

Senior Housing

Definitions for Article II.

Senior Housing: An arrangement of dwelling units designed exclusively for seniors as set forth in Article XIII.

GROSS FLOOR AREA, Senior Housing. The sum of the floor area of each Senior Housing unit. Floors are measured from the interior limits of the structure where there is at least five feet in height between the floor and the ceiling. The floor area of a Senior Housing unit includes floor areas within each unit only if used for living space. It includes closets and stairwells and enclosed porches within a unit, but does not include common areas.

Senior: A person at least 62 years of age.

Article XIII Senior Housing.

Senior Housing is a residential use suited to the needs of seniors located close to municipal and social services and facilities, and designed to facilitate independent living with an emphasis on safety and accessibility.

A Senior Housing development must meet all the requirements for a Site Plan Review under section 12.10 of the Lyme Zoning Ordinance as well as the following criteria:

- a) Senior Housing may be located in one or more buildings on a lot or on a portion of the lot within the Lyme Common Zoning District.
- b) Only Seniors may occupy a Senior Housing dwelling unit. No more than two Seniors may occupy a Senior Housing dwelling unit.
- c) The number of Senior Housing units on a lot shall not exceed ten.
- d) Dimensional controls such as lot coverage, building footprint, gross floor area, and property boundary and road setbacks may be relaxed by the Planning Board upon the issuance of a Conditional Use Permit, if the following criteria are met:
 - i. the proposed dimensions are consistent with the dimensions of the buildings in the neighborhood;
 - ii. the site is adequate to support on-site wastewater disposal;
 - iii. an adequate supply of water for domestic use and for fire suppression is available, either on-site or from a shared water system;
 - iv. the site can accommodate necessary amenities such as off-street parking, pedestrian ways, landscaping, and recreation areas; and

- v. Senior Housing may share a lot or building with other principal uses that are allowed in the Lyme Common Zoning District. The gross floor area of the Senior Housing dwelling units, common areas and accessory buildings must exceed 70% of the sum of senior housing gross floor area, non-senior housing residential gross floor area and non-residential gross floor area on the lot in order for the Planning Board to vary the dimensional controls as described in (d).
- e) i. The gross floor area of Senior Housing dwelling units in a single development shall average no larger than 1200 square feet.
 - ii. Interior common areas shall not be counted as residential square footage within the principal structure.
 - iii. The maximum building footprint shall not exceed 8,000 square feet and maximum gross floor area of all the buildings and accessory structures on the lot shall not exceed 12,000 square feet
 - iv. Up to 3,000 square feet of covered parking dedicated solely to the Senior Housing residents shall not be counted as part of building footprint and gross floor area.
 - f) Parking may not be located in the front setback and shall be provided on site following the standards contained in Appendix A of the Site Plan Review regulations.
 - g) The exterior appearance and massing of any structure associated with Senior Housing must be harmonious and consistent with the present character of the neighborhood.
 - h) The owner of any Senior Housing dwelling unit is responsible for supplying proof of each of the resident's age to the Zoning Administrator by the last day of January of each year and whenever a new resident occupies a Senior Housing dwelling unit. Upon notification by the Zoning Administrator or any resident of the Town of a failure to comply with this requirement, the Select board shall be responsible for enforcement as set forth in Section 9.12 and shall take action within 14 days.
 - i) Buildings and structures used for Senior Housing shall not be changed to any other use for 25 years after first occupancy as Senior Housing.
 - j) If at any time after the adoption of this Article a State law is enacted that mandates that any provisions or incentives of this Article must be applied to other forms of housing, this Article shall terminate as of the effective date of that law and not be valid thereafter.

Please note that the sections below are existing sections of the Zoning that need to be updated to reflect the addition of the Senior Housing article.

4.41 Principal Building and Activity on Lots. There shall be only one principal building and one principal activity on a lot unless otherwise approved under the lot size averaging subdivision provision

(Section 5.11 D.), the multi-dwelling and conversion provision (Section 4.46), Senior Housing (Article XIII), or the planned development provision (Section 4.49).

5.13 C

- C. Property line setbacks are provided in Table 5.1. In the Lyme Common and Lyme Center Districts, minimum road setbacks for new buildings, additions to existing buildings or replacements of existing buildings shall be no less than the median setback of the five closest buildings on the same side of the street. The minimum setbacks shall not be reduced except in accordance with the provisions of Section 8.20 and Article XIII, Senior Housing.

5.14 D

- D. except as otherwise permitted by special exception in connection with lot size averaging subdivisions (Section 5.11); planned development (Section 4.49); Senior Housing (Article XIII) and expansion of any lawful non-conforming structure in existence when this ordinance was passed (section 8.25).

5.15 E

- E. except as otherwise permitted by special exception for lot size averaging subdivisions (section 5.11 D); planned developments (section 4.49); and expansion of any lawful non-conforming structure in existence when this ordinance was passed (section 8.25); Senior Housing (Article XIII) and

5.16 Gross Floor Area. Gross Floor Areas are provided in Table 5.1. The maximum gross floor area shall be determined by the Planning Board and shall not exceed 14,000 square feet per each lot that would be available to the applicant if the property were subdivided into the maximum number of lots which could be created in a subdivision meeting all of the requirements of the Lyme Subdivision Regulations and this ordinance. Only the principal building in Skiing Facilities Use shall be subject to a maximum gross floor area limitation of 18,000 square feet. For all other uses in the Skiway District, the maximum gross floor area shall be 14,000 square feet. Gross Floor Area for Senior Housing shall be determined by the Planning Board through Site Plan Review as provided in Article XIII.

Table 4.1

Lyme Center	Lyme Common	Commercial District	Rural District	East Lyme	Skiway	Mountain & Forest	Holt's Ledge
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AGRICULTURE									
Agriculture	Y	Y	Y	Y	Y	Y	Y	Y	
Agritourism	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	
Forestry	Y	Y	Y	Y	Y	Y	Y	Y	
RESIDENTIAL									
Single Dwelling	Y	Y	Y	Y	Y	N	Y	Y	
Multi-Dwelling Conversion	SPR	SPR	SPR	SPR	N	N	N	N	
Affordable Housing	SEE ARTICLE XI								
Lot Size Averaging	Y	Y	Y	Y	Y	N	Y	Y	
Senior Housing	N	SPR	N	N	N	N	N	N	
INSTITUTIONAL									
Government Use	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR	
Institution	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR	
BUSINESS									
Clinic	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR	
Cottage Industry	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR	
Day Care	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR	
Excavation	N	N	Y	Y	Y	Y	Y	N	
Home Occupation	Y	Y	Y	Y	Y	N	Y	Y	
Light Manufacturing or Processing	N	N	SPR	N	N	N	N	N	
Lodging Accommodations	SPR	SPR	SPR	SPR	N	N	N	N	
Office Building, New	N	N	SPR	N	N	N	N	N	
Office/Studio/Restaurant Conversion	SPR	SPR	SPR	SPR	SPR	N	SPR	N	
Outdoor Recreation Activities	Y	Y	Y	Y	Y	Y	Y	Y	
Planned Development	N	SPR	SPR	N	N	N	N	N	
Restaurant	N	N	SPR	N	N	N	N	N	
Retail Use	SPR	SPR	SPR	N ¹	N ¹	N ¹	N ¹	N	
Sawmill	N	N	N	SPR	SPR	SPR	SPR	SPR	
Service Use	SPR	SPR	SPR	N	N	N	N	N	
Skiing Facilities	N	N	N	N	SPR	SPR	N	SPR	

- Y** - Use permitted by right, provided that all other requirements of Federal, State, and Town laws, rules, ordinances, and regulations have been met. A permit is not required for agricultural, forestry, or home occupation uses.
- SPR** - Use permitted by Site Plan Review provided that all other requirements of Federal, State, and Town laws, rules, ordinance, and regulations have been met and approval has been granted by the Planning Board.
- N** - Use not permitted.

¹ The retail sales of products resulting from accessory use are permitted in these districts.