

**Zoning By-Law Review Committee  
January 27, 2014  
Minutes**

**Present:** Pat Doherty, Ted King, Shirley Smith

The meeting was called to order at 7:08 PM. Pat made a motion to approve the minutes from December 30, 2013. Shirley stepped down to second the motion. All were in favor and the motion passed.

**Medical Marijuana Update**

Shirley informed the committee that she had called the Department of Health and Human Services and learned that they were ready to announce the 5 locations for facilities any day now. She was told that Mendon was not on the list and, if we were, we would have been informed months ago. She also learned that each application had to include a letter from the community saying that they supported having a Medical Marijuana facility in their town.

This meant that a moratorium was essentially an exercise in futility. She did believe the time spent on writing the bylaw was not wasted. If it became necessary to have such a bylaw at some future date, it was ready.

**Village Center Overlay District**

The committee reviewed the fourth draft of the Village Center Overlay District. There was a general consensus that the attempt to assign various components of the By-Law to three different situations: a Village Center Development on ten acres of land, a small group of several buildings and uses on lesser amounts of land and a single structure with frontage on an accepted public way, was creating confusion.

Shirley went over changes she had made over the past few weeks. She had added an introduction that explained the importance of planning. In the Purpose paragraph, "Comply with Mendon's Master Plan" had been added because the By-Law did incorporate many aspects of the Master Plan. Live/Work Units along with an explanatory note had been inserted in the Applicability paragraph. Prohibition of one story buildings had been changed to apply to only a Village Center Overlay Development. Other suggestions included adding more information to the definition of Garden Apartments, changing area of a Village Center Overlay Development to 8 acres rather than 10, and allowing 4 Garden Apartment buildings in a group

**Single Family Homes**

It is customary to prohibit new single family homes and duplexes from being built in a Village Center Overlay District. However, Shirley thought that such a blanket prohibition was not fair to property owners who had frontage along an accepted public way and wanted to build single family homes or duplexes. To deal with this problem, she added to residential uses allowed by right, "Single family homes and duplexes that do not require approval under the Mendon Subdivision Control Law." This means that such dwellings can be built if there is frontage on an adequate public way or what is called Approval Not Required and that the prohibition would only apply to subdivisions.

### **Village Center Overlay District Map**

The committee reviewed the assessors' map and Shirley pointed out lot #52 which was almost 70 acres. The Land Use Committee had requested that this be added to the District so it could be used for Garden Apartments and sports fields. Much of the land encompassed by the District along Muddy Brook was wetland and some of the lots had Conservation Restrictions. Shirley was waiting to hear from Anne Mazar as to the exact locations of these lots and the status of a few others. Shirley questioned the need to include the business zoned Morrison Drive as the lots were out of sight of Providence Street.

Since the By-Law clearly needed more work prior to presentation to the Planning Board in February, it was decided to have another meeting on the following Monday, February 3<sup>rd</sup>.

Pat made a motion to adjourn. Ted seconded the motion and all were in favor. The meeting was adjourned at 8:12 PM.

Respectfully submitted,  
Shirley Smith