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Bedford Selectmen
10 Mudge Way
Bedford, MA 01730

SEP 03 2015

FOR DEPOSIT ONLY
TOWN OF BEDFORD GENERAL DEPOSITORY
TOWN MANAGER
9557002123

SELECTMEN / TOWN MANAGER
BEDFORD MA

RE: Page Place Zoning Revision

We, the Trustees of Page Place Condominium Trust, owner of property located at 75 Page Road in the Town of Bedford, request the following Article be presented at Special Town Meeting to be held in November 2015 and hereby request that the Selectmen place the attached article on the Warrant for the scheduled Special Town Meeting.

Signature Address

David C. Fournier 75 Page Rd. # 3 Bedford, MA 01730
David Fournier

Stephen Reimer 75 Page Rd #19 Bedford MA 01730
Stephen Reimer

Joseph Greelish 75 PAGE RD #12 Bedford MA 01730
Joseph Greelish

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Phyllis Smith

Laura Bonnell 75 Page Rd. #31 Bedford, MA 01730
Laura Bonnell

September 3, 2015

Article XXXX – Zoning Bylaw Amendment – Conversion of Public School Buildings to Multiple Residential Use

To determine whether the Town will vote to amend the Bedford Zoning Bylaws to revise the current Zoning Section 11 - Conversion of Public School Buildings to Multiple Residential Use (and related references in other sections of the Bylaw) to permit additional building construction by amending the following sections of the Bedford Zoning Bylaw:

Section 4.2.8 is hereby amended to read as follows:

4.2.8 Public School Property Reuse Conversion. ~~Conversion Reuse of a public school building and grounds to a multiple residential use~~ Multiple Dwellings in accordance with the provisions of Section 11.

Table I: Use Regulations is hereby amended by changing the title of section 4.2.8 from “Public School Building Conversion” to “Public School Property Reuse” and changing the requirement for Site Plan Approval from “R” to “N” as site plan review will occur through the special permit process.

Section 11 Title is hereby amended by replacing the term “Conversion of Public School Buildings to Multiple Residential Use” with the new title **“Reuse of Public School Properties for Multiple Dwellings.”**

Section 11.1 The first paragraph of section 11.1 is hereby amended by replacing the word “conversion” and replacing it with “reuse” and inserting “and properties” after the words “public school buildings” and replacing the term “Multiple residential use” with “Multiple Dwellings” such that the first paragraph reads:

The Planning Board may grant a Special Permit (SP) for the ~~conversion reuse~~ of public school buildings and properties, declared to be no longer required for public purposes, to ~~Multiple residential use~~ Dwellings (as defined in Section 4.2.11) subject to the requirements set forth below and such additional conditions and limitations as may be imposed by the Planning Board.

Section 11.2 is hereby amended to expand the explanation of purpose to read as follows:

11.2 Purpose

~~The purpose of this section is to encourage the most appropriate conversion and reuse of each public school building and to maintain consistency of treatment of each application.~~

The principal purpose of this section is to foster reuse of former public school buildings and grounds for residential use in ways that are attractive, useful and harmonious with their neighborhood and the community. In doing so, the intent is to re-purpose the school structure and incorporate any additional dwellings, in a manner that respects the scale and form of the surrounding area, retains a significant

amount of open space, preserves existing natural and built amenities as key site features and creatively blends architectural and landscape elements into a desirable overall design. The secondary purpose of this section is to broaden the array of the town's housing options, preserve open space and provide links between the locus and surrounding neighborhood in an effort to create pedestrian friendly circulation throughout town.

Section 11.3 is hereby corrected by replacing the section to read as follows:

Multiple Dwellings family residences only shall be permitted as indicated in Table I: Use Regulations, line 4.2.8.

Sections 11.4 and 11.5 are hereby amended to clarify the permitting requirements as follows:

11.4 Application Requirements

11.4.1 Procedure

An application for Special Permit (SP) for such ~~conversion~~ reuse shall be made and processed in accordance with the provisions of this Section 7.5.2.1 in so far as applicable to conversion to reuse existing school buildings and properties or for modification to or expansion of prior special permit approvals for school property reuse.

11.4.1.1 Site Plan

In addition to those items required for plan submission for site plan approval. The Special Permit application shall be accompanied by a site plan that includes property lines, zoning boundaries and zoning district, topography in 2-foot contours, existing and proposed buildings and their uses, parking and loading areas, driveway openings, service areas, open space and utilities. Engineering plans shall show all surface and subsurface drainage, wetlands, flood plain and other existing conditions and resource areas.

Plans shall also indicate maximum groundwater elevation as determined between December 1 and April 30, and the classification as delineated on the Bedford Planning Board's Groundwater Supply Favorable Map of November 1980, location of aquifers, private or public wells and drinking water supplies in relation to the site, and all landscape features (such as walks, planting areas, trees and fences), lighting fixtures and signs on the lot, both existing and proposed. The site plan shall show the relation of the above features to adjacent ways and properties.

The site plan shall also show all contiguous land owned by the applicant or the owner of the property which is subject of the application and shall indicate the names and addresses of other owners of record of contiguous property to be determined as indicated on by the Bedford Assessors.

The following shall also be required to be shown on the plan if applicable: proposed renovation/rehabilitation plan for interior and exterior of existing buildings, elevations and floor plans for proposed buildings, including facade treatments and elevations, proposed site improvements, existing and proposed buildings and their proposed uses and proposed densities.

Section 11.4.2 is hereby deleted as the Site Plan requirement is incorporated in the Special Permit provisions.

11.4.2 Planning Board Signature Block

A block shall also be placed on each page of the site plan for the Planning Board signature of approval. This block shall be titled "Special Permit/School Building Reuse."

11.4.32 Schedules

The applicant shall also provide a financial and development schedule which includes estimated costs of rehabilitation and site development and a time schedule for completion of various phases of the project (site work, construction phases, utilities, framing, completion, occupancy, etc.).

11.4.3 Authority

The Planning Board shall be the Special Permit granting authority for projects permitted in accordance with this Public School Property Reuse Section. The Planning Board may vary the dimensional and parking requirements of this Section and as noted in Table II: Dimensional Requirements, if, in its opinion, such change will result in a desirable design of the development. This authority continues subsequent to occupancy. New development or redevelopment shall be in accordance with the Special Permit requirements of Section 14.6 and performance standards noted below.

11.5 Special Permit Procedure

11.5.1 Schedule and Procedure

Within sixty-five days of the receipt of an application for a Special Permit for School Building Property Reuse by the ~~Inspector of Buildings~~ Town Clerk, the Planning Board shall hold a public hearing on the proposal. Within ninety days of said hearing, the Planning Board shall take final action on the proposal. A written report of the Planning Board's action shall be forwarded to the Inspector of Buildings, Selectmen, Town Clerk and applicant within fourteen days of their its action.

11.5.2 Special Permit Expiration

A Special Permit for School Building Property Reuse shall lapse if substantial use thereof or construction has not begun within ~~one~~ two years of the Special Permit approval (exclusive of time required to pursue or await the determination of an appeal referred to in M.G.L. Chapter 40A, Section 17, from the grant thereof).

11.5.3 Extension of Review Period to Commence Construction

Upon mutual agreement between the Planning Board and the applicant, the deadline outlined in Section 11.5.2 may be extended by up to one~~two~~ years ~~from the date of the original permit.~~

11.5.4 Revocation of Permit

Failure to comply with the standards of this section and/or the conditions established by the Planning Board shall result in the revocation of the Special Permit.

Section 11.6 is hereby amended to modify the performance standards and to detail the open space requirements as follows:

11.6 Performance Standards

11.6.1 Land Use

The proposed land use shall be compatible with land use in the surrounding area.

11.6.2 Parking and Other Facilities

Parking, loading and service areas shall be limited to rear yards where possible; where such areas are not possible, they may be located in side or front yards if sufficient landscape barriers are provided.

11.6.3 Additional Structures / Density

~~No additional principal structures shall be permitted unless determined by the Planning Board to be essential to the overall plan and economic viability of the proposal, provided, however, that any additional principal structure so permitted shall not be used for dwelling purposes.~~ In addition to the conversion of the original school building(s), additional residential structures may be permitted by Special Permit, either at the time of the original ~~conversion~~ reuse or a subsequent application for expansion of the original school property reuse subject to the provisions herein.

The density of the Multiple Dwellings located within the development (whether on one parcel or multiple parcels) shall not exceed three (3) units per acre, with the Planning Board's ability under section 11.4.3 to waive the requirement not to exceed four (4) units per acre.

11.6.4 Access to Public Way

Access shall be provided which minimizes traffic hazards. In addition to providing minimizing vehicular traffic hazards, safe and convenient connections to pedestrian and/or bicycle routes shall be provided where feasible.

11.6.5 Open Space

The general requirements of Section 10.3.7 shall apply to Common Open Space.

Open Space is a critical element of a Multiple Dwelling development. The area of Common Open Space shall equal at least 35% of the total area of the development tract, and no more than 50% of the minimum required Common Open Space shall be

situated within the Flood Plain/Wetland District. The Common Open Space shall have a shape, dimension, character and location suitable to enable its enjoyment and use for conservation, agriculture or passive recreational purposes by the public and/or residents of the development.

The use of greens is encouraged as integral organizing elements for the buildings, and open space or passive recreation areas shall provide scenic viewsheds for the enjoyment of both residents and passing public. Other landscape assets such as trees or attractive walls shall be identified and retained as much as possible in the layout. Provisions shall be made so that the Common Open Space is owned by a homeowners association, the Town or otherwise as the Board may direct and shall be readily accessible to all residents in the development. The Planning Board shall consider public access through open space areas as a public benefit of a project proposal.

In appropriate cases where the size and value of the open space is significant and cannot otherwise be protected, the Board may require a perpetual restriction of the type described in M.G.L. Chapter 184, Section 31 (including future amendments thereto and corresponding provisions of future laws), to be recorded in respect to such Common Open Space. Regardless of form of ownership or control, it is the intent that the open space shall be restricted to provide that the Common Open Space shall be retained in perpetuity for use by residents of the development (and the inhabitants of the Town of Bedford should the open space or portions thereof be accessible to the public) . The restriction shall specifically prohibit the use of the Common Open Space for all terrain vehicles, snowmobiles, motorbikes, motorcycles and similar vehicles. It shall prohibit the construction of any buildings, roads or paved areas, except for the construction and maintenance of duckwalks, bicycle, equestrian and foot paths, gazebos, play structures, exercise stations or similar facilities for the benefit of the residents or the public. Such restrictions shall be in such form and substance as the Board shall prescribe and may contain additional restrictions on development and use of the Common Open Space as the Board may deem appropriate.

11.6.6 Exterior Lighting

Exterior lighting fixtures shall be arranged so that they neither unreasonably distract occupants of nearby properties nor interfere with traffic on any public way. They shall be placed or hooded so as to prevent direct light from shining onto any adjacent street or property.

11.6.7 Mixed Use Unit Sizes

Mixed unit sizes shall be encouraged. ~~There shall be provided an average floor space of 1,500 square feet or greater per unit.~~ Individual units shall not be smaller than 1,000 sf and shall not include greater than 2,400 sf of living area.

11.6.8 Parking Requirements

At least ~~two~~ one and one-half (1.5) parking spaces shall be provided per dwelling unit. No space shall be considered available which reduces the effective

width of the driveway. In addition to the per unit parking ratio, sufficient visitor parking shall be provided. Impervious surface material shall be kept to a minimum. The applicant shall demonstrate the sufficiency of the proposed parking provision ratio and the Board may require provision of a reserve area for parking expansion in the event of uncertainty. the parking ratio is less than 2.0 spaces per unit.

11.7 Design Considerations

The development of any new dwelling structures shall be limited in scale and site design to be compatible with the neighborhood in which the property is located. Open space preservation shall be included in accordance with Section 11.6.5 to provide aesthetic and functional open land for use by residents. New structures (expansion) shall be subordinate in massing and number of units to the originally converted building(s).

In evaluating the overall density and composition of the Multiple Dwelling development, the Planning Board shall consider local housing needs, proximity of the site to town amenities, and availability of transportation, pedestrian and bicycle connections to serve the site and the town.

Any new buildings, including accessory buildings, shall be suitably screened from adjacent properties, shall be compatible in style with the converted original buildings and shall be sited to be harmonious with the overall site layout. The number of additional residential dwelling units shall be subordinate to the number of units proposed for the original school building(s).

Section 11.8 is hereby added to provide for amendments to approved plans:

11.8 Amendments

After approval of a special permit in accordance with this section (as originally drafted or as amended), the applicant or property owner may seek amendments to the approved special permit and associated plan. Minor amendments may be made by a majority vote of the Planning Board. It shall be a finding of the Planning Board, not subject to dispute by the applicant, whether a requested amendment is deemed to be major or minor. A major amendment shall require the filing of a request for amendment to the Special Permit.

pass any vote or take any action relative thereto.

This Article would permit redevelopment or expansion of existing or former public school properties for Multiple Dwellings (defined as more than one residential dwelling unit located in one or more attached or detached buildings located on a single lot). The current bylaw allows conversion of the school buildings to dwellings; the change would allow additional dwellings to be built on the grounds, subject to certain criteria and still subject to special permit review.

Recommendations:

Selectmen:
Finance Committee:
Planning Board: