

Proposed Existing Sections of Hamilton Zoning By-Law to be amended for Brown’s Hill Overlay District

LEGEND:

Text shown in **Grey** represents language proposed to be added to the Zoning By-Law due to the passage of Articles 7-1 and 7-2 at the July 14, 2025 Special Town Meeting. This language is currently pending review by the Massachusetts Attorney General’s Office and is not final and not enforceable until approved by that office. However, it is shown here for informational purposes.

Text shown in **Bold Underline** is new proposed text. Text shown in ~~striketrough~~ is language proposed to be deleted from the Zoning By-Law.

SECTION 2.0 ESTABLISHMENT OF DISTRICTS

2.1 CLASSES OF DISTRICTS. The Town of Hamilton is hereby divided into the following districts:

Residence District	R-1A
Residence District	R-1B
Residence-Agricultural District	RA
Depot Square	TC-DS
Bay Road Mixed-Use	TC-BRMU
Willow Street Mixed-Use	TC-WSMU
Downtown Residential	TC-DR
Bay Road Civic	TC-BRC

2.2 ZONING MAP. The Zoning Map dated December 28, 1964 filed with the Town Clerk, as amended by the Zoning Map - Conservancy District, dated February 1, 1971, and further amended May 7, 1974, May 14, 1979, May 13, 1985, November 14, 1999, May 5, 2009, ~~and July 14, 2025,~~ **and December 9, 2025** (“Zoning Map”) is hereby made a part of this By-law.

2.3 OVERLAY DISTRICTS. The following overlay districts are also established, as set forth in Section 9.0, herein.

Groundwater Protection Overlay District	GPOD
Flood Plain Overlay District	FPOD
Estate Overlay District	EOD
Commercial Overlay District	COD
3A Multi-Family Overlay District	3A-MFOD
<u>Brown’s Hill Overlay District</u>	<u>BHOD</u>

SECTION 4.0 DIMENSIONAL AND DENSITY REGULATIONS

TABLE OF DIMENSIONAL REGULATIONS¹

	R-1A	R-1B	RA
Minimum Lot Area per Dwelling Unit (sq. ft.)	20,000	40,000	80,000
Minimum Lot Frontage (ft.)	125	175	175
Minimum Lot width and depth (ft.) (for Dwellings, see also Sections 4.2.2, 4.2.6 and 4.3)	100 at building	100 at building	100 at building
Maximum Building Height (ft.)	35	35	35
Maximum number of Stories	3	3	3
Maximum Building coverage of Lot (%)	25	25	25
Minimum Front Yard (ft.) (See also Section 4.2.4)	25/50 ₂	25/50 ₂	25/50 ₂
Minimum Side Yard and Rear Yard (ft.)	15	15	15

1. **Exceptions to the applicability of the Table of Dimensional Requirements:**
 - a. Dimensional Requirements for the Town Center Sub-Districts are found in Section 9.8 of the Zoning By-law.
 - b. **Dimensional Requirements for the Brown's Hill Overlay District are found in Section 9.9.4 of the Zoning By-Law.**

SECTION 6.0 GENERAL REGULATIONS

6.1.6 Shared Parking. In the Town Center and **Brown's Hill Overlay** Districts, shared parking may be permitted by the Planning Board for a mix of uses on a single site or between sites during the Site Plan Review **and/or Special Permit** process, if the applicant can demonstrate that shared spaces will adequately meet parking demands because uses have varying peak parking demands, will reduce excess parking, and if the Planning Board determines shared parking will serve as a benefit to the Town Center **or the Brown's Hill Overlay District**. The minimum number of parking spaces for a Mixed-Use Development or between sites where shared parking is proposed shall be determined by a study prepared by the applicant following the procedures of

the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other professionally accepted procedures.

6.3.2 R-1A, R-1B, and RA Districts, ~~and~~ Downtown Residential Sub-District, and residential uses in the Brown's Hill Overlay District. In every residential district, signs will be permitted as follows:

1. No more than two (2) temporary signs per contiguous lots within the same ownership.

6.3.3 Depot Square, Bay Road Civic, Bay Road Mixed-Use and Willow Street Mixed-Use Sub-districts of the Town Center District, and commercial or institutional uses in the Brown's Hill Overlay District.

1. No more than three (3) signs are permitted per business establishment.
 - a. A-frame or sandwich board signs, whether temporary or permanent, shall only be permitted by special permit.
 - b. Only one sign may project from the exterior wall surface of the business establishment. Any sign projecting over a pedestrian path shall have a clear space of not less than 12 feet below all parts of such signs. Projecting signs are not allowed over vehicular pathways except by Special Permit.
 - c. Signs that are inside the business establishment but legible from the exterior shall be counted as one of the three permitted signs.

6.3.4 Standards.

1. No sign shall be illuminated by other than white light unless specifically approved by zoning decision.
2. No sign shall be internally illuminated, flashing, intermittently illuminated, or animated.
3. No sign shall have rotating or moving lights, have any visibly moving parts, or have any noise making devices.
4. All illuminated signs in residential districts are to be turned off between the hours of 11 p.m. and 6 a.m.
5. No sign shall impede pedestrian or vehicular traffic.
6. Roof signs or signs projecting above a roof line are prohibited.
7. A sign in the residence districts shall not exceed a total area of three (3) square feet.

8. A sign in the Depot Square, Bay Road Civic, Bay Road Mixed-Use and Willow Street Mixed-Use sub-districts of the Town Center District **and in the Brown's Hill Overlay District** shall not exceed a total area of six (6) square feet.

9. The maximum square footage of any sign is determined by the area of the sign measured from the topmost display element to underside of display elements, and from exterior edge to exterior edge of display element. Support structures are not included in the area of the sign. Maximum square footage restrictions apply to a single side of any signage display. If a sign is proposed to be double-sided, both sides must be identical in appearance and content.

10. Any signage associated with any abandoned or defunct business or function must be removed.

11. Signage in the Brown's Hill Overlay District shall be subject to supplementary standards as found under Section 9.9.6.2.7.

SECTION 9.0 SPECIAL DISTRICT REGULATIONS

9.1 GROUNDWATER PROTECTION OVERLAY DISTRICT (GPOD).

9.1.3 Location (Revised December 9, 2025). The GPOD shall consist of those areas shown on the Hamilton Groundwater Protection Overlay District Map, dated May 1985, amended May 2000 to include the aquifer protection districts of neighboring communities that lie within the Town of Hamilton, amended October 2004, and amended Fall 2015 to incorporate Weston & Sampson's Zone II delineations map dated January 2013, **provided however that the GPOD shall not apply to the Brown's Hill Overlay District.** Said map is hereby incorporated into the Zoning By-law by reference, and shall be on file with the Town Clerk.