

**ADD DEFINITION TO SECTION 1.02:**

Retreat Lot – A retreat lot shall be defined as a lot having less than the required frontage to meet the zoning bylaw requirements but having adequate frontage on a street to allow driveway access to the lot and having additional acreage, as set forth in these Zoning By-Laws. Also known as a back lot, rear lot, retreat lot, or panhandle lot.

**Section 6.05 Retreat Lots**

- (a) Purpose  
The purpose of this by-law is to allow for the limited development of lots with deep back land by special permit by the Planning Board for a single dwelling unit with less than the required frontage, in exchange for increased square footage for the purposes of preservation of open space, minimizing density in given areas, and maintaining the rural character of the town.
- (b) Applicability
  - (i) The provisions of this bylaw shall be applicable to any lots that pre-exist this by-law, or lots approved by the Planning Board, acting as the Special Permit Granting Authority, that are created after the enactment of this by-law.
  - (ii) This by-law does not allow for the creation of more than one retreat lot from a single parcel. The creation of more than one lot shall be covered by the Subdivision Control Law.
  - (iii) In the case of Retreat Lots that serve Open Space Communities in accordance with Section 3.04 of these Zoning By-Laws, the Planning Board may waive the below requirements after review and approval by the Highway Department, the Fire Department, and the Police Department to ensure emergency vehicle access.
- (c) Filing Fee  
An application filing fee will be paid by the applicant to the Town of Mendon at the time of application in accordance with the Schedule of Fees. Any additional fees including those for advertising and mailing of notices will be paid by the applicant.
- (d) Governing Body  
The Planning Board shall be the Special Permit Granting Authority for special permits for retreat lots.
- (e) Approval Process  
All retreat lot applications will be acted upon by the Planning Board only after a public hearing. The Planning Board may grant a special permit under this by-law if it finds that all of the requirements of this by-law are met, and further, if it finds that the criteria set forth in Section 1.06 (Provisions for Applying for a Special Permit) of the Zoning By-laws have been met to the extent applicable. Upon approval by the Planning Board, a plan showing the approved lot shall bear the statement “Approved for Retreat Lot Development” and will be entitled to endorsement as an “Approval Not Required” plan as provided in General Laws Chapter 41 Section 81P, and such plan will be recorded at the Registry of Deeds.

- (i) An approved retreat lot shall not be further divided to reduce its area or create additional lots. A notation to that effect will be included on any “Approval Not Required Plan” endorsed by the Planning Board pursuant to this by-law.
- (ii) The special permit may contain reasonable conditions, safeguards, or limitations on use, and may require performance guarantees, as well as construction and inspection requirements.
- (iii) The special permit will lapse if not exercised within two years from date of approval. “Exercised” shall be deemed to mean construction in accordance with a duly issued building permit.

(f) Restrictions

- (i) General Restrictions
  - (1) No more than two retreat lots shall have contiguous frontage.
  - (2) No more than two retreat lots shall be adjacent to each other, and may only be adjacent along the access strip.
  - (3) There shall be a minimum of 1000 feet of frontage between retreat lots except in the case that two retreat lots abut each other along the access strip.
- (ii) Access
  - A retreat lot shall have at least 50 feet of frontage on an accepted public way, and the access strip width to the retreat lot must maintain the 50-foot minimum width requirement at all points from the street to the principal structure on the lot.
    - (1) The access strip length shall be determined to be from the frontage to the point at which the lot width meets minimum frontage requirements for the district.
    - (2) No structures shall be allowed to be constructed in the access strip.
    - (3) An access driveway shall be constructed and maintained within the access strip which provides:
      - (a) Adequate access by driveway and turn around area for emergency vehicles.
      - (b) A maximum grade of ten percent (10%), three percent (3%) within 50 feet of the street line.
      - (c) The access driveway must be shown on the plan and approved by the Planning Board as part of the special permit application. The Planning Board will seek recommendations from the highway superintendent, fire chief, and building inspector on the adequacy of the access drive.
      - (d) Should retreat lots be requested on adjacent lots, a common driveway, in accordance with Mendon Zoning By-Laws Section 6.04, shall be provided for access to both lots. Only one curb cut shall be permitted for adjacent retreat lots.
- (iii) Lot Dimensions
  - (1) The area of the retreat lot must be at least two times the minimum lot size requirement for the zoning district in which it is located.
  - (2) The width of the lot where the principal building is to be constructed shall equal or exceed the distance normally required for street frontage in the district, and all minimum front, side and rear yard setback requirements for the district must be met.

- (3) The access strip square footage shall not be included in the minimum lot size calculation.