

MARSHFIELD PLANNING BOARD  
Meeting Minutes  
March 13, 2023– 7:00 PM  
Remote Meeting

**PRESENT:** Mike Biviano, Chair  
Katie O'Donnell  
Nik Pappastratis  
Scott DeCastro, Associate Member

**ABSENT:** Kevin Cantwell  
Fred Monaco

**ALSO PRESENT:** Greg Guimond, Town Planner  
Karen Horne, Asst. Planner

At 7:02 PM, Mr. Biviano made a motion to open the meeting. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; and Mr. Biviano, Aye.

**965-985 Plain Street Subdivision Decision**

Mr. Guimond stated that he emailed the draft decision to the Board. There are a few modification: Fred Monaco's name was removed since he is not voting tonight; the Board need to vote on the name of Road A (either Barstow, Briggs or Tinkham) and Condition 13 was removed because the plans have been corrected. The Board chose Briggs as the name of Road A.

Mr. Biviano made a motion to approve the decision on 965-985 Plain Street as modified tonight. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; and Mr. Biviano, Aye. The vote was 3-0.

**Zoning Articles for Spring ATM 2023**

Mr. Guimond reviewed the proposed zoning article for 2023 Spring Annual Town Meeting. See attached presentation.

There were no public comments for the first two articles regarding self-storage facilities.

Article 12 is a Map Change from Adams Rd to Heather Rd to change from B-3 to R-3. Donna Clancy, Arkansas Street, asked what changing from B-3 to R-3. Mr. Guimond explained that the area is currently zoned commercial but all the properties are residential. This change would remove the district and revert is back to the surrounding residential districts.

Article 13 would match the state zoning language to match the state "Dover Amendment" which is the educational zoning exemption.

Article 14 would remove the special permit requirement for the accessory apartments and allow accessory apartments by right. Scott Dixon, 82 Ocean Street asked what happens with a non-conforming lot. Mr.

Guimond said that it does not allow accessory apartments in a pre-existing non-conforming lot. In addition, an accessory apartment is not allowed in a separate detached structure.

The last article is for street banners for community service announcements. It was originally proposed by residents of Brant Rock Village Association (BRVA). The article is proposed for the entire town. Scott Dixon, 82 Ocean St, the BRVA and now the Original BRVA has been trying to improve the appearance of Brant Rock and proposed the idea of placing Welcome to Brant Rock signs on the utility poles in Brant Rock. The utility poles are owned by Verizon. Verizon will not allow the welcome signs. The Original BRVA is now looking to install American flags on the poles. However, in the future, the Original BRVA would like to put up additional signage that would be supported by this Article.

Mr. Biviano made a motion to move the Zoning Articles to Town Meeting. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; and Mr. Biviano, Aye.

#### **MBTA Communities Presentation and Discussion**

Mr. Guimond updated the Board on the status of the MBTA Communities. See attached presentation.

Mr. Biviano asked that Mr. Guimond follow up with Town Counsel to see if the Town is obligated to comply with the MBTA Communities Law.

Ms. O'Donnell stated that she feels that this law is another example of regulating with a broad brush.

#### **Minutes (1/23/2023)**

Mr. Biviano made a motion to approve the minutes of January 23, 2023. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; and Mr. Biviano, Aye. The vote was 3-0.

#### **Discussion on possible enforcement of Special Permit Conditions for Adelaide Way**

Mr. Guimond updated the Board on the status of the Adelaide Subdivision. There are currently four areas on possible enforcement. The areas are: a fence needs to be installed on the top of the retaining wall on Lots 9-13; the installation of the retaining wall on Lots 12 & 13A; installation of the monitoring wells on Lots 1, 5, and 9; and conduction the required groundwater monitoring. Mr. Guimond further explained that the applicant has been trying to sell Lots 1 and 5. Lots 1 and 5 have not been released from the covenant and cannot be sold. Mr. Guimond asked the Board if they would like to request the Building Commissioner initiate enforcement of the violations at Adelaide.

Mr. Biviano stated he was in favor of moving forward with enforcement. Mr. Pappastratis stated he thought enforcement should start with Spectrum Homes before the property owner.

Mr. Biviano made a motion to request the Building Commissioner take enforcement to require special permit conditions to be met. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; and Mr. Biviano, Aye. The Board agreed that enforcement could stop if we receive a modification request from the applicant.

#### **Board/Staff Report**

Mr. Guimond will be making a presentation the MBTA Communities to the Select Board at their next meeting.

**Adjournment (Roll Call Vote)**

Mr. Biviano made a motion to close the meeting at 7:52 pm. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; and Mr. Biviano, Aye.

## Proposed Zoning Articles for Spring Annual Town Meeting 2023

- Articles 10 & 11 Self-Service Storage Facility ([Linked](#))  
Article 12 Map Change B-3 to R-3  
Article 13 Education Facilities Change in Table of Use  
Articles 14 & 15 Accessory Apartments ([Linked](#))  
Article 16 Community Service Announcements

## Article 10

Will the Town will vote to amend the Marshfield Town Code, Division 3: Zoning Bylaw, Chapter 305-5.04, Table of Use Regulations, by adding a new proposed self-storage use in certain zoning districts in the Table of Use Regulations, as follows:

*Amend Article 5 Table of Use, 305 Attachment 1 – Table of Use Regulations by adding the following language:*

Use	Residential				Business					Industrial		Overlay		
Community Facilities	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMLD	WRPD	BRVO
24. Self-Service Storage Facility (No outside storage)	-	-	-	-	P	P	P	-	-	P	-	-	S	-

*Or take any other action relative thereto.*

**Article Explanation:** The proposed change would clarify where self-service storage facilities would be allowed in town.

## Article 11

Will the Town will vote to amend the Marshfield Town Code Division 3: Zoning Bylaw, Chapter 305-2.01, Word Usage and Definitions,as follows:

*Amend 305-2.01 Definitions by adding the following language:*

**Self-Service Storage Facility:** a building or group of buildings used for renting or leasing individual storage units in which the occupants themselves store and remove their personal property on a self-service basis. A self-service storage facility is not to be used for residential occupancy purposes. The storage of hazardous materials is prohibited.

*Or take any other action relative thereto.*

**Article Explanation:** The proposed change would provide a definition for self-service storage facilities.

## Article 12

Will the Town will vote to amend the Marshfield Town Code, Division 3: Zoning Bylaw, Chapter 305-3.03, Zoning Map to incorporate the change shown on the map entitled "Proposed Change from B-3 to R-3 in the Fieldston Area of Marshfield dated October 12, 2022" (Appendix F) and on file with the Town Clerk and/or Planning Board.

*Amend the Zoning Map as shown in Appendix F:*

*Or take any other action relative thereto.*

**Article Explanation:** With the removal and replacement of a former restaurant building to a single family home, the area formerly zoned Business Neighborhood (B-3) located on the south side of Adams Road to the north side of Heather Road is now completely residential. This zoning change to make this section entirely within the residential waterfront R-3 district would protect the residential properties from non-compatible business uses.

Article 12 (Map/Appendix F)

Area to be changed is the area is the green area with the pink hatched lines over it.

South side of Adams Road south to the north side of Heather Road



Article 13

Will the Town vote to amend the Marshfield Town code, Division 3: Zoning Bylaw, Chapter 305-5.04, Table of Use Regulations, to clarify that certain specific educational uses are permitted by right in all zoning districts in the Table of Use Regulations, as follows:

Amend Article 5 Table of Use, 305 Attachment 1 – Table of Use Regulations by adding the following language:

Use	Residential				Business					Industrial		Overlay		
Community Facilities	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD	BRVO
2. Educational purposes on land owned or leased by the Commonwealth or its agencies or by religious sect or denomination, or by a nonprofit educational corporation.	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Or take any other action relative thereto.

Article Explanation: The proposed change would make the Town fully compliant with the Dover Amendment.

Article 14

Will the Town will vote to amend the Marshfield Town Code, Division 3: Zoning Bylaw, Chapter 305-5.04, Table of Use Regulations, to permit by right accessory apartments in certain residential and business zoning districts as follows:

Amend 305 Attachment 1 – Table of Use Regulations- Accessory uses by adding the following language:

Use	Residential				Business					Industrial		Overlay		
Accessory Uses	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD	BRVO
19. Accessory Apartments	P	P	P	-	-	P	-	-	-	-	-	-	-	-

Or take any other action relative thereto.

Article Explanation: The proposed change would remove the special permit requirement.

Article 15

Will the Town will vote to amend the Marshfield Town Code, Division 3: Zoning Bylaw, Chapter 305-5.04, Table of Use Regulations, as follows:

Amend Article 305-11.09 Residential Accessory Apartments by replacing existing language with the language in the warrant under Article #15.

Or take any other action relative thereto.

Article Explanation: The proposed change would remove the special permit requirement and yearly recertification requirement for accessory units. Applicants would file the required information with the building department and properties that meet the requirements would not have to go to the Board of Appeals.

Article 16

To see if the Town will vote to amend the Marshfield Town Code, Division 3: Zoning Bylaw, Chapter 305-7.02.B.(2), Community Service Announcements as follows:

*Amend Community Service Announcements, by modify the language by adding a second paragraph regarding Street Banners with the following language:*

Street Banners containing community service announcements, not including general advertising signs, may be erected on utility poles in public ways with the approval of the Select Board. Such banners shall not exceed a 30 inches x 48 inches. Banners shall have a minimum clearance of 16 feet over a roadway or 12 feet over a sidewalk. Banners shall not interfere with or obstruct, or otherwise block any roadway signs, lighting, or traffic signals. Attachments shall be made with proper hardware and shall only be attached with non-corrosive metal clamps or brackets. If the town does not own the utility pole upon which the street banner is proposed to be placed, evidence of written permission from the owner of the utility pole must be provided.

*Or take any other action relative thereto.*

*Article Explanation: The proposed change would allow street banners to be placed on street lights and utility poles by way of a permit with the Select Board."*



- Section 18 of Chapter 358 of the Acts of 2020 added a new section (Section 3A) to Chapter 40A (State Zoning Act).

(a) An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by Section 40 of Chapter 131 and Title 5 of the state environmental code established pursuant to Section 13 of Chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

### Section (a) Breakdown (Continued)

An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right:

2. Said district. shall have a minimum gross density of 15 units per acre ;
3. Said district shall. be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable
4. Housing can't have age restrictions
5. Housing has to be suitable for families with children

Originally, there is no requirement for any of these units to be affordable or count towards Town's required 10% affordable housing under Chapter 40B. **This issue has been changed in the MBTA Guidelines to allow communities to ask for at least 10% of the units to be affordable.**

### Section (b) Discretionary Grant Funds

- Housing Choice grant program** gives exclusive access to a grant program open only to Housing Choice Communities. These funds are usually for infrastructure improvements (sidewalks, paths, parks, sewer lines etc.) used to tie in new housing developments to the downtown. Some of these funds have also been used for Master and Housing Production Plans.
- The **Local Capital Fund** was Established in Chapter 194 of the Acts of 2012 (An Act Establishing Expanded Gaming in the Commonwealth), and collect 11 percent of any one-time gaming licensing funding paid to the Massachusetts Gaming Commission by Category 1 or Category 2 licensees. These funds are often used to assisted with creating new housing developments.
- The **MassWorks Infrastructure Program** is a competitive grant program that provides the largest and most flexible source of capital funds to municipalities and other eligible public entities primarily for public infrastructure projects that support and accelerate housing production, spur private development, and create jobs throughout the Commonwealth.

## Section (c) Guidelines

Compliance Guidelines for the MBTA Communities. These guidelines (regulations?) add more information and more requirements on communities than the actual language passed by the House and the Senate.

In these guidelines DHCD expects the four types of communities to provide the following percent of multi-family units of the total housing stock:

Rapid Transit Communities	25%
Bus Service Communities	20%
Commuter Rail Communities	15%
Adjacent Communities	10%



### Commonwealth of Massachusetts DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

#### DRAFT Compliance Guidelines for Multi-family Districts Under Section 3A of the Zoning Act

##### 1. Overview of Section 3A of the Zoning Act

Section 18 of chapter 318 of the Acts of 2020 added a new section 3A to chapter 40A of the General Laws (the Zoning Act) applicable to MBTA communities (referred to herein as "Section 3A"). Subsection (a) of Section 3A provides:

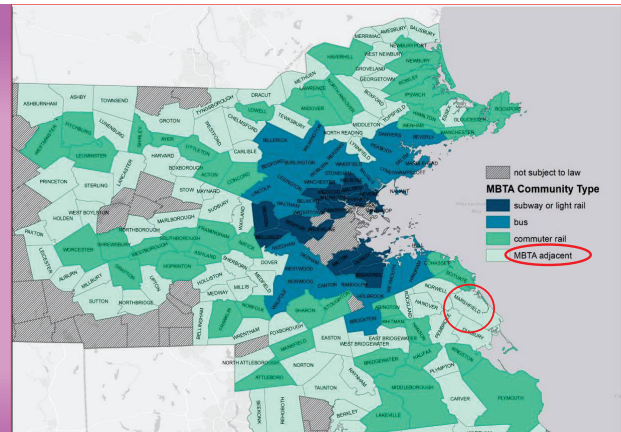
*An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right, provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 13 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 17 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.*

The purpose of Section 3A is to encourage MBTA communities to adopt zoning districts where multi-family housing is permitted as of right, and that meet other requirements set forth in the statute.

The Department of Housing and Community Development, in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, is required to promulgate guidelines to determine if an MBTA community is in compliance with Section 3A. DHCD promulgated preliminary guidance on January 25, 2021. DHCD updated that preliminary guidance on December 15, 2021. These guidelines provide further information on how MBTA communities may achieve compliance with Section 3A.

##### 2. Definitions

"Adjacent community" means an MBTA community with no transit station within its border or within 0.5 mile of its border.



#### Section 3A Guidelines

100

Table of Contents

Show 5 entries

Search:

Community	Community category	2020 Housing Units	Minimum multi-family unit capacity*	Minimum land area**	Developable station area***	% of district to be located in station area
Mansfield	Commuter Rail	9,282	1,392	50	327	40%
Marblehead	Adjacent community	8,965	897	27	-	0%
Marlborough	Adjacent community	17,547	1,755	50	-	-
Marshfield	Adjacent community	11,575	1,158	50	-	-
Maynard	Adjacent community	4,741	474	21	-	-

At 15 units per acre Marshfield would need to rezone at least 77 acres could be more likely closer to 80+ acres in order to provide for screen buffer and parking requirements.

Showing 81 to 85 of 175 entries

Previous 1 ... 16 17 18 ... 35 Next

\* Minimum multi-family unit capacity for most communities will be based on the 2020 housing stock and the applicable percentage for that municipality's community type. In some cases, the minimum unit capacity is derived from an extrapolation of the required minimum land area multiplied by the statutory minimum gross density of 13 dwelling units per acre. In cases where the required unit capacity from these two methods would exceed 20% of the community's housing stock, the required unit capacity has instead been capped at that 20% level.

\*\* Minimum land area is 30 acres for all communities in the rapid transit, commuter rail and adjacent community types. There is no minimum land area requirement for adjacent small towns. Where 50 acres exceeds 1.5% of the developable land area in a town, a cap has been instituted that sets minimum land area to 1.5% of developable land area in the town.

\*\*\* Developable station area is derived by taking the area of a half-mile circle around an MBTA commuter rail station, rapid transit station, or ferry terminal and removing any areas comprised of excluded land.

\*\*\*\* This data table was updated on 10/21/2022 to correct a minor data error that affected the gross unit capacity and land area requirements for two municipalities (Lincoln, and Manchester-by-the-Sea).

In the fall of 2021 Marshfield Town Meeting approved a number of zoning changes to expand Housing opportunities in the community. These included:

- Created an Affordable Village Overlay that allowed attached multi family housing in the PMUD (3 units per acre);
- Modified and clarified definitions for Mixed Use Development allowing for residential above Commercial in PMUD (6 units per acre);
- Allowed residential above commercial in the Downtown (10 units per acre);
- Modified the Brant Rock Village Overlay to allow for full three story mixed use buildings (13 units per acre);
- Removed the requirement 3 year waiting period on creating Accessory Apartments in new construction.

In 2022 Marshfield filed comments on the then proposed guidelines during the public comment period. Marshfield also filed the MBTA Community Information Form and held briefing at both Select Board and Planning Board meetings.

In 2023 the Planning Board has submitted a zoning article to change the Accessory Apartment from special permit to by-right.



#### Interim Compliance – Action Plan

An MBTA community that does not have zoning in place that complies with Section 3A must take active steps towards achieving compliance in order to remain eligible for certain annual funding rounds. The Guidelines allow communities to create and complete an online Action Plan form that outlines the municipality's process for adopting compliant zoning. When DHCD approves the Action Plan, then the community will achieve "interim compliance" and will retain eligibility for the funding sources that require compliance with Section 3A.

- To remain eligible for the calendar year 2023 round of MassWorks and Housing Choice grants, as well as the Local Capital Projects Fund, an MBTA community must submit an Action Plan no later than January 31, 2023.
- No MBTA community may remain in interim compliance after its district compliance deadline has passed.
- A copy of the Action Plan form and access to the online Action Plan form are available below

[Submit an Action Plan »](#)

[Action Plan Form \(PDF\) »](#)

Marshfield did not submitted an Action Plan by the January 31, 2023 deadline because the Action Plan submittal wanted potential areas to be rezoned to be identified. Town staff and elected officials wanted to have a public discussion about identifying possible areas to study for rezoning prior to submitting an action plan.

#### Complying with Section 3A Guidelines

The Guidelines establish timelines for municipalities to adopt compliant zoning districts. MBTA communities that are noncompliant with Section 3A are ineligible for funding from certain funding sources provided by the Commonwealth. There are two forms of compliance, district (or "full compliance") and interim compliance.

##### District Compliance

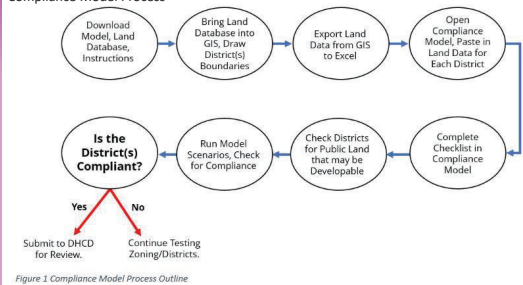
District Compliance is achieved when an MBTA community adopts a multi-family zoning district that meets all the requirements of the compliance guidelines and is certified by DHCD. The deadline to submit a compliance application to DHCD varies by community category as shown in the table below.

Community Category	Deadline
Rapid transit community	12/31/2023
Commuter rail community	12/31/2024
Adjacent community	12/31/2024
Adjacent small town	12/31/2025

District Compliance applications will be available in November 2022. MBTA communities will use an online application and submit the results of the compliance model, which is a Microsoft Excel workbook to estimate multi-family unit capacity and to demonstrate gross density of zoning districts. The Guidelines refer to this tool as the compliance model.

DHCD expects Marshfield to have passed and submitted the zoning changes to DHCD before 12/31/24.

#### Compliance Model Process



Section 3A Compliance Model User Guide

9

This is the process DHCD expects the Town to undertake. This will take a considerable amount of staff time.

"Excluded land" means land areas on which it is not possible or practical to construct multi-family housing. For purposes of these guidelines, excluded land is defined by reference to the ownership, use codes, use restrictions, and hydrological characteristics in MassGIS and consists of the following:

1. All publicly-owned land, except for lots or portions of lots determined to be developable public land.
2. All rivers, streams, lakes, ponds and other surface waterbodies.
3. All wetland resource areas, together with a buffer zone around wetlands and waterbodies equivalent to the minimum setback required by title 5 of the state environmental code.
4. Protected open space and recreational land that is legally protected in perpetuity (for example, land owned by a local land trust or subject to a conservation restriction), or that is likely to remain undeveloped due to functional or traditional use (for example, cemeteries).
5. All public rights-of-way and private rights-of-way.
6. Privately-owned land on which development is prohibited to protect private or public water supplies, including, but not limited to, Zone I wellhead protection areas and Zone A surface water supply protection areas.
7. Privately-owned land used for educational or institutional uses such as a hospital, prison, electric, water, wastewater or other utility, museum, or private school, college or university.

"Sensitive land" means developable land that, due to its soils, slope, hydrology, or other physical characteristics, has significant conservation values that could be impaired, or vulnerabilities that could be exacerbated, by the development of multi-family housing. It also includes locations where multi-family housing would be at increased risk of damage caused by flooding. Sensitive land includes, but is not limited to, wetland buffer zones extending beyond the title 5 setback area; land subject to flooding that is not a wetland resource area; priority habitat for rare or threatened species; DEP-approved wellhead protection areas in which development may be restricted, but is not prohibited (Zone II and interim wellhead protection areas); and land areas with prime agricultural soils that are in active agricultural use.

"Multi-family housing" means a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

"Multi-family unit capacity" means an estimate of the total number of multi-family housing units that can be developed as of right within a multi-family zoning district, made in accordance with the requirements of section 5.b below.

"Multi-family zoning district" means a zoning district, including a base district or an overlay district, in which multi-family housing is allowed as of right; provided that the district shall be in a fixed location or locations, and shown on a map that is part of the zoning ordinance or by-law.

The State guidelines are very prescriptive and provides little flexibility for communities. State requires a minimum of half the district land area must be contiguous. This would be roughly 50 acres for Marshfield.

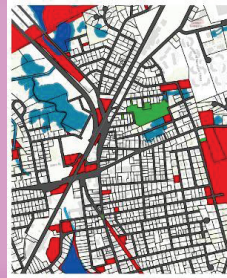


Figure 3 Map section showing excluded and sensitive land

#### Excluded land includes:

- Hydrological features
- Protected/restricted open space
- Wellhead Protection Areas (Zone I only)
- Title 5 setbacks and Surface Water Protection Zone A
- Rights of way
- Most public land, except certain types

#### Sensitive land includes:

- Wellhead Protection Areas (Zone II and Interim Wellhead Protection Areas)
- Special Flood Hazard Areas (A or V flood zones)
- Active Farmland
- Priority Habitats of Rare Species
- Surface Water Protection Zones B & C



Figure 4 Include only complete parcels in the district



The Town's existing Zoning map does have a number of partial lots.

The State does allow a community to include land already developed.

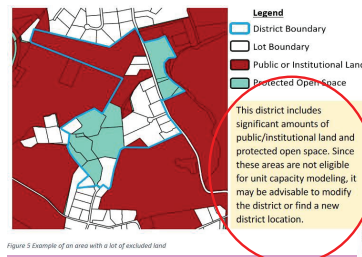


Figure 5 Example of an area with a lot of excluded land

Please note: The compliance user guide does say it may be advisable to modify the district or find a new district location.

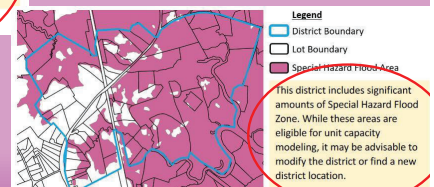


Figure 6 Example of a district with a lot of Special Hazard Flood Area

## Excluded and Sensitive Areas

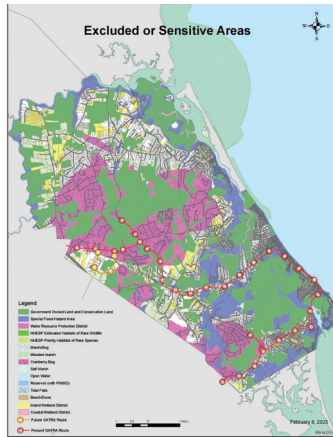
The State would like the Adjacent Communities to locate MBTA Community zones:

- within a half mile of a station
- along transit routes
- In village or downtowns
- along commercial zoned areas.

The map shows the GATRA route, we do not have a station within a mile and a half of the Town line.

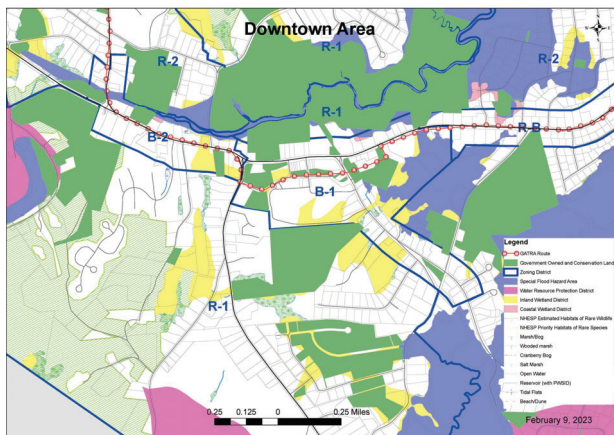
Following the Section 3A Compliance Model User Guide you can see how much of the Town is either Excluded or Sensitive areas.

There were no areas in town that met the minimum 50 Acre contiguous land requirement and a suitable (by avoiding excluded or Sensitive areas) location.



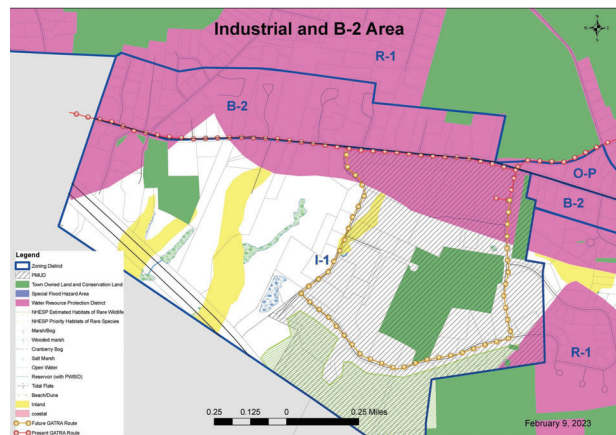
The planning staff used the following process when trying to identify possible locations :

- Follow the existing GATRA Route through the Town,
- Check the village centers,
- Check Commercial and Industrial zoned areas (MAPC recently recommended against using anymore Industrial zoned areas for housing)
- Avoid excluded lands,
- Try to avoid sensitive areas,
- Try not to overload any one area of Town,
- Try to improve existing land uses if possible (ie: existing land uses like automotive repairs in a water resource protection district)



We looked again in the Downtown area

Neither the Star Market Plaza or Library Plaza has enough land area due to excluded or sensitive areas.



Again as elsewhere in Town it is difficult to locate a minimum 50 acre site in the Industrial district, B-2 or PMUD districts.

This area has several streams, one of which is a Cold Water Brook (Hulda Brook) and we have a Water Resource Protection District that covers almost all the B-2 and parts of the Industrial and PMUD areas.

After a second review of the Town, the planning staff has come up with three (less than perfect) potential areas that could meet the MBTA Community Guidelines.

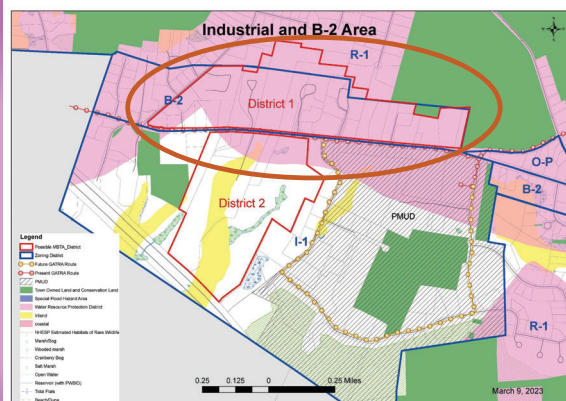
There needs to be discussion with the residents and the various Boards, Commissions and Committees what action the Town should take regarding this State Zoning change and it's guidelines and where the Town should consider locating a MBTA Communities district or districts.

#### District 1

If we took the B-2 zone on the north side of Rte. 139 use the property lines and exclude the residential subdivision (Elliot Street and Joan Way) we could assemble roughly 84.4 acres.

However, almost all of this zone is in the Water Resource Protection District (WRPD) for two Union Street wells and four Furnace Brook wells which is considered a sensitive area.

The majority of the area identified is currently either 1969-71 era multi family housing units (*approximately 700 units*) or commercial. 3 or the 4 auto repair/service business are in the WRPD.

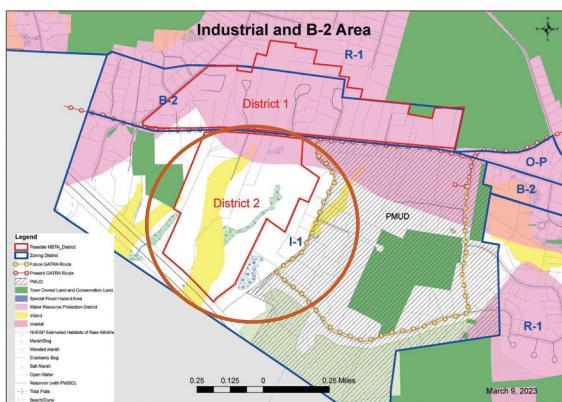


#### District 2

If we took the center of the Industrial zone on the south side of Rte. 139 using property lines we could assemble roughly 76.9 acres.

The majority of the frontage is in the WRPD (Sensitive area) and the Cold Water Brook (Hulda Brook, an excluded area) would be in the middle of this area.

If developed for housing this would roughly cut in half the remaining land zoned for industrial uses.



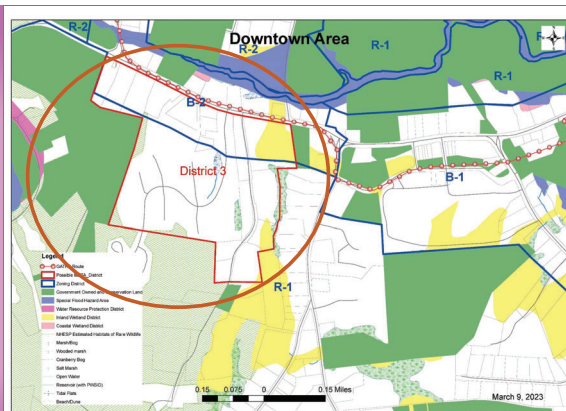
#### District 3

In the Downtown area we identified 51 acres on the south side of Routes 139 and 3A from Walgreens to Taylor Lumber.

The 51 acres includes some sensitive and excluded lands and includes single family homes along Tea Rock Lane.

Not sure that adding additional left hand turns to the heavily travelled 4 lane section of Routes 3A/139 is a good idea.

This would be adding to an area that already have a concentration of more recent multiple family housing that probably wouldn't be redeveloped.



If the Town decided to continue working on submitting the MBTA Communities Action Plan.

The planning staff would recommend the District 1 site (B-2) as the area to continue working on.