

Article __. Conditions for Issuance of a Special Permit; Total Gross Floor area

1. Section 30.8.C shall be amended as follows:

C. Special Permits shall be approved only after a finding by the Board of Appeals or Planning Board (as applicable, see use table) that the proposed use is in the opinion of the Board in harmony with the general public good and intent of this bylaw **and meets each of the ten criteria set forth below.** **The applicant for a special permit shall demonstrate how the proposed project and/or use meets each of the following criteria.** **Projects shall be reviewed and approved pursuant to the applicable regulatory requirements and review criteria for the zoning district in which the project is located.** **The Planning Board or the Board of Appeal, as applicable, may grant a special permit only if a majority of the members of such Board finds that each of the criteria set forth below is satisfied:**

- 1. Adequacy of the site, in terms of size, for the proposed structure or use;**
- 2. Compliance with all applicable regulatory requirements for the zoning district in which the site is located;**
- 3. Suitability of the site for the proposed structure or use with regard to the purpose and intent of the zoning district;**
- 4. Adequacy of traffic flow management within the site as well as in relation to adjoining streets and properties so as to minimize unsafe and harmful impacts;**
- 5. Compatibility of the proposed development with surrounding land uses so as to minimize harmful impact or conflict with existing desirable neighborhood character, including average existing gross floor area, views, vistas and other aesthetic values;**
- 6. Adequacy of the method of sewage disposal, source of potable water and site drainage;**
- 7. Protection and maintenance of groundwater quality and recharge volume and the water quality of coastal and fresh surface water bodies;**
- 8. Adequacy of provision of utilities and other necessary or desirable public services;**
- 9. Adequacy of control of artificial light, noise, litter, odor or other sources of nuisance or inconvenience to adjoining properties, public ways and the neighborhood; and**
- 10. Protection from degradation and alteration of the natural environment, including, but not limited to, slopes and other topographical features, vegetation, wetlands, and wildlife habitat.**

The approval shall be subject to any other applicable provisions of this bylaw and the Board may impose conditions, safeguards, and limitations on time and use, which in the Board's opinion are necessary to comply with the intent and purpose of this bylaw.

2. Subsection 30.3.1.A.1. shall be revised to read as follows:

1. Seashore District Total Gross Floor Area Allowed by Right. Subject to the exceptions provided for in subsections 30.3.1.A and below, building permits for new construction or for projects that seek to increase the Seashore District Total Gross Floor Area of ~~a lot with~~ buildings that exist on lots as of April 25, 2017, shall only be issued where, on completion of the construction or project, the Seashore District Gross Floor Area of the new or expanded structure(s) ~~lot~~ does not exceed 3,600 sq. ft. for 3 acres:

a. plus 200 sq. ft. for each additional contiguous acre of land or fraction thereof prorated;
or

b. minus 200 sq. ft. for each contiguous acre less than 3 acres, as the case may be, where the square footage per acre specified above is pro-rated for a portion of an acre.

c. plus a Building Commissioner approved Accessory Dwelling Unit.

3. Subsection 50.2.B.1. shall be revised to read as follows:

B. Applicability and Exceptions.

1. Total Gross Floor Area Allowed by Right: Subject to the exceptions provided for in subsections 50.2.B.2, 50.2C., and 50.2.D, building permits for new construction or for projects that seek to increase the Gross Floor Area of buildings that exist on lots as of November 13, 2018, shall be issued only where, on completion of the construction or project, the Total Gross Floor Area of the new or expanded structure(s) does not exceed 3,600 sq. ft. for a Residential District Minimum Lot Size of 33,750 sq. ft. (or .775 acre) and prorated to 3,668 sq. ft. for one acre of land.

a. plus 300 sq. ft. for each additional contiguous acre of land or fraction thereof prorated; or

b. For lot sizes of less than one acre, the square foot shall be reduced by 150 sq. ft. for each half acre or fraction thereof prorated.

c. plus a Building Commissioner Approved Accessory Dwelling Unit ~~of up to 900 sq. ft.~~