

**COMMUNITY MASTER PLAN 2007
NORTH BROOKFIELD, MASSACHUSETTS**

LAND USE & ZONING CHAPTER



EXISTING AND FUTURE LAND USE

North Brookfield's Existing Land Use Pattern:

North Brookfield's land use pattern can be divided into two distinct segments: a town center that is truly in the center of Town and the rural outlying areas that are dotted by existing and former farms and orchards.

The town center contains a mixture of commercial, industrial, residential and institutional land uses. Loosely defined, the town center area begins where Bates and Ward Streets intersect with East Brookfield Road and extends north to Oakham Road (Route 148) where it veers off of North Main Street. The historic Town Hall building is a prominent feature along the streetscape and the former Aztec property represents a significant redevelopment opportunity in the town center. While there are a few industrial uses scattered on the outskirts of the town center, the majority of North Brookfield's economic sector is located within the center of town.

Outside of the center, development consists of existing and former agricultural sites, forestlands, and low-density residential development. The shoreline of Lake Lashaway contains a mixture of old cottages and new residences with very little shoreline remaining for new development.

The table below presents a breakdown of North Brookfield's development pattern as of 2001. The land use pattern was delineated from an orthophotograph of the Town taken in 1999 by the University of Massachusetts – Amherst as part of a statewide land use mapping effort. The UMass land use maps were further refined by the Central Massachusetts Regional Planning Commission (CMRPC) in March of 2001, using its Geographic Information System (GIS). A graphic depiction of North Brookfield's land use pattern can be seen on the map on the following page (Existing Land Use Map).

Table LU-1
North Brookfield Development Pattern – 2001

<u>Developed Land</u>	<u>Permanently Protected Land*</u>	<u>Land With Environmental Constraints (non-buildable)</u>
1,454 acres	2,088 acres	2,521 acres
1,368 acres of residential		452 acres of waterbodies
29 acres of commercial		1,094 acres of wetlands/floodplains
56 acres of industrial		906 acres of river buffers
		69 acres of steep slopes

* Permanently Protected Lands: State-owned Wildlife Management Areas, Town-owned conservation properties, and non-profit lands having conservation easements (i.e., Audubon).

Source: CMRPC GIS analysis (March 2001) based on 1999 UMass land use data.

Table LU-2
North Brookfield Land Use 2001 – Breakdown of Total Town Land Area

Total Land Area:	14,067 acres
Total Amount of Developed Land:	1,454 acres (10.3% of total land area)
Total Amount of Permanently Protected Land:	2,088 acres (14.8% of total land area)
Other Non-Buildable Land:	2,521 acres (17.9% of total land area)
Remaining Amount of Developable Land:	8,004 acres (56.9% of total land area)

Source: CMRPC GIS analysis (March 2001) based on 1999 UMass land use data.

According to the table above, North Brookfield’s developed land currently consists of slightly over 10% of the Town’s total land area. The “developed” land category includes four types of development: residential, commercial, industrial and institutional (municipal buildings, schools, churches, etc.).

North Brookfield contains several large tracts of permanently protected land, i.e., land that cannot be developed. There are four significant parcels under State ownership, including the Five-Mile River Wildlife Management Area (WMA), the Richardson WMA in the southwest corner of Town, the North Brookfield WMA in the northwest corner of Town and a portion of the Spencer State Forest in the southeast corner of Town. The municipal Water Department owns much of the land around Doane and Howe Ponds for the purpose of water supply protection and there is a Town Forest just south of the town center along Route 67. The Town also owns a large tract of property around two ponds in the northeast corner of Town and is responsible for managing the two dams on the property (Doane Pond Dam and Horse Pond Dam). The Audubon Society owns a large tract of land between Donovan Road and the Brookfield Town line. Lastly, there are several farms scattered throughout Town that are protected under the State’s Agricultural Preservation Restriction (APR) program. The APR program allows the State to purchase a farm’s development rights in exchange for maintaining farming as an active use.

While North Brookfield has a significant amount of permanently protected land (2,088 acres or 14.8% of the Town’s total land area), there is almost twice as much land (4,044 acres) having “limited” protection because there are many landowners in Town that participate in the State’s Chapter 61 taxation program. The landowners of these parcels receive a lower land valuation as long as their land remains undeveloped and actively used for either farmland or forestland. However, these lands can be pulled out of the Chapter 61 program at any time and sold for development once a tax penalty is paid, the Town is notified of the landowner’s intent, and the Town declines its right-of-first refusal to purchase the property. Thus, the term “limited protection” is applied to these lands. While the Town is given the right of first refusal when Chapter properties are pulled out of the program, North Brookfield has found it difficult to mobilize the financial resources necessary to acquire former Chapter properties before they are sold for development (as is the case for many rural communities in Massachusetts).

The table on the following page compares North Brookfield’s land use statistics with those of its adjacent neighbors.

**Table LU-3
2001 Community Land Use Comparisons**

North Brookfield

Total Town Land:	14,067 acres
Developed Land:	1,454 acres (10.3%)
Protected Land:	2,088 acres (14.8%)
Other Non-Build Land:	2,521 acres (17.9%)
Remaining Land:	8,004 acres (56.9%)

East Brookfield

Total Town Land:	6,652 acres
Developed Land:	805 acres (12.1%)
Protected Land:	473 acres (7.1%)
Other Non-Build Land:	1,430 acres (21.5%)
Remaining Land:	3,944 acres (59.3%)

Spencer

Total Town Land:	21,735 acres
Developed Land:	3,071 acres (14.1%)
Protected Land:	4,164 acres (19.2%)
Other Non-Build Land:	2,740 acres (12.6%)
Remaining Land:	11,760 acres (54.1%)

Brookfield

Total Town Land:	10,611 acres
Developed Land:	1,115 acres (10.5%)
Protected Land:	3,189 acres (30.0%)
Other Non-Build Land:	1,503 acres (14.2%)
Remaining Land:	4,804 acres (45.3%)

New Braintree

Total Town Land:	13,405 acres
Developed Land:	496 acres (3.7%)
Protected Land:	2,219 acres (16.6%)
Other Non-Build Land:	1,238 acres (9.2%)
Remaining Land:	9,452 acres (70.5%)

West Brookfield

Total Town Land:	13,505 acres
Developed Land:	1,618 acres (12.0%)
Protected Land:	2,018 acres (14.9%)
Other Non-Build Land:	1,260 acres (9.3%)
Remaining Land:	8,609 acres (63.8%)

Source: CMRPC GIS analysis (March 2001) based on 1999 UMass land use data.

The previous table indicates that North Brookfield has the second lowest percentage of developed land at 10.3%, with only New Braintree having a lower percentage (3.7%). North Brookfield has the second lowest percentage of permanently protected land at 14.8%, with only East Brookfield having a lower percentage (7.1%). North Brookfield falls in the middle of the pack in terms of other non-buildable land (defined as wetlands, floodplains, river buffers and steep slopes). It should be noted that, with the exception of Brookfield, all of the towns compared have more than half of their total land areas remaining as vacant developable land.

**Table LU-4
North Brookfield Land Use Changes Over the Years**

1971	1985	% Change 71 – 85	1999	% Change 85 - 99
892 developed acres	1,085 developed acres	+ 21.6%	1,454 developed acres	+ 34.0%
846 acres residential	1,027 acres residential	+ 21.4%	1,368 acres residential	+ 33.2%
46 acres comm./ind.	58 acres comm./ind.	+ 26.1%	86 comm./ind.	+48.3%
8,794 acres forestland	8,509 acres forestland	- 3.2%	8,506 forestland	- 00.1%
2,975 acres farmland	2,889 acres farmland	- 2.9%	2,419 acres farmland	- 16.3%

Source: UMass-Amherst land use data for 1971, 1985 and 1999.

The previous table indicates that North Brookfield has added 562 acres of new development between 1971 and 1999, while losing 556 acres of farmland and 288 acres of forestland during the same timeframe. Furthermore, the rate of development is increasing. To wit: between 1971 and 1985, North Brookfield's amount of developed land grew by 21.6%, and between 1985 and 1999 the Town's amount of developed land grew by 34%, representing an accelerated rate of development. This is curious to note when one considers that North Brookfield has seen its population slightly decline since the 1990 US Census. However, the data presented in the Housing chapter indicates that North Brookfield added 240 new housing units between 1990 and 2006. Thus, new development is taking place in town despite its modest decline in population. Most of this seemingly contradictory data can be attributed to an aging population, smaller family sizes, and new residents moving into the community. Smaller family sizes mean fewer people living in households and the newer residents coming into town are not enough to offset community population losses due to illness, death and out migration; hence the increase in the number of housing units and the subsequent decline in population.

EOEEA-Sponsored Build-Out Analysis for North Brookfield:

In 1999, the Massachusetts Office of Energy and Environmental Affairs (EEOEA) began a statewide effort to prepare a buildout analysis for each community in the Commonwealth. In short, a buildout analysis attempts to determine the number of developable building lots and a community's total population at full buildout, that is, if the community were to be completely developed under the standards of its current zoning. Existing developed lands, protected lands and lands with environmental constraints (waterbodies, wetlands, floodplains, steep slopes, etc.) are removed from the equation and the remaining developable land is divided by the standards of the local zoning bylaw. A buildout analysis does not attempt to determine *when* a community will reach full buildout - it simply attempts to determine what the community would look like if it were fully built out according to the town's current zoning policies.

The regional planning commissions from across the State were contracted to perform buildout studies for each community in their respective regions and, in North Brookfield's case, CMRPC completed the Town's buildout analysis in the spring of 2001.

**Table LU-5
Summary of 2001 Buildout Analysis**

<u>Zoning District</u>	<u>Amount of Buildable Land</u>	<u>Number of Buildable Lots</u>	<u>Amount of New Floor Space</u>	<u>Additional Population</u>	<u>Additional Students</u>
Res-11	104 acres	224	-----	575	107
Res-30	353 acres	317	-----	815	151
Res-66	8,256 acres	3,206	-----	8,238	1,529
Industrial	176 acres	224	829,562 sq. ft.		
Central-CB	2 acres	6	8,670 sq. ft.		
General-GB	4 acres	5	9,486 sq. ft.	-----	-----
Totals:	8,895 acres	3,982	847,718 sq. ft.	9,628	1,787

Source: CMRPC GIS analysis, March 2001.

Remaining Development Potential:

Residential Development: According the US Census, North Brookfield's population for the year 2000 stood at 4,683 residents. The 2001 buildout analysis indicates that the Town has enough vacant developable land to accommodate an additional **9,628 new residents** under its current zoning standards. This would mean that North Brookfield could potentially have as many as 14,311 total residents at full buildout (4,683 existing residents + 9,628 new residents = 14,311 total residents). Table LU-5 indicates that North Brookfield's Residential-66 district has the largest amount of land available for future development, enough to accommodate an additional 3,206 house lots and 8,238 new residents. The Residential-30 districts have enough vacant developable land to accommodate 317 new house lots and 815 new residents. The Residential-11 districts have enough vacant developable land to accommodate 224 new house lots and 575 new residents.

While it may not initially appear that the Town is close to full buildout at present time (especially with its population actually declining since 1990), the data presented in Table LU-4 indicates that the rate of land development in North Brookfield is accelerating. Furthermore, land use and building permit data for CMRPC's western subregion indicates that ever-larger homes are being built on ever-larger lot sizes (thus increasing the consumption of land) and most of the land used for new residential



development consists of former farm or forestlands. North Brookfield planners should evaluate the Town's zoning and infrastructure expansion policies to determine whether they are contributing to its accelerated rate of development and what implications this has for North Brookfield's municipal budget, community character and scenic resources (i.e., farm and forestlands).

Commercial and Industrial Development: In July 2006 as part of the preparation of the Master Plan's Economic Development chapter, CMRPC took a closer look at the 2001 buildout numbers, evaluating each individual commercial and industrial zoning district and determined that the 2001 commercial and industrial floor space projections were inflated and did not account for the fact that much of the remaining land has poor access. Thus, instead of the roughly 847,000 square feet of new commercial/industrial floor space initially projected by the 2001 buildout analysis, the true amount of new floor space potential is more in the range of **400,000 square feet**. Based on development patterns in similar communities, 400,000 square feet of new floor space is actually a very modest amount. The reader is referred to the Future Economic Development Suitability Map and Table ED-5 for a full discussion of the 2006 revised buildout analysis for North Brookfield's commercial and industrial districts.

The bottom line is that North Brookfield has a minimal amount of vacant developable land zoned for commercial and industrial purposes. As a practical matter, the Town has just about run out of vacant developable commercially zoned land. However, this should not lead one to believe that the Town is completely devoid of land that could be used for new economic opportunities. There are several properties and buildings in the town center area that are underutilized and ripe for redevelopment. These buildings have low assessed evaluations and do not generate much in the way of tax revenues. Unless North Brookfield rezones new areas of Town for commercial purposes, the bulk of its new commercial development will take place as redevelopment of existing properties in the town center.

North Brookfield's Existing Zoning Scheme:

A graphic depiction of North Brookfield's zoning arrangement can be found on the following page (Zoning Map).

Residential: North Brookfield has three types of residential zoning districts, each named according to their required minimum lot sizes. All told, North Brookfield has zoned 97.7% of the Town's total land area for residential purposes.

The R-11 district covers 3.45% of the Town's total land area and is located in the center of town and along the frontage of several roads radiating out of the town center (i.e. West Brookfield Road, East Brookfield Road and Elm Street). The R-11 district has a minimum required lot size of 11,000 square feet and a minimum frontage requirement of 100 feet. The R-11 district is fully served by municipal water and sewer. For uses permitted by right, the R-11 allows single-family homes, institutional uses (government buildings, schools, churches, etc.), agricultural uses and customary home occupations.



Uses allowed by special permit in the R-11 district include cemeteries, golf courses, riding stables, boat livery, ski areas, airports, camps, antique and gift shops, offices, daycare facilities, nursing homes, sanitariums, orphanage homes, kennels and veterinary clinics, schools, public utilities, excavation operations, the conversion of an existing dwelling into a multi-family dwelling and multi-family dwellings containing no more than four units.

The R-30 districts cover 5.55% of the Town's total land area and occur in seven distinct locations: the first R-30 district extends south from the town center and takes in frontage along either side of Ward Street, Old East Brookfield Road, Shore Road, Lake Road and portions of Orchard Road and Bullard Road. The second R-30 district extends east from the town center and takes in frontage along either side of School Street, Mad Brook Road, Howe Road and portions of Hillsville Road and Crooks Road. The third R-30 district extends north from the town center and takes in frontage along either side of Rufus Putnam Road, Hunt Road and Oakham Road. The fourth R-30 district extends northwest from the town center and takes in frontage on either side of Bell Street, Bell Road and New Braintree Road. The fifth R-30 district abuts the west side of the

town center and takes in frontage along either side of Bates Street, Ayers Street, Bigelow Street, Summer Street and a section of Waite Corner Road. The sixth R-30 district is very small, taking in either side of Chase Road. The seventh R-30 district is also very small, taking in a brief stretch of Brookfield Road south of the town center. The R-30 district has a minimum required lot size of 30,000 square feet and a minimum frontage requirement of 150 feet. While all of the R-30 districts appear to be serviced by municipal water, the same cannot be said for municipal sewer, which takes in only those R-30 districts closest to the town center. The R-30 district has the same list of permitted uses and uses allowed by right as does the R-11 district.

The R-66 district covers the vast majority of rural North Brookfield, covering 88.7% of the Town's total land area. The R-66 district has a minimum required lot size of 66,000 square feet and a minimum frontage requirement of 250 feet. While the municipal water system does appear to service a limited portion of the R-66 district (i.e., Ryan Road and Oakham Road), the municipal sewer system does not cover any portion of the R-66 district. The R-66 district has the same list of permitted uses and uses allowed by right as do the R-11 and R-30 districts.

Commercial: North Brookfield has two types of commercial zoning districts: a Central Business district and a General Business district. All told, North Brookfield has zoned 0.2% of the Town's total land area for commercial purposes (or less than a quarter of 1%).

There are five distinct Central Business districts located in the town center proper and one north of town center at the intersection of Route 67 and 148. Municipal water and sewer is available for all of the Central Business districts. There is no required minimum lot size or frontage length for lots in the Central Business district. In terms of uses allowed by right, the Central Business districts allow the same uses permitted by right in the residential districts with the exceptions of excavation operations, the commercial raising of swine or fur-bearing animals. Residential development is also allowed with the caveat that new residences must be located on lots at least 11,000 square feet in size. Other uses permitted by right include offices, banks, retail and consumer businesses, newspapers and printers. Uses allowed by special permit include: places of amusement or assembly, recreation facilities, undertakers, automobile service stations, garages, automobile sales, feed sales, fuel sales, building supply stores, and conversion of a residential structure into a mixed use structure (i.e., residential and commercial).

There are three General Business districts in North Brookfield: one in the town center, one along East Brookfield Road south of town center, and a very small General Business district on the west side of West Brookfield Road. The General Business district has a minimum required lot size of 25,000 square feet and a minimum frontage requirement of 110 feet. Municipal water and sewer is available for the first two General Business districts, but neither is present for the West Brookfield Road district. In terms of uses allowed by right, the General Business districts allow the same list of permitted uses as does the Central Business districts, with the one exception being that residential buildings must be located on lots at least 30,000 square feet in size. Other uses permitted by right include wholesale operations, storage establishments, trucking firms, sales and servicing of tractors and construction equipment, undertakers, light manufacturing and research laboratories. Uses allowed by special permit include places of amusement and assembly, recreation facilities and excavation operations.

Industrial: There is only one category of industrial zoning in North Brookfield and six locations in Town have been zoned for industrial purposes. There are two Industrial districts in the town center (one covering the old Aztec property), a small Industrial district in close proximity to the town center on the west side of Union Street, a very small Industrial district along Crooks Cross Road near its intersection with Oakham Road, a larger Industrial district south of town center on the east side of East Brookfield Road and the last and largest of North Brookfield's Industrial districts is located south of Donovan Road along either side of East Brookfield Road. All told, North Brookfield has zoned 2.1% of the Town's total land area for industry.

The Industrial district has a minimum required lot size of 50,000 square feet and a minimum frontage requirement of 220 feet. Municipal water and sewer service is available for all of North Brookfield's Industrial districts with the exception of the Crooks Cross Road district, which does not have access to municipal sewer. In terms of uses allowed by right, the Industrial districts allows the same uses permitted by right in the residential districts with the exceptions of excavation operations, the commercial raising of swine or fur-bearing animals. Residential development is also allowed as long as new residences are located on lots at least 66,000 square feet in size. Other uses permitted by right include manufacturing (processing, fabrication and assembly, warehouse facilities and storage establishments.

Zoning of Neighboring Communities Bordering North Brookfield:

Brookfield: The zoning along the shared boundary line with Brookfield is consistently residential on both sides. The Brookfield side is zoned Rural-Residential (70,000 square foot minimum lot size) and the North Brookfield side is zoned R-66 (66,000 square foot minimum lot size). Thus, there are no zoning conflicts with Brookfield.

East Brookfield: The zoning around the shoreline of Lake Lashaway is consistent, with North Brookfield's land being zoned R-30 (30,000 square foot minimum lot size) and East Brookfield's land being zoned Residential (30,000 square foot minimum lot size). The land between the Lake and East Brookfield Road is zoned R-66 (66,000 square foot minimum lot size) on the North Brookfield side and Residential-Agricultural (one acre minimum lot size) on the East Brookfield side. The only notable zoning conflict is that East Brookfield has a Commercial district extending 200-feet along either side of North Brookfield Road, while the zoning becomes R-66 upon entering North Brookfield (and the road name changes to East Brookfield Road).

New Braintree: The zoning along the shared boundary line with New Braintree is consistently residential on both sides. The New Braintree side is zoned Agricultural/Rural-Residential (three acre minimum lot size) and the North Brookfield side is zoned R-66 (66,000 square foot minimum lot size). Thus, there are no zoning conflicts with New Braintree.

Spencer: The zoning along the shared boundary line with Spencer is consistently residential on both sides; however, there is a significant difference in the required minimum lot size around Brooks Pond. Spencer's side of Brooks Pond is zoned Lake-Residential (22,500 square foot minimum lot size and 100-foot frontage requirement) and the North Brookfield side

of Brooks Pond is zoned R-66 (66,000 square foot minimum lot size and 250-foot frontage requirement). The remaining land on the Spencer side of the shared boundary is zoned Rural-Residential (60,000 square foot minimum lot size) and the North Brookfield side is zoned R-66 (66,000 square foot minimum lot size).

West Brookfield: The zoning along the shared boundary line with West Brookfield is consistently residential on both sides. The West Brookfield side is zoned Rural-Residential (90,000 square foot minimum lot size) and the North Brookfield side is zoned R-66 (66,000 square foot minimum lot size). Thus, there are no zoning conflicts with West Brookfield.

The zoning review for North Brookfield's neighbors indicates only two significant zoning conflicts. The first is East Brookfield's commercial zoning along 200 feet on either side of North Brookfield Road and the second is the difference in lot size requirements around Brooks Pond, which North Brookfield shares with Spencer.

Problems Created by the Current Zoning Scheme:

North Brookfield enacted its first Zoning Bylaw at a Town Meeting on March 8, 1963. While the Planning Board has made numerous revisions over the years, the Zoning Bylaw still largely resembles that of a small town circa the 1960s. The Bylaw is antiquated, poorly organized, confusing to read, presents limited options for all types of development and does not contain many of the Smart Growth techniques and tools promulgated by the modern day planning community.

Chief among the Zoning Bylaw's flaws are:

- No provisions for senior housing.
- No provisions for open space residential subdivisions.
- No provisions for major residential development reviews.
- No provisions or requirements for affordable housing.
- No provisions for "building green".
- No provisions for wind power or alternative energy generating facilities.
- No provisions for regulating telecommunications towers.
- No limitation on the amount of floor space for new commercial uses.
- No definitions for items that would typically be defined in a local zoning bylaw.
- Existing set of definitions is limited, poorly worded and antiquated.
- List of permitted uses presented in text format rather than tabular format.
- Uncoordinated zoning in the town center area.
- Parking standards that require more parking than necessary for some commercial uses.
- Limited and antiquated economic development options.
- Limited amount of land (less than a quarter of one percent) zoned for commercial uses.
- Lack of design review in the commercial and industrial districts.
- Lack of site plan development standards for large-scale developments.
- Inappropriate mixing of incompatible land uses (i.e., allowing residential development in the Industrial districts).

These items represent only a partial list of flaws in the Zoning Bylaw. While much more elaboration could be provided for each of the flaws identified above, the end result of any objective analysis is the same - **North Brookfield should significantly revise its Zoning Bylaw in the following manner:**

- **Modernize the terminology and planning concepts to bring the document into the 21st century.**
- **Reorganize the contents to make the document easier to read.**
- **Adopt new Smart Growth planning tools currently not included in the Bylaw.**
- **Revise its zoning policies for the town center in order to promote a compact mixture of development that would be more in keeping with traditional New England town center zoning.**
- **Identify new areas of Town for commercial development.**

Towns should expect to get what they zone for, and a poorly conceived zoning scheme usually results in an inefficient land use pattern that further results in a myriad of problems that the town needs to spend a great deal of money, time and human capital to sort out and correct. While North Brookfield's current zoning is poorly conceived for the 21st century, the Town is still rural enough to make the necessary corrections and plot a new direction for its future.

Land Use – Goal

Utilize Smart Growth planning and zoning techniques to preserve the quality of life for North Brookfield residents by strengthening the existing land use pattern of a densely settled mixed-use town center and rural outlying countryside.

Land Use – Objectives

- Enact zoning tools that will create a vibrant and lively town center containing a mixture of residences, businesses, service providers, municipal government offices and institutional uses.
- Ensure that new growth does not outstrip the Town's ability to provide quality municipal services to its residents.
- Recognize farming as an integral part of North Brookfield's economy and rural character, and work towards preserving the long-term viability of the Town's agricultural resources.



- Use the Town's infrastructure, particularly municipal sewer and water, to direct growth to the most suitable locations and discourage infrastructure expansions into rural North Brookfield.
- Enact zoning techniques that will require the preservation of open space as part of new development activity in rural North Brookfield.
- Expand the North Brookfield's industrial tax base by adding new industrial development options to the Zoning Bylaw.
- Expand the North Brookfield's commercial tax base by identifying and rezoning new areas of Town for commercial development.

Land Use – Recommendations: Rural North Brookfield

1. Adopt a Bylaw for Major ANR Residential Development Review: (Housing Chapter Recommendation #1) The Town should create a mechanism that allows for the municipal review of major residential development proposals, that is, multiple lots (five or more) being created along the frontage of an existing Town road. Currently, such development proposals receive no municipal review as they are created under the Approval Not Required (ANR) process. Having a major residential development review provision in the Town's Zoning Bylaw would allow for the municipal review of site planning issues such as the cumulative impacts of the proposed development in regards to drainage, stormwater management, erosion control, environmental impact and neighborhood impact. Responsible Municipal Entity: The Planning Board.

2. Adopt a Bylaw for Open Space Residential Subdivisions: (Housing Chapter Recommendation #5) An open space subdivision concept allows a developer to build homes closer together than would normally be allowed under the underlying zoning requirements, while preserving the remaining land as open space. Open space subdivisions appeal to developers because it enables them to build shorter subdivision roads and, where available, extend public utilities at a reduced cost. Open space subdivisions can help to preserve rural character if the local bylaw gives the Planning Board the flexibility to determine what areas of the property are to remain as undeveloped open space. This development concept makes economic sense for a municipality in several instances such as having a central bus-stop location for picking up school children, reduced infrastructure costs and the permanent protection of open space. If municipal utilities are required, the lines for such utilities can be extended into an open space subdivision which is cheaper than extending them down an existing road as part of a conventional subdivision. A portion of the subdivision's open space can be used to provide recreation facilities for area residents, instead of the Town having to acquire and develop new recreational lands/facilities. Responsible Municipal Entity: The Planning Board.

3. Adopt a Local Wetland Protection Bylaw: North Brookfield has approximately 1,094 acres of wetlands. These valuable ecosystems serve as wildlife and fishery habitats. Wetlands also act as natural pollution filters and this is an important function in North Brookfield, which has extensive frontage along the Fivemile River, Coys Brook, Lake Lashaway, Brooks Pond, as well as Horse Pond and Doane Pond (the Town's municipal water supply sources). As wetlands are a critical factor for North Brookfield's environmental integrity, it is recommended that the Town adopt a local Wetland Protection Bylaw. Such a Bylaw would be in addition to the protections already afforded from the State's River and Wetland Protection Acts. Responsible Municipal Entities: The Master Plan Implementation Committee and the Conservation Commission.

4. Investigate the State's Community Preservation Act: The Community Preservation Act (CPA) is a program that was designed by the Commonwealth of Massachusetts to help communities preserve open space, fund historic preservation efforts, create affordable housing and build recreational facilities. Currently over 100 Massachusetts cities and towns have adopted the CPA program, including neighboring Sturbridge. Since 2002, the Commonwealth has contributed over \$180 million dollars in matching funds to communities that have chosen to participate in the Community Preservation Act. The Community Preservation Act is essentially a voluntary program that establishes up to a 3% surcharge on local property taxes. Any local funds collected by the community are currently matched dollar for dollar by the Commonwealth. For instance, a community collecting \$150,000 would be entitled to an additional \$150,000 cash payment from the State. The match is an annual payment distributed every October and remains in place for as long as the community participates in the program. The match is funded through the collection of fees from the Registry of Deeds.

Roadmap to the CPA: When a community is considering adopting the CPA, it can design the program to meet its specific needs and financial situation. There are a number of exemptions that the town can include in the act in order to protect citizens on fixed incomes or those facing financial hardships. The community can even limit the total financial impact of the program on property owners. The three major exemptions that can be included in the CPA are; senior, low income and property value exemptions. The chart below presents the exemptions available for low income and senior households. Please note that exemptions are based on net income.

Community Preservation Act – Senior and Low Income Program Exemptions

Resident Class	One Person Household	Two Person Household	Four or More Person Household
Seniors (residents 60 and over)	\$50,960	\$58,240	\$72,800
Low Income Residents	\$40,768	\$46,592	\$58,240

Exemptions are based on net income.

Source: The senior and low-income household income figures are for North Brookfield households as determined by the Federal Department of Housing and Urban Development (HUD) based on 2007 income limits.

The above chart denotes the income exemptions that would apply for seniors and low-income households if the CPA were adopted with these exemptions. The listed income levels are based on net income amounts, i.e. the amount used to determine a person's taxable earnings. Taxable income is income less all qualified tax deductions such as mortgage interest, qualified medical expenses, etc. The authors of the CPA were acutely aware that many people, especially seniors,

live on fixed incomes and are facing financial hardships. Consequently, many of those facing financial hardships will easily qualify for the program’s income exemptions, regardless of the value of their homes. Since the CPA is a local option, all one would have to do would to receive an exemption would be to submit a short simple form found at the town’s tax assessor’s office.

Partial Property Value Exemptions and Assessment Rates: In addition to the senior and low income exemptions, when adopting the CPA, the municipality can choose to exempt the first \$100,000 of a property’s assessed value from the annual CPA assessment. This would be a blanket exemption and apply to every property in town that is participating in the program. The community can also set the assessment rate at 1%, 2%, or 3%. The actual assessment is based on the taxes paid, *not* the valuation of the property. An example of the impact of the CPA on an average property owner can be found on the following page. The example shows the Act with a \$100,000 exemption and a 3% assessment.

What the CPA Means for the Average North Brookfield Property Owner:

Average North Brookfield Home – Assessed Value:	\$247,293
Less \$100,000 Exemption:	- \$100,000
Net House Value Subject to CPA Surcharge:	\$147,293
Municipal Tax Rate (per \$1,000 of assessed valuation):	\$9.34*
Municipal Property Tax (amount subject to CPA Surcharge):	\$1,375.72
CPA Surcharge Rate (3% x \$1,375.72):	3%
Annual Amount Paid to the CPA Fund:	\$41.27
Monthly Impact on Household Finances (\$41.27/12 months):	\$3.44

* = MA Department of Revenue 2007/2008 Fiscal Year.

As noted from the previous example, the total annual impact of the CPA program on an average North Brookfield homeowner would be \$41.27, or \$3.44 per month. This number might be smaller or larger depending on the actual value of the property. Based on the number of housing units in town, North Brookfield households could contribute as much as \$80,000 annually to the Community Preservation Act. When this amount is combined with the Commonwealth’s current match, North Brookfield would have \$160,000 to spend each and every year on CPA housing, historic preservation and land protection programs.



Example: What the CPA would mean for the average homeowner in North Brookfield

Average Home Value: North Brookfield

\$247,293

Addition to Annual Property Tax Bill
Using Average Assessed Home Value
(only pick one value below)

Assessment rates, no exemption:

1.0%	\$23
1.5%	\$35
2.0%	\$46
3.0%	\$69

Assessment rates, with \$100,000 exemption:

1.0%	\$14
1.5%	\$21
2.0%	\$28
3.0%	\$41

For instance, a 1.5% assessment with no exemptions would mean a homeowner would pay an additional \$35 per year, or \$2.91 per month of their property tax bill.

Source: Tax rate is based on FY07 tax figures from the Massachusetts Department of Revenue (\$9.34 per thousand).

Community Preservation Act Program Requirements: Once a community has passed the CPA by local ballot initiative, the municipality must remain the program for a minimum of five years. But during the initial five-year period, the town can make changes to the property surcharge amounts and program exemptions at any time. After the initial five-year period, the community can opt out of the program at any time. As part of its obligations under the CPA, the municipality must establish an oversight committee that manages the program's funds and selects projects. 30% of the money (both public and state match) must be spent on historic preservation (10%), affordable housing projects (10%), and open space protection/or the creation of recreational facilities (10%). The remaining 70% of the funds can be spent in any amount on these three categories either singularly or in any combination.

Benefits of the Community Preservation Act Program: Property taxes traditionally fund the day-to-day operating needs of a town's safety, health, schools, roads, maintenance and so on. But with lean municipal budgets, there is no steady funding source for preserving and improving a community's most important assets. Oftentimes these same assets, whether they are farmland or historic buildings are what make a community special for the residents who live there. The CPA is one way a town such as North Brookfield can help protect and preserve some of these properties. The renovation of historic Town Hall and the acquisition preservation of the Pelletier property would qualify for funding under the CPA.

More importantly, many state and federal grants now require cost matches. Communities that cannot provide these matches are effectively blocked from applying for many of these grants. Using funds from the CPA would allow North Brookfield to leverage its program money as a cost match and allow it to apply for and receive some of these grants. Using just one year's annual CPA assessment of \$160,000 would allow the town to pursue a \$800,000 grant that requires a 20% cost match (20% of \$800,000 = \$160,000).

In this time of constrained municipal budgets and vast tracts of unprotected space within its borders, North Brookfield should seriously consider adopting the CPA. Over 100 communities in Massachusetts have adopted the Act and have received over \$180 million dollars from the Commonwealth to date. North Brookfield could tap into this funding source with little financial hardship and potentially earn a significantly large return on its investment. Responsible Municipal Entities: The Board of Selectmen working with the Master Plan Implementation Committee.

5. Work With Area Land Trusts: Research conducted on behalf of the Master Plan indicates there are 160 tax parcels in North Brookfield currently enrolled in the State's Chapter-61 taxation program. Many of the large lot property owners are in their "golden years". Elderly property owners are often faced with the following dilemma: how to conduct their estate planning in such a way as to maximize assets while at the same time protecting the land they've lived on for many years. This can be a very complicated proposition, one that requires professional legal and estate planning assistance. There are several regional land trusts (such as the Opacum Land Trust, East Quabbin Land Trust and the Trustees of Reservations to name a few) that have such expertise on staff. Land trusts often work with property owners to create estate plans that meet the financial needs of the landowners while protecting the land (albeit sometimes in a limited fashion). It is therefore recommended that North Brookfield work with the region's larger land trusts to identify land protection opportunities. The list of large-lot property owners should be kept with the Conservation Commission or Master Plan Implementation Committee, who in turn, should be the Town's liaison with the region's land trusts. Responsible Municipal Entity: The Conservation Commission or the Master Plan Implementation Committee.

Land Use – Recommendations: Town Center

6. Enact Traditional Village Zoning for Town Center (Housing Chapter Recommendation #9 and Economic Development Chapter Recommendation #3): Through the townwide citizen survey and the various public forums held as part of the master planning process, North Brookfield residents have expressed the desire to have a more vibrant and attractive town center. As a necessary first step, town planners should endeavor to define the boundaries of what will be North Brookfield's future town center area. Town planners should consider consolidating the various zoning districts that comprise the current town center into a single mixed-use district with development standards that would encourage a more traditional New England village center development pattern. The current zoning scheme for the town center contains a mixture of high-density residential zoning, industrial zoning, and two types of commercial districts.

Development standards to consider for this district include: zero front yard setbacks, minimum side setbacks, allowing more than four residential units per multi-family housing project, discouraging stand-alone commercial operations that require large amounts of parking, locating

buildings in front of the lot with parking in the rear, façade design standards, signage and lighting standards, shared parking and mixed use buildings (shops on first floor, apartments above). A Village Center Bylaw could also include incentives for developers to rehabilitate existing underutilized buildings, provide affordable housing, preserve environmentally sensitive areas, ensure that new development is pedestrian friendly and provide streetscape amenities (street lighting, landscaping, benches, etc.).

When considering what design standards to adopt for a newly created mixed-use district, the Town would benefit from having a design workshop that would utilize the talents of landscape architects to help citizens visualize their preferred aesthetics for the town center area. There are two institutions of higher education that can assist North Brookfield with preparing the standards for a new village center mixed-use district:

- The Department of Landscape Architecture and Planning at the University of Massachusetts (Amherst).
- The Department of Urban Studies and Planning at the Massachusetts Institute of Technology (Boston).

Responsible Municipal Entities: The Planning Board, Board of Selectmen and potentially a local Economic Development Committee.

Land Use – Recommendations: Housing

7. Inclusionary & Incentive-Based Zoning: (Housing Chapter Recommendation #6) As mentioned previously in the Housing Chapter, the State’s most recent Subsidized Housing Inventory lists North Brookfield as having 138 housing units (or 7.31% of the Town’s total housing stock) that qualify as affordable housing under MGL Chapter 40-B. The Town would need to create 51 subsidized housing units in order to reach the goal of having 10% of its housing stock consist of low/moderate-income housing. As mentioned previously, many Massachusetts communities have attempted to secure more low and moderate-income housing through the use of either inclusionary zoning or incentive-based zoning. It is recommended that North Brookfield evaluate which approach would be more useful to the Town in terms of creating new affordable housing and then implement its preferred option. Responsible Municipal Entity: The Planning Board.

8. Adopt a Senior Housing Bylaw: (Housing Chapter Recommendation #7) The Town should increase its options for senior housing within its Zoning Bylaw. To do this, the Town would need to give serious consideration as to which types of senior housing alternatives would best suit its elderly population, whether they be congregate care facilities, independent living facilities, restorative care/skilled nursing facilities, or senior housing communities. Responsible Municipal Entities: The Planning Board in conjunction with the Board of Selectmen. Exploring additional senior housing opportunities could also be another project for a local housing partnership group.

Land Use – Recommendations: Economic Development

9. Site Plan Review Authority: North Brookfield’s Zoning Bylaw should be amended to include a site plan review process for large-scale commercial, industrial and residential uses. Whether such uses are allowed By Right through the Planning Board or by Special Exception through the Zoning Board of Appeals, having a site plan review process in place would allow these entities to have more input on the design of a large-scale development project in relation to the building site and the surrounding area. A site plan review process usually sets forth a set of design standards that developers must employ for large-scale projects. These design standards can be mandatory or advisory. Items to consider when developing site design standards include:

- Drainage and stormwater management
- Construction materials
- Landscaping
- Lighting
- Building location and façade appearance
- Parking area design and location
- Site access and egress
- Screening and fencing

In addition to the above design considerations, several Massachusetts communities have recently amended their site plan review procedures to include incentives for “building green”, i.e., using recycled materials in the building process, installing energy-efficient appliances, and using alternative energy sources (typically wind, hydro or solar power). Such incentives can take the form of density bonuses, reduced dimensional requirements, reduced infrastructure costs, etc. The State of Massachusetts is also promoting the “green building” concept through its Green Affordable Homeownership Initiative, a grant program for first-time homebuyers.

Returning to a potential site plan review process for North Brookfield, it must be understood that the lack of detailed design standards is an obstacle to economic development because developers cannot be sure what the Town will require of them. A site plan review process that includes design standards should be added to the Zoning Bylaw so that both the Town and developers know what is expected. Having such standards and/or guidelines in place would ensure that new large-scale developments are built in a way that blends them into North Brookfield’s community character with minimal disruption to adjacent neighborhoods and existing traffic patterns. Responsible Municipal Entities: The Planning Board in conjunction with the Zoning Board of Appeals.

10. Review and Revise the Zoning Bylaw’s Commercial and Industrial Development Provisions: (Economic Development Chapter Recommendation #5) The Planning Board needs to review the Zoning Bylaw’s provisions for new commercial and industrial zoning and revise as necessary. The provisions to review include dimensional standards (frontage, lot size, setbacks, etc.) and the list of permitted uses. New categories of businesses have been created since the Zoning Bylaw was adopted and they should be considered for inclusion in the list of permitted uses if appropriate. This review and revision effort could also include amending the site plan review process to establish design standards for new economic development. These design

standards could cover a number of site planning issues such as: access/egress, lighting, landscaping, signage, building and parking location, building facade appearance, snow removal, fencing and screening. Responsible Municipal Entity: The Planning Board.

11. Identify New Areas of Town Suitable for Commercial Development: (Economic Development Chapter Recommendation #2) The 2001 buildout analysis indicates that North Brookfield has just about run out of vacant developable land zoned commercially. While the primary focus of the Town's economic development strategy will be to revitalize the town center through rehabilitating/replacing existing structures, this does not address the need for new commercially zoned land. This need remains because many new businesses would require larger lot sizes than are available in the town center. Thus, the Town needs to identify new areas that may be suitable for rezoning commercially. The results of the Master Plan Citizen Survey indicate that residents prefer new businesses (especially restaurants and professional services) along Routes 67 and 148 both north and south of the town center. In an effort to address North Brookfield's need for new commercially zoned land, the Master Plan Committee has identified three new areas to investigate rezoning for this purpose:

- Establish a New Commercial/Industrial District for East Brookfield Road – Beginning at Hayden Farm and extending south along either side of East Brookfield Road for a length of 3,000 linear feet. This stretch of East Brookfield Road is largely undeveloped and free of environmental constraints. While lacking municipal water and sewer, this area would be suitable for highway oriented businesses and light industry. This area is currently zoned Residential-66.
- Commercially Rezone a Portion of the Residential-11 District Located Along East Brookfield Road – The area in question is currently situated between an Industrial district and a General Business district. It does not make sense to have a small residential zoning district sandwiched between two zoning districts intended for economic development. The idea here is to incorporate this small stretch of the R-11 district into either the Industrial district to the north or the General Business district to the south. Municipal water and sewer is available for this area.
- Establish a Small-Scale Commercial District along Route 67 - There is a small area of vacant developable land along Route 67 just north of its intersection with Route 148, near McCarthy Road. This area is located on the western side of Route 67 and has a length of approximately 1,000 linear feet. Municipal water and sewer is available in this area, which would be ideal for small-scale neighborhood oriented commercial development. The area is currently zoned Residential-11.

When evaluating locations for new commercial zoning districts, the Town should consider the following factors: neighborhood character, volume of traffic (both existing and anticipated), soil conditions and environmental constraints and the proximity to municipal water and sewer. Responsible Municipal Entity: The Planning Board, Board of Selectmen, Water and Sewer Departments and the new Economic Development Commission once it is formed.

12. Secure the Resources Necessary to Redevelop the North Brookfield Downtown Development Project: Secure the Resources Necessary to Redevelop the Aztec Property: As mentioned previously, the Aztec property (now known as the North Brookfield Downtown Development Project) is the only significant industrial site under the Town's control. Contamination remediation efforts will be funded through a \$200,000 grant from the US Environmental Protection Agency's Brownfields Program. The Town has made contact with the MA Office of Business Development to coordinate TIF programs for future developers. Mass Development has given North Brookfield a Notice of Funding Authority (NOFA) for up to two million dollars to use in support of a prospective developer's project. The Town, through CMRPC, has applied for a \$50,000 grant from the Department of Housing and Community Development (DHCD) to develop a marketing strategy that will determine which businesses are best suited to expand North Brookfield's economic sector. The Town is also in the process of applying for an additional \$200,000 of EPA remediation funding. Two RFPs have been issued for the sale and development of this property with negative results. The Town must be patient and persistent in its effort to get this property back on the tax rolls. In order to secure the resources necessary for redeveloping this site, the Town must continue to establish partnerships with governmental entities at the Federal, State and Regional level and be willing to work with any developer that is interested in putting this property back into productive use. The strategy is in place and the Town needs to maintain its commitment and determination to follow through with it. Responsible Municipal Entity: Board of Selectmen, Planning Board, North Brookfield Downtown Development Commission and the yet to be formed Economic Development Commission.

13. Expand the Boundaries of the Prospect Street and Crooks Cross Road Industrial Districts: There is an Industrial zoning district at the southern end of Prospect Street that obtains its access to South Main Street from both Evergreen and Winter Streets. While the existing district is fully built out, there is a significant amount of vacant developable land abutting the rear of the district, land currently zoned residential (R-30). This is the only Industrial zoning district close to the town center that has the potential for expanding its boundaries. The Crooks Cross Road Industrial zoning district is also fully built out; however, it does abut a significant amount of vacant developable land and is served by municipal water, but not sewer. The Town should investigate the possibility of expanding the boundaries of these districts to make use of the abutting vacant land. Responsible Municipal Entity: The Board of Selectmen and the Planning Board (until an Economic Development Committee is formed).

