



Pamela J. Menconi  
Town Clerk

**TOWN OF MIDDLEBOROUGH**  
**Town Clerk's Office**  
*Bank Building, 20 Centre Street*  
*Middleborough, Massachusetts 02346-2250*  
*508-946-2415 phone*  
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October 30, 2025

To Whom It May Concern:

I do hereby certify the following vote was taken at the October 6, 2025, Special Town Meeting, held in the Middleborough High School Auditorium, which was called to order at 7:08 PM by the Town Moderator, David J. Cavanaugh, who declared a quorum present of more than the requirement of 150 registered voters:

**ARTICLE 13.** Voted unanimously to amend the Middleborough Zoning Bylaw by amending Chapter 275 - Section 2.4 – Zoning Map and by amending Section 8.6 - 40R Smart Growth Overlay District (SGO) Bylaw as shown below, or act anything thereon.

**Part A: Amendments to Section 8.6:**

**1. Section 8.6.A.(2) - Definitions – Additions/Revisions**

Add

Consumer Service: Service provided to individuals or households for personal use, typically involving direct interaction with customers to meet their needs or solve problems. These services are often intangible, non-storable, and consumed at the point of delivery. Examples include retail, healthcare, education, banking, hospitality, and customer support.

Maximum Building Frontage: The portion of the building's facade that is parallel to, facing, or oriented toward a street or public way.

Restaurant, Drive-thru: Food service establishment that allows customers to order, pay for, and receive food without leaving their vehicles. Drive-thru food service establishments are prohibited within the 40R Overlay District.

Delete

Department or DHCD: The Massachusetts Department of Housing and Community Development, or any successor agency.

and replace with

Department or EOHLC: The Massachusetts Executive Office of Housing and Livable Communities, or any successor agency.



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2. Delete all reference to DHCD and/or Department of Housing and Community Development and replace with EOHLIC and/or Executive Office of Housing and Livable Communities.
3. Section 8.6.A.(5) - Mixed-Use Development revise first sentence to add the wording shown in *italics and underline*, so that the first sentence of the section reads "Development Projects may include a portion *of the residential building*, not to exceed 50% of the total gross floor area, to be used for Non-Residential Uses including office, retail, restaurant, *consumer service* or institutional uses."
4. Section 8.6.B.(1)(a)(1)(b)(iii.) Restaurant – remove (excludes drive-through windows)
5. Add a new Section 8.6.B.(1)(a)(2)(a) to state: "Drive-in Food Service Establishments (see, Definition, Restaurant, Fast Food) are prohibited."
6. Section 8.6.B.(1)(b) Dimensional and Other Requirements

Maximum Front Setback\* - change from 10 feet to N/A

7. Section 8.6.B.(2)(a)(1)(b)(iii) Restaurant – remove (excludes drive-through windows)
8. Add new Section 8.6.B.(2)(a)(2)(a) to state "Drive-in Food Service Establishments (see, Definition, Restaurant, Fast Food) are prohibited."
9. Section 8.6.B(2)(b) Dimensional and Other Requirements

Maximum Front Setback\* - change from 10 feet to N/A

Part B: Amendment to Section 2.4

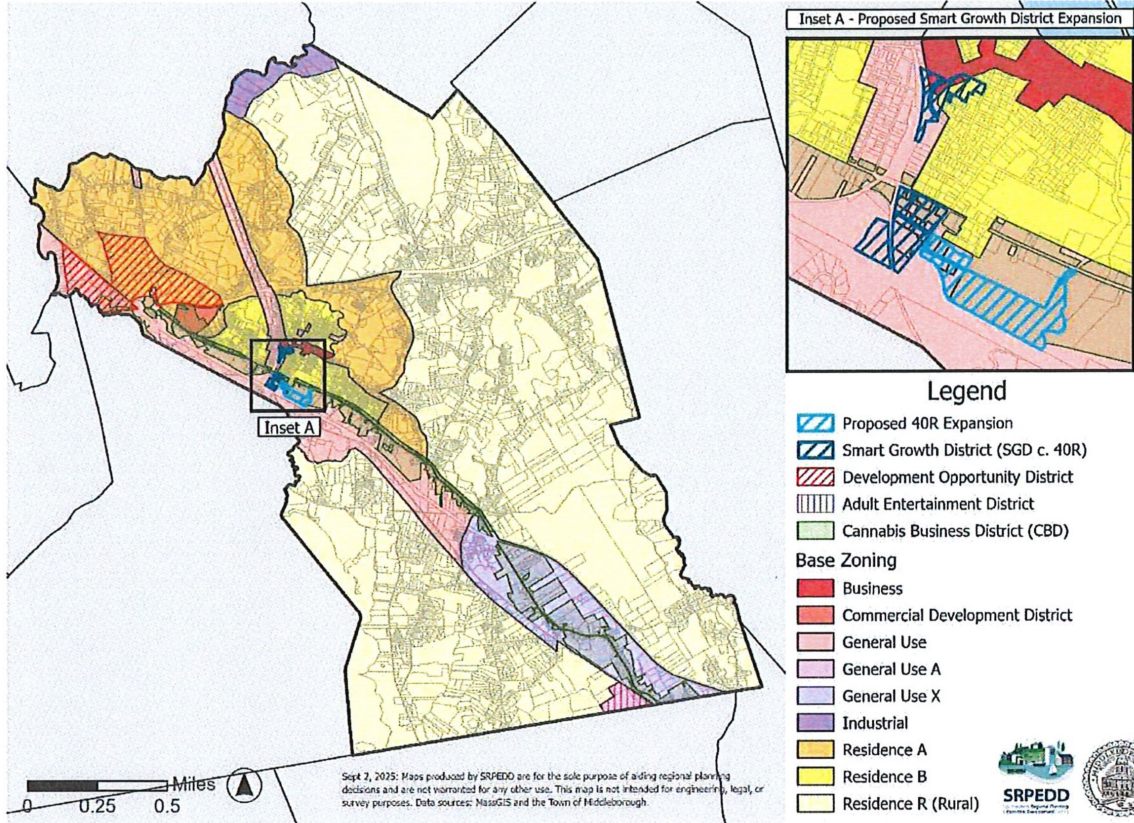
Section 2.4 – Zoning Map – replace the existing Zoning Map with the Map shown below.



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**Proposed Smart Growth Overlay District Expansion**



*Sponsored by the Planning Board*  
*Select Board recommends favorable action*  
*Planning Board recommends favorable action*  
*Finance Committee voted no financial impact*

A TRUE COPY ATTEST:  
*Pamela J. Menconi*  
 TOWN CLERK

Very truly yours,

*Pamela J. Menconi*  
 Pamela J. Menconi

Town Clerk