

2. DEFINITIONS

Building Footprint: the total area of the largest floor of a building, calculated using the outside perimeter of the surrounding exterior walls, plus the area of any part of the building not provided with surrounding walls, calculated using the outside perimeter of the roof.

Building Gross Floor Area: the sum of the horizontal areas of each floor of a building, measured from the external faces of exterior walls of the building, without deduction for hallways, stairs, elevators, closets, mechanical and service rooms, thickness of walls, columns or other features.

Zoning

(Recreation Overlay District)

3.1.1.3

f. The RECREATION OVERLAY DISTRICT (ROD)

3.2.8. The Recreation Overlay District (herein the "ROD") is hereby established as an Overlay District that includes all parcels, or connected parcels owned in the same name, greater than 75 acres in size located along State Route 23 or Egremont-Sheffield Road.

5.7. Recreation

5.7.1. Intent and Purpose

a) To allow recreational uses in order to promote outdoor recreational development in a way that would balance the economic benefit to the town in a way consistent with rural areas, open spaces, scenic views, natural resources and areas of natural beauty;

b) To provide for certain types of recreational uses within the Town of Egremont, as the intent of the ROD is to allow for the use of larger tracts of land that are currently used or have the potential to be used for recreational purposes in a manner that will achieve the other purposes of this Bylaw; and

c) To promote development of rural land uses that preserve natural resources while encouraging outdoor recreational development consistent with the purposes of this Bylaw.

5.7.2. Relationship to Other Districts

The ROD modifies and, where there is an inconsistency, supersedes the regulations of the underlying zoning district. Except as so modified or superseded, the regulations of the underlying district remain in effect.

5.7.3. Allowed Uses in the ROD

In addition to uses allowed under this Bylaw, the uses listed below in the ROD are allowed as of right for active and/or passive recreational activities, whether or not pre-existing. Multiple principal uses and structures are allowed in the ROD if the other provisions of this Section 5.7 are met. One or more of the following uses are allowed:

(1) golf courses; (2) tennis courts; (3) boating areas; (4) skiing and other cold-weather recreational activities; (5) play and family activity areas; (6) nature trails; (7) hiking areas; (8) climbing areas; (9) adventure or structured climbing and zip line activities; (10) horseback riding; (11) swimming facilities; (12) tubing; (13) alpine slides; (14) mountain coasters; (15) bicycling; (16) picnicking; and (17) other similar non-motorized outdoor recreational activities.

Development and maintenance of existing and new ski lifts, trails, equipment, and golf facilities, and redevelopment of existing buildings, that are part of a commercial operation on a property where such operations are in existence on the date of adoption of this Section 5.7 are not subject to Site Plan Review.

5.7.4. Accessory Buildings, Structures and Uses Permitted in the ROD

Subject to Sections 5.7.6 and 5.7.7, new accessory buildings, structures and uses that are incidental to a principal building, structure or use and that are commonly associated with the above listed uses, including conference rooms, event areas, restaurants and retail shopping that are accessory to the primary Outdoor Recreation use, are allowed in the ROD subject to site plan review and other requirements of this Section 5.7.

5.7.5. Prohibited Uses in the ROD

Unless existing prior to the adoption of this Section 5.7, shooting ranges and private or rental operation of motorized recreational vehicles, including but not limited to motorcycles, dirt bikes, ATVs, go-carts, vehicular racing competitions and snowmobiles are not allowed in the ROD.

5.7.6. Setbacks

No new parking, driveway or service area serving an outdoor recreational development shall be located within one hundred (100) feet of any property line, unless the adjoining property is in the same ownership as the outdoor recreational development. New buildings shall meet the following dimensional requirements:

Maximum Building Footprint	Maximum Building Gross Floor Area	Minimum Setback from Property Line of Property Not Under Same Ownership
3,000 square feet	3,000 square feet	50 feet
6,000 square feet	6,000 square feet	100 feet
6,000 square feet	15,000 square feet	200 feet
12,000 square feet	30,000 square feet	250 feet

Decks and patios used for outdoor assembly, recreation, or events shall meet a minimum setback of 250 feet from the property line.

Other recreational-use structures shall meet a minimum setback of 50 feet from the property line.

5.7.7. Exterior Lighting

Excluding trails or outdoor recreational activities, outdoor lighting fixtures that are newly installed shall not produce a strong direct light beyond property boundaries. No such outdoor light shall be located at a height greater than 35 feet, and its light level at the lot line shall not exceed 0.2 foot-candles, measured at ground level.

5.7.8. Site Plan Review

The purpose of Site Plan Review is to provide the Site Plan Review Authority (SPRA) additional oversight regarding specified design elements in the Recreational Overlay District (ROD). The Planning Board shall be the Site Plan Review Authority for development reviewed under the ROD. At the discretion of the SPRA, Site Plan Review may be required. In addition to the Planning Board's review responsibilities under this Section 5.7, the SPRA shall review a) through d) below in conducting a Site Plan Review:

- a) screening needed to reduce the visual impact of development, including trees, shrubs, fences and natural landscaping, accounting for any visual impact that already exists;
- b) external building characteristics, such as roof shape, color, exterior siding, and design elements that would impact the scenic view from Route 23 or Egremont-Sheffield Road;
- c) parking design with adequate screening and access for emergency vehicles; and
- d) lighting design, height and placement proposed as part of accessory buildings, uses and

structures to minimize the impact of ambient light to adjacent properties and surrounding areas.

5.7.9. Filing Fees

The filing requirements and all other associated fees required for the Site Plan Review process shall be paid by the applicant.

5.7.10. Application

For Site Plan Review, the applicant shall submit a Site Plan for the project prepared by a Professional Engineer or Registered Landscape Architect at a scale of no less than 1" = 40' clearly illustrating the following:

1. Location, size and height of all proposed structures;
2. Schematic grading plan showing elevations at critical points;
3. Landscaping plan showing existing grading and vegetation, proposed clearing, and proposed revegetation;
4. Location, type and size of all utilities serving the proposed project, including wastewater disposal systems;
5. Location, size and number of new parking spaces;
6. Location, size, height and illumination intensity of all proposed lighting structures and devices, consistent with Section 5.7.7.;
7. Location of all proposed roads and driveways associated with the proposed project, including road lengths, widths and profiles;
8. Location of all wells and surface waters from which water will be drawn for the proposed uses; and
9. Location of all storm water control structures, including measures to control runoff during construction and post-construction conditions.

5.7.11 Site Plan Approval

The SPRA shall have 30 days to determine if the application is complete under Section 5.7.10, or to determine if Site Plan Review is needed. If the application is determined to be incomplete, the SPRA shall notify the applicant in writing within the 30-day period of the incomplete or missing

information. Once the application is complete, the SPRA shall have 60 days to review the application and reach a decision. The review period may be extended by mutual written agreement between the SPRA and the applicant. Approval of the Site Plan may include modifications to the Site Plan required by the SPRA to meet the standards of this Section 5.7. The Site Plan must be approved by a majority vote of the SPRA.