

205-76. Movie and Entertainment Production Overlay District (MEPOD)
[Added xx-xx-2008 August STM by Art. XX]

I. INTENT

A. The intent of this district is:

1. To allow for creation of a **Movie and Entertainment Production Studio Campus** (MEPOD) for motion picture, television, commercial productions and other ancillary uses;
2. To allow for commercial, retail, cultural and educational uses that are ancillary to a movie and entertainment production facility;
3. To encourage low impact mixed use development on large, well-buffered sites;
4. To increase the net tax base of the Town and provide quality employment opportunities for Plymouth residents;
5. To encourage development utilizing the highest quality design standards;
6. To ensure that development is designed in harmony with the topographical and vegetative character of the land;
7. To promote development of the creative arts production in Plymouth;
8. To allow an alternative form of land use development consistent with sound design principles for a Movie and Entertainment Production Studio Campus, including diverse and integrated land development for commercial production of various media, including live action motion pictures, animations, commercials and videos, music and theater, ancillary support facilities including related commercial, retail, cultural and educational activities, restaurants, office, services, day spas, community facilities, theaters, support facilities including hotels and associated meeting facilities, “artist’s housing” and active and passive indoor and outdoor recreational uses.

II. ESTABLISHMENT AND LOCATION

Movie and Entertainment Production Overlay District (MEPOD) shall be considered as overlaying other zoning districts and is delineated on Zoning Map No. 1. For any Development Project proposed within the MEPOD, the provisions of the MEPOD as detailed in this Section 205-76 of the Bylaw, shall govern over all use and dimensional requirements and restrictions of the underlying zoning district. The Planning Board of the Town of Plymouth shall act as the authority designated to review projects and issue site approvals under this § 205-76.

III. DEFINITIONS

- A. Design Standards: The document entitled Design Standards for the Movie and Entertainment Overlay District, adopted by the Planning Board of the Town of Plymouth pursuant to § 205-76-VIII of this Bylaw. Said Design Standards are applicable to all Development Projects within the Movie and Entertainment Overlay District.
- B. Movie and Entertainment Production Studio Campus: A Movie and Entertainment Production Studio Campus is a unified complex of structures, buildings and outdoor spaces that include a Studio Production Complex, and may include a Studio Amenity Campus, an Educational Campus, and Open Space Areas.
- C. Studio Production Complex: A Studio Production Complex is an integrated, multi-building grouping for the commercial production of movies, videos and other media.
- D. Studio Amenity Campus: A Studio Amenity Campus is a multi-building, multi-use area and may include a mix of uses that are customarily associated with mixed use, low scale developments. The Studio Amenity Campus shall be designed and operated to primarily support and serve the needs of the Studio Production Complex.
- E. Educational Campus: An Educational Campus is an integrated group of buildings that are used by or in conjunction with education uses relating to cinema, art, entertainment or other similar cultural endeavors.

- F. Open Space Areas: Open Space Areas are the portions of the Property (if any) which are not designated as being part of the Studio Production Complex, the Studio Amenity Campus, the Educational Campus.
- G. Artists' Housing: Artists' Housing shall be housing units for use by persons involved in the activities of the Studio Production Complex or the Cultural Facilities or the Educational Campus.
- H. Cultural Facilities: Cultural facilities are libraries, art galleries, archives, museums, places of worship or similar institutions and uses.
- I. MEPOD: A MEPOD is The Movie and Entertainment Production Overlay District, established by this Section 205-76.
- J. Site Plan Approval: Site Plan Approval is the approval of a site plan issued by the Planning Board under this section of the Bylaw, for a Development Project or a designated Phase of the Project. The Planning Board's authorization for a proposed Development Project based on a finding of compliance with this § 205-76 of the Bylaw and Design Standards after the conduct of a Site Plan Review.
- K. Development Project: The Development Project is the Movie and Entertainment Production Studio Campus to be constructed and operated on the Property.
- L. Property: The Property is the land, located wholly within the MEPOD, on which the Development Project is to be constructed and developed.
- M. Studio Theatre: A private theatre for special functions, movie premieres and cultural events.
- N. Outdoor amusement or theme park: an establishment having amusement concessionaires and/or amusement devices, including theme entertainment parks, permanent carnivals, vehicular amusement parks, and similar facilities.

IV. USES AND OTHER REQUIREMENTS

The following are Allowed Uses subject to Site Plan Approval in a MEPOD,:

- A. Within the Studio Production Complex:
 - 1. Allowed Uses
 - a. Studio production uses, and uses ancillary thereto, which may include: sound stages; music recording and mixing stages; outdoor back lots; administrative and business office use; media editing facilities; material warehouses central shop and mill; art craft production facilities; production and post-production services space; rental facilities and services; film, video and media storage and sales facilities; warehouse and outside storage of equipment; studio production offices; equipment rental/ sales; storage and servicing of service vehicles and trailers used for off-site production purposes; medical facilities; food and beverage preparation; catering and dining operations and sales; meeting and special event facilities; day care centers; day spas, educational facilities; rental facilities for people-moving devices; storage areas; and operations and other, similar uses which are ancillary to or necessary for and integrated with the movie and entertainment production facility;
 - b. A Studio Theatre ancillary to studio production uses;
 - c. Cultural Facilities;
 - d. Passive and active recreational facilities;
 - e. Educational uses, ancillary to the Education Campus; and
 - f. Uses relating to services for visitors to the Studio Production Complex, which may include: a commissary; commercial recreation (excluding in all events any amusement rides); medical services; hospitality services; sales of products and gifts relating to the Studio Production Complex and its operations; transportation facilities; food and beverage preparation; catering, and security.
- B. Within the Studio Amenity Campus:
 - 1. Allowed Uses
 - a. Professional and business offices including medical clinics;
 - b. Cultural Facilities;
 - c. Passive and active recreation facilities;

- d. Community meeting facilities;
 - e. Day care (as defined in M.G.L. Chapter 28A, Section 9) and nursery uses;
 - f. The following retail and commercial uses:
 - 1. Convenience and general retail establishments such as pharmacies, country stores, financial institutions including ATMs, grocery and variety stores;
 - 2. Personal service establishments such as barber and beauty shops, laundry and dry-cleaning establishments, tailoring and garment repair shops, fitness, wellness and day spa centers, and health clubs; and
 - 3. Restaurants and cafes;
 - Provided:
 - i. no single retail or commercial use, except day spa centers, shall exceed 25,000 square feet of gross floor area, and
 - ii. the total retail and commercial use in the Studio Amenity Campus shall not exceed 60,000 square feet of gross floor area but not including hotel, motel or other lodging facilities or for office uses;
 - g. Artists' Housing, which may include a variety of dwelling units, including townhouses, multi-family dwellings, and dwelling units on upper floors of commercial buildings, and uses accessory to Artists' Housing, provided, in no event shall the Development Project contain more than 200 dwelling units;
 - h. Hotels, motels, and other lodging uses;
 - i. Postal facilities.
 - j. Meeting facilities/ conference Campus.
- 2. Size and other Requirements

No single building within the Studio Amenity Campus shall contain more than 50,000 gross square feet of floor area, except for buildings used for hotel, motel or other lodging facilities or for buildings used for office uses. The Planning Board may approve a structure above the maximum square footage, if the building footprint and exterior elevations are designed to minimize the overall visual mass of the structure and give the appearance of a group of attached smaller scale buildings.
- C. Within the Educational Campus:
 - 1. Allowed Uses
 - a. Educational uses, and uses ancillary thereto, relating to movie, arts, and entertainment production and the facilities located in the Studio Production Complex, which may include: private kindergarten through post-graduate and continuing education instructional uses; ancillary recreation, artistic and sporting uses; media, production and innovation technology-related research uses; and administrative office uses;
 - c. Day care (as defined in M.G.L. Chapter 28A, Section 9) and nursery uses.
 - 2. Size and Other Requirements

No single building within the Educational Campus shall contain more than 50,000 gross square feet of floor area. The Planning Board may approve a structure above the maximum square footage, if the building footprint and exterior elevations are designed to minimize the overall visual mass of the structure and give the appearance of a group of attached smaller scale buildings.
 - E. Within Open Space Areas:

Allowed Uses

Open Space Areas shall serve as undeveloped buffers, large contiguous open areas, open fields, developed recreational areas, landscaped areas or yards for buildings.
 - F. Within all portions of the Property, generally:
 - 1. Development Infrastructure Facilities
 - a. Water storage systems;
 - b. Waste Water treatment facilities;
 - c. District heating and cooling facilities;
 - d. Emergency power generation facilities;

- e. Access roads;
- f. Storm water retention facilities; and
- g. Telecommunication facilities.
- h. Energy conservation facilities.
- i. Horticulture and agriculture.

Provided, except for storm water retention facilities and access roads, the foregoing development infrastructure facilities shall not be allowed in any buffer areas.

- 2. Open Space Uses.
 - a. Passive recreation uses including swimming, cross country skiing, sledding, walking and hiking trails;
 - b. Bike paths and trails;
 - c. Open space amenities such as benches, picnic tables, observation platforms; and
 - d. Supporting infrastructure deemed appropriate for the purpose of designating and protecting Permanent Open Space including signs, fences, etc.

The following uses are allowed by Special Permit in a MEPOD:

Wind Energy Facilities, as defined in Section 205-73, Wind Energy Conversion Systems, as defined in Section 205-27(I),. For the purposes of Section 205-76, the Planning Board shall be the special permit granting authority for Wind Energy Facilities and Wind Energy Conversion Systems;

V. DIMENSIONAL AND OTHER REQUIREMENTS

- A. Table 205-76 (1) lists the dimensional requirements applicable to a MEPOD, in addition to the other dimensional requirements contained in this Section 205-76, but subject to the other provisions of this Article:

Table 205-76 (1) MEPOD Movie and Entertainment Production Studio Campus Dimensional Requirements	
Item	Dimensional Requirement
Minimum Lot Size:	100 acres
Maximum Lot Size:	250 acres
Minimum Lot Frontage:	200 feet
Floor Area Ratio:	0.30 (applicable to the Property as a whole)
Minimum Depth of Buffer Areas:	
from all Boundaries of Adjoining Properties	40 feet
from all Streets as defined in the Zoning Bylaw:	150 feet (subject to reduction as provided in subsection E.4 below)
Minimum Building Setbacks from Adjoining Properties and Major Streets:	
for Studio Production Complex	150 feet (300 feet for outdoor studio backlot areas)
for all other areas	150 feet (subject to reduction as provided in section G. below)
Maximum Height of Structures:	
within the Studio Production Complex	65 feet (75 feet for one sound stage, not to exceed 50,000 square feet of gross floor area)

within the Studio Amenity Campus	45 feet
within the Educational Campus	45 feet
within all other areas	45 feet
Maximum Lot Coverage:	30% (applicable to the Property as a whole and excluding parking structures)
Building Setbacks from Internal Roads and Internal Lot Lines (if any):	10 feet
Minimum Separation Between Buildings:	20 feet

- B. Lot Size. Parcels of land divided solely by a Street may be considered one lot, for the purposes of this Section 205-76.
- C. Curb Cuts. A maximum of one curb-cut shall be allowed on each Major Street as defined by the Bylaw, unless the Planning Board (a) finds additional access to be significantly beneficial to the safety and operation of adjacent Streets and will reduce traffic safety hazards; or (b) finds that the topography of the Property is such that a portion would otherwise be rendered inaccessible without additional street access.
- D. Street Frontage. Structures in the Studio Production Complex shall front on internal access roadways and ways, and shall not front directly on any Street as defined in the Zoning Bylaw.
- E. Buffers.
1. Buffer areas shall consist of unimproved land in its natural vegetated state, and may include land in Open Space Areas. If no such natural buffer exists, then a naturalized landscaped buffer plan may be submitted to the Planning Board for approval.
 2. In determining the Development Project's buffer areas, any permanently protected conservation lands owned by the Town or any non-profit conservation organization which abut the Property may be included as part of the required buffer area.
 3. The Planning Board may increase the required buffer areas or require additional vegetation within buffer areas, to mitigate the noise and visual impacts of the Development Project on abutting properties.
 4. The Planning Board may reduce the required buffer area from any Street, with respect to any structures or improvements in the Studio Amenity Campus or the Educational Campus, if the Planning Board finds such reduction does not adversely affect abutting properties or the Town and results in a better layout, configuration and siting for the Development Project.
 5. Buffer areas may be penetrated for crossings by new internal roads or new roads to connect the Development Project to existing Major Streets or other roads created as part of the Development Project, and by utility lines, and signage may be located within such areas, if approved of in a Special Permit for Master Plan Signage.
- G. Setbacks. The Planning Board may reduce the required setbacks from any Street, with respect to any structures or improvements in the Studio Amenity Campus or the Educational Campus, if such reduction does not adversely affect abutting properties or the Town and results in a better layout, configuration and siting for the Development Project.

VI. SITE PLAN APPROVAL

- A. Pre-application review: The applicant is encouraged to participate in a pre-application review at a regular meeting of the Planning Board. If a pre-application review is requested by the applicant, the Planning Board shall notify all interested boards and committees of the date and time of said meeting, including but not limited to the Board of Selectmen, Design Review Board, Board of Health. The purpose of the pre-application review is to minimize the applicant's cost of engineering and other technical experts, and to obtain the advice and direction of the Planning Board prior to filing the application. At the pre-application review the applicant shall outline the proposal and seek preliminary feedback from the Planning Board, other municipal review entities,

and members of the public. The applicant is also encouraged to request a site visit by the Planning Board and/or its designee in order to facilitate pre-application review.

- B. No building permit shall be issued for any construction unless Site Plan Approval has been granted by the Planning Board for such construction. In reviewing an application for Site Plan Approval, the Planning Board shall apply the criteria set forth below. In addition, the Planning Board must find that a Site Plan conforms with the objectives and design standards set forth in Section VII and in Section IX (A) (“Design Standards”).
- C. For the Initial Phase of the Development Project, and for each subsequent Phase for which Site Plan Approval is sought, the applicant shall submit site plans and all related narrative and graphic materials depicting the structures and other improvements to be constructed as part of such Phase (“Site Plan”) to the Planning Board for its approval. The Site Plan shall include a development plan for such Phase, which addresses: stormwater management, utility installation, off-site mitigation improvements, emergency access, roadway construction and demonstrate compliance with the Design Standards. The Site Plan shall also include such detail and such other information as the Planning Board may require.
- D. Site Plan Approval shall require that the Town Engineer, Fire Chief, Department of Public Works, and Design Review Board have an opportunity to review, comment and make recommendations to the Planning Board on whether the Site Plan adequately addresses issues as specified in this Bylaw and Design Standards, including but not limited to a) public health, safety, and convenience; b) aesthetics; c) pedestrian circulation within and without the site; d) traffic circulation within and outside the site; e) siting and design of structures, drainage, landscaping, utilities.
- E. In reviewing the application for Site Plan Approval for subsequent Phases, after the Initial Phase, the Planning Board, and such other agencies, shall review information regarding the impacts of previous Phases of the Development Project, and if such earlier Phases have traffic, environmental or other impacts substantially departing from those anticipated or projected, the Planning Board may impose additional conditions or restrictions on Site Plan Approvals for subsequent Phases, or require prior to approving a Site Plan.
- F. The Planning Board may approve minor variations in the location and design of buildings, parking areas and other elements.
- G. Phasing.

The Development Project may be constructed in phases (“Phases”), provided:

 - 1. As part of the first Site Plan submitted for approval, the applicant shall submit a phasing scheme and the schedule of phasing for the Development Project
 - 2. The first Phase of the Development Project for which a request for Site Plan Approval is to be made, and which is to be constructed and completed first (the “Initial Phase”) shall include, at a minimum:
 - a. A sufficient portion of the Studio Production Complex so that, when completed, the Studio Production Complex shall be an operational movie and entertainment production facility, but in all events, such portion of the Studio Production Complex shall contain at least 100,000 square feet of gross floor area (the “Initial Studio Production Complex”);
- H. The Planning Board shall review the Site Plan for the Initial Phase and for each subsequent Phase at public meetings, and the decision to grant Site Plan Approval shall be by written decision.
- I. The submissions by the applicant for Site Plan Approval shall include:
 - 1. A site plan or plans and site cross-sections depicting the proposed location of structures, open spaces and landscaping, proposed uses of the area, densities, proposed traffic circulation, parking and loading facilities, and access to public transportation;
 - 2. Building plans and building cross-sections which include proposed building elevations, proposed dimensions of structures, schematic layout drawings and exterior building materials; and
 - 3. Such other reports, information and materials as may be appropriate to demonstrate the Phase’s compliance with the terms of this Bylaw including three-dimensional electronic and/or physical models.

The Planning Board may request any additional information it deems necessary to insure it has sufficient information to determine general compliance with the objectives and standards for review of a proposed Development Project in a MEPOD.

- J. In granting Site Plan Approval, the Planning Board shall make specific findings that the Site Plan complies with the following sections of the Bylaw: 205-12(D) Appearance Code; 205-17(E)(5) Fire Suppression; 205-18 Natural Features Conservation Requirements; 205-24 Off-street Loading; and 205-65 Prevention of Light Pollution.
- K. The Planning Board shall condition the grant of Site Plan Approval on the implementation of such policies and programs for controlling traffic to and from the Development Project area as the Planning Board shall find are reasonably necessary to ensure that the traffic impacts on Long Pond Road and other local roads are minimized. Such policies and programs may include, without limitation: a transportation coordinator to be employed by the applicant to manage all traffic in and out of the Development Project; policies to direct all employees (other than employees residing in the Town) to access the Development Project from the Route 3, Exit 3 Interchange, using highway routes between work and home; and all provided directions to the Development Project (including website directions) should direct all visitors to use Route 3, Exit 3 and
- L. Transportation. Commitments and arrangements satisfactory to the Planning Board to provide public transportation from the Movie and Entertainment Production Studio Campus to the Downtown/Harbor District shall have been made or entered into by the applicant, or will be as a condition for the granting of Site Plan Approvals.

M. Administration. The Planning Board shall be the Approving Authority for Site Plan Approvals in the Movie and Entertainment Production Overlay District, and shall adopt and file with the Town Clerk administrative rules relative to the application requirements and contents for Site Plan Review. The Site Plan Review process encompasses the following:

- (1) Application procedures.
 - (a) The applicant shall file the required number of copies of the application with the Town Clerk for certification of the date and time of filing, and with the Planning Board. Said filing shall include any required forms provided by the Planning Board.
 - (b) Review fees. The applicant shall be required to pay for reasonable consulting fees to provide peer review of the application for the benefit of the Planning Board. Such fees shall be held by the Town of Plymouth in an interest-bearing escrow account, and shall be used only for expenses associated with the use of outside consultants employed by the Approving Authority in reviewing the Site Plan application. Any surplus funds remaining after the completion of such review, including any interest accrued, shall be returned to the applicant forthwith.
 - (c) Upon receipt by the Planning Board, applications for permits shall be distributed to at least the Design Review Board, Fire Chief, Board of Health, Housing Partnership and the North Plymouth Steering Committee. The reports of the Design Review Board, Board of Health, or others, which are advisory, shall be submitted to the Planning Board within sixty (60) days of filing of the application.
 - (d) Within thirty (30) days of filing of an application with the Planning Board, the Board or its designee shall evaluate the proposal with regard to its completeness and shall submit an advisory report in writing to the applicant certifying the completeness of the application. The Board or its designee shall forward to the Applicant, with its report, copies of all recommendations received to date from other boards, commissions or departments.

- (2) Site Plan Approval decision.

- (a) The Planning Board shall make a decision on the Site Plan application, and shall file said decision with the Town Clerk, within 90 days of the date that the application was received by the Town Clerk. The time limit for public hearings and taking of action by the Planning Board may be extended by written agreement between the applicant and the Board. A copy of such agreement shall be filed with the Town Clerk.
 - (b) The Board's findings, including the basis of such findings, shall be stated in a written decision of approval, conditional approval or denial of the Site Plan Approval application. The written decision shall contain the name and address of the applicant, identification of the land affected and its ownership, and reference by date and title to the plans that were the subject of the decision. The written decision shall certify that a copy of the decision has been filed with the Town Clerk and that all plans referred to in the decision are on file with the Planning Board.
 - (c) The decision of the Planning Board, together with the detailed reasons therefore, shall be filed with the Town Clerk, the Board of Appeals and the Building Inspector. A certified copy of the decision shall be mailed to the owner and to the applicant if other than the owner.
- (3) Criteria for approval. The Planning Board shall approve the Development Project upon finding that it complies with the purposes and standards of the Movie and Entertainment Production Overlay District and applicable Design Standards.
- (4) Criteria for conditional approval. The Planning Board may impose conditions on a Development Project as necessary to ensure compliance with the Movie and Entertainment Production Overlay District Requirements of this § 205-76 and applicable Design Standards, or to mitigate any extraordinary adverse impacts of the Development Project on nearby properties.
- (5) Criteria for denial. The Planning Board may deny an application for Site Plan Approval pursuant to this § 205-76 of the Bylaw if the Board finds one or more of the following:
- (a) The Development Project does not meet the conditions and requirements set forth in the Movie and Entertainment Production Overlay District and applicable Design Standards.
 - (b) The applicant failed to submit information and fees required by the Smart Growth Zoning and necessary for an adequate and timely review of the design of the Development Project or potential Development Project impacts.

VII. DESIGN STANDARDS

To ensure that new development shall be of high quality, and shall be compatible with the character of building types, streetscapes, and other community features, the Planning Board shall adopt Design Standards relative to the issuance of Site Plan Approvals for Development Projects within the Movie and Entertainment Production Overlay District and shall file a copy with the Town Clerk. In addition to the standards set forth in this Bylaw, the physical character of Development Projects within the Movie and Entertainment Production Overlay District shall comply with such Design Standards.

The following Design Standards shall be applicable to any Development Project in a MEPOD, and in the granting of a Site Plan Approval, the Planning Board shall find that same is in general conformance with the Design Standards.

- A. Quality Standard. All aspects of the Movie and Entertainment Production Studio Campus, including its layout, siting and all structures, building and other improvements, and all landscaping, shall be designed in accordance with the Design Standards developed hereunder so as to result in

an Movie and Entertainment Production Studio Campus comparable to or exceeding the quality and standards of design of the best of such facilities worldwide.

B. Overall Planning and Design Standards.

1. To seek to reduce the number and length of automobile trips, thereby minimizing traffic congestion, limiting the expenses of road construction, and reducing air pollution.
2. To preserve open space, scenic vistas, and forest lands, and natural areas.
3. To preserve the quality of all groundwater, surface water and drinking water and to safely dispose of all wastewater. To create a distinct physical 'place' surrounded by a greenbelt used for wildlife habitat, recreational, educational, and environmental preservation purposes.
4. To encourage low impact, compact, mixed use development
5. To encourage pathways and walkways being placed away from roadways to provide safe and adequate passage distinctly separate from the roadway network where suitable, and shall be non-linear in layout where feasible and practical. Links to parking lots, parks, recreation facilities, open space, school, places of worship and commercial developments shall be provided.
6. To encourage sustainable design concepts in all aspects of the Development Project, its construction and operation. New buildings shall contain insulation and ventilation systems and appliances specified to meet Energy Star Standards.
7. To promote utility standards where all new development utilities distribution systems shall be installed underground. All above ground transformers, central plant, and waste water facilities are to be enclosed and where possible, screened from public view.
8. To promote the following road standards:
 - a. Roads shall be designed and located in such a manner as to maintain and preserve natural topography and vegetation; to minimize cut and fill, and to preserve and enhance views and vistas on or off the Street.
 - b. Bicycle paths are encouraged.
 - c. Surface runoff is to be directed into infiltration-based systems. The use of low impact design standards is encouraged for storm water management.
9. To promote delivery and trash removal standards where all delivery and loading areas and all trash receptacles shall be screened from view of the primary street and any dwellings.
10. Sustainable Design. The Development Project shall be designed and constructed, to the maximum degree feasible, as LEED-Certified buildings (pursuant to the Leadership in Energy and Environmental Design program of the U.S. Green Building Council).

C. Studio Amenity Campus and Educational Campus Design Standards.

1. Generally. The Studio Amenity Campus and the Educational Campus should be physical 'places' of modest and sustainable size and scale that accommodate and promote pedestrian travel, and create a functionally diverse, but visually unified, community.
2. Architectural Standards
 - a. The use of combinations of traditional New England building materials, such as wood siding, cedar shingles, stone, masonry, brick, glazing, or Planning Board approved alternatives, shall be encouraged.
 - b. Structures shall exhibit varied scale, massing and detail to provide high quality architectural design which blends with the local architectural vernacular.
3. Landscaping Standards:
 - b. All landscaped areas shall be designed to be drought-tolerant, unless rainwater and recycled water is available for irrigation.
4. Building Standards:
 - a. Variation in the architecture, front elevations, building setbacks and the exterior details (roofing, siding and trim details) should be part of the design to promote a village setting.
 - b. Building orientation, layout and shapes shall be designed to provide adequate light and air for the building and surrounding buildings.
5. Parking and access standards:

- a. All parking areas shall be screened from Major Streets by graded berms and/or landscaping.
- b. Parking may also be accommodated on internal roads and in courtyards in the rear of buildings.
- d. Access areas should include a combination of walkways and landscaping. The walkway and landscaping shall be designed to encourage the use of the walkways.
- e. Off-street parking spaces may be perpendicular, parallel or angled.
- f. Parking areas may consist of pervious or impervious surfaces.
- g. Parking spaces shall not be less than 9 feet by 18 feet in size.
- h. Multiple, shared driveways are encouraged

VIII. SIGNS, NOISE, LIGHTING, PARKING

A. Signs

- 1. No signs shall be erected or maintained in a MEPOD without a Special Permit for Master Plan Signage having been issued, pursuant to the provisions of Section 205-19 of the By-Law, to govern the size, quantity, location, illumination and nature of signs within the Development Project. The Planning Board shall be deemed the special permit granting authority for the granting of a Special Permit for Master Plan Signage in a MEPOD.
- 2. The foregoing notwithstanding, the Planning Board may in the MEPOD grant a special permit to exceed the requirements of Table 205-19-2 when the Planning Board finds that exceeding the requirements is appropriate to provide effective information to the general public, or improve traffic flow and safety or enhance environmental aesthetics through attractive design features and coordinated presentation elements.

B. Noise

- 1. The Development Project shall comply with the noise standards in Code of Massachusetts Regulations (310 CMR 7.10) and the following:
 - a. Noise from the Development Project shall not increase the broadband sound level by more than 10 dB(A) above ambient, or
 - b. The Development Project shall not produce a “pure tone” condition – when any octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

These criteria are measured both at the property line and at the nearest inhabited residence. “Ambient” is defined as the background A-weighted sound level that is exceeded 90% of the time, measured during equipment operating hours.

- 2. A noise impact analysis shall be provided by the applicant as part of the Site Plan Approval to determine compliance with the foregoing and any other applicable local, State and Federal regulations.
- 3. The MEPOD Master Plan shall include criteria and limitations approved by the Planning Board for temporary waivers of the requirements of clause 1 above in the Studio Production Complex by the Director of Inspectional Service for outdoor cinematic and television productions and filming.

C. Outdoor Lighting

- 1. No outdoor lighting shall be installed or used without compliance with the provisions of Section 205-65 Prevention of Light Pollution, in order to promote outdoor lighting standards so development permitted under this Bylaw shall not unreasonably interfere with the night time use, enjoyment and astronomical observations by abutting property owners.
- 2. Outdoor electrically powered illuminating devices, lighting practices, and systems which will reduce light pollution and conserve energy while maintaining reasonable nighttime safety and security should be employed.
- 3. The MEPOD Master Plan shall include criteria and limitations approved by the Planning Board for temporary waivers of the provisions of Section 205-65 in the Studio Production Complex by the Director of Inspectional Service for outdoor cinematic and television productions and filming, or temporary festive outdoor events

D. Parking and Loading

1. Loading. The requirements of Section 205-24 Off-street Loading, shall not be applicable to the Development Project, and with respect to any approvals thereunder, the Planning Board shall be the approval or special permit granting authority.
2. Parking. The number, type, size, configuration and location of parking and parking areas on the Property shall be determined by the Planning Board.

IX. OPEN SPACE

- A. Design and Location. The Open Space Areas and other open space (including areas for recreational use) created within each of the Studio Production Complex, Studio Amenity Campus and Educational Campus (“Open Space”), shall be located, configured and designed to accomplish the following objectives:
 1. To maintain as much land as possible in its natural state, or for specific and appropriate active or passive recreational purposes, and in large parcels.
 2. To distribute the Open Space such that the entire Development Project is unified functionally and visually by such space.
 3. To provide Open Space and the Recreation Area within easy access of all users. All parts of the Open Space shall be appropriate to their functions as buffers, large natural areas, open fields, developed recreational areas or yards for buildings.

XI. Waivers

- A. Waivers with respect to the standards set forth in this Section 205-76, may be authorized by the Planning Board in the Site Plan Approval, upon a specific finding by the Planning Board that: complying with such standard was not reasonably feasible or would result in an outcome which would be more negative to the objectives and intent of this Section 205-76 than would result from such waiver; such waiver is to the minimum extent reasonably necessary; other modifications or benefits are being proposed by the applicant above those otherwise required under this Section 205-76 in order to mitigate or counterbalance the proposed waiver; and the proposed waiver(s) are of high standards and such departure from the general criteria will not violate the intent of this Section 205-76 or the Bylaw.

XII. Prohibited Uses

- A. Without limiting any other restrictions on use, the following uses are prohibited in a MEPOD Development Project:
 1. Wholesale sales of petroleum based fuels, including but not limited to home heating oil, diesel fuel, gasoline; sales, major automotive garages, any garage conducting repairs out of doors, tire recapping and retreading; trucking and automobile salvage yards.
 2. Exterior storage of products or merchandise in substantial quantities; exterior storage of junk, scrap, salvage, any secondhand materials; exterior storage of bulk petroleum products; interior storage or transmission of refined petroleum products in such a way that rupture of the storage tank will result in direct leakage into the ground; disposal of liquid or leachable wastes, including land filling of sludge and septage; use of septic cleaners containing toxic organic chemicals; open or leachable storage of road salt or deicing chemicals; use of sodium chloride for ice control; disposal or stockpiling of snow or ice from outside the property; storage, generation, treatment or disposal of hazardous wastes; production, manufacture, or warehousing of hazardous or toxic substances; landfills or open dumps; storage of commercial fertilizers except in an approved storage structure; storage of animal manure unless contained; storage of any products, materials, or vehicles in connection with manufacturing or commercial uses not on the property.
 3. Drive-in movie theaters; casinos; betting establishments, gaming establishments (except for the sale of government sponsored lottery or gaming programs) and racetracks: firing ranges; junkyards or recycling centers; or quarries.

4. Adult uses, including adult book stores, adult motion picture theaters, adult dance clubs, adult paraphernalia stores, adult video stores and other such uses under G.L. c. 40A § 9A; adult dance clubs, including entertainment establishments allowing one or more individuals to perform in the state of nudity, as defined under G.L. c. 272 §31.
5. No artistic productions shall be produced which motion picture industry standards would consider pornographic.
6. Outdoor amusement or theme parks.
7. Helipads and heliports.

XIII. Permits and Certificates of Occupancy

Without limiting the Planning Board's ability to impose additional or higher requirements in any Site Plan Approval:

- A. No construction activities shall begin, and no Permits for any construction activities shall issue, for any portion of the Studio Amenity Campus or the Educational Campus, until all necessary Permits have been obtained for the construction of the Initial Phase of the Studio Production Complex and substantial construction activities have begun on the Initial Studio Production Complex (part of the Initial Phase of the Development Project).
- B. No Certificate of Occupancy shall be issued for any portion of the Studio Amenity Campus until the Initial Studio Production Complex has been completed and is operational.

XIV. Committee, Agreements and Costs.

- A. Citizens Advisory Committee. In order to ensure that any unanticipated impacts of the Development Project, or any operational issues or any other community concerns can be effectively communicated to the applicant, and that the applicant has a mechanism to communicate with its neighbors, and that issues of concern can be shared in an appropriate, informal forum, a Citizens Advisory Committee shall be established for the proposed MEPOD zoning bylaw by the Planning Board.
- B. Project Agreements. A Development Project may require a memoranda of understanding or other agreements reached among the applicant and the Town, and possibly other Town agencies, departments or commissions, the State, the Federal government, or other third parties, including non-profit entities. Said non-zoning agreements may be incorporated by reference and made a part of a Site Plan Approval.
- C. Costs of Consultants. In reviewing applications for Site Plan Approvals, it may be necessary for the Planning Board to hire consultants and advisors to provide advice and assistance in evaluating the application and the Development Project and its impacts. The Planning Board shall be reimbursed by the applicant for the reasonable fees and expenses of such consultants and advisors, and the Planning Board may elect to require payment in advance of an estimated amount for payment of such fees, which shall be held and applied to such costs as incurred. Each application for any permit or approval under this Section 205-76 of the Bylaw shall be deemed to be the applicant's agreement to promptly pay to or reimburse the Planning Board for such reasonable costs, and confirm that in no event shall any Site Plan Approval be acted upon until all such amounts have been paid in full.