

**Article XV - Senior Residential Developments**<sup>89</sup>

- 15.1 Purposes.**  
The purpose of this article is to provide for a variety of housing types, settings, and residential services to meet the needs of people as they age, and people with disabilities.
- 15.2 Applicability.**
- 15.2.A. The Planning Board may grant a Special Permit for a Senior Residential Development in accordance with this Article XXIII on any tract of land meeting the following requirements:
1. Two or more acres of land;
  2. Minimum of 100 feet of frontage on a public way; and
  3. Public water and/or public wastewater service available to the site.
- 15.2.B. A Senior Residential Development is intended for people age 55 or over. As such, buildings and site improvements in a Senior Residential Development shall provide for “visitability” and universal design in accordance with the provisions of this article.
- 15.3 Uses.**
- 15.3.A. In any residential or business district, the Planning Board may grant a special permit for a Senior Residential Development that includes one or any combination of the following structures:
1. Cottage Dwellings
  2. Two-Family Dwellings
  3. Townhouse Dwellings
  4. Continuing Care Retirement Facility
  5. Skilled Nursing Facility
- 15.3.B. A Senior Residential Development may include one or any combination of the following uses in one or multiple physical structures:
1. Independent Living
  2. Assisted Living, with or without memory care units
  3. Skilled Nursing Services
  4. Physical Rehabilitation Services
  5. Memory Care Services
- 15.3.C. An assisted living residence or continuing care retirement community may include the following nonresidential uses primarily for the benefit of residents and their guests, provided that the aggregate floor area for the nonresidential uses shall not exceed 10 percent of the total gross floor area of the buildings in the development. These uses shall be incidental and subordinate to the principal residential uses in the Senior Residential Development.
1. Retail, up to a maximum of 2,500 sq. ft.
  2. Personal services
  3. Medical office or clinic
  4. Community center or senior center
- 15.3.D. A Senior Residential Development may also include the following uses:
1. Adult day care center
  2. Staff apartments that meet the purposes described in Section 10.3.F.1 of this Bylaw, and that otherwise comply with the provisions of this Section 15.

<sup>89</sup> Section Added in 2021, ATM, Article #80.

3. Accessory uses for residents, employees, and guests, such as central or common dining facilities or laundry facilities, or indoor or outdoor recreation facilities
4. Conservation or agricultural uses

15.4 Basic Requirements.

15.4.A A Senior Residential Development shall comply with the following density regulations:

Structure	Maximum Density	Max. Height (Feet)
Cottage Dwellings or Two-Family Dwellings	4 units/acre	32
Townhouse Dwellings	8 units / acre	32
Continuing Care Retirement Community	16 residents / acre	32
Skilled Nursing Facility	16 residents / acre	32

15.4.B Maximum building coverage shall not exceed 35 percent of the lot area for new construction or expansion of existing structures.

15.4.C. For all vertical construction, the minimum setback shall be 50 feet from all property lines, except that the minimum setback shall be 100 feet from the side or rear lot line, as applicable, abutting an existing single-family dwelling, unless the Planning Board determines that a reduced setback is necessary to achieve the purposes of this section and will not have a detrimental impact on the neighborhood.

Nothing in this section shall preclude the Planning Board from reducing or waiving minimum setback requirements between buildings or internal lots created within the Senior Residential Development.

15.4.D. The minimum common open space in the development shall be 60 percent of the lot area; not more than 20 percent of the required minimum common open space shall consist of wetlands. The upland open space shall be contiguous and usable by residents of the development. A permanent conservation restriction running to or enforceable by the Town shall be recorded for the common open space area and shall include restrictions that the land be retained in perpetuity for conservation or passive recreation.

15.4.E. Minimum off-street parking requirements shall be as follows:

Type of Structure	Parking Requirements
Cottage Dwellings or Two-Family Dwellings	2 spaces per dwelling
Townhouse Dwellings	2 spaces per dwelling
Continuing Care Retirement Community	1 space per two beds
Skilled Nursing Facility	1 space per two beds

15.4.F. Residents of Staff Apartments shall be persons employed by the Senior Residential Development, or by another assisted-living, medical services, or emergency services entity on Martha’s Vineyard. Residents of Staff Apartments may share the apartment with their immediate family. Residency requirement must be assured by deed restriction, running with the land.

**15.5 Age-Appropriate Design.**

15.5.A. A Senior Residential Development shall be designed to provide housing options in a setting that encourages and supports aging in community. While units do not have to be age restricted by deed to adults 55 years and over, they must be “visitable” and

designed for people as they age. At minimum, these terms mean that a Senior Residential Development shall have the following features:

- 15.5.B. Single-family, two-family, and townhouse units shall provide for:
1. At least one zero-step entrance,
  2. Doorways with a 36-inch clear passage space,
  3. Master bedroom and an accessible en suite bathroom located on the same floor as the kitchen, living room, and dining room, all being on the same floor as the zero-step entrance,
  4. Master bedroom and en suite bathroom designed and equipped for seniors and people with mobility impairments, and
  5. Indoor or structured parking.
- 15.5.C. Independent living units and assisted living facilities shall comply with the accessibility requirements of the Massachusetts Architectural Access Board.
- 15.5.D. Outdoor recreational facilities, such as patios, walkways, gardens, and similar areas, shall be provided for use by all residents and staff, and shall be designed for universal access.

## 15.6 Development Standards.

As part of the Planning Board's special permit review process, the Board shall evaluate the proposed Senior Residential Development for conformance to the following minimum design standards.

- 15.6.A. Architectural planning and design shall incorporate energy efficient design techniques, such as natural heating and cooling systems, use of sun and wind energy generation systems, and so forth.
- 15.6.B. Structures located near the project property lines shall be designed and located in a manner that reflects consistency and compatibility with neighboring areas, and shall include appropriate use of building density, heights and design, and vegetative screening and other means of sound protection, to minimize any intrusion on neighbors.
- 15.6.C. Outdoor recreation or gathering areas, particularly those that may generate significant noise and/or light and glare, shall be located to minimize intrusion on neighboring properties.
- 15.6.D. Structures shall be clustered to reduce site disturbance and protect open spaces, natural and environmentally sensitive areas.
- 15.6.E. Building design shall avoid use of long, unbroken facades, and shall include use of offset walls, trellises and other design elements to provide visual interest.
- 15.6.F. Building design, colors, and materials shall generally correspond to the natural setting of the project site, to the character of Edgartown, and to any prevalent design styles that may occur in neighborhoods within the general project area.
- 15.6.G. A development served by public water and public wastewater utilities shall be considered highly advantageous.

## 15.7 Procedures.

- 15.7.A. The special permit application, public hearing, and decision procedures shall be in accordance with this article, the Planning Board's Rules and Regulations for Special Permits, and Sections 9, 17.5 and 17.7 of this Zoning Bylaw, insofar as applicable.
- 15.7.B. The Applicant shall submit a Senior Residential Development special permit application together with the size, form, number, and contents of the required plans

and any supplemental information as required in the Planning Board's Rules and Regulations for Special Permits.

**15.8****Decision.**

## 15.8.A.

The Planning Board may grant a Senior Residential Development special permit with any conditions, safeguards, and limitations it deems necessary to mitigate the project's impact on the surrounding area and to ensure compliance with this article, only upon finding that:

- (1) The proposed Senior Housing Development will not have adverse effects that outweigh its beneficial effects on either the neighborhood or the Town, in view of the characteristics of the site and of the proposal in relation to that site, considering each of the following:
  - a) Social, economic, or community needs which are served by the proposal;
  - b) Traffic flow and safety;
  - c) Adequacy of utilities and other public services; and
  - d) Qualities of the natural environment.
- (2) The design of building form, building location, egress points, grading, and other elements of the project could not reasonably be altered to:
  - a) Improve pedestrian, bicycle, or vehicular safety within the site and egressing from it;
  - b) Reduce the visual intrusion of parking areas viewed from public ways or abutting premises;
  - c) Reduce the volume of cut or fill, or reduce erosion;
  - d) Reduce the number of removed trees six inches trunk diameter and larger; and
  - e) Provide safer and more efficient access to each structure for fire and service equipment.
- (3) The Senior Residential Development meets the purposes, requirements, and development standards of this Article XV, and
- (4) The Senior Residential Development is consistent with the goals of the Edgartown Master Plan.

## 15.8.B.

In reviewing a proposal, the Planning Board may waive strict compliance with any provision of this section, provided that such waiver does not substantially nor detrimentally impact the overall development, the immediate abutters, the welfare of the Town of Edgartown, or the purposes and intent of this Zoning Bylaw.