

NOTE: Changes based on Oct. 8 meeting comments are in bold, italicized font.

DRAFT: October 29, 2009

LITTLETON VILLAGE OVERLAY DISTRICT WEST-- BEAVER BROOK AREA

1.0 Purpose and Intent

a) The Littleton Village Overlay District West – Beaver Brook Area zoning bylaw is hereby established to promote:

- A variety and balance of commercial uses and retail uses, coordinated through a master plan process
- Economic development while remaining sensitive to environmental impacts
- Building reuse and appropriate infill development
- Innovative and sustainable building and site design
- Integrated physical design and synergies between activities
- Existing industrial uses, as well as site redevelopment to allow for updated types of industrial uses
- Preserve and re-use historic resources
- Pedestrian-friendly working environment

b) The Littleton Village Overlay District West – Beaver Brook Area is intended to apply only to those portions of the Industrial A District (I-A), the Industrial B District (I-B) and the Business Zone to the North of the Great Road and West of King Street, all as shown on the attached map entitled “Littleton Village Overlay District West – Beaver Brook Area” and generally described as being northwest of the Village. The benefits and obligations of the zoning bylaw shall accrue only to proposals for development on those parcels located entirely within the boundary of the Littleton Village Overlay District West – Beaver Brook Area, as shown on _____(Map).

2.0 Zoning Regulations in Effect; Conflict Provisions

a) The Littleton Village Overlay District West – Beaver Brook Area bylaw shall not restrict, except as cited below, the rights of any owner who elects to utilize the existing underlying zoning district regulations to develop or redevelop land. If an owner elects to utilize the Littleton Village Overlay District—Beaver Brook Area bylaw to develop or redevelop land, the project shall conform to all applicable requirements of this bylaw, including any regulations or guidelines that may be adopted to support this bylaw.

b) The underlying zoning in the Littleton zoning bylaw and the Littleton Village Overlay District West Beaver Brook Area bylaw shall together constitute the zoning regulations for this Area. All requirements of the underlying zoning districts, such as but not limited to, lot size, frontage, density, setbacks, height, parking and loading, stormwater control and treatment, and signage, shall govern, unless specifically modified by the Littleton Village Overlay District West – Beaver Brook Area bylaw.

c) If the provisions of this bylaw are in conflict with any other section of the Littleton zoning bylaw, the regulations of the Littleton Village Overlay District West—Beaver Brook Area shall govern. (Re-worded to include any provision, not just Special Permit)

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d) For all purposes pursuant to Section 2.0 of this bylaw, the Planning Board is designated as the Special Permit Granting Authority (SPGA). All Special Permit applications made pursuant to this bylaw shall conform to the requirements of this bylaw and Section 173-7 of the Littleton zoning bylaw.

e) The Planning Board may adopt regulations for the implementation of this bylaw, including, but not limited to design guidelines that support the Littleton Village Overlay District West – Beaver Brook Area design standards.

3.0 Master Planned Developments Pursuant to Section 173-89

To further the purposes of the Littleton Village Overlay District West-Beaver Brook Area, applications for projects may be submitted as Master Planned Developments under Section 173-89 of the Littleton zoning bylaw. For purposes of this bylaw, development projects of less than 25 acres, but at least **three (3) acres**, may apply for Master Plan Approval and Special Permit. All other provisions of Section 173-89 shall apply to development applications submitted as Master Planned Developments.

3.1 Uses Allowed as part of a Master Planned Development

Uses that are Permitted (by right) or Authorized under Special Permit (as provided in Section 173-7) in either the Industrial A or Industrial B zoning districts may be Permitted in any project submitted as a Master Planned Development in the Littleton Village Overlay District West-Beaver Brook Area.

Notwithstanding the above, the following uses may be Allowed as part of a Master Planned Development:

Assembly Uses	
Amusement arcades	Lecture halls
Amusement park structures	Libraries
Arenas	Motion picture theaters
Art galleries	Museums
Bowling alleys	Pool and Billiard parlors
Churches	Restaurants
Community halls	Skating rinks
Dance halls (not including food or drink consumption)	Stadiums
Exhibition halls	Swimming pools
Funeral parlors	Symphony and concert halls
Grandstands	TV and radio stations admitting an audience
Gymnasiums (No spectator seating)	Tennis courts
Indoor swimming pools (No spectator seating)	Theaters
Indoor tennis courts (No spectator seating)	Waiting areas in transportation terminals

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Business Uses	
Animal hospitals, kennels and pounds	Post offices
Banks	Print Shops
Civic administration	Post offices
Clinic—outpatient	Professional services (architects, attorneys, dentists, physicians, engineers, etc.)
Educational occupancies above the 12 th grade	Radio and TV stations
Electronic data processing	Telephone exchanges

Mercantile Uses	
Department stores	Retail stores
Drug stores	Sales rooms
Markets	

Residential Uses	
Extended stay hotel, <i>hotel</i>	<i>Assisted Living Facility</i>

ACCESSORY USES	
Banquet halls	Night clubs
Barber and beauty shops	Taverns & bars
<i>Laundry</i>	Night clubs

3.12 Use Exceptions

a. Variances for uses, per Section 173-6 B. (2) of the Littleton zoning bylaw shall not be permitted in any project submitted as a Master Planned Development.

b. The following uses, granted by Special Permit in the underlying Industrial Zones, shall not be allowed in any project submitted as a Master Planned Development: Adult Use Establishments, Motor Vehicle Service Stations and Mobile Homes.

3.2 Concurrent Review and Granting of Special Permits

Applications for Special Permits pursuant to Section 173-61 thru 64, Aquifer and Water Resource Districts, and Section 173-86 thru 89, Major Commercial or Industrial Use, may at the applicant's option, be submitted and be reviewed concurrently as part of the Master Planned Development approval process. Any additional Special Permits deemed to be required may also be reviewed as part of the Master Planned Development approval process. If the Special Permit applications are not filed for concurrent review, they shall be filed once the Master Planned Development approval has been granted. The Planning Board encourages concurrent review of special permit applications.

3.3 Concept Plan Approval

Pursuant to Section 173-87, Town Meeting approval is required for retail use equal to or more than 60,000 square feet gross floor area as part of a Major Commercial or Industrial Use.

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3.4 Master Planned Development Approval

The Planning Board, as SPGA, may grant a Master Planned Overlay Development Special Permit if it finds the conditions for approval, as outlined in Sections 173-89, 173-88B and 173-7C have been met. The conditions may include approval of both a schematic development plan, including phasing, and the proposed mix of uses in the development. If the project proponent elects to utilize Concurrent Review of Special Permits (Section 3.2 above), the findings required pursuant to the applicable Sections of the Littleton zoning bylaw must be met.

The decision of the Planning Board for Master Planned Development projects may be approval, approval with conditions, or denial of the requested Special Permit(s).

3.4.1 General Performance Standards and Criteria

The Planning Board shall consider the following general criteria before issuing a Special Permit for development within the Littleton Village Overlay District West – Beaver Brook Area:

- a) Adequacy of the site in terms of the size of the proposed use(s)
- b) Suitability of the site for the proposed uses(s)
- c) Adequacy of the provision of open space, its accessibility to the general public, and/or its association with adjacent or proximate open space areas
- d) Impact on traffic and pedestrian flow and safety and access for emergency vehicles
- e) Adequacy of pedestrian access to buildings and between public spaces
- f) Impact on the visual character of the Littleton Village Overlay District West – Beaver Brook Area and surrounding neighborhood
- g) Adequacy of utilities, including sewage disposal, water supply and storm water drainage
- h) Potential impacts on the Town's aquifer
- i) Degree to which the proposed project complies with the goals of the latest Littleton Master Plan and the provisions of this section

3.4.2 Design Standards

In addition to the General Performance Standards and Criteria, the Planning Board shall consider the following Design Standards in reviewing any Master Planned Development application.

The design standards are intended to promote quality development emphasizing the town's sense of history as a farming community and desire for contextual, pedestrian-scaled projects. To provide additional guidance, the Planning Board may promulgate more detailed Design Guidelines. All applications made pursuant to this bylaw shall be subject to the following design standards.

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Building Scale and Massing

The size and detailing of buildings shall be pedestrian oriented and shall reflect community preference for moderate-scale structures that do not resemble “big box shopping centers”. Building design shall incorporate features to add visual interest while reducing appearance of bulk or mass. Such features include varied facades, rooflines, roof heights, materials, and architectural details.

Buildings shall relate to the pedestrian scale by:

Including appropriate architectural details to add visual interest along the ground floor of all facades that face streets, squares, pedestrian pathways, parking lots, or other significant pedestrian spaces

Articulating the base, middle, and top of the facade separated by cornices, string cornices, step-backs or other articulating features

Continuous lengths of flat, blank walls adjacent to streets, pedestrian pathways, or open spaces or visible from adjacent residential areas are to be minimized.

Entrances

For visibility and accessibility, all primary commercial building entrances shall be visible from the right-of-way and the sidewalk, and shall have an entrance directly accessible from the sidewalk.

Doors shall not extend beyond the exterior facade into pedestrian pathways.

Where parking is located to the rear of a building, entrances to the building are to be visible and accessible from the parking lot. All entrances are to have sufficient illumination at night time.

External Materials and Appearance

External building treatments shall relate to and be in harmony with surrounding structures.

Predominant wall materials shall have the appearance of wood, stucco or stone painted or coated in a non-metallic finish.

Except for minor trim, the building shall avoid the appearance of reflective materials such as porcelain enamel or sheet metal. Window panes shall be non-reflective.

Ground floor commercial building facades facing streets, squares, or other significant pedestrian spaces shall contain transparent windows encompassing a minimum of **40 percent** of the facade surface.

Wherever possible, existing historic structures on the site shall be preserved and renovated for use as part of the development.

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Any alteration of or addition to an existing historic structure shall employ materials, colors and textures as well as massing, size, scale and architectural features that are compatible with the original structure. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved. Awnings and canopies shall be compatible with the architectural style of the building.

Screening of Mechanical Equipment

Mechanical equipment located on roofs shall be screened, organized and designed as a component of the roofscape, and not appear to be a leftover or add-on element

Landscaping and Public Realm Enhancements

A minimum of 10 percent of the site shall remain as open space, designed and intended for public use, such as landscaped sitting areas. The open space shall be usable, unobstructed space that is not used for vehicle parking, vehicle circulation, loading spaces or pedestrian pathways or landscaping within vehicle parking lots. The open space shall not include streams, wetlands, ponds, rivers, certified vernal pools or other resource areas, or their associated buffer zones as identified under MGL Ch. 131 or the regulations thereunder. The open space areas shall remain open in perpetuity.

Developments shall enhance the pedestrian environment by use of amenities such as wide sidewalks/pathways, outdoor seating, patios or courtyards, and/or appropriate landscaping. All structures, parking, pathways and other pedestrian amenities shall be designed to maximize ease of pedestrian access.

All developments, shall be landscaped with appropriate low-water native vegetation.

Landscaping and screening plant materials within the Littleton Village Overlay District West – Beaver Brook Area shall not encroach on the public walkways or roadways in a way that impedes pedestrian or vehicular traffic or blocks views of signs within the roadway alignment.

Vehicle, pedestrian, and bicycle features shall be designed to provide a network of pathways and promote walking within the Littleton Village Overlay District West – Beaver Brook Area. Driveways shall not occupy more than 25 percent of the frontage of any parcel, except for lots with a frontage of less than 40 feet. Curb cuts shall be minimized and subject to design review by the Board. The Board may require allowance for pedestrian and vehicular access to existing or future developments on abutting properties in order to facilitate pedestrian access and to minimize curb cuts.

Service Areas, Utilities and Equipment

Service and loading areas and mechanical equipment and utilities shall be unobtrusive or sufficiently screened so that they are not visible from streets or primary public open spaces and shall incorporate effective techniques for noise buffering from adjacent uses.

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Vehicle and Bicycle Parking

Parking areas shall be designed to maintain a pedestrian-friendly environment. Large parking areas shall be located behind or beside buildings wherever possible. Generally, large parking areas parking shall not be located directly between the building and the street alignment.

Long-term bicycle parking shall be provided for all new developments, and shall be at least 50 percent sheltered from the elements.

At least two bicycle parking or storage spaces shall be created for each commercial use within the site.

Bicycle parking or storage spaces shall be located as close as possible to the building entrance(s).

Any property owner required to have bicycle parking may elect to establish a shared bicycle parking facility with any other property owner within the same block to meet these requirements.

Sustainable Building Design

New buildings shall comply with the current Leadership in Energy and Environmental Design (LEED) criteria, as promulgated by the U.S. Green Building Council to the maximum extent feasible.

3.4.3. Mix of Uses

The proposed mix of uses in the project shall be balanced and compatible and shall contribute to a vibrant village atmosphere, including ground floor street-front uses comprised of retail, restaurant and office uses. Within the Littleton Village Overlay District West – Beaver Brook Area, hotels, with accessory banquet, eating, and drinking uses, theaters, performance spaces, etc. are encouraged.

3.5 Site Plan Review

Site Plan Review, as applicable pursuant to Section 173-16 thru 19, is required for any project that has received a Master Planned Development Special Permit. A sufficiently detailed site plan, meeting all of the requirements in Section 173-16 thru 19, may, at the applicant's option, be submitted for review and approval at the same time as the Master Planned Development application.

4.0 Relationship to Aquifer and Water Resource Districts

4.1 Purpose

This purpose of this section is to balance environmental constraints in Littleton's Aquifer and Water Resource Districts with appropriate redevelopment of industrial sites. The entire Littleton Village Overlay District West – Beaver Brook Area is within either the Aquifer District or the Water Resource District. Within the Aquifer District, the total potential site coverage is limited to 30% by Special Permit and to 50% by Special Permit in the Water Resource District.

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The provisions of this section allow for redevelopment of sites that currently exceed the 30% site coverage in the Aquifer District and the 50% site coverage in the Water Resource District.

4.2 Site Coverage

Unless otherwise specified in the Littleton Village Overlay District West – Beaver Brook Area bylaw, the maximum impervious site cover shall be limited to 30 percent of the total lot area in the Aquifer District and 50 percent in the Water Resource District, pursuant to Section 173-61 thru 64 as amended of the Littleton zoning bylaw. For the purposes of the Littleton Village Overlay District West – Beaver Brook Area, site cover shall include all impervious surfaces such as parking and building coverage.

The Planning Board, by Special Permit, may allow for redevelopment that is equivalent to the same percent lot coverage as the existing impervious lot coverage, even if it exceeds the 30% and 50 % thresholds, provided that both of the following criteria are met

- a) The development incorporates current MA Department of Environment Protection (DEP) best management practices for storm water management, and the Storm Water Quality Control and Storm Water Quality Practices outlined in the *Town of Littleton Low Impact Design/Best Management Practices Manual*
- b) There is no net increase in impervious site coverage.

All other provisions of the Aquifer and Water Resource Districts shall apply to all developments within this zone.