

CITIZEN'S PETITION

ZONING BY-LAW AMENDMENT - WAUBEEKA OVERLAY DISTRICT

Article xxx. To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows, or take any other action in relation thereto:

Amend §70-2.1.B by adding the following;

Waubeeka Overlay District (WOD)

Amend §70-2.3 by adding the following;

F. Waubeeka Overlay District is composed of land shown on the Williamstown Assessor's Maps, as of the date of the passage of this chapter, Map 303, Lot 51 and 17, and Map 304, Lot 30.

Amend §70-7.4 by adding the following;

F. Waubeeka Overlay District

(1) Intent. The Waubeeka Overlay District is intended to preserve the existing golf course by allowing new income producing uses on the property which will also enhance the town's employment opportunities, commercial tax base, and tourist economy.

(2) The Waubeeka Overlay District is superimposed over the underlying Rural Residence 2 district. Land in the district may be used for such uses as are permitted by right or allowed subject to special permit approval in the underlying district, subject to the same requirements as in the underlying district. Within the WOD, requirements of the underlying district shall apply except where superseded by the special requirements of the WOD in connection with WOD special permits. In the event a WOD special permit lapses pursuant to §70-8.4.B., is permanently revoked, or is permanently surrendered the special requirements of such WOD special permit shall expire.

(3) Permissible Uses. The following primary and accessory uses are permitted in the WOD upon Special Permit from the Zoning Board of Appeals.

a) Primary Uses.

- i. Country Inn
- ii. Restaurant
- iii. Membership Club
- iv. Golf Course which provides for public access

b) Accessory Uses.

- ___ii. Ground Mounted Solar Photovoltaic Systems

(4) Development Standards.

a) Height Requirements: Buildings shall be limited to three stories in height, and no higher than 40 feet. The exterior design will reduce the apparent height and bulk of the building. Design features should have architectural elements that divide the building into smaller pieces. Applicants are required to present plans that demonstrate consistency with this objective.

b) Landscaping. Landscaping should reduce the apparent height and bulk of the building. Landscape design will include trees, singly or in clumps, arranged to break up the mass of the building and provide a more human scale and shall be oriented in order to reduce massing from adjacent properties and preserve existing distant mountain viewsheds to the maximum extent practicable.

c) Dimensional Requirements: ~~Primary development shall be located within the northeastern quadrant of the WOD.~~ The underlying dimensional standards of the Rural Residence Two District shall apply.

d) Parking Requirements: Subject to parking determination from the Planning Board as an unlisted use.

e) Access Requirements: Access to ~~primary development~~ Building Envelopes shall be from New Ashford Road.

(5) Open Space and Building Envelopes. In connection with any WOD special permit, the entire WOD shall be divided into Open Space and Building Envelopes.

a) All areas not included in a Building Envelope shall remain Open Space as a condition of any WOD special permit.

i. Permitted Open Space Improvements. Open Space shall be inclusive of: subsurface infrastructure; accessory use, ground mounted solar photovoltaic infrastructure and panels; Golf Course Playing Area; and such accessory buildings reasonably necessary to support the operation of such Permitted Open Space Improvements provided no such accessory buildings shall have an area in excess of 600 square feet. Examples of such accessory buildings include pump houses, equipment shelters, control technology shelters, rain shelters, rest rooms, and snack sheds.

ii. Prohibited Open Space Improvements. All structures other than those permitted under subsection (5)(a)(i) above.

b) Building Envelopes. Structures, infrastructure, improvements, and landscaping may be permitted as described in the definitions of Primary Building Envelope and Secondary Building Envelopes set forth in Section 7 below.

c) Infrastructure in the WOD need not be located on the same parcel, premises, or Assessor's Map Lot as the structures or uses it supports. Building

Envelopes and the structures, infrastructure, improvements and landscaping within them may span parcels, premises, or Assessor's Parcels within the WOD.

d) Plan Requirements: Any applicant for a WOD special permit shall submit a plan defining Open Space areas and Building Envelopes in accordance with this section and the definitions of Primary Building Envelope and Secondary Building Envelopes set forth in Section 7 below. The plan shall be prepared by an engineer, architect, or registered surveyor and any WOD special permit shall include a condition approving and referencing the Open Space / Building Envelope Plan.

~~f) Building Area: Gross floor area of all buildings in the WOD will not exceed 20,000 square feet except as herein permitted.~~

~~g) Conservation Bonus: A minimum of 67 acres shall be restricted from development via a restriction held by, or a transfer to, the town or a qualified conservation organization for gross floor area to exceed 20,000 square feet. For every 4 acres of additional land above the 67 acre minimum restricted as described aggregate gross floor area may increase by 1,000 square feet up to a maximum of 50,000 square feet.~~

~~h) Floor Area Ratio: The building area of all buildings shall not exceed half the gross floor area of all buildings.~~

(56) Special Permit Criteria: Any proposed development shall meet the following criteria in addition to the Special Permit criteria of 70-8.34.D

a) ~~The development shall balance development with preserving open space and view sheds on the remainder of the property by preserving the existing golf course.~~

b) The overall development, including architectural design, shall be of a form, style, and scale that maintains and enhances those qualities and historical traditions of the Five Corners National Registered Historic District in order to protect the historic and scenic character of the adjacent district.

eb) The development shall considerately treat and not detract from viewsheds described as Noteworthy and Distinctive in the 1982 Massachusetts Landscape Inventory published by the Massachusetts Department of Environmental Management.

ec) No dwelling units~~Single Family Homes~~ shall be located ~~in~~ restricted from the remainder of the WOD as a condition of any special permit which permits a Country Inn.

Amend §70-9.2 by adding the following:

(7) WOD Definitions. For the purposes of consideration of any WOD special permit, the following terms, abbreviations and words shall be defined as follows.

BUILDING ENVELOPES – Those areas of the WOD up to, but not more than, ten (10) acres in total, in which all structures other than Permitted Open Space Improvements as defined in Section (5)(a) must be located. The total acreage of the Primary Building Envelope and Secondary Building Envelope(s), if any, shall not exceed ten (10) acres.

COUNTRY INN - An establishment where overnight transient sleeping accommodations are provided to lodgers in one or more, but not to exceed one hundred twenty (120), guest units without kitchens. Country inns have common sitting and dining areas and may include a restaurant which may be open to the general public. Country inns may further include the following accessory uses;

- Limited accessory recreation facilities, e.g., swimming pool or hiking trails but not activities regulated by Massachusetts General Law Ch. 140 Section 250A205A.
- Areas to accommodate social events or gatherings, e.g., conferences and weddings.

GOLF COURSE - An area with at least 9-18 holes for playing golf, including improved tees, greens, fairways, hazards, and may include a driving range (“Golf Playing Area”). Golf Course Facilities may include a clubhouse with golf related retail sales, e.g., pro-shop, as well as a restaurant which may be open to the general public (“Golf Patron Structures”); and Golf Course equipment maintenance and storage structures and golf cart storage barns (“Golf Operations Structures”).

OPEN SPACE - Areas left substantially in a natural or landscaped state. The only improvements allowed in Open Space are Permitted Open Space Improvements as described in Section 5(a)(i).

PRIMARY BUILDING ENVELOPE – A single area of up to, but not more than, ten (10) acres of the WOD shall be designated the Primary Building Envelope. The Primary Building Envelope shall be for structures and uses listed in subsection (3)(a) above. All Country Inn and Golf Course Patron Structures shall be located in the single Primary Building Envelope. Golf Operations Structures also may be located in the Primary Building Envelope or may be located in a Secondary Building Envelope or Envelopes. The single Primary Building Envelope shall be located on Assessor’s Map 303, Lot 17 and a contiguous portion of Map 303, Lot 51 to the south of Map 303, Lot 17.

SECONDARY BUILDING ENVELOPES – One or more Building Envelopes, separate from the Primary Building Envelope. Only Golf Operations Structures are permitted in a Secondary Building Envelope. The total amount of acreage devoted to any Secondary Building Envelope(s) shall be subtracted from the acreage available for the Primary Building Envelope such that the total acreage of the Primary Building Envelope and Secondary Building Envelope(s), if any, shall not exceed ten (10) acres.