

Article ___ MBTA Communities Multi-Family Overlay District (MCMOD)

To see if the Town will vote to amend Chapter 218 Zoning Bylaws of the Town of Groton as follows:

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- 1. Amend Section 218-3 Definitions by Deleting the definition for “Multifamily Use” in its entirety,**
- 2. Amend Section 218-3 Definitions by inserting the following definition in alphabetical order.**

AFFORDABLE UNIT.

A dwelling unit that is subject to a use restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.

AFFORDABLE HOUSING

Any combination of Affordable Units restricted in perpetuity to persons or families qualifying as low or moderate income under the guidelines of EOHLC earning less than 50% of median income for low income and less than 80% of median income for moderate income.

AS OF RIGHT.

Development that may proceed under the Zoning Bylaw without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval. Also known as “by right” development.

MBTA COMMUNITIES MULTI FAMILY OVERLAY DISTRICT DEVELOPMENT (MCMODD).

Multi-family use that is located in the Multi-Family Development Overlay District (MCMOD) in accordance with the provisions of Section 218-7.5 MBTA Communities Multi Family Development Overlay District.

MIXED-USE DEVELOPMENT.

Development containing a mix of residential uses and non-residential uses, including, commercial, institutional, industrial, or other uses.

MULTI-FAMILY HOUSING

A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building. Also known as “multifamily use.”

3. Amend Section 218-4 Zoning Districts as follows:

- a. Insert under subsection 218-4.1 E, Overlay Districts the following:

“(6) MBTA Communities Multi-Family Overlay District (MCMOD)”

- b. Insert under subsection 218-4.2 Intention of Districts the following sub sections:

“J. MCMOD – MBTA Communities Multi-Family Overlay District is intended to provide for higher density residential development at locations in proximity to infrastructure, services, and nexuses of activity, amenities, and development.

4. Insert a new Section 218-7.5 Multi Family Development Overlay District to read as follows:

218-7.5 – MBTA COMMUNITIES MULTI-FAMILY OVERLAY DISTRICT (MCMOD)

A. Purpose

- To transition from a case by case permitting process for Multi-Family Development and establish a transparent and predictable process for the permitting of MBTA Communities Multi-Family Overlay District Development (MCMODD) in designated locations with specific guidelines and criteria.
- To encourage MCMODD in sensible locations in terms of services, infrastructure, transportation access, economic opportunity, and compatibility with surrounding uses.
- To accommodate compatible uses that serve residents and the general public.
- To increase housing choice and diversity and address the local and regional need for additional housing
- Preserve open space in a community by locating new housing within or adjacent to existing developed areas and infrastructure.

B. Applicability.

This MCMOD is an overlay district that is superimposed over the underlying zoning district (s) and is shown on the Zoning Map.

Within the boundaries of the MCMOD, all of the uses permitted in the underlying District(s) in which the subject land is located are permitted, subject to the same use and development regulations as may otherwise apply thereto and shall remain in full force. Alternatively, one or more of the uses set forth in Section 218-7.5.C shall be permitted as part of a MCMODD in accordance with this Section 218-7.5 subject to Site Plan Review by the Planning Board in accordance with Section 218-2.5.

C. Permitted Uses

1. As of Right Uses

Any or combination of multi-family residential uses are permitted as of right including but not limited to the following uses

- a. Duplex attached units
- b. Townhouses
- c. Garden Flats
- d. Uses exempt by statute (MGL c.40A §3)
- e. Mixed-Use Development
 - i. Non-residential uses allowed as-of-right in the underlying zoning district located on the ground floor of a mixed-use building
 - ii. Multi-family use allowed on any floor of a mixed-use building

2. Accessory Uses

The following uses are considered accessory to any of the permitted uses in Section D.1 and allowed as of right:

- a. Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.
- b. Home occupation employing only household members and no on-site clients.
- c. Accessory Dwelling Unit.

D. Development Standards.

1. The minimum lot area for a MCMODD shall be 10,000 square feet and may be comprised by one or more contiguous parcels.
2. The minimum Lot Frontage shall be 75 feet.
3. No building or structure within a MCMODD shall be less than 15 feet from the exterior lot line
4. Lot coverage of a MCMODD by buildings and other impervious surface shall not exceed 75% of the lot area, unless the applicant provides sufficient justification for a waiver and the Planning Board determines, as part of Site Plan Review that a greater lot coverage will not adversely affect adjacent properties.
5. No structure shall exceed four (4) stories, fifty-five (55) feet in height, measured in accordance with the Building Height standards set forth in Section 218-3.
6. No structure or group of structures, except one-story garages or carports, shall be nearer to each other than twenty (20) feet. Carports or garages, if not directly attached, shall be at least ten (10) feet from the main buildings.
7. The maximum permitted density shall not exceed 15 (fifteen) dwelling units per acre

8. A MCMODD shall conform with the provisions of Section 218-8.2. Off-Street Parking and Loading. Parking areas shall otherwise comply with the provisions of Section 218-8.2 unless the applicant provides sufficient justification for a waiver and the Planning Board determines, as part of Site Plan Review, that the grant of such waiver will not adversely affect the neighborhood.
9. All dwelling units in a Multi-Family Development shall be without age restrictions and shall be suitable for families with children
10. Sewage shall be disposed of by means of adequate connections to the municipal sewer system or a system Approved by the Board of Health pursuant to Title 5.

E. Design Standards

To the maximum extent feasible, projects shall comply with the following design standards:

1. Site Design, Open Space and Landscaping
 - a. Projects shall be sited to maximize opportunities for creating usable, attractive, well-integrated Open Space.
 - b. Acceptable activities within the minimum required Open Space include natural areas (including wetlands and surface waters), wildlife and native plant habitat, landscape plantings, agricultural activities, low-impact design stormwater management, non-motorized trails, and other low-impact activities. Open Space shall not contain habitable structures.
 - c. Open Space shall be planned as a single contiguous area and, to the extent practicable, configured contiguously with any abutting conservation open areas.
 - d. Open Space intended for public use shall have direct access from one or more streets, pedestrian paths, sidewalks, and/or other public access.
 - e. Landscape design shall strive to provide greenery so that streets and access drives are lined with shade trees, large, paved areas are visually divided and screened, and buffers are provided within and around the Project.
 - f. Landscaped areas shall be planted with drought-tolerant species which do not require any automatic irrigation systems.
 - g. Plantings shall include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List and Invasive Plant List, as may be amended, shall be prohibited.
 - h. Lighting shall comply with Dark Sky standards and provide illumination necessary for safety and convenience while preventing glare and overspill to adjoining properties and reducing the amount of skyglow. The color temperature of exterior lighting shall not exceed 3000 Kelvin.

Parking and circulation on the site shall be organized to reduce the amount of impervious surface.

2. Building Siting

- a. There shall be a landscaped buffer between buildings or structures and properties adjacent to the MCMOD;

- b. Buildings shall be oriented to any adjacent usable open space, with access to the building onto or accessible to the usable open space;
- c. Structures shall be oriented to provide pedestrian entrances to any adjoining sidewalks
- d. Trash collection and dumpsters shall be located in appropriate areas and screened to avoid adverse impacts on properties adjacent to the MCMOD
- e. Project shall minimize the visual impact of the development from the street by locating lower buildings closest to the street frontage and taller buildings in the interior of the parcels.

3. Building Design Features

- a. Architecture shall demonstrate the cohesive planning of the development and present a clearly identifiable design feature throughout. It is not intended that buildings be totally uniform in appearance or that designers and developers be restricted in their creativity. The following standards shall apply:
 - b. To reduce a building's perceived mass, building facades shall be divided into smaller scale horizontal and vertical components, through use of changes in plane and changes in color, material, and texture.
 - c. For multi-family buildings of three or more stories, building design shall maintain a distinction between upper and lower floors. Primary building entrances shall be accentuated. Design features can include covered porches, porticos, and other pronounced architectural forms.
 - d. Buildings with pitched roofs shall have a pitch between 5:12 and 12:12.
 - e. Side and rear facades shall be generally consistent with the primary facade's architectural style.
 - f. Accessory buildings shall be in the same style as the primary building(s).
 - g. Mechanical equipment at grade, attached to, or on the rooftops shall be screened from view or made an integral part of the overall design of the building.
 - h. All utility, service, loading, and trash collection areas shall be screened or enclosed by plantings, walls, or solid fencing, or a combination thereof. Enclosures shall be designed to be compatible with the architecture of the adjacent building.
 - i. Materials such as brick, stone, wood clapboard, and cementitious siding such as Hardi-plank shall be used for siding, particularly where visible at the pedestrian level.
 - j. Architectural asphalt shingles are preferred for buildings with pitched roofs.

4. Circulation and Walkability

- a. Development shall be made pedestrian-friendly by use of amenities such as wide sidewalks/pathways, outdoor seating, and/or appropriate landscaping. Structures,

parking, pathways and other pedestrian amenities shall be accessible by people with disabilities and designed to maximize ease of pedestrian access. Bicycle features shall include bike racks and be designed to provide pathways connecting to any existing and proposed bicycle routes.

- b. A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other.

G. Affordable Component

MCMODDs shall provide affordable units as follows:

- 1. 10 (ten) percent of the units in an MCMODD shall be affordable units.
- 2. Affordable Units shall be dispersed throughout the project. The Affordable Units shall be indistinguishable in external appearance from any market-rate housing units in the MCMODD.
- 3. In computing this requirement, the total number of dwelling units shall be used.

4. Amend Section 218-2.5 Site Plan Review By inserting a new subsection (e) under Section 218-2.5.C.(2) Threshold of Review Major Project to read as follows:

“(e) MCMODD pursuant to Section 218-7.5”

5. Amend Section 218-6.2 Schedule of Intensity Regulations Notes #1. By adding the following at the end of the note:

“For MBTA Communities Multi-Family Overlay District Development see **Section 218-7.5**”

- 6. Amend the Groton Zoning Bylaw by deleting the words “ Department of Housing and Community Development” and “DHCD” wherever they appear and inserting the following words in their place respectively, “Executive Office of Housing and Liveable Communities” and “EOHLC”

7. Amend the Zoning Map of Groton by establishing the Multi Family Development Overlay District (MCMOD).

The zoning map of the Town of Groton is hereby amended by designating the following properties to be included in the Multi Family Development Overlay District:

Assessors Map & Parcel	Address	Area	Owner
216-94	Main Street	2.04 acres	500MG LLC
216-95	Main Street	25.42 acres	500MG LLC
216-96	Main Street	9.32acres	500MG LLC

216-98	Main Street	1.2 acres	Quality Green Homes LLC
216-99	Main Street	3.36 acres	Quality Green Homes LLC
216-99.1	Main Street	0.94 acres	Quality Green Homes LLC
216-01	489-497 Main Street	5.72 acres	Various (commercial condos)
110-29	Main Street	0.957 acres	445 Main Street Realty LLC

or take any other action relative thereto.

Planning Board

Select Board:

Finance Committee:

Summary: This article proposes to create a zoning overlay district in which multi-family developments may be allowed “as of right” at a maximum density of 15 units per acre. The parcels on Main Street identified for inclusion in the overlay district are zoned General Business (GB) and are located within the sewer district. The existing zoning of the parcels included in the overlay district will remain unchanged.

The purpose of this article is to implement zoning reform as required by M.G.L. Ch. 40A, Section 3A, a.k.a. the MBTA Communities Zoning Law (the “Law”). The Law was enacted to address the acute need for housing in Massachusetts. The Law requires MBTA Communities, including Groton, to adopt local zoning that provides at least one zoning district of reasonable size in which multi-family housing is allowed “as of right” at a minimum gross density of 15 units per acre.