

## Biennial Report to Town Meeting on the Residential Building Size Regulation Zoning Bylaw Annual Town Meeting - May 24, 2021

The Residential Building Size Regulation zoning bylaw, section 6.11, limiting the amount of living area on a lot, was approved at the April 2013 Annual Town Meeting. The bylaw requires that the Planning Board and the Zoning Board of Appeals (ZBA) jointly meet, biennially, to review the effects of the bylaw and to develop a report to the Town. Accordingly, the Planning Board and the Zoning Board of Appeals met on January 22, 2020 and March 25, 2020. The following charts show the building activity from 2011-2019 and the Residential Building Size Regulation special permit activity in those same years. Observations on this activity and its impact follow the permit charts. This report was not disseminated at the 2020 Annual Town Meeting. The next report to the Town will occur in 2022.

### Building Permits Issued 2011-2019:

	2011	2012	2013	2014	2015	2016	2017	2018	2019
<b>New Single Family Residences</b>	12	18	8	12	17	16	16	11	15
<b>Additions</b>	18	20	11	19	17	15	21	19	18
<b>TOTAL BUILDING PERMITS ISSUED</b>	79	108	110	114	135	116	152	115	144

### Special Permits Issued due to the Residential Building Size Regulation Bylaw 2011-2019:

	2011	2012	2013	2014	2015	2016	2017	2018	2019
<b>Residential Building Size Regulation Special Permits</b>	NA	NA	2	3	3	0	5	5	6
<b>New Single Family Residences</b>	NA	NA	0	0	0	0	0	0	3
<b>Additions</b>	NA	NA	2	2	3	0	4	5	2
<b>Guest House</b>	NA	NA	0	1	0	0	0	0	1
<b>Detached Bedroom</b>	NA	NA	0	0	0	0	1	0	0

### OBSERVATIONS

- Total number of building permits issued during the years between 2013 and 2019, for single family residences and additions: **215**
- The total number of Residential Building Size Regulation bylaw special permit hearings, during that same period of time and for those same types of structures: **21**
- Percentage of all building permit applications for these types of structures during those years: **10%**
- Number of special permits at these 21 hearings that were approved by the ZBA: **21**
- Average number of special permits issued per year under the Residential Building Size Regulation bylaw since 2013: **3**

## 13 Criteria Used by the Zoning Board of Appeals when considering an application for a special permit under the Residential Building Size Regulation Bylaw, 6.11:

1. the project, when complete, would be visible, including during the winter, from public ways, water bodies, cemeteries and neighboring properties, and if so whether:
  - a. the impact of the project on the existing rural, scenic character of the site and the surroundings has been mitigated through building siting, building design and landscape design;
  - b. the project retains natural buffer areas or, where that is impracticable, provides sufficient landscape screening; and
  - c. the project minimizes the impact of exterior and interior lighting on the surrounding area and minimizes glare from windows or other reflecting materials incorporated in the project;
2. the project protects the natural features of the site and retains the natural landscape of the site after completion of construction;
3. the project avoids altering the natural landscape, minimizes the size of lawns and recreational facilities, uses native species for landscaping, and retains natural vegetation on slopes;
4. the project minimizes grading alterations and executes grading and excavation so that the contours of the land are the same following construction as those previously existing on the site and adjacent to it;
5. roads and other ways are designed to curve to fit the landscape and permit shared driveway entrances where possible;
6. the project maintains the visual integrity of ridge lines by keeping construction below the ridge line and at least 10' below the average height of the existing trees on wooded ridges and hilltops on the lot;
7. in open land, buildings are sited behind fields against the backdrop of adjoining woodlands;
8. the project preserves and protects natural features of the site such as scenic points, water courses, large trees, historic spots, traditional stone walls and similar community assets;
9. the project incorporates measures to reduce or mitigate excessive negative water quality impacts on ponds, wetlands and other water bodies both during construction and after completion;
10. the project is designed to minimize fossil fuel use such as by incorporating energy efficiency, conservation techniques, and using renewable energy sources.
11. in relation to its construction and possible eventual demolition, the project uses environmentally sound and sustainable design and building techniques.
12. the project avoids significant adverse impacts on habitat, including:
  - a. whether the project meets the requirements and/or recommendations of the Massachusetts Natural Heritage and Endangered Species Program (NHESP) if the project triggered its review; and
  - b. if the project involves the clearing of more than one acre of NHESP Core or Priority Habitat, whether the project minimizes habitat fragmentation and has a defined development envelope limiting the disturbed area to the smaller of 35% or 2 acres of the designated habitat; and
13. The project protects and preserves historical and archaeological resources.