

## *Article 4*

### **Zoning Bylaw Amendment – Landscaping, Tree Protection and Visual Screening in developments, including Greenbelts, and perimeter no building rules in Cluster and Planned Residential Developments**

To determine if the Town will vote to approve the following amendments to various sections of the Zoning Bylaw, relating to landscaping, tree protection and visual screening in developments, including changes to the current Greenbelt provision, and to the 50 foot wide perimeter no building rules in Cluster and Planned Residential Developments, or take other action relative thereto:

#### ***A. Section 6. Change title.***

Current text:

DIMENSIONAL REGULATIONS

Proposed text:

**DIMENSIONAL AND LANDSCAPING REGULATIONS**

#### ***B. Section 6.2.12, Interpretation – Minimum Lot Landscaping***

Current text:

Minimum Lot Landscaping

The total ground area landscaped shall be at least the required minimum lot landscaping as noted in Table II. Such landscaping shall be designed to reduce the visual impact of the principal use upon adjacent property and within the lot. Where the developed area adjoins land zoned for residential use, a greenbelt shall be provided. Such greenbelt shall consist of four (4) staggered rows, each row ten (10) feet apart, of substantially sight impervious evergreen foliage at least 8 feet in height or planting of shrubs and trees complimented by a sight-impervious fence of at least 6 feet, but not more than 8, in height or such other type of landscaping as may be required under site plan approval. In all developments, to the extent practicable, existing trees shall be retained and used to satisfy the provisions of the minimum lot landscaping. In the Limited Business and Commercial Districts the frontage lots shall be landscaped with a minimum of one deciduous tree for each 35 linear feet. The tree species shall be in accordance with the requirements of the Bedford Department of Public Works.

Proposed text:

Minimum Lot Landscaping **and Standards**

The total ground area landscaped shall be at least the required minimum lot landscaping as noted in Table II. Such landscaping shall be designed to reduce the visual impact of the principal use upon adjacent property and within the lot. **In particular, attention shall be paid to the following aspects:**

**a) In the Industrial, Commercial and Business Districts or where required for specific types of development under other provisions of the Zoning Bylaw, wWhere the developed area adjoins land zoned for residential use, a landscape buffer shall be provided. The adequacy of such a landscape**

buffer shall be a matter for consideration in any review of a site plan or special permit. The nature of this buffer shall be appropriate to the aesthetic character of the structures and uses on the lot, as viewed across the relevant boundary. It shall include substantially sight impervious screening of any exterior equipment, storage or loading areas with dense planting of trees and shrubs, which may be supplemented by a fence. Buildings that present blank facades will require more planting to moderate their visual impact than those with architectural detailing and a scale compatible with a residential area. Existing assets that have the potential to contribute to an attractive site perimeter should be identified and used to advantage as far as practicable; these may include vegetative, topographic, water or wetland features, and structures such as historic buildings or stone walls. The proximity to existing or potential future residences shall be taken into account. ~~a greenbelt shall be provided. Such greenbelt shall consist of four (4) staggered rows, each row ten (10) feet apart, of substantially sight impervious evergreen foliage at least 8 feet in height or planting of shrubs and trees complimented by a sight impervious fence of at least 6 feet, but not more than 8, in height or such other type of landscaping as may be required under site plan approval.~~

b) In all developments, to the extent practicable, existing trees shall be retained and used to satisfy the provisions of the minimum lot landscaping.

c) **Further tree planting may be required, including along road frontages.** ~~In the Limited Business and Commercial Districts the frontage lots shall be landscaped with a minimum of one deciduous tree for each 35 linear feet. The tree species shall be in accordance with the requirements of the Bedford Department of Public Works.~~

#### *C. Section 6.5.4, Educational Uses – Greenbelt*

Current text:

Greenbelt

A greenbelt shall be provided to screen the proposed development from adjoining land zoned for residential use as specified in Section 6.2.12.

Proposed text:

~~Greenbelt~~ **Landscape buffer**

A **landscape buffer** ~~greenbelt~~ shall be provided to **moderate the visual impact of** ~~screen~~ the proposed development from adjoining land zoned for residential use as specified in Section 6.2.12.

#### *D. Section 6.6.5, Child Care Facility and Religious Uses – Greenbelt*

Current text:

Greenbelt

A greenbelt shall be provided to screen the proposed development from adjoining land zoned for residential use as specified in Section 6.2.12.

Proposed text:

~~Landscape Buffer~~ **Greenbelt**

A **landscape buffer greenbelt** shall be provided to **moderate the visual impact of screen** the proposed development ~~on from~~ adjoining land zoned for residential use as specified in Section 6.2.12.

***E. Table II Dimensional Regulations***

Amend Table II, Dimensional Regulations, by replacing the column headed “Minimum Lot Landscaping %” and footnotes, as follows:

	Current:	Proposed:
Residence R Standard Subdivision	--	--
Residence A ”	--	--
Residence B ”	--	--
Residence C ”	--	--
Residence D ”	50	50
Residence R Cluster Development	--	--
Residence A ”	--	--
Residence B ”	--	--
Residence C ”	--	--
Limited Business	25	25 *
Limited Business	25	25 *
General Business	25	25 *
Commercial	30% in all cases provided that where such use abuts a residential district a greenbelt shall be provided.	30 *
Industrial B	50% in all cases provided that where such use abuts a residential district a greenbelt shall be provided.	50 *
Industrial Park A	50% in all cases provided that where such use abuts a residential district a greenbelt shall be provided.	50 *
Industrial C	50% in all cases provided that where such use abuts a residential district a greenbelt shall be provided.	50*

See Section 6 for provisions applicable to this Table II.

**\* Where the use abuts a residential district, a landscape buffer shall be provided as specified in Section 6.2.12.**

***F. Section 7.5.2.1 b), Site Plan Approval—Procedure for Review by the Planning Board – Application for Site Plan Approval***

Current Text:

(b) The applicant shall submit such material as may be required regarding design features intended to integrate the proposed new development into the existing landscape, to enhance aesthetic assets and to screen objectionable features from neighbors.

Proposed text:

(b) The applicant shall submit such material as may be required regarding design features intended to integrate the proposed new development into the existing landscape, to enhance aesthetic assets and to screen objectionable features from neighbors. **This shall include addressing any requirement for a landscape buffer under Section 6.2.12.**

***G. Section 8.2.8, Cluster Development – Standards – Greenbelt***

Current Text:

Greenbelt

No building shall be erected within 50 feet of the boundary line with adjoining land zoned for residential use. A greenbelt shall be provided to screen the proposed development from adjoining land zoned for residential use, as specified in Section 6.2.12.

Proposed text:

**Landscape Buffer ~~Greenbelt~~**

No building shall be erected within 50 feet of the boundary line with adjoining land zoned for residential use, **except buildings for uses accessory to single family dwellings as described in Section 5 and subject to the dimensional placement provisions of Section 6.** A **landscape buffer**~~greenbelt~~ shall be provided to **moderate the visual impact of**~~screen~~ the proposed development **on**~~from~~ adjoining land zoned for residential use, as specified in Section 6.2.12.

***H. Section 9.2.5, Planned Residential Development (PRD) – Standards – Lot Area, Frontage and Yard Requirements***

Current Text:

Lot Area, Frontage and Yard Requirements

There shall be no minimum lot area, frontage or yard requirements within a PRD. However, no building shall be erected within 50 feet of a public way or boundary line of the PRD. A Greenbelt shall

be provided to screen the proposed development from adjoining land zoned for residential use, as specified in Section 6.2.12.

Proposed Text:

#### Lot Area, Frontage and Yard Requirements, **and Landscape Buffer**

There shall be no minimum lot area, frontage or yard requirements within a PRD. However, no building shall be erected within 50 feet of a public way or boundary line of the PRD, **except buildings for uses accessory to residential use as described in Section 5 which shall be subject to the Planning Board's discretion.** A **landscape buffer**~~Greenbelt~~ shall be provided to **moderate the impact of**~~screen~~ the proposed development ~~on~~~~from~~ adjoining land zoned for residential use, as specified in Section 6.2.12.

#### *I. Section 19.5.5, Town Center Mixed Use Overlay District - Design Standards and Planning Board Findings - landscape materials*

Current Text:

Landscape materials used as buffers are native, non-invasive, hardy for New England weather conditions and disease resistant. The greenbelt provisions of section 6.2.12 shall also apply.

Proposed Text:

Landscape materials used as buffers are native, non-invasive, hardy for New England weather conditions and disease resistant. The **landscape buffer**~~greenbelt~~ provisions of section 6.2.12 shall also apply.

*The article proposes to modify various sections of the Zoning Bylaw that deal with landscaping within new developments, and in particular the perimeter treatment of developments that adjoin residential districts. It replaces a somewhat inflexible "greenbelt" design specification for perimeter planting and fencing with more variable standards including a "landscape buffer", that can be applied appropriately to the circumstances, in reviews of site plans and special permits. These reviews occur for industrial, commercial and business developments and for certain types of residential developments but not for conventional residential subdivisions. The proposed new wording requires sight impervious screening of features such as exterior equipment and loading docks, but recognizes that well designed buildings may not need the same degree of screening. It places more emphasis on incorporating existing attractive features of a site in landscape design. It modifies a fifty foot perimeter "no building" rule that applies to residential subdivisions developed under the Cluster and Planned Residential Development sections (Sections 8 and 9), by allowing accessory buildings. These will still be subject to the normal rules for placement within lots in the case of Cluster developments (i.e. behind the rear of the house and at least 10 feet from lot lines and from other buildings) and to discretionary Planning Board approval under the special permit in the case of PRDs. The 50 foot no building rule can be a disproportionate burden or constraint on residents of lots on the perimeter of developments, where it sometimes prevents placement of any accessory buildings as well as limiting the shape of the house. In drafting these changes, the opportunity has been taken to correct some typographical errors in recent versions of the bylaw.*

*It should be noted that in the first draft of this article, the Planning Board proposed to delete the 50 foot perimeter no building rule in Cluster and PRD developments and to add landscape provisions specific to those developments. In response to the concerns of some residents who are neighbors to a potential small cluster subdivision that is currently under review, the changes to the Cluster and PRD sections proposed at this time have been minimized while still offering relief for accessory buildings. The Board intends in future to revisit the Cluster and PRD sections of the bylaw with a more comprehensive review, which will be subject to full public consultation, and to replace them with more modern and environmentally sensitive rules.*