

The following Articles require a two-thirds majority vote. Note: items in italics are included for information purposes only and will not be included in the revised zoning bylaw.

ARTICLE 2: To see if the Town will vote to adopt the following amendment to the Town of Leyden Zoning Bylaws SECTION 3. DEFINITIONS, as follows, or take any action relating thereto:

1. Amend Section 3 deleting the ~~striketrough text~~ and inserting the **bold text** as follows:

Gross Floor Area (GFA) - The sum of the areas of all stories of the building of compliant ceiling height pursuant to the Building Code, including ~~basements, lofts, and~~ intermediate floored tiers, measured from the interior faces of exterior walls or from the centerline of walls separating buildings or dwelling units but excluding crawl spaces, **basements**, garage parking areas, attics, enclosed porches, and similar spaces. Where there are multiple Principal Dwellings on the Lot, the GFA of the largest Principal Dwelling shall be used for determining the maximum size of a Protected Use ADU.

ARTICLE 3: To see if the Town will vote to adopt the following amendments to the Town of Leyden Zoning Bylaws SECTION 3. DEFINITIONS, SECTION 4. USE REGULATIONS, AND SECTION 5.13 as follows, or take any action relating thereto:

1. Amend Section 3 deleting the ~~striketrough text~~ and inserting the **bold text** as follows:

Accessory Dwelling Unit (ADU) - A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that:

- a) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the State Building Code for safe egress;
- b) ADUs may be detached, attached, or internal to the Principal Dwelling;
- c) is not larger in Gross Floor Area than ½ the Gross Floor Area of the Principal Dwelling or ~~900~~ **1200** square feet, whichever is smaller; and
- d) is subject to such additional restrictions imposed within these bylaws.

Protected Use ADU - An attached or detached or internal ADU that is located, or is proposed to be located, on a Lot in a Single-Family Residential Zoning District and is not larger in Gross Floor Area than ½ the Gross Floor Area of the Principal Dwelling or ~~900~~ **1200** square feet, whichever is smaller, provided that only one ADU on a Lot may qualify as a Protected Use ADU. Only one ADU on a lot may qualify as a Protected Use ADU. An ADU that is nonconforming to Zoning shall still qualify as a Protected Use ADU if it otherwise meets this definition.

2. Amend Section 5.13. C.5) by deleting the ~~striketrough text~~ and inserting the **bold text** as follows:

- 5) A Protected Use ADU shall not be larger than a Gross Floor Area of ~~900~~ **1200** square feet or ½ the Gross Floor Area of the Principal Dwelling whichever is smaller.

ARTICLE 4: To see if the Town will vote to adopt the following amendment to the Town of Leyden Zoning Bylaws SECTION 4.2. Uses Requiring a Special Permit, as follows, or take any action relating thereto:

Amend Section 4.2 by adding the following paragraph 4 in **bold text**:

4. One (1) additional ADU, attached or internal to the principal dwelling or within an accessory structure that existed when this bylaw was passed in July 2025, on a lot where a Protected ADU already exists up to a maximum of 4 dwelling units per lot.

ARTICLE 5: To see if the Town will vote to adopt the following amendments to the Town of Leyden Zoning Bylaws Section 3 DEFINITIONS, SECTION 4 USE REGULATIONS as follows, or take any action relating thereto:

1. Amend Section 3 by inserting the following **bold text** and deleting the ~~striketrough text~~.

Alternative Housing - a single family, owner-occupied dwelling, whether mobile or permanent, that is approved by the board of health pursuant to 105 CMR 410.710 to alter standards set forth in 105 CMR 410.000 for heating, plumbing, electrical, and sanitary facilities and minimum square footage requirements in order to reduce energy use or environmental impact.

Bed and Breakfast Establishment – a private owner-occupied house where rooms are rented and a breakfast is included in the rent, and all accommodations are reserved in advance.

Camper - A portable dwelling, eligible to be registered and insured for highway use; designed to be used for travel, recreational and vacation uses, but not for permanent residence. Includes equipment commonly called travel trailers, pick-up coaches or campers, motorized campers, tent trailers, and motor homes, but not mobile homes.

Dwelling - Any structure, including mobile homes, **containing one or more dwelling units.**

~~Family - An individual or two or more persons related by blood or marriage, or a group of not more than five persons not so related, living together as a single housekeeping unit.~~

~~Mobil Home - A dwelling built upon a chassis, containing complete electrical, plumbing and sanitary facilities, and designed without necessity of a permanent foundation for year-round living, irrespective of whether actually attached to a foundation or otherwise permanently located.~~

Temporary Housing: any structure used for human habitation which is:

- (1) A mobile structure, including a tent that is attached to the ground, to another structure, or to any utility system, on the same premises for less than 30 calendar days; or**
- (2) A mobile structure that provides basic shelter and contains at least one habitable room for living, sleeping, eating, cooking or sanitation that is intended to be occupied by a single family or household for intermittent periods of time not to exceed 90 consecutive days, unless extended by the Leyden Board of Health.**

Trailer or Camper: trailer or camper shall mean any vehicle or object on wheels, excluding railroad cars, which is drawn by or used in connection with a motor vehicle and which is designed for travel, recreational, and vacation uses, including equipment commonly called travel trailers, pick-up coaches or campers, motor homes, motorized campers and tent trailers.

2. Amend Section 4.1.4 Permitted Uses by inserting **bold text** the following paragraph's h. & i., and deleting the ~~strikethrough text~~, as follows:

4. any use customarily accessory to and clearly incidental to a permitted use on the lot, including, but not limited to:
 - a. Home Occupation as defined.
 - b. the display or sale of natural produce raised or prepared in the Town;
 - c. the renting of rooms or boarding of not more than four persons not members of the resident family;
 - d. the storage of unregistered vehicles for the use of the resident family, if screened from view of the public road and adjacent residences;

- e. the keeping of farm animals, horses, ponies, small animals and poultry for the enjoyment of the resident family;
- f. Building-mounted and residential ground-mounted solar photovoltaic installations.
- g. Protected Accessory Dwelling Units, see Section 5.13.
- h. Temporary housing, including homes on wheels, provided:**
 - I. No person may allow temporary housing to be occupied without the written permission of the Board of health through the issuance of a temporary housing occupancy permit.**
 - II. All temporary housing shall be subject to the requirements of 105 CMR 410.00 and 310 CMR 15.000 except as the Leyden Board of Health may otherwise provide in its written permission.**
- j. Alternative Housing that otherwise meets all requirements of this Bylaw.**

3. Amend Section 4.3 Prohibited Uses by inserting the following **bold text**, and deleting the ~~striketrough text~~ in paragraph A, as follows:

4.3 Prohibited Uses.

- A. **Trailer Parks.** ~~Mobile Homes and Mobile Home Parks.~~
- B. Disposal of liquid or leachable wastes.....
- C. The use of privately owned waste water treatment plants.
- D. Installation of a new underground storage tanks.....
- E. Outdoor storage of salt, de-icing materials
- F. Commercial or industrial uses.....
- G. Removal or sale of top soil.....
- H. Construction...in any wetland
- I. Multi-family dwellings with more than four dwelling units.
- J. Large scale ground-mounted solar photovoltaic installations over 5 acres.

ARTICLE 6: To see if the Town will vote to adopt the following amendments to the Town of Leyden Zoning Bylaws Section 3 DEFINITIONS Short Term Rental and Event Venue/Retreat Center, Section 4 USE REGULATIONS, and Section 5.14 SPECIAL REGULATIONS, as follows, or take any action relating thereto:

1. Amend SECTION 3 DEFINITIONS by inserting the following **bold text** in definitions in the appropriate alphabetical order:

Event Venue or Retreat Center: a facility that is leased for private or public events such as, but not limited to, music performances,

festivals, retreats, seminars, lectures, conferences, workshops, weddings, or family gatherings.

Short-Term Rental (STR): a furnished dwelling unit that is rented by the owner to another party for a period of not more than 30 consecutive days which is subject to M.G.L. Chapter 64G and regulations promulgated thereunder.

2. Amend Section 4.1 Permitted Uses by inserting the following paragraph.”J” in **bold text**:

4.1 Permitted Uses

A. The following uses are permitted:

4. any use customarily accessory to and clearly incidental to a permitted use on the lot, including, but not limited to:

j. Short term rentals with up to 3 bedrooms, see Section 5.14.

3. Amend Section 4.2 Uses Requiring a Special Permit by inserting the following **bold text** in paragraph.’s 5 & 6.

4.2 Uses Requiring a Special Permit

A. The following uses require a Special Permit according to the requirements of Section 8 Special Permits.

5. Short Term Rentals with 4 bedrooms or more, see Section 5.14.

6. Retreat Center, Event Venue, or Educational Facility not exempted from zoning regulations by MGL Ch. 40A Section 3, see Section 5.14

4. Amend Section 5 SPECIAL REGULATIONS by inserting a new **Section 5.14** as follows:

5.14 Short Term Rentals (STR), Event Venues and Retreat Centers

A. Applicability

The purpose of this Section is to establish standard guidelines to be followed by the owners and operators of short-term rentals, event venues and retreat centers within the Town of Leyden. These guidelines apply to those facilities that are not exempted from zoning regulations by MGL Ch. 40A Section 3. Any currently operating

facilities must come into compliance with these regulations within 6 months of their adoption.

B. Performance Standards

The purpose of this section is to allow, either by-right or by special permit, short terms rentals, event venues and retreat centers while ensuring public safety, preventing possible nuisances for abutters, minimizing reduction to long term (greater than 31 consecutive days) rental housing, and preserving Leyden’s rural character for its residents.

C. Conditions

- 1 All properties shall comply with all Board of Health regulations and inspections and all necessary state and local licenses and approvals must be obtained prior to any facility or STR rental.**
- 2 The total number of individuals allowed to be provided with overnight accommodations shall be determined by the Board of Health following an inspection and septic system analysis.**
- 3 Short term rental activities shall be operated in compliance with MGL Chapter 64G.**
- 4 On-street parking is prohibited.**
- 5 No more than one dwelling unit on a lot can be used as a STR.**
- 6 If more than one dwelling unit on a lot, one unit must be owner-occupied if the property is used for a STR.**
- 7 No loud noise or music, excessive traffic, or other disturbances shall be allowed.**
- 8 A STR may not be used for commercial events such as weddings or other large parties unless a Special Permit is granted subject to the criteria outlined in this section.**
- 9 Outdoor lighting to guide visitors to their accommodations shall be pedestrian inscale and shall be directed downward to shield abutting properties from impacts. Lighting shall incorporate full cut-of fixtures to reduce light pollution and fixtures shall be “dark sky” compliant and meet International Dark Sky FSA certification requirements.**

- 10 **A groundskeeper and/or property manager will be available at all times to those renting the property and to Town officials whenever the property is being occupied.**
- 11 **Property Manager contact information will be submitted in written form to Leyden's officials, including Town Administration, Select Board, Board of Health, Police and Fire Departments, and to renters of the property.**
- 12 **The renters of the property will be provided with terms of this special permit and directions on use of the property including a clear identification of property boundaries available to the renters; renters or participants in any programs should be informed to stay within the property boundaries.**
- 13 **Any special permit issued under this section, will not be transferable to another property, property owner, or business owner.**

ARTICLE 7: To see if the Town will vote to adopt the following amendments to the Town of Leyden Zoning Bylaws Section 3 Definitions and Section 5.7 B. Common Driveways, as follows, or take any action relating thereto:

1. Amend Section 3 by inserting the following **bold text**:

Common Driveway: A driveway serving as the primary vehicular access for at most no more than two (2) legal building lots or no more than four (4) dwelling units, owned in common or created by reciprocal easements, and serving as the sole means of providing legal access required by the Subdivision Control Law or this Bylaw. (See Section 5.7.B.)

2. Amend Section 5.7.B by inserting the following **bold text**:

1. Common driveways are allowed by special permit. At most, four (4) dwelling units (counting accessory apartments or each unit in a two-family dwelling as separate dwelling units) **or 2 legal building lots**, may be served by or otherwise share a common driveway. A common driveway shall lie entirely within the lots being served or on open space land in NRPZ designs and shall, if serving more than two dwelling units, be named as a "way" (Example: "Wilson Way") with a sign placed in plain view from its intersection with a public way.

[Note: NRPZ = Natural Resource Protection Zoning – existing Sec. 5.10.]

ARTICLE 8: To see if the Town will vote to adopt the following amendment to the Town of Leyden Zoning Bylaws Section 4.2 Uses Requiring a Special Permit, as follows, or take any action relating thereto:

Amend Section 4.2 by inserting the following paragraph 7 in **bold text**:

7. Commercial or industrial scale Battery Energy Storage Facilities, larger than for what power is produced by on-site power generation.