



Town of North Andover
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Carla Dawne Warren,
Town Clerk

June 1, 2026

TO WHOM IT MAY CONCERN:

This is to certify that at the first and only session of the Annual Town Meeting of the Inhabitants of the Town of North Andover held on May 12, 2026, the following Article and VOTE was taken thereon, to wit:

Article 25: AMEND ZONING BYLAW – ARTICLE 8, SUPPLEMENTARY REGULATIONS PART 3 SITE PLAN REVIEW, by amending the following Sections as follows (by identifying text which is deleted as strikethrough and text added as underlined):

ARTICLE 8 SUPPLEMENTARY REGULATIONS
PART 3 SITE PLAN REVIEW

§ 195-8.10. Purpose.

- A. The purpose of this Part 3 is to protect the health, safety, convenience and general welfare of the inhabitants of the Town by providing for a review of plans for uses and structures which may have significant impacts, both within the site and in relation to adjacent properties and streets, on pedestrian and vehicular traffic. This review considers the impact on public services and infrastructure; environmental, unique and historic resources; abutting properties; and community character and ambiance.
- B. This part of the Zoning Bylaw is adopted pursuant to MGL c. 40A, § 9. All site plan review applications submitted under the provisions of this Part 3 shall be reviewed by the Planning Board as a special permit except for applications submitted pursuant to MGL c. 40A, § 3, which will be considered as a limited site plan review. (See §§ 195-8.4~~8~~17.1 through 195-8.26~~17~~8). [Amended 5-16-2023ATM by Art. 34]
- C. For projects to be considered for limited site plan review under the Dover Amendment (MGL c. 40A, § 3) the applicant must submit a request to the Building Commissioner for a written determination of whether the provisions of



MGL c. 40A, § 3, are applicable. This determination as to whether the Dover uses applies to a particular proposed use will be made solely by the Building Commissioner. [Added 5-16-2023ATM by Art. 34¹

- D. Sites and developments to which this Part 3 applies shall comply with the regulations of this Part 3 as well as those other applicable Town bylaws, or the requirements of the Commonwealth of Massachusetts, prior to any construction being undertaken in the Town of North Andover.

§ 195-8.11. Developments which require site plan review.

- A. Site plan is required for:

- (1) Any new building(s) or construction which contains more than 2,000 square feet of gross floor area which is undertaken on land within the Town of North Andover or results in the requirement of five or more new or additional parking spaces;
- (2) Any construction which results in the addition of more than 2,000 square feet of gross floor area to an existing structure; or results in the requirement of five or more new or additional parking spaces;
- (3) Any construction, site improvements, new uses in existing structures or developments which contain new processes not normally associated with the existing use and which result in changes in the potential nuisance to adjacent property; traffic circulation; stormwater drainage onto or off of the site; and/or the application of the parking standards of Part 1 indicate the need for five or more new or additional parking spaces;
- (4) The construction of any new wireless service facility on a previously permitted facility
as set forth in § 195-8.43A(2) of the wireless service facilities use regulations.

- B. Limited site plan review applies to any structure, use, alteration, and/or improvement as to which Dover uses applies (as determined by the Building Commissioner), requiring limited site plan review and approval under §§ 195-8.4817.1 through 195-8.2617.8. With regard to Dover uses, the provisions of this section(s) shall govern and any other regulations adopted by the Planning Board for site plan review under Article 8, Part 3 of the North Andover Zoning Bylaw are not applicable. [Added 5-16-2023ATM by Art. 34²]

§ 195-8.17.1. Limited site plan review for religious uses, educational uses, and child-care facilities, detached accessory dwelling units and accessory dwelling unit on same lot as two-family or multi-family principal dwelling, and a protected use ADU proposed on a lot with a pre-existing nonconforming structure. [Added 5-16-2023 ATM by Art. 34; amended 5-13-2025ATM by



Art. 23]

The purpose of this section is to ensure that all religious and education uses, child-care facilities, detached accessory dwelling units, ~~and an accessory dwelling unit on the same lot as a two-family or multi-family dwelling, and a protected use ADU proposed on a lot with a pre-existing nonconforming structure~~ are subject to reasonable regulations in regards to bulk and height

of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. Notwithstanding any bylaw to the contrary, the Planning Board has the authority to place reasonable conditions on child-care facilities, and developments proposing religious, detached accessory dwelling units, an accessory dwelling unit on the same lot as a two-family or multi-family dwelling, a protected use ADU proposed on a lot with a pre-existing nonconforming structure, or educational uses, but are not permitted to withhold approval of limited site plan review where there is an inability to satisfy proposed reasonable regulations.

§ 195-8.17.3. For religious uses, educational uses, detached accessory dwelling units, accessory dwelling unit on same lot as two-family or multi-family dwelling, protected use ADU proposed on a lot with a pre-existing nonconforming structure, and child-care facilities. [Added 5-16-2023 ATM by Art. 34; amended 5-13-2025 ATM by Art. 23]

- A. Where a special permit or other approval is required, including but not limited to: i) a watershed special permit; ii) review required for a district established pursuant to MGL c. 40C or other state law that is characterized by the historic or architectural significance of buildings, structures and sites, and in which exterior changes to and the construction of buildings and structures are subject to regulations adopted by the Town pursuant to MGL c. 40C or other state law, as the case may be; iii) a variance from the Zoning Bylaw; in connection with any action subject to limited site plan review, the specific provisions of the Zoning Bylaw still apply, subject to the provisions in § 195-8.17.1.
- B. Limited site plan review approval for religious uses, educational uses, detached accessory dwelling units, an accessory dwelling unit on the same lot as a two-family or multi-family dwelling, a protected use ADU proposed on a lot with a pre-existing nonconforming structure, and child-care facilities shall be by the Planning Board. The Planning Board shall file its decision with the Town Clerk within 90 days of receipt of an application, unless such time is extended in writing by agreement with the applicant and notice of such extension is filed with the Town Clerk. The Planning Board may impose such appropriate conditions, limitations, and safeguards as will ensure compliance with the terms of approval,

Or take any other action relative thereto.



Upon motion made and duly seconded, it was VOTED to approve Article 25 as printed in the warrant and displayed on the screen.

VOTE: A MAJORITY vote required for passage; the Moderator declared the Motion Passed by a UNANIMOUS vote.

A true record
A T T E S T

Carla Dawne Warren

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