

**Zoning By-Law Committee
Minutes
June 4, 2014**

Present: Ted King, Shirley Smith

The meeting was called to order at 7:16 PM.

Eighth Draft of Village Center Overlay District

Shirley explained that she had reviewed numerous similar by-laws from other towns along with articles and information on the subject with the goal of providing clarity, any additional important detail, and consistency with other Mendon Zoning By-Laws.

Purpose and Intent

Language had been added to clarify that the primary purposes were to implement architectural design regulation and provide flexibility in development and, in the detailed list, “Manage new construction so that it is compatible with village character” was added.

Definitions

Shirley had added definitions for adaptive reuse and colonnade.

Authority

Since there is a distinct possibility that the Historical Commission will go forward with a local Historic District in the near future, language had been added to ensure that those requirements would take precedence over any Village Center Overlay District requirements. “The stated requirements of those districts, as set forth in Sections 5.01, 5.03, and 5.04 of the Mendon Zoning By-Law, as well as the stated requirements of any overlay district that may be approved in the future, shall apply.” These overlay districts are very specific and Ted agreed that they shouldn’t create a problem. The Historic District and the Village Center Overlay District are actually complementary as one seeks to preserve historic structures while the other ensures that future structures will be compatible with those structures.

Design Standards

More detail had been added to Design Standards. Shirley explained that, that although commercial standards do not apply to residential construction, “...they should generally reflect traditional styles.” The rationale behind this was the construction of a modern style home years ago right in the village center. Other details are as follows:
Façades. All commercial buildings shall have a principal façade and entry facing a street or open space. Facades and openings should highlight distinctive stylistic features that characterize historical buildings of the target periods. Exposed foundation walls should be minimized by landscaping, architectural design, or covered with stone or brick facing, and
Synthetic materials should be as close in appearance and detail to the natural material it simulates.

Site Design for New Construction

Patrick had said in a previous meeting that he would take another look at the open space requirement. All towns reviewed had some open space requirement. Shirley had found some that have this as low as 30% percent. It was decided to refer to Patrick on this to see if that would be acceptable, especially if the open space included wetlands.

Ted said the word “caliper” in relation to street tree width should be replaced with “diameter” as it would be more easily understood by readers. Shirley agreed.

Lot Standards, Building Setbacks, Dimensional Requirements

There was some discussion on the maximum size of buildings. Small scale commercial buildings would be desirable in the Village Center Overlay District. A number of towns reviewed required a maximum of 5000 square feet. The Town of Dennis had 3000 square feet. It was decided to check with Patrick on this.

“Unless otherwise stated in this Section 5.05, the applicable requirements of Section 2.01, Mendon Zoning By-Law,” shall apply,” had been added.

Use Provisions

Shirley had carefully checked out the Village Center Overlay uses against the Table of Uses in Section 3.01 of the Mendon Zoning By-Laws. Since any uses not allowed in the Village Center table are prohibited, it made sense to remove the list of prohibited uses. Instead of having a separate list if uses that required a special permit, PB was simply added after the use. A new category, Miscellaneous Uses, was included to address earth removal.

Many by-laws had the following: The proceedings for any special permits and the Site Plan Review shall occur in one consolidated special permit proceeding before the Planning Board. With approval from the Planning Board, this could be included in the by-law to expedite approval.

Garden Apartments

In reviewing existing apartments in Mendon, Shirley had learned from Jean that we have about 40. Many of these are within the affordable range that could be approved by DHCD. Tim Aicardi has 7 over the Post Office that rent for \$850 per month and there are 10 apartments in the former Adams House at 10 Hastings.

In the Nitrogen Credit Land requirement, Shirley suggested that we add language that requires larger lot sizes if suitable Nitrogen Credit Land is not available or reference the section on dimensional regulations.

On the subject of basement apartments, most by-laws do not allow basement apartments but would basement apartments add to economic feasibility as long as they adhere to building code regulations such as no rooms without a window? The former Adams House has recently added 2 basement apartments.

Shirley wondered if what was done in another town could be a compromise solution?

This Town states that no living space shall be below ground except that, under sloping conditions, dwelling units may be constructed if the story housing such units does not have more than 50% of its exterior wall facing the upper slope below the grade of that slope.

In regard to roof articulation, Shirley said that most have a flat roof encircling the upper portion of the building and is not as attractive. Ted agreed that he had seen such apartment buildings. Shirley questioned the economic feasibility of requiring articulated roofs.

Shirley had added requirements for Garden Apartment setbacks that she copied from another town. It was decided that all of the apartment issues should be checked out with Patrick.

Affordable Dwelling Units Within the Village Center Overlay District

Bill McHenry, the Mendon Affordable Housing Coordinator is working with the Planning Board to answer their questions on the concept of affordable housing. The committee will check with the Planning Board but feels it is important to leave this in as the Land Use Committee has added Garden Apartments to their plans for the newly acquired Paddock property. This was passed at Town Meeting. They have also added allowing affordable apartments to the conservation restriction on the property.

Ted made a motion to adjourn. Shirley stepped down to second the motion. All were in favor and the meeting adjourned at 8:15 PM.

Respectfully submitted,
Shirley Smith