

## **Article 8 – Zoning Bylaw Amendment – Conversion of Public School Buildings to Multiple Residential Use (by Petition)**

To determine whether the Town will vote to amend the Bedford Zoning Bylaws to revise the current Zoning Section 11 - Conversion of Public School Buildings to Multiple Residential Use (and related references in other sections of the Bylaw) to permit additional building construction by amending the following sections of the Bedford Zoning Bylaw:

**Section 4.2.8** is hereby amended to read as follows:

*4.2.8 Public School Property Reuse ~~Building Conversion~~.  
~~Conversion~~ Reuse of a public school building and grounds to a multiple residential use in accordance with the provisions of Section 11.*

**Table I: Use Regulations** is hereby amended by changing the title of section 4.2.8 from “Public School Building Conversion” to “Public School Property Reuse” and changing the requirement for Site Plan Approval from “R” to “NR” as site plan review will occur through the special permit process.

**Section 11 Title** is hereby amended by replacing the term “Conversion of Public School Buildings to Multiple Residential Use” with the new title “**Reuse of Public School Properties for Multiple Residential Use.**”

**Section 11.1** The first paragraph of section 11.1 is hereby amended by replacing the word “conversion” and replacing it with “reuse” and inserting “and properties” after the words “public school buildings” such that the first paragraph reads:

*The Planning Board may grant a Special Permit (SP) for the ~~conversion~~ reuse of public school buildings and properties, declared to be no longer required for public purposes, to Multiple Residential Use subject to the requirements set forth below and such additional conditions and limitations as may be imposed by the Planning Board.*

Section 11.2 is hereby amended to expand the explanation of purpose to read as follows:

### 11.2 Purpose

*~~The purpose of this section is to encourage the most appropriate conversion and re-use of each public school building and to maintain consistency of treatment of each application.~~*

*The principal purpose of this section is to foster reuse of former public school buildings and grounds for residential use in ways that are attractive, useful and harmonious with their neighborhood and the community. In doing so, the intent is to re-purpose the school structure and incorporate any additional dwellings, in a manner that respects the scale and form of the surrounding area, retains a significant amount of open space, preserves existing natural and built amenities as key site features and creatively blends architectural and landscape elements into a desirable*

overall design. The secondary purpose of this section is to broaden the array of the town's housing options, preserve open space and provide links between the locus and surrounding neighborhood in an effort to create pedestrian and bicycle friendly circulation throughout town.

Section 11.3 is hereby amended by replacing the section to read as follows:

#### 11.3 Permitted Uses

Multiple Residential Use ~~only~~ shall only be permitted as indicated in Table I: Use Regulations, line 4.2.8. For the purposes of this section "Multiple Residential Use" shall be defined as more than one residential dwelling unit located in one or more attached or detached buildings on a single lot or property.

Sections 11.4 and 11.5 are hereby amended to clarify the permitting requirements as follows:

#### 11.4 Application Requirements

##### 11.4.1 Procedure

An application for Special Permit (SP) for such ~~conversion~~ reuse shall be made and processed in accordance with the provisions of this Section 7.5.2.1 ~~in so far as applicable to conversion~~ to reuse existing school buildings and properties or for modification to or expansion of prior special permit approvals for school property reuse.

##### 11.4.1.1 Site Plan

In addition to those items required for plan submission for site plan approval. The Special Permit application shall be accompanied by a site plan that includes property lines, zoning boundaries and zoning district, topography in 2-foot contours, existing and proposed buildings and their uses, parking and loading areas, driveway openings, service areas, open space and utilities. Plans shall show all surface and subsurface drainage, wetlands, flood plain, and other existing conditions and resource areas. Plans shall be stamped by a Massachusetts Professional Engineer, Professional Land Surveyor, Registered Architect, Registered Landscape Architect, or other professional as appropriate.

Plans or supporting information shall also indicate maximum groundwater elevation as determined between December 1 and April 30, and the classification as delineated on the Bedford Planning Board's Groundwater Supply Favorability Map of November 1980 (as it may be revised or replaced), location of aquifers, private or public wells and drinking water supplies in relation to the site, and all landscape features (such as walks, planting areas, trees and fences), lighting fixtures and signs on the lot, both existing and proposed. The site plan shall show the relation of the above features to adjacent ways and properties.

Open space areas and their use as well as exclusive use areas (if any) shall be delineated. Existing and proposed easements and their purpose shall be indicated as well as existing or proposed pedestrian trails, bike paths or other public amenities.

The site plan shall show all contiguous land owned by the applicant or the owner of the property which is subject of the application and shall indicate the names and addresses of other owners of record of contiguous property as determined by the Bedford Assessors.

The following shall also be required to be shown on the plan if applicable: proposed renovation/rehabilitation plan for interior and exterior of existing buildings, elevations and floor plans for proposed buildings, including facade treatments and elevations, proposed site improvements, existing and proposed buildings and their proposed uses and proposed densities.

Section 11.4.2 is hereby deleted as the Site Plan requirement is incorporated in the Special Permit provisions and a new Section 11.4.2 shall be inserted to define additional information to accompany the Special Permit application.

#### 11.4.2 Planning Board Signature Block

~~A block shall also be placed on each page of the plan for the Planning Board signature of approval. This block shall be titled "Special Permit/School Building Reuse."~~

#### 11.4.2 Project Narrative

The Special Permit application shall be accompanied by a description of the project including existing conditions, proposed number of units and layout, table of zoning dimensions, calculation of impervious surface, lot coverage, open space and other information helpful to evaluate the proposal. The drainage design proposal shall include drainage calculations and methods of stormwater management. A statement of how the proposal satisfies the intent of the bylaw shall include any proposals for pedestrian or bicycle connections, any voluntary public benefits such as public access trails or contributions in support of affordable housing, open space preservation and method of preservation, form of ownership and long term maintenance and other features of the proposal.

#### 11.4.3 Schedules

~~The applicant shall also provide a financial and development schedule which includes estimated costs of rehabilitation and site development and a time schedule for completion of various phases of the project (site work, construction phases, utilities, framing, completion, occupancy, etc.).~~

#### 11.4.4 Authority

The Planning Board shall be the Special Permit granting authority for projects permitted in accordance with this Public School Property Reuse Section. The Planning Board may vary the dimensional (excepting density) and parking requirements of this Section and as noted in Table II: Dimensional Requirements, if, in its opinion, such change will result in a desirable design of the development. This authority continues subsequent to occupancy. New development or redevelopment shall be in accordance with the Special Permit requirements of Section 14.6 and performance standards noted below.

## **11.5 Special Permit Procedure**

### **11.5.1 Schedule and Procedure**

Within sixty-five days of the receipt of an application for a Special Permit for Public School Building Property Reuse by the ~~Inspector of Buildings-Town Clerk~~, the Planning Board shall hold a public hearing on the proposal. Within ninety days of said hearing, the Planning Board shall take final action on the proposal. A written report of the Planning Board's action shall be forwarded to the Inspector of Buildings, Selectmen, Town Clerk and applicant within fourteen days of ~~their~~ its action.

### **11.5.2 Special Permit Expiration**

A Special Permit for Public School Building Property Reuse shall lapse if substantial use thereof or construction has not begun within ~~one~~ two years of the Special Permit approval (exclusive of time required to pursue or await the determination of an appeal referred to in M.G.L. Chapter 40A, Section 17, from the grant thereof).

### **11.5.3 Extension of ~~Review~~ Period to Commence Construction**

Upon mutual agreement between the Planning Board and the applicant, the deadline outlined in Section 11.5.2 may be extended by up to one ~~two~~ years ~~from the date of the original permit~~.

### **11.5.4 Revocation of Permit**

Failure to comply with the standards of this section and/or the conditions established by the Planning Board shall result in the revocation of the Special Permit.

Section 11.6 is hereby amended to modify the performance standards and to detail the open space requirements as follows:

## **11.6 Performance Standards**

### **11.6.1 Land Use**

The proposed land use shall be compatible with land use in the surrounding area.

### **11.6.2 Parking and Other Facilities**

Parking, loading and service areas shall be limited to rear yards where possible; where such areas are not possible, they may be located in side or front yards if sufficient landscape barriers are provided.

### **11.6.3 Additional Structures / Density**

~~No additional principal structures shall be permitted unless determined by the Planning Board to be essential to the overall plan and economic viability of the proposal, provided, however, that any additional principal structure so permitted shall not be used for dwelling purposes. Accessory buildings shall be suitably~~

screened from adjacent properties, shall be of an architecture consistent with that of the principal building and shall be sited to be unobtrusive to the siting and layout of the principal structure and development plan. In addition to the conversion of the original school building(s), additional residential structures may be permitted by Special Permit, either at the time of the original reuse or a subsequent application for expansion of the original school property reuse subject to the provisions herein.

The overall density of the Multiple Residential Use located within the entire development (whether on one parcel or multiple parcels) shall not exceed three (3) units per acre.

#### 11.6.4 Access to Public Way

Access shall be provided which minimizes traffic hazards. In addition to minimizing vehicular traffic hazards, safe and convenient connections to pedestrian and/or bicycle routes shall be provided where feasible. Proposals shall describe how they are consistent with the goals and recommendations of the Bedford Pedestrian and Bicycle Plan and other planning documents.

#### 11.6.5 Open Space

The general requirements of Section 10.3.7 shall apply to Common Open Space.

The area of Common Open Space shall equal at least 35% of the total area of the development tract, and no more than 50% of the minimum required Common Open Space shall be situated within the Flood Plain/Wetland District. The Common Open Space shall have a shape, dimension, character and location suitable to enable its enjoyment and use for conservation, agriculture or passive recreational purposes by the public and/or residents of the development. Open space provided within a development parcel shall comprise a combination of usable open space and / or recreation areas and natural resource areas that support wildlife and natural vegetation that will be preserved in an undeveloped state.

The use of greens is encouraged as integral organizing elements for the buildings, and open space or passive recreation areas shall provide scenic viewsheds for the enjoyment of both residents and passing public. Other landscape assets such as trees or attractive walls shall be identified and retained as much as possible in the layout. Provisions shall be made so that the Common Open Space is owned by a homeowners association, the Town or otherwise as the Board may direct and shall be readily accessible to all residents in the development. The Planning Board will look favorably on proposals providing publicly accessible open space or trail connections.

In appropriate cases where the size and value of the open space is significant, the Board may require a perpetual restriction of the type described in M.G.L. Chapter 184, Section 31 (including future amendments thereto and corresponding provisions of future laws), to be recorded in respect to such Common Open Space. Regardless of form of ownership or control, it is the intent that the open space shall be restricted to provide that the Common Open Space shall be retained in perpetuity

for benefit of residents of the development (and the inhabitants of the Town of Bedford should the open space or portions thereof be accessible to the public). The restriction shall specifically prohibit the use of the Common Open Space for all terrain vehicles, snowmobiles, motorbikes, motorcycles and similar vehicles. It shall prohibit the construction of any buildings, roads or paved areas, except for the construction and maintenance of duckwalks, bicycle, equestrian and foot paths, gazebos, play structures, exercise stations or similar facilities for the benefit of the residents or the public. Such restrictions shall be in such form and substance as the Board shall prescribe and may contain additional restrictions on development and use of the Common Open Space as the Board may deem appropriate.

#### 11.6.6 Exterior Lighting

*Exterior lighting fixtures shall be arranged so that they neither unreasonably distract occupants of nearby properties nor interfere with traffic on any public way. They shall be placed or hooded so as to prevent direct light from shining onto any adjacent street or property.*

#### 11.6.7 ~~Mixed Use~~ of Unit Sizes and Bedroom Count

*Mixed unit sizes shall be encouraged. To provide a mix of unit sizes available to varying family types, the following criteria shall be applied by the Planning Board in determining whether the purposes of the bylaw are satisfied.*

- a. Individual units shall not include greater than 2,200 sf of living area, including finished basements.*
- b. Not more than 20% of the total number of units in the development shall include three (3) or four (4) bedrooms. No unit shall have more than four (4) bedrooms.*
- c. There shall be an average floor space of 1500 square feet or greater per ~~unit.~~ The average unit size for all units within the development shall not exceed 1,500 sf of living area per unit.*

#### 11.6.8 Parking Requirements

*At least ~~two~~ one and one-half (1.5) parking spaces shall be provided per dwelling unit. No space shall be considered available which reduces the effective width of the driveway. In addition to the per-unit parking ratio, sufficient visitor parking shall be provided. Impervious surface material shall be kept to a minimum. The applicant shall demonstrate the sufficiency of the proposed parking provision and the Board may require a reserve area for parking expansion in the event of uncertainty.*

#### 11.7 Design Considerations

*The development of any new dwelling structures shall be limited in scale and site design to be compatible with the neighborhood in which the property is located. Open space preservation shall be included in accordance with Section 11.6.5 to*

provide aesthetic and functional open land for use by residents of the property and/or the town. New structures (expansion) shall be subordinate in massing and number of units to the originally converted building(s).

In evaluating the overall density and composition of the Multiple Dwelling development, the Planning Board shall consider local housing needs, proximity of the site to town amenities, and availability of transportation, pedestrian and bicycle connections to serve the site and the town. The board may favorably consider proposals that provide public benefits such as public access for pedestrians and bicycles and/or affordable housing either by provision of housing units or a contribution to the Affordable Housing Trust Fund.

Any new buildings, including accessory buildings, shall be suitably screened from adjacent properties, shall be compatible in style with the converted original buildings and shall be sited to be harmonious with the overall site layout.

Section 11.8 is hereby added to provide for amendments to approved plans:

### **11.8 Amendments**

After approval of a special permit in accordance with this section (as originally drafted or as amended), the applicant or property owner may seek amendments to the approved special permit and associated plan. Minor amendments may be made by a majority vote of the Planning Board. It shall be a finding of the Planning Board, not subject to dispute by the applicant, whether a requested amendment is deemed to be major or minor. A major amendment shall require the filing of a request for amendment to the Special Permit.

pass any vote or take any action relative thereto.

*This Article would permit redevelopment or expansion of existing or former public school properties for Multiple Residential Use (defined as more than one residential dwelling unit located in one or more attached or detached buildings located on a single lot or property). The current bylaw allows conversion of the school buildings to residential use; the change would allow additional dwellings to be built on the grounds, subject to certain criteria and still subject to special permit review.*

### **Recommendations:**

Selectmen:

Finance Committee:

Planning Board: