

SECTION 10.0. INTERIM CONTROLS – SHAW GARDENS AND HITTINGER FARM OVERLAY DISTRICT

Note: §10.0 was adopted by Article 6 at the 2015 Annual Town Meeting.

10.1 Purpose

The purpose of the Shaw Gardens and Hittinger Farm Overlay District is to provide a temporary period of prohibition on the teardown and replacement of any existing detached single-family dwelling unit with any structure that exceeds a total height of thirty-two (32) feet, as measured from the average grade to the highest point of the roof (ridge), while the Town engages in planning studies to address the effects of such demolition and construction and recommends long-term regulations consistent with sound fire safety and land use planning goals and objectives.

10.2 Establishment and Delineation

The boundaries of the Shaw Gardens and Hittinger Farm Overlay District are shown on the Shaw Gardens and Hittinger Farm Overlay District Map on file with the Town Clerk and include a portion of the underlying Single Residence C Zoning District as shown on the Town of Belmont Zoning Map. The Overlay District includes parcels 20 through 161, 163 through 188, and 190 through 243, as shown on the Town of Belmont Tax Assessors Map 9.

10.3 Development Restriction

For the period established under Section 10.4, within the Shaw Gardens and Hittinger Farm Overlay District, all requirements of the underlying zoning district remain in effect, except for the restriction established under this Section 10.3. No building permit shall issue for the construction, reconstruction, or modification of any detached single-family dwelling unit that will exceed a total height of thirty-two (32) feet, as measured from the average grade to the highest point of the roof (ridge).

10.4 Time Limitation

The provisions of this Section 10 shall expire on June 30, 2016; provided, however, that by vote at Town Meeting before said date, they may be extended for an additional period to continue planning studies necessary to promote the establishment of long-term regulations consistent with sound fire safety and land use planning goals and objectives.

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