

CHARLTON, MASSACHUSETTS

COMMUNITY DEVELOPMENT PLAN



May 2004

Prepared by:



This Plan was developed using funds provided pursuant to Executive Order 418.

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Department of Economic Development

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CHARLTON COMMUNITY DEVELOPMENT PLAN

EXECUTIVE SUMMARY

The Charlton Planning Board adopted the Town's *Master Plan* in December 2000. The *Plan* sets forth a rational and comprehensive approach to guiding growth and development in the years ahead. Numerous initiatives recommended for implementation will require a concerted effort by local officials and dedicated volunteers. To assist in this task, the Planning Board created a "Master Plan Implementation Committee" to pick up where the *Master Plan* left off and turn planning recommendations into successful accomplishments.

As good fortune would have it, Governor Paul Cellucci issued Executive Order 418 that same year. Recognizing the critical need to provide communities with assistance for planning, E.O. 418 called upon state agencies to provide up to \$30,000 to every community to prepare a "Community Development Plans" or CDP. As stated in E.O. 418, a CDP is intended to help cities and towns "identify locations for new housing opportunities while still preserving the unique character of their communities, and to provide incentives to cities and towns to expand the supply of new housing". Communities that had recent Master Plans were able to obtain waivers from the state's planning framework, and could then use these resources to address locally identified planning priorities.

Working with the Central Massachusetts Regional Planning Commission (CMRPC), the Planning Board identified four tasks that were vital to implementing key recommendations of the *Master Plan*. This scope was submitted to the state Inter-Agency Working Group for approval, and became the work program for Charlton's CDP. CMRPC and LandUse, Inc. were hired to complete the Plan. These major elements are summarized below.

1. Route 20 Development Expansion Analysis

U.S. Route 20 is the principal commercial/industrial corridor in Charlton, traversing the Town in an east-west fashion. MassHighway is nearing completion of a reconstruction project to create a four lane divided highway, and new water and sewer services will be added in specific locations. The *Master Plan* calls for the Town to attract high quality office/industrial growth along the Corridor in areas that have potential for large-scale development. LandUse, Inc. was retained to conduct an analysis of the potential for development along Route 20 and to revise the Zoning Bylaw to capture premier office and R&D development. This section of the report documents the process used to assist the Planning Board and Economic Development Committee (EDC) in making decisions on how to successfully re-zone portions of the Corridor to accomplish this goal.

First, LandUse, Inc. examined zoning provisions in comparable communities to demonstrate a range of techniques for Charlton to upgrade its land use controls. This research showed how Charlton could maximize the growth potential of its industrial districts while promoting high quality development. LandUse, Inc. prepared illustrated fact sheets of industrial parks in near-by communities to stimulate thinking on industrial park concepts that would be appropriate for Charlton. LandUse, Inc. then summarized these concepts in a report entitled

“High Value Business Development in the Route 20 Corridor: A Successful Package of Zoning Regulations and Administration”. Based upon discussions with the Planning Board, the consultant drafted proposed zoning amendments. CMRPC’s GIS Center helped the Board evaluate development opportunities along the Corridor and prepared a map showing areas for re-zoning. Two key components emerged from this process: 1) creation of a new Business Enterprise District (BEP) with revised use and dimensional standards; and 2) adoption of a new “Flexible Business Development” (FBD) bylaw that offers an alternative to standard industrial development practices. The FBD provision allows the Planning Board to work closely with industrial park developers to design environmentally friendly projects, incorporate improved site design techniques, and minimize neighborhood impacts.

Town Meeting adopted this package of zoning amendments at the 2003 Annual Town Meeting after recognizing the careful planning process and reasonable approach recommended by the Planning Board and EDC.

2. Charlton Center Planning Project

Charlton Center is the historic heart of the Town and exemplifies the ideal of a traditional, compact New England village. Within close proximity lie the Town’s municipal offices, classic white churches, a beautiful Town Common, small-scale commercial uses, and distinctive homes. The area’s historic significance has been recognized by its acceptance on the National Register of Historic Places as the Charlton Center Historic District. However, commercial development has occurred that has not been compatible with the unique qualities of the area. Several newer structures have been built without regard to historical context and have detracted from the New England village ambience that is still present to a large degree.

The purpose of the project was two-fold. First, to identify how newer development has departed from historic development practices; these results can help guide recommendations for improved design standards that insure new development preserves the Center’s village fabric. And secondly, to identify opportunities for small-scale development that would help to meet the needs of the Town’s growing population for goods and services. The ultimate aim is to set standards that promote a compact, pedestrian-scale environment, with a mix of residences, institutions, and commercial services that provide a pleasant alternative to large, single purpose, highway-oriented shopping plazas.

To accomplish this task, CMRPC photographed the positive and negative attributes of Charlton Center and prepared a powerpoint presentation for viewing at a public meeting. The session was well attended and helped to achieve consensus regarding how to prevent newer development from further harming its established village pattern. CMRPC prepared a policy paper for discussion with the Planning Board that summarized the strategy for changing zoning requirements that had contributed to inappropriate development. CMRPC prepared a new Village zoning district to replace the Neighborhood Business district currently in place. The proposed new district modifies the table of uses and dimensional requirements, and sets design standards for new development to achieve harmony with historic structures. In addition, CMRPC, the EDC and the Planning Board identified several locations that offer opportunities for new commercial development. The Planning Board reviewed several drafts

of the Zoning Bylaw and Map amendments until achieving consensus, and a final draft is now ready for consideration at a future Town Meeting.

3. Affordable Housing Analysis

In keeping with the spirit of Executive Order 418, the Planning Board desired to explore avenues that Charlton could pursue to increase its supply of affordable housing. Charlton has been one of the fastest growing communities in Central Massachusetts, but most of the new residential development has been costly single-family homes on large lots. Much of this housing is affordable only by affluent buyers, and long-term Charlton residents find it increasingly difficult to afford to buy a home in town. In recognition of this issue, an Affordable Housing Committee was created in 2002 to address the housing needs of the Town and to work on viable solutions. The Planning Board invited the Affordable Housing Committee into this process and actively solicited their thoughts as the study progressed.

A housing assessment presents a wealth of data on the characteristics of Charlton's population and its housing stock, and demonstrates how Charlton fares in many respects to that of comparable near-by communities. The analysis helps to uncover Charlton's needs for housing based upon current and relevant data. A "gap analysis" identifies where there are gaps between the need and the supply of housing for low, moderate and middle-income households. Charlton has a distinct shortage of affordable rental housing units for low and moderate-income households. For ownership housing, Charlton has an existing stock of older homes that are affordable by moderate and middle-income families. But there is a need for new multi-family and attached ownership units that can offer a lower cost alternative for first time homebuyers to enter the homeownership arena.

To establish Town policy for housing, a goal and objectives statement is provided to guide actions designed to meet local housing needs. With these policies as a firm foundation, numerous recommendations provide a wide range of strategies local officials can pursue to address the housing needs of the community. These include Zoning Bylaw changes to promote viable housing alternatives, rehabilitation of older housing stock, potential grant applications to develop affordable housing units, and homeowner education and financial assistance to help first time buyers enter the housing market.

4. Agricultural-Related Businesses

Charlton was once noted for its many farms, dairies, and orchards, but the number in active agricultural use has dwindled over the years due to the strong market for single-family housing. The *Master Plan* stressed the importance of preserving the Town's rural character, and providing assistance to farmers to remain in business is one important way to safeguard Charlton's agricultural heritage. CMRPC researched ways the Town can help farming to remain viable in town. These include zoning recommendations, encouraging the development of farm stands, promoting state-of-the-art bio-technology and agricultural research endeavors, and offering support for farmers to obtain assistance offered by a variety of state and federal agencies.

CHARLTON COMMUNITY DEVELOPMENT PLAN

Route 20 Development Expansion Analysis

Task Completed by: LandUse, Inc.

Jeanne Armstrong, AICP

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Enterprise Park Zoning Study

Zoning Provisions in Comparable Towns

The Enterprise Park Zoning Study has examined business or industrial parks in towns with characteristics comparable to Charlton. The intent of this examination has been to learn from other towns' experience as Charlton seeks to achieve high-assessed value business park development along Route 20. This chart provides a brief overview of key zoning provisions of these comparable towns, as they relate to industrial park development. Industrial park-related provisions are the focus, because the type of development envisioned by Charlton's Enterprise Park concept is usually included within what other community's term "industrial parks".

The points contained within this chart should be considered together with previous charts that compare, for example, the density and assessed value of development that has actually occurred in the parks covered by these zoning provisions.

Town District(s)/Uses	Standards	Process	Notes
<p style="text-align: center;"><i>Auburn</i></p> <p>General Industry, Industrial District A, & Industrial Park.</p> <p>Industrial District A tends to require Special Permit [SP] when Industrial Park only requires Site Plan Approval [SPA]</p>	<p>Incorporated into allowed uses table [see attached example].</p> <p>Definitions of Hazardous Wastes or Hazardous Materials are keyed to MGL Chapter 21C</p> <p>SP fairly large scope of potential conditions</p> <p>SPA only regarding noxious/health; nothing about aesthetics</p> <p>No maximum lot coverage.</p> <p><i>Parking requirements:</i></p> <p>Industrial 1 per 2,000 s.f. up to 20,000 plus 1 for each additional 10,000 s.f. plus 1 per employee on largest shift.</p> <p>Office: 1 per 200 s.f. net floor area</p>	<p>SPGA generally ZBA</p> <p>SPA Planning Board</p>	<p>Separate Town Bylaws for Earth Removal, Parking, Signs on Streets & sidewalks [i.e. in public right of way], Wetlands [thereby avoiding grandfathering limitations of zoning]</p>

Town District(s)/Uses	Standards	Process	Notes
<p style="text-align: center;"><i>Spencer</i></p> <p>Only Industrial, no Ind. Park Use definitions very general</p>	<p>Definition of allowed principal use “Place for manufacturing, assembling, or packaging of goods, provided that all resulting cinders, dust, flashing, fumes, gases, odors, refuse matter, smoke and vapor be effectively confined to the premises or be disposed of in a manner that does not create a nuisance or hazard to safety to health”</p> <p><i>Max building coverage: 33 1/3%</i></p> <p>Parking requirements: Industry/Manufacturing 1.75 space per 1,000 s.f. GLA [gross leasable floor area] Office 1 per 300 s.f. GLA Laboratory or Research 1 per 500 s.f. GLA</p>	<p>By right in Commercial or Industrial Districts.</p> <p>No Site Plan Review Rely on scoping session with Department Heads to “work out bugs” in preliminary stages, before application is submitted.</p> <p>All Special Permits from ZBA</p>	<p>No official interviewed was active in town when FLEXcon Corporate Industrial Park was constructed, so we don’t know relationship with zoning provisions.</p> <p>Landowner who wants to sell lots for industrial park type development in remaining open land east of FLEXcon is stymied by fact that current road serving Dienes, etc, does not meet standards for acceptance by Town; no provision for common drive, so no frontage. Doesn’t want to submit for subdivision until has P&S in hand from prospective buyer/developer of lot(s)</p>

Town District(s)/Uses	Standards	Process	Notes
<p style="text-align: center;"><i>Millbury</i></p> <p>Industrial I and Industrial II “The intent of industrial districts is to provide exclusively for environmentally compatible industry in areas suited to that use by access, absence of conflicting use, and services” [beginning of Section 25. Industrial Districts] By right: manufacturing, processing or research, other than asphalt plants, plus warehousing, wholesale distribution not involving bulk storage as long as 30% of required yard area free of any paving & maintained with vegetation; entire yard to be free of outdoor storage of materials.</p>	<p>“<i>Criteria.</i> Special permits shall normally be granted unless, because of a condition peculiar to the particular case but not generally true for similar permitted uses on other sites in the same district, it appears that nuisance, hazard or congestion will be created, or for other reasons there will be substantial harm to the neighborhood or derogation from the intent of the by-law, or that the stated district intent will not be satisfied”. [14.3] “<i>Conditions.</i> Special permits may be granted with such reasonable conditions, safeguards or limitations on time or use as the special permit granting authority may deem necessary to serve the purpose of this by-law” [14.4] Both districts side & rear yards abutting residential or suburban districts must be 100 ft. of which 40’ is free of paving or outdoor storage of materials & maintained with vegetation. No maximum lot coverage. Parking requirements:</p>	<p>SPGA is ZBA except where specifies Planning Board, e.g. for multifamily use, special density provisions, reduced parking requirements, floodplain development, open space community development, earth removal, site plan specific provisions.</p> <p>Site Plan Review thresholds [other than subdivisions of single family detached dwellings]: <i>Improvement, alteration, or change in use resulting in increase of at least 6,000 s.f. gross floor area OR total of 10 or more parking spaces either new or existing.</i></p> <p>When any portion of lot or parcel lies within 200 feet of residential district & new structure, group of structures, improvement, alteration or change in use results in increase of 3,000 s.f. of gross floor area OR requires addition of 7 or more parking spaces.</p> <p>SPR very rigorous; says can be denied, which is a problem.</p>	<p>Relies a lot on SPR for industrial park-type development</p>

Town District(s)/Uses	Standards	Process	Notes
	<p>Industrial, wholesale: 1 per 1 ¼ employees per shift “Others individually determined”</p> <p>Parking screened from abutting residential use.</p>	<p>Route 146 Highway Corridor Overlay District to provide for orderly development, encourage economic growth while avoiding serious negative effects. Regulations vary for large vs. small parcels. Open space considerations, including transfer of development rights. Detailed landscape, parking, and performance standards.</p>	

Town District(s)/Uses	Standards	Process	Notes
<p style="text-align: center;"><i>Holden</i></p> <p>Business Office-Professional, Industrial, & Industrial-Quarry</p> <p>By right uses in Industrial include: quarrying, construction including suppliers, manufacturing, open storage of construction equipment provided sufficient screening</p> <p>SP uses in Industrial include: excavation & removal of sand & gravel, motor freight transportation & warehousing, other transportation service, wholesale trade, bulk storage tanks</p>	<p>Special regulations governing permitted manufacturing uses [see attached copy] at beginning of uses table.</p> <p><i>Industrial height & bulk regs:</i> Maximum 50% building coverage of lot; max. 30' height, except for special industrial structures such as cooling tower or similar where industrial process requires greater height. <i>Max building coverage:</i> 50% <i>Parking:</i> Manufacturing or industrial 1 space for each 500s.f. of gross floor area, excluding storage. Wholesale 1 per 450 s.f. net floor area.</p>	<p>SPGA [relating to industrial] appears to be ZBA, often refers to a waiver or variation allowed from stated standards</p>	<p>Recall that the Holden Industrial Park resulted from intent and standards of the developer, rather than in response to zoning</p>

Town District(s)/Uses	Standards	Process	Notes
<p style="text-align: center;"><i>Oxford</i></p> <p>Industrial Park East is in Industrial District. Also is a Light Industrial District, but manufacturing not allowed in LI</p> <p>“The two industrial districts are intended to provide land with physical qualities suitable for development that can attract new industries to Oxford and cause little damage to the environment; to locate industries close to existing highways and trail lines to minimize traffic impacts on residential neighborhoods; and to separate industries from other land uses to allow industries to operate free from unwanted intrusions” [VI.1.0] Further states that each district is intended to cluster industrial development in selected locations, to provide for industries and separate them from other less intensive uses, and to minimize the hazards and nuisances resulting from operation of industries.</p>	<p><i>Uses in Industrial:</i> By right [with SPR] manufacturing, wholesale distribution, accessory warehouse & distribution, assembly & fabrication, light products, accessory offices, accessory uses Special Permit: Extractive, smokestack [i.e. large scale], freight & trucking terminals, recycling, all other non-residential uses found to be consistent with the stated intent of industrial districts <i>Maximum coverage: 65%</i> Parking requirements: Freight & trucking, wholesale distribution & warehousing, moving & storage, parcel delivery 1 per employee plus 1 per each company vehicle. Auto wrecking, junk & scrap establishments: 1 per employee plus 1 per 10,000 s.f. of storage area. All other industrial uses: 1 per 1.5 employees plus 1 per each company vehicle plus 1 per each 25 required spaces for visitors</p>	<p>All allowed industrial uses go through SPR process with Planning Board. SP uses go to SPGA [almost always the Planning Board], but also SPR with Planning Board [i.e., even if exception goes to ZBA for SP, still gets SPR from Planning Board]</p> <p>Criteria for SPR cover access for emergency & service equipment; utilities, drainage & erosion control; use of topo, landscaping, and building placement when abutting residential district; parking and loading; traffic impacts on abutting residential neighborhoods; convenience & safety in relation to adjacent streets & intersections; all other requirements of zoning bylaw. [XV.4.0]</p>	<p>Note Planning Board is key to SP and SPR</p> <p>Note basic scope of SPR</p> <p>Planning Board can “approve with conditions or modifications that will bring about compliance” [XV.5.3]</p> <p>“Maximum coverage” appears to mean building coverage, but not clearly defined</p>

Town District(s)/Uses	Standards	Process	Notes
<p><i>Sturbridge</i> Industrial Park by right uses include wholesale warehouse or storage facilities; office with a minimum floor area of 30,000 s.f. per building; hotel, inn or motel; clearly defined multi-specialty physician office building, bank, and “any manufacturing or industrial use, including processing fabrication and assembly, provided that no such use shall be permitted which would be detrimental or offensive or tend to reduce property values in the same or adjoining districts by reason of dirt, odor, fumes, smoke, gas, sewage, refuse, noise, excessive vibration or danger of explosion or fire.”</p>	<p><i>Max lot coverage:</i> 33%, but may increase to 50% with SP <i>Max impervious surface:</i> 70% <i>Parking requirements:</i> industrial building 1 space for every 2 employees [no parking in required set backs, parking lot lights must be directed away from street and away from adjoining premises used for residential purposes.]</p> <p>See note re SPR criteria</p>	<p>SPR by Planning Board, applies to all uses other than single and 2-family dwellings, horticultural nursery, farm, tree farm, home based professional offices.</p>	<p>Note very broad use of SPR, and criteria for approval of SPR extensively spelled out – see attached copy.</p> <p>Entire zoning bylaw is easy to read, “spells out what we expect” according to Town Planner</p>

Town District(s)/Uses	Standards	Process	Notes
<p style="text-align: center;">Webster</p> <p>Industrial District Permitted uses: wholesale distributing plant; wholesale warehouse; building materials, sales & storage; trucking terminal or bus garage; office space, regular business hours; any use permitted and as regulated in an Agricultural Residential District; and. . . . “Any manufacturing or industrial use [although listed criteria seem to say opposite of what intended, i.e. that <i>won’t</i> be detrimental etc.] SP uses: automobile dismantling or used-parts yard; junk yard</p>	<p>Floor Area Ratio to Land Area: 1 to 2 Parking requirements: Professional offices, offices of a wholesale or jobbing establishment, including incidental sales space: 1 for each 500 s.f. gross floor area. Building for manufacture, assembly, processing, or packaging: 1 for each 1,000 s.f. Storage, wholesale establishments, freight terminal, and similar uses: 1 for each 3,000 s.f. gross floor area or lot area in similar use.</p>	<p>SPGA is ZBA Commercial SPR by Planning Board for any construction or reconstruction of any parking area or access way drive in a business or industrial district; development involving location of two or more primary uses or structure on a single lot [including industrial parks]; any construction, reconstruction, exterior alteration or addition to any commercial building [includes industrial buildings]; or a use that requires a special permit.</p>	<p>Criteria for SPA approval are almost identical to Oxford’s. Does not specify that Planning Board can approve with conditions</p>

Town District(s)/Uses	Standards	Process	Notes
<p style="text-align: center;"><i>Charlton</i></p> <p>Clear statement of intents of districts, e.g. for Industrial Park: To provide parcels of land zoned as industrial parks, where “compatible industries” are encouraged to locate in a park-like setting. Such industries shall be “abutter friendly”; that is, they shall impact abutting lands minimally as to sight, sound, odor and traffic. Allowed uses include a mix of manufacturing, research and development, office, distribution, and other compatible uses which offer an opportunity for employment growth and an expansion of the tax base in the town of Charlton. [3.1.5.7]</p> <p>The wide range of permitted uses seems to work against this picture, since they include a lot of uses other than “manufacturing, research and development, office, distribution”</p>	<p>20 ft landscaped buffer strip along frontage road, plus 100 ft. along any lot boundary abutting R-40, Agriculture, or Historic District.</p> <p>Screening required for outside bulk storage, contractor’s yards, disposal areas – required from street, adjacent residential use, residential district</p> <p><i>Max building coverage: 33%</i> <i>Parking areas in IP set back minimum 20 ft from front lot line [30 ft. if front lot line abuts State-numbered route], and not allowed in required side or rear yards, or within required buffer area.</i> <i>Parking requirements:</i> Industrial 1 per 1.3 employees, maximum shift</p> <p><i>Development standards for IP:</i> roads & utilities, landscaping, lighting, utility areas, utilities.</p>	<p>Planning Board is SPGA for few uses that require SP in Industrial district. IP district mainly requires SPR by Planning Board.</p>	<p>Correct to assume that the criteria for SPR are listed as 5.8 Development Standards for IP Districts?</p> <p>Usually criteria for approval for all Sp or SPR are listed in one spot, rather than tailored to each district or use and placed throughout the bylaw accordingly.</p>

High Value Business Development in the Route 20 Corridor: A Successful Package of Zoning Regulations and Administration

Element That Is Needed	What We Have Now	What Would Better Achieve Intent of High Assessed Value Business Park
<p><u>Allowed uses</u> that clearly define what would fit <i>and</i> are flexible enough to accommodate unforeseen types of businesses, since technologies and sectors evolve rapidly</p>	<p>The wide range of permitted uses works against bylaw’s stated intent for industrial park district, since they include a lot of uses other than “manufacturing, research and development, office, distribution”. Examples include car washes, gasoline service stations, restaurants, fast food places, retail stores, and personal service businesses.</p>	<p>Limit allowable uses to manufacturing, research & development, biotechnology, office, distribution. Allow food service, convenience retail only if a secondary use primarily intended for use by employees and visitors to the primary use. <i>[Need to decide whether to allow specialized services such as medical clinics or fitness centers.]</i></p>
<p><u>Prohibited uses</u> that provide a baseline of protection and assurance</p>	<p>Currently prohibited: electric generating facilities w/ more than 50 megawatts of power output, hazardous waste disposal sites, resource recovery plants, use of more than 50% of a lot for outdoor storage.</p>	<p>Specify what happens in case of a use not listed in the uses table. Automatically prohibited? Special Permit possible if meets intents of district?</p>
<p><u>Dimensional requirements</u> that fit high value development onto Charlton’s topography in the Route 20 Corridor & <u>Site plan requirements</u> that clearly spell out the “non-negotiable” attributes of a development that fits in Charlton.</p>	<p>Dimensional req. for each lot within a park, but silent on business park as a whole. Max. 75% lot area impervious surface [building, parking, other asphalt & hard surface]. Trees in parking lots. Lighting for entries & exits. Curb cut width & location. IP landscaping [front yard set back area, trees in parking lots & along roadways, maintenance of landscaped areas]. Utilities underground. Utility/service areas screened. Max. 33% building coverage.</p>	<p>Specify sight, sound, and light-absorbing buffer around entire park where abuts residential [e.g. 75 feet densely wooded], and allow more flexibility among the lots within the park. Allow waiver by SP on maximum building height to allow for special requirements of manufacturing processes [e.g. tower for run required in production such as wire]</p>

Element That Is Needed	What We Have Now	What Would Better Achieve Intent of High Assessed Value Business Park
<p><u>Site plan standards</u> that describe what the Town is looking for as a particular proposal is flexibly accommodated onto a particular site. Both landscape and streetscape standards are important.</p>	<p>For IP District road & utility standards. Exterior lighting</p>	<p>Specifically minimize visibility of construction from Route 20 and neighboring roadways, except for “group sign” at entry. Specify pedestrian circulation: sidewalk along interior roadway, walkway system from parking to entries. Jogging & walking trails allowed in required buffer strip around park [but no snowmobiles or dirt bikes]?</p>
<p><u>Parking requirements & standards</u> that make sure foreseen vehicles will be accommodated on site without excessive pavement.</p>	<p>Off-street parking and loading schedule of required parking spaces according to size and type of use.</p>	<p>All parking & loading to side or rear of buildings. <i>[Current schedule is working; want to consider accepting designated turf area for part of required area as future expansion as need warrants.]</i></p>
<p><u>Sign design & placement requirements & standards</u> that meet business needs without clutter.</p>	<p>Schedule of size, type, placement of signs according to use and district.</p>	<p>Regulations for unified “group” sign at entry to business park on which all companies are identified. Also unified “group” sign for tenants at entry drive(s) to multi-tenant building, and at building entries. Prohibit other freestanding signs except for sole-occupant sign visible from interior roadway. Prohibit window signs. <i>[Current schedule of sizes working?]</i></p>
<p><u>Development review & permitting process</u> that is clear, timely, respectful of both Town’s and applicant’s needs.</p>	<p>IP review & approval through subdivision control and site plan approval, which may be processed simultaneously. Planning Board is SPGA & SPA for uses considered here, with a Technical Advisory Committee for industrial uses. <i>[This is good!]</i></p>	<p>By regulation and practice, need a process that reviews, shapes, and approves a site master plan for a complete park thus opening the way for user-friendly oversight of construction within the park over time. Firm structure where it matters, flexibility where it works to accommodate market and opportunities over time.</p>

Element That Is Needed	What We Have Now	<i>What Would Better Achieve Intent of High Assessed Value Business Park</i>
<u>Enforcement</u> that is clear, timely, and effective.	<i>[Reads well in Zoning Bylaw text. What is working well now, and where are there shortfalls?]</i>	<i>[Specific ways to improve this??]</i>

**Upgraded Zoning Along the Route 20 Corridor:
Points of Consensus
DRAFT: FOR REVIEW & DISCUSSION**

Note: This outline of consensus points works from the current Zoning Bylaw and the accompanying chart *High Value Business Development In the Route 20 Corridor: A Successful Package of Zoning Regulations and Administration*. The intent of the Planning Board and Economic Development Commission is to work over time with other local officials, property owners, and residents to document and raise the level of community consensus regarding:

1. desired patterns of business development along the Route 20 Corridor
2. changes in zoning and administration that would encourage such development.

Consensus Point #1: Allowed Uses should clearly define what would fit and be flexible enough to accommodate unforeseen types of businesses, since technologies and sectors evolve rapidly. Uses that should be allowed include ones that support the intent of “manufacturing, research and development, office, distribution”. Examples that first come to mind include:

Medical research and development
Warehouse and distribution
Biotechnology
Manufacturing
Fiberoptics
Greenhouse/horticulture
Hotel
Day Care Center as accessory use to serve employees
Food as accessory use to serve employees and visitors
Hospital and clinic
Fitness Center as accessory use to serve employees
Personal & consumer services as accessory use to serve employees
Multiple office building [specify minimum square footage of XX]
ATM
Towers by Special Permit [keeping section 3.2.2’s note # 3]
Wireless communication by Special Permit [keeping section 3.2.2’s note #2]
Helicopter or gyroplane as accessory use to serve businesses in the park

Consensus Point #2: Prohibited uses should provide a baseline of environmental protection and assurance that development will not detract from the purposes of the district. Examples that first come to mind include:

Car wash, car repair	Single business office e. g. realtor
Fast food restaurant	Retail
Mini golf course	Motel
Motor court	Bank
Adult entertainment	Oil or gas tanks

How does this image of allowed and prohibited uses compare with Charlton’s current business districts: Neighborhood Business [NB], Community Business [CB], General Industry [IG], & Industrial Park [IP]. Here is a chart that works from the Zoning Bylaw’s Use Regulation Schedule [section 3.2.2], and compares the desired pattern of high-assessed value business uses with current districts’ regulations. Shaded boxes highlight where there is a discrepancy between current I-P regulations & upgraded requirements that would shift the district to being a Business Park District.

Y = permitted, N = prohibited, P = permitted subject to site plan review, SP = requires Special Permit from Planning Board. [“Acc.” = accessory]

Principal Use [abbreviated]	NB	CB	IG	IP	Up-grade
<u>Agriculture, Floriculture & Horticultural Uses</u>	Y	Y	Y	Y	Y
1. Raising and keeping livestock on parcel over 5 acres	P	P	N	N	N
2. Raising and keeping livestock on parcel under 5 acres	Y	Y	Y	Y	Y
3. Raising crops	Y	Y	Y	Y	Y
4. Indoor commercial horticulture/floriculture [greenhouses]	Y	Y	Y	Y	Y
<u>Residential Uses</u>					
1. One-family dwelling	Y	Y	N	N	N
2. Accessory Apartment	Y	Y	N	N	N
3. Two-family dwelling	Y	Y	N	N	N
4. Multi-family dwelling	N	N	N	N	N
5. Lodging or boarding house	P	P	N	N	N
6. Hotel, motel, or motor court <i>[Add newly defined principal use “Inn” to distinguish between motels with external entries into rooms & more attractive configurations that still might not be termed “Hotel”.]</i>	P	Y	SP	SP	Motel N Hotel, Inn SP
7. Mobil homes/parks	N	N	N	N	N
8. Major Residential Development	P	P	N	N	N
<u>Public and Semi-Private Uses</u>					
1. Non-profit school	P	P	P	P	P
2. Day care center	P	P	P	P	Acc. Only: SP
3. Family day care home	P	P	P	P	P
4. Religious use	P	P	P	P	P
5. Nursing/convalescent home	P	P	N	N	N
6. Hospital or clinic [non-profit]	P	P	SP	SP	SP
7. Community/neighborhood center	P	P	N	N	N
8. Other institutional and philanthropic use	P	P	N	N	N
9. Cemetery	P	P	N	N	N
10. Other municipal use voted by Town Meeting	P	P	P	P	P

Principal Use [abbreviated]	NB	CB	IG	IP	Up-grade
Recreational Uses					
1. Golf course	P	P	N	SP	N
2. Gold driving range and miniature golf	P	P	N	SP	N
3. Other indoor or outdoor recreational use	P	Y	SP	SP	N
4. Massage parlor	N	N	N	N	N
5. Private membership club	Y	Y	SP	SP	N
6. Picnic, beach area	Y	Y	N	N	N
7. Riding stable, boarding, riding academy	N	P	N	P	N
8. Camp ground	P	P	N	N	N
9. Other private predominantly open recreation use	P	P	N	P	N
10. Public recreation facilities	P	P	N	N	Acc. Fitness center only: P
Business Uses					
1. Convenience retail less than 20,000 s.f.	P	P	SP	SP	Acc only: SP
2. Convenience retail 20,000 s.f. or more	N	P	SP	SP	N
3a. Auction gallery	Y	Y	SP	SP	N
3b. Flea market	Y	Y	SP	SP	N
4. Personal & consumer services	Y	Y	P	P	Acc only: SP
5. Fast food establishments	N	Y	P	SP	N
6. Sit-down restaurant	Y	Y	SP	SP	Acc only: SP
7. Other eating and drinking: bar or grill	P	Y	SP	N	N
8. Medical, dental office	P	Y	P	Y	N
7. Business, professional, general offices <i>[Through definition or other provision(s), make clear that in upgraded business park district, will allow only buildings containing multiple offices with total minimum size such as 12,000 s.f., i.e. not small, individual business buildings]</i>	Y	Y	P	Y	P
10. Gasoline service station	N	P	P	P	N
11. Fuel oil dealer, station	N	P	P	P	N
12. Car wash	N	P	P	P	N
13. Bank	P	Y	Y	Y	N ATM: P
14. Funeral home	P	Y	SP	SP	N
15. Animal kennel or animal hospital	P	P	Y	SP	N
8. For-profit school <i>[question: educational exemption?]</i>	P	Y	SP	SP	N
17. For-profit hospital, clinic	P	P	SP	SP	N
18. Storage trailers	N	P	N	N	N

Principal Use [abbreviated]	NB	CB	IG	IP	Up-grade
19. [No #19 in Current Table]					
20 Adult Entertainment Establishments ¹	N	N	SP	SP	N
<u>Communications, Transportation, & Public Utility Uses</u>					
1b. Wireless Communications Facilities per sec. 5.10 ²	SP	SP	SP	SP	SP
1a. Wireless Communication Tower for federally licensed amateur radio operator ³	SP	SP	SP	SP	N
2. Bus or railroad passenger terminal	N	N	P	P	SP
3. Rail terminals for freight	N	N	P	P	SP
4. Truck terminals for freight	N	N	P	P	SP
9. Commercial aircraft land area: 10. Airport or landing area for fixed wing flying craft b) Helicopter or gyroplane landing area	N N	N N	P P	P P	N Acc only: SP
6. Auto and/or truck sales and/or rental	N	P	P	P	N
7. Independent storage, parking 5 or more automobiles	P	P	P	P	SP
8a. Electric generating facility 50 megawatts or less	N	P	P	P	Acc. Only: P
8b. Electric generating facility more than 50 megawatts	N	N	N	N	N
8c. Gas/gasoline transmission facilities	N	P	P	P	N
9. Electric distribution station or substation	P	P	P	P	N
10. Wind energy conversion system	P	P	P	P	Acc. Only: P
11. Taxi or limousine service no more than 3 vehicles	Y	Y	Y	Y	Acc. Only: SP
12. Taxi or limousine service 4 or more vehicles	N	P	P	P	Acc. Only: SP
13. Water storage tanks for public system w/ restrictions	N	P	P	P	P
14. Pumping stations for public water system w/ restr.	P	P	P	P	P
<u>Industrial and Warehouse Uses</u>					
11. Light manufacturing <i>delete meat packing & pet food plants add medical devices, pharmaceuticals, food processing, life sciences, biotechnology</i>	N	N	P	P	P
12. Research & development or office uses: 13. scientific or research laboratories b) offices for technical, executive, professional or administrative uses	P P	P P	P P	P P	P P
3. Sawmills, lumber, building materials establishments	N	P	P	P	N

¹ Adult Entertainment Establishments are only allowed in locations identified in Section 5.9 of the Zoning Bylaw

² Wireless Communications Facilities are only allowed in locations identified in Section 5.10 of the Zoning Bylaw

³ See detailed Note #3 in Zoning Bylaw
Charlton Community Development Plan

Principal Use [abbreviated]	NB	CB	IG	IP	Up-grade
4. Automobile and/or truck repair garages	N	P	P	P	N
5. Scrap metal, other materials storage yards	N	N	SP	N	N
6. Land & water recreation vehicle sales, service, storage	N	P	P	P	N
7. Public storage areas/buildings such as for road salt, sand, and municipal vehicles	P	P	P	N	N
8. Stone, sand and/or gravel processing	N	P	P	N	N
9. Hazardous waste disposal sites	N	N	N	N	N
10. Resource recovery plants	N	N	N	N	N
<u>Accessory Uses**</u>					
1. Customary home occupations	Y	Y	Y	P	N
2. Accessory professional office in dwelling	Y	Y	Y	P	N
3. Accessory building such as private garage, shed, swimming pool	Y	Y	Y	P	N
4. Trailer for office & storage use only during construction	Y	Y	Y	Y	Y

** Note: Accessory uses 1-3 pertain to residences, and residential construction would not be permitted in the upgraded business park district. Planning team is checking to see where and how many “grandfathered” residences there are in existing IP Districts.

Option to pursue: Rename and amend existing I-P district so as to “upgrade” to a Business Enterprise Park District [“BEP”] with changes in the uses table as shaded above.

Consensus Point #3: Dimensional requirements should set tight standards that are adjustable through Flexible Development [similar to residential cluster – see below], so applicants are encouraged to go the flexible route which provides development that is more aesthetic and more sensitive to landscape. Site plan standards should require that parking and loading be located at the side or rear of buildings. [This would involve deleting note #5 of the current 3.2.4 Intensity of Use Schedule.]

Here is the proposed Intensity of Use Schedule for BEP District:

Zoning District	Min. Lot Area Sq. Ft.	Min. Contiguous Street Frontage Feet	Min. Front Yard Feet	Min. Side Yard Feet	Min. Rear Yard Feet	Max. Building Coverage % of Lot	Max. Building Height Feet
Business Enterprise Park	80,000	260	50	50	50	33	36

Notes: Side & rear yards must be at least 100 feet when abutting any residential or agricultural district
Also Note #5 gives requirements for parking that is in the front setback, but consensus that such parking should not be allowed.

Consensus Point #4: Parking and loading should occur on site and be located to the side or rear of each building served. Neither should occur within a side or rear setback. Pedestrian circulation and pedestrian scale lighting should be carefully planned and sited for safety and comfort.

Consensus Point #5: Add and encourage the alternative to present a flexible master plan for the property that pursues a review process similar to that of a “cluster” or “flexible development” residential subdivision. The standards and attitude of the town toward such flexible site master planning would need to encourage the developer to work within the landscape [and the review process!] to achieve an attractive and workable plan. As with flexible residential development, the flexible business park development process needs to avoid being so onerous that the developer logically decides to go the easier path of a “cookie-cutter” site plan. Here are considerations/standards/things the SPGA will be looking for and able to adjust through the flexible master site plan review and approval process:

- Frontage flexible
- Front, side rear setbacks flexible
- Topography and nature of intervening plant materials rather than just horizontal distance when setting buffering requirements between BEP and adjoining residential & agricultural districts *[Mark: i.e. could be closer if evergreen vegetation or elevation change that provides natural buffer against light, sound, site.]*
- The quality of construction and appearance of buildings.
- Public health and safety *[Mark: the usual suspects without being onerous]*
- Landscape features and natural resources being better protected through flexible plan
- Pattern of open space/green space: location and use as habitat, recreation, buffering, etc.
- Non-habitable projections above the 36’ maximum building height that are necessary for the productive activity [e.g. the vertical run required for cable fabrication]. *[Mark: intent is to be open to productive needs of the enterprise while avoiding fire prob. With offices, other people-containing rooms above 36’]*
- To avoid unnecessary paving, allow the applicant to install pavement, drainage, pedestrian circulation, etc to serve a portion of the area required under the Off-Street Parking Schedule [section 4.2.2], and to designate & predesign specific unpaved but paveable areas for “reserve parking as needed”. *[Mark: please suggest “trigger mechanism” that kicks in the ability to enforce paving the reserve parking area as needed, i.e. what is objective way to say it “is needed now”, and how does Town make them do it?]*

BEP DISTRICT ADOPTED BY TOWN MEETING

ARTICLE ____. TO SEE IF THE TOWN WILL VOTE TO AMEND THE ZONING BY-LAW TO PROVIDE FOR A NEW BUSINESS ENTERPRISE PARK DISTRICT AND FLEXIBLE BUSINESS DEVELOPMENT PROVISIONS BY MAKING THE FOLLOWING CHANGES:

Item 1. Delete in Section 3.2.2, Use Regulation Table, the column “IP” in its entirety, and substitute therefore a new column “BEP” as follows:

Principal Uses	A	R-40	R-SE	NB	CB	I-G	BEP
<u>3.2.1 Agricultural, Floriculture and Horticultural Uses</u>							
Raising and keeping of livestock, including but not limited to horses, cattle, sheep, goats, swine, fur animals and poultry, on a parcel over five (5) acres.	Y	Y	Y	Y	Y	Y	Y
Raising and keeping of livestock, including but not limited to horses, cattle, sheep, goats, swine, fur animals and poultry, on a parcel of five (5) or fewer acres.	Y	Y	P	P	P	N	N
Raising of crops, whether for sale or personal consumption, on a parcel of any size.	Y	Y	Y	Y	Y	Y	Y
Indoor commercial horticulture/floriculture establishments (e.g. greenhouses).	Y	Y	Y	Y	Y	Y	Y
<u>3.2.2 Residential Uses</u>							
Detached one-family dwelling	Y	Y	Y	Y	Y	N	N
Accessory Apartments	Y	Y	Y	Y	Y	N	N
Detached two-family dwelling.	N	Y	Y	Y	Y	N	N
Multi-family dwelling (See Section 5.1).	N	P	P	N	N	N	N
Lodging and/or boarding house	P	P	P	P	P	N	N
Mobile Homes, mobile home parks or trailers for human habitation. (See special regulations in Section 5.2.)	N	N	N	N	N	N	N
Major Residential Development	P	P	P	P	P	N	N
<u>3.2.3 Public and Semi-Private Uses</u>							
Public, private, sectarian or denominational school (non-profit)	P	P	P	P	P	P	P
Day-care centers, except that in the BEP District such centers shall only be allowable as accessory use predominantly to serve employees of the principal use	P	P	P	P	P	P	SP
Family day-care homes	P	P	P	P	P	P	P
Religious use	P	P	P	P	P	P	P

Principal Uses	A	R-40	R-SE	NB	CB	I-G	BEP
Nursing and/or convalescent homes	P	P	P	P	P	N	N
Hospitals and clinics for in- and out-patient care (non-profit)	P	P	P	P	P	SP	SP
Community and/or neighborhood centers	P	P	P	P	P	N	N
Other institutional and philanthropic uses	P	P	P	P	P	N	N
Cemeteries	P	P	P	P	P	N	N
Other municipal uses voted by Town Meeting	P	P	P	P	P	P	P
<u>3.2.4 Recreational Uses</u>							
Standard golf and par-3 golf courses	Y	Y	P	P	P	N	N
Golf driving ranges and miniature golf courses	P	N	P	P	P	N	N
Other recreational facilities conducted for gainful profit, including indoor and outdoor theatres, physical fitness centers, health clubs and indoor and outdoor tennis and racquetball facilities	P	N	N	P	Y	SP	N
Massage parlors	N	N	N	N	N	N	N
Private membership clubs	P	P	P	Y	Y	SP	N
Picnic and beach areas	Y	P	P	Y	Y	N	N
Riding stables and/or boarding, trails and riding academies	P	P	P	N	P	N	N
Camp grounds	Y	P	P	P	P	N	N
Other private predominantly open recreational areas	Y	P	P	P	P	N	N
Public recreational facilities	P	P	P	P	P	N	N
<u>3.2.5 Business Uses</u>							
Retail establishments serving the convenience goods needs of a local area including but not limited to: grocery, delicatessen, baker, supermarket, drug stores and similar uses, having less than 20,000 sq. ft. of gross building area	N	N	P	P	P	SP	N
Retail establishments serving the convenience goods needs of a local area including but not limited to: grocery, delicatessen, baker, supermarket, drug stores and similar uses, having 20,000 sq. ft. or more of gross building area	N	N	N	N	P	SP	N

Principal Uses	A	R-40	R-SE	NB	CB	I-G	BEP
Auction galleries	P	P	Y	Y	Y	SP	N
Flea markets	P	P	Y	Y	Y	SP	N
Hotel or inn	N	N	N	P	Y	SP	SP
Motel or motor court	N	N	N	P	Y	SP	N
Personal and consumer services establishments, including but not limited to: barber shops, shoe and leather repair, beauty shops, laundry or dry cleaning establishments and Laundromats	N	N	Y	Y	Y	P	N
Establishments commonly known as fast food restaurants, selling food prepared for immediate consumption which is distributed to customers in whole or in part, by means of automobile drive-up windows, counters or by employees delivering such food to automobiles	N	N	N	N	P	P	N
Establishments commonly known as sit-down restaurants, selling food prepared for immediate consumption where customers are served primarily at a table or counter	P	N	P	P	P	SP	N
Other eating and drinking establishments, most notably known as bars and grills	N	N	P	P	Y	SP	N
Office of licensed medical and dental practitioners limited to general out-patient care and diagnosis	N	N	P	P	Y	P	N
Business, professional and general offices with less than 12,000 gross square feet of floor area per structure	N	N	Y	Y	Y	P	N
Business, professional and general offices with 12,000 or more gross square feet of floor area per structure	N	N	Y	Y	Y	P	P
Gasoline service stations	N	N	N	N	P	P	N
Fuel oil dealers and stations	N	N	N	N	P	P	N
Car wash establishments	N	N	N	N	P	P	N
Banks	N	N	P	P	P	P	N
Service most notably known as “Automatic Teller Machine” [“ATM”], whether free-standing or accessory	N	N	N	P	P	P	P

Principal Uses	A	R-40	R-SE	NB	CB	I-G	BEP
Funeral homes	P	P	P	P	Y	SP	N
Animal kennels or animal hospitals	P	N	P	P	P	Y	N
Schools (for profit)	N	N	P	P	Y	SP	N
Hospitals and clinics for in- and out-patient care (for profit)	P	P	P	P	P	SP	N
Storage trailers – units designed and used solely for storage not habitation; such trailers may be used as a non-construction site office.	N	N	N	N	P	N	N
Adult Entertainment Establishments as per Section 5.9 of this Bylaw							
Adult Bookstore	N	N	N	N	N	SP ¹	N
Adult Motion Picture Theater	N	N	N	N	N	SP ¹	N
Adult Paraphernalia	N	N	N	N	N	SP ¹	N
Adult Video Store	N	N	N	N	N	SP ¹	N
Adult Live Entertainment Establishment	N	N	N	N	N	SP ¹	N

3.2.6 Communications, Transportation and Public Utility Uses

Communications Tower for federally licensed amateur radio operator, limited to 75 ft in height, and requiring a minimum distance between the base of the Tower and the property boundary line and/or any residential structure to be equal to the height of the Tower, including any aerials or antennas that may be mounted on the Tower.	SP ³	SP					
Wireless Communications Facilities as per Section 5.10 of this By-Law.	SP ²	SP					
Bus or railroad passenger terminal.	N	N	N	N	N	P	SP
Rail terminals, including rail freight yards or freight terminals.	N	N	N	N	N	P	SP
Truck terminals, truck freight yards or freight terminals	N	N	N	N	N	P	SP
Commercial aircraft landing area:							
Airport or aircraft landing area for fixed wing flying craft;	N	N	N	N	N	P	N
Helicopter aircraft or gyroplane landing area	P	N	N	N	N	P	N
Automobile and/or truck sales and/or rental establishments	N	N	P	N	P	P	N

Principal Uses	A	R-40	R-SE	NB	CB	I-G	BEP
Independent storage area or parking area, automobile parking garage for five (5) or more automobiles.	N	N	P	P	P	P	SP
Electric generating facilities with less than or equal to 50 megawatts of power output.	N	N	N	N	P	P	N
Electric generating facilities with more than 50 megawatts of power output.	N	N	N	N	N	N	N
Gas/gasoline transmission facilities	N	N	N	N	P	P	N
Electric distribution station or sub-station	P	P	P	P	P	P	N
Wind energy conversion system	P	P	P	P	P	P	P
Taxi or limousine service and other vehicles for hire with drivers and having no more than three (3) vehicles and containing no more than nine (9) passengers in any one vehicle.	N	N	P	Y	Y	Y	N
Taxi or limousine service and other vehicles for hire with drivers and having four (4) or more vehicles and containing no more than nine (9) passengers in one vehicle.	N	N	N	N	P	P	N
Water storage tanks, for public water systems as defined by 310 CMR 22.02, provided that the height of the structure shall not exceed 75 feet, that any portion of the structure shall not be less than 300 feet from any residential structure, and that the distance from the base at ground level of any tank to any property or street line be equal to twice the height of the tank. Neither the minimum lot size specified in section 3.2.4 nor any other minimum lot size shall apply to such use.	Y	Y	Y	Y	Y	Y	P
Pumping stations, for public water systems as defined by 310 CMR provided that any portion of the structure shall not be less than 300 feet from any residential structure. Neither the minimum lot size specified in section 3.2.4 nor any other minimum lot size shall apply to such use. Provided that the minimum set back from lot lines specified in Section 3.2.4 or a setback equal to the height of the pumping station structure, whichever is greater, shall apply.	Y	Y	Y	Y	Y	Y	P

Principal Uses	A	R-40	R-SE	NB	CB	I-G	BEP
Natural gas distribution stations, sub-stations, and piping provided that any portion of the structure (not including dwelling service pipe) shall not be less than 300 feet from any residential structure and that the minimum lot size and setbacks shall not be less than required in section 3.2.4. A variance may be granted by the Zoning Board of Appeals. All Gas storage tanks in such facilities shall be sub-surface.	P	P	P	P	P	P	P
<u>3.2.7 Industrial and Warehouse Uses</u>							
Except as specified below, light manufacturing establishments including warehousing, assembly, fabrication, processing and re-processing of materials, excepting that meatpacking, pet food plants, tanneries and slaughterhouses are prohibited. Also prohibited are establishments that treat and/or process hazardous waste or hazardous materials. Further provided that storage of goods or materials shall not be permitted on any lot except in an appropriate enclosure and also in compliance with Section 4.1.5. hereof.	N	N	P	N	N	P	P
Biotechnology	N	N	N	N	N	N	SP
Fiberoptics facility	N	N	N	N	N	N	SP
Medical research & development	N	N	N	N	N	N	SP
The following research and development or office uses:							
scientific or research laboratories (non-medical);	N	N	P	P	P	P	P
offices for technical, executive, professional or administrative uses.	N	N	P	P	P	P	P
Sawmills, lumber and building materials establishments	N	N	N	N	P	P	N
Automobile and/or truck repair garages	N	N	P	N	P	P	N
Scrap metal and other materials storage yards including scrap automobiles and trucks	N	N	N	N	N	SP	N
Land and water recreation vehicle (including boats) sales and service and storage yards	N	N	P	N	P	P	N
Public storage areas or buildings such as those for road salt and sand and municipal vehicles	P	P	P	P	P	P	N
Stone, sand and/or gravel processing operations	N	N	N	N	P	P	N

Principal Uses	A	R-40	R-SE	NB	CB	I-G	BEP
Hazardous waste disposal sites	N	N	N	N	N	N	N
Resource recovery plants	N	N	N	N	N	N	N
<u>3.2.8 Accessory Uses</u>							
Customary home occupations conducted as a gainful business, provided that all parking for such businesses shall be provided on the premises where the home occupations are conducted; and further provided that all products thereof are produced or sold on the premises. (See definition of “Home Occupation” in Section 2.1.)	Y	Y	Y	Y	Y	Y	N
Accessory professional office in a dwelling conducted by the resident occupant, provided that all parking for such professional services shall be provided on the premises where the professional offices are located.	Y	P	P	Y	Y	Y	N
Accessory building such as a private garage, playhouse, greenhouse, tool shed and private swimming pool.	Y	Y	Y	Y	Y	Y	N
Trailer for office and storage use only during construction. The trailer for office/storage use shall not be used for habitation. These temporary on-site construction office/storage trailers may be located on the building site upon issuance of a building permit and must be removed within fourteen (14) days after an occupancy permit has been issued.	Y	Y	Y	Y	Y	Y	Y
Food as accessory use to serve employees of and visitors to principal use	N	N	N	N	N	N	P
Fitness Center as accessory use to serve employees of principal use	N	N	N	N	N	N	P
Personal and consumer services as accessory use to serve employees of principal use	N	N	N	N	N	N	P
Child care facility as accessory use to serve employees of principal use	SP	SP	SP	SP	SP	SP	SP
Emergency power back up facility with less than or equal to 30 megawatts of power output	P	P	P	P	P	P	P
Helicopter or gyroplane landing area as accessory use to serve businesses&/or industries in district	N	N	N	N	N	N	SP

Item 2. Delete in Section 3.2.4, Intensity of Use Schedule, the row for the “Industrial Park IP” District in its entirety, and substitute herefore the following new row:

Zoning District	Min. Lot Area Sq. Ft.	Min. Lot Width & Contiguous Street Frontage Feet	Min. Front Yard Feet	Min. Side Yard Feet	Min. Rear Yard Feet	Max. Building Coverage % of Lot	Max. Building Height Feet
Business Enterprise Park (BEP)	80,000	260	50	501	501	33	362

14. Side & rear yards must be at least 100 feet when abutting any residential or agricultural district, and at least 200 feet when abutting an Historic District.

15. Excluding nonhabitable projections above the 36’ maximum building height that are reasonably necessary for the productive activity.

Item 3. In Section 4.2.4.5, add the following new sentences at the end:

In the BEP District, all required parking areas shall be located to the side or rear of each building served. No required parking area shall be located in a required side or rear yard.

Item 4. In Section 4.2.4.7, add the following new sentence at the end:

In the BEP District, lighting shall be provided to secure pedestrian safety and comfort by the illumination of all walkways, parking areas, and other common areas with minimal overspill into the night sky or adjacent properties.

Item 5. Add the following new definitions to Section 2.1:

Fiberoptics facility: Manufacture or production of fiberoptic goods or products.

Light manufacturing: Fabrication, assembly, processing, finishing work or packaging. Light manufacturing may include the production of medical devices, pharmaceuticals, and food products, but shall not include meatpacking or a pet food plant.

Manufacturing: A use engaged in the basic processing and manufacturing of materials, or the manufacture from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products.

Warehouse: A building used primarily for the storage of goods and materials or for distribution, but not for sale on the premises.

Item 6. Delete all other references to the “Industrial Park District” or “IP” District” and substitute “Business Enterprise Park District” or “BEP” District herefore.

Item 7. Delete all references on the Zoning Map to the “Industrial Park District” or “IP” District” and substitute “Business Enterprise Park District” or “BEP” District herefore.

Item 8. Add the following new section 5.13, entitled “Flexible Business Development”, as follows:

FLEXIBLE BUSINESS DEVELOPMENT

5.13.1 Purpose. The purposes of this section, Flexible Business Development, are:

16. to promote more sensitive siting of commercial and industrial buildings and better overall site planning;
 17. to perpetuate the appearance of the Town's traditional New England landscape;
 18. to facilitate the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner; and
 19. to offer an alternative to standard commercial and industrial development.
20. Definitions. The following terms shall have the following definitions for the purposes of this section:
21. "Flexible Business Development Project (FBDP)" shall mean a commercial and/or industrial development authorized by special permit as set forth in this Section 5.13.
 22. "Contiguous open space" shall mean open space suitable, in the opinion of the Planning Board, for the purposes set forth herein. Such open space may be separated by the road(s) constructed within a FBDP. Contiguous open space shall not include required yards.
 23. Applicability. A FBDP may be created, whether a subdivision or not, from any parcel or set of contiguous parcels held in common ownership and located entirely within the Business Enterprise Park District as defined in the Zoning By-law, subject to the conditions and specifications set forth herein.
 24. Procedures. A FBDP may be authorized upon the issuance of a special permit by the Planning Board. An Applicant for a FBDP special permit shall file with the Planning Board ten (10) copies of the following:
 25. A development plan conforming to the requirements for a preliminary plan as set forth in the Subdivision Rules and Regulations of the Planning Board.
 26. Wetland delineation; where such is in doubt or dispute, the Planning Board may require appropriate documentation.
 27. Data on proposed wastewater disposal, which shall be referred to a consulting engineer for review and recommendation.
 28. The Planning Board may also require as part of the development plan any additional information necessary to make the determinations and assessments cited herein.

29. Modification of Lot Requirements. Applicants for a FBDP special permit may modify lot shape and other dimensional requirements for lots, subject to the following limitations:
30. Lots having reduced frontage shall not have frontage on a street other than a street created by the FBDP; provided, however, that the Planning Board may waive this requirement where it is determined that such reduced lot(s) are consistent with existing development patterns in the existing neighborhood.
31. Side and rear yards shall not be reduced to less than 50% of distances otherwise required.
32. Standards. The following design standards shall apply to a FBDP:
33. Types of Buildings. The FBDP may consist of any combination of structures on one lot or a subdivision of land; provided, however, that no single office buildings may be constructed unless such single office building exceeds 12,000 square feet in gross floor area.
34. Architectural Style. The architecture of all buildings is of interest to the Planning Board. Structures shall be oriented toward the street serving the premises and not the required parking area.
35. Roads. The principal roadway(s) serving the site shall be designed to conform with the Subdivision Control Regulations of the Town.
36. Parking. Each business located within the FBDP shall provide parking as required by Section 4.2 of this Zoning By-law; provided, however, that the Planning Board may reduce the number of required parking spaces in a FBDP by special permit upon a finding that such reduction will not cause substantial detriment.
37. Buffer Areas. A buffer area of one hundred (100) feet shall be provided at the perimeter of the property where it abuts residentially zoned properties, except for driveways necessary for access and egress to and from the site. No existing vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance. The Planning Board may waive the buffer requirement (i) where the land abutting the site is the subject of a permanent restriction for conservation or recreation so long as a buffer is established of at least fifty (50') feet in depth which may include such restricted land area within such buffer area calculation; or (ii) where the land abutting the site is held by the Town for conservation or recreation purposes; or (iii) the Planning Board determines that a smaller buffer will suffice to accomplish the objectives set forth herein.
38. Stormwater Management. Stormwater management shall be consistent with the requirements for subdivisions set forth in the Rules and Regulations of the Planning Board and the DEP's Stormwater Management Policy.

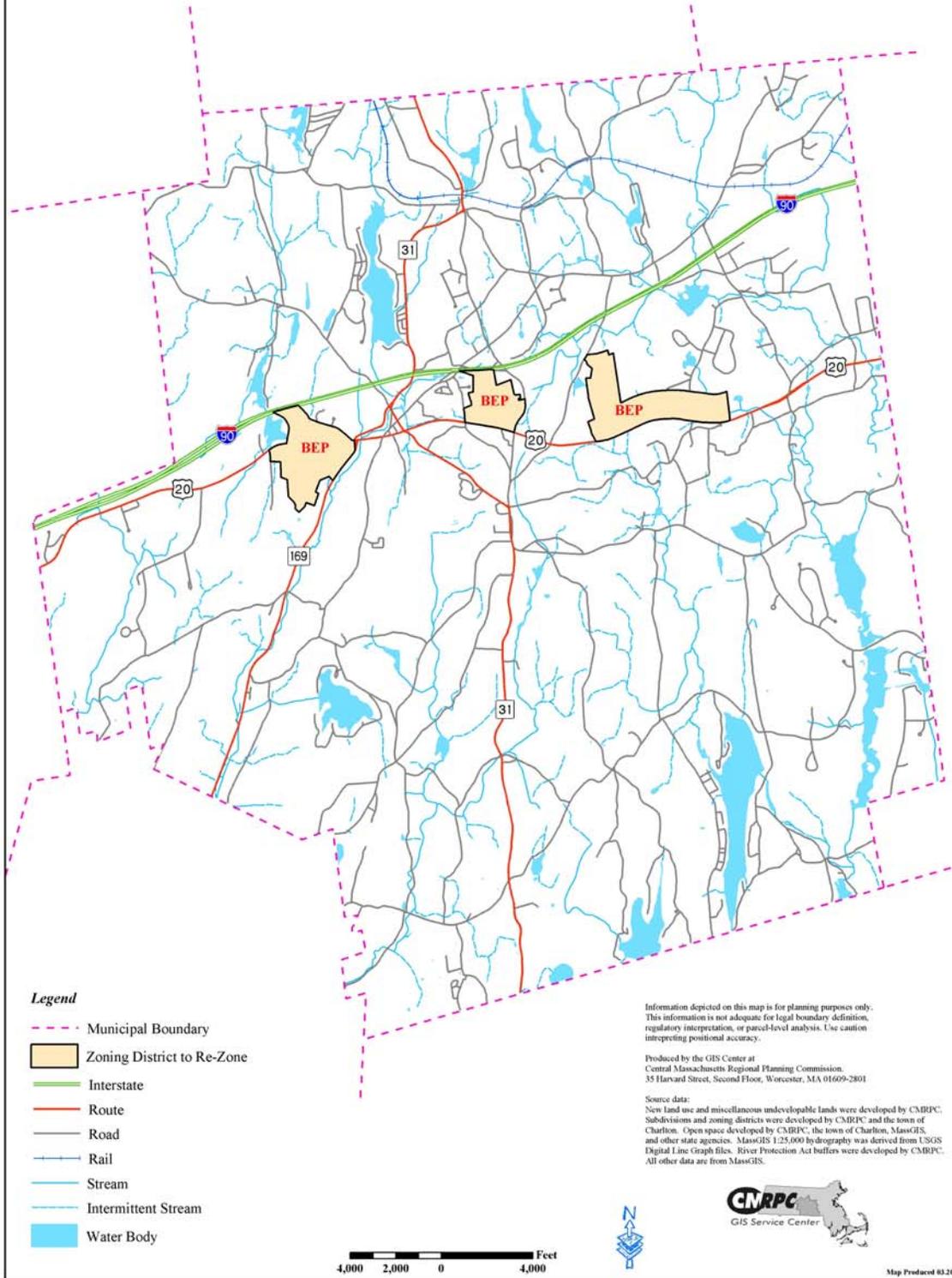
39. Contiguous Open Space. A minimum of twenty-five percent (25%) [or less if in the opinion of the planning Board such reduction is consistent with the intent of this section] of the parcel shown on the development plan shall be contiguous open space. Any proposed contiguous open space, unless conveyed to the Town or its Conservation Commission, shall be subject to a recorded restriction enforceable by the Town, providing that such land shall be perpetually kept in an open state, that it shall be preserved for exclusively agricultural, horticultural, educational or recreational purposes, and that it shall be maintained in a manner which will ensure its suitability for its intended purposes.
40. The percentage of the contiguous open space which is wetlands shall not normally exceed the percentage of the tract which is wetlands; provided, however, that the applicant may include a greater percentage of wetlands in such open space upon a demonstration that such inclusion promotes the purposes set forth in Section 5.13.1, above.
41. In no case shall the percentage of contiguous open space which is wetlands exceed fifty (50%) of the tract.
42. The contiguous open space shall be used for conservation, historic preservation and education, outdoor education, passive recreation, park purposes, agriculture, horticulture, forestry, or for a combination of these uses, and shall be served by suitable access for such purposes.
43. The contiguous open space shall remain unbuilt upon, provided that the Planning Board may permit up to ten (10%) percent of such open space to be paved or built upon for structures accessory to the dedicated use or uses of such open space, pedestrian walks, and bikepaths.
44. Underground utilities to serve the FBDDP may be located within the contiguous open space.
45. Ownership of the Contiguous Open Space. The contiguous open space shall, at the Planning Board's election, be conveyed to:
46. the Town or its Conservation Commission, subject to the public acceptance requirements of the Board of Selectmen and Town Meeting;
47. a nonprofit organization, the principal purpose of which is the conservation of open space and any of the purposes for such open space set forth above;
48. a corporation or trust owned jointly or in common by the owners of lots and/or units within the FBDDP, if applicable. If such corporation or trust is utilized, ownership thereof shall pass with conveyance of the lots or units in perpetuity. Maintenance of such open space and facilities shall be permanently guaranteed by such corporation or

trust which shall provide for mandatory assessments for maintenance expenses to each lot/unit. Each such trust or corporation shall be deemed to have assented to allow the Town to perform maintenance of such open space and facilities, if the trust or corporation fails to provide adequate maintenance, and shall grant the town an easement for this purpose. In such event, the town shall first provide fourteen (14) days written notice to the trust or corporation as to the inadequate maintenance, and, if the trust or corporation fails to complete such maintenance, the town may perform it and recover from the trust or corporation the costs of performing the maintenance. Each individual deed, and the deed or trust or articles of incorporation, shall include provisions designed to effect these provisions. Documents creating such trust or corporation shall be submitted to the Planning Board for approval, and shall thereafter be recorded.

49. Decision. The Planning Board may approve, approve with conditions, or deny an application for a FBDP after determining whether the FBDP better promotes the purposes set forth in Section 5.13.1 than would a conventional commercial or industrial development of the same property.

50. Relation to Other Requirements. The submittals and permits of this section shall be in addition to any other requirements of the Subdivision Control Law or any other provisions of this Zoning By-law.

Town Of Charlton Zoning Map Amendment To Re-Zone IP Districts to BEP Along Route 20



Zoning Study Fact Sheet

Holden Industrial Park



Description

Accessed off Route 122A approximately 10 minutes from I-190 through local traffic, this 75 acre park was developed in the early 1970s by the Worcester Business Development Corporation in cooperation with the Town. The park is served by sewer & water. There is a railroad spur, but it has not been used. Interior paved roadways are 24 feet wide and have granite curbs, sidewalks, and paved parking lanes. Lighting is attractive, and utility wires are underground. Installation of the roadway and utilities was funded through sale of the lots. The quality of development was driven by WBDC's market vision.

In the 1990s the Town adopted Site Plan Review to cover additions and infill. Businesses in the park have been good corporate citizens and represent almost 90% of Holden's industrial base. It would be difficult to develop the park now, due to traffic concerns and more stringent wetland setbacks.

Sample construction & landscape plantings



Parking at side or rear of building

MARKET RESPONSE

Business activities include light industry, corporate offices, and distribution.

Employment patterns result in a large number of commuting employees.

Average density of construction is 8,130 square feet per acre.

Type of construction includes Class A and B.

Typical landscape amenities are lawns and ornamental shrubs and trees around the buildings. A soccer field is used by the community.

Parking is at the side or rear of buildings.

Loading docks are at the side or rear of the buildings.

FISCAL IMPACT

Assessed values of buildings range from \$11.57 to \$44.79 per square foot, with \$18.64 average

Average assessed value per developed parcel is \$182,960 per acre.

There are no tax reductions due to development incentives]

Unified tax rate is \$16.50.

Annual property tax revenue from this park is \$226,504.



June 28, 2002

Summary of data collection and analysis performed for the Charlton Planning Board and Economic Development Commission. Full report is available through the office of the Charlton Planning Board. Sources of data include site surveys, Holden town officials & records.

Zoning Study Fact Sheet

Interchange Industrial Park

Description



Office building at entry to Park

Located in Auburn with access off Route 20 approximately 5 minutes from the Mass Pike, this 40 acre park remained undeveloped until a new owner worked with the Town to achieve funding for infrastructure through the PWED [Public Works for Economic Development] and CDAG [Community Development Action Grant] programs. This public investment made it possible to pay for the construction of the roadway and installation of utilities up the steeply sloped access road. Interior roadways are 24 feet wide, with asphalt curbing and sidewalks. Utility wires are underground along the upper parcels. Although parking is in front of the buildings, the parcels are attractively landscaped with ornamental trees and shrubs.

The park's excellent location has attracted significant construction of buildings for newly arrived businesses. Three parcels were developed in 2000.



Building on upper portion of Park

MARKET RESPONSE

Business activities include office buildings and distribution.

Employment patterns appear to include transportation and office jobs.

Average density of construction is 8,485 square feet per acre on the 3 developed parcels.

Type of construction includes Class A and B.

Landscape amenities include lawns with ornamental trees & shrubs around the buildings & parking lots.

Parking is often in front of the building and thus is quite visible, but no parking spills over onto the roadway.

Loading docks are only visible at one building.

FISCAL IMPACT

Assessed values of buildings range from \$38 to \$73 per square foot, with \$51.22 average

Average assessed value per developed parcel is \$513,793 per acre.

There are no tax reductions due to development incentives.

The tax rate for commercial & industrial property is \$23.87. The residential rate is \$13.08.

Annual property tax revenue from this park is \$127,527, but will increase significantly as more parcels are developed.



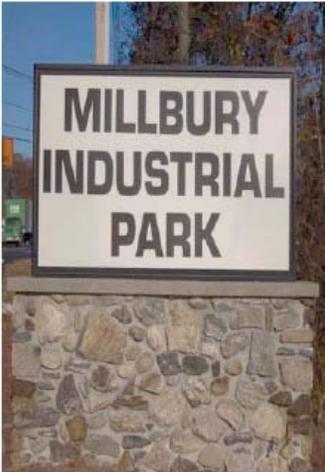
June 27, 2002

Summary of data collection and analysis performed for the Charlton Planning Board and Economic Development Commission. Report is available through the office of the Charlton Planning Board. Sources of data include site surveys, Auburn town officials & records.

Zoning Study Fact Sheet

Millbury Industrial Park

Description



Entry off Route 20

Located with access off Route 20 approximately 10 minutes from the Mass Pike, the former Latti Farm was rezoned to Industrial at the owner's request. A developer purchased the 83 acre parcel, designed & gained approvals for the park, and hired a marketing firm. The Town obtained a PWED [Public Works for Economic Development] grant which paid for the road, drainage, and utilities. This coordinated development approach resulted in an attractive road layout and streetlights, granite curb detailing, and underground utilities.

The parcel visible on Route 20 contains a car dealership, so the sign at the Park's entry is the only way one knows there is an industrial park back among the trees. Only 3 parcels totaling 19 acres remain undeveloped.



Landscaped entry driveway

MARKET RESPONSE

Business activities include office buildings and light industry.

Employment patterns appear to include office, skilled manufacturing, and distribution.

Average density of construction is 7,470 square feet per acre on the developed parcels.

Type of construction includes Class A and B.

Landscape amenities include ornamental trees & shrubs around the buildings & parking lots.

Parking is at the side or rear of buildings.

Loading docks are rarely visible.

FISCAL IMPACT

Assessed values of buildings range from \$12 to \$27 per square foot, with \$20.75 average

Average assessed value per developed parcel is \$222,372 per acre.

There are no tax reductions due to development incentives.

Unified tax rate is \$19.16.

Annual property tax revenue from this park is \$303,510.



June 27, 2002

Summary of data collection and analysis performed for the Charlton Planning Board and Economic Development Commission. Full report is available through the office of the Charlton Planning Board. Sources of data include site surveys, Millbury town officials & records.

Zoning Study Fact Sheet

Oxford Industrial Park East



Sample utilitarian design & landscaping



More recent construction

Description

Approximately 3 minutes from I-395's Exit 4, this 114 acre park was developed beginning in the late 1980s. The land was owned by the Town as forest, and the Town decided to make it available for economic development to create jobs & tax revenue. A PWED [Public Works for Economic Development] grant paid for installation of the roads and utilities. The park is not served by either sewer or water. Utilitarian paved roadways are 22 feet wide and have asphalt curbs [or no curb in places], no sidewalks, and overhead wires.

The Town's priority is to achieve business development, and lots are made available for sale at \$1 to private companies who are ready to begin construction on their building, subject to perc testing. Sales are made on a "first come, first served" basis. This strategy has accomplished the purpose of rapid development, and the park is almost full.

MARKET RESPONSE

Business activities include light industry, distribution, and medical technology.

Employment patterns range from semi- skilled to high technology.

Average density of construction is 2,299 square feet per acre.

Type of construction includes Class A, B & C.

Landscape amenities vary from minimal to ornamental shrubs and trees around the buildings.

Parking is often in front of the building and thus is quite visible, but no parking spills over onto the roadway.

Loading docks are similarly located around the properties.

FISCAL IMPACT

Assessed values of buildings range from \$10 to \$28 per square foot, with \$21.58 average

Average assessed value per developed parcel is \$147,560 per acre.

There are no tax reductions due to development incentives, and the \$1 cost of the land is the main financial incentive.

Unified tax rate is \$14.60.

Annual property tax revenue from this park is \$141,408.



June 28, 2002

Summary of data collection and analysis performed for the Charlton Planning Board and Economic Development Commission. Full report is available through the office of the Charlton Planning Board. Sources of data include site surveys, Oxford town officials & records.

Zoning Study Fact Sheet

Corporate Industrial Park



**Flexcon
Corporate Headquarters**



Other Light Industry

Description

Located in Spencer on Route 9 approximately 2 minutes from the Route 49 intersection, this land was rezoned to Industrial at the request of Flexcon, a long time local manufacturer that wanted to expand from its location in the center of Spencer. That objective was accomplished. Flexcon developed a complex of more than 211,000 square feet of class A corporate offices and light industrial buildings on its 33 acres. Although the site is intensively developed, even the parking lots are carefully landscaped. Total assessed value of the Flexcon complex is \$17.2 million, or \$515,000 per acre.

Two other light industry businesses have developed a total of 49,230 s.f. on 8.5 acres on the hill above Flexcon, for an average value of \$172,000 per acre. Since Spencer's zoning has no provision for shared driveways, 19 remaining acres zoned Industrial on the hilltop remain undeveloped awaiting subdivision and road construction.

MARKET RESPONSE

Business activities include corporate office, R&D, and light industry.
Employment patterns include office, corporate management, R&D, skilled manufacturing, and distribution.
Average density of construction is 6,357 square feet per acre in the Flexcon complex, and 5,805 on the other two developed parcels.
Type of construction includes Class A office and light manufacturing.
Landscape amenities vary with ownership.
Parking & loading docks are in the interior of the Flexcon complex & vary for the other two businesses.

FISCAL IMPACT

Assessed value of buildings is \$61 per square foot in the Flexcon complex, compared to \$21 and \$29 per square foot on the other two developed parcels.
Average assessed value per developed parcel is \$515,764 in the Flexcon complex, and \$172,217 per acre on the other two developed parcels.
 There are no tax reductions due to development incentives.
Unified tax rate is \$11.40.
Annual property tax revenue from this district is \$210,633.



June 27, 2002

Summary of data collection and analysis performed for the Charlton Planning Board and Economic Development Commission. Full report is available through the office of the Charlton Planning Board. Sources of data include site surveys, Spencer town officials & records.

Zoning Study Fact Sheet

Sturbridge Technology Park



Description

Accessed off Route 20 5 minutes from the Sturbridge I-84 exit, this 94-acre park is being developed by the private landowner. The park is served by sewer & water. Interior paved roadways are 20 feet wide and do not have curbing, sidewalks, or paved parking lanes. Installation of the roadway and utilities was funded by the landowner/ developer, but the Town extended the utilities along Route 20 to the property. At the owner's request, the Town rezoned the parcel from residential to general industry, with the intent of creating jobs as an alternative to office and retail. Although the park is close to residential and recreation areas, there is little impact due to buffering by the MassPike, Routes 69 & 20, and vegetation. The recent construction of FW Webb raised concerns about water pressure.

Simple roadway design



Parking in front of buildings

MARKET RESPONSE

Business activities include light industry, small specialty firms, and a self-store mini-warehouse facility.

Employment patterns are mixed, with dense clusters at the manufacturing buildings.

Average density of construction is 2,264 square feet per acre.

Type of construction includes class A, B, and C

Typical landscape amenities include some ornamental shrubs & trees.

Parking tends to be located in the front of the building, with overflow along the sides of the roadway.

Loading docks tend to be on the side of the buildings.

FISCAL IMPACT

Assessed values of buildings range from \$20.61 to \$25.21 per square foot, average \$22.66.

Average assessed value per developed parcel is \$91,478 per acre.

Unified tax rate is \$16.44.

Annual property tax revenue from this park is \$75,106.



June 28, 2002

Summary of data collection and analysis performed for the Charlton Planning Board and Economic Development Commission. Full report is available through the office of the Charlton Planning Board. Sources of data include site surveys, Sturbridge Town officials & records.

Zoning Study Fact Sheet

Town Forest Business Park



Flexible space is renting



Utilitarian roadway

Description

Located in Webster approximately 2 minutes from Route 395, this land had been zoned Industrial for a long time.

A developer spotted the opportunity presented by the location, zoning, and roadway constructed to serve the adjoining Oxford Industrial Park East. The developer began within the last 2 years by constructing twin "spec" buildings that are quickly renting to tenants. Other construction is taking place now on the 70 acre site.

The roadway is utilitarian, with overhead wires and no curb. Landscaping consists of lawn, and vehicles cluster in front of their respective entryways.

MARKET RESPONSE

Business activities include small businesses such as a machine shop, health-related firm, and electronics company.

Employment patterns appear to include office work and various skilled and unskilled positions.

Average density of construction is not clear from assessor records because the construction is so recent.

Type of construction so far is simple pre-manufactured, flexible buildings.

Landscape amenities are limited to turf.

Parking is set away from the roadway and close to building entries.

Loading docks are to the rear.

FISCAL IMPACT

Assessed value of buildings is \$20 per square foot.

Average assessed value per developed parcel is not available from assessor records.

There are no tax reductions due to development incentives.

Tax rate is \$26.96 for commercial & industrial properties, and \$14.47 for residential properties.

Annual property tax revenue from this park is \$48,000, but it will increase as the park develops.



June 28, 2002

Summary of data collection and analysis performed for the Charlton Planning Board and Economic Development Commission. Full report is available through the office of the Charlton Planning Board. Sources of data include site surveys, Webster town officials & records.

CHARLTON COMMUNITY DEVELOPMENT PLAN

Charlton Center Study

Task Completed by CMRPC

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Charlton Center Study

Planning Board and
Economic Development Commission

Existing Conditions Report

October 28, 2002
Prepared by CMRPC
Funding Through E. O. 418

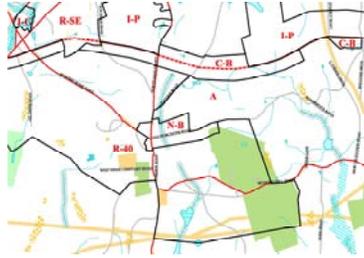
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Task

- Identify options for expanding retail opportunities in the NB district.
- Integrate retail businesses into historic character of the Village.
- Analyze applicable zoning regulations.
- Recommend site design standards for new development.

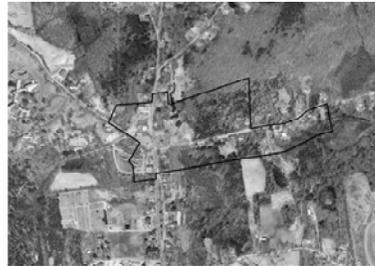
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Surrounding Zoning



3

NB District



4



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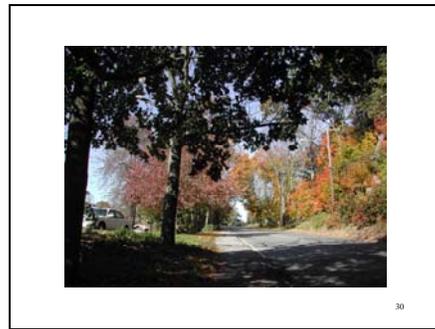
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District Purpose

- 3.1.5.4 Neighborhood Business (NB): To provide sites for small scale business development for local and transient services compatible with low and medium density residential development within village settings which through landscaping and design or through preservation, enhance the natural landscaping and historic environs; at the same time protecting any existing views, minimizing the visibility of parked cars, avoiding the appearance of commercial strips as well as congestion in the abutting streets and ways, and retaining the character and the quality of life in the rural New England village.

49

NB Dimensional Standards

- Minimum Lot Size: 20,000 sq. ft.
- Minimum Frontage: 100'
- 2-Family Dwelling
 - Minimum Lot Size: 40,000 sq. ft.
 - Minimum Frontage: 150'
- Front Yard: 40'
- Side Yard: 15'
- Rear Yard: 15'
- Maximum Building Coverage: 30%

50

Storage and Disposal Areas

- 3.2.3.3 Outside bulk storage, contractor's yards, disposal areas or areas of open storage related to manufacturing, processing, warehousing, wholesale trade or a public utility facility shall be screened from an adjacent residential use, a residential district, or street by a solid stockade fence at least six (6) feet in height or densely planted trees or shrubs at least six (6) feet or more in height, or be equivalently obscured by natural vegetation on a year-round basis. No more than fifty percent (50%) of a lot may be used for outdoor storage.

51

Special Parking Regulations

- 4.2.3.2 No parking or loading area shall be located within ten (10) feet of a public right-of-way line. ... No parking area or garage containing more than two (2) spaces or loading area shall be located in a front yard in an NB District.
- 4.2.4.1, A parking area containing more than six (6) spaces or a required loading area shall be designed so that no vehicle need back onto or off a street or stand on a street while parking, loading, unloading or waiting to do so.
- 4.2.4.1, Minimum distance of 50' between access drives in NB.

52

Parking Regulations, con't.

- 4.2.4.5 Parking areas containing more than 25 spaces shall include or be bordered within 5' of the spaces by at least 1 tree of 2" in caliper for each 5 spaces. Trees within parking areas shall be in curb or berm protective plots of at least 60 square feet per tree.
- 4.2.4.6 No less than 25% of any lot area shall be retained as unoccupied space free of all buildings, parking, pavement including street access drives and walks or other conditions, precluding landscaping; such unoccupied area shall be landscaped or stabilized with plant material.

53

Parking Regulations, con't.

- 4.2.4.7 All commercial site plans shall show all proposed lighting on said site for exits and entrances and said lighting shall be erected and maintained by the owner of the property.

54

Sign Regulations for the NB District

Use	Zoning District	# of Signs of Each Type	Max Area Sq. Ft.	Max Height Feet	Permit	Type of Sign
Residential	All	1	4	--	N	--
Home Occupation	All	1	4	--	N	--
Business or Industrial	R-SE, NB	1	32'	15	S	Standing
	NB, CB	1 ⁴	Sec ²	--	S	Wall or Window
Message Signs	All	1	16	--	S	Standing, Wall or Window
Temporary Sign ⁵	R-SE, NB	1	12	10	N	---
Temporary Off-Premises Sign ⁶	R-SE, NB	2	12	10	S	---
Off Premises Directional Sign	All	3 ⁶	2 ⁶	8	S	Standing

55



- 35 Harvard Street
- Worcester, MA 01609-2801
- Phone: (508) 756-7717
- Fax: (508) 792-6818
- Web: www.cmrpc.org

MEMORANDUM

DATE: February 3, 2003
TO: Charlton Planning Board
FROM: CMRPC Community Development Manager
RE: Development Policy Discussion for Neighborhood Business District

Goal:

To establish development policies that result in a compact village setting with commercial and residential uses co-existing harmoniously as in a traditional New England town center. Zoning policies should promote a strong retail component, complemented with professional, financial, and personal services to meet neighborhood needs.

Objectives:

- Revise use schedule to insure new land uses are compatible with a small-scale, mixed-use village environment. Encourage business that generates continuous activity throughout the day. Eliminate uses that require large expanses of land or operate only sporadically.
- Revise dimensional requirements to insure that new development maintains the scale and pacing of existing buildings.
- Encourage pedestrian connections to encourage walking within the village. Reinforce sidewalk connections to public uses on the Common, and develop a trail network to link adjacent residential areas to commercial, recreational, and institutional uses.
- Adjust zoning boundaries to promote commercial opportunities where most appropriate.
- Incorporate design standards to insure new development respects the district's village character and is compatible with residential uses. New construction should be compatible with the height, proportions, and exterior materials of significant buildings.

Action Strategies for Consideration:

51. Changes to Use Schedule

General: Consider requiring site plan review for all commercial development above a minimum threshold.

Residential: Delete hotel, motel or motor court.

Allow Multi-family development on upper floors of commercial property.

Allow mixed residential and commercial uses in a property. (Currently section 3.2.3.4. include a limit of no more than 2 non-resident employees in a home occupation.)

Recreational: Delete standard golf and par-3 golf courses; golf driving ranges and miniature golf courses; and campgrounds.

Business: Delete auction galleries and flea markets.

Communications, Transportation and Public Utility Uses: delete electric distribution station or sub-station; natural gas distribution stations, and independent storage area or parking area (allow parking garage for 5 or more autos).

52. Changes to Dimensional Requirements:

Reduce front setback from 40' to 15' to be consistent with pattern of existing buildings.

Reduce side and rear yard setbacks from 15' to 10'.

53. Changes to District Boundaries:

Re-align boundaries to follow property lines to avoid split lot situations.

Consider extending the NB district north along North Main Street to expand opportunities for commercial development.

Consider retracting the district along Old Worcester Road where the predominant land use pattern is residential.

54. Development Standards

Landscaping

Require planting strips between the edge of pavement and buildable area of the lot.

Require curbing and sidewalks to enhance safety of pedestrians.

Require landscaped buffers along side and rear yards between residential and non-residential uses.

Require landscaped screening for dumpsters and exposed storage areas.

Parking

Allow for a reduction of required parking spaces by special permit if the Planning Board finds that sufficient parking is available to meet the needs of the business. For

example, there may be public parking lots, on-street spaces, or legal arrangements between owners to share spaces when uses have different hours of operation.

Allow common driveways for commercial properties to minimize individual curb cuts.

Signage

Examine sign standards for the NB district with an eye to promoting signs architecturally compatible with building design and appropriate for slowly moving vehicles and a pedestrian environment

Fenestration:

Require each structure to maintain a percentage of the front façade as window space to promote visual interest and pedestrian activity.

Lighting:

Adopt lighting provisions that require cutoffs to prevent light trespass into the night sky and specify illumination standards for safety and visibility.

Proposed Zoning Amendments

Village District

Amend Section 3.1.1, Establishment by adding a new district to be known as Village (V):

55. Establishment

The Town of Charlton is hereby divided into the following zoning districts.

<u>Title</u>	<u>Short Name</u>
Agriculture	A
Low Density Residential	R-40
Residential – Small Enterprise	R-SE
Neighborhood Business	NB
Village	V
Community Business	CB
Industrial – General	IG
Business Enterprise Park	BEP
Flood Plain	FP
Adult Entertainment	AE
Wireless Telecommunication Facilities	WCF

Amend Section 3.1.5, District Intent and Purposes, by adding a purpose for the Village district:

56. District Intent and Purposes

3.1.5.11 Village (V) To promote mixed use development consistent with traditional New England villages, to provide pedestrian-scale amenities, to encourage small-scale retail uses and commercial services in harmony with a residential environment, and to offer flexibility in design standards that recognizes strict adherence to well-intended regulations can inhibit the originality needed to preserve and create vigorous village environments.

Amend Section 3.2.2, Use Regulation Schedule, by adding a new column for the Village district as follows:

57. Use Regulation Schedule

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
<u>Agricultural, Floriculture and Horticultural Uses</u>								
1. Raising and keeping of livestock, including but not limited to horses, cattle, sheep, goats, swine, fur animals and poultry, on a parcel over five (5) acres.	Y	Y	Y	Y	Y	Y	Y	Y
2. Raising and keeping livestock, including but not limited to horses, cattle, sheep, goats, swine, fur animals and poultry, on a parcel of five (5) or fewer acres.	Y	Y	P	P	P	P	N	N
3. Raising of crops, whether for sale or personal consumption, on a parcel of any size.	Y	Y	Y	Y	Y	Y	Y	Y
4. Indoor commercial horticulture/floriculture establishments (e.g. greenhouses).	Y	Y	Y	Y	Y	Y	Y	Y
<u>Residential Uses</u>								
1. Detached one-family dwelling	Y	Y	Y	Y	Y	Y	N	N
2. Accessory Apartments	Y	Y	Y	Y	Y	Y	N	N
3. Detached two-family dwelling.	N	Y	Y	Y	Y	Y	N	N
4. Multi-family dwelling (See Section 5.1)	N	P	P	N	SP	N	N	N
5. Lodging and/or boarding house	P	P	P	P	P	P	N	N
6. Mobile Homes, mobile home parks or trailers for human habitation. (See special regulations in Section 5.2.)	N	N	N	N	N	N	N	N
7. Major Residential Development	P	P	P	P	P	P	N	N
8. Dwelling units over first floor commercial uses (Ed: new line)	N	N	P	P	P	N	N	N

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
9. In one and two-family dwellings, a mix of residential and commercial uses (Ed: new line)	N	N	P	P	P	P	N	N

Public and Semi-Private Uses

1. Public, private, sectarian or denominational school (non-profit)	P	P	P	P	P	P	P	P
2. Day-care centers, except that in the BEP District such centers shall only be allowable as an accessory use predominantly to serve employees of the principal use	P	P	P	P	P	P	P	SP
3. Family day-care homes	P	P	P	P	P	P	P	P
4. Religious use	P	P	P	P	P	P	P	P
5. Nursing and/or convalescent homes	P	P	P	P	P	P	N	N
6. Hospitals and clinics for in- and out-patient care (non-profit)	P	P	P	P	P	P	SP	SP
7. Community and/or neighborhood centers	P	P	P	P	P	P	N	N
8. Other institutional and philanthropic uses	P	P	P	P	P	P	N	N
9. Cemeteries	P	P	P	P	P	P	N	N
10. Other municipal uses voted by Town Meeting	P	P	P	P	P	P	P	P

Recreational Uses

1. Standard golf and par-3 golf courses	Y	Y	P	P	N	P	N	N
2. Golf driving ranges and miniature golf courses	P	N	P	P	N	P	N	N
3. Other recreational facilities conducted for gainful profit, including indoor and outdoor theatres, physical fitness centers, health clubs and indoor and outdoor tennis and racquetball facilities	P	N	N	P	P	Y	SP	N
4. Massage parlors	N	N	N	N	N	N	N	N

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
5. Private membership clubs	P	P	P	Y	Y	Y	SP	N
6. Picnic and beach areas	Y	P	P	Y	Y	Y	N	N
7. Riding stables and/or boarding, horse riding trails, and riding academies	P	P	P	N	N	P	N	N
8. Camp grounds	Y	P	P	P	N	P	N	N
9. Other private predominantly open recreational areas	Y	P	P	P	N	P	N	N
10. Public recreational facilities	P	P	P	P	P	P	N	N
<u>Business Uses</u>								
1. Retail establishments serving the convenience goods needs of a local area including but not limited to: grocery, delicatessen, baker, supermarket, drug stores and similar uses, having less than 20,000 sq. ft. of gross building area	N	N	P	P	P	P	SP	N
2. Retail establishments serving the convenience goods needs of a local area including but not limited to: grocery, delicatessen, baker, supermarket, drug stores and similar uses, having 20,000 sq. ft. or more of gross building area	N	N	N	N	SP	P	SP	N
3a. Commercial auction galleries	P	P	Y	Y	N	Y	SP	N
3b. Commercial flea markets	P	P	Y	Y	N	Y	SP	N
4. Hotel or Inn	N	N	N	P	P	Y	SP	SP
5. Motel or Motor Court	N	N	N	P	N	Y	SP	N
6. Personal and consumer services establishments, including but not limited to: barber shops, shoe and leather repair, beauty shops, laundry or dry cleaning establishments and Laundromats	N	N	Y	Y	Y	Y	P	N

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
7. Establishments commonly known as fast food restaurants, selling food prepared for immediate consumption which is distributed to customers in whole or in part, by means of automobile drive-up windows, counters or by employees delivering such food to automobiles	N	N	N	N	N	P	P	N
8. Establishments commonly known as sit-down restaurants, selling food prepared for immediate consumption where customers are served primarily at a table or counter	P	N	P	P	P	P	SP	N
9. Other eating and drinking establishments, most notably known as bars and grills	N	N	P	P	SP	Y	SP	N
10. Office of licensed medical and dental practitioners limited to general out-patient care and diagnosis	N	N	P	P	P	Y	P	N
11. Business, professional and general offices with less than 12,000 gross square feet of floor area per structure	N	N	Y	Y	P	Y	P	N
12. Business, professional and general offices with 12,000 or more gross square feet of floor area per structure	N	N	Y	Y	SP	Y	P	P
13. Gasoline service stations	N	N	N	N	N	P	P	N
14. Fuel oil dealers and stations	N	N	N	N	N	P	P	N
15. Car wash establishments	N	N	N	N	N	P	P	N
16. Banks	N	N	P	P	P	P	P	N
17. Services most notably known as “Automatic Teller Machine” {ATM}, whether free-standing or accessory	N	N	N	P	P	P	P	P
18. Funeral homes	P	P	P	P	N	Y	SP	N
19. Animal kennels or animal hospitals	P	N	P	P	N	P	Y	N
20. Schools (for profit)	N	N	P	P	P	Y	SP	N

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
21. Hospitals and clinics for in- and out-patient care (for profit)	P	P	P	P	N	P	SP	N
22. Storage trailers – units designed and used solely for storage not habitation; such trailers may be used as a non-construction site office.	N	N	N	N	N	P	N	N
23. Adult Entertainment Establishments as per Section 5.9 of this Bylaw								
a. Adult Bookstore	N	N	N	N	N	N	SP ¹	N
b. Adult Motion Picture Theater	N	N	N	N	N	N	SP ¹	N
c. Adult Paraphernalia	N	N	N	N	N	N	SP ¹	N
d. Adult Video Store	N	N	N	N	N	N	SP ¹	N
e. Adult Live Entertainment Establishment	N	N	N	N	N	N	SP ¹	N

Communications, Transportation and Public Utility Uses

1a. Communications Tower for federally licensed amateur radio operator, limited to 75 ft in height, and requiring a minimum distance between the base of the Tower and the property boundary line and/or any residential structure to be equal to the height of the Tower, including any aerials or antennas that may be mounted on the Tower.	SP ³	SP						
1b. Wireless Communications Facilities as per Section 5.10 of this By-Law.	SP ²	SP ²	SP ²	SP ²	N	SP ²	SP ²	SP
2. Bus or railroad passenger terminal.	N	N	N	N	N	N	P	SP
3. Rail terminals, including rail freight yards or freight terminals.	N	N	N	N	N	N	P	SP
4. Truck terminals, truck freight yards or freight terminals	N	N	N	N	N	N	P	SP
5. Commercial aircraft landing area:								

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
a. Airport or aircraft landing area for fixed wing flying craft	N	N	N	N	N	N	P	N
b. Helicopter aircraft or gyroplane landing area	P	N	N	N	N	N	P	N
6. Automobile and/or truck sales and/or rental establishments	N	N	P	N	N	P	P	N
7. Independent storage area or parking area, automobile parking garage for five (5) or more automobiles.	N	N	P	P	N	P	P	SP
8a. Electric generating facilities with less than or equal to 50 megawatts of power output.	N	N	N	N	N	P	P	N
8b. Electric generating facilities with more than 50 megawatts of power output.	N	N	N	N	N	N	N	N
8c. Gas/gasoline transmission facilities	N	N	N	N	N	P	P	P
9. Electric distribution station or sub-station	P	P	P	P	N	P	P	P
10. Wind energy conversion system	P	P	P	P	N	P	P	P
11. Taxi or limousine service and other vehicles for hire with drivers and having no more than three (3) vehicles and containing no more than nine (9) passengers in any one vehicle.	N	N	P	Y	P	Y	Y	N
12. Taxi or limousine service and other vehicles for hire with drivers and having four (4) or more vehicles and containing no more than nine (9) passengers in one vehicle.	N	N	N	N	N	P	P	N

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
13a Water storage tanks, for public water systems as defined by 310 CMR 22.02, provided that the height of the structure shall not exceed 75 feet, that any portion of the structure shall not be less than 300 feet from any residential structure, and that the distance from the base at ground level of any tank to any property or street line be equal to twice the height of the tank. Neither the minimum lot size specified in section 3.2.4 nor any other minimum lot size shall apply to such use.	Y	Y	Y	Y	P	Y	Y	P
13b Pumping stations, for public water systems as defined by 310 CMR provided that any portion of the structure shall not be less than 300 feet from any residential structure. Neither the minimum lot size specified in section 3.2.4 nor any other minimum lot size shall apply to such use. Provided that the minimum set back from lot lines specified in Section 3.2.4 or a setback equal to the height of the pumping station structure, whichever is greater, shall apply.	Y	Y	Y	Y	P	Y	Y	P
14. Natural gas distribution stations, substations, and piping provided that any portion of the structure (not including dwelling service pipe) shall not be less than 300 feet from any residential structure and that the minimum lot size and setbacks shall not be less than required in section 3.2.4. A variance may be granted by the Zoning Board of Appeals. All Gas storage tanks in such facilities shall be sub-surface.	P	P	P	P	N	P	P	P
<u>Industrial and Warehouse Uses</u>								
1. Except as specified below, light manufacturing establishments including warehousing, assembly, fabrication, processing and re-processing of materials, excepting that	N	N	P	N	N	N	P	P

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
Meat packing, pet food plants, tanneries and slaughterhouses are prohibited. Also prohibited are establishments that treat and/or process hazardous waste or hazardous materials. Further provided that storage of goods or materials shall not be permitted on any lot except in an appropriate enclosure and also in compliance with Section 4.1.5. hereof.								
2. Biotechnology	N	N	N	N	N	N	N	SP
3. Fiberoptics facility	N	N	N	N	N	N	N	SP
4. Medical research and development	N	N	N	N	N	N	N	SP
5. The following research and development or office uses:								
a. scientific or research laboratories;	N	N	P	P	P	P	P	P
b. offices for technical, executive, professional or administrative uses.	N	N	P	P	P	P	P	P
6. Sawmills, lumber and building materials establishments	N	N	N	N	N	P	P	N
7. Automobile and/or truck repair garages	N	N	P	N	N	P	P	N
8. Scrap metal and other materials storage yards including scrap automobiles and trucks	N	N	N	N	N	N	SP	N
9. Land and water recreation vehicle (including boats) sales and service and storage yards	N	N	P	N	N	P	P	N
10. Public storage areas or buildings such as those for road salt and sand and municipal vehicles	P	P	P	P	N	P	P	N
11. Stone, sand and/or gravel processing operations	N	N	N	N	N	P	P	N
12. Hazardous waste disposal sites	N	N	N	N	N	N	N	N
13. Resource recovery plants	N	N	N	N	N	N	N	N

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
<u>Accessory Uses</u>								
1. Customary home occupations conducted as a gainful business, provided that all parking for such businesses shall be provided on the premises where the home occupations are conducted; and further provided that all products thereof are produced or sold on the premises. (See definition of “Home Occupation” in Section 2.1.)	Y	Y	Y	Y	Y	Y	Y	N
2. Accessory professional office in a dwelling conducted by the resident occupant, provided that all parking for such professional services shall be provided on the premises where the professional offices are located.	Y	P	P	Y	Y	Y	Y	N
3. Accessory building such as a private garage, playhouse, greenhouse, tool shed and private swimming pool.	Y	Y	Y	Y	Y	Y	Y	N
4. Trailer for office and storage use only during construction. The trailer for office/storage use shall not be used for habitation. These temporary on-site construction office/storage trailers may be located on the building site upon issuance of a building permit and must be removed within fourteen (14) days after an occupancy permit has been issued.	Y	Y	Y	Y	Y	Y	Y	Y
5. Snack bar facilities as an accessory use to public recreational facilities.	P	P	P	P	P	P	P	P
6. Equipment storage structures as an accessory use to public recreational facilities.	P	P	P	P	P	P	P	P
7. Food as accessory use to serve employees of and visitors to principal use.	N	N	N	N	N	N	N	P

Amend Section 3.2.4, Intensity of Use Schedule, by adding a new line for the Village District and three footnotes, as follows:

58. Intensity of Use Schedule

Zoning District	Min. Lot Area Sq. Ft.	Min. Lot Width & Contiguous Street Frontage Feet	Min. Front Yard Feet	Min. Side Yard Feet	Min. Rear Yard Feet	Max. Building Coverage % of Lot	Max. Building Height Feet
Agricultural A	60,000	175	30	15	30	25	36
Low Density Residential R-40	40,000 ¹	150	30	15	15	30	36
Residential Small Enterprise R-SE	40,000 ^{1,3}	150	30	15	15	30 ⁴	36
Neighborhood Business NB	20,000 ¹	100	40	15	15	30	36
Village V ⁽⁷⁾	10,000 ⁽⁸⁾	75	10 ⁽⁹⁾	10	10	60 ⁽¹⁰⁾	36
Community Business CB	40,000 ¹	150	40	15	15	30	36
General Industrial I-G	40,000	150	40	35 ²	35 ²	40	36
Business Enterprise Park BEP	80,000	260	50 ⁵	35 ⁵	35 ⁵	33	36 ⁶

Footnotes: Add the following additional footnotes for the Village district.

- 59. To accomplish the purposes of the Village district, the Planning Board may authorize by special permit a reduction of front, side and rear setback standards for new or pre-existing structures. The Board must find that the required setbacks would result in, or have resulted in, construction of structures that are not in keeping with the area's scale and character. The Board must further find that the relaxation of said standards will not interfere or negatively impact abutting properties, particularly property used or zoned for residential purposes.
- 60. In Village districts, the minimum lot size is 10,000 square feet for lots served by the municipal sewer system and 20,000 square feet for lots without a sewer connection.
- 61. In order to maintain a strong sense of streetscape, in the Village district there is also established a maximum front setback of 25'.
- 62. The maximum impervious coverage of the lot (buildings, parking, access drives, etc.) shall not exceed eighty percent (80%).

Add a new Section 5.14, Village District Regulations, as follows:

63. Village District Regulations

64. Landscaping

5.14.1.1 A landscaped buffer zone, of at least the width of the required setback, continuous except for approved driveways, shall be established along any side of the lot with road frontage to visually separate the building and its parking areas from the road. Trees shall be placed at least three feet (3') from the face of the curb, and at least two feet (2') from the sidewalk.

5.14.1.2 A landscaped buffer zone along the side and rear of each lot, of at least the width of the required side and rear setback, shall be provided where a proposed non-residential use abuts a residential use.

5.14.1.3 The buffer zones shall be planted with grass, ground cover, medium height shrubs, and shade trees planted at least every thirty feet (30'). The buffer zone shall include both deciduous and evergreen shrubs and trees. Trees and shrubs at driveway intersections shall be set back a sufficient distance from such intersections so as not to obstruct traffic visibility. Trees shall be at least eight feet (8') tall with a trunk caliper of at least two inches (2").

5.14.1.4 Exposed storage areas, machinery, garbage "dumpsters," service areas, truck loading areas, utility buildings and structures shall be placed to the rear of buildings in visually unobtrusive locations. Screening and landscaping shall prevent direct views of the loading areas and their driveways from adjacent properties or from public or private streets used by the general public. Screening and buffering shall be achieved through walls, fences and landscaping, shall be a minimum of six feet (6') tall, and shall be visually impervious.

5.14.1.5 Materials to be used in the buffer zone include but are not limited to the following: natural/existing vegetation, natural topography, berms, stone walls, fences, deciduous and coniferous shrubs/trees, perennials, annuals, pedestrian scale walkways, and other landscape materials that enhance the aesthetic quality of the site. The final approval of all material used within the buffer zone shall be at the discretion of the Planning Board.

5.14.1.6 Street trees shall be planted along the edge of the parking lot at a maximum average of thirty feet (30') on center. Parking lot edges which abut property under a different ownership shall have a screening wall or be planted with shrubs that obtain a height of at least three feet (3') feet in three years with a maximum spacing of three feet (3') on center.

5.14.1.7 Mechanical equipment such as HVAC units, telephone boxes, or electrical transformers shall be integrated into the site design through use of landscaping, berms, or fences and shall be as unobtrusive as possible. HVAC units may be located behind roof ridge lines so they are not visible from the front view of the building.

65. **Parking and Access:** In addition to the provisions of Section 4.2, Parking and Loading, the following provisions shall apply in the Village district. Where this section conflicts with Section 4.2, this section shall govern.

5.14.2.1 Parking areas shall be located to the side and rear of the structure. No parking area shall be designed such that parking is within the required or authorized front yard setback. The Planning Board may, at its discretion, allow 25% of the total parking to be located to the front of the structure.

5.14.2.2 Recognizing that standard parking requirements may hamper development of village-style land use and development, the Planning Board is authorized to reduce the parking requirements specified for the use/structure proposed up to 25%. In determining the appropriate reduction, if any, the Board may give consideration to the hours of use of the proposed use, hours of use of other uses/structures within the Village District, near-by on-street spaces, the amount of “shared” parking with other uses, the opinions of merchants, residents and municipal officials as to the adequacy or inadequacy of parking spaces within the specific area of the proposed use, as well as other relevant information to assist the Board in determining the need for additional parking for motor vehicles.

5.14.2.3 To minimize the visual impact of parking lots and promote pedestrian use, parking lots shall occupy no more than 1/3 of the lot frontage of the proposed use, and no more than seventy-five (75') in a stretch.

5.14.2.4 Parking areas shall include provisions for the parking of bicycles in locations that are safely segregated from automobile traffic and parking.

5.14.2.5 A minimum of five percent (5%) landscaping and green space must be provided for all parking areas. This area shall not include the buffer zones, but shall include all internal landscaped islands in the parking areas.

5.14.2.6 The number of parking spaces required for a given site may be on another site within the district. Such off-site parking must be established by legal documentation satisfactory to Town Counsel, and a copy filed in the office of the Town Clerk.

5.14.2.7 Common parking areas shall be permitted for mixed-use developments which have different hours, days and/or seasons of peak parking demand. The Board may, in approving development within the District, permit individual parking standards to be reduced for separate uses where it can be demonstrated that adequate parking will be made available on a shared basis. The Board may require written easements or other assurances to enforce shared parking arrangements. Where practicable, the Planning Board may require common driveways and interconnected parking lots in order to facilitate shared parking.

66. Pedestrian Amenities.

5.14.3.1. Provision for safe and convenient pedestrian access shall be incorporated into plans for new construction of buildings and parking areas and should be designed in concert with landscaping plans. New construction should improve pedestrian access to buildings, sidewalks and parking areas and should be completed with considerations of pedestrian safety, handicapped access and visual quality.

5.14.3.2. If no public sidewalk exists across the frontage of the lot, a paved sidewalk of at least four feet in width shall be provided within the front yard setback and to the

maximum extent possible, the sidewalk shall be designed to create a continuous pedestrian walkway with the abutting properties.

5.14.3.3. At a minimum, fifty percent (50%) of the walls of ground floor spaces directly facing streets shall have transparent window and door openings, placed at the eye level of pedestrians (between 3' and 8' above grade). The Planning Board may waive this standard for re-development if compliance would create an economic hardship or cause undesirable changes to the façade of the building. To allow people to see interesting things inside buildings, fixed interior walls shall not obscure views into the building.

5.14.3.4. Commercial and office building should include features such as awnings, canopies, bay windows, plazas, balconies, decorative detail, public seating, and well-designed lighting to encourage visual interest for pedestrians.

67. Mixed Use Projects Ground floor space shall generally be reserved for pedestrian-oriented retailing and services, with offices and housing above. Second-story residential uses are encouraged, and shared parking arrangements shall be allowed.

68. Lighting and Wiring In addition to the requirements of Section 5.8.3 the following requirements shall apply to the Village district:

5.14.5.1. All applications for Site Plan Review and Special Permit shall include a proposed lighting plan that meets functional security needs of the proposed land use without adversely affecting adjacent properties or the neighborhood. Any light used to illuminate signs, parking areas or for any other purposes must be arranged to reflect light away from adjacent residential properties and away from the vision of passing motorists.

The lighting plan must comply with the following design standards:

69. Background spaces, such as parking lots, must be illuminated as unobtrusively as possible to meet the functional needs of safe circulation and protecting people and property. Foreground spaces, such as building entrances and plaza seating areas, must use local lighting that defines the space without glare.

70. Light sources must be concealed or shielded to the maximum extent feasible to minimize the potential for glare and unnecessary diffusion on adjacent properties.

71. The style of light standards and fixtures must be consistent with the style and character of architecture proposed on the site.

72. Light levels measured 20 feet beyond the property line of the development site (adjacent to residential uses or public rights of way) must not exceed one-tenth foot-candle as a direct result of the on-site lighting.

To the extent practicable, all wiring shall be placed underground to minimize the visual exposure of overhead wires and utility poles.

5.14.6 Signs: The color, size, height, and landscaping of signs shall be designed for compatibility with the local architectural motif. Permanent signs affixed to windows that advertise a product or service are encouraged. Such signs should have colorful and unique elements that provide visual interest for pedestrians.

5.14.7 Historic Structures: The removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable,

whether these exist on the site or on adjacent properties. When new construction is surrounded by existing historic buildings, building height and exterior materials shall be harmonious with those of adjacent properties.

Amend Section 4.2.4.2 by including the V district in the same line as the NB district:

73. No street access drive for parking areas containing six (6) or more spaces or a loading area shall exceed thirty (30) feet in width at the street line. The minimum distance between the sidelines of such drives and the sidelines of any intersecting street and any other street access drive, measured between where such street and driveway sidelines intersect the adjacent street line shall be as follows:

	From intersecting streets	From other drives
Drives serving a dwelling	50 feet	20 feet
Drives serving a hotel, motel or motor court	50 feet	60 feet
Drives serving other permitted principal structures in a/an:		
-NB and V Districts	50 feet	50 feet
-I District	50 feet	100 feet
	(200 feet on U.S. Rt. 20)	
-CB District	50 feet	50 feet
-Other Districts	50 feet	60 feet

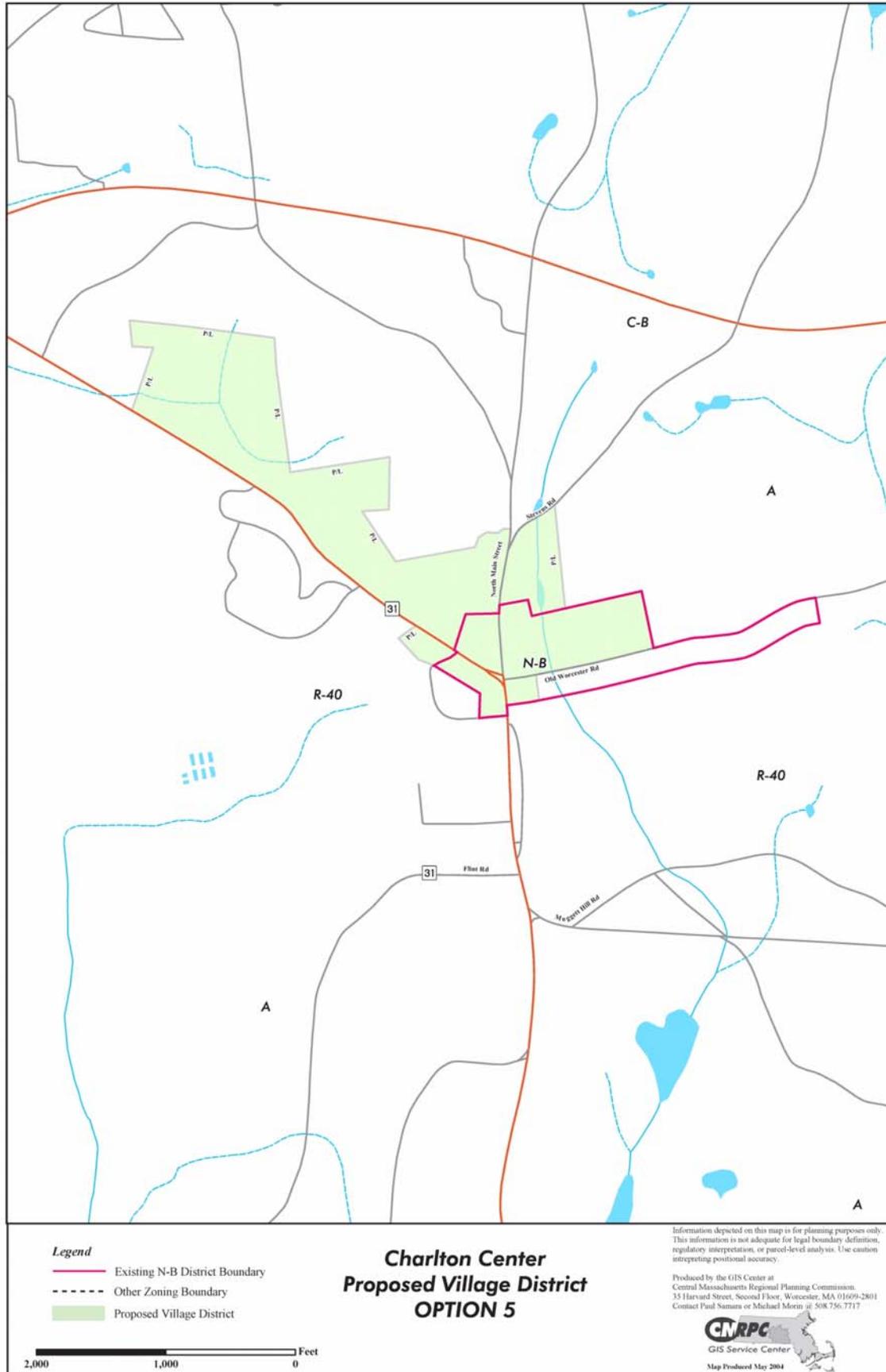
Amend Section 5.11, Special Permits for Senior Living Facilities, Applicability, to allow such uses in Village districts:

Applicability

In order to be eligible for a Special Permit for a Senior Living Development, the property under consideration must be a parcel or set of contiguous parcels held in common ownership, totaling at least ten (10) acres in size and located entirely within the Agricultural (A), Low Density Residential (R-40), **Village (V)** or Residential-Small Enterprise (R-SE) zoning districts as set forth on the Zoning Map. In a Senior Living Development, notwithstanding the provisions of the Table of Use Regulations (Section 3.2-Use Regulations), only those uses specified in this section 5.11 shall be allowed.

74. Permitted Signs

<u>Use</u>	<u>Zoning District</u>	<u>Number of Signs of Each Type</u>	<u>Max Area Sq. Ft.</u>	<u>Max Height Feet</u>	<u>Permit</u>	<u>Type of Sign</u>
Residential	All	1	4	--	N	--
Home Occupation	All	1	4	--	N	--
Business or Industrial	A, R-40	1	16 ¹	10	S	Standing, Wall or Window
	R-SE, NB, V	1	32 ¹	15	S	Standing
	CB	1	32 ¹	20	S	Standing
	IG, BEP	1	32 ¹	36	S	Standing
	R-SE	1	See ²	--	S	Wall or Window
	NB, CB, V	1 ⁴	See ²	--	S	Wall or Window
	IG, BEP	1 ⁴	See ²	--	S	Wall or Window
Message Sign ³	All	1	16	--	S	Standing, Wall or Window
Temporary Sign ⁵	A, R-40	1	12	10	N	---
	R-SE, NB, V	1	12	10	N	---
	CB, IG, BEP	1	32	15	N	---
Temporary Off-Premises Sign ⁷	A, R-40	2	2	8	S	---
	R-SE, NB, V	2	12	10	S	---
	CB, IG, BEP	2	32	15	S	---
Off Premises Directional Sign	All	3 ⁶	2 ⁶	8	S	Standing



CHARLTON COMMUNITY DEVELOPMENT PLAN

Housing Element

Task Completed by CMRPC

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1. INTRODUCTION

Charlton's Community Development Plan was funded by the State's Executive Office of Environmental Affairs, the Department of Housing and Community Development, the Department of Economic Development, and the Executive Office of Transportation and Construction through Executive Order 418, a statewide initiative aimed at increasing housing opportunities for a broad range of income levels by helping towns proactively plan to meet housing, economic development, open space protection, and transportation needs. The Department of Housing and Community Development provided funding for the Housing Element of the Community Development Plan.

The Housing Element of the Charlton Community Development Plan first assesses and analyzes housing related trends including population and housing unit growth, average household size, population by age group, age of housing stock, housing occupancy, and type of households. A housing demand assessment and needs analysis documents the demand for housing in Charlton, the housing needs of local residents and what is actually available (and affordable).

Findings from the housing assessment and analysis set Charlton's housing goals and objectives as well as recommendations designed to fulfill them over the next 10 years and beyond. Based upon this information, coupled with the Town's Master Plan, land use suitability for future development in the Town of Charlton will be identified and mapped and short-term and long-term numerical goals concerning housing unit production will be determined.

2. HOUSING ASSESSMENT AND ANALYSIS

A. Population Trends

The 2000 Census counted 11,263 residents in Charlton, an increase of 1,687 persons from the 1990 Census count of 9,576 residents. With a total landmass that consists of 42.5 square miles, Charlton has a population density of roughly 264.8 people per square mile. The table below presents Charlton's growth in population over the years, as well as the Town's projected population for the year 2010.

**Table 1
Charlton Population Growth**

Year	# of People	Numerical Change	% Change
1920	1,995	---	---
1930	2,154	159	8%
1940	2,557	403	18.7%
1950	3,136	579	22.6%
1960	3,685	549	17.5%
1970	4,654	969	26.3%
1980	6,719	2,065	44.4%
1990	9,576	2,857	42.5%
2000	11,263	1,687	17.6%
2010 Projection*	12,476	1,213	10.77%

Sources: US Census Bureau. *Forecast for 2010 provided by CMRPC.

Table 1 shows that Charlton has been experiencing a steady increase in population each decade since the year 1940 with substantial growth occurring between 1970 and 1989 when the population grew by more than 44% and 42%, respectively. According to the Central Mass. Regional Planning Commission’s population forecast, Charlton’s population rate will continue to experience population growth (approximately 10.77%) over the next ten years.

Table 2 indicates that comparable communities located in Central Massachusetts have all experienced growth while Charlton and Uxbridge have grown at a rapid rate. The 2010 population projections suggest that Webster will have the slowest growth rate of the comparable communities, while Charlton and Uxbridge will have the fastest rate of growth. Regional growth is primarily due to persons migrating from the eastern part of the state, where housing costs are significantly higher, in search of more affordable housing.

**Table 2
Population Growth and Percent Change – Comparable Communities**

Year	Charlton	Dudley	Leicester	Oxford	Spencer	Uxbridge	Webster
1980	6,719	8,717	9,446	11,680	10,774	8,374	14,480
1990	9,576 (42%)	9,540 (9.4%)	10,191 (7.9%)	12,588 (7.8%)	11,645 (8.0%)	10,415 (24.4%)	16,196 (11.8%)
2000	11,263 (17.6%)	10,036 (5.2%)	10,471 (2.7%)	13,352 (6.1%)	11,691 (0.4%)	11,156 (7.1%)	16,415 (1.3%)
2010	13,126 (10.77%)	10,937 (8.9%)	11,047 (5.5%)	13,960 (4.6%)	12,201 (4.4%)	12,696 (13.8%)	17,093 (4.1%)

Sources: US Census Bureau. Forecast for 2010 provided by CMRPC.

B. Housing Unit Growth

Table 3 shows how the housing stock has grown over the years and allows for a comparison against the growth in population. Please note that table 3 and 4 refer only to year-round occupied housing units.

**Table 3
Housing Unit Growth in Charlton**

Year	# of Occupied Housing Units	Numerical Change	% Change
1980	2,107	----	----
1990	3,147	1,040	49.3%
2000	3,788	641	20.4%

Source: US Census.

**Table 4
Housing Unit Growth – Comparable Communities**

Year	Charlton	Dudley	Leicester	Oxford	Spencer	Uxbridge	Webster
1980	2,107	2,929	2,961	3,813	3,708	2,900	5,626
1990	3,147 (49.3%)	3,387 (15.6%)	3,458 (16.8%)	4,492 (17.8%)	4,321 (16.5%)	3,773 (30.1%)	6,529 (16.1%)
2000	3,788 (20.4%)	3,737 (10.3%)	3,683 (6.5%)	5,058 (12.6%)	4,583 (6.1%)	3,988 (5.7%)	6,905 (5.8%)

Source: US Census.

Taken together, Tables 2 and 4 indicate that the housing stock of the comparable communities is growing at a faster rate than their populations. Between 1980 and 1990 the region experienced significant growth that continued into the year 2000 for Charlton. It is anticipated that housing unit growth will continue over the next decade. In fact, according to MISER, a total of one hundred and one (101) building permits were issued in the year 2002 (See Table 5), verifying that the Town continues to grow right along with other Town's in the region; during the same year, 80 building permits were issued in Dudley, 37 in Leicester, 29 in Oxford, 34 in Spencer, 108 in Uxbridge, and 86 in Webster.

Table 5
Annual Number of Housing Units Authorized by Building Permits: 1998-2002

Year	Charlton	Dudley	Leicester	Oxford	Spencer	Uxbridge	Webster
1998	92	33	49	55	33	153	34
1999	79	63	41	51	45	138	41
2000	85	79	44	55	35	106	43
2001	88	68	41	36	37	73	61
2002	101	80	37	29	34	108	86

Source: MISER.

According to the Charlton Build-Out Analysis prepared by CMRPC in 2001, there are 17,754 developable acres remaining in Charlton. Given existing zoning bylaw minimum lot size requirements and environmental constraints, vacant residentially zoned land could yield 7,401 new residential lots. According to this analysis, if all of these lots were developed it would mean 20,578 additional residents in town, of whom 6,069 would be students. Table 6 provides a summary of residential build-out related data. Based on the population projections contained in Table 1, there does not appear to be a danger of exhausting the supply of developable land at any time in the foreseeable future.

Table 6
Charlton Residential Build-Out Statistics

Developable Acres	17,754
Residential Lots	7,401
New Residents	20,578
New Students	6,069

Source: CMRPC.

Notes:

1. The number of "Residents" at buildout is based on the persons per household figure derived from the 1990 US Census.
2. The number of "School-Age Children" at buildout is based on a student per household ratio taken from 1990 US Census.

C. Average Household Size

As previously noted, Charlton's housing stock has and continues to grow at a faster rate than its population. This is not surprising when one considers the national trend towards smaller household sizes. Couples are having fewer children today and many households are the single parent variety. Charlton's US Census data confirms this trend. In 1980, the typical Charlton household contained 3.11 people. By 1990, the persons per household figure had declined to 2.98 and by 2000, to 2.92 persons per household.

Another factor contributing to smaller household sizes is "the graying of America", that is, our nation's elderly population is expanding. The Census data clearly demonstrates that this national trend is taking place in Charlton. In 1970, the median age of Charlton's population was 28 years of age and in 1980 it slowly increased to 28.2 year of age. By 1990, the median age had increased to 31.2 years of age, and the recent year 2000 Census show the median age has increased at a more rapid rate and now stands at 35.4 years of age.

Table 7 displays change in age of the town's population from 1990 to 2000. The number of very young children (under 5 years) declined by 6.57% during the decade, while children between 5 and 19 years of age showed substantial growth, 580 or 26%. However, with a smaller number of children under 5 soon entering school, it is likely that the Town's school population will decline slightly over the next five years, unless there is an unexpected increase in new housing growth, or a turnover in the existing housing stock to families with school-aged children.

The data also reveals that the largest population increases occurred among those aged 35-54 (1,382 additional persons or 52.4%) and those aged 55-64 (285 additional persons or approximately 53%). This indicates that buyers of homes must wait to enter their high wage-earning years before being able to afford a home. Conversely, one may also infer that it has become more difficult for young adults (20-34 years) to afford to live in Charlton and that there are insufficient rental units since that age group declined by 23.4%.

Older citizens (65 and over) witnessed population changes. During the last decade, the 75 and over age group experienced a 45.7% population increase. This may be partly explained by advances in health care, as residents are now living longer lives. Residents between the ages of 65-74 increased by 13% even though this represents Depression Era births, when the birth rate was low due to severe economic factors. As these residents move into their more elder years, there is likely to be a continuing increase in the 75 and over population.

**Table 7
Population by Age Group**

Year	Under	5 – 1	20 – 34	35 – 5	55 – 6	65 – 7	75 +
1990	867	2,231	2,522	2,640	537	375	304
2000	810	2,811	1,931	4,022	822	424	443
Change	-57	580	-591	1,382	285	49	139
% Change	-6.57	26%	-23.4%	52.4%	53%	13%	45.7%

Source: 1990 and 2000 U.S. Census.

D. Housing Unit Inventory

Please note that Tables 8, 9, and 10 include all housing units in Charlton, including vacant houses and seasonal houses. Tables 8 and 9 indicate that 83.3% of Charlton’s housing stock is of the single-family home variety and only 16% is of the multi-family variety. None of the comparable communities has a higher percentage of single-family units and a lower percentage of multi-family housing. When one considers that the majority of multi-family units are rental properties, the facts suggest that Charlton may be deficient in those regards. The Town’s housing mix has been fairly stable over the past twenty years, although the percentage of single family homes has grown at a faster rate than multi-family housing units during this period.

**Table 8
Type of Housing Units - Year 2000**

Type of Unit	Number of Units	Percentage of Total
One Unit (Detached)	3,145	78.5%
One Unit (Attached)	192	4.8%
Two Units	188	4.7%
Three or Four Units	286	7.1%
Five or More Units	167	4.2%
Mobile Homes	30	0.7%
TOTAL	1,988	100%

Source: 2000 US Census.

Note: One Unit Attached is defined by the US Census Bureau as a 1-unit structure that has one or more walls extending from ground to roof separating it from adjoining structures.

Table 9
Type of Housing Units and Percentage of Single Family Homes
in Comparable Communities - Year 2000

Town	One Unit	Two Units	3-4 Units	5+ Units	Mobile Homes
Charlton	3,337 (83.3%)	188	286	167	30
Dudley	2,697 (69.0%)	488	513	243	9
Leicester	2,901 (75.8%)	259	223	436	7
Oxford	3,802 (72.7%)	479	395	524	28
Spencer	2,945 (59.7%)	675	734	566	18
Uxbridge	2,996 (73.6%)	501	285	294	0
Webster	3,463 (45.9%)	1,184	1,537	1,291	79

Source: 2000 US Census.

E. Age of Housing Stock

Table 10 illustrates that the vast majority of housing is relatively new home construction. In fact, only 14.1% of Charlton’s housing stock was built before World War II. Table 11 helps to illustrate that this is very low when compared to neighboring communities within the region. Furthermore, it is well below the state average of 34.5%. A newer housing stock is much more likely to be in better structural condition. However, even though Charlton has a low number of pre-1940 units (564), many of those residential dwellings probably would not meet the State’s current building code or pass muster with the Town’s Building Inspector.

Table 10
Age of Charlton Housing Stock

Year Structure Built	Number of Units	% of Housing Stock
1990-2000	820	20.5%
1980-1989	1,025	25.6%
1970-1979	714	17.8%
1960-1969	268	6.7%
1940-1959	617	15.4%
1939 or earlier	564	14.1%
TOTAL	4,008	100%

Sources: US Census.

**Table 11
Age of Housing Stock (1939 or Earlier) in
Comparable Communities - Year 2000**

Town	Number of Pre-1940 Units	% of Housing Stock
Charlton	564	14.1%
Dudley	932	23.8%
Leicester	962	25.1%
Oxford	1,145	21.9%
Uxbridge	1,058	25.9%
Webster	2,793	37.0%
Massachusetts	905,698	34.5%

Source: 2000 US Census.

F. Housing Occupancy

In 1990, there were a total of 2,464 owner occupied housing units and that figure increased to 3,143 in the year 2000. During the same time span rental units actually decreased from 683 units to 645. Table 12 indicates that more than 83% of Charlton’s housing stock is currently owner-occupied. In terms of the percent of occupied housing units versus the percentage of vacant units over the last decade, the 1990 Census indicated a 2.1% homeowner vacancy rate and a 3% rate for rental property. Although the 2000 Census reported that the rental vacancy rate increased to about 4.6%, the homeowner vacancy rate decreased to .5% indicating a more competitive housing market for homeownership units in Charlton.

**Table 12
Type of Occupancy (Owner/Renter - 2000)**

Type of Occupancy	Number of Units	Percentage
Owner Occupied Housing	3,143	83.0%
Renter Occupied Housing	645	17.0%

Source: 2000 US Census.

Table 13 indicates that Charlton has a low number of rental units. Generally, rural communities tend to have substantially less rental units than suburban and urban areas. However, Table 13 also indicates that Charlton provides far fewer rental units than comparable communities in the region. As previously indicated, the vast majority of Charlton’s housing stock is relatively new.

Throughout the region, most multi-family homes are older with very few being developed recently.

Table 13
Type of Occupancy in Comparable Communities (Owner/Renter - 2000)

Type of Unit	Charlton	Dudley	Leicester	Oxford	Spencer	Uxbridge	Webster
Owner	3,143 (83%)	2,655 (71%)	2,811 (76%)	3,801 (75%)	2,871 (63%)	3,139 (79%)	3,728 (54%)
Renter	645 (17%)	1,082 (29%)	872 (24%)	1,257 (25%)	1,712 (37%)	849 (21%)	3,177 (46%)

Source: 2000 US Census.

G. Types of Households

Table 14 indicates that more than 80% of Charlton’s households consist of families. This represents a decrease since the 1990 Census when family households accounted for 81.6% of all Charlton Households. It should also be noted that the number of households headed by females is increasing; the 1990 Census counted 223 households headed by females while the 2000 Census counted 372 such households.

Table 14
Charlton Households by Type (2000)

Household Type	Number Households	Percentage
Family Household	3,045	80.4%
Non-Family Household	743	19.6%

Source: 2000 US Census.

Since the majority of rural communities are usually largely made up of single-family homes, they tend to have a higher percentage of family households; non-family households tend to rent. In comparison to similar communities, all of which have a higher percentage of multi-family units (See Table 9), it is not surprising to see in Table 15 that Charlton has also has fewer non-family households as well.

Table 15
Households by Type – Comparable Communities (2000)

Household Type	Charlton	Dudley	Leicester	Oxford	Spencer	Uxbridge	Webster
Family Household	3,045 (80%)	2,669 (71%)	2,708 (74%)	3,598 (71%)	3,094 (68%)	3,036 (76%)	4,271 (62%)
Non-Family Household	743 (20%)	1,068 (29%)	975 (26%)	1,460 (29%)	1,489 (32%)	952 (24%)	2,634 (38%)

Source: 2000 US Census.

H. Housing Demand Assessment & Needs Analysis

The following analysis will document the demand for housing in Charlton, the housing needs of local residents and what is actually available (and affordable) for housing opportunities. Before going any further, it is important to outline the assumptions used in this analysis.

- The analysis makes use of year 2000 statistics so that they may be cross-referenced to the 2000 US Census data.
- The median family income for the Worcester Primary Metropolitan Statistical Area (PMSA), as determined by the federal Department Housing & Urban Development (HUD) HOME Program income limits for the year 2000 is \$54,400.
- The State Department of Housing & Community Development (DHCD) Year 2000 Housing Certification Program lists the median family affordable purchase price for a new home in the Worcester PMSA at \$246,000.
- Charlton’s poverty-level income figure was obtained from the 2000 US Census.
- Housing demand and need was calculated for poverty-level households, low-income households (poverty-level to 50% of the area median income), low-to-moderate income households (50-65% of the area median income), moderate-to-middle income households (65-80% of the area median income), middle-income households (80-150% of the area median income) and upper income households (above 150% of area median income).
- It was assumed that households making up to 65% of the area median income would not be in the market for buying a home but instead would most likely rent their housing.
- It was assumed that households making more than 65% of the area median income would most likely be in the market for buying a home.
- For renters, it was assumed that 30% of their annual income would go towards rent.
- For homebuyers, it was assumed that 28% of their monthly income would go towards a house mortgage principal and interest. It was further assumed that homebuyers would make a down payment of at least 10% and have a 30-year mortgage at 7%.
- The number of rental units and their price ranges were estimated from the 2000 Census.

- Year 2000 home sales data was obtained from the Charlton Assessors Office and only arms-length home sales were considered qualified in the ensuing analysis. An “arms-length” sale is a sale between a willing buyer and a willing seller with no unusual circumstances involved (i.e. sale between members of the same family, sale in proceedings of bankruptcy, etc.)

Table 16 provides an affordability analysis for Charlton rental units. The table outlines the various renter income categories, the number of Charlton households fitting the income categories, the number of rental units in Charlton that are affordable to the various income categories and the gap/surplus for such rental units.

Table 16
Rental Unit Need/Demand Analysis

Income Group	Range of Incomes	Range of Affordable Rent	# of Households	# of Actual Units	Deficit/Surplus
Poverty	\$13,290 and Below	\$332 and Below	333	87	- 246
Poverty-to-Low	\$13,290 - \$27,200	\$332 - \$680	304	326	+22
Low-to-Moderate*	\$27,200 - \$35,360	\$680 - \$884	162	100	- 62

* Households earning between 50-65% of the area median income.

Table 16 indicates that Charlton has a shortage of rental units that are affordable to poverty-level households and low-to-moderate income households. The 2000 US Census further supports this assertion as 115 Charlton households were identified as paying more than 30% of their monthly income towards rent. It is generally assumed that renters paying more than 30% of their monthly income towards rent are exceeding their affordability. The waiting list of the Charlton Housing Authority further supports the need for affordable rental units:

- Elderly/Handicapped Housing Units (DHCD Program 667): There is a current waiting list of 50 people (18 local residents and 32 non-local). It is estimated that a local resident would have to wait approximately 12 to 18 months for a unit to become available.
- Low Income Family Housing (DHCD Program 705): There is a current waiting list of 16 families (7 local families and 9 non-local families). It is estimated that a local family would have to wait approximately 3 to 4 years for a unit to become available.

The Charlton Housing Authority’s waiting lists indicate a significant demand for both elderly/low-income/disabled housing and low-income family housing. Furthermore, low-income family housing units in Charlton consist of 3 bedrooms creating a situation in which single parents with one child are ineligible. The Director of the Housing Authority indicated

a strong demand for two bedroom units. The number of non-local people on the waiting lists indicates that the demand is also regional in nature. However, in terms of affordable rental units, Charlton ranks fairly well compared to the region's other communities. The Year 2000 DHCD Housing Certification Program lists an affordable monthly rent figure of \$1,360 (30% of area median family income) for the Worcester PMSA. According to the Year 2000 US Census, there are 651 rental units in Charlton and 16 of them had a monthly rent over \$1,360. Thus, Charlton's rental units are affordable when considered within the regional context.

Charlton also fares somewhat favorably in terms of homeownership opportunities. There were 230 single-family property sales in Charlton during the year 2000, of which 113 were arms-length sales. Table 17 provides an analysis of demand for homeownership in Charlton. The table outlines the various homeownership income categories, the number of Charlton households fitting each category and the median sales price of various types of housing units in Charlton for the year 2000.

Table 17
Homeownership Need/Demand Analysis

Income Group	Range of Incomes	Range of Affordable Housing Prices	Number of Households
Moderate to Middle	\$35,360 - \$43,520	\$138,000 - \$169,000	323
Middle to Upper	\$43,520 - \$81,600	\$169,000 - \$318,000	1,396
Upper	\$81,600 and above	\$318,000 and above	1,268

Year 2000 Median Sales Price For Single Family Home: \$189,900

(113 Arms-Length Sales in 2000)

Year 2000 Median Sales Price For Condominium: \$95,750 per unit

(10 Arms-Length Sales in 2000)

*Please note that an analysis was not done for multi-family dwellings since there were no Arms Length transactions for that property type during the year 2000.

The above table indicates that single-family homeownership is within the grasp of the middle to upper income group but the purchase of a condominium would be a more likely option for the moderate to the middle-income group.

As mentioned previously, the median family income in the Worcester PMSA was \$54,400 for the Year 2000, with an affordable home purchase price of \$246,000 for the median family income. Of the 113 qualified home sales that took place in Charlton during 2000, twenty-two homes sold above the median family income affordable purchase price of \$246,000. Thus, housing in Charlton is relatively affordable when considered within the regional context

According to Assessor Records dated from January through October of 2002, the median sales price of a condominium increased to \$147,500 and the single-family median sales price increased to \$219,900. However, the median area income increased to \$58,400. Coupled with

lower interest rates (approximately 6%) households earning 65% of the median area income can still afford to purchase a condominium and those earning 100% of the area median income can afford a single family home.

I. Supply of Housing Units Eligible to Contribute Towards the State’s Chapter 40B Subsidized Housing Inventory

In 1969, the state passed M.G.L. Chapter 40B with the goal of increasing the amount of affordable housing in communities throughout the Commonwealth. It contains two major components which are meant to assist developers who wish to build housing that meets the affordable housing criteria as outlined within the law. The first component is the Comprehensive Permit process, where several local permit applications are consolidated into a single application to the Zoning Board of Appeals (ZBA). The ZBA is authorized to grant waivers from zoning and other local regulations to make a project economically viable. The second component gives developers the right to appeal ZBA decisions to the Massachusetts Housing Appeals Committee (HAC) in communities where the percentage of affordable housing units falls below 10% of the year-round housing units (See DHCD Web Site for affordable housing units that are eligible to contribute towards a community’s Chapter 40B Subsidized Housing Inventory www.state.ma.us/dhcd/ch40B).

As Table 18 illustrates, Charlton’s percentage of 40B housing units amounted to 1.96% as of 2000, well below the state’s goal of 10%. The number of 40B units in town did not change between 1990 and 2000. With the number of year round units increasing during the decade, the percentage of affordable units decreased during the ten-year period.

**Table 18
Supply of Eligible Housing Units Contributing Towards Chapter 40B
Subsidized Housing Inventory**

Year	Total Year-Round Housing Units	Total Chapter 40B Units	% Subsidized Base
1990	3,282	76	2.32%
2000	3,868	76	1.96%

Source: Mass. Department of Housing and Community Development.

Table 19 shows the locations and types of the 76 affordable units. The Masonic Hill Road rental units are owned and managed by the Housing Authority and CMJ Management, Boston, MA, manages the Cady Brook/Mountain Farm rental units.

Table 19
Location and Type of Eligible Housing Units Contributing
To the Chapter 40B Subsidized Housing Inventory

Development Name	Address	Total Units	Chapter 40B Units	Type
Cady Brook/ Mountain Farm	Route 169/ Harrington Road	40	40	515 Program FMHA Loan
Chapter 667-1	Masonic Hill Road	30	30	667 Program Elderly/handicapped
Chapter 705-1	Masonic Hill Road	6	6	705 Program (Low Income Family)

Source: Mass. Department of Housing and Community Development.

3. HOUSING GOAL AND OBJECTIVES STATEMENT

Below are Charlton’s Housing Goal and Objectives. They are based upon findings from the preceding Housing Assessment and Analysis. The Recommendations that follow are designed to help fulfill Charlton’s Housing Goal and Objectives over the next ten years and beyond.

GOAL

- Increase housing opportunities for a broad range of income levels.

OBJECTIVES

- Preserve Charlton’s Rural Character as the Town Continues to Grow.
- Increase the Supply of Affordable Rental Units.
- Make a Good Faith Effort to Comply with Chapter 40B.
- Improve the Condition of Charlton’s Housing Stock.
- Promote Affordable Home Ownership.

A. Recommendations

1. Charlton's Population and Housing Stock Will Continue to Expand

According to the Housing Assessment and Analysis, Charlton's population and housing unit production have expanded substantially over the last ten years. This trend is expected to continue.

Even if it were desirable, it is not possible to stop growth in Charlton by protecting the remaining undeveloped land as open space: there is simply too much undeveloped land (See Page 4, Table 6, Build-Out Results). This condition of ample developable land is likely to remain the case for several decades. Therefore, Charlton must continue to think in terms of managing growth, not stopping it entirely.

Communities experience the negative impacts of growth long before final build-out is reached. This pattern is apparent in Charlton where growth has, to some degree, affected tax rates, scenic quality, and traffic even though plenty of land and even road frontage remain undeveloped. Thus, growth management strategies for the next 25-50 years must focus on channeling growth into patterns that minimize environmental, fiscal, scenic, and transportation impacts – not necessarily on reducing the ultimate long-term build-out, which may not happen for several decades, if ever.

A. What Can Charlton Do to Preserve its Rural Character?

- 1. Encourage the Use of the Flexible Development Zoning Provision:** The Town should continue to encourage the use of the Flexible Development zoning provision to enhance its purpose. According to the Town's Zoning Bylaw, the intention of Flexible Development is "to provide for the most efficient use of services and infrastructure, to maintain the Town's traditional New England rural character and land use patterns and to encourage the permanent preservation of open space". When reviewing proposed plans, the Charlton Planning Board should address deed covenants that distinctly determine ownership, public access, and maintenance responsibilities of open space as early as possible in the review process.
- 2. Adaptive Reuse:** The reuse of any abandoned, underutilized, or obsolete property could enable Charlton to direct growth towards already developed locations in its village centers thus negating the need to develop additional land in areas without existing infrastructure. It would also be a way of preserving and/or restoring unique architecture in the community, which can also be of historical significance.

The Town could inventory publicly owned property, vacant, underutilized, deteriorated land and/or buildings with residential reuse potential. It can be possible to acquire such properties through tax taking, donation, negotiation, distress sale, and bank foreclosure, or brownfield remediation.

The Community Preservation Act is a good tool to promote adaptive reuse projects while simultaneously preserving open space and historic resources. The Community Preservation

Act was voted down at Charlton Town Meeting, however the Town may wish to reconsider sometime in the future. Under this program, a community that adopts the Community Preservation Act establishes a municipal Community Preservation Fund. Monies collected come from a surcharge of up to 3% on local property taxes. The state provides matching funds – no less than 5% but no more than 100%. Communities must allocate at least 10% of all funds raised to open space, historic preservation and affordable housing. The remaining 70% may be allocated to any of the three without a percentage restriction. Additional information on the Community Preservation Act can be found on the state’s website at www.state.ma.us/dhcd

3. **Reduced Frontage Lots:** The Town should encourage the use of its reduced frontage zoning bylaw. Reduced frontage zoning allows a developer to reduce the required frontage of a lot in exchange for building on land further from the road. Backlands provisions address concerns over “Approval Not Required” development, in which the entire frontage along existing public ways is developed lot by lot, in a piecemeal fashion. By allowing developers to forgo the frontage and develop further from the road, a pattern can be encouraged that is less visible from scenic roads, less likely to disturb existing historic stone walls or tree corridors, and less consumptive of remaining frontage.
4. **Tiered Road Width Standard:** The Town should investigate the possibility of establishing a tiered road width standard for new subdivision roads. MassHighway does not recommend a definitive road width standard for local roads; rather, the department leaves it up to the municipalities to set their own road width standards. The Town of Charlton Subdivision Regulations requires that all new subdivision roads have a minimum width of 35 feet, which is excessive. It should be noted that the Planning Board does have the authority to waive or modify this requirement based on individual circumstances, which is often the case in Charlton.

Several nationwide transportation-planning organizations like the Institute of Transportation Engineers and the American Society of Civil Engineers promote variable road width standards where the required road width is dependent on the amount of traffic volume expected and the characteristics of the area. For example, on page 7 of the Institute of Transportation Engineers (ITE) *Guidelines for Residential Subdivision Street Design*, it is stated that a short cul-de-sac street on level terrain will have such low volume that a 20 foot road width with shoulders would probably suffice but “even in low and medium density areas, consideration should be given to wider streets in rolling or hilly terrain”. A number of other sources also advocate for varying pavement widths. These include *Residential Streets* by the American Society of Civil Engineers, National Association of Home Builders, and the Urban Land Institute; *Performance Streets* by Buck’s County Planning Commission in Pennsylvania; and the *Subdivision and Site Plan Handbook* by David Listokin and Carole Walker. The intention of varying road widths is to reduce paving where it is not necessary for a variety of reasons, including the following:

- a. Laying down large swaths of pavement is expensive for developers and adds to the cost of development (which in turn adds to the cost of housing).

- b. Excessive road widths can increase maintenance costs for a municipality, especially in those cases where the way is intended to become a town road.
- c. Having large swaths of pavement encourages increased travel speeds (speeding) and can endanger public safety.
- d. Natural vegetation must be removed to create these large paved areas, which lowers groundwater recharge and creates a high volume of stormwater runoff that must be accommodated by down-slope drainage structures.

The national Institute of Traffic Engineers (ITE) recommends the following road width standards:

- 20-28 feet for low density roads (1-2 dwellings per acre)
- 28-34 feet for medium density roads (3-6 dwellings per acre)
- 36 feet for high density roads (over 6 dwellings per acre)

Some communities across the CMRPC region have adopted lower road width standards. For example, the Town of Grafton allows a pavement width between 22 and 30 feet for minor streets with no through traffic, and, rural roads and urban collector roads in the Town of Oxford are allowed a minimum pavement width of 22 feet.

While the Charlton Planning Board is cognizant of its ability to waive/modify its current roadway width standard based on individual circumstances such as the lay of the land and the expected traffic volume, the Town should consider establishing a tiered road width standard for new subdivision roads.

5. **Transfer of Development Rights:** Transfer of Development Rights (TDR) can be very effective in preserving open space and directing growth to more suitable locations in a community. However, one difficulty with Transfer of Development Rights (TDR) is that it can present a significant administrative burden and requires a high level of expertise to implement. While the Town may choose not to implement TDR now, it should be aware that this tool exists for potential use in the future.

Transfer of Development Rights (TDR) is an innovative policy that promotes multiple objectives, including protection of open space, efficient use of infrastructure, and reduction of the Town’s costs of providing municipal services. TDR is predicated on the legal fact that landowners possess a “bundle” of property rights, including title to the land itself plus the right to develop or use that land in certain ways, subject to zoning laws. Under TDR, these rights (i.e. the land itself and the development rights) may be bought and sold separately.

TDR zoning usually establishes two district classifications. A “sending district” is an area designated for open space protection where development is to be discouraged or limited. A “receiving district” is an area that can support somewhat higher levels of development. Under TDR, owners of land in the sending district may sell their development rights to owners of land in the receiving district, where higher density than otherwise allowed is permitted. This type of transfer is particularly useful when one portion of a town has valuable resources that

need protection, such as open space or historic buildings, while other parts of town are suitable for new development at densities greater than those currently allowed under zoning.

TDR has several advantages over other land protection options:

- It is virtually free for the Town
- It is market-driven: the more land is developed in the Town, the more open space is likely protected.
- It has the potential to protect hundreds of acres of open space. For example, a TDR program in Montgomery County, Maryland, has protected 38,251 acres of open space in the last 17 years.
- It does not compromise the property rights of landowners, and, based on legal tests in the past, does not constitute a “taking”.
- It promotes more cohesive neighborhoods and commercial districts by allowing higher densities where appropriate.

Several steps must be considered in order to adopt a workable TDR system:

- The participants in the program must be identified.
- The potential receiving areas must be identified and analyzed from an economic and environmental point of view.
- The donor sites also must be identified and evaluated in order to determine how the environmental goals compare with the economic costs.
- It must be determined how to administer and implement the program (municipally, private, or quasi-public).
- It must be determined whether the program should be voluntary or mandatory.
- The program should be promoted so that interest in it is maintained.

2. Rent is Expensive for Lower Income Groups and Charlton has Fewer Rental Units than Comparable Communities.

The U.S. Census indicates that 115 Charlton households were identified as paying more than 30% of their monthly income towards rent, which is excessive. According to the preceding Housing Assessment and Analysis, there is a deficit of rental units affordable to poverty and low-income individuals (See page 11, Housing Assessment and Analysis). Furthermore, Charlton has a low number of rental units; only 17% of the housing stock is made up of rental units which are far fewer than comparable communities.

Charlton’s population is also growing older. Most elderly individuals are on a fixed income, which often makes it very difficult to continue to maintain their home throughout their retirement years. Charlton’s next generation of senior citizens (55-64 population) has grown by 53% since 1990 and the segment of the Town’s population aged 35-54 has grown by 52.4% over the last

decade. Therefore, coupled with health care advances, it is anticipated that Charlton will be dealing with this issue for some time to come.

A. How Can Charlton Help to Increase its Affordable Rental Unit Supply?

1. **The Town Should Continue to Work with Masonic Nursing Home, Inc.** concerning the Overlook Continuing Care Retirement Community located along Masonic Home Road. This is a project that will help serve the Town's elderly housing needs for years to come. The proposed project includes the replacement of the existing 69-bed rest home and 100-bed nursing home facilities resulting in a net increase of 12 nursing home beds, 210 independent-living apartments, and 50 independent-living cottages.

In addition to working with Masonic Nursing Home, Inc., the Town should try to promote the use of its Senior Housing Bylaw. At the May 20, 2002 Charlton Annual Town Meeting, the Town Unanimously approved the addition of Section 5.11 to the Zoning By-Law which allows congregate care facilities or assisted living facilities within the Agricultural (A), Low-Density Residential (R-40) and Residential-Small Enterprise (R-SE) zones, via the issuance of a Special Permit from the Planning Board. In general, housing development in a community can have a negative impact on municipal finances largely due to educational expenses of school age children. However, senior housing does not impact municipal finances to such a degree; very few school age children, if any, reside in this type of housing.

2. **The Town Should Encourage the Use of the Existing Accessory Apartment Provision within its Zoning Bylaw.** Charlton already has a bylaw that allows a 500 square foot accessory apartment to be located in a primary dwelling although the Town may wish to consider increasing the allowable square footage perhaps on a percentage based on the square feet of the primary dwelling. Accessory apartments allow elderly people to live in close proximity to their family while living independently at a low cost, as well as young people who cannot afford their own home at the time. Accessory apartments also allow the primary homeowner to collect a bit of rent, thus helping them cope with property taxes. The Town should raise awareness of the possible use of the existing Accessory Apartment Bylaw as a way to increase the number of rental units in Charlton. Similar to elderly housing, it is unlikely that school age children would reside in this type of housing lessening any potential impacts on municipal finances. In addition, accessory apartments constructed on or after July 1, 2002 can be included on the subsidized housing inventory. However, a number of conditions must be met including income and asset limits, affordability of the unit, use restrictions and monitoring, and reporting (See 760 CMR 45 at www.state.ma.us/dhcd/regulations/effect.htm)
3. **The Town could Further Encourage Multi-Family Dwellings.** Such housing tends to be more affordable than single-family homes on large lots, due to smaller land costs per unit and lower construction costs. Thus, having more multi-family units would help the Town bridge the gap in affordable rental units. In addition, allowing a higher population density in areas with public water and sewer services also alleviates some of the pressure to develop housing in the more rural areas of Town and helps to reduce road and infrastructure maintenance costs.

The Town has taken a proactive approach to allow multi-family dwellings in suitable locations through recent amendments to its zoning regulations. However, according to the Housing Assessment and Analysis, only 16% of Charlton's housing is of the multi-family variety; none of the comparable communities has a higher percentage of single-family units and a lower percentage of multi-family housing (See Housing Assessment and Analysis, Page 4 and 5). One way the Town could further help to encourage multi-family dwellings would be through Adaptive Reuse (See above).

3. Currently, Charlton Does Not Comply with Chapter 40B.

Chapter 40B of Massachusetts General Laws outlines a municipality's responsibilities regarding the provision of low and moderate-income housing. The DHCD Web Site for affordable housing units that are eligible to contribute towards a community's Chapter 40B Subsidized Housing Inventory can be found at www.state.ma.us/dhcd/ch40B). Not all subsidized, low or moderate-income housing in the community is listed since Section 8 mobile voucher and Massachusetts MRVP voucher do not qualify for the inventory. Please note that this is quite different from the issue commonly known as "affordable housing" which is generally defined as housing that costs no more than one third of a person's total income. Looking at the average home sale price and average contract rent in Charlton, the Town does provide some opportunities for affordable housing (See Housing Demand Assessment and Needs Analysis, pages 9) especially when Charlton's numbers are compared to similar communities in the region. However, low-income people cannot afford to buy a house in Charlton and many renters pay more than 30% towards rent. Furthermore, according to the Housing Assessment and Analysis, housing prices have increased substantially over the last two years making homeownership more difficult. While existing homeowners benefit from this price escalation, the local and regional economy will suffer if potential employees are unable to fill vacancies due to the high cost of housing.

Currently, there are only a handful of municipalities in Massachusetts that have achieved this 10% threshold (See DHCD Web-Site for Subsidized Housing Inventory at www.state.ma.us/dhcd/components/hac/subhous.htm). At the present time, only 1.96% of Charlton's housing stock meets the Chapter 40B definition. In order to insure an adequate supply of affordable housing, the town should make a good faith effort to provide its share of housing for a broad range of income groups that include municipal employees, fire fighters, policemen and teachers. For municipalities that do not meet the 10% threshold, any developer proposing low and moderate-income housing can have the project exempted from local zoning and subdivision requirements, and the development could be built in any zoning district, regardless of suitability. Many communities have been unpleasantly surprised to have comprehensive permit applications thrust upon them in very inappropriate locations.

A. How Can Charlton Make a Good Faith Effort to Comply with Chapter 40B?

1. Non-Regulatory Options: The Town could review its non-regulatory options for providing low and moderate-income housing and make every effort to ensure that 10% of Charlton's housing stock consists of low and moderate-income housing.
 - a. Grant Programs: The Town should take a closer look at the State's Affordable Housing Trust Fund and the various housing grant programs offered by the Massachusetts Department of Housing and Community Development (DHCD) (See Recommendation under Section 4A, for more detail concerning grant programs). A Housing Committee has been formed and is currently inactive. The Town should activate the existing Housing Committee that was established to assist in this effort and help to implement other recommendations made in this report.
 - b. Inventory of Privately Owned Property: The Committee could inventory vacant, underutilized, deteriorated land and/or buildings with the potential of supplying subsidized housing and work with the property owner to help secure state funds.
 - c. Publicly Owned Property: The Committee should also conduct an inventory of any publicly owned land/buildings that might be suitable for subsidized housing. There is a variety of State sponsored funding options that can be used to develop/rehabilitate publicly owned properties that have the potential to be converted to subsidized housing.
 - d. Public Education: The Committee should work to educate the public about current and future housing needs, the social and economic benefits associated with it, and that it is important to achieve community acceptance of different forms of affordable housing. Municipalities can play a critical role in providing and facilitating public education in order to develop the community support critical to the success of affordable housing policies and initiatives. Municipalities have a variety of approaches available to help educate the public, ranging from workshops and public presentations to major media campaigns.
2. Chapter 40B Housing Proposals: The Zoning Board of Appeals should continue to receive training on how to deal with Comprehensive Permits as they relate to low/moderate income housing projects as defined by Chapter 40B. The UMass Extension's Citizen Planner Training Collaborative (CPTC) offers classes on this subject on an annual basis and will even provide customized training sessions to individual communities. In addition, DHCD has prepared a procedural "how to" booklet for local communities. The Zoning Board of Appeals would be the responsible municipal entity to establish review criteria for comprehensive permit proposals. The Massachusetts Housing Appeals Committee Web site has guidelines and examples of model by-laws.
3. Inclusionary Zoning/Incentive-Based Zoning: The general purpose behind inclusionary zoning and incentive-based zoning is to increase a community's affordable housing stock. Inclusionary zoning can be seen as the "stick" approach, while incentive-based zoning is the "carrot" approach. An inclusionary zoning bylaw is one that requires new subdivisions to set aside a certain percentage of new housing units for low and moderate income households, i.e., units that can be counted towards the town's Chapter 40B goal. Typically, inclusionary

bylaws require that anywhere from 10% to 25% of new housing units consist of below-market units. The Massachusetts Zoning Act does not explicitly authorize inclusionary zoning; however, many Commonwealth communities have inclusionary zoning bylaws on the books and have made the case that such bylaws are legally valid under the State's "Home Rule" authority. Massachusetts courts have generally approved of inclusionary zoning; however, they have frowned on assessing fees in lieu of providing actual affordable housing units.

Incentive-based zoning attempts to increase the affordable housing stock by offering incentives to developers to create below-market units as part of their developments. Such incentives can include higher densities, reduced frontage, reduced setback requirements, a reduction in the required roadway width, reduced infrastructure connection fees, and other incentives that can improve a developer's bottom line. Incentive-based zoning is an example of giving something to get something. Incentive-based zoning is explicitly authorized within the Massachusetts Zoning Act, Chapter 40A, Section 9. Incentives only become an effective tool when there exists a strong demand so that developers are willing to build the additional units in return for higher profits. The Town may wish to take some pro-active steps to bring its affordable housing unit inventory closer to the 10% required under Chapter 40B. Towards that end, Charlton should investigate both inclusionary zoning and incentive-based zoning and determine which approach would work best for the Town. The responsible municipal entity would be the Planning Board.

4. Charlton has Approximately 564 Homes that were Built Prior to 1940.

As indicated in the Housing Assessment and Analysis (Page 7, Table 10), more than 14% of Charlton's housing stock (approximately 564 homes) was built prior to 1940. While this percentage is lower than comparable communities, it is quite likely that many of these older residences would not meet today's various housing codes (plumbing, electricity, weather-proofing, building code, etc.). In addition, every community contains some homes where aesthetic improvements could be made, which would also serve to enhance the visual appearance of neighborhoods throughout Charlton.

A. What Could Charlton Do to Improve the Condition of its Housing Stock?

The Town of Charlton could further investigate various grant opportunities to see if they make sense for Charlton and its property owners. However, because of a shortage of housing throughout the Commonwealth, the Governor issued Executive Order 418 (E.O. 418). One element of E.O. 418 involves Housing Certification. The Town was housing certified in the Year 2003 Housing Certification Program. To remain competitive when applying for many state grants, the Town should make certain that it applies for Year 2004 Housing Certification.

There are numerous grant opportunities for housing rehabilitation projects, especially when they benefit low and moderate-income families. The following is a brief description of some of the available housing rehab grants that could possibly be utilized by the Town.

- *The Housing Development Support Program:* The Housing Development Support Program is a component of the federal Community Development Block Grant (CDBG) program administered by DHCD. The program is designed to assist with project-specific affordable housing initiatives with the emphasis on small-scale projects that might otherwise go un-funded. Typical projects include housing rehabilitation, new construction, reclamation of abandoned properties, elderly and special needs housing, and the conversion of obsolete and under-utilized buildings for housing. Funds can be used for acquisition, rehabilitation, site work and related infrastructure. Projects are limited to a maximum of seven housing units, 51% of which must be affordable to and occupied by low and moderate-income households (households earning up to 80% of the area’s median household income).

- *The Massachusetts Affordable Housing Trust Fund:* The Affordable Housing Trust Fund (AHTF) was established by an act of the State Legislature and is codified under Chapter 121-D of the Massachusetts General Laws. The AHTF operates out of DHCD and is administered by MassHousing with guidance provided by an Advisory Committee of housing advocates. The purpose of the fund is to support the creation/preservation of housing that is affordable to people with incomes that do not exceed 110% of the area median income. The AHTF can be used to support the acquisition, development and/or preservation of affordable housing units. AHTF assistance can include:
 - Deferred payment loans, low/no-interest amortizing loans.
 - Down payment and closing cost assistance for first-time homebuyers.
 - Credit enhancements and mortgage insurance guarantees.
 - Matching funds for municipalities that sponsor affordable housing projects.
 - Matching funds for employer-based housing and capital grants for public housing.

Housing developments financed by the AHTF can include market-rate units, but the Trust Fund cannot be used to support such units. The level of assistance provided by the AHTF to a specific project must be the minimum amount necessary to achieve the desired degree of affordability. Housing units created through the AHTF can be counted towards the Town’s 10% threshold for affordable housing under Chapter 40-B (see the previous discussion under Item #3).

- *The Local Initiative Program:* The Local Initiative Program (LIP) is administered by DHCD and was established to give municipalities more flexibility in their efforts to provide low and moderate-income housing. The program provides technical assistance and other non-financial assistance to housing developed through the initiative of local government to serve households below 80% of the area’s median household income. The program limits the State’s review to the most basic aspects of affordable housing: the incomes of the people served, the minimum quality of the housing provided, fair marketing and level of profit. LIP projects can include new

construction, building conversion, adaptive re-use and building rehabilitation. LIP projects are usually administered at the local level by a local housing partnership and approved by the Board of Selectmen. Affordable housing units created by a LIP project will be counted towards the municipality's 10% low and moderate-income housing goal under Chapter 40B.

- *The HOME Program and the Housing Stabilization Fund:* These programs are offered by HUD (managed at the state level by DHCD) and are designed to support the acquisition and/or rehabilitation of existing structures. Acquisition funds are only available to low-income families. Eligible projects include: property acquisition; housing construction and/or rehabilitation; connecting to public utilities (sewer & water); and making essential improvements such as structural improvements, plumbing improvements and energy-related improvements. These programs are offered every two years. Once again, interested communities need to do a substantial amount of advance work prior to submitting a grant application.
- *The 'Get the Lead Out' Program:* This HUD-sponsored program is managed at the State level by the Massachusetts Housing Finance Agency (MHFA). This is a lead abatement program available to single family homes and 2-4 family properties. Offered on an annual basis, these funds are generally easier to apply for than the above referenced CDBG funds.
- *Home Improvement Loan Program:* Another HUD program managed by MassHousing, this program offers funds to eligible owners of one-to-four unit residential properties so that they can make necessary improvements to their residential structures. Eligible improvements include: sewage disposal systems and plumbing needs; alterations and renovations that will enhance property safety; energy-related improvements and repairs designed to bring the structure up to local building codes. Offered on an annual basis, these funds generally have an easier application process than the above referenced CDBG funds.
- *Community Septic Management Program:* This program was developed at the federal level by the Environmental Protection Agency (EPA) and is administered at the State level by the Department of Environmental Protection (DEP). The program makes available to homeowners loan money (at 5% interest) for repairing failing septic systems.
- *Weatherization Assistance:* HUD provides funding assistance to regional non-profit organizations for fuel assistance and weatherization programs. The Worcester Community Action Council, Inc. is the regional agency that provides such services for Worcester County communities. In order to be eligible for the weatherization program, the applicant must receive some form of federal fuel assistance benefits.

5. Many Charlton Residents are not Yet Homeowners.

Rental units are an important source of housing in every community for a variety of reasons, and according to the 2000 U.S. Census, there are 645 renter-occupied housing units in the Town of Charlton. However, owning a home is a goal for many Americans, and research suggests that homeownership can have a positive influence on families, neighborhoods and the economy. With more than 645 rental households in Charlton, some could be unaware that homeownership is within their grasp and/or could use assistance while going through the home buying process.

A. How Can Charlton Help to Promote Homeownership?

- 1. Homebuyer Counseling, Education.** Homebuyer Counseling and Education are valuable marketing and outreach tools that can help Charlton residents bridge the information gap and prepare them for a successful application and ownership experience. The Town of Charlton could either plan a first-time homeownership initiative by partnering with an agency or institution that provides homebuyer counseling or simply make it known to Charlton residents that such educational organizations exist. There are many nonprofit agencies that offer this service and most have informational brochures that could be displayed at Municipal Offices. They are trained, monitored and certified by the Massachusetts Homeownership Collaborative, which is coordinated by the Citizens Housing and Planning Association (CHAPA). They provide “soup to nuts” information about the home-buying process, from how to budget or repair damaged credit to the many types of mortgage products and down payment assistance programs. Many also sponsor, or participate in, homebuyer fairs. The CHAPA website (www.chapa.org) maintains a list of counseling agencies and their current and planned activities. Many conventional lenders conduct similar programs.
- 2. Soft Second Loan Program.** The Town of Charlton already participates in the Soft Second Loan Program and should continue to do so in years to come. This is a program sponsored by both the public and private sector that combines a conventional first mortgage with a subsidized second mortgage to help low and moderate income households qualify for a mortgage and purchase a home for the first time. The first-time homebuyer must make a 5% down payment (2% needs to be their own money). A standard 30-year fixed rate mortgage covers up to 75% of the purchase price of a home, avoiding the additional expense of private mortgage insurance. A publicly subsidized second mortgage covers the remaining 20%. The borrower makes reduced, interest-only payments on the second mortgage for 10 years. For the first 5 years, public funds will cover up to 75% of the monthly payments on the second mortgage. Over the next five years, the amount of subsidy gradually decreases until it is fully phased out by year 10. By year 11, the homeowner will be paying the full principal payments on the second mortgage.
- 3. Self-Help Housing.** The Town could explore Self-Help Housing programs. Self-Help programs involve sweat-equity by the homebuyer and volunteer labor of others to reduce construction costs. Some communities have donated building lots to Habitat for Humanity to construct affordable single housing units. Under the Habitat for Humanity program, homebuyers contribute between 300 and 500 hours of sweat equity while working with volunteers from the community to construct the home. The homeowner finances the home

with a 20-year loan at 0% interest. As funds are paid back to Habitat for Humanity, they are used to fund future projects.

4. **Senior Work-Off Abatements.** One way the Town could help individuals maintain homeownership would be to further promote Charlton's Senior Work-Off Abatement Program. Some senior citizens may not be aware that such a program exists. After retirement, some senior citizens need to sell their home due to a reduction in income. Further promoting the program could help to reduce the local property tax liability of seniors who are unaware that the program exists in exchange for volunteer service to the municipality.

B. Implementation

Several recommendations are made in this report to assist the Town of Charlton address the housing needs identified in the Housing Assessment and Analysis. These needs include preserving the Town's rural character, assisting lower income groups and the Town's growing elderly population, making a good faith effort to comply with Chapter 40B, improving the physical condition of the housing stock, and promoting homeownership. The following is a housing strategy that the Town could implement to meet its housing needs.

- First, the Town should activate the existing Housing Committee to assume responsibility for implementing some of the recommendations made in this report. Simultaneously, the Committee should work to educate the public about its housing needs and the social and economic benefits associated with different forms of affordable housing. Workshops and public presentations could be arranged to enhance community support for affordable housing policies and initiatives. The Housing Committee should also start to investigate grant opportunities, including those that would improve the physical condition of the housing stock. *Responsible Entity: Housing Committee.*
- To help retain its rural character, the Town should further encourage the use of its Flexible Development zoning provision. When reviewing proposed plans, the Charlton Planning Board should address deed covenants that determine ownership, public access, and maintenance responsibilities of open space early in the review process. To further enhance the rural character of the community, the Town should also promote the use of its Reduced Frontage zoning by-law. *Responsible Entity: Planning Board.*
- The Town should explore the possibility of a tiered road width standard. Excessive road widths can have negative impacts on the rural character of a community, inflate housing development costs, and can cause environmental damage (i.e. lower groundwater recharge rate, high volume stormwater runoff, etc.). Currently, the Town's Subdivision Regulations require that all new subdivision roads have a minimum width of 35 feet, which is unnecessary in most cases. *Responsible Entity: Planning Board.*
- The Town has taken a proactive approach to allow multi-family dwellings in the community through its zoning bylaw. Higher density housing can be more affordable and can also alleviate some pressure to develop housing in more rural areas. One way the Town could further promote multi-family dwellings is through adaptive reuse. An

inventory of public and private land/buildings suitable for multi-family housing and subsidized housing should be conducted.

The Community Preservation Act is a good tool to promote adaptive reuse projects while simultaneously preserving open space and historic resources; although it was voted down at Charlton Town meeting, the Town may wish to reconsider the Community Preservation Act sometime in the future. If the Town decides to pursue funds under this state program again, broad based community support will be necessary; a majority vote at Town meeting is required to participate. Since participation in the program would result in a 1 to 3% surcharge on local property taxes, the Town will need to educate the public concerning the advantages that could be realized by the Town, and that the advantages outweigh the surcharge on local taxes. A Community Preservation Committee should be formed prior to Town Meeting, and a detailed outline concerning the uses of the funds and the benefits to the community should be presented as clearly and concisely as possible.

The Town should also raise awareness of the possible use of its Accessory Apartment Bylaw. This would help to assist lower income family members including the elderly on a fixed income. *Responsible Entity: Housing Committee.*

- The Town should continue to work with Masonic Home, Inc. concerning the proposed Overlook Continuing Care Retirement Community project located along Masonic Home Road to ensure that the Town's elderly population housing needs are addressed for years to come. Charlton's older population is increasing. This development would provide housing for a segment of the population that is not adequately served by Charlton's housing supply. In addition, the Town should promote the use of its Senior Housing Bylaw. Senior housing would probably have a minimal impact on town finances since very few school age children would reside in this type of housing. *Responsible Entity: Planning Board.*
- There are more than 645 occupied rental units in Charlton and most Americans strive towards the goal of owning their own home. Furthermore, homeownership promotes stability, has a positive impact on neighborhoods, and is good for the economy. The town should continue to participate in the Soft Second Loan Program and perhaps display homebuyer counseling and education pamphlets and brochures at Municipal Offices. *Responsible Entity: Housing Committee.*
- The Zoning Board of Appeals should attend training sessions on how to deal with Comprehensive Permits. The Town has been subject to a Comprehensive Permits in the past and when others are proposed in the future, the Town would be better prepared. *Responsible Entity: Zoning Board of Appeals.*
- Over the long term, as the real estate market continues to strengthen and housing costs escalate in Charlton, the Town should begin to investigate more complex housing strategies such as inclusionary zoning/incentive-based zoning. In addition, Transfer of Development Rights (TDR) is a tool with the potential to direct growth to more suitable

locations while protecting natural resources. More information on TDR is available on the American Farmland Trust-Farmland Information Center web site at www.farmlandinfo.org/fic/tas/tafs-tdr.html including a list of local governments with TDR programs that could be contacted by the Town. In addition, a model Transfer of Development Rights Bylaw/Ordinance can be found at www.capecodcommission.org/bylaws/tdr.html. *Responsible Entity: Planning Board and Conservation Commission.*

4. HOUSING UNIT PRODUCTION AND LAND USE SUITABILITY

Housing Unit Production: According to the Housing Assessment and Analysis, the Town of Charlton is expected to grow by 1,213 persons between the years 2000 and 2010 (See Page 2) and the typical Charlton household contains 2.92 persons (See Page 4). Taking into consideration the trend towards smaller household sizes and assuming the average household size will decline at the same rate as last decade, to an estimated 2.86 persons per household by the year 2010, it is anticipated that an additional 424 housing units will need to be produced between the years 2000 and 2010 in order to house the expected population increase. The State Department of Housing & Community Development (DHCD) Year 2003 Housing Certification Program lists the median family affordable purchase price for a new home in the Worcester PMSA at \$285,592. Approximately 43 out of 61 (about 60%) units created in Charlton met the affordable criteria in the Year 2003 Housing Certification Program. The Town should try to maintain this balance; the Town's short-term numerical goal for total housing unit production should be a minimum of 42 housing units per year, and 60% or 25 units should meet the affordable purchase price.

The Town currently has a relatively low mix of rental units (17% of the housing stock) in comparison to similar communities (See Page 8) and should strive to increase or at a minimum maintain this balance. Out of the additional 424 total units to be produced by the year 2010, more than 17% or 72 units should be rentals.

The Housing Assessment and Analysis indicates that much of the housing stock in Charlton is relatively affordable (See Pages 11-12). However, only 1.96% of the Town's housing stock counts towards the State's Subsidized Housing Inventory (See Page 12). While this is not unusual for a community like Charlton, there is a shortage of affordable rental units for poverty and low-and-moderate-income groups and the Town's elderly population is growing. The Town should make a good faith effort to increase the supply of these units.

Land Use Suitability: The following identifies development potential throughout the Town of Charlton. It is to be used together with housing recommendations, housing unit production goals, the Charlton 1996 Open Space Plan, the December 2000 Charlton Master Plan, and the Housing Suitability Map included in the Community Development Plan (See Page 31). The Housing Suitability Map locates those areas of town, which are best suited for various types of land uses. A comparison of the Town's Zoning Map and the districts that allow residential development, leads to the following conclusions concerning future residential development and land use suitability.

According to the Zoning Bylaws, the intention of the Residential – Small Enterprise (R – SE) District is to provide sites for a mixture of medium and low density residential uses and small-scale commercial and light industrial uses appropriate to an existing mill village. The build-out scenario indicates that this district is very limited in terms of new development potential (just over 51 acres or 56 buildable lots). However, Charlton Bylaws do allow a 50% density bonus for multi-family development in R-SE zones that have sewer connections, by reducing the minimum lot size from 40,000 square feet to 20,000 square feet for sewer multi-family development. The following housing options should be promoted in the R-SE Zone to help serve the needs of young adults, empty nesters, small families, special needs citizens, and others seeking smaller than traditional housing and requiring access to major transportation routes for commuting purposes:

- Duplexes and Multi-family Housing (See Page 19) in areas with appropriate infrastructure
- Adaptive Reuse (See Page 15)
- Accessory Apartments (See Page 19)

Similar to the R-SE District, the Neighborhood Business (NB) and the Commercial Business (CB) Districts also allow a mix of business and residential uses. The following uses should be promoted in these districts to serve those seeking smaller than traditional housing in close proximity to small businesses and services and major transportation routes:

- Detached One-Family Dwellings
- Accessory Apartments
- Detached Two-Family dwellings

The purpose and intent of the Low Density Residential District (R-40), according to the bylaws, is to provide sites for low-density residential development with respect to the existing character of the neighboring homes and properties, including compatible related home oriented activities and pursuits in a rural environment. The Low Density Residential District requires 40,000 square foot lots and according to the build-out scenario, there are more than 861 buildable acres in this district with the potential for 938 additional lots. The district contains infrastructure (sewer, water, roads) in some areas to accommodate higher density housing. However, the R-40 District is primarily a desirable location for residential uses serving families and the elderly. The following should be promoted in the R-40 District:

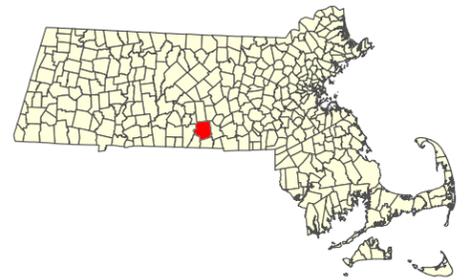
- Duplexes, Multi-Family housing, and Adaptive Reuse in areas with appropriate infrastructure
- The Town’s Flexible Development Bylaw (See Page 15) and Reduced Frontage Zoning (See Page 16) to help retain the rural character of the community

- Additional elderly/special needs, or family housing units in close proximity to existing subsidized housing along Masonic Hill Road
- The Town's new Senior-Bylaw, adopted in May 2002

According to the Town's Zoning Bylaw, the intention of the Agricultural District is to provide for agricultural and the lowest density residential sites while at the same time encouraging open space, preserving or enhancing views, protecting the character of the historic rural and agricultural environs, preserving or enhancing visual landscapes, recognizing site and area limitations for on-site waste water disposal systems in terms of drainage, soil suitability, proximity to surface and aquifer and other sub-surface water resources, and slope. The Agricultural District requires 60,000 square foot lots, and, according to Charlton's build-out scenario, has the highest development potential (6,407 buildable lots) of all zoning districts. The Agricultural District is a good location to serve families and the elderly while helping to retain the Town's rural character through the use of:

- Flexible Development
- Accessory Apartments
- Reduced Frontage Bylaw Zoning
- The Town's Senior-Bylaw
- Transfer of Development Rights (See Page 17)

Town Of Charlton Housing Suitability Map



*Proposed Peaceful Meadows,
60 Unit Development*

*Promote Flexible Development &
Reduced Frontage Lots in A
and R-40 Zoning Districts*

*Promote the use of Senior Housing Bylaw
in A and R-40 Zoning Districts*

*Approved 8-Unit
Comprehensive Permit*

*Promote Use of the
Accessory Apartment Bylaw*

*Encourage Duplexes, Multi-Family Housing
and Adaptive Re-use in Areas with Suitable
Infrastructure*

*Additional Elderly/Special Needs or
Family Housing Units Along Masonic
Hill Road*

*Consider the Potential Use of
"Transfer of Development Rights"
in the Agricultural District*

- Legend**
- Town Boundary
 - Zoning Boundary
 - Developed Land
 - Slopes > 25%
 - Existing Sewer Lines

- TRANSPORTATION**
- Active Rail
 - Local Road
 - Major Road

- HYDROGRAPHY**
- Stream
 - Intermittent Stream
 - 100' River Protection Act Buffer
 - Floodplain
 - Water Body

- OPEN SPACE**
- Municipal
 - Permanently Protected

ZONING CODE DESCRIPTION	
CODE	DISTRICT
A	Agriculture
C-B	Community Business
I-G	Industrial - General
BEP	Business Enterprise Park
N-B	Neighborhood Business
R-40	Low Density Residential
R-SE	Residential - Small Enterprise

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Produced by the GIS Center at
Central Massachusetts Regional Planning Commission.
35 Harvard Street, Second Floor, Worcester, MA 01609-2801

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MEMORANDUM

DATE: July 22, 2003
TO: Charlton Planning Board
FROM: Stephen Wallace, CMRPC
RE: Integrating Agricultural-Related Businesses into the Zoning Bylaw

As you may be aware, part of Charlton’s planning program sponsored by Executive Order-418 involves having CMRPC conduct research on how the Town can better integrate agricultural-related businesses into its zoning scheme. Towards that end, I have prepared this memo as a starting point for discussing the topic. Before beginning, it is important to understand the State’s legal context in regard to zoning for agricultural uses.

MGL 128, §1-A provides the following definitions for the terms “agriculture”, “farming” and “farmer”:

“Agriculture and farming shall include farming in all its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur-bearing animals, and any practices, including any forestry or lumbering operations, performed by a farmer, who is hereby defined as one engaged in agriculture or farming as herein defined, or on a farm as an incident to or in conjunction with such farming operations, including preparations for market, delivery to storage or to market or to carriers for transportation to market.”

Further, Chapter 40-A §3 of Massachusetts General Laws (MGL) states that local zoning bylaws shall not:

“prohibit, unreasonably regulate or require a special permit for the use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture; nor prohibit, or unreasonably regulate, or require a special permit for the use, expansion, or reconstruction....except that all such activities may be limited to parcels of more than five acres in area not zoned for agriculture, horticulture, floriculture, or viticulture.”

A review of Charlton’s zoning bylaw indicates that raising and keeping livestock on parcels over five acres is allowed By Right throughout town. Raising and keeping livestock on parcels of five acres or less is permitted By Right in the Agricultural and R-40 districts; permitted By Right with site plan review in the R-SE, NB and CB districts; and not allowed in the two industrial districts (I-G and IP). The raising of crops is allowed By Right throughout town regardless of parcel size, as are greenhouses. The zoning bylaw currently does not address the issue of farm-stands, either as a principal or accessory use. With this overview of the State’s legal context and the particulars of Charlton’s local zoning bylaw in mind, it is time to review the town’s options for promoting agriculture as a preferred land use.

1. **State Your Purpose:** First things first: If preserving farmland and agricultural soils is something the town wants to achieve through the local zoning bylaw, then this goal should be incorporated into the bylaw’s “Purpose” section (Section 1.2). It should be noted that the Town’s Master Plan does not contain any goals that directly reference the preservation of farms, farmlands or agricultural soils.

2. **Define Your Terms:** The Charlton zoning bylaw’s definition of “farm” is rather abbreviated:

“Farm: a tract of land in separate ownership devoted primarily to agricultural use, including the raising of livestock.”

This scant definition is all too typical of zoning bylaws for small, rural communities in Massachusetts. Some of the more expansive local bylaw definitions for agricultural uses are from other states. Here are two examples:

- “Agriculture/Farming: The cultivation or other use of land for growing food, fiber, Christmas trees, maple sap, or horticultural and orchard crops; or the raising, feeding or management of livestock, poultry, equines, fish or bees; or the operation of greenhouses; or the production of maple syrup; or the on-site storage, preparation and sale of agricultural products principally produced on the farm; or the on-site production of fuel or power from agricultural products or wastes produced on the farm.” Source: Chittenden County Vermont Regional Plan.
- “Agricultural Operations: Any agricultural activity, operation, or facility taking place on agricultural land including, but not limited to, the cultivation and tillage of the soil; dairying; the production, irrigation, frost protection, cultivation, growing, harvesting, and processing of any commercial agricultural commodity, including timber, viticulture, apiculture, horticulture; the raising of livestock, fur-bearing animals, fish or poultry; agricultural spoilage areas; and any practices performed by a farmer or on a farm as incidental to or in conjunction with such operations, including the legal application of pesticides and fertilizers, use of farm equipment, storage or preparation for market, delivery to storage or to market, or to carriers for transportation to market.” Source: Georgia Department of Community Affairs – Model Code.

From the two example definitions, Charlton planners can pick and choose which items would make sense to include in an expanded definition for farm/agriculture in the bylaw. I would suggest some further additions: agriculture-related research & development facilities (such as the GTC Biotherapeutics Inc. goat farm), agri-tourism operations, farm-related retail sales (more on this below), and pick/cut your own operations. The Massachusetts Department of Agricultural Resources (MDAR) has prepared a primer on agri-tourism and this paper is attached for review. It should be noted that the Quinebaug-Shetucket National Heritage Corridor has a vast array of resources to help communities develop agri-tourism opportunities.

3. **Where, What & How:** As mentioned previously, raising and keeping livestock on parcels over five acres is allowed By Right throughout town. Raising and keeping livestock on parcels of five acres or less is permitted By Right in the Agricultural and R-40 districts; permitted By Right with site plan review in the R-SE, NB and CB districts; and not allowed in the two industrial districts (I-G and IP). The raising of crops is allowed By Right throughout town regardless of parcel size, as are greenhouses. Assuming that Charlton planners want to expand the bylaw definition of farming/agriculture to be more inclusive, a few questions must be answered first:

- First of all, is the Planning Board comfortable with allowing ALL of the variety of agricultural uses throughout ALL of the town? If so, under what circumstances (i.e., By Right, By Right with site plan review, or by Special Permit)? Remember that MGL Chapter 40-A §3 does not allow the Town to prohibit or require a Special Permit if the agricultural operation is located on a parcel at least five acres in size.
- Are there some types of agricultural operations that should be restricted to certain areas of town? If so, which types of agricultural operations and where in town should they be allowed?

Here are some site plan issues to consider for agriculture-related research & development operations:

- **Size:** It may be appropriate to require agriculture-related research & development facilities to be located on parcels of at least 10-to-20 acres in order to avoid conflicts with residential neighbors.
- **Agricultural Land Preservation:** Much akin to the cluster development option where a certain amount/percentage of land is preserved as open space in perpetuity, it may be appropriate to have a similar clause for agriculture-related research & development facilities if such operations are required to have large minimum lot sizes (like the 10-20 acre size limit suggested above).
- **Appearance:** It may be appropriate to have some architectural appearance standards for agriculture-related research & development facilities. If the town wants to ensure that such operations have the aesthetic appearance of your typical New England farm (as opposed to four-story glass towers), then the issue of architectural appearance should be addressed in the site plan standards for such uses.
- **The Typical Site Plan Issues:** buffer strips for nearby residential neighbors, building height, ingress/egress, parking, dumpster screening, drainage, signage, etc.

Many communities in Massachusetts have created special zoning districts for agriculture, such as Granby (Agricultural Preservation District) and Northampton (Farms, Forest & Rivers Overlay District). The Granby Agricultural Preservation District applies the cluster development concept, except that its focus is permanently protecting large tracts of agricultural lands/soils rather than protecting land for general open space purposes. The Northampton overlay district does much the same thing as the Granby bylaw, however it goes further by allowing the transfer of development rights (TDR) for the purpose of protecting agricultural lands/soils. Thus, special districts can be set up for agricultural purposes (as in the Granby example) or they can be allowed town-wide based on specific criteria as an overlay district (as in the Northampton example). Both of these options may be above and beyond what the Town is looking for, but CMRPC can research them more in depth at the Planning Board's request.

4. **Farm Stand Retail Activities as an Accessory Use:** Before outlining the options available to Charlton in this regard, it is important to note the protections afforded to farm stands by State law. MGL Chapter 40-A, §3 affords special protection to:

“Facilities for the sale of produce, and wine and dairy products, provided that during the months of June, July, August and September of every year or during the harvest season of the primary crop raised on land of the owner or lessee, the majority (defined by case law as 51%) of such products for sale, based on either gross sales dollars or volume, have been produced by the owner or lessee of the land on which the facility is located.”

In Massachusetts, many local zoning bylaws provide for the retail sale of farm products, usually with limitation on the total amount of sales area, the percentage of sales that may be derived from goods not grown or produced on-site, or both, as long as they are consistent with the protections afforded to such uses under MGL Chapter 40-A, §3. However, farmers are under increasing competition for customers and direct sale to the public can contribute to the sustainability of agricultural operations. Given the competition facing farmers, it makes sense to allow as much flexibility as possible as long as the farm remains the principal use and the rural character of the area is not compromised. Thus, including “farm-related retail sales” in your farm/agriculture definition or table of uses might be a good idea. Questions to answer in this regard include:

- Should farm-related retail sales be allowed on any tract of land regardless of size (for example, a farm stand on a vacant corner lot); or should they be limited to large tracts of active farmland?
- Should farm-related retail sales be limited to products grown/produced on-site (51% of the products need to be produced on-site) or should products grown/produced elsewhere also be allowed for sale? If products that do not qualify as “local origin” are permitted, should there be cap on their percentage of all goods sold in the business (for example, “at least 51% of the goods sold shall have been grown/produced on-site”)?
- Should farm-based retail businesses include temporary structures as well as permanent ones? What level (if any) of site plan review do you want to subject such uses to?

- Should an upper limit be established on the total building area or total retail sales area (for example, some communities limit the size of a roadside farm stand and/or limit the amount of land that can be used for retail sales)?
- What type of signage requirements are appropriate for farm-stands and should the signage size be dependant on the size of the farm-stand (i.e., a sliding scale)? The current zoning bylaw does not have any signage provisions that directly relate to farm-stands.
- Should there be a limitation on the number of parking spaces that are associated with farm-based retail sales? If farm-based businesses are limited to small farm stands, the principal access issues may relate to safety as cars pull off to the roadside. However, larger farm-based retail operations may require the Planning Board to give more attention to site ingress and egress, parking area circulation, paving and drainage – the things that are typically addressed through a site plan review process.

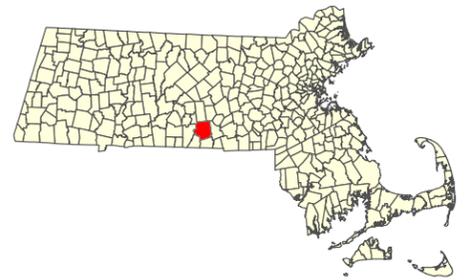
MDAR has prepared a paper on farm-stand essentials and design considerations, and this paper is attached for review.

5. **State Programs:** There are three State-sponsored programs of note: the Agricultural Preservation Restriction (APR) program; the Farm Viability Enhancement Program, and the Agricultural Incentive Area (AIA) program. Here are a few details on each:

- **Agricultural Preservation Restriction (APR):** This program allows the State (Department of Food & Agriculture) to purchase the development rights of farmland from a farmer while allowing the farmer to continue to live on-site and continue the farming operation as an on-going concern. Although the APR program has experienced a significant backlog during the past three years, a conversation with Richard Hubbard (Manager of the APR program) indicates that the backlog has been eased and now is a good time for farmers to apply for inclusion in the APR program.
- **Farm Viability Enhancement Program:** This is a business planning program that looks at ways of diversifying and modernizing an existing farm's operations. This is essentially a technical assistance program offered by the State to existing farming operations as a way to help them diversify, become more efficient and overall stay in business. MDAR has prepared a primer on the Farm Viability Enhancement Program and this paper is attached for review.
- **Agricultural Incentive Areas (AIA):** Chapter 40-L of MGL allows municipalities to establish Agricultural Incentive Areas in their communities. Essentially, this effort would involve mapping all active farming operations and farmland soils, identifying the owners of the affected lands, securing their permission to be included in the AIA, having the finalized boundaries of the AIA approved by the State Agricultural Lands Preservation Committee and upon their approval, having the boundaries of the AIA adopted at the local Town Meeting by a 2/3 vote. So what's the incentive here? Simply having such lands receive higher priority in the APR program application process and nothing more. This is perhaps why no municipality in Massachusetts has ever adopted an AIA, despite the law being on the books for over twenty years.

6. **Non-Regulatory Efforts:** Lastly, I would ask the Town what is it doing to protect and preserve the remaining lands that are suitable for agriculture. Has an inventory been prepared of large lot landowners (i.e., those property owners that own contiguous tracts of land of 50 acres or more)? Is the Town working with an area land trust to reach out to these large lot landowners to educate them about their estate planning options? It is important to have a strategy for securing agricultural lands BEFORE they get developed residentially.

Town Of Charlton Community Development Plan Action Map



Promote High Quality Development in New BEP District

Promote Flexible Development & Reduced Frontage Lots in A and R-40 Zoning Districts

Promote the use of Senior Housing Bylaw in A and R-40 Zoning Districts

Encourage Duplexes, Multi-Family Housing and Adaptive Re-use in Areas with Suitable Infrastructure

Revise Development Standards and Create New Village District

Additional Elderly/Special Needs or Family Housing Units Along Masonic Hill Road

Consider the Potential Use of "Transfer of Development Rights" in the Agricultural District

Work with MHD to Create Bicycle Route Along Route 31

- Legend**
- Town Boundary
 - Zoning Boundary
 - Zoning District to Re-Zone
 - Existing Sewer Lines
- TRANSPORTATION**
- Active Rail
 - Local Road
 - Major Road
 - Mid-State Hiking Trail
 - Other Existing Trail
 - Potential Trail
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