



Town of Ashland

MASSACHUSETTS

Valentine Overlay District
Fall 2020 Town Meeting

To see if the Town will vote to amend section 282 of the Town of Ashland Zoning Bylaw as follows:

A. Add a new section 8.9:

SECTION 8.0 OVERLAY AND SPECIAL DISTRICT REGULATIONS

8.9 VALENTINE OVERLAY DISTRICT (VOD)

8.9.1. Purpose. The purpose of establishing the "Valentine Overlay District" (VOD) Zoning Bylaw is to promote economic development and the vitality of the corridor, preserve the historical and agricultural character of the district and foster a sense of community through its commercial uses. The benefits of the VOD accrue only to those parcels located entirely within the boundaries of the VOD. The VOD shall hereby be established as designated on the Zoning Map, dated December 8, 2020.

8.9.2. Relationship to Underlying District. The Valentine Overlay District shall overlay the underlying districts so that any parcel of land lying in the VOD also lies in one or more of the other zoning districts in which it was previously classified, as provided for in the Ashland Zoning Bylaws. The underlying zoning district permitted or allowed uses remain permitted or allowed. Any development proposed under the VOD bylaw shall not be subject to the regulations of the underlying zoning district, but shall adhere to the requirements herein.

8.9.3. Definitions. The definitions of terms used in this section shall be as set forth in Section 10 of this Bylaw.

8.9.4. Special Permit Granting Authority. The Planning Board is hereby designated as the Special Permit Granting Authority (SPGA) in the VOD. All Special Permit applications made pursuant to the VOD by-law shall conform to the standards and criteria and procedural provisions of the VOD by-law and all relevant procedural provisions in the current Ashland zoning by-laws. Said Special Permit may be issued subject to such conditions as the Planning Board may deem appropriate to protect the public interest and to ensure that development to the VOD will be consistent with the purpose of this Section and the controls set forth herein.

8.9.5. Special Permit Criteria. In addition to the general special permit criteria set forth in section 9.3.2 of this Bylaw the following criteria shall apply to any Special Permit application filed for development within the VOD hereunder:

1. Preservation and sympathetic design to the historic buildings and uses of the site;
 - a. This shall mean that the historical structures on the site are preserved, and the uses of the site have been informed by the historical uses including agriculture. Incorporating multiple uses from section 8.9.6.2 is encouraged.
2. Impact on pedestrian flow and safety and access for emergency vehicles;
 - a. This shall mean that access for pedestrian and vehicular visitors to the site, dependent on approved uses, is shown on plans, and creates a safe, welcoming community space.
3. Impact on the visual character of the neighborhood;
 - a. This shall mean that any expansion or addition of structures conforms to both the historical character of the district, as well as the residential character of the surrounding area.
4. No land shall be used or occupied in the district in any manner as to create any dangerous, noxious, injurious, or otherwise objectionable fire, explosion, radioactive or other hazard; noise, or vibration, smoke, dust or other form of air pollution; electrical or other disturbance; glare, liquid or solid, refuse or wastes; conditions conducive to the breeding of insects, rodents, or other substance, conditions or element in a manner or in an amount as to affect adversely the surrounding areas. However, any use may be undertaken and maintained if it conforms to the VOD regulations in substance and intent.
5. The proposed use and any new construction shall preserve the rural character of the area as follows:
 - a. The landscape shall be preserved in its natural state insofar as practicable by minimizing tree and soil removal.
 - b. Proposed buildings shall be related harmoniously to the terrain and to other buildings in the vicinity.
 - c. The distance between buildings shall be sufficient to provide adequate light and air in conformance with the State Building Code.
 - d. Landscaping shall be in conformance to the Landscaping and screening requirements of Section 5.4.

8.9.6. Permitted Uses.

8.9.6.1 Permitted Uses		
Principal Uses: Residential Uses		
Single-family dwelling	Y	Minimum lot size of 80,000 square feet
Two – family dwellings	N	
Multi-family dwellings	N	
Assisted Living Facility	N	
Cluster Development	N	
Senior Residential Community	N	
Commercial Uses		
Non-exempt educational uses	SP	
Animal clinic or hospital; kennel	N	
Bed and Breakfast	SP	Not to exceed 8 rooms

Restaurant and catering services	SP	
Golf Course	N	
Boat Rental	N	
Commercial Kitchen	SP	
Function Hall	SP	
Wireless Communication Facility	SP	
Accessory Uses		
Accessory scientific uses	SP	
Rooming and boarding not more than 2 persons	SP	
Home occupation	SP	
Adult day care	SP	
Child day care, small	SP	
Child day care, large	SP	
Accessory family dwelling unit	SP	

8.9.7 Dimensional Requirements. Notwithstanding any provision to the contrary contained in the Zoning By-Law, the following dimensional requirements shall be the sole dimensional restrictions governing a Valentine Overlay District District (VOD):

1. Minimum Lot Size
 - a. Minimum Lot Size for non-residential, commercial use is 3 acres.
 - b. No portion of a street, as defined by the by-law may be included in computing the minimum lot size.
2. Lot Frontage. Minimum frontage shall be one hundred and fifty (150) feet.
3. Front Yard. The minimum front yard shall be twenty (20) feet.
4. Side Yard. The minimum side yard shall be twenty-five (25) feet.
5. Rear Yard. The minimum rear yard within any parcel shall be twenty-five (25) feet except where the rear lot line is contiguous to a residential area, in which case the buffer zone shall apply as noted in Buffering and Screening below.
6. Building/Structure Height. Except as otherwise specifically provided herein, the maximum height of any structure shall be thirty five (35) feet.
 - a. The SPGA may allow structures over thirty five (35) feet, if the developer can demonstrate to the SPGA's satisfaction, that the increased height is necessary for the historic preservation of the structure.

8.9.8. Buffering and Screening. In order to provide screening to the view of adjacent parcels outside of the Valentine Overlay District (VOD), no less than a distance of fifty (50) feet, from any structures shall be maintained and landscape greenery or other screening method(s) existing at the time of development shall remain undisturbed and/or shall be landscaped in accordance with a plan approved by the Planning Board. Remaining areas that support parking, internal drives, accessory structure building needs and emergency vehicle access, as approved by the Planning Board during the Site Plan Review process, shall have a twenty (20) foot buffer from the adjoining

property line as described above.

8.9.9. Parking and Loading Requirements. Parking and loading requirements shall be in conformance with Sections 5.1 and 5.2. Special attention shall be given to location and number of access points to the streets, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and do not detract from the design of the existing historic buildings, proposed buildings(s) or neighboring properties.

8.9.10 Administrative Procedures. All applications made pursuant to the VOD by-law shall be subject to Site Plan Review by the SPGA.

B. Amend section 10, Definitions, by inserting in the appropriate alphabetical order, as follows:

Section 10: Definitions

COMMERCIAL KITCHEN

A food preparation facility that satisfies the health code provision for places that prepare food for consumption by the general public.

FUNCTION HALL

A building or portion thereof generally available to the public for hire or loan for the purpose of catering to banquets, weddings, receptions or similar functions. Such establishments may include full kitchen facilities and a catering use as defined in this section and may serve/dispense alcoholic beverages subject to the provisions of MGL c. 138.

C. Amend the Town of Ashland Zoning Map to show the Valentine Overlay District, covering the following parcels or portions of parcels as shown on the Assessor's Map 19 Lot 101, Map 19 Lot 103 and Map 19 Lot 104 and which said zoning map amendment is on file with the Town Clerk.