

1. Penalties

To amend the Zoning By-Laws at Section VI-G Penalty to allow for the maximum fine allowed by c. 40, s. 21 for both criminal and non-criminal enforcement actions and to eliminate a written warning process for non-residential violations as follows (~~striketrough text~~ is existing and is proposed to be stricken and **bold text** is new):

VI-G PENALTY

(Amended May 2000 – ATM, Art. 34. Previously amended May 1988 – ATM, Art. 12 and June 1969 – STM, Art. 11)

Any person violating any provision of this by-law, any condition under which a Permit or Special Permit is issued, or any decision rendered by the Board of Appeals may be required to end such violation forthwith, may suffer revocation of the applicable permit, or may be fined not more than ~~One Hundred Dollars (\$100.00)~~ **three hundred dollars (\$300)** for each offense or such other amount as the laws of Massachusetts (**MGL c. 40, s. 21**) may hereafter provide. Each occasion of violation and each day that such violation continues shall constitute a separate offense.

In addition to the procedures set forth above, the provisions of this Zoning By-Law may also be enforced, by the Building Inspector, by non-criminal complaint pursuant to the provisions of General Laws Chapter 40, Section 21D in the following manner:

- a. ~~A written warning, clearly stating the nature of the violation, the section of the by-law violated, the required corrective action and the right of appeal to the Board of Selectmen, shall be issued to an alleged violator. This warning may be appealed to the Selectmen within twenty one (21) days from receipt.~~
- b. ~~Thirty (30) days after issuance of the warning, A fine may be imposed in accordance with the provisions of General Laws Chapter 40, Section 21D if the violation is not corrected. or an appeal has not been made to the Board of Selectmen within the aforementioned twenty-one (21) days, or upon appeal, the Selectmen find that the warning is legitimate.~~ Each day on which a violation exists shall be deemed a separate offense. The penalty for violation of any provision of this by-law shall be ~~\$25.00~~ **\$100** for the first offense; ~~\$50.00~~ **\$200** for the second offense and ~~\$100.00~~ **\$300** for the third and subsequent offense, except in the case of a violation of any residential requirement on a residential lot in which case the penalty for a violation shall be a warning for the first offence, \$100 for a second offense and \$300 for a third or subsequent offence.

2. Site Plan Review

To amend the Zoning By-Laws at Section VII Site Plan Review (2) Applicability to alter the threshold for required review of commercial projects as follows (~~striketrough text~~ is existing and is proposed to be stricken and **bold text** is new):

SECTION VII - SITE PLAN REVIEW

(Amended October 2018 – Art. 25. Previously amended May 2015 – ATM, Art. 37, May 2013 – ATM, Art. 27, May 2001 – ATM, Art. 4, May 2000 – ATM, Art. 38 and May 1997 - ATM, Article 37.)

1. Purpose. The purpose of this section is to enable the Town to review and, to the extent necessary, provide for the imposition of reasonable terms and conditions on certain uses of land within the Town. More specifically, site plan review is intended to ensure that development within the Town shall, to the extent reasonably possible, harmonize with the neighboring land uses and structures, with particular attention paid to the preservation of structures of historical significance, natural features and open space, and the promotion of public safety with respect to vehicular and pedestrian activity both exterior and interior to the locus. Overall, the goal of this section is to promote the health, safety, convenience, morals and welfare of Holliston residents, and to enhance the attractiveness of the Town of Holliston as a place to live, visit and shop.

2. Applicability of Site Plan Review.

- a. Site Plan Review shall not apply to single family homes and their accessory structures ~~(or two family or semi-detached homes per Section III A, paragraph 14 of the Zoning By-Laws)~~, including additions or enlargements to same which are as a matter of right or as to which relief may be granted by special permit or variance.
- b. Apart from 2.a., in all districts:
 - i. No building or accessory structure (whether otherwise allowed by right or by special permit) shall be: (1) erected, ~~or~~ (2) enlarged or be subject to any change in the location of the exterior walls so as to increase the building footprint by ten percent or more or increases the height by a story or half story ~~(3) increased in its gross floor area by more than twenty five percent (25%), whether accompanied by exterior construction or not,~~
 - ii. ~~No parking area shall be physically expanded by an increase in parking surface area of ten percent (10%) or more;~~ **No change in use from one Building Code use group to another that results in any external alterations affecting vehicular and pedestrian movement, disposal of sewage, refuse or other wastes, drainage for surface water, storage facilities/methods for fuel, refuse, vehicles and other material and equipment, emergency access and operations within the site, off-street loading, unloading and parking of vehicles, lighting, landscaping, or utilities, security and emergency systems.**

iii. No changes in use resulting in an increase in parking area requirements greater than or equal to ~~10~~ **5** spaces **or the reconfiguration of 5 or more spaces,**

iv. No new or expanded outside storage of **merchandise**, materials, **vehicles (other than noncommercial, off-street parking)** or equipment, and

v. No new drive-thru facilities,

vi. No new or expanded Medical Marijuana Treatment Center/Registered Marijuana Dispensary new or expanded Marijuana Establishment, conversion of or expansion of a Medical Marijuana Treatment Center/Registered Marijuana Dispensary to a Marijuana Establishment, or

vii. **No new non-accessory solar energy generation systems or structures that facilitate the collection of solar energy**

shall be allowed except in conformity with a site plan bearing an endorsement of approval by the Planning Board.

; or take any action relative thereto.