

## Connery Associates



November 16, 2004

To: Chatham Planning Board  
Fr: Connery Associates  
Re: West Chatham Neighborhood Business District

The associated matrix illustrates our understanding of the consensus for the proposed West Chatham Neighborhood Business District (WCNB). This is not to assume that further changes may be suggested by the West Chatham Neighborhood Association (WCA) or that the WCNB is in final form, because it is not. Once we have had the opportunity to review the entire Rt. 28 commercial corridor, as previously discussed, we will review all initial commercial zoning recommendations as part of a composite review.

Please note, that as of this writing a dimensional requirement regarding front yard setback in the WCNB is as yet unresolved. Specifically we had recommended a 40 foot maximum setback and there has been a suggestion a 50 foot maximum setback is more appropriate. We have reviewed the matter using lay out maps of the Route 28 corridor for the WCNB and believe the 50 foot option would also work. Therefore, the Planning Board can instruct us on preference and we will make the changes in the initial WCNB proposal.

Also, there has been correspondence received regarding accessory apartments as a special permit in the WCNB. We believe this would be a good addition to the proposed district. However, we suggest that the issue be discussed after we have assembled the initial recommendations for the Rt. 28 corridor since the issue may most likely impact all business districts, and by understanding the magnitude of the issue will allow all parties to make a more informed decision.

Finally, as of this writing the field trip to determine the appropriateness of map changes to the commercial zoning designation in West Chatham has not occurred but will have occurred by our meeting of November 16<sup>th</sup>. We will present a brief status report, to be followed by more specific recommendations for Planning Board discussion.

**DEFINITIONS**

Where the following words or phrases appear in this Bylaw, they shall have the meanings defined below.

| <b>Word or Phrase</b>                 | <b>Definition</b>   |
|---------------------------------------|---|
| ACCESSORY USE:                        | An activity incidental to and located on the same premises as a principal use conducted by the same person or his agent. No use shall be considered "accessory" unless functionally dependent on and occupying less land area than the principal use to which it is related and occupying less than one quarter as much habitable floor area as that of the principal use.      |
| AGRICULTURE:                          | Agriculture shall be as defined in G.L. c.128, Section 1A, including agriculture, aquaculture, floriculture or horticulture.  |
| ASSISTED LIVING FACILITY:             | One or more dwellings structurally configured to serve the elderly or persons with disabilities, having no units containing more than two bedrooms, and for which there is contract assurance of support services, such as meals, housekeeping, social services, health services or transportation.   |
| BUS STOP/SHELTER:                     | A structure located at a legally permitted bus stop designed for the assembly of bus passengers.  |
| BUS TERMINAL:                         | A structure that serves bus passengers upon departure and arrival, including waiting areas, drop-off/pick-up zones, and the storage and repair of buses as an accessory use.  |
| CHILD CARE FACILITY:                  | A licensed public or private non-residential program that provides for the care of school-age children when not attending school or pre-school children by someone other than members of the child's own family, including full-day day care centers, part-day preschool programs and nursery schools, private kindergartens and before and after school programs.              |
| COMMERCIAL RECREATION:                | A business establishment engaged in providing recreation facilities to the general public for a fee.<br><br>INDOOR COMMERCIAL RECREATION is limited to athletic clubs, tennis clubs, squash clubs, health and fitness clubs, swim clubs, and similar recreation and fitness activities.   |
| COMMERCIAL STORAGE:                   | A building used for private storage of household, business or personal property for a fee.  |
| CONGREGATE RESIDENCE                  | Any building or portion thereof for occupancy by other than a family or by more than one family, containing facilities for living, sleeping and sanitation, and shared or common facilities for eating and cooking. A congregate residence may be a shelter, a convent, monastery or dormitory, but does not include jails, hospitals, nursing homes, hotels or rooming houses. |
| CONTINUING CARE RETIREMENT COMMUNITY: | A managed development that provides housing, services and nursing care to persons over 55 years of age; and which includes independent living units, assisted living units, nursing home accommodations, and accessory medical, support   |

| <b>Word or Phrase</b>                 | <b>Definition</b>  |
|---------------------------------------|--|
|                                       | services, food services, and recreational uses; and for which there is a legal agreement that assures life care to residents and support services appropriate to each type of housing.   |
| FOOD SERVICE ESTABLISHMENT:           | RESTAURANT: A food service establishment where food is prepared, served and consumed on the premises, including seating accommodations for all patrons to be served at any one time. It may include a bar or lounge area that is accessory to the primary restaurant use. "Restaurant" does not include an establishment that operates exclusively or principally as a caterer, a food processing establishment, a retail food store, or a take-out food service establishment, nor does it include drive-through service. |
|                                       | TAKE-OUT FOOD SERVICE: A food service establishment where food is prepared and sold at retail but not consumed on the premises, such as a deli or sandwich shop, but does not include drive-through service.   |
| HOSPITAL:                             | An acute-care medical facility providing in-patient and ambulatory care services, licensed by the Massachusetts Department of Health under G.L. c.111, Section 51.   |
| INDEPENDENT ELDERLY HOUSING:          | An attached or detached dwelling that is restricted for occupancy by persons over 55 years of age.   |
| KENNEL:                               | Premises used for the harboring and/or care of more than three dogs or other domestic non-farm animals three months old or over. Use shall be so classified regardless of the purpose for which the animals are maintained or whether fees are charged.  |
| LUMBER AND CONSTRUCTION SUPPLY SALES: | A business establishment engaged in the sale of lumber and related construction products inside a building, including the sale and storage of products outside the building as an accessory use.   |
| MARINA (OR BOATYARD):                 | A facility, located on or partially on water, providing for the storage, servicing, fueling, berthing and securing of ten or boats and marine supplies.  |
| MEDICAL CLINIC:                       | An institution or place providing medical, surgical, dental, restorative or mental hygiene services to persons not residing therein, licensed as a clinic by the Massachusetts Department of Public Health under G.L. c. 111, Section 51.  |
| MOTOR VEHICLE SERVICE STATION:        | A business establishment engaged primarily in retail sale of fuels and lubricants and/or washing of motor vehicles, including repair services or other sales or services except for the sale or new or used cars or auto body repair.  |
| NURSING HOME:                         | Premises for the care of three or more persons, licensed by the Massachusetts Department of Public Health under G.L. c.111, Section 71.  |

| <b>Word or Phrase</b>                    | <b>Definition</b>   |
|--|---|
| PHILANTHROPIC USE:                       | An endowed or charitably supported non-profit religious or non-sectarian activity maintained for a public or semi-public use.   |
| PRIVATE NON-PROFIT CLUB OR ORGANIZATION: | Premises or buildings of a non-profit organization exclusively serving members and their guests for recreational, athletic, or civic purposes, but not including any vending stands, merchandising, or commercial activities except as required generally for the membership and purposes of such club. |
| RESTAURANT:                              | See FOOD SERVICE ESTABLISHMENT: RESTAURANT.   |
| ROADSIDE STAND:                          | Premises for the sale of agricultural products.   |
| TAKE-OUT FOOD SERVICE:                   | See FOOD SERVICE ESTABLISHMENT: TAKE-OUT FOOD SERVICE.  |
| VETERINARY CLINIC:                       | A licensed establishment providing primarily out-patient medical treatment for animals, including operating facilities, recovery and laboratory facilities incidental thereto.  |



| USES   | Zoning District |                  |     |           |
|--|-----------------|------------------|-----|-----------|
|  | WCNB            | R20 <sup>1</sup> | ... | Reference |
| Barn, boathouse, tennis court, swimming pool, other structures clearly accessory and incidental to the principal residential use |                 | Y                |     |           |
| Guest house  |                 | SP               |     |           |
| Tent, trailer, camping vehicle or motor home   |                 | SP               |     |           |
| <b>Commercial Uses</b>   |                 |                  |     |           |
| Accessory uses   | SP              |                  |     |           |
| Adult entertainment  | N               |                  |     |           |
| Arts and crafts production   | SP              |                  |     |           |
| Auto body repair shop  |                 |                  |     |           |
| Auto sales, new or used  | N               |                  |     |           |
| Bank   | Y               |                  |     |           |
| Bus stop/shelter (1)   | SP              |                  |     |           |
| Child care facility  | Y               |                  |     |           |
| Cinema or theatre  |                 |                  |     |           |
| Commercial entertainment   | N               |                  |     |           |
| Commercial parking lot or parking garage   | N               |                  |     |           |
| Commercial recreation: indoor  | SP              |                  |     |           |
| Commercial recreation: outdoor   | N               |                  |     |           |
| Commercial storage   | N               |                  |     |           |
| Feed store   | N               |                  |     |           |
| Kennel   | N               | SP               |     |           |
| Lumber or construction supply sales  | N               |                  |     |           |
| Marina or boatyard   | N               | SP               |     |           |
| Medical office or medical clinic   | SP              |                  |     |           |
| Motel, hotel or inn  | SP              |                  |     |           |
| Motor vehicle service station  | SP              |                  |     |           |
| Outdoor vending machine  | N               |                  |     |           |
| Personal or household service  | Y               |                  |     |           |
| Professional office  | Y               |                  |     |           |
| Restaurant   | SP              |                  |     |           |
| Retail sales and services  | Y               |                  |     |           |
| Roadside stand (2)   | SP              | Y                |     |           |
| Take-out food service  | SP              |                  |     |           |
| Veterinary clinic  | SP              |                  |     |           |
| Wholesale trade establishment  | N               |                  |     |           |
| <b>Industrial Uses</b>   |                 |                  |     |           |
| Light industry or manufacturing  |                 |                  |     |           |
| Contractor's yard  |                 |                  |     |           |

C. Table Footnotes

- 1) A bus stop/shelter shall consist of a covered structure with a footprint that does not exceed 5 feet by 12 feet and a height of not more than ten feet. The structure shall be open on at least one of its longest sides.
- 2) When associated with agriculture on more than five acres of land, a roadside stand shall be a permitted use. Otherwise, a roadside stand shall be permitted where agriculture on less than five acres is a permitted use, or special permitted where agriculture on less than five acres is a special permitted use.

**DENSITY, INTENSITY AND DIMENSIONAL REQUIREMENTS**

## A. General Requirements

[RESERVED]

## B. Table of Density, Use Intensity and Dimensional Requirements

| <b>REQUIREMENT</b>             | <b>Zoning District</b> |             |            | <b>Reference</b> |
|--------------------------------|------------------------|-------------|------------|------------------|
|                                | <b>WCNB</b>            | <b>R-20</b> | <b>...</b> |                  |
| Minimum Lot Area (Square Feet) | 20,000                 | 20,000      |            |                  |
| Minimum Frontage (Feet)        | 100                    | 100         |            |                  |
| Yard Setbacks (Feet)           |                        |             |            |                  |
| Minimum Front Yard             | 40                     | 25          |            |                  |
| Maximum Front Yard             | 60                     |             |            |                  |
| Minimum Side Yard              | 15                     | 15          |            |                  |
| Minimum Rear Yard              | 20                     | 15          |            |                  |
| Maximum Lot Coverage           | 60                     | N/A         |            |                  |
| Minimum Open Space % Lot Area  | 40                     | N/A         |            |                  |
| Buildings                      |                        |             |            |                  |
| Maximum Height (Feet)          | 30                     | 30          |            |                  |
| Maximum Height (Stories)       | 2.5                    | 2.5         |            |                  |
| Maximum Building Coverage*     | N/A                    | 10%         |            |                  |
|                                |                        |             |            |                  |

\*For lots smaller than 30,000 sq. ft., the current zoning bylaw establishes a sliding scale of maximum building coverage ratios. These additional requirements will be reviewed with the Planning Board when residential development regulations are discussed later in the project schedule.