

AN OVERVIEW OF EIGHT ARTICLES INVOLVING PLANNING BOARD RECOMMENDATIONS
ANNUAL TOWN MEETING, 2016

The Warrant for the Annual Town Meeting on March 28 will soon be arriving in residents' mailboxes. Several of the items (Articles) on which the Town will be voting are related to planning and zoning. Here's a little background and a short summary that aims to give the essence of each of these articles for those who aren't familiar with the technicalities of zoning.

Changes to zoning bylaws can be put forward by a number of parties: the Planning Board and certain other town boards, affected landowners, regional planning agencies and groups of registered voters (meeting certain petition requirements). In all cases, the Planning Board is tasked with holding a public hearing and giving a report with recommendations to Town Meeting. A two thirds majority vote at Town Meeting is needed to approve zoning changes.

Of the seven zoning articles being proposed this time, five are from the Planning Board, one is from the Zoning Board of Appeals (ZBA) and one is from a landowner (the Page Place Condominium Trust). There is one article that is a funding request, not a zoning amendment, but ultimately would produce zoning changes in a future year.

Since its adoption of the Comprehensive Plan at the start of 2014, one of the Planning Board's priorities for follow-through has been to evaluate and revise the industrial zoning. The aim here is to encourage the kind of economic development envisioned in that Plan, which can strengthen the town's property tax base and provide opportunities to residents, while specifying the types of building, use and site layout that are acceptable. The Board began this work with changes to the "industrial mixed use" special permit provisions (an alternative form of development allowing complementary mixes of business uses) at fall town meeting, 2014. The Board is now bringing forward changes to the base districts' industrial zoning. These changes are organized into three articles (Articles 9, 10 and 11): two of these adjust the allowed land uses and dimensional regulations associated with the relevant districts, while the other re-zones some parcels of land in the Middlesex Turnpike area, adding them to the Industrial B District. More detailed explanations of these changes are available in the Planning website page's News and Announcements column or via a link in the Planning Facebook page. The Zoning Map that shows the various districts is also on the website. A few business or property owners had questions or comments at the public hearing.

Another Planning Board initiative (Article 12) addresses in a small way an issue that received some discussion around the time of the Comprehensive Plan and on which the Board members have been hearing comments from residents: the looming visual and massing impact of new houses being built, often as a result of tear-downs in neighborhoods of smaller houses. This phenomenon is sometimes termed "mansionization" and is happening in many prosperous suburbs as the land supply becomes tighter. While the Board recognizes that there is room for different opinions on the merits of this trend, and would not rush into proposing major changes to development rights, it does believe that some adjustments to height measurement and regulation could help to prevent the more extreme cases of

houses visually overwhelming their neighbors. The proposed changes did not attract much comment at the public hearing.

The remaining zoning amendment initiated by the Planning Board (Article 13) is to incorporate changes to the boundaries of the Shawsheen River floodplain, based on work done by the Federal Emergency Management Agency over the last few years. The zoning bylaw limits development in floodplains, for the protection of everyone. It has to be kept updated in line with FEMA's requirements, to give property owners the opportunity to purchase federal flood insurance.

The article proposed by the Zoning Board of Appeals relates to a matter that was touched on at the Special Town Meeting in fall, 2015. At that time, the owner of the Bedford Marketplace Shopping Center sought to rezone the front of that property from Limited Business to General Business to give the whole property flexibility in its unit sizes. That change was not approved by Town Meeting. Both the ZBA and the Planning Board have some sympathy with the argument that 2,000 square feet of sales area is too low a size limit for modern retail businesses but have struggled with how to frame an appropriate degree of relaxation. The ZBA's proposal (Article 14) would allow property owners in the Limited Business District (which covers various portions of The Great Road between Shawsheen Road and the corner of North Road/Carlisle Road) to have retail or indoor amusement uses that exceed 2,000 sq ft but stay under 4,000 sq ft through a special permit approval process from the ZBA.

Zoning has many interrelated parts (use definitions, dimensional aspects such as lot area, frontage, setbacks and height, and other requirements such as landscaping, parking and limits on curb cuts), and there can be alternative options offered through overlay districts as well as the base zoning. Therefore when the zoning rules appear to be outdated, there is much to be said for evaluating potential changes comprehensively. The Planning Board's preferred approach to the business zoning along the Great Road corridor is to hire a consultant to pursue a thorough review under the Planning staff's supervision and with community involvement, culminating in a set of proposals to Town Meeting. Therefore, while not opposing the ZBA's "quick fix" to an immediate issue, the Planning Board is proposing (in Article 15) a financial appropriation to enable this more comprehensive approach.

The remaining article related to planning is put forward by Page Place, an existing condominium located in the former Page Elementary School at 75 Page Road. The current zoning that applies to their property is a special section titled Conversion of Public School Buildings to Multiple Residential Use. This zoning provision was created when the Page School was surplus to the Town's requirements and it allowed the building to be converted into residential units, while limiting any development in the grounds to certain accessory buildings such as garages. This bylaw potentially applies to other surplus public school buildings, although to date it has only been used for Page Place. The condominium residents would like to be able to have extra residential units built in their grounds and to use the value generated to fund garages for existing residents. The proposed bylaw amendment includes some constraints and requirements on the type of development. The detailed site design would be reviewed through a special permit application to the Planning Board. The Board has worked with the proponent to improve the initial wording of the bylaw amendment, but it remains a proposal by the Condominium Trust for a

decision by Town Meeting. The public hearing was well attended and a number of points were discussed.

Overall, there is an important and interesting package of articles related to planning and zoning, and we hope town residents will turn out to Town Meeting in good numbers to have their say. The Planning Board will be presenting reports on all these articles at the meeting.

Catherine Perry and Planning staff

3-10-16