

5.05 Age Restricted Mixed Use Overlay District (ARMUD)

(a) Purpose.

The purpose of this Age Restricted Mixed Use Overlay District (ARMUD) By-Law is to promote mixed-use development in order to:

- (i) Increase the availability of “Over 55” housing to meet local needs;
- (ii) Promote walkable neighborhoods by taking advantage of compact design, fostering distinctive and attractive village settings, and encouraging vibrant public and publicly-oriented private Open Space that enhance the district by reinforcing pedestrian activity;
- (iii) Preserve critical environmental assets including clean air and drinking water, accessible groundwater, and thoughtful wetlands preservation;
- (iv) Provide additional planning flexibility regarding density and site design, while remaining consistent with the Mendon Design Guidelines where possible, as well as environmental and public health regulations;
- (v) Encourage a diverse mix of commercial, office, and residential uses for residents, workers, and visitors at an appropriate scale for the Town;
- (vi) Permit uses that promote expansion and conversion of existing buildings in a manner that maintains the prevailing development patterns, scale, architectural character, pedestrian orientation, and visual attributes of historic buildings and sites within the Town;
- (vii) Minimize functional conflicts between residential and non-residential uses within the district and with abutting districts; and
- (viii) Permit the use of new development standards which will promote economic revitalization while preserving the character of the Town of Mendon.

The Age Restricted Mixed Use Overlay District (ARMUD) shall not restrict an owner’s use and development of the property in accordance with the underlying zoning district. However, if an owner elects to use the ARMUD for mixed-use development, all such development must conform to the regulations set forth in this section, as well as any other relevant provisions of the Mendon Zoning By-Law.

(b) Definitions.

The following definitions shall be applicable to the terms used in this Section. Terms used herein that are not defined shall have those meanings ascribed to them in Section 1.02.

- (i) Age Restricted Mixed Use Development: A planned development of land consisting of multiple structures on a common lot constructed for business and retail uses for the general public as well as residency by persons who have achieved the minimum age requirement for residency of fifty-five (55) years or older, as permitted by M.G.L. Chapter 151B, Section 4, Subsection 6 (as

amended), and 42 U.S.C. § 3601 et seq, which states that at least 80% of the dwelling units must be occupied by at least one person who is 55 or older. The development may consist of any combination of residential and business/retail uses as set forth in the Table of Uses in the Mendon Zoning By-Law, Section 3.01, Table A.

- (ii) Dwelling Unit: a permanent building or structurally separated part thereof, such as a detached house or unit of an apartment building that has been built or altered and is intended for habitation by one household.
- (iii) Low Impact Development: Development practices that protect water quality and preserve the natural hydrology of the land using a wide range of environmentally-friendly techniques. Examples include rain gardens, swales, shared driveways, driveways constructed of permeable paving, bio-retention, and alternative landscaping.
- (iv) Mixed Use: A combination of residential and commercial uses, arranged vertically (in multiple stories of a structure) or horizontally (adjacent to one another in one or more buildings on a lot). Uses shall be limited to those allowed in the underlying zoning district and those uses allowed in the ARMUD.
- (v) Multi-Family: A dwelling or group of dwellings on one lot, containing separate dwelling units for three or more families, having separate or joint entrances, and including apartments, row houses, and condominiums.
- (vi) Potentially Developable Area - Area of land outside of the Primary Conservation Area and Primary Habitat Area that may be used for building the Proposed Housing Site, the Proposed Commercial/Retail Site, and areas of shared amenities.
- (vii) Primary Conservation Area - Areas such as wetlands, stream and riverfront areas, and flood plains regulated by state or federal law.
- (viii) Priority Habitat Area - The geographic extent of Habitat for State-listed Endangered Species as delineated by the Massachusetts Division of Fisheries and Wildlife. If the proposed project falls in any area so designated, the applicant must file directly with the Natural Heritage and Endangered Species Program pursuant to 321 CMR 10.12.
- (ix) Proposed Commercial/Retail Site – Area of land in the Mixed Use Development designated for commerce and retail purposes, as well as commercial amenities that are not shared amenities with the Proposed Housing Site.
- (x) Proposed Housing Site – Area of land in the Mixed Use Development designated for residential dwellings, yards, and residential amenities that are not shared amenities with the Proposed Commercial/Retail Site.

(c) Applicability.

The Age Restricted Mixed Use Overlay District (ARMUD) comprising the land as shown on the plan entitled "Town of Mendon Proposed Age Restricted Mixed Use Overlay Districts," dated XXXX, a copy of which is on file in the office of the Town Clerk.

(d) Allowed Uses.

If a particular proposed use is not listed in the Mendon Zoning By-Law Table of Uses, the Planning Board may allow such use if it meets the intent and the objectives of this ARMUD By-Law as set forth in Section 5.05(g).

[see proposed Table of Uses at end of document, which includes the existing Table of Uses with an additional column for this Overlay District]

(e) Approval Process.

- (i) ARMUD Plan. Prior to the application for a building permit for a mixed-use project under the ARMUD, the applicant must file an ARMUD Plan Special Permit Application with the Planning Board for approval. This Special Permit shall be in lieu of Site Plan Review. The ARMUD Plan shall generally define the proposed character, uses, site layout, and public amenities of the proposed mixed-use project and include the Submittal Requirements as set forth in Section 5.05(f). The Planning Board shall determine whether the ARMUD Plan substantially conforms with the provisions of this By-Law. Where Special Permits, other than the ARMUD Plan Special Permit, are sought under this By-Law, such Special Permits may be applied for concurrently with, or at any time after, the application for the ARMUD Plan Special Permit. Any pending Special Permit applications shall be considered concurrently with the ARMUD Plan Special Permit application, where doing so would promote efficiency and timeliness.

(f) Submittal Requirements.

- (i) General Requirements. The applicant shall supply the Planning Board with eight (8) copies of the ARMUD Plan Special Permit Application, and all supporting documents and plans, as are necessary to provide to other local boards, agencies, and officials, as designated in the Planning Board's rules and regulations for the ARMUD, for their review and comment. An application shall also include a detailed statement describing the project and how the project meets the purposes of the ARMUD. An application shall also include an anticipated build-out schedule, including near-term, mid-term, and long-term phasing of the project. The ARMUD Plan shall consist of the following information:
 - (1) The existing and proposed topography of the land;

- (2) The location of existing landscape features, including forests, farm fields, meadows, wetlands, riverfront areas, water bodies, archeological and historic structures or points of interest, rock outcrops, stone walls, cliffs, high points, major land views, major tree groupings, noteworthy tree specimens, and habitats of endangered or threatened wildlife. Proposals for all features to be preserved, demolished or altered shall be noted on the ARMUD Plan;
- (3) A coordinated landscape design for the entire project area including landscaping of structures, parking areas, driveways and walkways, and buffer strips;
- (4) The existing and proposed lines of streets, ways, common driveways, easements and any parcel of land intended for public use or to be reserved by deed or covenant for use by all property owners in the ARMUD, or parcels of land to be used for any purpose, other than private residential, shall be so designated within the plan;
- (5) Proposed roadway grades;
- (6) Soil percolation tests for the purpose of siting wastewater treatment shall be required as determined by the Planning Board, Board of Health, and Conservation Commission;
- (7) A stormwater drainage system narrative prepared by a Massachusetts Certified Professional Engineer describing likely impacts on site and abutting parcels of land. The Planning Board shall encourage the use of non-structural, Low Impact Development Stormwater Management Techniques where appropriate. Use of best management practices for Low Impact Development (LID) as defined by the Massachusetts Stormwater Handbook and included in the Mendon Zoning By-Laws are strongly encouraged. The narrative shall specify, for example, whether “traditional” stormwater management techniques or Low Impact Development techniques will be used, the number and location of stormwater management structures (e.g., detention/retention basins, infiltrating catch basins, water quality swales), specific pipe sizes, and any additional information in support of the project. The structures and techniques described in the narrative shall also be shown on the plan;
- (8) A narrative explanation of the proposed quality, quantity, use, and ownership of any proposed common areas. If proposed, common area parcels shall be clearly shown on the plan;
- (9) All proposed landscape and buffer areas should be noted on the plan and generally explained in a narrative;
- (10) A list of all legal documents necessary for implementation of the proposed development, including any Conservation Restrictions, land

transfers, or condominium documents with an accompanying narrative explaining their general purpose.

(ii) Additional Requirements. The Planning Board may also require a Development Impact Assessment which may include the following:

(1) Traffic impact assessment. The assessment shall document existing traffic conditions in the vicinity of the proposed project, describe the volume and effect of projected traffic generated by the proposed project and identify measures proposed to mitigate any adverse impacts on traffic. The assessment shall include at a minimum:

- a) Existing traffic conditions; average daily and peak hour volumes, average and peak speeds, sight distance, accident data and levels of service (LOS) of intersections and streets likely to be affected by the proposed development. Generally, such data shall be presented for all streets and intersections adjacent to or within 1,000 feet of the project property boundaries.
- b) Projected impact of proposed development: project peak hour and daily traffic generated by the proposed project on roads and ways in the vicinity of the development; sight lines at the intersections, driveways and streets; existing and proposed traffic controls in the vicinity of the proposed development.
- c) The projected traffic flow pattern, including vehicular movements at all streets and intersections likely to be affected by the project.
- d) The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities.
- e) Traffic assessment data shall be no more than 2 years earlier than the Submission date unless, in the Planning Board's determination, an updated study is required due to substantial development in the area.

(2) Environmental impact assessment. Describe the impacts of the proposed project with respect to on-site and off-site environmental quality. This assessment shall include at a minimum:

- a) Description and evaluation of potential quality of air, surface water and groundwater adjacent to or directly affected by the proposed development; on-site or off-site flooding, erosion and/or sedimentation resulting from alterations to the project site, including grading changes and increases in impervious areas; on-site or off-site hazards, radiological emissions or other hazardous materials; adverse impacts on temperature and wind conditions on the site and adjacent properties; impacts on solar access of adjacent properties; and off-site noise or light impacts.

- b) Soil logs, percolation tests and storm runoff calculations.
 - c) Evaluation of the adequacy of existing or proposed systems and services for water supply and disposal of liquid and solid wastes.
 - d) Description of proposed measures for mitigation of any potential adverse impacts identified above.
- (3) Fiscal impact assessment. Describe the fiscal and economic impacts of the proposed project to the Town. This assessment shall include at a minimum:
 - a) Projections of costs arising from increased demands on public services and infrastructure.
 - b) Projections of the impacts from increased tax revenue, employment (construction and permanent), and value of the public infrastructure to be provided.
 - c) Projections of the impacts of the proposed development on the values of adjoining properties.
 - d) Five-year projections of Town revenues and costs resulting from the proposed development.
- (4) Community impact assessment. Describe the proposed project's consistency and compatibility with the surrounding neighborhood, the character of the Town, and existing local and regional plans. This assessment shall include at a minimum:
 - a) Evaluation of the relation of the proposed new or altered structure to the surrounding community in terms of character and intensity of the use (e.g., scale, materials, colors, setbacks, roof and cornice lines and other major design elements); and the location and configuration of proposed structures, parking areas and open space with respect to neighboring properties.
 - b) Identification of impacts on significant historical properties, and districts or areas of archaeological resources (if any) in the vicinity of the proposed development.
 - c) Evaluation of the proposed project's compatibility with existing local and regional plans.
- (iii) Design Process. Applicants are required to demonstrate to the Planning Board that the following design process was performed by a multidisciplinary team of which one member must be a certified Landscape Architect:
 - (1) Identifying Conservation Areas: First, identify and delineate Primary Conservation Areas such as wetlands, stream and riverfront areas, and flood plains regulated by state or federal law. The Potentially Developable Area should consist of land outside of these identified Primary Conservation Areas. In the case of a Priority Habitat Area all

necessary permits must be obtained prior to the issuance of a building permit.

- (2) Locating Housing and Commercial/Retail Sites: From the Potentially Developable Area, the applicant must delineate the approximate area of “The Proposed Housing Site”, “The Proposed Commercial/Retail Site”, as well as the areas with shared amenities such as wells, septic, walkways, etc. within the ARMUD site so as to reflect an integrated community. The “Proposed Housing Site” and the “Proposed Commercial/Retail Site” shall be considered the developable area of which the commercial development area cannot be less than 20% or exceed more than 60% of said developable area.
 - (3) Aligning the Streets, Ways, and Trails: Applicant must align streets/ways in order to access the house lots or dwelling units. New trails should be laid out to create internal and external connections to existing streets, ways, sidewalks, and trails. Wetland crossings on land officially designated in the latest edition of the Massachusetts Natural Heritage Atlas as Priority Habitat for Rare Species and Estimated Habitat for Rare Wildlife and streets traversing existing slopes over fifteen percent (15%) shall be strongly discouraged.
- (iv) Design Standards. The following generic and site-specific design standards shall apply to all ARMUD Plans for the ARMUD and shall govern the development and design process. Each applicant under the ARMUD is strongly encouraged to utilize the Mendon “Design Guidelines Handbook” as adopted by the Mendon Planning Board under their Rules and Regulations. In addition, the following guidelines and regulations shall be adhered to where applicable:
- (1) Dimensional Requirements.
 - a) Minimum Tract Area. The minimum tract area shall consist of ten (10) contiguous acres. All individual / separate lots in the proposed ARMUD development, if under contiguous ownership or control, shall be considered as one lot for the purposes of this By-Law.
 - b) Affordable Units. Ten percent (10%) of the total number of dwelling units shall meet the State’s affordable housing requirements for low to moderate income. These affordable dwelling units shall be marketed through, and homebuyers or renters selected by, a housing organization approved by the Board with resale restrictions to assure continued affordability in perpetuity. Such restrictions shall be made known to the homebuyer or renter prior to the purchase / occupancy of dwelling units. Dwelling units reserved for occupancy by persons or families of low to moderate income, or for occupancy by a single

individual, shall not be segregated from market rate or larger dwelling units within the Townhouse Development.

- c) Residential Density. The maximum number of residential dwelling units shall be limited to 3 units per acre of the designated “Proposed Housing Site.”
 - d) Frontage. The minimum frontage shall be a minimum of 100 feet on a road with an underlying zoning district of either Highway Business (HB) or General Business (GB).
 - e) Height. No structure (residential or commercial) may exceed 35 feet.
 - f) Access/Egress. Access/Egress must be located through the commercial portion of the development, and cannot be through a secondary road or rural residential road.
- (2) Parking.
- a) A minimum of 1.5 spaces per dwelling unit shall be provided.
 - b) A minimum of 1 space of visitor parking per three (3) dwelling units shall be required.
 - c) No parking spaces or parking areas shall be located within the required minimum front, side or rear yard setback requirements for principal structures from property lines.
 - d) No parking areas, parking lots or access drives shall be located within the minimum separation area between dedicated residential structures.
 - e) Where feasible, all parking lots shall be screened from abutting properties and streets through the use of landscaped berms and evergreen shrubs and trees a minimum of four feet in height and five feet in width.
 - f) Parking for retail, professional office and business services uses shall be in accordance with Section 2.03 Off-Street Parking/Loading of the Mendon Zoning By-Law.
 - g) For any and all uses or structures not specifically provided for in the foregoing provisions, the parking design shall provide such parking spaces as the Planning Board shall determine to be necessary, considering the activities involved, to provide a maximum of safety and a minimum of congestion on the adjacent roadways.
- (3) Lighting. The lighting design within a mixed-use project should accommodate public safety and welfare, and protect the night sky from unnecessary ambient light. Any lighting plan submitted for a mixed-use

project shall, comply with Section 4.02 (j) ii of the Mendon Zoning By-Laws and must be:

- a) integrated into the architectural style of the development designed to improve visibility, safety, and a sense of security while minimizing energy use, operating costs, glare, and light pollution;
 - b) appropriately shielded and designed to minimize misdirected or excessive artificial light and glare from creating a nuisance to abutting properties and street;
 - c) designed so building areas shall not be floodlit; and
 - d) designed so access drives, parking areas, walkways and other public areas shall be illuminated only by properly positioned, high-efficiency, “full cutoff shielded” lighting fixtures not higher than fifteen (15) feet in height.
- (4) Landscaping.
- a) The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal. Topography, tree cover, surface water buffers, and natural drainage ways shall be treated as fixed determinants of road and lot configuration rather than as malleable elements that can be changed to follow a development scheme.
 - b) Wherever possible, existing trees and vegetative cover shall be conserved and integrated into the landscape design.
 - c) Any grade changes shall be in keeping with the general appearance of the neighboring developed areas.
 - d) The orientation of individual building sites shall be such as to maintain maximum natural topography and cover.
 - e) Landscaped screening and buffering should create visual barriers between features of the mixed-use project from public streets and abutting properties. Such features shall include dumpsters and trash handling areas, mechanical equipment at ground level or rooftop, service entrances, and utility facilities for building operation, loading docks and spaces, above-ground backflow preventers, and other components of the mixed-use project as may be reasonably determined by the Planning Board to require screening and buffering. Landscaped or naturalized buffers along parcel property lines shall consist of the retention of natural vegetation supplemented with the planting of evergreen trees and shrubs. Additional buffering may be required in sensitive areas at the discretion of the Planning Board. The Planning Board may modify or waive the buffering requirement where variations in

topography, natural features and vegetation, or compatible land uses obviate the need for such a buffer.

- f) Proper maintenance of the landscaping, including the buffer strip, shall be the responsibility of the owner, and shall be a condition of conformance with the Zoning By-Laws.
 - g) Streets/Ways shall be designed and located in such a manner as to maintain and preserve natural topography, significant landmarks and trees; to minimize cut and fill; and to preserve and enhance views and vistas on or off the subject parcel.
 - h) Designs shall include Low Impact Development techniques when feasible.
- (5) Signage. All proposed signage within the ARMUD should comply with Section 2.06 of the Mendon Zoning By-Laws and should also include the following:
- a) The Planning Board may permit a sign to be permanently affixed at each entrance to the development which:
 - i) displays the project name;
 - ii) displays the project's street number sufficient for identification by emergency services;
 - iii) is designed to be compatible with the character of the development and the surrounding neighborhood;
 - iv) shall not exceed twenty-four (24) square feet in size (for each sign);
 - v) shall not be more than five (5) feet in height; and
 - vi) may be illuminated with projected lighting, but shall not be backlit or internally illuminated.
 - b) The Planning Board may permit the naming of individual access drives. If so permitted, all access drives shall be posted with standard street signs and all drive names shall be approved by the Planning Board.
 - c) All access drives shall be posted with a standard street sign stating that this is a private drive.
 - d) All residential and commercial units must display street numbers.
- (6) Historic Preservation. The removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practicable on site. The applicant must take measures to appropriately buffer all development from any existing Historic District; Historical Structure or scenic road as approved by the Town of Mendon.

(g) **Planning Board Waivers.** The Planning Board may waive any of the submittal requirements in order to achieve the purpose and intent of this By-Law. Additionally, the Planning Board may grant waivers from the design or dimensional requirements of the ARMUD By-Law upon finding that the applicant has shown good cause for requesting such waiver, that the request is minor in nature, is not structurally significant, and that granting such waiver(s) will not derogate from the intent of this By-Law or be detrimental or injurious to the public health, safety, and welfare concerns that the regulations are intended to protect. Such waivers shall require a unanimous vote from the Planning Board. Under no circumstances will the Planning Board waive the minimum lot size, the minimum and maximum commercial percentages, or any design or dimensional requirement that has a direct impact on abutters.

(h) **ARMUD Plan Modifications.**

- (i) Any application for revisions or amendments to the ARMUD Plan Special Permit shall be submitted in writing to the Planning Board, which shall determine and notify the applicant in writing whether such revisions or amendments are minor or major.
- (ii) If the Planning Board does not notify the applicant in writing within 30 days after such submittal that such revisions or amendments are minor, the revisions or amendments shall be deemed major. In the event that such revisions or amendments are deemed to be major by such failure of timely notification, the Planning Board may, at any time thereafter, determine and notify the applicant in writing that such revisions or amendments are minor in accordance with the provisions of this By-Law.
- (iii) Revisions or amendments proposing only changes that (i) do not significantly affect major exterior elements; (ii) do not significantly impact the public interest, as determined by the Planning Board in writing; and (iii) are consistent with the purposes of this Zoning By-Law, shall be considered minor.
- (iv) Revisions or amendments to the ARMUD Plan Special Permit may be made by the Planning Board in accordance with the same procedures as are applicable hereunder to the initial approval of the ARMUD Plan Special Permit, except that the submittal materials, together with an explanatory statement, shall be limited to those affected by the proposed revisions or amendments; and in the case of revisions or amendments that are minor, a public hearing in accordance with the provisions of MGL Chapter 40A need not be held, and the final decision deadline shall be forty-five (45) days from the date of the complete application submittal.
- (v) Where Special Permits issued under this By-Law allow modifications to project elements from those previously approved in the ARMUD Plan Special Permit, such Special Permits shall constitute revisions or amendments of the ARMUD Plan Special Permit to the extent of such allowed modified project elements,

without the need for a separate application and approval of such modifications as revisions or amendments to the ARMUD Plan Special Permit.

(i) Enforcement.

- (i) It shall be the duty of the Building Inspector to enforce the conditions of the approved plan. However, the Planning Board may require, as a condition of approval, that its consulting engineer oversee construction of certain aspects of the development to ensure compliance with the approved plan and decision.
- (ii) The Planning Board may suspend any permit or license when work is not performed as required, after notice and a public hearing.
- (iii) Any approval issued under this section shall lapse within three (3) years if a substantial use or construction thereof has not commenced and continued through to completion expeditiously, except for good cause; provided, however, that the Planning Board in its discretion and upon written application by the applicant of such rights may extend the time for an additional period not to exceed three (3) years; and provided, further, that the application for such extension is filed with the Planning Board at least ninety (90) days prior to the expiration of the initial three (3) year period. If the permit granting authority does not grant such extension within thirty (30) days of the date of application therefor, and upon the expiration of the initial three (3) year period, such rights may be reestablished only after notice and a new hearing pursuant to the provisions of this section. The time required to pursue and await determination of a judicial appeal pursuant to M.G.L. c. 40A shall not be included within the initial three (3) year time limit.
- (iv) Planning Board Rules and Regulations. The Planning Board may periodically adopt and from time to time amend the Planning Board Rules and Regulations to include reasonable rules and regulations for the administration of the ARMUD. The Planning Board may also adopt reasonable administrative fees and technical review fees for the ARMUD.

(j) Severability.

If any section or portion of this By-Law is ruled invalid, such ruling shall not affect the validity of the remainder of the By-Law, which provisions shall remain in full force and effect. If any provision of this By-Law is held invalid by a court of competent jurisdiction, the remainder of the By-Law shall not be affected thereby. The invalidity of any section or sections or parts of this By-Law shall not affect the validity of the remainder of the Town's Zoning By-Law.

Table A: Table of Uses						
Uses		Districts				
Residential Uses		RR	GR	GB	HB	ARMUD
1	Single family dwelling	Y	Y	N	N	Y
2	Two family dwelling	Y	Y	N	N	Y
2a	Multi-family dwelling	N	N	N	N	Y
3	Open Space Communities as defined and in accordance with Mendon Zoning By-Laws, Section 3.04	Y	Y	N	N	N
4	Convalescent or nursing home as defined and in accordance with M.G.L. c. 111, sec. 71*	PB	PB	Y	Y	PB
Accessory Uses - Residential		RR	GR	GB	HB	ARMUD
5	Customary accessory uses such as private garages for not more than 3 vehicles, storage sheds, private tennis courts, and swimming pools*	Y	Y	PB	PB	Y
6	The keeping of domestic livestock, principally for personal enjoyment or household use*	Y	Y	Y	N	N
7	Home occupations*	Y /PB	Y /PB	PB	PB	Y
8	Bed and Breakfast*	PB	PB	PB	N	PB
9	Non-exempt radio towers, and similar structures*	N	N	N	N	N
10	Portable storage containers*	Y	Y	Y	Y	N
Agricultural Uses		RR	GR	GB	HB	ARMUD
11	Exempt commercial agriculture, aquaculture, silviculture, horticulture, floriculture, or viticulture on parcels of 5 acres or more that are either revenue producing or non-revenue producing, all as defined in and subject to the qualifications for exemptions set forth in M.G.L. c. 40A, sec. 3	Y	Y	Y	Y	Y

12	Exempt commercial agricultural, aquaculture, silviculture, horticulture, floriculture, or viticulture uses on parcels that are 2 acres or more that generate at least \$1,000 per acre annually in revenue, all as defined in and subject to the qualifications for exemption set forth in M.G.L. c. 40A, sec. 3	Y	Y	Y	Y	Y
13	Exempt commercial facilities for the sale of produce, wine and dairy products, including greenhouses and/or farm stands on parcels 5 acres or more with retail sales June thru September, all as defined in and subject to the qualifications for exemption set forth in M.G.L. c. 40A, sec. 3	Y	Y	Y	Y	Y
14	Exempt commercial facilities for the sale of produce, wine and dairy products, including greenhouses and/or farm stands on parcels 2 acres or more that generates at least \$1,000 per acre annually in revenue and with retail sales June thru September, all as defined in and subject to the qualifications for exemption set forth in M.G.L. c. 40A, sec. 3	Y	Y	Y	Y	Y
15	Non-exempt greenhouse or nursery, year round, with retail sales	N	PB	Y	Y	Y
16	Farmer's Market*	Y	Y	Y	Y	Y
17	Farm Stand, non-exempt	PB	PB	Y	Y	Y
18	Exempt commercial riding stable on parcels more than 5 acres pursuant to, and subject to the qualifications for exemption set forth in M.G.L. c. 40A, sec 3; also subject and pursuant to M.G.L. c.111	Y	Y	Y	Y	Y
19	Exempt commercial riding stable for commercial purposes on parcels 2 acres or more that generates at least \$1,000 per acre annually in revenue, pursuant to and subject to the qualifications for exemption set forth in M.G.L. c. 40A, sec. 3; also subject and pursuant to M.G.L. c. 111	Y	Y	Y	Y	Y
20	Kennel*	N	PB	PB	N	N
21	Exempt commercial kennel on parcels five acres or more or two acres or more if the parcel generates at least \$1,000 per acre annually in revenue, pursuant to and subject to the qualifications for exemption set forth in M.G.L. c.40A, sec. 3	Y	Y	Y	Y	Y
Institutional, Educational, and Municipal		RR	GR	GB	HB	ARMUD

22	Municipal administration	PB	Y	Y	Y	Y
23	Exempt religious or educational purposes on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation as defined and subject to the qualifications for exemption set forth in M.G.L. c. 40A, sec. 3	Y	Y	Y	Y	Y
24	Exempt child care facility, as defined, and subject to the qualifications for exemption set forth in M.G.L. c. 40A, sec. 3	Y	Y	Y	Y	Y
25	Family child care home as defined and in accordance with M.G.L. c. 15D, sec. 1A*	PB	PB	PB	PB	PB
26	Large family child care home as defined and in accordance with M.G.L. c. 15D, sec 1A*	PB	PB	PB	PB	PB
27	Cemetery	PB	PB	N	N	N
28	Non-profit civic organizations, clubs, library, or museum	PB	PB	PB	N	PB
Business and Retail		RR	GR	GB	HB	ARMUD
29	Retail stores, indoor sales only	N	N	Y	Y	Y
30	Retail stores that may include fabrication and assembly	N	N	Y	Y	Y
31	Wholesale business and storage provided there is no manufacturing or processing of materials	N	N	Y	Y	N
32	Building Materials Sales Room	N	N	Y	Y	N
33	Shopping center *	N	N	PB	PB	Y
34	Craft Shop of artist, potter, sculptor, wood carver, or similar craftsman	N	PB	Y	N	Y
35	Business and professional offices	N	PB	Y	Y	Y
36	Bank or financial institution	N	N	Y	Y	Y
37	Trade, professional or other school conducted as a private business	N	PB	Y	Y	Y
38	Personal care services such as barber shops, beauty parlors and nail salons	N	N	Y	Y	Y
39	Dry cleaning establishments limited to pick-up service	N	N	Y	Y	Y

40	Restaurant or other establishment providing food and/or beverages within the building	N	N	Y	Y	Y
41	Catering establishment	N	N	Y	Y	PB
42	Motor vehicle service stations as defined and in accordance with Mendon Zoning By-Laws, Section 6.01	N	N	PB	PB	N
43	Motor vehicle repair, provided that all work is conducted within a completely enclosed building	N	N	PB	PB	N
44	Auto body shop, provided that all work is conducted within a completely enclosed building	N	N	PB	PB	N
45	Automobile dealership for sale, leasing and servicing of new and used automobiles	N	N	PB	PB	N
46	Automobile dealership, Class II License, as defined and in accordance with the Town of Mendon By-Laws, Chapter XI September 10	N	N	PB	PB	N
47	Sale and rental of recreational vehicles	N	N	PB	PB	N
48	Boat sales and rental including storage, maintenance and repair of boats	N	N	PB	PB	N
49	Heating oil sales and service	N	N	PB	PB	N
50	Funeral or undertaking establishment	N	N	PB	PB	N
51	Large Animal Hospital*	PB	PB	PB	PB	N
52	Veterinary hospital	N	PB	PB	PB	PB
53	Hotel	N	N	PB	PB	N
54	Medical center for medical, dental, or clinical	N	N	PB	PB	Y
55	Marina, only on land having direct access to open water	PB	PB	PB	PB	N
56	Any business and/or retail use permitted above by right in excess of 10,000 square feet of building area	N	N	PB	PB	PB
56-1	Marijuana establishments, and medical marijuana treatment centers as defined and in accordance with Section 6.03 <i>inserted 11/21/18</i>	N	N	PB	PB	PB
Industrial		RR	GR	GB	HB	ARMUD
57	Light manufacturing or light assembly facility which may include the indoor display and sales of products manufactured or assembled on the premises	N	N	Y	Y	N

58	Hazardous Waste Facility*	N	N	N	N	N
59	Any industrial use permitted above by right in excess of 10,000 square feet building area	N	N	PB	PB	N
Recreational		RR	GR	GB	HB	ARMUD
60	Indoor commercial entertainment such as theater, motion picture house, bowling alley, or other indoor amusement	N	N	PB	Y	Y
61	Drive-in theater	N	N	Y	N	N
62	Golf course and/or country club	PB	PB	N	N	Y
63	Golf driving range not accessory to golf course or country club	N	N	N	N	N
64	Playing fields, playground, swimming pool, tennis and basketball courts on municipal land	PB	PB	PB	PB	PB
65	Adult Entertainment, as defined and in accordance with Mendon Zoning By-Laws Section 5.01; in the Adult Entertainment District Only	N	See Section 5.01 for permissible locations for this use, and permits required.			
66	Any recreational use permitted above by right in excess of 10,000 square feet building area	N	PB	PB	PB	PB
Utility		RR	GR	GB	HB	ARMUD
67	<i>Use 67 Deleted and replaced with uses 67a-c below on 6/24/2016</i>					
67a	Roof-mounted Accessor Residential and Accessory Non-Residential Solar Photovoltaic Facilities as defined and in accordance with the Mendon Zoning By-Laws, Section 6.01	Y	Y	Y	Y	Y
67b	Ground-mounted Accessory Non-Residential and Accessory Residential Solar Photovoltaic Facilities as defined and in accordance with the Mendon Zoning By-Laws, Section 6.02	SPR	SPR	SPR	SPR	SPR
67c	Non-Accessory Solar Photovoltaic Facilities as defined and in accordance with the Mendon Zoning By-Laws, Section 6.02	SPR /PB	SPR /PB	SPR /PB	SPR /PB	SPR /PB
Communication, Transportation		RR	GR	GB	HB	ARMUD
68	Wireless Communications Facilities as defined as in accordance with Mendon Zoning By-Laws, Section 2.07	PB	PB	PB	PB	N
69	Exempt amateur radio towers as defined and in accordance with Mendon Zoning By-Laws, Section 2.07 (d) (i) (4)	SPR	SPR	SPR	SPR	N

Accessory Uses – Non-Residential		RR	GR	GB	HB	ARMUD
70	Retail uses such as cafeterias, snack bars, gift shops, and vending machines, for employee use only provided that any such use shall be wholly within the building and shall not be advertised or marketed by outside display, sign or otherwise.	PB	PB	Y	Y	N
71	Activities necessary in connection with scientific research or scientific development or related production accessory to activities permitted as a matter of right as specified in M.G.L. c. 40A, sec. 9*	N	N	PB	PB	N
72	Drive thru windows for restaurants and food service establishments	N	N	PB	PB	Y
73	Drive thru windows for other businesses	N	N	PB	PB	Y
Miscellaneous Uses		RR	GR	GB	HB	ARMUD
74	Earth removal as defined and in accordance with the Town of Mendon By-Laws, Chapter XIV	BOS	BOS	BOS	BOS	N