

Sec. 315-4 Word Usage and Definitions.

SENIOR HOUSING. Senior Housing means dwelling units that are exempt under the Federal Housing for Older Persons Act, from the prohibition against familial status discrimination, consisting of dwelling units that either: (a) are intended for, and solely occupied by persons 62 years of age or older; or (b) are intended and operated for occupancy by persons 55 years of age or older. In order to qualify for the "55 or older" housing exemption, a facility or community must satisfy each of the following requirements: (a) at least 80 percent of the units must have at least one occupant who is 55 years of age or older; and (b) the facility or community must publish and adhere to policies and procedures that demonstrate the intent to operate as "55 or older" housing; and (c) the facility or community must comply with the United States Housing and Urban Development agency's regulatory requirements for age verification of residents.

SENIOR HOUSING COMMUNITY. A residential housing development designed for Senior Housing, which housing may consist of dwelling units in three alternative structures: detached, duplex or multiplex dwellings, and which may or may not include related amenities and services for its residents. Examples of Senior Housing Communities include, but are not limited to:

1. Congregate Housing;
 2. Residential Care Facility;
 3. Nursing Home;
 4. Continuing Care Retirement Community; and
 5. Community Living Arrangement.
 6. Single-Family Detached Dwellings
 7. Duplex Dwellings
 8. Multiplex Dwellings
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Sec. 315-5 Zoning Map; division of Town into Districts.

Senior Housing Community Overlay District

SHC

Sec. 315-28.4 Senior Housing Community (SHC) Overlay District.

- A. Purpose.** The purpose of the Senior Housing Community (SHC) Overlay District is to permit the development of Senior Housing Communities in designated areas of the Town that consist of varied living arrangements for senior residents. These regulations are intended to provide flexibility and creativity in the design and development of Senior Housing Communities, while ensuring that Senior Housing Communities are designed and developed to maintain a high degree of quality and integrate well into existing neighborhoods. The designation of the Senior Housing Community Overlay District is intended to recognize that a planned Senior Housing Community has special considerations that do not apply to other uses and to allow for additional flexibility in the permitting of these uses within the Senior Housing Community Overlay District, in return for an increased level of municipal oversight.
- B. District.** The Senior Housing Community Overlay District is hereby designated as an overlay district for the purposes set forth above within the certain portions of the MDR and RR1 Districts, specifically the lots as delineated on the official Town of Cumberland Tax Assessor's Map as:

Map R03, Lot 50	Map R04, Lot 4C
Map R03, Lot 50A	Map R04, Lot 4D
Map R03, Lot 50B	Map R04, Lot 4E
Map R03, Lot 53	Map R04, Lot 5
Map R04, Lot 1	<u>Map R04, Lot 34A*</u>
Map R04, Lot 1A	Map R04B, Lot 1
Map R04, Lot 2	Map R04B, Lot 2
Map R04, Lot 2A	Map R04B, Lot 3
Map R04; Lot 3	Map R04B, Lot 4
Map R04, Lot 3A	Map R04B, Lot 5
Map R04; Lot 4	Map R04B, Lot 5A
Map R04, Lot 4A	Map R04B, Lot 5B
Map R04, Lot 4B	Map R04B, Lot 6

The requirements of the underlying zoning districts shall continue to apply to all properties within the Senior Housing Community Overlay District except as specifically modified by the provisions of this section.

***Approximately 19 Acres of Map R4 lot 34A is excluded from the Senior Housing Community Overlay District. This excluded area consists of the portion of the property beginning at its northerly corner, adjacent to abuts Greely Road and Map R4, Lot 38, then extending approximately 640' perpendicular from Greely Road along the westerly boundary of the property as it abuts Map R4, Lot 41, then following the path of a large swale across the width of the property to the intersection of the easterly boundary of the property as it abuts Map R4, Lot 34, then following the easterly boundary of the**

property back to the point of intersection with Greely Road and running the entire width of the property along its northerly boundary with Greely Road.

C. Permitted Uses. In addition to the uses allowed in the underlying zoning districts as identified above, and notwithstanding anything to the contrary in the regulations for the underlying zoning districts, the following uses shall be permitted uses in the Senior Housing Community Overlay District:

1. Senior Housing Community, subject to review under Section 315.60.1; and Accessory uses (provided that the use or uses are incidental and subordinate to the Senior Housing Community use) as are permitted in the underlying zoning district.

D. Lot Standards. Notwithstanding anything to the contrary in the regulations for the underlying zoning districts, the following lot standards shall apply to all Senior Housing Communities and Accessory Uses permitted within the Senior Housing Community Overlay District:

1. Setbacks. The following minimum setbacks are designed to allow smaller buildings to be located near the perimeter of the Senior Housing Community while requiring that larger buildings be more centrally located within the site and are required for all structures in the Senior Housing Community Overlay District:
 - a. Front: 25'
 - b. Rear: 25'
 - c. Side: 10'
2. Minimum Lot Size. 5 Acres for a Senior Housing Community
3. Lot Frontage. 100'
4. Maximum Density. The maximum allowable land area for each dwelling unit shall be:
 - a. 10,000 square feet per dwelling unit in a single family or duplex
 - b. 5,000 square feet per dwelling unit within a multiplex
 - c. 2,500 square feet per bed in a Residential Care Facility
5. Net Residential Acreage. Net residential acreage calculations are not required for Senior Housing Communities within the Senior Housing Community Overlay District.
6. Open Space. At least 20% of the total area of the tract or parcel of land being developed for a Senior Housing Community must be maintained as open space as defined in §315-4.

7. **Buffering.** A plan to buffer and screen the proposed Senior Housing Community development from adjacent residential properties shall be required. A minimum 50 foot buffer shall be required along the entire perimeter of a Senior Housing Community. No cutting or clearing shall be permitted within the 50 foot buffer area. Additional plantings or other buffering implements may be required within the buffer area to create sufficient buffer. The Planning Board shall approve the selection of the proper type and size of buffering techniques based on existing site conditions, distances to property lines, and the intensity of the land use. Buffering may consist of plantings, earth berms, stone walls, grade changes, fencing, or a combination of some or all of these techniques.

E. Building Standards.

1. **Maximum building height.** No building shall exceed forty (40) feet in height or four stories, whichever is less, as measured in accordance with §315-52.
2. **Minimum building separation.** All buildings and structures shall be separated by a minimum of 20 feet, as measured from the nearest part of each structure to the other.
3. **Minimum Dwelling Size.** No dwelling unit (other than a dwelling unit within a Congregate Housing, Residential Care Facility, Nursing Home, Continuing Care Retirement Community or Community Living Arrangement) shall have less than 600 square feet of Floor Area.

F. Parking. Parking shall be required per dwelling unit based on the type of housing provided, but in no event shall there be less than one parking space per dwelling unit.

1. Dwelling units that are not part of a Residential Care Facility (i.e., detached, duplex or multiplex dwellings designed for independent living arrangements) shall provide a minimum of 2 spaces per dwelling unit;
2. Dwelling units that are part of a Residential Care Facility shall provide a minimum of 1 space per dwelling unit;
3. For all other permitted uses, refer to §315-57 for minimum parking requirements.

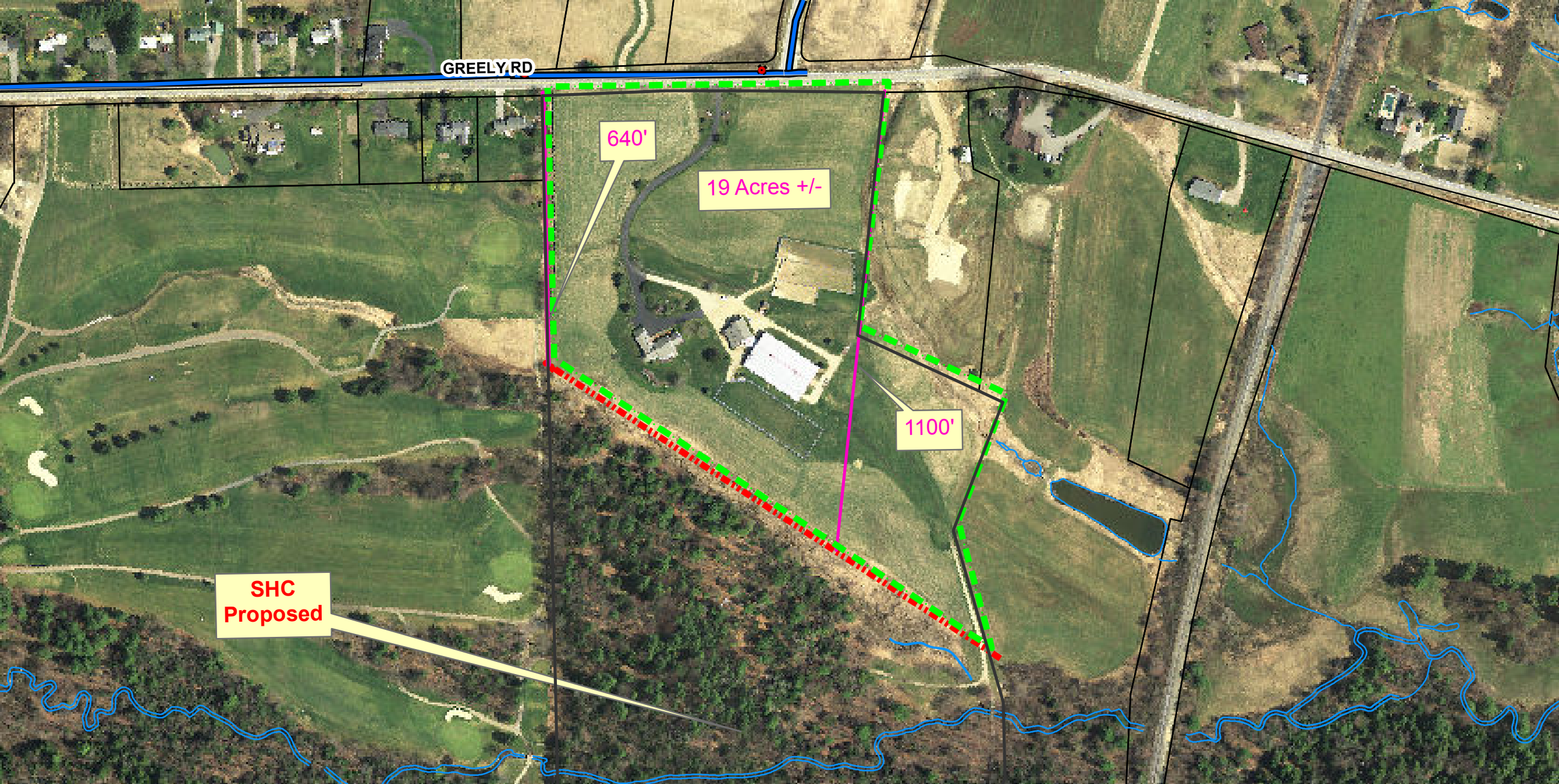
G. Public Utilities. All dwelling units within a Senior Housing Community shall be connected to the public water and public sewer systems.

H. Residential Care Facilities. The provisions of Section 315-71 (Residential Care Facilities) shall not apply to Senior Housing Communities in the Senior Housing Community Overlay District.

Sec. 315-60.1. Senior Housing Community

A. Design Standards.

1. When the development proposal provides for the construction or expansion of a building visible from an existing or proposed road, special consideration shall be paid to the design of the building and site. In general, buildings shall be designed so that they appear to face the existing road where feasible.
2. No service or storage areas shall be located between buildings and an existing road.
3. Curb cuts onto existing roads shall be minimized where practical.
4. Parking lots shall be located internally where practical.
5. Development within the Senior Housing Community is encouraged to be designed with environmentally sustainable elements such as:
 - i. Utilizing renewable energy sources (e.g., solar)
 - ii. Using Energy Efficient Home Construction standards
 - iii. Water Efficiency
 - iv. Waste Reduction
 - v. Toxics Reduction



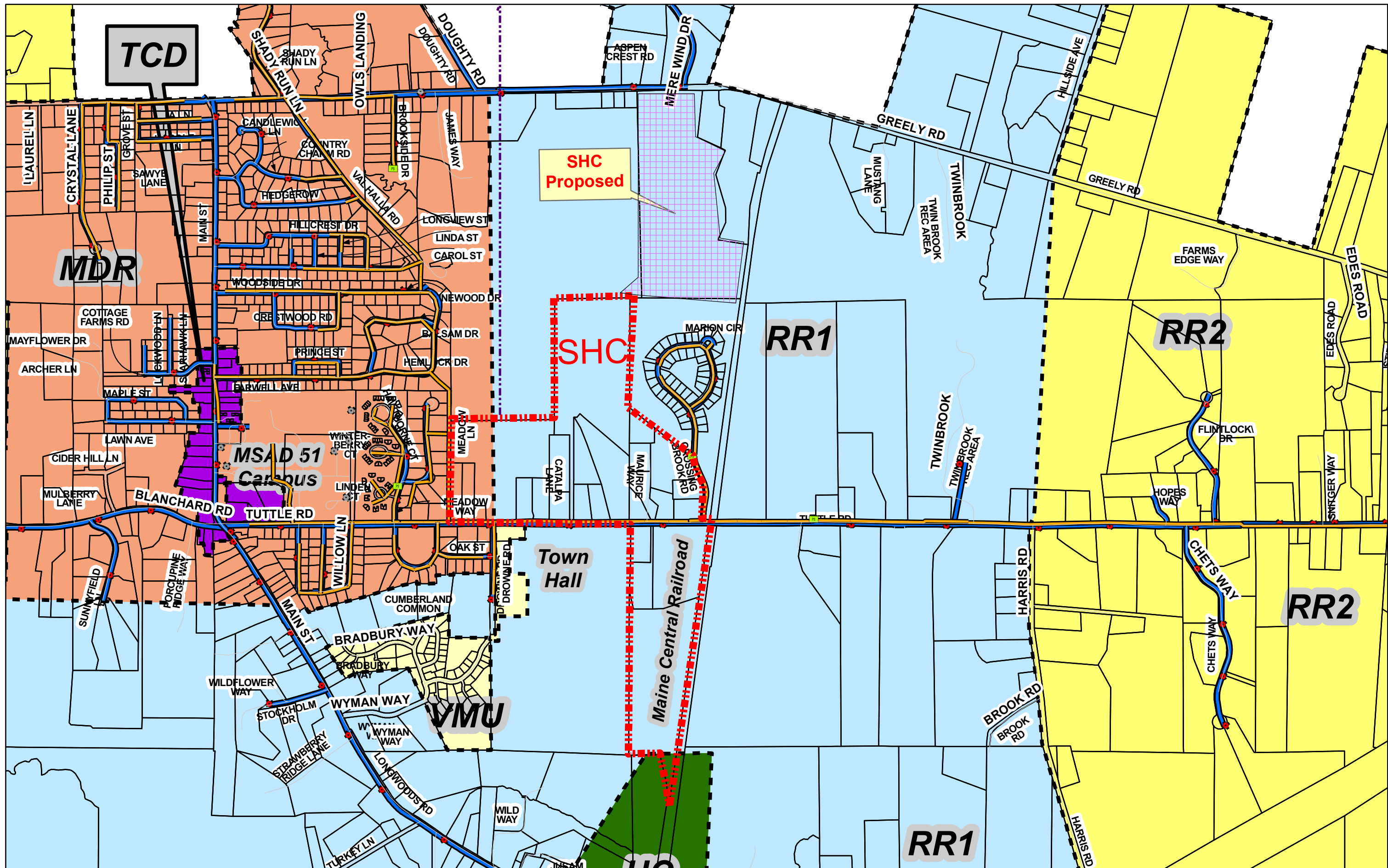
GREELY RD

640'

19 Acres +/-

1100'

SHC
Proposed



Proposed Addition to Senior Housing Community Overlay District