

**ANNUAL TOWN MEETING WARRANT
TOWN OF DRACUT
NOVEMBER 13, 2023**

**ARTICLE #9
ZONING BY-LAW
SECTION 4 INTENSITY OF USE REQUIREMENTS**

Summary:

The current requirements for buffering and screening are very complex and difficult to use. The requirements are frequently waived in the Special Permit process.

What will a "YES" vote mean?

A "YES" vote will simplify the requirements for vegetation in the yard setbacks for a parcel. The proposed regulations will allow stormwater facilities, such as detention basins, to be located within buffer areas with appropriate vegetation added or remaining.

What will a "NO" vote mean?

A "NO" vote will leave the language as it is currently.

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SECTION 4 INTENSITY OF USE REQUIREMENTS**

1. Amend **Section 4.5 Buffering, Screening, and Grading** and **Sections 4.6 Use of Buffer Area** by deleting them in their entirety and replacing them with the following:

4.5 Buffering Screening and Grading

4.5.1 Purpose.

The purpose of the provisions of this section is to protect against potential noxious, visual or descriptive effects of adjacent land uses of differing character and intensity; prevent the intrusion upon residential areas of such effects and limiting the deleterious effects of erosion.

4.5.2 Side or Rear Lot Line Buffers for Business and Industrial Uses Abutting Residential Districts.

Where a side or rear lot line of a development in a Business or Industrial District adjoins a residential district, the owner of such development shall maintain as open space a strip of land extending inward in accordance with the setbacks specified in Section 4.4 from such side or rear zoning district lines.

4.5.3 Screening and Planting Requirements

Such Buffer strips of land shall contain a continuous screen of planting of vertical habitat in the center of the strip not less than five (5) feet in width and six (6) feet in height at the time of occupancy of such lot. Plantings shall thereafter be maintained by the owner or occupant so as to maintain a dense screen year-round. At least fifty percent (50%) of the plantings shall consist of evergreens and they shall be evenly spaced along the length of the buffer strip with at least one shade tree at 2" caliper diameter at breast height within every 40 feet and well-maintained grass, bark mulch, or other ground covers to the depth of the developed portion of the lot. In lieu of continuous planting, a solid brick, stone, or wood fence not more than six (6) feet in height may be established and maintained, such fence to be complemented with plantings in an amount no less than twenty percent (20%)

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of the amount required under the foregoing provisions of this subsection. Existing undisturbed vegetated areas may satisfy or partially satisfy the requirements of this Section, if in the sole discretion of the Planning Board. It is determined that the existing undisturbed vegetation provides a satisfactory landscape buffer consistent with the purpose of this Section.

4.5.4 Use of Buffer Areas

Buffers adjoining Residentially Zoned, areas may not be used for any other purposes including those uses accessory to and in support of the primary use, with the exception of Stormwater facilities, such as but not limited to bio retention basins.

2. Amend Section 4.7 **Landscaping (Applies to B-2, B-3, I-1, and I-2 districts only)** by deleting it in its entirety and replacing it with the following:

“4.6. Landscaping Requirements within Business and Industrial Districts

All uses as allowed or permitted in the Business or Industrial districts shall conform to the following landscaping requirements.

- A. Each principal and accessory building or structure shall have landscaped strips on all sides to be within 25 feet of each building. Loading and access areas are excepted.
- B. Each landscaped strip shall be at least ten feet in width if facing the front lot line and five feet in width facing the side and rear lot lines and contain some combination of shade trees, deciduous shrubs, and evergreens and/or well-maintained grass, bark mulch or other ground cover.
- C. No landscaped strips are to be required on any side of a building where public or employee parking is not permitted and where there is no public access to or from the building.”

or take any action relative thereto.

Submitted by: Alison Manugian, Community Development Director
Recommendations: Approval Recommended (Planning Board)