



TOWN OF FREETOWN
MASSACHUSETTS
Office of the Town Clerk

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Town Clerk

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TOWN MEETING ACTION/CERTIFICATION OF VOTES

Special Town Meeting ~ February 2, 2026
Article #17

As Appearing in the Warrant Notice:

Article: 17 MBTA Communities Multi-Family Overlay District (MCMOD)

To see if the Town will vote to amend the Freetown Zoning Bylaws and Zoning Map to create and to regulate a new Overlay District, being the MBTA Communities Multi-Family Overlay District (MCMOD), all as set forth in and depicted on the document entitled "MBTA Communities Multi-Family Overlay District (MCMOD) Zoning Bylaw and Map Amendments" on file in the Office of the Town Clerk and the Planning Board; and/or take any action relative thereto.

Submitted by the Planning Board
Requires Majority Vote
Recommended by the Finance Committee

Explanation of Article: This zoning bylaw amendment is required to comply with M.G.L Chapter 40A Section 3A, known as the MBTA Communities Act. This overlay district consists of two separate parcels, one located within 1/2 mile of the train station (required by MGL 40A) in the vicinity of 180 South Main Street, and the other is on Ridge Hill Road. These separate, smaller districts will meet the requirements of MGL 40A while having less impact than the prior proposed districts. The MBTA Communities Act is a law that is in place and enforceable against the Town. If the Town does not create these overlay districts, the Town's grant funding may be rescinded, and future grant opportunities will be limited. The Town may also incur fines.

Chad Carvalho, Chairman of the Planning Board, announces and states that the Planning Board Recommends this Article.

Motion made and seconded to adopt as read.

Vote: The Moderator declares that as a result of the hand count as 157 in favor and 50 opposed, this article is adopted by the majority.



Attest:

Cheryl C.A. Estrella

Cheryl C.A. Estrella, MMC/CMMC
Town Clerk/Town of Freetown

Article: 17 MBTA Communities Multi-Family Overlay District (MCMOD)

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Section 300-4.6: MBTA Communities Multi-Family Overlay District (MCMOD)

A. Purpose

The purpose of the MBTA Communities Multi-Family Overlay District (MCMOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for as of right multi-family housing to accomplish the following purposes:

1. Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels;
2. To meet the requirements of M.G.L. c. 40A §3A.

B. Establishment and Applicability

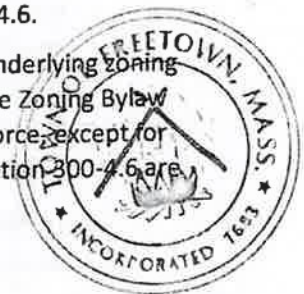
This MCMOD is an overlay district having a land area of approximately 58.0 acres in size that is superimposed over the underlying zoning district (s) and is shown on the Zoning Map. The MCMOD has two distinct sub-districts: The Station District known as Map 233, Lots 22, 23, 24, and 25 parcels, located on South Main Street, and Ridge Hill District consisting of known as Map 215, Lots 36, 37, 38 and 39 parcels located on Ridge Hill Road.

1. **Applicability of MCMOD.** An applicant may develop multi-family housing located within the MCMOD in accordance with the provisions of this Section 300-4.6.
2. **Underlying Zoning.** The MCMOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force except for uses allowed as of right in the MCMOD. Uses that are not identified in Section 300-4.6 are governed by the requirements of the underlying zoning district(s).

C. Definitions.

For purposes of this Section 300-4.6, the following definitions shall apply.

1. **Applicant:** A person, business, or organization that applies for a building permit, Site Plan Review, or Variance.
2. **As of right.** Development that may proceed under the Zoning in place at time application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.



3. **Building coverage.** The maximum area of the lot that can be attributed to the footprint of the buildings (principal and accessory) on that lot. Building Coverage does not include surface parking.
4. **Compliance Regulations:** 760 CMR 72.00 (Multi-Family Zoning Requirement for MBTA Communities), as revised or amended from time to time.
5. **Development Concept Plan:** A plan that includes the location of proposed building footprints, overall road network, roadway drainage, locations and intended uses of open space, bike and pedestrian ways, lots, and proposed uses by phase.
6. **Feasibility Development Statement:** A statement indicating the estimated time required to complete the proposed project, including all phases.
7. **Lot.** An area of land with definite boundaries that is used or available for use as the site of a building or buildings.
8. **Multi-family Housing:** A building with three (3) or more residential dwelling units or two (2) or more buildings on the same lot with more than one (1) residential dwelling unit in each building.
9. **Open Space:** Contiguous undeveloped land within a parcel boundary.
10. **Open Space Management Plan:** A plan that details assigned roles and responsibilities for the management and maintenance of all open space within a development. The plan shall include a legal description of the open space, a statement of purpose describing the intended use of the open space, the party or parties responsible for the management and maintenance of the open space, a maintenance schedule, and the method by which the plan may be amended.
11. **Parking, structured.** A structure in which vehicle parking is accommodated on multiple stories; a vehicle parking area that is underneath all or part of any story of a structure; or a vehicle parking area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.
12. **Section 3A:** Section 3A of the Zoning Act.
13. **Traffic Impact Study:** A study that analyzes access and egress from South Main Street and Route 79 and their correlation to the Route 24 highway access ramps where applicable.

D. Permitted Uses.

All uses allowed within the **MCMOD** shall undergo Site Plan Review by the Planning Board pursuant to the requirements of §300-4.6.J. prior to the issuance of a building permit.

1. **Uses Permitted As of Right:** The following uses are permitted as of right within the MCMOD:
 - a. Multi family Housing

E. Dimensional Standards

- 1. Table of Dimensional Standards.** Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the MCMOD are as follows:

Table of Dimensional Standards		
Standard	Station Area	Ridge Hill Road
Lot Size		
Minimum (SF)	70,000	70,000
Height		
Stories (Maximum)	3	3
Height (Maximum)	35'	35'
Minimum Open Space	25%	25%
Floor Area Ratio (FAR)	0.45	0.45
Max. Density (Dwelling Units/Acre)	17	16

Standard	
Minimum Frontage⁽⁶⁾ (ft)	100'
Front Yard Setback⁽⁷⁾ (Buildings fronting S. Main Street)	50'
Min. to Max. (ft.) (For all other buildings)	25'
Side Yard Setback	
Corner (ft)	25'
Interior (ft)	25'
Rear Yard Setback	25

- 1. Multi-Building Lots:** In the MCMOD, lots may have more than one principal building.
- 2. Exceptions:** The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.

F. Parking Requirements

- At least 50% of the parking shall be located to the rear and sides of buildings.

2. Residential units shall have a minimum of 1.25 parking spaces for one-bedroom units and 1.50 parking spaces for units with two or more bedrooms, rounded up to the next highest number.
3. When parking is provided within the ground floor it shall be limited to a maximum of 60% of the gross floor area first floor of the interior of a building.
4. The entrance roadways within the overlay district may provide on-street parking lanes and shall provide a minimum six (6') foot wide sidewalk along property frontage.
5. The parking information shall include data on peak parking times by use.
6. All parking and loading areas shall be completely screened from South Main Street, Ridge Hill Road, and Alexandra Drive, by a minimum 50-foot wide raised and landscaped buffer.
7. Parking lots and loading areas shall be appropriately screened from roadways within the overlay district by a minimum 20-foot wide raised and landscaped buffer.

G. Off-Street Parking

These parking requirements are applicable to development in the MCMOD.

1. **Number of parking spaces.** The following **minimum** number of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Maximum Spaces
Multi-family	1.2 spaces per 1-Bedroom Residential Dwelling Unit
	1.5 spaces per 2-Bedroom Residential Dwelling Unit

- H. General Development Standards:** The following General Development Standards shall apply to all uses within the MCMOD, unless otherwise stated.

1. **Open Space Requirements:** A minimum of twenty percent (25%) lot area within the project shall be contiguous open space.
 - a. The required open space, at the owner's election, may be conveyed to:
 - the Town or its Conservation Commission;
 - a nonprofit organization, the principal purpose of which is the conservation of open space and any of the purposes for such open space set forth above;
 - a corporation or trust owned jointly or in common by the owners of lots within the Conservation Subdivision. If such corporation or trust is utilized, ownership thereof shall pass with conveyance of the lots in perpetuity. Documents creating such trust or corporation shall be submitted to the

Planning Board for approval; and shall thereafter be recorded in the Registry of Deeds.

- b. The required open space may only be used for conservation, historic preservation, education, outdoor education, non-motorized recreation, wildlife and plant habitat, aquifer recharge and protection, park purposes, agriculture, horticulture or for a combination of these uses, and shall be served by suitable access and parking for such purposes. The open space shall be arranged to achieve the preservation or other objective for which it is intended.
 - c. The required open space shall remain un-built upon, except provided that up to ten (10) percent of such open space may be paved or built upon for structure accessory to the dedicated uses or uses of such open space, examples being pedestrian walks, bike paths, and agriculture. Where possible, the open space may connect with existing open space on adjoining parcels, including adjoining pedestrian or bike paths.
 - d. The open space shall be preserved in its natural state, insofar as practicable.
 - e. In such case as the open space is not conveyed to the Town, the applicant shall provide an Open Space Management Plan, to be recorded with the deed(s) of the lots within the MCMOD.
 - f. The open space shall be clearly delineated using bounds or other means.
 - g. The required open space, unless conveyed to the Town, shall be placed under a Conservation Restriction in accordance with the provisions of M.G.L. c.184 § 31-33 as amended.
2. **Signage:** Free-standing signs are limited in number to one per structure. All signage shall comply with **Article VII Signs**.
3. **Crosswalks:** All interior cross walks shall be constructed to provide a change in color and/or-texture from the regular roadway surface. All crosswalks, sidewalks and walkways shall be ADA compliant.
4. **Lighting:** Lighting for interior roadways or streets shall be limited between 9 and 16 feet in height and have shields directing light downward with a total cutoff of all light at less than ninety (90) degrees from vertical.
5. **Utilities:** All new utilities shall be placed underground, unless the Planning Board as part of the site plan review, finds it impractical.
6. **Stormwater Management:** Stormwater management shall be designed to incorporate Low Impact Development standards pursuant to the regulations of the Wetlands Protection Act Regulation 310 CMR 10.4 and the Town of Freetown Stormwater Rules and Regulations.
7. **Buffers and Screening:**

- a. A one hundred (100') foot landscaped buffer area shall be required when a multi-family project is proposed on a lot abutting a residential use along South Main Street or that abut residential zones. Residential use refers any building or portion of a building used as a dwelling. This buffer shall be left in a natural unimpaired state or be planted with a combination of grass, appropriate shrubs, and shade trees.
- b. Exposed storage areas, machinery, dumpsters, service areas, truck loading areas, utility buildings and structures shall be screened from the view of abutting uses and streets using plantings, fences, and other methods compatible with the goals of this by-law.

I. Waivers: Upon the request of the Applicant and subject to compliance with the Compliance Regulations, the Planning Board, through site plan review, may waive one or more requirements of this § 300-4.6 MBTA Communities Multi-Family Overlay District (MCMOD).

J. Criteria for Site Plan Review and Approval:

Projects in the MCMOD shall be subjected to Site Plan Review to determine conformance with local zoning bylaws as well as by the site plan review authority, § 300-2.6 does not apply. No projects shall be erected, constructed, installed or modified as provided in this article without first undergoing site plan review.

- a. **Procedure.** A public hearing shall be conducted in accordance with the requirements of MGL c. 40A, § 11. All decisions shall be made by a majority of the Planning Board, as constituted. The written decision of the Board shall be filed with the Town Clerk within 90 days of the close of the public hearing. The Planning Board may also require the employment of outside consultants such as may reasonably be required to perform design and engineering review, and may impose fees to charge for such pursuant to MGL c. 44, § 53G.
- b. **General.** All plans and maps shall be prepared, stamped and signed by a professional engineer licensed to practice in Massachusetts.
- c. **Required documents.** Pursuant to the site plan review process, the project proponent shall provide the following documents:

A site plan showing:

- a. All property lines, physical features, existing and proposed topography at two-foot contour intervals of the site parcel;
- b. A site plan at a scale of not greater than one-inch equals 40 feet and to include a North arrow and locus on the plan;
- c. Outline of all existing buildings, including purpose (e.g., residence, garage, etc.) on the site parcel and all adjacent parcels, where practical, within 500 feet of the site parcel;

- d. Location of the proposed MCMOD project and associated structures;
 - e. Location of all existing and proposed roads, both public and private, and including temporary roads or driveways, on the site parcel and adjacent parcels within 500 feet of the site parcel;
 - f. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
 - g. Name, address, phone number and signature of the applicant, as well as all co-applicants or property owners, if any;
 - h. The name, contact information and signature of any agents representing the applicant;
 - i. A locus map consisting of a copy of a portion of the most recent USGS Quadrangle Map, at a scale of 1:25,000, showing the proposed facility site, and the area within at least two miles from the MCMOD.
 - j. Zoning overlay district designation for the subject parcel should be included; submission of a copy of a Zoning Map with the parcel identified is suitable for this purpose;
- d. The site plan review authority may waive documentary requirements as it deems appropriate.
- e. **Decision.** The Planning Board may impose reasonable conditions, and to ensure that these conditions have been satisfied, site plan approval for a multi-family development may not be denied.
- f. **Project Phasing:** An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Planning Board, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase.
- g. If any part of a proposed multi-family project is located in a Floodplain Overlay District, no special permit shall be required and compliance with 300-4.1 shall be reviewed through site plan review.
- K. **Invalidity and Severability:** The invalidity of any section or provision of this By-law shall not affect the validity of any other provision thereof, and said section or provision shall be deemed severable.

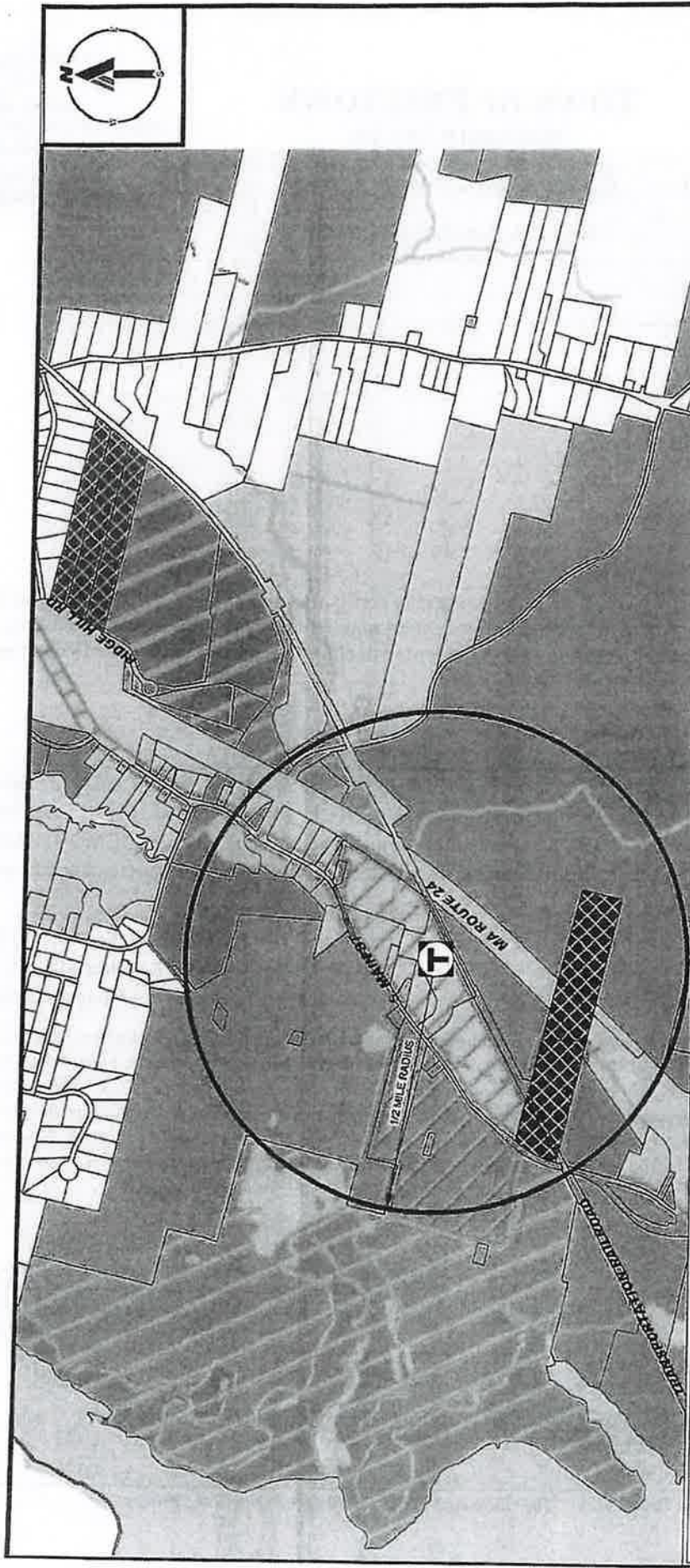
Submitted by the Planning Board Requires

Majority Vote

Recommended by the Planning Board, Board of Selectmen and Finance Committee

Explanation of Article: This zoning bylaw amendment is required to comply with M.G.L Chapter 40A Section 3A, known as the MBTA Communities Act. This overlay district consists of two separate parcels, one located within ½ mile of the train station (required by MGL 40A) in the vicinity of 180 South Main Street, and the other is on Ridge Hill Road. These separate, smaller districts will meet the requirements of MGL 40A while having less impact than the prior proposed districts. The MBTA Communities Act is a law that is in place and enforceable against the Town. If the Town does not create these overlay districts, the Town's grant funding may be rescinded, and future grant opportunities will be limited. The Town may also incur fines.

FREETOWN GALLERY
REVISED JAN 7 2025



LEGEND - DISTRICTS

	STATION AREA
	RIDGE HILL ROAD
	MBTA COMMUNITIES MULTI-FAMILY OVERLAY DISTRICT (MCMOD)
	MBTA COMMUTER RAIL STATION

**MBTA COMMUNITIES
MULTI-FAMILY OVERLAY
DISTRICT (MCMOD) EXHIBIT**

FREETOWN
MASSACHUSETTS
PREPARED BY

BOHLER //

DATE: 1/10/2025



REFERENCES

BASE MAP:
TOWN OF FREETOWN
DATED: JUNE 2024



A TRUE COPY, ATTEST:

Cheryl C.A. Estrella
Cheryl C.A. Estrella
Town Clerk
Town of Freetown



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February 3, 2026

Freetown Board of Selectmen
Attn: Deborah Pettey, Town Administrator
Town of Freetown
3 North Main St
Assonet, MA 02702

I, Cheryl C.A. Estrella, Town Clerk of Freetown, hereby certify that on February 2, 2026 a Special Town Meeting was held in accordance with all applicable procedural requirements and with a quorum present. The following Article was presented and voted on. **The Moderator declared the result of the hand count as 157 in favor and 50 opposed.**

Article: 17 MBTA Communities Multi-Family Overlay District (MCMOD)

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