

8.4 COTTAGE HOUSING

8.4.1 Purpose: The purpose of this section is:

1. To provide for a specific residential development type ("cottage housing") featuring modestly sized single family detached residences with commonly held community amenities, and oriented around commonly held open-space areas.. .
2. Promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition, and individual needs.
3. Provide opportunities for more affordable housing choices within single-family neighborhoods and the community.
4. Encourage creation of functional usable open space in residential communities.
5. Promote neighborhood interaction and safety through design.
6. Ensure compatibility with neighboring land uses and surrounding properties.
7. Provide opportunities for infill development that support the growth management goal of more efficient use of land.

8.4.2 Eligible Locations.

A special permit may be granted for Cottage Housing on Lots(s) in the R-1a and R1b districts that meet the requirements of this section and other applicable provisions of this bylaw. An increase in allowable density over the maximum density shall be allowed in the underlying zoning district to provide an incentive to encourage development of Cottage Housing, and in recognition of its reduced land use and environmental impacts versus typical single-family residential development. The provisions of individual zoning districts shall be applicable to cottage housing developments; provided, that where a conflict exists, the provisions of this section shall have control.

8.4.3 Administration. The Planning Board shall be the SPGA for this Section. An applicant may file an application with the Planning Board in conformance of this Section and the Planning Board Special Permit Rules and Regulations.

8.4.4 Planning Board Rules and Regulations. The Planning Board shall adopt and from time to time may amend Cottage Housing Special Permit Rules and Regulations to implement this Section. Such regulations shall include but will not be limited to Submission Requirements, Fees, Plan Requirements, such as size, form, number and contents; Development Standards, Site Standards, and Standards for Building Placement and Design. Such rules and regulations are required and authorized under G. L. c. 40A, s. 9, and shall be adopted after vote by the Planning Board

8.4.5 General Provisions - Cottage Housing.

- A. Individual cottage units shall contain at least eight hundred (800) and no more than one thousand five hundred (1,500) square feet of gross floor area. A covenant restricting any increases in unit size after initial construction shall be recorded against the property. Vaulted space shall not be converted into habitable space. Maximum single floor area should not exceed 1,000 sf. Maximum 2 bedrooms with max 1 bedroom allowed on first floor.

- B. A community building of up to 2,500 square feet in size may be provided for the residents of the cottage housing development. Roof pitch, architectural themes, materials and colors shall be consistent with that of the dwelling units within the cottage housing development.
- C. Accessory dwelling units shall not be permitted in cottage housing developments.

8.4.6 Development Standards —Cottage.

Cottage housing development shall be subject to the following development standards.

A. Density.

1. Cottage housing development shall be allowed a density not to exceed 4.5 houses per acre.
2. On a site to be used for a cottage housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, may be permitted to remain at the discretion of the Planning Board per the special permit review but the extent of the nonconforming shall not be increased.

B. Limitation on Cottage Housing Development.

1. The minimum area for a cottage housing project is 1 acre, which may include more than one contiguous lot. Maximum size is 5 Acre
2. Cottage housing development shall be separated from another cottage housing development by a minimum of 1/3 of a mile measured between the closest points of the subject properties.
3. No more than 36 cottage housing units be approved per year; the year is determined by the issuance date of the building permit.

C. Site Design.

1. Cottage housing development shall consist of a minimum of four (4) dwelling units and a maximum of Eighteen (18) dwelling units.
2. At least seventy-five (75) percent of dwelling units shall abut the common open space.
3. Common open spaces shall have dwelling units abutting at least two (2) sides.
4. Creation of individual lots shall only be permitted through the residential binding site plan process
5. Requirement of Private open space, 400 sf per unit courtyard or patios. Clotheslines can only be used within the Private open space.
6. Siting of dwelling units or common *open* space in areas with slopes exceeding fifteen (15) percent is discouraged. Dwelling units shall not be placed in such areas if extensive use of retaining walls is necessary to create building pads or *open* space areas.
7. Fencing and Screening. The intent of internal decorative fencing and screening is to

delineate private yards, screen parking areas and structures, community assets, refuse and recycling areas, and unit walls. A cottage housing development is intended to be an internally open community sharing common areas. The intent of external fencing and screening is to conceal the higher density development from adjacent lower density land uses. Chain link and solid fences shall not be allowed internally. Solid fencing is allowed on the perimeter boundary, except where bordering an external street where streetscape landscaping is required.

D. Setbacks and building separation.

1. Dwelling units shall have at least a twenty-five (25) foot front setback, ten (10) foot side yard setback and a fifteen (15) foot rear setback.
2. Dwelling units shall be separated from one another by a minimum of ten (10) feet, not including projections.
3. Dwelling units not abutting or oriented toward a right of way shall have a front yard oriented towards the common open space.
4. The planning board thru special permit approval may use appropriate discretion, consistent with the intent of this chapter, in determining orientation of yards.

E. Lot Coverage (all impervious surfaces).

Impervious Surfaces shall not exceed fifty (50) percent. Lot coverage shall be calculated for the overall cottage housing development, not for individual lots. Paved components of common open space areas and walkways shall not be counted in lot coverage calculations.

F. Refuse and Recycling.

Refuse and recycling containers shall be screened from view by landscaping or architectural screening, and shall not be located in the front yard setback area, or in locations where smells may be offensive to adjacent properties.

G. Pedestrian Network.

Within the confines of the cottage housing development a network of pedestrian pathways shall be provided. Connections to the wider neighborhood shall be made where appropriate and allowed. All such pathways shall be accessible by the general public, except that walkways into and through the cottage housing development may be limited to residents and their guests.

8.4.7 Open Space Requirements.

1. A minimum of one thousand (1000) square feet of common open space shall be provided per dwelling unit.
2. Common open space shall be a minimum of five thousand (5,000) square feet in size, regardless of number of dwelling units.
3. No dimension of a common open space area used to satisfy the minimum square footage requirement shall be less than ten (10) feet, unless part of a pathway or trail.
4. Required common open space shall be divided into no more than two (2) separate areas per cluster of dwelling units.

5. Common open space shall be improved for passive or active recreational use. Examples may include but are not limited to courtyards, orchards, landscaped picnic areas or gardens. Common open space shall include amenities such as but not limited to seating, landscaping, trails, gazebos, barbecue facilities, covered shelters or water features.

6. Surface water management facilities may be commonly held, but shall not counted toward meeting the common open space requirement.

7. Parking areas, required setbacks, private open space, and driveways do not qualify as common open space area.

8. Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. Where feasible, existing mature trees should be retained.

8.4.8 Building Design Standards - Cottage Housing.

A cottage housing development is expected to reflect a coherent and high quality design concept and include architectural elements that ensure compatibility with the existing neighborhood and community character. The following design elements are intended to provide compatibility with existing residential environments. Alternative designs may be submitted to the Planning Board for review and approval, but the Planning Board must find that any such concepts meet or exceed the design quality of the prescriptive standards, and fulfill the stated purpose and intent of this chapter. *Hamilton Design Guidelines reference material can be found at Town Hall.*

A. Building Height.

1. The maximum building height for dwelling units shall be twenty-five (25) feet measured to the highest peak.
2. The maximum building height for garages, community buildings, and accessory structures shall be Thirty (30) feet.

B. Roofs.

1. Dwelling units shall have a minimum 6:12 roof pitch. Up to thirty-five (35) percent of roof area may have a slope not less than 4:12. Portions of a roof with a pitch of less than 6:12 shall be limited to architectural features such as dormers, porch roofs and shed roofs.
2. Garages shall have a minimum 6:12 roof pitch.
3. Cottages shall be a maximum of one and one half (1.5) stories. Any upper floor shall be located within the roof structure, not below it, in order to reduce building massing as much as possible.

C. Entries and Porches.

1. Each dwelling shall have a primary entry and covered porch a minimum of eighty (80) square feet in size, oriented toward the common open space.
2. If the dwelling unit abuts a public right of way, this may be a secondary entrance, and the minimum porch size shall be fifty (50) square feet. If not abutting a public right of way, this shall be the primary entrance, and the minimum porch size shall be eighty (80) square feet.
3. Covered porches shall be a minimum of six (6) feet deep.

8.4.9 Streets, Driveways and Parking is created and read as follows.

- A. Minimum 2-way Driveway Width is: 20 feet
- B. Minimum 1-way Driveway Width is 10 feet
- C. All or a portion of new on-street parking provided as a component of the development may be counted towards minimum parking requirements if the approval authority finds that such parking configuration will result in adequate parking, and is compatible with the character and context of the surrounding area.
- D. Dwelling units shall not include attached garages
- E. A minimum of 2.0 parking spaces per cottage shall be provided for the entire development. An additional fifteen (15) percent of total required spaces shall be designated for guests.
- F. Detached garages. Each dwelling unit shall have no more than one detached garage. The size of the garage shall not exceed two hundred and seventy five (275) gross square feet in size. Garages can be combined into one garage structure; however, no garage structure may exceed one thousand one hundred (1,100) square feet in size for a total not to exceed four garage spaces. Carports are not permitted.
- D. Shared detached garages and surface parking design. Parking areas should be located so their visual presence is minimized and associated noise or other impacts do not intrude into public spaces. These areas should also maintain the single-family character along public streets.
 - 1. Shared detached garage structures may not exceed four (4) garage doors per building, and a total of one-thousand one hundred (1,100) square feet.
 - 2. For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
 - 3. Shared detached garage structures and surface parking areas must be screened from public streets and adjacent residential uses by landscaping.
 - 4. Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.
 - 5. Surface parking areas may not be located in clusters of more than four (4) spaces. Clusters must be separated by a distance of at least 20 feet.
 - 6. The design of garages must include roof lines similar and compatible to that of the dwelling units within the development.
 - 7. Parking lots shall be set back at least twenty (20) feet from front property lines and ten (10) feet from external side and rear property lines.
 - 8. Garage doors shall not be oriented toward a public right of way with the exception of an alley.

8.4.10 Common Area Maintenance – Cottage Housing.

Cottage housing development shall be required to implement a mechanism, acceptable to the approval authority, to ensure the continued care and maintenance of all common areas including common open space, parking, surface water management facilities (if applicable) and any other common area or shared facilities. Such a mechanism shall include creation of either a homeowners' or condominium association with authority and funding necessary to maintain the common areas.

8.4.11 Cottage Housing – General Requirements Low Impact Development Standards created to read as follows.

A. The proposed site design shall incorporate the use of low impact development (LID) strategies to meet storm water management standards. LID is a set of techniques that mimic natural watershed hydrology by slowing, evaporating/transpiring, and filtering water, which allows water to soak into the ground closer to its source. The design should seek to meet the following objectives:

1. Preservation of natural hydrology.
2. Reduced impervious surfaces.
3. Treatment of storm water in numerous small, decentralized structures.
4. Use of natural topography for drainage ways and storage areas.
5. Preservation of portions of the site in undisturbed, natural conditions.
6. Reduction of the use of piped systems. Whenever possible, site design should use multifunctional open drainage systems such as vegetated swales or filter strips which also help to fulfill landscaping and open space requirements.

8.4.12 Special Permit Evaluation Review Criteria -Cottage Housing.

Special Permit. The special permit review shall consider all aspects of the project, and shall ensure that the project is well designed and compatible with existing and planned development in the vicinity. The review shall include: building materials and finishes, articulation and modulation, massing, trim details, colors, exterior lighting, special building heights, paving materials, mechanical equipment screening, fencing, tree retention and landscaping.

Applicants may request modifications to the open space, site design, design standards, setbacks and parking provisions.. The Planning Board may grant exceptions from the above referenced provisions of the Cottage Housing bylaw if any of the following apply:

- A. The site is constrained due to unusual shape, topography, easements or critical environmental areas;
- B. The modification will not result in a project that is less compatible with neighboring land uses and character of the surrounding neighborhood than would have occurred under strict adherence to the provisions of this chapter.
- C. The Planning Board may permit modifications to the building design standards if it finds the alternative design concept provides a high level of design quality and compatibility with the character of the surrounding neighborhood.

8.4.13 COTTAGE HOUSING OVERLAY DISTRICT CHART - DESIGN ELEMENTS LIST:

1. TOTAL FLOOR AREA PER COTTAGE – 1,500 SF
2. MAXIMUM MAIN LEVEL UNIT AREA - 1,000 SF
3. MAXIMUM NUMBER OF BEDROOMS – 2 Bedrooms per unit
4. CLUSTER QUANTITY SIZE – Minimum 4 dwelling units; Maximum 18 dwelling units
5. HEIGHT LIMIT – 25 (twenty – five) feet (to peak)
6. MIN COMMON OPEN SPACE PER COTTAGE – 1,000 SF per unit
7. MIN COMMON OPEN SPACE OVERALL – 5,000 SF per unit
8. MIN DISTANCE BETWEEN STRUCTURES – 10 (ten) feet
9. PARKING SPACES – Two spaces per units plus 15% of project total for guest parking
10. INTERIOR SETBACKS TO ADJACENT PROPERTIES – 10 (ten) feet
11. SETBACK FROM PUBLIC STREET – 25 feet
12. NUMBER OF GARAGE SPACES - project specific
13. ONE WAY DRIVEWAY WIDTH – 10 (ten) feet
14. TWO WAY DRIVEWAY WIDTH – 20 (twenty) feet