

# Article 42: Residential Incentive Overlay (RIO) District at 125 Oakland Street Presentation to Advisory Committee

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WEDNESDAY, FEBRUARY 15, 2023

# Project Overview

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- Article 42 amends the Zoning Map to add a Residential Incentive Overlay (RIO) District to 125 Oakland Street – Mount Saint Vincent, which is currently owned and operated by the Sisters of Charity (Sisters), a Roman Catholic order of Women Religious
- The property is currently zoned as an Educational District, which allows the non-profit Sisters of Charity to operate under the religious exemption of M.G.L. Chapter 40 Section 3.
- The Sisters (average age: 82 years) are seeking to convey operations and ownership of the facility and property. Timing and type of buyer are not presently known. The Sisters are working with a consultant to determine options.
- For a for-profit entity to own the property, the zoning must be amended.
- Residential rental arrangements to keep the Sisters together at the facility will be a part of any future sale.

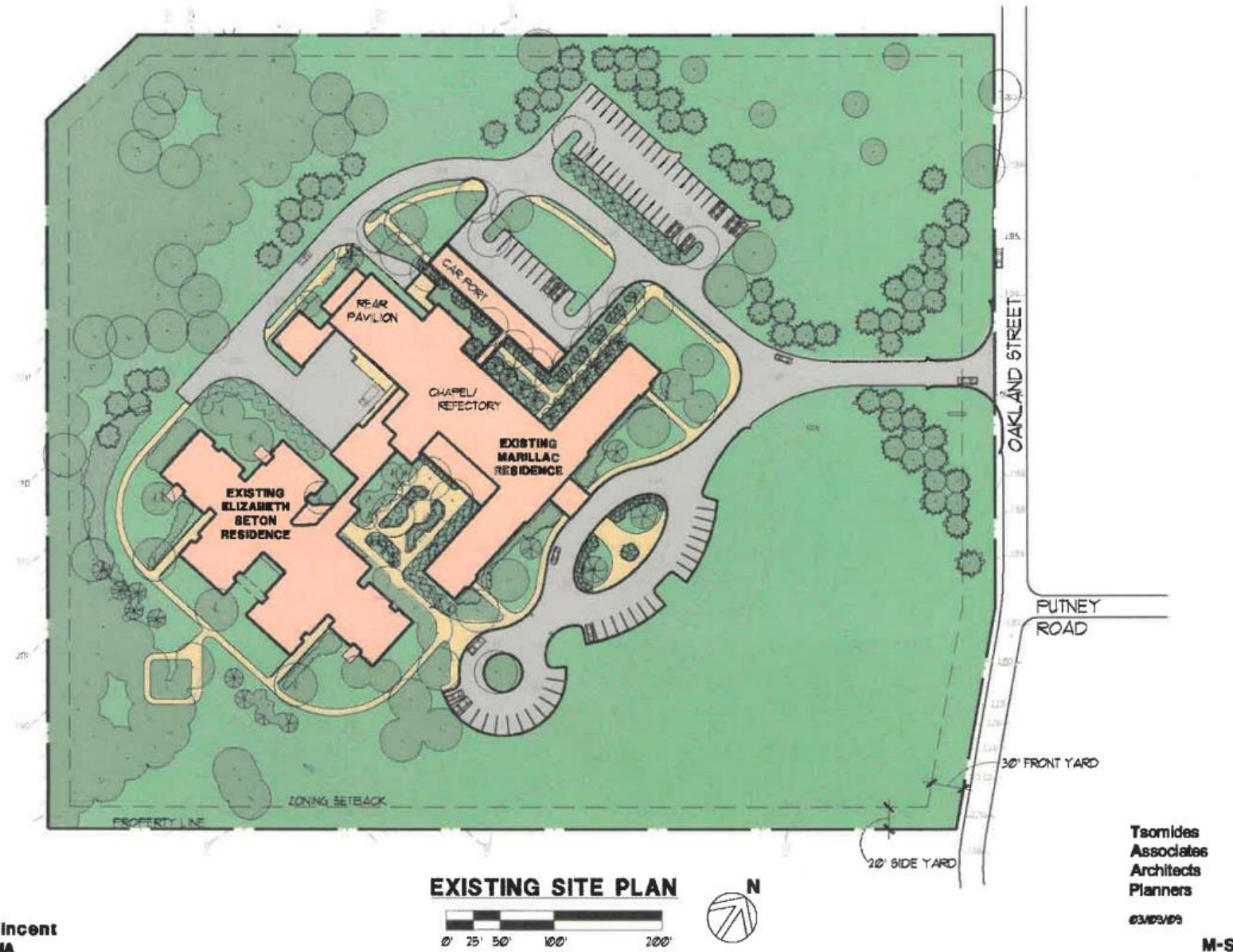
# Sisters of Charity Background

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- The Sisters of Charity (Sisters) began approximately 175 years ago in Halifax, Nova Scotia
- Members are involved in teaching, healthcare, & pastoral care
- Sisters were sent to Massachusetts in the 1890s and taught in schools in Lawrence, Dorchester, Needham, Lowell, Medford, Wellesley, and Roxbury
- In 1967, the property became the site of a formation house where new sisters came for training. However within 10 years, membership began to decline and the site transitioned into a retirement home for senior sisters – Mount Saint Vincent
- Mount Saint Vincent is the main retirement community for the Sisters in the United States
- The Sisters expect to have residents there for another 30+ years, though numbers will decline
- Community living is especially important and this would not be possible in another location with such a large group

# 125 Oakland Street (Parcel ID 46-1)

- Lot contains 612,453 sq. ft. (14.06 acres)
- Mount Saint Vincent houses two state-licensed healthcare facilities (Marillac Residence & Elizabeth Seton Residence)





# Marillac Residence

(76-Bed Level IV Rest Home)

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# Elizabeth Seton Residence

(84-bed Skilling Nursing & Rehabilitation Facility)



# Sisters of Charity Background

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Marillac Residence	Elizabeth Seton Residence
76-bed Level IV Rest Home	84-bed Skilled Nursing & Rehabilitation Facility
40 resident Sisters	14 resident Sisters
*2 lay residents + 20 religious from other congregations	*41 long-term lay residents
	24 short-term rehab beds (in high demand)
45,745 sq. ft.	78,964 sq. ft.

\*lay residents are comprised of the general public including Wellesley residents

Estimated 68 sisters in NY and MA will retire to Mount Saint Vincent

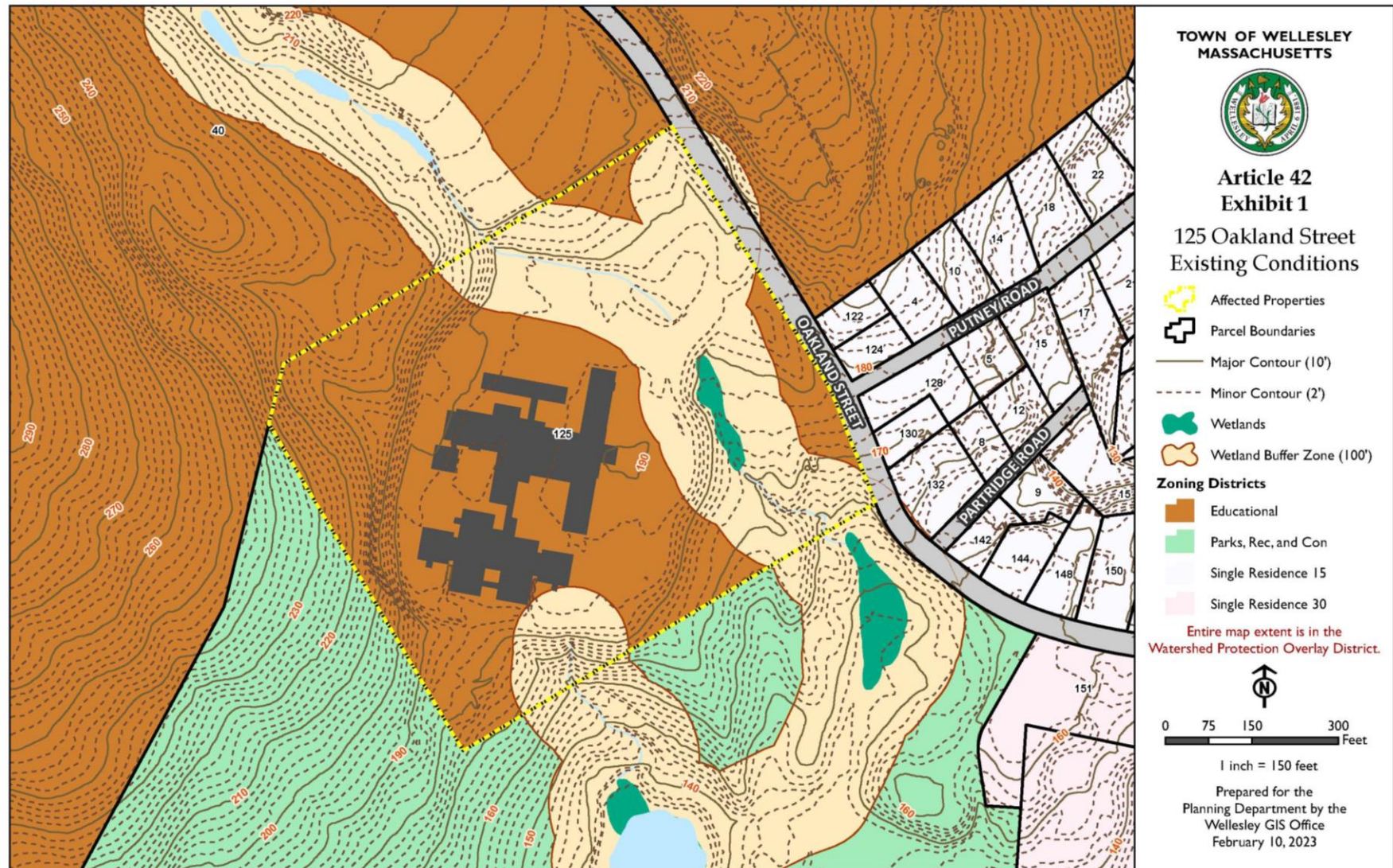
# Current Zoning

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- 125 Oakland Street is currently zoned Educational (Section 2.7), which allows the non-profit Sisters of Charity to operate under religious exemption. Current allowed as-of-right uses in the Educational district include:
  - Educational purposes on land owned or leased by the State, or by a religious sect or denomination, or by a non-profit educational corporation
  - One-Unit Dwellings, Two-Unit Dwellings, Town Houses, and Multi-Unit Dwellings for the housing of faculty, staff and/or employees of the educational institution
  - One-Unit Dwellings (the use of which is not associated with an educational institution)
  - Religious purposes
  - Child Care Facility
  - Clubs (except a club the chief activity of which is a service customarily carried on as a business)



# Existing Conditions



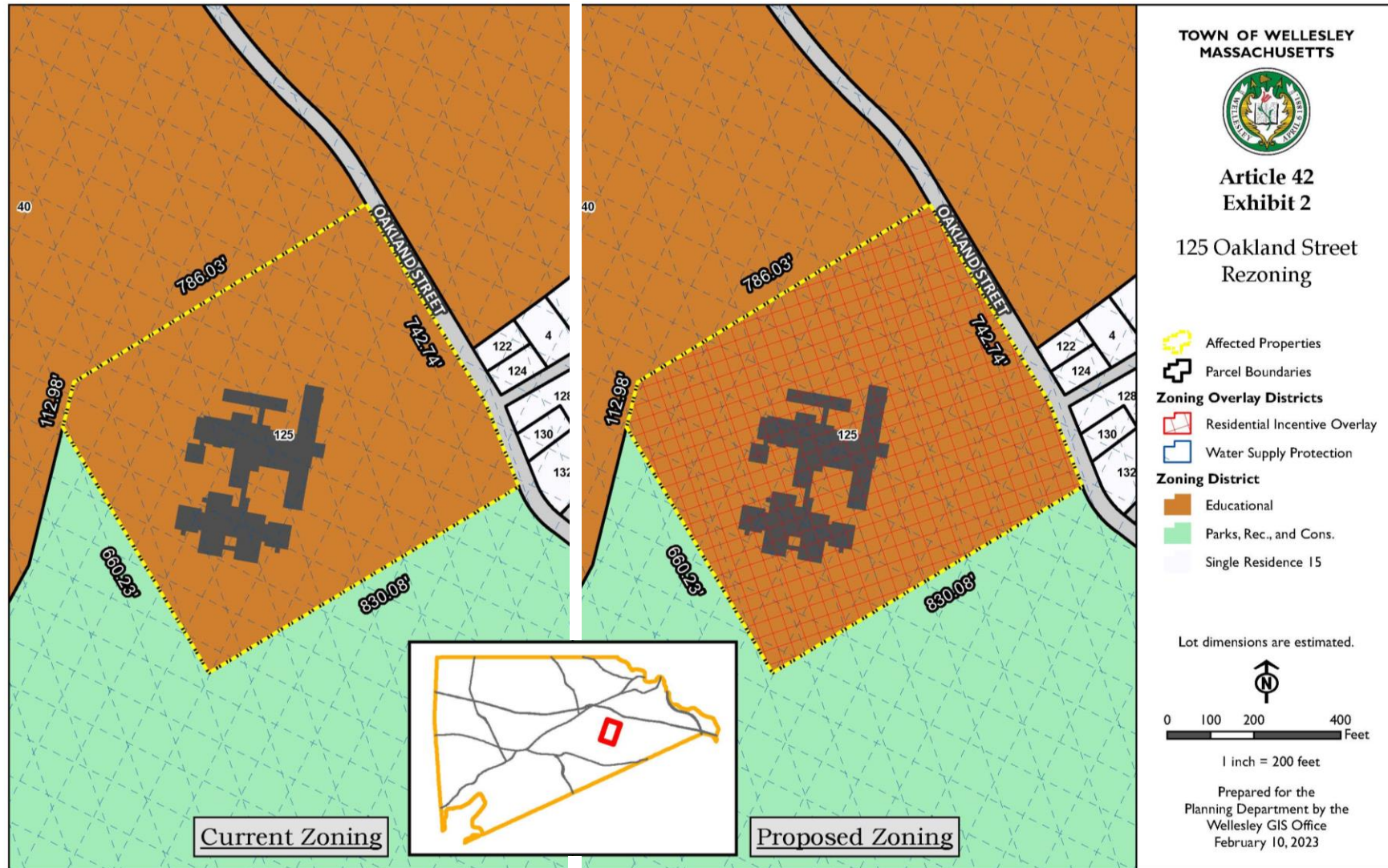


# Proposed Zoning

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- Article seeks to add the Residential Incentive Overlay District (RIO) (Section 3.2) to the property. The RIO provides a residential reuse incentive for a parcel or parcels greater than one acre located in close proximity to the Town's Commercial Districts and public transportation.
- The Overlay District does not alter the zoning rights permitted by the underlying zoning district. However, the use of one or more RIO development options requires consistency with all RIO requirements.
- Permitted Uses under a RIO include: Conventional Multi-Unit Dwelling Units, Assisted Elderly Living, Independent Elderly Housing, Nursing Homes and Skilled Nursing Facility.
- The RIO includes provisions for Minimum Lot or Building Site Area, Minimum Open Space, Floor Area Ratio (FAR), Max Development Density, Building Setbacks, Building Height, Signs, Off-Street Parking, Building Conversion, Mixed Use Projects.
- New construction would require project approval by town boards – Planning Board (Special Use Permit, Project of Significant Impact), Zoning Board of Appeals (Site Plan Approval), and other developmental constraints (Wetlands and 100' Wetland Buffer Zone)

# Map Amendment



# Questions?

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*Thank you for your time and consideration*



# Appendix 1: Definitions

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Resident Care Facilities (Level IV) or Rest Home shall mean a facility or units thereof that provides or arranges to provide in addition to the minimum basic care and services required in 105 CMR 150.000, a supervised supportive and protective living environment and support services incident to old age for residents having difficulty in caring for themselves and who are ambulatory and do not require Level II or III nursing care or other medically related services on a routine basis.

Skilled Nursing Care Facilities shall mean a facility or units thereof that provide continuous skilled nursing care and meaningful availability of rehabilitation services and other therapeutic services in addition to the minimum, basic care and services required in 105 CMR 150.000 for residents who show potential for improvement or restoration to a stabilized condition or who have a deteriorating condition requiring skilled care.

Source: <https://www.mass.gov/doc/105-cmr-150-standards-for-long-term-care-facilities/download>

# Appendix 2: Maximum Development Capacity

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- Assisted Elderly Living or Independent Elderly Living: 150 unit maximum
- Nursing Home or Skilled Nursing Facility: 250 bed maximum
- Conventional multi-unit housing: 340 unit maximum (lot area of 1,800 sq. ft. min. per unit)
- Mixed Use Projects:
  - Any combo of conventional housing types have max density of 24 units per acre (24 units x 14 acres = 336 units)
  - 75 conventional units allowed in conjunction with development of a facility providing 100 nursing home beds, 100 beds associated with a skilled nursing facility, or at least 80 assisted living or independent elderly housing units.
  - Projects that provide at least 100 elderly dwelling units of any type, including skilled nursing facilities, or at least 50 conventional housing units of any type, up to 10,000 sq. ft. of retail space in a structure separate from the residential units or nursing facility shall be permitted.

Source: [Section 3.2](#) of the Zoning Bylaw