

Note to Littleton Planning Board:

The following contains concepts for the:

1. ***LITTLETON VILLAGE OVERLAY DISTRICT EAST - Gateway Farmland Protection Area***

Bold Italicized Text in the body of this document illustrates changes from the August 20 draft distributed to the Littleton Planning Board. Additional text was based upon the direction from the Planning Board to examine:

- a) *greater incentives for landowners to undertake cluster subdivision, by increasing the total potential bonus number of units that can be achieved,*
- b) *greater incentives for landowners to protect roadside views when undertaking cluster subdivision,*
- c) *greater incentives for preservation of prime agricultural soils,*
- d) *an allowance for bonus units for conversion of single-family residential units to 2-bedroom townhome-style units (similar to what is allowed under the “Over 55 Housing” component of the zoning bylaw);*
- e) *an alternative bonus provision which allows for non-residential uses in conjunction with or instead of the residential component in a cluster subdivision; and*
- f) *allowance for special permit for extensive recreational uses that do not conflict with the use of the prime agricultural soils for agricultural purposes.*

Highlighted text is for example calculation purposes, and has not been reviewed or approved by the Planning Board

Italicized text is for reference only and will not be included in the final version of the bylaw.

MAPC looked at a number of options to meet the goal of preserving the farmland and rural character of this area while enabling the landowners to retain the rights to undertake reasonable development of their properties.

Options examined included Mandatory Cluster (similar to Amherst), increased frontage requirements for lots fronting on Great Road or Backlot Development (to discourage ANR development). However, none of these appeared to provide adequate incentives for the landowners or adequate protection from grandfathering under existing zoning.

The text/method included below was selected because it provides a significant incentive for landowners to not undertake ANR (frontage) development, but rather provides incentives to undertake development via cluster that preserves road frontage and prime agricultural soils.

(DRAFT) LITTLETON VILLAGE OVERLAY DISTRICT EAST - Gateway Farmland Protection Area

(version as of September 23, 2009 including mix of bylaw text and concepts)

[1.0] Purpose and Intent

a) There is hereby established a Littleton Village Overlay District East - Farmland Protection Area zoning by-law. The benefits and obligations of the zoning by-law shall accrue only to development proposals for Development on those parcels located entirely within the boundary of the Littleton Village Overlay District East - Farmland Protection Area zoning by-law.

b) The Littleton Village Overlay District East - Gateway Farmland Protection Area is intended to apply only to those portions of the Residential District (R) shown on the attached map entitled "Littleton Village Overlay District East -Gateway Farmland Protection Area". *[Note: this is proposed to include portions of the Residential zone north and south of Great Road from the east end of the Business zone to Powers Road, extending north and south from great Road to include all of the farmlands and associated woodlands in this area].*

c) The Littleton Village Overlay District East - Gateway Farmland Protection Area is established for the accomplishment of the following purposes:

- preserving the eastern gateway to Littleton Village Center, to preserve the rural/historical character of the community and to define the eastern edge of the commercial village area
- promoting the preservation of ***prime agricultural soils*** and working farmland within the town for economic development purposes
- providing for safety of travel on Route 2A (the Great Road) by providing incentives to landowners to develop land in a manner that limits the number of new driveways and subdivision roadways entering onto this road
- promoting efficient use of land within the Town;
- facilitating an increase in the variety of housing stock;
- ***providing an alternative to single-family residential uses that protects the site's resources while also allowing economic development of the properties.***

[2.0] Authority

a) The Littleton Village Overlay District East - Gateway Farmland Protection Area shall not restrict the rights of owners that choose to develop any lot pursuant to an underlying zoning district. However, if the owner selects to use the Littleton Village Overlay District East - Gateway Farmland Protection Area for development purposes, the development shall conform to all applicable requirements of this by-law, including the requirements of any regulations or guidelines that may be developed to support this by-law. Furthermore, it is understood that, for the purpose of analysis under M.G.L. Ch. 40A s.3, there are uses that are allowed as a matter of right and exempt from the provisions of the Littleton Village Overlay District East - Gateway Farmland Protection Area by-law and the underlying zoning districts.

b) Where a development is subject to a Special Permit application pursuant to this by-law, and where provisions of this by-law refer to the provisions of any other section of the Littleton

zoning by-law and there is a conflict between these provisions, the provisions of this by-law shall prevail.

c) For all purposes pursuant to Section 2.0 of this by-law, the Planning Board is hereby designated as the Special Permit Granting Authority (SPGA). All Special Permit applications made pursuant to this by-law shall conform to the requirements of this by-law and all applicable Administration and Enforcement provisions in the current Littleton zoning by-law (Section ____);

d) The Planning Board may adopt regulations for the implementation of this by-law, including, but not limited to design guidelines that support the Littleton Village Overlay District East - Gateway Farmland Protection Area design standards.

[3.0] Uses Allowed by Special Permit

a) For the purposes of this by-law, all terms and words used shall have the meanings as defined by the current Littleton zoning by-law and shall also include the following:

Density Bonus: An increase in calculated residential zoning yield.....

b) The following uses (and none other) shall with a Special Permit, be permitted pursuant to this by-law.

- i) All ***by-right and special permit uses*** allowed in the underlying Residential District
- ii) Clustered residential developments allowed under the Open Space Development (section XIX) or Over-55 Housing Developments (section XXIII) of the zoning bylaws, and as further detailed by the provisions of this bylaw regarding bonus density and farmland protection.
- iii) Attached townhome style multi-family structures, ***provided that no individual structure exceeds 4,000 square feet in size.***
- iv) Farm Stand and Farm-stand restaurants shall be allowed on the open space, but shall not cause more than __% of the parcel to become impervious (including parking associated with the use).
- v) ***Extensive Recreational uses as defined in this bylaw, provided that these are done in a manner that meets the goals established for preservation of open spaces and agricultural soils as outlined below;***
- vi) ***Commercial uses as defined in this bylaw, provided that these are done in a manner that meets the goals established for preservation of open spaces and agricultural soils as outlined below.***

[4.0] Performance Standards and Criteria

[4.1] General Criteria

TO BE DRAFTED: Concepts are as follows:

Allow for increases in density of residential uses if:

(NOTE that these options are only proposed alternatives; the Planning Board may choose some or none of these in their final determination as they deem appropriate).

- a) The development includes more than 50% open space under section XIX. For EACH 10% increase in the amount of open space (to 60%, 70% etc), the landowner is eligible to request a 10% bonus in the number of residential units in the development.
- b) The development preserves land that could have been developed separately as Approval Not Required lots. The developer shall receive a bonus of 1 extra lot for each ANR lot that was not developed (and where this ANR lot area is now included in the open space required as part of the cluster subdivision)
- c) **The development preserves land that contains prime agricultural soils in an open space area, and this area is of a size and layout that is conducive to ongoing and future use for agricultural activities. The developer shall receive a bonus of 1 extra lot for each lot-equivalent that is preserved. Areas counted in the ANR lots MAY be counted again under this bonus provision if they contain prime agricultural soils.**
- d) **The development proposes townhome-style units in multi-family structures not in excess of 4,000 square feet in size. Each unit may not have more than two bedrooms and may not be less than 1,000 square feet in size. Each structure would therefore have between 2 – 4 units depending upon the size of the units. For each single family lot that was potential in the cluster subdivisions but converted to townhomes, (including all bonuses) the townhome development may have **2 units**.**

In no event shall the total number of **residential units** in the cluster development exceed **2.0 times** the total number that would otherwise have been developable under a Definitive subdivision plan, or as calculated using the method in section XIX.

General Criteria for Granting the Permit

All other provisions of Open Space Development (section XIX) shall apply. **A major goal of the Open Space Developments within this zone shall be the protection of the agricultural soils/activities within 300 feet of the Great Road; this goal shall be taken into account when the project proponent is undertaking design of the development, and when the Planning Board is undertaking review of the development proposal.**

Non-Residential Uses Allowed via Overlay

- 1) **As an alternative to residential development under this Overlay District bylaw, the landowner may (by special permit) request that all or part of the number of residential units in the proposed cluster subdivision may be converted to commercial (retail, office, restaurant, etc.) uses. The Planning Board, in considering the Special Permit request, will take into account such items as traffic, septic capacity of the site, preservation of scenic views and agricultural soils in relation to the layout of the site and the proposed development, and other site design and off-site impacts. The maximum amount of commercial**

*uses on the site shall not exceed **1,000 square feet of commercial space** for each of the single-family units “converted” or given up in exchange for the commercial uses. {Note to Planning Board: The Town of Hadley allows for conversion of residential units to commercial space under a Transfer of Development Rights program designed to protect farmland. The exchange is 2,000 square feet of space per residential unit. See table at end of this draft, page 9}*

- 2) The Planning Board may, as part of the overall concept plan for the preservation of open space and agricultural soils and activities, allow for a special permit for Extensive Recreational uses of the open space that are not incompatible with the seasonal agricultural uses of the protected lands. Such uses may include, but are not limited to the following types of activities: cross-country ski facilities (including rental facilities), snow-mobile trails and club facilities, haunted hay-rides, etc.....*

EXAMPLE #1 (assuming the above provisions and a limit of 2.0 times the number of lots calculated under the open space development provisions):

Lot Yield Calculations based upon Density Calculation in 173-104 of the Open Space Development section of the zoning bylaw

80 acre parcel
Less 10 acres wetlands
70 acres net
Less 10.5 acres (15% for roads and odd lot shapes)
59.5 acres net
Times 43,560 s.f. per acre
2,591,820 s.f
Divided by 40,000 s.f. minimum lot size
64 lots

Potential Bonus calculations possible under this proposed Overlay District are as follows:

64 lots
Plus 6 lots (10% bonus for more open space than required)
70 lots net
Plus 8 lots that could have been developed via ANR (in Open Space area)
78 lots net
Plus 8 lots potential in prime agricultural soils preserved in open space area
86 lots total

Total calculated number of lots is less than the 128 unit limit that is based on 2 times the base number of lots allowed under the open space development provisions (which is 64 lots).

Bottom line is that this development produces additional lots (22) but also provides incentive for the landowner to preserve the significant resources of the site.

EXAMPLE #2 (assuming the above provisions and a limit of 2.0 times the number of lots calculated under the open space development provisions):

Lot Yield Calculations based upon Density Calculation in 173-104 of the Open Space Development section of the zoning bylaw

80 acre parcel
Less 10 acres wetlands
70 acres net
Less 10.5 acres (15% for roads and odd lot shapes)
59.5 acres net
Times 43,560 s.f. per acre
2,591,820 s.f
Divided by 40,000 s.f. minimum lot size
64 lots

Potential Bonus calculations possible under this proposed Overlay District are as follows:

64 lots
Plus 6 lots (10% bonus for more open space than required)
70 lots net
Plus 8 lots that could have been developed via ANR (in Open Space area)
78 lots net
Plus 8 lots potential in prime agricultural soils preserved in open space area
86 lots total

Total number of townhome-style units that could be developed under this scenario would be limited to 128 (since the total cap of units on the site is 2 times the base number of units allowed under the open space development provisions). Developer would therefore likely limit development to 45 single family units plus converting 41 single-family units into 2-family townhomes for 82 units for a total of 127 units.

Bottom line is that this development produces additional residential units (63) but also provides incentive for the landowner to preserve the significant resources of the site. Also, the units produced are less likely to have an impact on the school system due to their 2-bedroom limit (although these are not proposed to be age-restricted). This also diversifies the housing stock in town.

EXAMPLE #3 (assuming the above provisions and a limit of 2.0 times the number of lots calculated under the open space development provisions, and also the "conversion" of residential unit yield into commercial space):

Lot Yield Calculations based upon Density Calculation in 173-104 of the Open Space Development section of the zoning bylaw

80 acre parcel
Less 10 acres wetlands
70 acres net
Less 10.5 acres (15% for roads and odd lot shapes)
59.5 acres net
Times 43,560 s.f. per acre
2,591,820 s.f
Divided by 40,000 s.f. minimum lot size
64 lots

Potential Bonus calculations possible under this proposed Overlay District are as follows:

64 lots
Plus 6 lots (10% bonus for more open space than required)
70 lots net
Plus 8 lots that could have been developed via ANR (in Open Space area)
78 lots net
Plus 8 lots potential in prime agricultural soils preserved in open space area
86 lots total

The total potential amount of square footage (based upon a conversion rate of 1,000 square feet of commercial for each residential units) would be calculated as: 86 units x 1,000/unit = 86,000 square feet of commercial space. Note that this space would need to be located on the site OUTSIDE of the areas to be protected for open space and agricultural preservation purposes.

Note that although the Town of Hadley bylaw converts each residential unit to 2,000 square feet of commercial, the above process provides bonuses not in the Hadley bylaw. Also, the above process encourages the protection of key areas via these bonuses.

The Bottom line is that this provides an alternative to residential uses (of potential interest and benefit to landowner) while protecting the critical resources of the site (which benefits the community).

From Town of Hadley

TABLE OF EXCHANGE STANDARDS FOR TRANSFER OF DEVELOPMENT RIGHTS

Farmland Preservation District (Sending District)	Business and Industrial Zoning Districts (Receiving District)	Notes
1 acre of “developable farmland” ^[1] equals	2000 s.f. of additional commercial or industrial floor area ^[2] , plus a reduction in parking requirement of 20 spaces ^[3] .	<p>1) The Planning Board may allow an increase in lot coverage from the 30% maximum lot coverage required in Section IV of the Zoning Bylaw/ordinance, up to a maximum 70% lot coverage.</p> <p>2) The Planning Board may reduce the parking requirements in Section _____ of the Zoning Bylaw/ordinance for off-street parking area, which is equal to twice the floor area of any commercial or industrial building to be constructed. The Planning Board may reduce this requirement for off-street parking area to a minimum of 1.5 times the floor area of any commercial or industrial building to be constructed.</p>

^[1] Note: “Developable farmland” is defined in Section P.

^[2] Note: “Additional commercial or industrial floor area” shall be defined as floor area above that which would normally be permitted under the _____ Zoning Bylaw/ordinance. The increased floor area shall be accommodated through either increased lot coverage or reduced parking requirements as noted in the table above.

^[3] Note: one parking space is equal to 200 square feet.

To be added into Definitions section

Categories of prime farmland include:

All Areas Are Prime Farmland	Land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses (the land could be cropland, pastureland, rangeland, forest land, or other land, but not urban built-up land or water). For a full definition, see http://soils.usda.gov/technical/handbook/contents/part622.html#04 .
Farmland of Statewide Importance	This is land, in addition to prime and unique farmlands, that is of statewide importance for the production of food, feed, fiber, forage, and oil seed crops, as determined by the appropriate state agency or agencies. Generally, these include lands that are nearly prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods.