



Town of Sturbridge: Commercial Tourist District PDA (#287-8)

Purpose of Analysis

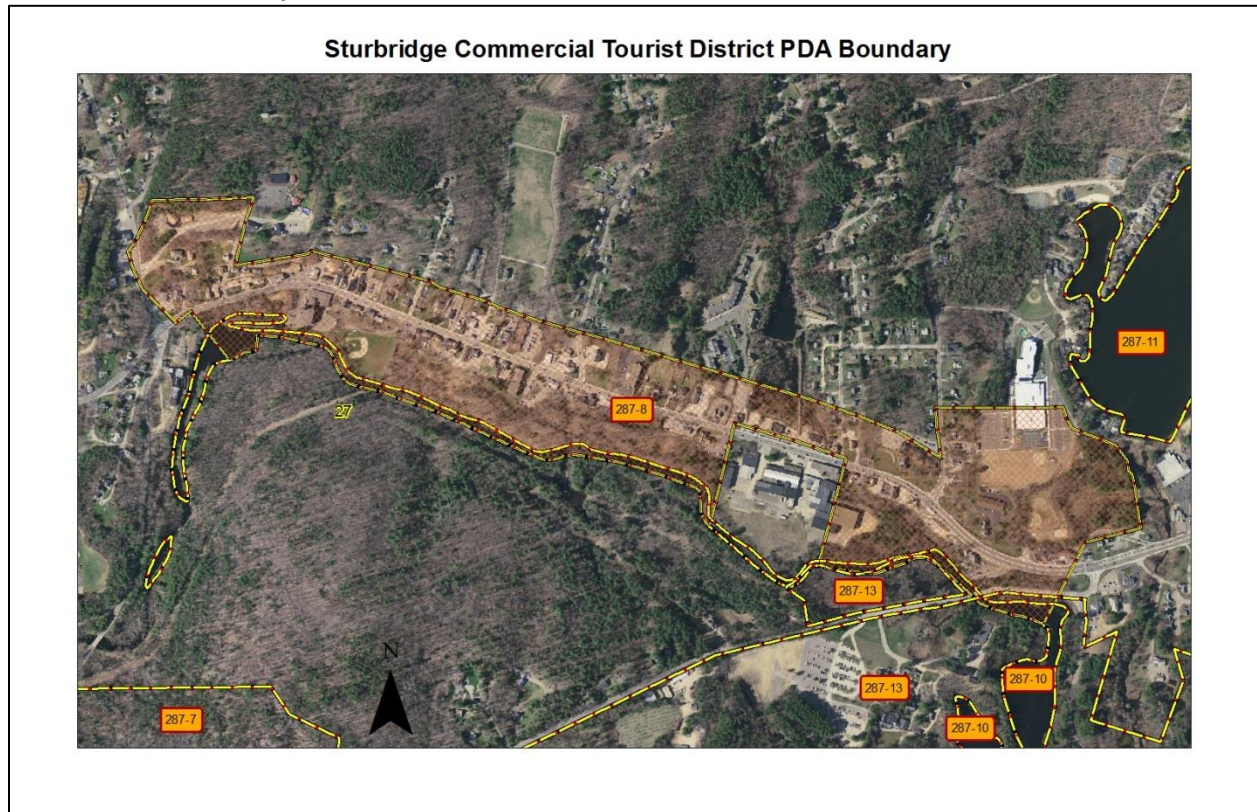
The Commercial Tourist District Priority Development Area was identified by the Town of Sturbridge as a Priority Development Area within the 2012 Central-13 Prioritization Project (PDA# 287-8) (See Map 1 for location of the Commercial Tourist District PDA on the following page). Priority Development Areas (PDAs) are areas within a municipality that have been identified as capable of supporting additional development or as candidates for redevelopment. These are areas on which a town is focusing its energy to promote thoughtful economic development that is closely tied to the community's goals. The Commercial Tourist District PDA was identified both as a local and regionally significant Priority Development Area (PDA). In 2014, Commercial Tourist District was identified by the Commonwealth of Massachusetts as a State-identified PDA.

PDA assistance projects are intended as a "next step" following the completion of a prioritization project. Planning funds from the District Local Technical Assistance (DLTA) Program support the effort and up to 25 hours of technical assistance may be provided to each interested community. Specifically, the objective of this project is to provide participating communities with a packet of information for a PDA that can be used to guide them in identifying possible zoning changes, development of a Chapter 43D application¹ or other grant applications (MassWorks; DHCD's Downtown Technical Assistance), promotion to developers, as a template for future analysis of additional PDAs, etc. CMRPC staff worked with each participating community to ensure that the technical assistance provided was tailored to the town's specific needs.

The Town of Sturbridge's DLTA request was submitted on behalf of the Town of Sturbridge by Jean M. Bubon, AICP, Town Planner, and Shaun A. Suhoski, Town Administrator, in February 2014 for "...an analysis of parcel size and configuration in the District as it relates to dimensional controls, the creation of bylaws to promote infill, and a review of parking requirements for this District, with the goal of recommending bylaw amendments to facilitate the defined vision for this corridor." After a meeting between the Sturbridge Town Planner and CMRPC Staff on May 28, 2014 it was agreed to have CMRPC Staff focus most of the 25-hour technical assistance time on the parcel size and configuration analysis as it relates to existing dimensional controls under the Sturbridge Zoning Bylaw for the Commercial Tourist District. CMRPC would also provide assessment of the existing parking requirements. Recommendations related to both dimensional controls and parking requirements would be provided. CMRPC's Principal Planner, Eric R. Smith, AICP, acted as the Project Manager for this Project.

¹ www.mass.gov/hed/business/licensing/43d

Map 1: Location of the Commercial Tourist District PDA (#287-8)



Background Info for this DLTA Project:

The overarching goal for this Report was to have CMRPC Staff assist in the review, assessment and assist in providing final zoning recommendation to promote redevelopment strategies that were proposed in 2009 CMRPC Commercial Tourist District Revitalization Study.

The Town of Sturbridge, working with CMRPC, prepared a Commercial Tourist (CT) District Revitalization Study in 2009 and a Master Plan the following year (completed 2011 and prepared by VHB). The Study defined a Vision for the corridor and provided a series of recommendations and goals to help achieve that Vision. While many recommendations of the CT District plan have been achieved – most notably a conceptual corridor plan adopted by the Planning Board on January 14, 2014 – only some of the zoning recommendations have been achieved due to limited Town resources.

The following Zoning Goals of the Commercial Tourist District Revitalization Study (2009) provide impetus to CMRPC's work on this Project:

Goal 6.C.: Develop zoning bylaws that promote redevelopment and reuse of existing structures. Such "infill" approaches would in particular, waive the required parking requirements when a property is proposed for redevelopment. Maintaining an active and vibrant property contributes significantly to the vitality of the District and the economic sustainability of the community.

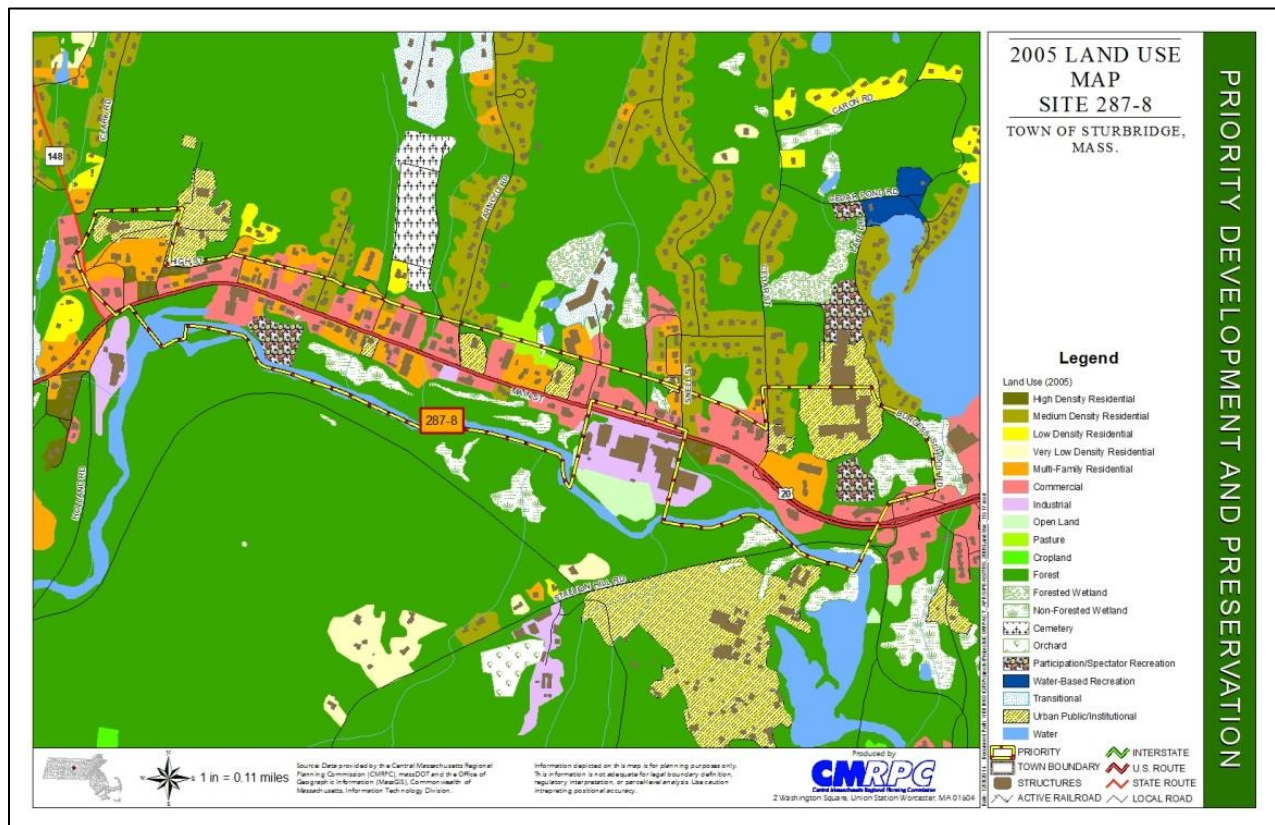
Goal 8.A.: Consider reducing the dimensional requirements in the CT District, particularly with regard to minimum lot size and front setback areas, and increasing the maximum lot coverage.

Goal 8.D.: Develop infill or redevelopment/reuse provisions in the zoning bylaws that facilitate reuse of existing structures by exempting those activities from certain current requirements, notably parking provision.

Land Use:

A review of the existing land use, based on 2005 MassGIS data, shows the primarily commercial nature of the Commercial Tourist District. Other land uses that are part of the mix of existing land uses within the CT District include multi-family residential, the forested and wetlands areas adjacent to the Quinebaug River on the south side of the District and half of the Burgess Elementary School and there is property associated with the St. Anne’s Church and Shrine on the northwest side of the District.

Map 2: Existing Land Use

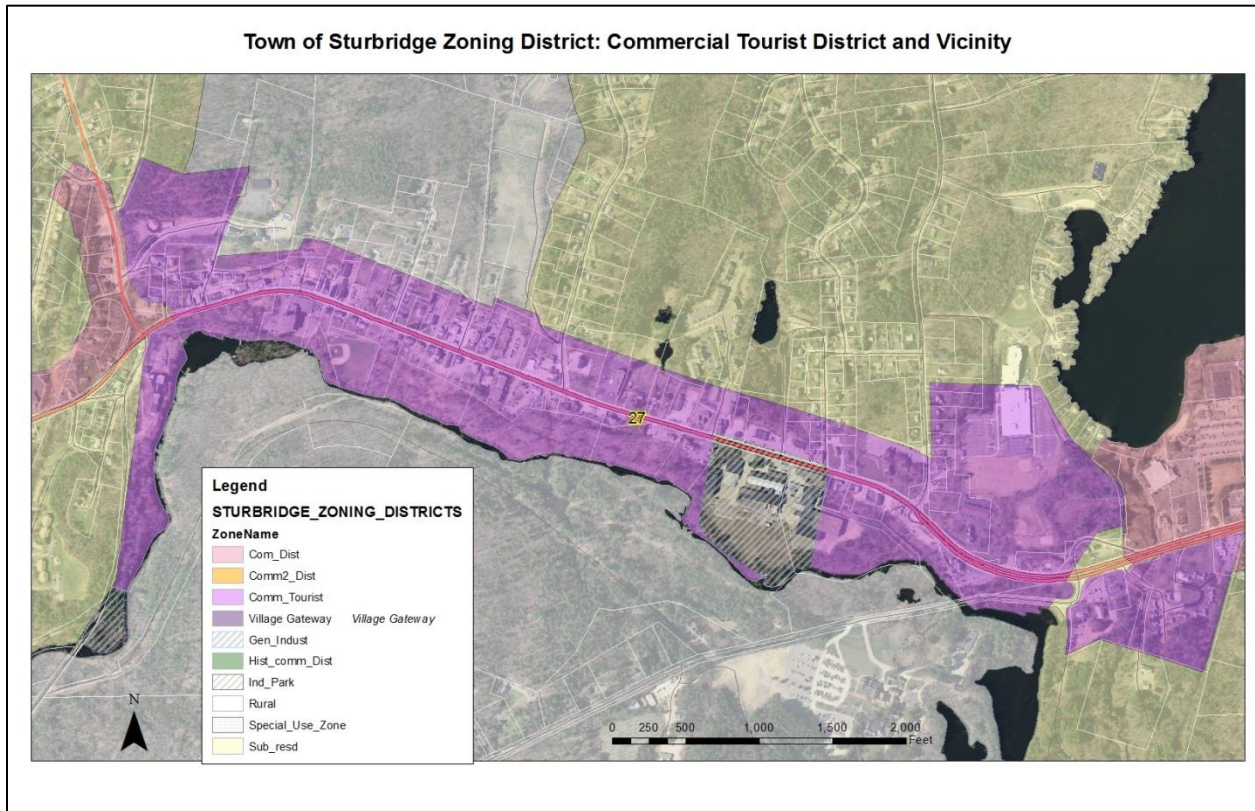


Zoning

The Town of Sturbridge’s Commercial Tourist District comprises the namesake for the zoning district and of this PDA. Although the boundary of the PDA extends further to the east than the zoning district, as the PDA extends easterly to New Boston Road. Both the PDA and zoning district end on the westerly side at Brookfield Road. According to the Chapter Eight of the Zoning Bylaw, the Commercial Tourist

(CT) District is “intended to provide goods and services primarily for transients and tourists.” The CT District, as shown on Map 3 on the following page, is located along Route 20 (Main Street) generally west of Burgress School Road (on the north side of Route 20) to Brookfield Road. It is located north of the Old Sturbridge Village museum complex. This important cultural institution is what helps give the Commercial Tourist District its namesake.

Map 3: Zoning in Study Area



Use Assessment: The various land uses allowed in the CT District are either allowed by-right or subject to approval by Special Permit, based on the Use Regulations provided for in Chapter Eight of the Zoning Bylaw.

The following uses are allowed by-right, per Section 8.01 of the Zoning Bylaw:

- Single-family Dwellings
- Apartments accessory to a commercial building (not to exceed 2 dwelling units per building).
- Hotels, Motels and Inns
- Gift shops, apparel shops, bookstores, galleries, banks, professional and business services, newsstands, furniture, drapery, music and video, pharmacy, sporting goods, bicycle shops, jewelry, hobby, toy and games stores, camera and photo supplies, luggage and leather, sewing, needlework and piece goods, florists, photographic studios, art dealers and places for display or sale of handicrafts, provided all displays are within the building. Areas for the production of goods are to be limited to no more than 35% of total floor areas. Total area shall not exceed 7,500 square feet per shop.

- Restaurants, bakeries, delicatessens, candy, nut and confectionery stores, dairy, and specialty foods and places serving food for consumption on the premises. Total floor area shall not exceed 7,500 square feet per place.
- Offices serving the travel industry. Total floor area shall not exceed 7,500 square feet per office.
- Dwelling units located above the first story of a structure which is primarily used for a permitted use in this district and secondarily used as a residence (CMRPC Staff notes that this latter provision seems redundant given the “*Apartments accessory to a commercial building (not to exceed 2 dwelling units per building)*” use listed above. It is also not as specific in terms of the 2 dwelling unit maximum the other clause provides.).
- Accessory uses customarily incidental to a permitted main use on the same premises.
- Walking, hiking, bicycling, roller skating, picnicking, cross-country skiing, snow shoeing through the establishment of trails
- Beauty salons and barber shops.
- Dry cleaning and laundromat. Total floor area shall not exceed 4,000 square feet.
- Farm including agriculture, horticulture, and viticulture, provided that the lot is not less than five (5) acres, including facilities for the sale of produce, wine and dairy products, insofar as the majority of such products for sale have been produced by the owner of the land on which the facility is located.
- Religious, educational or governmental use.

In addition to the permitted by-right uses noted above, Section 8.02 provides a series of uses that may be allowed by Special Permit from the Special Permit Granting Authority (SPGA) in accordance with the regulations appearing in Section 24.09 of the Bylaw. Based on CMRPC’s review of the Town of Sturbridge Zoning Bylaw, the Zoning Board of Appeals (ZBA) acts as the SPGA, except for Bed and breakfast uses.

These uses allowed only with the Special Permit approval, per Section 8.02 of the Zoning Bylaw are as follows:

- Lodging houses or tourist homes.
- Dramatic or motion picture theaters.
- Bed and breakfast (Planning Board acting as SPGA)
- Miniature and/or par three golf
- Youth Center

CMRPC Staff does not see any problematic uses of those uses that are currently allowed; other than the conflict associated with accessory apartments use provisions within the Zoning Bylaw previously identified. CMRPC notes a benefit of the fact that art galleries are allowed use as an explicit land use within the Zoning Bylaw, as it could assist in the promotion of the area as an arts and cultural destination, building on the Old Sturbridge Village and also the Town of Brimfield’s Antique Shows.

However, the Town of Sturbridge should conduct a more detailed assessment of existing allowed uses within the Commercial Tourist Zoning District to see if there should be any changes. Such changes would include adding new uses, based on any new contemporary land uses. The Town of Sturbridge recently completed a similar assessment for its Historic Commercial District and adopted the changes at the June 2012 Town Meeting. CMRPC Staff also discovered that the Town of Sturbridge is missing a Table of Use summary in its Zoning Bylaw, which is found in a majority of communities zoning bylaws. We recommend the Town develop a Table of Use for all the various allowed uses across all zoning

district. Speaking with the Town Planner, CMRPC Staff understands that the Town does have a goal to develop such a Table of Uses, but the Town wants to update all the uses in each District first.

As discussed on pages 12-13 a majority of the Commercial Tourist District PDA area is also within the Town's Groundwater Protection District Bylaw. Therefore redevelopment of parcels within the CT District are subject to the set of requirements of the Groundwater Protection District Bylaw. CMRPC's assessment of prohibited uses are that none of these uses are uses that the Town would want to promote to meet the purpose of the Commercial Tourist District anyways, so that is beneficial. Of the six (6) uses that are subject to Special Permit, CMRPC Staff notes the one that specifies that *"any use that will render impervious more than fifteen percent (15%) or two thousand five hundred (2,500) square feet of any lot, whichever is greater"* is one that could come into play as redevelopment of the area continues. The Bylaw provides for performance standards as follows: *"A system for groundwater recharge must be provided which does not degrade groundwater quality. For nonresidential uses, recharge shall be by stormwater infiltration basins or similar system covered with natural vegetation, and dry wells shall be used only where other methods are not feasible. For all nonresidential uses, all such basins and wells shall be preceded by oil, grease and sediment traps to facilitate removal of contamination. Any and all recharge areas shall be permanently maintained in full working order by the owner."*

The Planning Board acts as the Special Permit Granting Authority (SPGA) for Special Permits under the Groundwater Protection District Bylaw. Such special permit shall be granted if the Planning Board determines, in conjunction with the Public Works Director, Board of Health, the Conservation Commission and Board of Selectmen, acting as Water Commissioners, that the intent of this Article, as well as the set of specific criteria, are met.

Based on a review of the Town's Commercial Tourist District zoning provisions (per Section 8.03 of the Zoning Bylaw), most development/redevelopment is subject to Site Plan Review. Chapter 25 of the Bylaw governs the Site Plan Review process.² Section 25.05 provides the "Criteria for Approval" that the Planning Board shall use in reviewing site plan applications. Section 25.06 provides a series of performance standards for review of all site plans. Thus, unless a use is a single or two-family or one of the exempt agricultural uses per Section 25.02, all new development in the CT District will have to have their development address how their development will meet the following performance standards:

- 1) Relationship to other Plans
- 2) Preservation of landscape
- 3) Relation of building to environment and surroundings
- 4) Circulation (both traffic and pedestrian)
- 5) Surface water drainage (CMRPC Staff notes that the Town encourages applicants to use "Green Techniques", also known as "Low Impact Development" for stormwater management techniques)
- 6) Ground water recharge and quality preservation
- 7) Utilities
- 8) Advertising (signage)
- 9) Other site features

² Per Section 25.02, "All uses, other than single family and two family dwellings, horticultural nursery, farm, tree farm, professional office when office and residence of the professional are both located in the same residential building when the property is located in a residential zone, and accessory uses customarily incidental to these uses, shall be subject to the Site Plan Review."

- 10) Open space
- 11) Bonds (related to performance guarantee for required infrastructure and site improvements)
- 12) Start of construction
- 13) Certificate of Occupancy/ Designer's Certificate.

There is a separate section within Site Plan Review that addresses Landscaping, Screening and Buffers (Section 25.07). This bylaw addresses not only new landscaping requirements, but also calls for preservation of existing landscape and natural features. The provisions also provide for screening and buffering between neighboring uses and development with a greater buffer distance required for different uses (e.g. commercial and residential). CMRPC Staff notes our support for the idea of having an increased buffer for business uses that abut residential uses.

There is a requirement for interior parking lot landscaping, for lots with 20 or more parking spaces. The percentage increases based on the size of parking lot, with further requirements for lots over 200 parking spaces. An example is provision of separate pedestrian walkways.

Besides Site Plan Review, *"Design Review is required for new structures and exterior renovation or alteration of existing structures, in the Commercial Tourist (CT) District, as set forth in General Bylaws Section 1.30, et. seq."* per Section 8.03 of the Zoning Bylaw. Design Review may take place prior to or concurrently with the Site Plan Review process. The Town's Design Review Committee has adopted a set of Design Review Guidelines that properties within the CT District would have to follow as required per Section 8.03. All new signs or alteration or relocation of existing signs are also required to undertake Design Review.

A copy of the Town of Sturbridge's Design Review Committee Handbook and Design Guidelines can be found at: http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_Depts/S02FE9296-02FE92DF.0/Guidelines_adopoted_03_22_11.pdf

There are ten (10) general design standards of Design Review that applicants must take into consideration per Section 2.3 of the Design Review Guidelines. These are 1) Height, 2) Proportion of windows and doors, 3) Roof shape, 4) Relation of building masses and spaces, 5) Scale, 6) Façade line, shape and profile, 7) Architectural details, 8) Advertising features (signs), 9) Heritage, and 10) Landscape. Per Section 8.03(c) of the Zoning Bylaw: *"Property owners and designers shall use the Design Review Guidelines when applying for and undergoing the Design Review Process, which may include architectural review and/or sign review."* Finally, *"Applicants are encouraged to discuss their projects with the Planning Department if they have any questions regarding the Design Review Guidelines."*

Zoning: Dimensional Requirements

As indicated in the beginning of this Report, CMRPC was asked to provide an assessment and recommendations related to dimensional controls in the Sturbridge Commercial Tourist (CT) District. The existing dimensional requirements are indicated in Table 1 on page 8. In the text that follows, CMRPC provides an assessment and analysis of the lot area (size), frontage and lot coverage of the parcels within the Commercial Tourist District. At the end of the Report we provide a series of recommendations based on the assessment.

Table 1: Commercial Tourist District Dimensional Requirements

ZONING DISTRICT	MIN. LOT AREA (Acre)	MIN. LOT FRONTAGE (Feet)	MIN. SETBACK (Front)	MIN. SETBACK (Other)	MAX. LOT COVERAGE % of Lot	MAX. IMPERVIOUS SURFACE	MAX. BLDG HEIGHT (Feet)	MAX. # BLDG STORIES (# of Stories)
Commercial Tourist (CT)	1	150	25	10	30	N/A	35	3

There is a 750 square-foot minimum habitable floor area requirement for residential uses, but CMRPC Staff notes that this requirement is the same in any zoning district within the Town of Sturbridge.

Commercial Tourist District Lot Analysis

As indicated in the beginning of this PDA Report, the focus of CMRPC’s 25-hour technical assistance time in 2014 was to be spent on an analysis of the dimensional requirements of lots within the Commercial Tourist District, specifically lot area, frontage and lot coverage. Our analysis of these three (3) components follows in the upcoming sections. CMRPC made use of the Town of Sturbridge’s Assessors Database for the properties located within the CT District as well as CMRPC’s Geographic Information System (GIS) to facilitate our analysis.

Lot Area:

The existing minimum lot area (e.g. size) for lots within the CT District is one (1) acre (or 43,560 square feet). CMRPC Staff analyzed a total of 112 lots that are contained in the Commercial Tourist District (this represents majority of parcels in the CT District; working with the Town Planner we left out certain lots, such as the Burgess Elementary School at 45 Burgess School Road.). As shown in the Table 2 below only 27 lots are conforming for the 1-acre minimum Lot Size/Area requirement. This means that over three-quarters (75%) of the lots (85) in the CT District are nonconforming. CMRPC Staff believes that such a large number of nonconforming parcels warrants rezoning of the minimum lot size to a dimension that would better fit existing parcel lot sizes. More discussion on this matter is found under the Case Studies and Recommendations sections of this Report.

Table 2: Commercial Tourist District Lot Size Analysis

Lot Size (Acres)	# of Lots	%
0 - <1/4 acre	23	20.5%
1/4 - <1/2 acre	34	30.4%
1/2 - <3/4 acre	20	17.9%
3/4 - <1 acre	8	7.1%
1 acre and >	27	24.1%
Total Lots	112	100.0%

When undersized lots are redeveloped, one way such lots can be currently redeveloped, without the property owner to seek any legally allowed zoning relief, is to combine lots that are under common ownership. CMRPC received information on the development review process for the new Cumberland Farm and the redevelopment of the former Basketville building and both developments were noted to be meeting existing lot area. CMRPC Staff then learned how in Cumberland Farm’s case they purchased

a neighboring property that been a residential unit located at 510 Main Street. In the Basketville case, the property owner also owns 513 Main Street, which a 2.06-acre lot. Please note that CMRPC has analyzed each lot separately as part of this analysis, given that the Sturbridge Assessors still have each parcel listed as a unique parcel, even if they have been combined for zoning purposes.

Frontage:

The existing minimum frontage required for lots in the CT District is 150 feet. In regards to lot frontage, there are more existing lots that are conforming to the minimum frontage than for minimum lot area. As indicated in Table 3 on the following page, there are 45 lots (about 40%) conforming for frontage; with about 60% of the lots nonconforming. The bulk of the lots that are not conforming (24% of the total lots) have 100 feet of frontage, but less than the required 150 feet. Almost 10% of the lots analyzed within the Commercial Tourist District do not have any frontage. Some of these lots are landlocked, for example 426A Main Street; while another example type is of are lots that are located on the so-called “High Street” which does not appear to have an actual Right-of-Way, but rather a driveway that services a number of lots. A similar situation exists with Bates Court.

Lot Coverage:

CMRPC utilized a relatively new MassGIS layer of structures to calculate lot coverage for the set of parcels analyzed within the Commercial Tourist District. CMRPC Staff notes we did not include the Old Sturbridge Village’s Lodges property given the numerous buildings on this property. Therefore, the set of parcels analyzed was 111. Based on CMRPC Staff’s analysis, presented in Table 4 on the following page, we note that only 6 lots are above the maximum lot coverage for the CT District of 30%. Therefore, we would not recommend increasing the existing lot coverage.

Table 3: Commercial Tourist District Lot Frontage Analysis

Frontage (feet)	# of Lots	%
0-49	4	3.6%
50-74	9	8.0%
75-99	16	14.3%
100-149	27	24.1%
150+	45	40.2%
None	11	9.8%
TOTAL	112	100.0%
Lots with Frontage on 2+ Roads	14	12.5%

To illustrate some of the lot sizes, frontage and lot coverage for existing lots within the CT District, CMRPC Staff, we wanted to provide a series of examples in this section of the Report. The first example is of a lot conforming for both lot size and frontage, which is 479 Main Street. This lot is home to the Kaizen Sushi Bar and Grill. It is a successful example making reuse of an older structure (it was built in 1870s according to the Assessors). Photos are provided on the following page.

Table 4: Commercial Tourist District Lot Coverage Analysis

Lot Coverage Percentage	# of Lots	%
0% (No Buildings)	15	13.5%
> 0% to <10%	30	27.0%
10% and > to <20%	42	37.8%
20% and > to <30%	18	16.2%
30% and >	6	5.4%
Total Lots Analyzed	111	100.0%



479 Main Street –conforming parcel for lot size (1 acre) and frontage (340.9 feet)

A second example is the Blackington Building located at 572 Main Street. This parcel is an undersized lot both for lot size (0.25 acre) and frontage (100 feet). It is one of the few cases of lots that exceed the maximum 30% lot coverage standard (50.6%). There is no parking available on this lot, as the premises parking is located across the street (crosswalk visible in photo below) at 595 Main Street (a primarily vacant 2.5-acre parcel besides the parking located on the lot).



Blackington Building @ 572 Main Street



419 Main Street – mixed commercial building (formerly Basketville)

The 419 Main Street property is a recent example of successful a vacant building being redeveloped (It was formerly occupied by Basketville, the basket maker company which has an outlet store located in Putney, VT). The lot area of 419 Main Street is only 0.50 acre; though lot frontage is 217.38 feet and lot coverage is 25.4%. CMRPC Staff notes that the adjoining 413 Main Street parcel is owned by the same entity and was combined for zoning purposes to make a conforming lot (413 Main Street is a 2.06-acre parcel).



The new Cumberland Farms @ 506 Main Street – Conforming by purchasing adjacent land

The new Cumberland Farms is located at 506 Main Street. 506 Main Street is a 0.5-acre parcel, undersized for lot area. However, as part of the redevelopment of the gas station and convenience

store, the corporate entity Cumberland Farms, Inc. bought the adjacent property at 510 Main Street, which is a 0.54-acre parcel. Therefore, the two properties combined, at 1.04-acres exceed the minimum one (1) acre lot size requirement.

Parking Space Requirements

CMRPC was asked to provide a review of parking space requirements for the Commercial Tourist District. Section 20.22 of the Zoning Bylaw is the parking space generation section commonly found in most Zoning Bylaws. CMRPC Staff notes there is already a Subsection A that allows for a reduction in parking space requirements for properties within the Commercial Tourist District:

A. Properties within the Commercial Tourist District shall not be required to comply with the current parking requirements for the continued use of a property for the same or similar use that exists at the time of adoption of this section. A proposed change of use shall require review by the Planning Board and a determination of practical parking requirements for the proposed use given the constraints of the District. Factors such as shared parking, peak parking demands of uses at different times of the day or week, and actual projected parking needs shall be considered when determining practical parking requirements. The Town Planner, Zoning Enforcement Officer and DPW Director shall review such parking proposals and make recommendations to the Planning Board on the parking proposals. The intent of this section of the bylaw is to encourage the continued use and reuse of buildings within the Commercial Tourist District. **{Amended 6-06- 11; Article 25}**

Subsection B allows greater flexibility for properties within the Commercial Tourist District to meet the Town's standard of having parking areas being located within a 300-foot radius from the location/use that is generating the need for parking:

B. Parking areas shall be provided on the same lot or on another lot located in a zone in which the parking area is permitted within a radius of not more than 300 feet from the lot to which it is appurtenant. *Properties within the Commercial Tourist District shall not be required to comply with the 300 foot limitation, but may share parking anywhere within the District. {Emphasis added}*

Both of these flexible zoning provisions were based on Zoning Bylaw Amendments passed at the June 6, 2011 Town Meeting (Article 25). CMRPC Staff believes these two provisions provide adequate flexibility related to provision of parking in the CT District. A review of the Master Plan and other planning documents indicated the need for a Municipal Parking Lot somewhere within the CT District. The Town should review existing municipal-owned land and see if there is the opportunity to develop a Municipal Parking Lot (or lots). The Town was also interested in having on-street parking to be allowed along Main Street in the CT District, which is also U.S. Route 20 and under the control of MassDOT. However, MassDOT prohibits on-street parking by policy on its roadways, as the Town learned when it had chosen for its ideal re-design of Main Street to include on-street parking not be approved by MassDOT.

Development Constraints and Suitability

The lands within the Commercial Tourist District are largely built out and there is little vacant, developable land, so development constraints do not pose much of an issue for the Commercial Tourist District PDA, as most new development will be of the redevelopment variety (Some recent examples have already been provided in this Report). However, it should be noted that almost the entire Commercial Tourist District falls within the Zone II Water Resource Protection Area. As noted on page 5, the Town of Sturbridge does have a Groundwater Protection District (Section 16 of the Zoning Bylaw)

that covers the Zone II Area. CMRPC provided our assessment of the requirements of the Groundwater Protection District for parcels within the Commercial Tourist District on page 6. Other constraints include the series of wetlands and the Quinebaug River (and its associated lands associated with the River Protection Act) on the south side of Main Street (Route 20) that redevelopment on this side of Main Street may have to take into account, depending on the specific parcel. These same areas have a 100-year flood zone associated with the Quinebaug River. The Environmental Constraints Map has been included in Appendix B as a 11"x17" map which shows the extent of development constraints.

Infrastructure: This PDA benefits from readily-available public water and sewer utilities that service the area. Town water and sewer lines are located along the Route 20/Main Street within this PDA. According to the 2011 Master Plan the Town's Water Treatment Plan has an average daily flow capacity of 1.6 million gallons per day of water with the plan treating and supplying an average of 683,000 gallons of water daily.

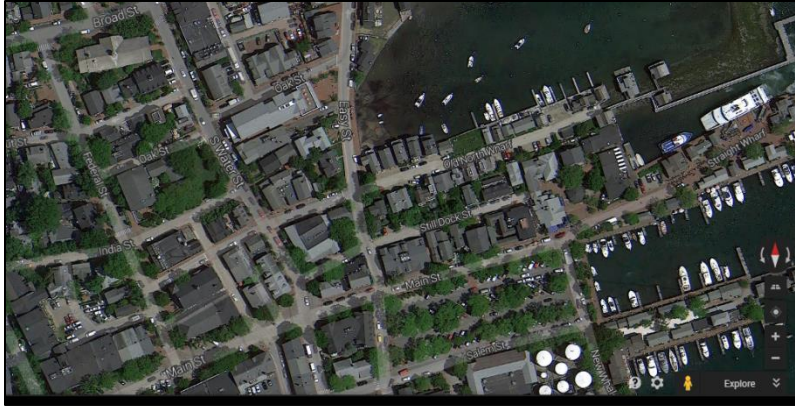
For wastewater, there was also a new waste water treatment plant noted to be opening: *"The new treatment plant is expected to be completed in 2012. It will utilize new treatment technologies, including Bio-Mag," which increases the amount of wastewater that can be treated in its tanks, and "Co Mag," which removes phosphorous from wastewater..." This plant is now open and is one of "the first of its kind in North America."* The new Treatment Plan was built because the 2008 Comprehensive Wastewater Management Plan by Tighe and Bond Engineers noted that the Town of Sturbridge *"would need a (wastewater) treatment plant with a capacity of 1.4 million gallon per day in order to meet future flow demands."* The 2011 Master Plan noted that *"in 2009, the existing Treatment Plant treated an average of 662,000 gallons per day, which was an 11 percent decrease from the previous year (743,000)."* That significant decrease could have been perhaps a sign of the severe recession and it was wise for the Town of Sturbridge to plan ahead with the expanded waste water treatment plant.

Case Studies:

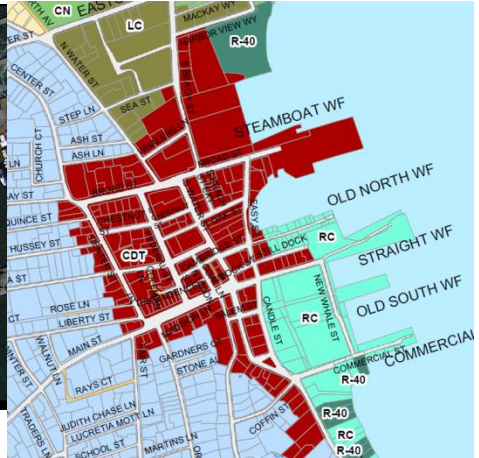
Town of Nantucket

Nantucket Village Center, which is the hub of entry for most visitors to the Island of Nantucket, has a classic New England Town Center feel to it. However, for years their Village Center could not have been rebuilt under the Town's existing Zoning requirements. The Town's history actually includes of the Village Center having to be rebuilt after the Great Nantucket Fire of 1846, in which between 400 and 500 buildings on 36 acres had been destroyed in that fire. Finally, after a Master Plan process of the late 1990's, the Town did a comprehensive rezoning initiative *"to right the wrong"* of the conflict of existing land use patterns with the Town's zoning requirements.

The Town settled on a lot size of 3,750 square feet for the Commercial Downtown (CDT) Zoning District. Frontage they adopted was 35 feet with lot coverage of 75%. They settled on this after a comprehensive analysis of the existing lot sizes and building footprints. A photo of the Nantucket Village Center and a map of the CDT Zoning District and Vicinity are provided for on the following page.



Nantucket Village Center



Nantucket's CDT Zoning District

Town of Ashburnham

The Town of Ashburnham adopted their first Village Center Zoning District in 2004. The minimum lot size requirement was initially 25,000 square feet for all lots in this zoning district. However, when some redevelopment projects (For example, a new GFA Federal Credit, shown in the photo below and believed to have been a successful project when completed took over a year to permit) were being permitted encountered difficulty, mainly due to requirements to go before the Zoning Board of Appeals for pre-existing nonconforming lot status, besides the Planning Board for Site Plan Review, the Town worked through a detailed planning process in 2008-2009 and at the May 2009 Town Meeting adopted two Village related districts: Village Center-Commercial (VC-C) for the core area of Main Street (Route 12) and Village Center-Residential (VC-R) for the residential neighborhood surrounding the VC-C. The VC-C does not have a minimum lot size and only a 20-foot frontage requirement. The VC-R has a 10,000 square-foot minimum lot size and 75 feet of frontage.



GFA Federal Credit Union, 35 Main Street, Ashburnham, MA

Recommendations

- CMRPC Staff believes that the Town of Sturbridge should consider changes to the minimum lot size and frontage requirements for lots in the Commercial Tourist zoning district. Ultimately, the Town should adopt size requirements at a level of what the residents are comfortable with. As noted in this study, the Town of Sturbridge is not the first community that has developed zoning dimensional requirements that are out of whack with existing built conditions.
- CMRPC's staff thoughts for new dimensional standards of lot size and frontage in the CT District are for a minimum lot size of quarter-acre (+/-10,000 square feet) with 100 feet of frontage. This would provide a lot with a 100+/- feet of depth. CMRPC Staff notes that the Blackington Building parcel at 572 Main Street serves as example of lot size and frontage with these dimensions that we recommend become the new standard/minimum for the CT District.
- CMRPC notes that our 25-hour technical assistance effort did not allow for an analysis for further subdivision of existing lots based on this Standard. The Town could apply for additional DLTA assistance in 2015 or make use of their Local Planning Assistance (LPA) hours, upon request for this analysis.
- CMRPC Staff noted that there are a number of Commercial Tourist District boundary adjustments required to get rid of the split zoning districts issue between the CT District and adjoining districts. We recommend that any rezoning initiative involving the lot size and frontage requirements should address the parcels currently split into two zoning districts.
- Zoning Use issues: There appear to be two requirements related to accessory apartments above commercial establishments in the Commercial Tourist District use provisions. On page 5, CMRPC Staff noted that the latter of the two provisions seemed redundant and it is also not as specific in terms of the two-dwelling unit maximum the initial clause provides. We recommend the Town clean up the verbiage as part of any future CT District zoning bylaw amendments.

In addition, the Town of Sturbridge should conduct a more detailed assessment of existing allowed uses within the Commercial Tourist Zoning District to see if there should be any changes. CMRPC understands the Town of Sturbridge completed a similar assessment for its Historic Commercial District and adopted the changes at the June 2012 Town Meeting. CMRPC Staff could assist the Town with this assessment perhaps as a follow-up PDA Project or by use of their Local Planning Assistance (LPA) hours, upon request for this analysis.

CMRPC Staff also indicated in our zoning assessment that the Town lacks a Table of Use summary in its Zoning Bylaw. We do recommend the Town develop a Table of Use for all the various allowed uses across all zoning district, although we understands that the Town does have a goal to develop such a Table of Uses, but wants to update all the uses in each District first.

- The Town of Sturbridge has already developed a couple of more flexible parking space requirement provisions in the Town's Zoning Bylaw. The issue with parking in the CT District is trying to develop more common parking, a challenge with the MassDOT prohibition of on-street parking on Main Street (Route 20).

- If the Town is not comfortable with adjusting the CT District Dimensional Standards, a second option would be to develop an Infill Development Bylaw. CMRPC has provided a model Infill Development bylaw developed by the Pioneer Valley Planning Commission (PVPC) as Appendix B to this Report. Note that the idea of the Infill Development Bylaw is to assist in the *“development of parcels that do not meet current zoning regulations for frontage and lot size.”*

CMRPC-related Resources

DLTA funds will be available in 2015, which can offer the opportunity for CMRPC Staff to build on the dimensional analysis for lots within the Commercial Tourist District PDA by conducting an analysis for further subdivision potential of existing lots based on the proposed Standard of 10,000 square-foot minimum lot size and 100 feet for minimum frontage. CMRPC could also assess further aspects of the Commercial Tourist District PDA if there are other planning aspects that the Town would like assessed further. This includes assisting in the comprehensive assessment of allowed uses in the CT District. CMRPC could also assist the Town with an analysis of the Town’s other PDAs.

CMRPC Transportation Staff may be able to help with some of the streetscape-related planning components along Main Street (Route 20) within the CT District PDA. Contact Mary Ellen Blunt, Program Manager, at (p) 508-459-3337 or email @ mblunt@cmrpc.org.

Appendix A:

**Pioneer Valley Planning Commission (PVPC)'s
Model In-fill Development Zoning Bylaw**

INFILL DEVELOPMENT OVERVIEW

What is Infill Development?

- Infill Development is development on vacant parcels in developed areas. Compact development is promoted and undeveloped land is preserved. Infill is the development of vacant or abandoned land in an area that is otherwise built out.

Developing Non-conforming Lots or what does infill development do?

- A proposed infill development bylaw will permit development of parcels that currently do not meet current zoning regulations for frontage and lot size.
- Infill Development encourages new development in such a way that developed areas maintain the existing character of the neighborhood buildings and structures, and would permit a flexible approach to development providing affordable housing, and possibly increasing property values.

Basically, in terms of what will infill development do, the key here is that you want it to provide flexibility but you will want it to maintain the existing character of the neighborhood as well.

Possible Benefits of Infill Development. Infill Development has potential to provide a number of advantages to a community.

- Often within more developed areas of a community, there exists vacant or under utilized lots that do not meet current zoning standards such as frontage and lot area. Through the use of an infill development bylaw, these vacant nonconforming lots can be brought back into productive use. *In other words, infill development can help bring out the potential of nonproductive or underproductive lots.*
- Development can be concentrated in areas where infrastructure such as public transit and sewer and water already exist, rather than in more undeveloped areas enhancing smart growth. One financial benefit of infill development for local governments is that it reduces the need to provide public infrastructure to support new development. *So, you want to have infill in areas with high density and that have water and sewer.*
- Infill development can improve surrounding properties by eliminating vacant lots and abandoned buildings, which may be crime and public health hazards. *It can also help to eliminate blight and make the area more attractive and a better place to live.*
- Third, infill development can provide a greater range of housing types. Whereas suburban development tends to create single-family homes, infill development can result in a variety of housing types, thereby increasing the appeal of neighborhoods. Larger projects often combine mixed commercial and residential uses, thus bringing new jobs as well.

How will Infill Development “fit” in your community? There are many ways to approach the drafting of an Infill Development Bylaw. Some questions to address while you consider Infill Development include:

- Identification of areas of the community where infill development is desired. Will this be a Town-Wide Bylaw or an overlay for specific areas in town? And what guidelines are appropriate for each of these areas; guidelines typically regulate the density, size, and architectural design of new infill development.
- Will the bylaw be include commercial/industrial and mixed uses?
- And, what will be the procedure for the Town to implement Infill Development? Potential Infill Development Bylaw Models should be reviewed. *Pioneer Valley Planning Commission developed a very inclusive bylaw.*

MODEL INFILL DEVELOPMENT OVERLAY DISTRICT BYLAW

Prepared by the Pioneer Valley Planning Commission

6.2 Infill Development Overlay District

6.20 Purpose

The Infill Development Overlay District has been established to encourage infill and redevelopment in the downtown area to include parcels of land that do not meet the minimum dimensional requirements of the Zoning Bylaw as well as those that do meet the minimum requirements. It has been established to encourage development that maintains the character of existing neighborhood buildings and structures; to permit a flexible approach to providing affordable housing; to provide incentives for new and existing businesses in the downtown area; to increase property values in residential neighborhoods in the downtown area; and to foster well-planned, mixed-use, compact developments in the downtown area in keeping with the character of traditional New England villages by:

- a. Allowing a mix of uses in close proximity in the district within a limited area, including residential, retail, office, and light industrial;
- b. Preserving and restoring the overall character of the downtown area;
- c. Promoting a balance of land uses;
- d. Promoting the opportunity for people to work, meet, shop, and utilize services in the vicinity of their residences;
- e. Providing opportunities for the development of affordable housing;
- f. Providing opportunities for a mixture of uses in the same building;
- g. Promoting a positive pedestrian environment in the district;
- h. Facilitating integrated physical design;
- i. Promoting a high level of design quality;
- j. Encouraging the development of flexible space for small and emerging businesses;
- k. Facilitating development proposals responsive to current and future market conditions; and

- l. Encouraging the development of open spaces and parks within the district to accommodate workers, residents, pedestrians, and shoppers.

6.21 District Boundaries

The location and boundaries of the Infill Development Overlay District is hereby established as shown on a map entitled, "Infill Development Overlay District of the Town/City of _____, Massachusetts", dated _____, which accompanies and is hereby declared to be part of this bylaw.

6.22 Residential Infill Development

Within the boundaries of the Infill Development Overlay District, a lot with at least 5,000 square feet of area and fifty (50) feet of frontage may serve as the location for a single-family residential dwelling or two-family residential dwelling. A proposed Residential Infill Development shall demonstrate that the home shall be served by town water and sewer service upon completion of the proposed development and meet the following Performance Standards:

- a. The proposed dwelling is consistent in architectural style, scale, setbacks, and frontage with abutting structures, and those in the immediate neighborhood.
- b. Each lot will have access and utility service comparable to that serving nearby properties.
- c. No traffic congestion, health or safety limitations would be created by the development.

6.23 Infill Development/Mixed Use Infill Development

In the Districts within the boundaries of the Infill Development Overlay District, by Special Permit with Site Plan Approval from the Planning Board, a lot with at least 5,000 square feet of area and fifty (50) feet of frontage may serve as the location for an Infill Development or Mixed Use Infill Development. Any of the dimensional requirements of the Zoning Bylaw, such as lot frontage, width, building setbacks, etc. may also be reduced or eliminated by the Special Permit, provided that the Planning Board determines that the following Performance Standards have been met:

- a. The proposed building is consistent in architectural style, scale, setbacks, and frontage with abutting structures, and those in the immediate neighborhood.
- b. Each lot will have access and utility service comparable to that serving nearby properties.

- c. No traffic congestion, health or safety limitations would be created by the development.
- d. Access shall be provided to the extent feasible through an existing side street or a shared driveway; curb cuts shall be minimized.
- e. Pedestrian and vehicular traffic shall be separated; walkways shall be provided for access to adjacent properties and between businesses where feasible.

A Mixed Use Infill Development that proposes to have retail and residential uses within the same building on lots that meet the minimum dimensional requirements of the underlying zoning district shall be allowed by right if the following criteria are met:

- a. The retail use does not exceed 2,500 square feet of Gross Floor Area.
- b. No more than one residential dwelling unit is proposed.

Retail/residential Mixed Use Infill Development proposals within the same building on lots that meet the minimum dimensional requirements that exceed the above criteria shall be required to obtain a Special Permit with Site Plan Approval (see Section _____ of the Zoning Bylaw) from the Planning Board.

A proposed Infill Development/Mixed Use Infill Development shall demonstrate that the project shall be served by town water and sewer service upon completion of the proposed development.

6.24 Use Regulations

- a. All uses listed as "Y" in the underlying zoning district as shown in the Schedule of Use Regulations shall require Site Plan Approval from the Planning Board if the lot does not meet the minimum dimensional requirements of the underlying zoning district of the Zoning Bylaw.
- b. Proposed uses within the Infill Development Overlay District which require a Special Permit or Special Permit with Site Plan Approval shall continue to require all such approvals as are designated in the Schedule of Use Regulations. However, where such approval or review is also required as part of an application for a Mixed Use Infill Development, the applicant shall only be required to submit a single Special Permit or Special Permit with Site Plan Approval application for the purposes of gaining approval for all uses in such an application. See Section ____ of the Zoning Bylaw on the procedures and criteria required for the issuance of a Special Permit, and Section _____ on the procedures and criteria required for Site Plan Approval.

- c. Within a Mixed Use Infill Development, there shall be no restriction on combining different categories of use within the same building other than those restrictions imposed by the State Building Code or other federal, state, or local regulations.

6.25 Additional Standards

In Addition to the minimum standards of the underlying zoning district, the following standards shall apply to all uses allowed within the Infill Development Overlay District except single family and two-family residential development and any building used exclusively for agriculture, horticulture or floriculture. The Planning Board may waive these standards if deemed appropriate by the Board.

6.251 Landscape Standards

- a. Street trees shall be planted within the right-of-ways parallel to the street along all streets. Trees shall have a minimum height of six (6) feet and a minimum caliper of 2.5 inches at the time of planting. Where possible, a minimum of six (6) feet wide landscaped belt will be created to plant the street trees.
- b. Tree spacing shall be determined by species type. Large maturing trees shall be planted a minimum of 40 feet and a maximum of 50 feet on center. Small and medium maturing trees shall be planted a minimum of 10 feet and a maximum of 30 feet on center.
- c. Utilities shall be located in the street and not in the tree belt, wherever possible.

6.252 Parking Standards

The minimum off-street parking standards as specified in Section _____ of the Zoning Bylaw may be waived by the Planning Board where it can be demonstrated by the applicant that the proposed use will not have a negative traffic impact within the neighborhood. In addition to the requirements of Section _____, the following standards shall be met:

- a. Parking lots shall be located at the rear of or at the side of buildings wherever feasible.
- b. When two adjacent lots contain parking areas, it is encouraged to develop them as one parking area.

- c. Parking lot layout, landscaping, buffering, and screening shall prevent direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise, or exhaust fumes onto adjacent properties wherever feasible.
- d. Parking lot layout shall take into consideration pedestrian circulation. Pedestrian crosswalks shall be provided, where necessary and appropriate, shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian walkways. Walkways must conform to requirements of the American with Disabilities Act (ADA) and the Massachusetts Architectural Access Board (MAAB).

6.26 Commonly Held Lots

Any lot that is commonly held in ownership with an adjacent lot in this district may be treated as a single lot in accordance with this bylaw, provided that the total area of such lots is at least 5,000 square feet in area, the lots have a combined contiguous frontage of at least fifty (50) feet, and vacant of structures, parking facilities, or accessory uses.

6.27 Fires and Natural Disasters

In cases of fire or natural disaster, a structure in the Infill Development Overlay District that was destroyed may be rebuilt upon the same lot in accordance with this bylaw, provided that the new structure conforms to the use regulations of this bylaw and the reconstruction is completed and the structure is occupied within two years of such damage or destruction.

6.28 Conflict with Other Laws

All development activities within the Infill Development Overlay District shall comply with applicable laws, regulations, and standards of the town, except that in the event of a conflict between this bylaw and any such laws and regulations, the provisions of this Bylaw shall control, provided that they are consistent with state and federal law.

6.29 Severability

If any section or provision of this bylaw is found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the validity of any other section or provision of this Bylaw.

ZONING BYLAW AMENDMENTS ALSO REQUIRED:

Amend Definitions to include the following new definitions:

GROSS FLOOR AREA - The sum of the horizontal areas of the several stories of a building, measured from the exterior faces of exterior walls, or in the case of a common wall separating two buildings, from the centerline of such common wall. Gross floor area shall exclude basements and attics. The surface area of tennis courts, swimming pools, driveways, parking spaces, decks, and porches is not included in the total floor area.

INFILL DEVELOPMENT - The development of new housing or other uses on scattered vacant sites in a built up area within the Infill Development Overlay District.

MIXED USE INFILL DEVELOPMENT - The development of a tract of land, building, or structure with two (2) or more different uses such as, but not limited to, residential, office, retail, institutional, entertainment, or light industrial, on scattered vacant sites in a built up area within the Infill Development Overlay District.

RESIDENTIAL INFILL DEVELOPMENT - The development of new single family or two-family housing on scattered vacant sites in a built up area within the Infill Development Overlay District.

Appendix B:

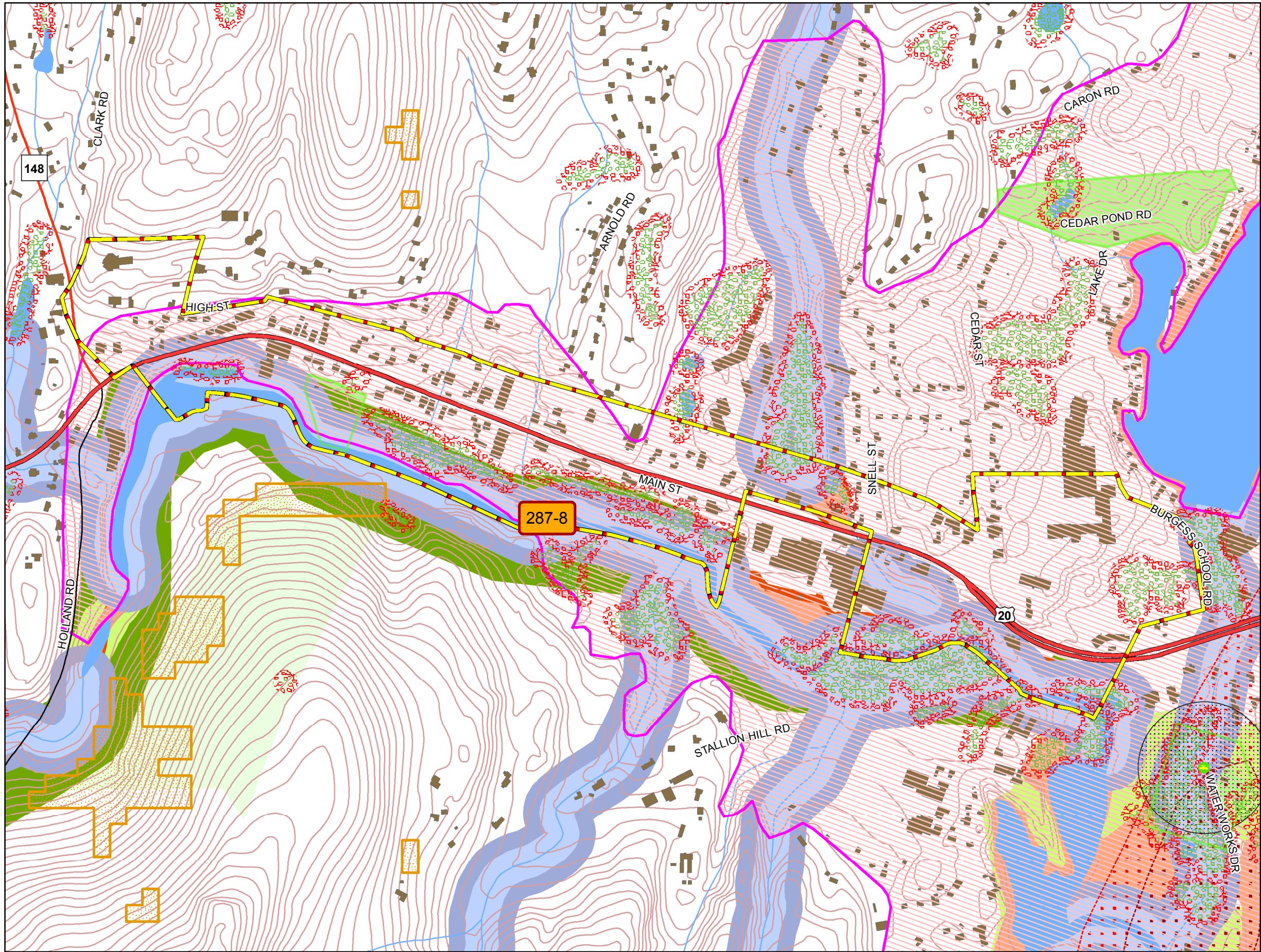
**Commercial Tourist District PDA:
Environmental Constraints Map**

CONSTRAINTS MAP

SITE 287-8

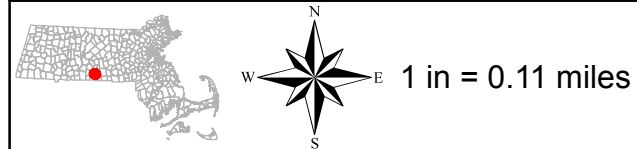
TOWN OF STURBRIDGE, MASS.

PRIORITY DEVELOPMENT AND PRESERVATION



Legend

- CONTOURS (10FOOT)
- AQUIFERS (YIELD TYPE)
 - MED
 - HIGH
- PUBLIC WATER SUPPLIES
 - COMMUNITY GROUNDWATER SOURCE
- ABSOLUTE CONSTRAINTS**
 - MASS. DEP WETLANDS
 - WATER BODIES
 - RIVER PROTECTION ACT (0-100FT)
 - 100-year Flood Area
 - DEP ZONE 1
- LEVEL_PROTECTION**
 - Perpetuity
 - Limited
- PARTIAL CONSTRAINTS**
 - BIOMAP2_CORE_HABITAT
 - BIOMAP2_CRITICAL_NATURAL_LANDS...
 - DEP Approved Zone IIs
 - 500-year Flood Area
 - RIVER PROTECTION ACT (100-200FT)
 - WETLANDS PROTECTION ACT
 - SLOPE



Source: Data provided by the Central Massachusetts Regional Planning Commission (CMRPC), massDOT and the Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, Information Technology Division.
 Information depicted on this map is for planning purposes only. This information is not adequate for legal boundary definition.

- PRIORITY AREA
- TOWN BOUNDARY
- STRUCTURES
- ACTIVE RAILROAD
- INTERSTATE
- U.S. ROUTE
- STATE ROUTE
- LOCAL ROAD

Produced by
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 Central Massachusetts Regional Planning Commission
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Date: 12/29/2014 Document Path: \\BUNKOC\GIS\Projects\Projects\COMPACT_APRS\IPASITES_Constraints_11x17.mxd