. ft.* of ground coverage of buildings but not less than 3.2 & spaces per 1,000 sq. ft. of floor area of buildings.**

**Table 21.1, Off-Street Parking Requirements**

USE	ZONING DISTRICT	MINIMUM NUMBER OF PARKING SPACES
Hotel, motel, inn, restaurant operated in conjunction with such similar uses.	Limited Business Districts.	One space per guestroom and one space for each 100 sq. ft.* of area in which food is served.
Any building where the principal use is motor vehicle sales or service.	Business Districts A, Industrial Districts A.	One space per employee and one space per motor vehicle (not for sale or rental) owned, operated or associated with the establishment and one space per 100 sq. ft.* of area occupied by buildings.
Apartment building or group of buildings containing three or more dwelling units.	Limited Residence Districts.	One space on the lot for each dwelling unit.
Apartment building or group of buildings containing 20 or more dwelling units.	Limited Apartment Districts.	1.5 spaces for each dwelling unit of two bedrooms or less and two parking spaces for each dwelling unit providing three bedrooms or more.
Any building used for any business, industrial, educational or commercial purpose residential uses accessory to an educational use.	Educational Districts A, Business Districts A, Industrial Districts A.	One space for each 150 sq. ft.* occupied by buildings but not less than 3.2 spaces per 1,000 sq. ft. of floor area of buildings.**
Any building used for physical education or physical recreation purpose.	Educational Districts B, Business Districts A, Industrial Districts A.	One space for every 3 permanent spectator seats, which shall include folding bleachers that are attached to buildings, but not less than one space per 1,000 sq. ft. of floor area of buildings.**
Any allowed use with or without a special permit.	Lower Falls Village Commercial District.	3.2 spaces per 1,000 sq. ft.* of first floor area of buildings.** 2 spaces per 1,000 sq. ft.* of upper floor space in excess of 4,000 sq. ft.*** ****
Assisted Elderly Living, Independent Elderly Housing.	Residential Incentive Overlay District.	0.65 spaces per dwelling unit.
Conventional Multi Family Housing.	Residential Incentive Overlay District.	2 spaces per dwelling unit.

**Table 21.1, Off-Street Parking Requirements**

USE	ZONING DISTRICT	MINIMUM NUMBER OF PARKING SPACES
Nursing Home and/or Skilled Nursing Facility.	Residential Incentive Overlay District.	1 space for 5 nursing home beds.
Any building used for any business, industrial, educational or commercial purpose.	Wellesley Square Commercial District, Business Districts, Industrial Districts.	One space for each 150 sq. ft.* of ground coverage of buildings but not less than 3.2 spaces per 1,000 sq. ft. of floor area of buildings.**
Town House.	Town House, General Residence, General Residence A.	Two spaces on the lot for each dwelling unit.
Any residential use.	Linden Street Corridor Overlay District.	2.5 spaces per one, two or three bedroom unit.
Any nonresidential use.	Linden Street Corridor Overlay District.	5 spaces for each 1,000 square feet of ground coverage of buildings*, but not less than 3.2 spaces per 1,000 square feet of floor area of buildings.**

For purposes of the above parking requirements, any increase in on-street parking spaces included in a proposed Linden Street Corridor Overlay District Development Site at the expense of the proponent shall be counted towards satisfaction of the off-street parking requirement.

\* Computed to the nearest ten square feet.

\*\* Floor area shall be the sum of the horizontal areas of the several floors (including basement) of a building to the nearest 100 square feet, except that such floor area as is provided for deck parking or other in building parking shall be counted for required parking space and not in figuring floor area for which parking must be provided. For the purpose of computing the requirements, the area shall be measured from the exterior surface of the exterior walls.

\*\*\* No parking facilities other than those for transient motor vehicles shall be located between the principal building and the principal street line.

\*\*\*\* If any portion of a parcel is within 600 feet of any portion of a public parking area or areas, having individually or jointly 50 or more parking spaces, off-street parking shall be provided at a ratio of 2.5 spaces per 1,000 gross square feet of commercial floor area, excluding uninhabitable basement areas.

### 3. Development Standards

Each parking area hereafter devoted to the off-street parking of fifteen (15) or more vehicles regardless of whether said parking area is required by this Bylaw, shall comply with the standards as hereinafter set forth:

Design

- a. Parking spaces and maneuvering aisles shall have the minimum dimensions set forth in the following table:

**MINIMUM PARKING SPACE AND AISLE DIMENSIONS  
FOR PARKING AREAS (in feet)**

Angle of Parking	Width of Parking Space	Depth of Space	Width of Maneuver Aisle
61° - 90°	8'6"	18'	24'
46° - 60°	8'6"	18'	18'
45°	8'6"	18'	15'
Parallel	8'0"	22'	12'

Parking spaces for the exclusive use of handicapped individuals shall be provided in accordance with the Rules and Regulations of the Architectural Barriers Board.

Provided however, that compact car spaces having the minimum dimensions set forth in the following table may be used to satisfy up to a maximum of 30% of the off-street parking spaces required. Such spaces shall be designated for "Compact Cars Only" by signs or pavement markings.

**MINIMUM PARKING SPACE AND AISLE DIMENSIONS  
FOR PARKING AREAS (in feet) DEVOTED TO COMPACT CARS**

Angle of Parking	Width of Parking Space	Depth of Space	Width of Maneuver Aisle
61° - 90°	7'6"	15'	24'
46° - 60°	7'6"	15'	18'
45°	7'6"	15'	15'
Parallel	7'0"	19'	12'

- b. The number of driveways permitting entrance to and for exit from a lot shall be limited to two per street line. Driveways shall be located so as to minimize conflict with traffic on public streets and where good visibility and sight distances are available to observe approaching pedestrian and vehicular traffic.

- c. The width of a driveway for one-way traffic shall be not less than twelve (12) feet as measured at its narrowest point. The width of a driveway for two-way use shall be a minimum of eighteen (18) feet and a maximum of twenty-four (24) feet, as measured at its narrowest point.
- d. All parking areas shall be so arranged and designed that the only means of access and egress to and from such areas shall be by driveways meeting the requirements of this Section.
- e. Driveways shall be arranged for the free flow of vehicles at all times, and all maneuvering spaces and aisles shall be so designated that all vehicles may exit from and enter into a public street by being driven in a forward direction.
- f. On any parking area in any District, all paved portions of all parking spaces and maneuvering aisles shall be set back five (5) feet from any wall of a building, and five (5) feet from any private or public way, or any lot line of any land in residential districts or used for residential, conservation or park purposes.
- g. Each required off-street parking space shall be designed so that any motor vehicle may proceed to and from said space without requiring the moving of any other vehicle or by passing over any other parking space, except where the parking area is attended or limited to employees.

#### Construction

- a. All required parking spaces, maneuvering aisles, and driveways shall have a durable, dustless, all-weather surface, such as bituminous concrete or cement concrete, and shall provide for a satisfactory disposal of surface water by grading and drainage in such a manner that no surface water shall drain onto any public way or onto any lot in other ownership and such surfaces shall be well maintained.
- b. Parking areas in all Districts shall be provided with curbing, wheel stops, or other devices to prevent motor vehicles from being parked or driven within required setback areas or onto the required landscaped open space.
- c. In any parking area the surface shall be painted, marked or otherwise delineated so that each parking space is apparent.

### Landscaping

- a. For an outdoor parking area containing twenty (20) or more parking spaces, there shall be planted at least one tree for every ten (10) parking spaces on any side of the perimeter of such parking area that abuts the side line of a private or public way, or abuts the lot line of land in residential districts or land used for residential purposes.
- b. In any outdoor parking area a landscaped open space having an area of not less than 10% of the outdoor parking area on the lot shall be provided. A minimum of one half of the required landscaped open space shall be located in the interior of the parking area.
- c. Trees required by the provisions of this Section shall be at least two (2) inches in diameter at a height of five (5) feet at the time of planting and shall be of a species characterized by rapid growth and by suitability and hardiness for location in a parking lot. To the extent practicable, existing trees shall be retained and used to satisfy the provisions of this Section.

### Screening

Any parking, storage, or service area which abuts residential districts or uses shall be screened from such residential districts or uses and any parking area shall be screened from a public or private way in accordance with the following requirements:

- a. Materials - plant materials characterized by dense growth which will form an effective year-round screen shall be planted, or a fence or a wall shall be constructed, to form the screen. Where a grill or open-work fence or wall is used it shall be suitable in appearance and materials. Screening may consist of both natural and man-made materials. To the extent practicable, existing trees shall be retained and used to satisfy the provisions of this Section.
- b. Height - screening shall be at least five (5) feet in height. Plant materials when planted, may be not less than 3 1/2 feet in height if of a species or variety which shall attain the required height and width within three (3) years of planting. Height shall be measured from the finished grade.
- c. Width - screening shall be in a strip of landscaped open space at least five (5) feet wide, and so located as not to conflict with any corner visibility requirements or any other Bylaws of the Town.

- d. Maintenance - all required plant materials shall be maintained in a healthy condition and whenever necessary replaced with new plant materials to insure continued compliance with screening requirements. All required fences and walls shall be permanently maintained in good repair and presentable appearance and whenever necessary they shall be repaired or replaced.
- e. Lighting - all artificial lighting used to illuminate a parking or storage area, maneuvering space or driveway shall be arranged and shielded so as to prevent direct glare from the light source into any public street or private way or onto adjacent property.

## E. Administration

### 1. Permits

Any application for a permit for the activities listed in subsection C. Applicability shall be accompanied by a Parking Plan showing compliance with the requirements of this Section. For activities that constitute a Major Construction Project or Project of Significant Impact as defined by Section XVIA. Project Approval B. Part 1. Principal Definitions, the required Parking Plan shall be submitted to the Zoning Board of Appeals for review. The Zoning Board of Appeals shall grant a Parking Plan Permit if the requirements of this Section are satisfied. For all other activities, the required Parking Plan shall be submitted to the Building Inspector. The Building Inspector shall grant a Parking Plan Permit if the requirements of this Section are satisfied. If the Building Inspector or Zoning Board of Appeals, as applicable, determines that the Plan is not in compliance with this Section, they shall deny the application setting forth their grounds for denial in writing.

A Parking Plan shall include:

- a. The quantity, location, and dimensions of all driveways, maneuvering spaces and aisles, parking spaces, storage areas, and drainage facilities;
- b. The location, size, and type of materials for surface paving, curbing or wheel stops, landscaping, screening and lighting;
- c. The location of all building and lot lines; and
- d. Such other information as the Building Inspector or Zoning Board of Appeals, as applicable, may require.

The Plan shall be a drawing at a scale of 1 inch equals 20 feet or 1 inch equals 40 feet or at such other scale as the Building Inspector or Zoning Board of Appeals, as applicable, may direct.

Where necessary for the administration of this Section, the Building Inspector or Zoning Board of Appeals, as applicable, may require that the owner, operator or occupant of a lot or any building thereon, furnish a statement as to the number of employees customarily working at any one time on the premises. The Building Inspector or Zoning Board of Appeals, as applicable, may, at any reasonable time, enter upon a lot or into any building thereon, in order to make such determinations as are necessary for the administration of this Section.

## 2. Special Permits

- a. In the case of such activities which do not meet the requirements of this Section, or are not otherwise exempt, the Zoning Board of Appeals may grant a Special Permit, pursuant to Section XXV, Special Permit Granting Authority.
- b. Standards: In considering the issuance of a Special Permit from the requirements of this Section, the Zoning Board of Appeals shall make a finding that the standards specified in Section XXV, Special Permit Granting Authority, D. Special Use Permit Standards, are satisfied.

## Article 32

### **ZBL – Outdoor Lighting Clarifications Revised Language – Section XVIG**

Amendments to the Zoning Bylaw by adding a new section, Section XVIG, Outdoor Lighting, to regulate the installation and use of outdoor lighting in association with certain projects, as follows. This amendment to be effective as of July 1, 2019.

## **SECTION XVIG. OUTDOOR LIGHTING**

### **A. Title**

The Section shall hereafter be known and cited as the “Town of Wellesley Outdoor Lighting Bylaw” or “Outdoor Lighting Bylaw.”

### **B. Purpose and Intent**

The purpose of this Section is to enhance public safety by providing for adequate and appropriate outdoor lighting, protect community character,

promote energy conservation, protect against light trespass and glare, protect the privacy of residents, and minimize sky glow.

### C. Definitions

Cutoff Angle - The angle formed by a line drawn from the direction of the direct light rays at the light source with respect to the vertical, beyond which no direct light is emitted. (See Figure 1 for examples of Cutoff Angle)

Direct Light - Light emitted from the lamp, off the reflector or reflector diffuser or through the refractor or diffuser lens, of a luminaire.

Fixture - The assembly that houses a lamp or lamps and which may include a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor, lens, or diffuser lens.

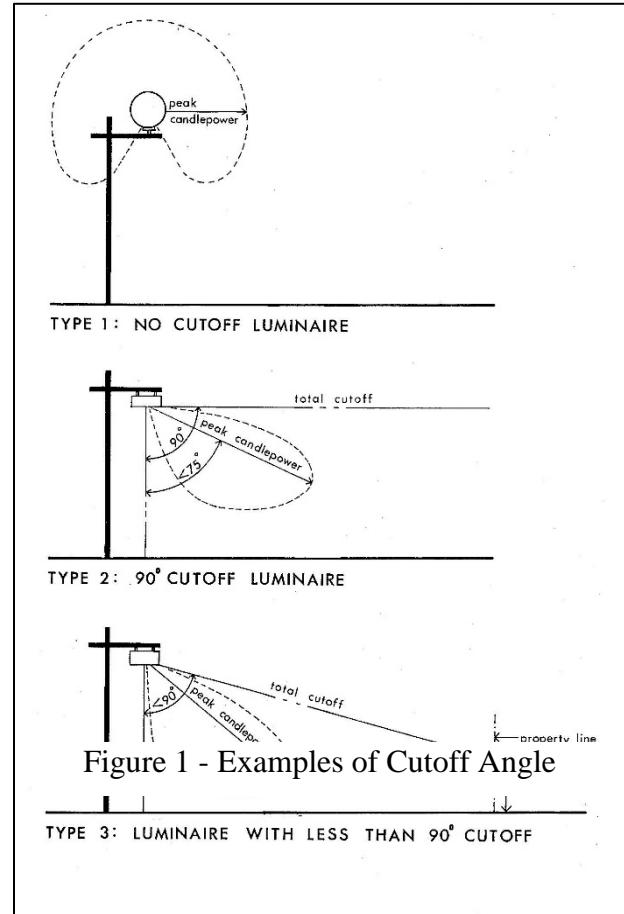
Foot-candle - A unit that measures light illumination on a surface or area that is one foot from a uniform point source.

Fully Shielded Luminaire - A lamp and fixture assembly designed with a cutoff angle of 90 degrees or less so that no direct light is emitted above a horizontal plane. (See Figure 2 for examples for Fully Shielded Luminaires that would be acceptable and permitted under this Section, or would be unacceptable/discouraged and therefore prohibited under this Section)

Glare - Light emitted from a luminaire with an intensity great enough to produce annoyance, discomfort, or a reduction in a viewer's ability to see.

Height of Luminaire - The vertical distance from the finished grade of the ground directly below to the lowest direct-light-emitting part of the luminaire.

Illuminance - The luminous flux per unit area at any point on a surface exposed to incident light. Measured in foot-candles or lux.



Lamp - The component of a luminaire that produces the actual light.

Light Trespass - The shining or spillage of direct light produced by a luminaire beyond the boundaries of the lot or parcel on which the luminaire is located, or beyond the boundaries of multiple lots or parcels under common ownership.

Lumen - A unit that measures light energy generated by a light source. For the purposes of this Section, the lumen output shall be the initial lumen output of a lamp, as rated by the manufacturer.

Luminance - The intensity of light emitted from a surface per unit area in a given direction; measured in candela per meter squared ( $\text{cd}/\text{m}^2$ ).

Luminaire - A complete lighting system, including a lamp or lamps and a fixture.

Lux - A unit that measures light illumination on a surface or area that is one meter from a uniform point source. On a photometric plan, the lux measurement is often converted from meters to feet and referred to in terms of foot-candles.

Sky Glow - The diffuse luminance of the night sky derived from artificial lighting, apart from discrete natural light sources such as the Moon and stars. It is the most commonly noticed aspect of light pollution.

#### D. Applicability

The provisions of this Section shall apply to the following project types which include the proposed installation of one or more outdoor luminaires for exterior lighting:

1. Major Construction Projects and Minor Construction Projects, as defined by Section XVIA, Project Approval; and
2. Externally illuminated signs requiring Design Review and/or a Special Permit, as required and defined by Section XXIIA, Signs.

Where these regulations are more specific and/or more restrictive with respect to lighting associated with an applicable project type for which other standards may exist within the Zoning Bylaw, the regulations contained in this Section shall take precedence.

The provisions of this Section shall not apply to one-family or two family dwellings, or structures and uses accessory to such dwellings.

The provisions of this Section shall not apply to the ordinary maintenance, repair, and/or replacement of luminaires not approved as part of and/or associated with one or more of the aforementioned project types; furthermore, the provisions of this Section shall not apply to the installation of new luminaires on properties not subject to one or more of the aforementioned project types following the effective date of this Section.

#### E. Administration

For the project types subject to the provisions of this Section, the following information shall be submitted, except to the extent as such information may be waived by the Design Review Board or Zoning Board of Appeals, as applicable:

1. Information identifying the location, orientation, height, and type of outdoor luminaires to be installed;
2. The luminaire manufacturer's specification data, including, at a minimum, lamp type (light emitting diode, metal halide, compact fluorescent, high pressure sodium), lumen output, correlated color temperature ("CCT"), and photometric data showing light distribution and polar plots;
3. A photometric plan showing the intensity of illumination expressed in foot-candles and/or lux at ground level within the interior of the property and at the property boundaries, except that such plans shall not be required for externally illuminated signs; and
4. Sufficient evidence to confirm that all proposed outdoor luminaires and lighting conditions comply with subsection F., General Regulations, of this Section.

#### F. General Regulations

All exterior luminaires and/or the outdoor lighting conditions associated with the project types subject to the provisions of this Section, shall comply with the following regulations, unless otherwise specified:

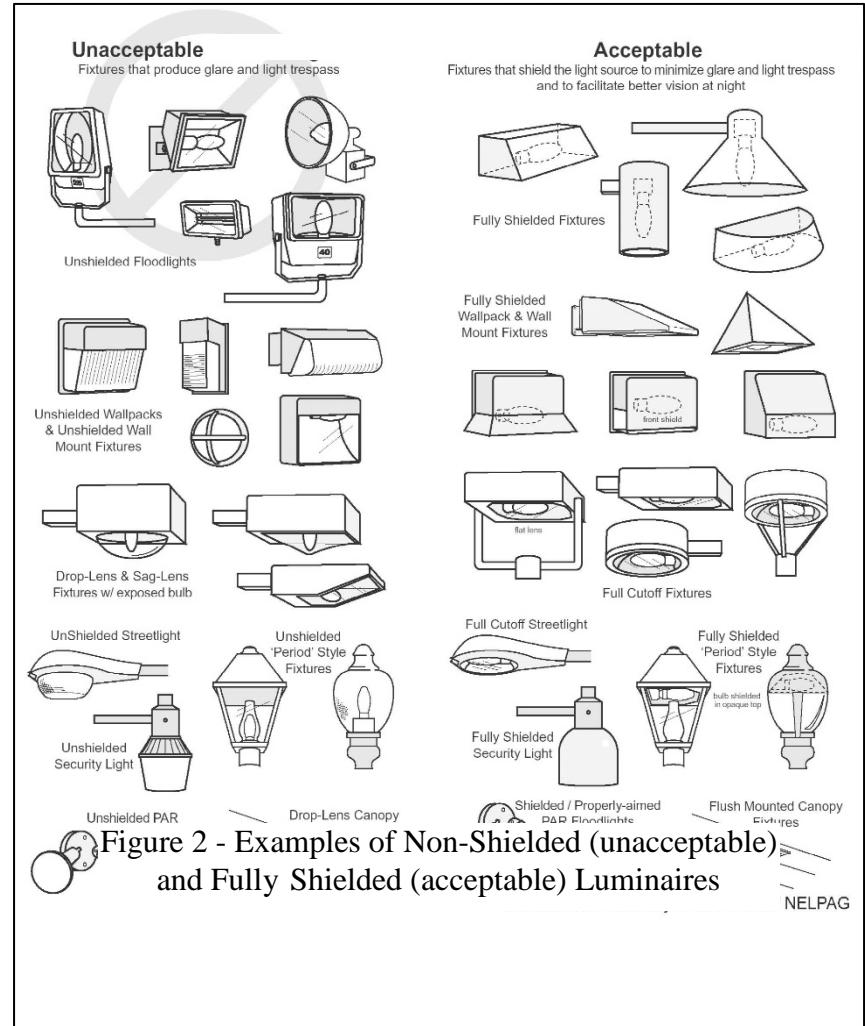
1. All luminaires shall be fully shielded. (See Figure 2 for examples for *Fully Shielded Luminaires that would be Acceptable and permitted under this Section, or would be unacceptable and therefore prohibited under this Section*)

2. For residential uses, the correlated color temperature ("CCT") of any lamp shall not exceed 2,700K; for all other uses, the CCT of any lamp shall not exceed 3,000K.

3. Building-Mounted Fixtures: Luminaires attached to the exterior of a building or structure, including those to light signs, shall be mounted no higher than fifteen (15) feet above grade.

4. Ground-Mounted Fixtures: Luminaires mounted on the ground, including on poles or attached to Ground Signs, shall have a height no greater than twenty (20) feet.

5. Illuminance Levels and Light Trespass Limitations: Exterior lighting shall not exceed the illuminance levels (measured horizontally on the ground) or exceed the light trespass limits specified below in Table XVIIG.1.; Table XVIIG.1 shall not apply to externally illuminated signs; however, luminaires associated with such signs shall not have lamps which produce more than 60 watts and/or 800-900 lumens.



**TABLE XVIIG.1, LIGHTING LEVELS AND LIGHT TRESPASS LIMITATIONS**

Use	Maximum Illuminance (foot-candles/lux)	Maximum Trespass* (foot-candles/lux)	Light
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Residential Uses	5/50	0.5/5
Outdoor Recreation and Sports Facilities**	75/800	1.0/10
All Other Uses	10/100	
<p>*The maximum foot-candles/lux allowable at all property lines, including property lines along a public or private street or way, except property lines between lots under common ownership.</p> <p>**To include fields and venues for sporting events, games, and matches, such as tennis courts, and fields for baseball and soccer; not applicable to passive recreation areas, such as walking paths, or natural areas that may be used for recreation, such as skating ponds.</p>		

#### G. Exempt and Prohibited

1. Exempt: The following luminaires or lighting conditions shall be exempt from regulation under this Section:
  - a. Luminaires associated with emergency call boxes;
  - b. Luminaires located greater than 1,000 feet from a property line not in common ownership; and
  - c. Seasonal lighting of a temporary nature.
2. Prohibited: Unless exempt above, the following luminaires or lighting conditions shall be prohibited in conjunction with the project types identified in subsection D. of this Section:
  - a. Luminaires mounted to or otherwise attached to any trees or similar vegetation; and
  - b. Searchlights for commercial purposes.

#### H. Special Permits

1. Special Permits, Generally: In the case of such projects which incorporate one or more outdoor luminaires not meeting the requirements of subsection F., General Regulations, or not otherwise exempt, the Zoning Board of Appeals may grant a Special Permit, per Section XXV, Special Permit Granting Authority.

2. Standards: In addition to those standards specified in Section XXV, Special Permit Granting Authority, in considering the issuance of a Special Permit from the requirements of this Section, the applicable Special Permit Granting Authority shall make a finding that one or more of the following conditions are met:

- a. The proposed lighting is necessary to enhance public safety;
- b. The proposed lighting enhances, or does not negatively impact, community ambiance and character;
- c. The proposed lighting does not produce unacceptable light trespass, glare, sky glow, or compromise the privacy of abutting property owners; or
- d. The proposed lighting is necessary for recreational or athletic activities conducted on land used for municipal or educational uses.

## **Article 33**

### **ZBL – Zoning Map Corrections Pleasant Street and Winding River Road**

Amendments to the Zoning Map of the Town of Wellesley, Massachusetts, to resolve discrepancies, by rezoning the following properties, as specified:

- a. To rezone the parcel located at 36 Pleasant Street (Assessor's Parcel ID# 135-19), totaling approximately 23,125 square feet in area, the boundaries of which are shown on the attached Exhibit 1-A, from the General Residence District and Single Residence District and 10,000 Square Foot Area Regulation District, an error depicted on the current Zoning Map, to the Single Residence District and 10,000 Square Foot Area Regulation District in its entirety, as shown on the attached Exhibit 1-B, a change that is more consistent with its current use; and
- b. To rezone four (4) parcels located at 42R Winding River Road, 56R Winding River Road, 70R Winding River Road, and 86R Winding River Road (Assessor's Parcel ID#s 142-1, 142-2, 142-3, and 129-8, respectively), the properties totaling approximately 93,670 square feet, 72,797 square feet, 30,742 square feet, and 3,682 square feet in area, respectively, the boundaries of which are shown on the attached Exhibit 2-A, from the Single Residence District and 20,000 Square Foot Area Regulation District, an error depicted on the current Zoning Map, to the Single Residence District and 40,000 Square Foot Area Regulation District, in their entirety, as shown on the attached Exhibit 2-B, in accordance with the last prior action of Town Meeting with respect to the underlying zoning of this area; and
- c. To rezone a parcel along Winding River Road (Assessor's Parcel ID# 142-2), totaling approximately 128,954 square feet in area, the boundaries of which are shown on the attached Exhibit 2-A, from the Single Residence District and 20,000 Square Foot Area

Regulation District, an error depicted on the current Zoning Map, to the Parks, Recreation, and Conservation District, in its entirety, as shown on the attached Exhibit 2-B, a change that is more consistent with its current use.

## **Article 34**

### **ZBL – Rezoning of 999 Worcester Street**

Amendments to the Zoning Map of the Town of Wellesley, Massachusetts to rezone the parcel located at 999 Worcester Street (Assessor's Parcel ID# 200-27), totaling approximately 29,420 square feet, the boundaries of which are shown on the attached Exhibit A, from the Business District and Single Residence District and 10,000 Square Foot Area Regulation District, to the Business District in its entirety, as shown on the attached Exhibit B.

All map exhibits are dated March 4, 2019 and prepared by the Wellesley Planning Department; copies are on file at the Office of the Town Clerk.

Zoning Bylaws so amended shall become effective as of the date of the town meeting vote:

- **Article 29**, ZBL – Renumbering Roman Numerals to Arabic Numbers, effective April 8, 2019.
- **Article 30**, ZBL – Renumbering and Corrections, effective April 8, 2019.
- **Article 31**, ZBL – Off street Parking Amendments, effective July 1, 2019.
- **Article 32**, ZBL – Outdoor Lighting Clarifications, effective July 1, 2019.
- **Article 33**, ZBL – Zoning Map Corrections, effective April 8, 2019.
- **Article 34**, ZBL – Rezoning of 999 Worcester Street, effective April 8, 2019.

Claims of invalidity of the amendments to the Town Bylaws or Zoning Bylaw by reason of any defect in the procedure of adoption or amendment may only be made within ninety (90) days of the date of posting, said posting date being May 9, 2019 and said deadline August 7, 2019. Copies of the Zoning Bylaws and maps may be examined and obtained at the Town Clerk's Office, Town Hall, 525 Washington Street, Wellesley, MA 02482, or reviewed on-line at [www.wellesleyma.gov](http://www.wellesleyma.gov).