



# TOWN OF BELLINGHAM

## OFFICE OF TOWN CLERK

Town Clerk  
Ann L. Odabashian

Bellingham Municipal Center  
10 Mechanic Street  
Bellingham, MA 02019

Tel.: 508-657-2830  
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June 23, 2017

TO WHOM IT MAY CONCERN:

RE: ANNUAL TOWN MEETING OF  
JUNE 13, 2017 AT 7:30 PM

I hereby certify that the following is a true record of the vote adopted under Article 19  
Of the qualified voters of the Town of Bellingham at the above referenced meeting.

### **ARTICLE 19. ZONING CHANGE – NEW ENGLAND COUNTRY CLUB PROPERTY**

**To see if the Town will vote to amend its Zoning Bylaws by amending the Section entitled the Establishment of districts 240-28A(2) to read:**

**In addition, there are five seven overlay districts: Floodplain District as established § 240-110, Water Resource District as established at § 240-132, Adult Use Districts No. 1 and No. 2 as established at Article XXII of this chapter, and the Mill Reuse Overlay District as established at Article XXIII , the Wethersfield Overlay District as established at Article XXVII and the 55+ Active Adult Overlay District as established at Article XXVIII of this chapter.**

**To create an overlay district entitled 55+ Active Adult Overlay District to read:**

### **ARTICLE XXVIII 55+ ACTIVE ADULT OVERLAY DISTRICT**

#### ***A. Purpose:***

**It is the purpose of this section to establish a 55+ Active Adult Overlay District (AAOD). The establishment of the AAOD will foster the development of a range of housing types and provide the flexibility to encourage development that will allow for context-sensitive design and creative site planning. The processes adopted hereunder will ensure that development within the AAOD will be balanced with the public health, safety and welfare. All projects proposed under this bylaw shall employ development principles that take into consideration the existing landscape,**

scenic vistas, passive and active recreational opportunities and conservation of open spaces.

A Special Permit from the Planning Board shall be required for all projects proposed under the AAOD Bylaw.

No provision in this Bylaw may be construed to supersede or otherwise alter or amend the bylaws pertaining to the use of land in the underlying district. Rather, this bylaw is intended to supply an alternative for those who elect to submit a Special Permit application under the provisions of this AAOD Bylaw, in which case the provisions and requirements of the AAOD Bylaw shall apply, and not the provisions and requirements of the underlying district, except as specifically stated in the AAOD Bylaw.

**Overlay District** – The AAOD shall consist of the following properties, as identified on the Assessor's Maps maintained by the Town:

0095-0037-01  
0096-062A-00  
0097-015C-00  
0095-0037-00  
0097-0019-00

***B. Definitions:***

**Residential 55+ Active Adult Community** – housing development that is in compliance with the age restriction requirements of the Federal Fair Housing Act, 42 USC Section 3607(b), as amended, the regulations promulgated thereunder, the Federal Housing for Older Persons Act of 1995, as amended, 24 CFR Subtitle B, Chapter 1, Section 100.300 et seq., and M.G.L. Chapter 151B, Section 4, as they may be amended.

**Special Permit Granting Authority (SPGA)** – The SPGA shall be the Planning Board and review of Special Permit Applications submitted hereunder shall be based upon the considerations of Article IV. Special Permits, along with other specifically designated criteria contained in this AAOD Bylaw.

***C. Permitted and Prohibited Uses:***

The following uses and structures are allowed in the AAOD. All other uses not expressly permitted shall be prohibited from use of the overlay district.

1. Single-family Dwellings
2. Two-family Dwellings
3. Townhouse Dwellings

4. Multi-family Dwellings
5. Accessory uses and structures that are customarily incidental and accessory to the above described residential uses.
6. Public golf course and related accessory club house, pro shop, dining and maintenance facilities golf professional shop.

**D. Inclusionary Housing:** The AAOD is exempt from Bellingham Zoning Bylaw Article XXV. Inclusionary Housing.

**E. Design Standards:** The following standards, which vary from the underlying zoning, shall apply to any development proposed under the AAOD Bylaw. All other applicable design standards, performance requirements and dimensional requirements in the underlying bylaw shall be applicable.

1. **Density:** A maximum of 8 residential units per acre.
2. **Dimensional Requirements:** The following dimensional requirements shall apply
  - a. Min Lot Area: 160,000 s.f.
  - b. Min Frontage: 150 ft.
  - c. Min Front Yard: 20 ft.
  - d. Min Side Yard: 15 ft.
  - e. Min Rear Yard: 20 ft.
  - f. Max. Building Height: 37 ft., except: Multi-family dwellings, which may have a maximum height of 60 feet.
  - g. Minimum separation between buildings shall be 20 feet.
  - h. Lot Shape Factor as specified in Section 240-39 shall not apply to any development proposed under the AAOD Bylaw.
  - i. More than one principal and/or accessory structure may be erected or maintained on any lot or lots within the AAOD and is not subject to Section 240-37 of the Zoning Bylaw.
3. **Traffic and Pedestrian Safety:**

**Interior Design** – The design of the proposed development shall ensure safe interior circulation within its site with adequate ingress and egress as well as separation of pedestrian, bike ways, and vehicular traffic. The principal roadways serving the site shall be designed to conform to standards of the Town, as established by the Town's Subdivision Rules and Regulations, subject to waiver by the Planning Board, after review and guidance by emergency services and the Department of Public Works, upon a showing of good cause by the Applicant.

**In the event that any project proposed hereunder does not seek to obtain subdivision approval, the internal ways providing access and egress for the development shall, nonetheless, be determined to be “roadways” for the purpose of the interpretation of this AAOD Bylaw.**

**Off-site traffic impacts** - Applicants shall demonstrate to the Planning Board that the proposed project will not result in substantial adverse impacts to the traffic flow and safety on area streets and ways, or that the project will otherwise adequately mitigate any such substantial adverse impacts.

**Emergency Access** – All applications must demonstrate that, in the opinion of the Bellingham Fire Department, there is adequate accommodations for emergency vehicles throughout any proposed project.

**Sidewalks** – All site plans shall include internal sidewalks and other walk ways that provide for pedestrian access to the development’s housing units, community buildings, open space and other amenities in a manner that is deemed adequate to the Planning Board.

**4. *Parking:***

**Dwellings** – A minimum of two spaces per dwelling unit, except for multi-family dwellings which shall provide a minimum of 1.25 spaces per dwelling unit.

**Restaurant** - One for every three (3) seats of total seating capacity

**Other amenities** – The Planning Board shall have the ability to review any other uses and to determine the number of required spaces, if any.

**Waiver** – The Planning Board may reduce the required number of parking spaces based upon factors which may warrant a reduction in number of parking spaces such as but not limited to walkability, shared spaces, or other recognized standards warranting a reduction in parking.

**No off-street parking area for five or more cars shall be located within 20 feet of a roadway.**

**All off-street parking areas for five or more cars shall be at least twenty (20') feet from a project roadway and shall be adequately screened from a public right of way. However, the Planning Board may allow off-street parking lots to be located closer than 20 feet of an internal roadway in the development based upon factors which may warrant such a reduction, such**

as but not limited to buffers, environmental impacts and the proximity of nearby buildings.

#### *5. Open Space Requirement*

Any proposal under this AAOD Bylaw is required to reserve and restrict no less than 50% of the entire site that is the subject of the Special Permit application for open space purposes. Such open space shall be shown on a site plan and may include outdoor recreational (passive or active) activities including but not limited to golf courses. Such open space will be condition as preserved in perpetuity.

The above open space requirement may be reduced by the Planning Board pursuant to the criteria as listed in Section 240-25 of the bylaw.

#### *6. Phasing*

All applicants shall submit a phasing plan with an application under the AAOD Bylaw.

#### *7. Infrastructure and utilities*

All projects proposed under the AAOD shall establish that there are adequate accommodations for water, sewer, storm water management and utilities.

#### *8. Building Design*

The Applicant shall provide building floor plans and architectural elevations of all structures proposed, completed by a registered architect or engineer and shall indicate type, dimensions, materials and colors of materials to be used.

#### *F. Pre-Application Review:*

The AAOD is exempt from Development Plan Approval under Section 240-16 of the Zoning Bylaw. However, any applicant for a Special Permit under this AAOD Bylaw is urged to meet with the Planning Board staff prior to the submission of a Special Permit Application under the AAOD Bylaw.

***G. Required materials***

Notwithstanding the lack of formal Development Plan Approval, all applications for a Special Permit hereunder shall include all plans and materials required under Development Plan Approval as listed in Section 240-17 of the bylaw. Additionally, where no subdivision is sought, the Applicant shall provide any and all other plans that are required under the Town's Subdivision Rules and Regulations as they apply to roadways, utilities, storm water facilities and other elements of required utilities and infrastructure.

***H. Review by other entities***

The Planning Board shall solicit comments, reports, memoranda and/or testimony from the Department of Public Works, Board of Health, Fire Department, Conservation Commission and other local boards or officials as may be necessary. The Planning Board may request that the applicant meet with such departmental staff prior to the close of any Special Permit hearing hereunder;

or act or do anything in relation thereto.

(By: Petition – Ronald Bonvie  
23 Southport Drive,  
Mashpee, MA 02649  
800-598-7410)

**VOTED:** The Town voted to amend its Zoning Bylaws by amending the Section entitled the Establishment of districts 240-28A(2) to read:

In addition, there are five seven overlay districts: Floodplain District as established § 240-110, Water Resource District as established at § 240-132, Adult Use Districts No. 1 and No. 2 as established at Article XXII of this chapter, and the Mill Reuse Overlay District as established at Article XXIII , the Wethersfield Overlay District as established at Article XXVII and the 55+ Active Adult Overlay District as established at Article XXVIII of this chapter.

To create an overlay district entitled 55+ Active Adult Overlay District to read:

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or act or do anything in relation thereto.

(By: Petition – Ronald Bonvie  
23 Southport Drive,  
Mashpee, MA 02649  
800-598-7410)

Motion carried by a 2/3 voice vote. (per General By-Law Section 4.07.100 adopted by town on May 28, 1997.

(Recommended by Finance Committee)

Adjourned at 10:04 PM.

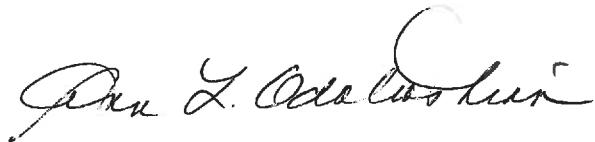
No Quorum required.

Attendance:

P - 1	P - 2	P - 3	P - 4	P - 4A	P - 5	TOTAL
21	15	18	40	2	26	122

A True Record.

ATTEST:



Ann L. Odabashian  
Bellingham Town Clerk