

## Getting There

### Master Plan Recommendations

The Master Plan outlines a comprehensive approach to addressing Merrimac's critical planning and community development needs. The major themes and recommendations of the Master Plan are illustrated in Map 8, the Guidance Plan. It is based on a land use suitability analysis, that is, an analysis of the uses for which land in Merrimac is suitable, considering the town's assets and liabilities and the environmental, social and economic goals of the Master Plan. On one level, the Guidance Plan is a conceptual zoning map because it identifies the kinds of land uses that should be encouraged in each part of town. On another level, however, the Guidance Plan is a multifaceted policy tool: some of the outcomes it anticipates require strategies in addition to zoning. The Guidance Plan for Merrimac promotes several public actions:

- A new zoning bylaw.
- The adoption of other local regulations, primarily to protect community resources.
- Open space acquisition.
- Affordable housing development.
- The adoption of historic preservation tools.
- Community investment in public facilities.
- A concerted, long-term effort to strengthen Merrimac's local economy.

The Guidance Plan also implicitly calls on the town to evaluate its present form of government, for in the long run, Merrimac's success at developing the kind of community it wants to be may require increased local capacity to manage growth. Among the many implementation measures recommended by the Master Plan is a town government study in the next five years and a public works consolidation study within the next year.

Taken together, the recommendations are designed to address the town's development goals comprehensively. Although most of the recommendations focus on zoning, the reality is that zoning bylaws alone cannot achieve a community's vision. In many cases, the non-zoning actions that communities take are as valuable as the choices they make to zone for a sustainable future. With an eye toward sustainability, the Master Plan recognizes the central importance of Merrimac's environmental resources. It provides alternatives to help the town make development

choices that balance public and private interests in an environmentally responsible way. Moreover, it reinforces Merrimac's desire to preserve its tradition of social inclusivity, nurture a local economy that meets goods, services and employment needs in town, and strengthen its long-term fiscal condition.

## Relationship to Master Plan Goals

The Master Plan recommendations respond to Merrimac's major development goals. Below is a description of the relationship between the goals and recommendations for each element of the plan. The zoning bylaw proposals are explained in greater detail in the section of this chapter entitled, "Land Use and Zoning."

### Land Use Element

Goal. Reinforce Merrimac's rural-village land use pattern by conforming future development to the historic arrangement of buildings and streets.

Master Plan Recommendations. Encourage development in the center of town, focusing on redevelopment, reuse and infill. Use incentive overlay zoning around Merrimac Center and at appropriate locations along Route 110, and protective overlay zoning in the town's outlying rural areas. Along with modified regulations for existing zoning districts, the proposed Village Residential Overlay District and Conservation-Agricultural District are the Guidance Plan's key tools to reinforce Merrimac's rural-village land use pattern. In support of this and other goals of the Master Plan, Merrimac should also contain sewer service within existing developed areas and discontinue the practice of authorizing extensions into rural parts of the community.

Goal. Develop an orderly arrangement of residential, non-residential and public land uses along and adjacent to the Route 110 corridor.

Master Plan Recommendations. Owing to the amount of vacant and underdeveloped land on Route 110, Merrimac has many opportunities to protect this important corridor from building out as a high-traffic roadway replete with land use conflicts, inadequately planned sites and poor design outcomes. The proposed Rural Highway District reduces the build-out potential of Route 110 and encourages high-quality (and higher-value) projects through site plan and design review. Higher-density residential uses should be allowed where the Rural Highway District intersects the Village Residential Overlay District. Mixed-use commercial, i.e., commercial-residential projects, may also be carried out under the proposed Rural Highway District regulations. The district's main purpose is to facilitate orderly economic growth while limiting traffic, water and other impacts to the capacity of community resources.

Goal. Use land efficiently and in an environmentally responsible manner when developing new neighborhoods and business areas.

Master Plan Recommendations. The Guidance Plan promotes efficient use of land in several ways. In addition to policies that give preference to development in established over rural areas, the Guidance Plan includes a conservation-residential development bylaw that provides the Planning Board and developers with more design flexibility than they have today. The bylaw mandates that at least 50% of a site be preserved as protected open space and allows developers to "transfer" all of the property's development potential to the other 50%.

#### Traffic & Circulation Element

Goal. Encourage pedestrian and bicycle access to all parts of town by providing a safe, scenic, interconnected system of roads, sidewalks and trails.

Master Plan Recommendations. Merrimac needs to establish a traffic safety working group with representation from the police, fire, highway and school departments, and the open space committee. The working group's role should include developing an inventory of priority traffic locations, classifying the town's streets and identifying preferred locations for sidewalks, trails and bicycle paths or lanes. Accordingly, the Master Plan recommends that Merrimac create a traffic safety working group (or committee) as part of the Master Plan implementation process.

Several issues need to be resolved locally, the most important of which is a process for reconciling the desire to protect Merrimac's rural roads with the desire to provide sidewalks and/or bicycle lanes, which nearly always require widening paved areas and reducing roadside vegetation. The working group should develop a roadway and traffic improvements priority list, considering traffic controls (signage, striping roadway design), traffic enforcement (portable speed equipment, police enforcement and visibility), and publicity (special event signs or reminders). Once adopted by the Board of Selectmen, the priorities plan should be implemented by appropriate town departments, e.g., police and highway, with assistance from the traffic safety working group as needed. The Planning Board should also consult the priorities plan when acting on development proposals that may contribute to the plan's successful implementation.

Goal. Assure vehicular and pedestrian safety along Route 110 and within Merrimac Square, using development controls, public transportation, parking, traffic calming techniques, and corridor improvements to achieve these ends.

Master Plan Recommendations. Merrimac residents use Route 110 on a daily basis. While it should not be upgraded to the point of encouraging regional through traffic, Route 110 needs to be maintained at a level that facilitates smooth and efficient traffic operations. The Guidance Plan's Rural Highway District promotes a superior set of site plan standards that will help to improve traffic safety on Route 110 as development occurs. The intent of the Highway Services

District is to reduce the amount of highway-generated traffic leading to Route 110 or into Merrimac Square. In addition, Merrimac needs traffic safety policies that are not "development dependent," i.e., policies the town can implement now with its own resources. A consistent signage system and enforcement are the most readily available tools at Merrimac's disposal.

Merrimac must choose a roadway realignment plan for Merrimac Square and begin to implement as many recommendations as possible from a recent parking study. The "as-is" condition of Merrimac Square is both unattractive and unsafe for pedestrians and drivers alike. The Master Plan recommends that the proposed Merrimac Development and Industrial Commission (see "Economic Development") be assigned to negotiate with commercial property owners in Merrimac Square to establish a shared approach to off-street parking.

Goal. Improve and enhance the town's gateways.

Master Plan Recommendations. The gateway locations in Merrimac need aesthetic and traffic safety improvements. Through the application of site plan standards to development in gateway corridors, Merrimac can strengthen -- over time -- the visual impression created upon entry into or exit from the town. The Master Plan's Rural Highway District and Highway Services District regulations will help to accomplish this end. Other near-term solutions should be pursued, however, such as a gateway plan for Broad Street. The town should also consider terminating billboard signage on Route 110.

Merrimac's gateways can be agents of improving traffic safety. The town should adopt a consistent traffic signage system -- one that begins at all entrances to the community, welcoming people to Merrimac and cautioning them that speed limits are strictly enforced.

#### Natural & Cultural Resources Element

Goal. Treat Merrimac's natural resources, historic architecture and landmarks as irreplaceable public assets.

Master Plan Recommendations. Merrimac needs to adopt several bylaws and policies to achieve this goal:

- A Wetlands and Water Resources Overlay Protection District, which would be a more forceful tool than the town's existing Floodplain District for directing development away from critical water resource areas.
- A local wetlands protection bylaw that the Conservation Commission would administer concurrently with M.G.L.c.131 Section 40, the Massachusetts Wetlands Protection Act. Although MADEP has jurisdiction over Conservation Commission actions carried out under the Wetlands Protection Act, it has no authority to overturn or modify decisions made under

a local bylaw. Also, by adopting a local bylaw, Merrimac can formally establish a “no-build” buffer zone from the edge of delineated wetland areas.

- A mandatory septic system maintenance bylaw, administered by the Board of Health, to protect wetlands and groundwater resources in non-sewered areas.
- A stormwater management bylaw that sets minimum performance standards for all new development.
- A demolition delay bylaw to protect historic buildings, local historic district bylaws for at least two locations (Merrimac Center and Merrimacport along River Road), and a zoning provision that creates special-permit flexibility to negotiate density, dimensional, parking and other requirements in the interests of making it economic to preserve and redevelop historically significant buildings.

Merrimac also needs to commission new historic property surveys and seek National Register nominations for qualifying properties and districts. In addition, the Master Plan urges Merrimac to commission a disposition and reuse study for the existing library before construction begins on the new library. Finally, Merrimac should designate more public ways as Scenic Roads under the Massachusetts Scenic Road Act so the Planning Board can exercise greater control over important trees and historic stone walls.

These actions will help Merrimac protect community assets that are vulnerable today because the town lacks basic regulatory tools. However, public education is – and will always – be an essential part of natural and cultural resource protection. For example, mailing informational brochures to residents, along with water and electric bills, to explain how they can help to reduce non-point pollution, are simple yet very important public education steps that small towns can take.

Goal. Assure that new development respects the topography and character of the land.

Master Plan Recommendations. The Guidance Plan and related zoning proposals encourage sensitivity to open space and special landscape features. Tools such as the conservation-residential bylaw and Conservation-Agricultural District regulations have been designed specifically to preserve Merrimac's rural character, views from the road, and scenic vistas. Merrimac should also adopt a scenic viewshed bylaw, and the Planning Board should commission a review of its subdivision regulations to assure that road construction and drainage requirements do not cause needless disturbances to land and natural vegetation.

Goal. Retain and enhance Merrimac Square as the town's social, economic, civic and governmental center.

Master Plan Recommendations. The Guidance Plan anticipates new zoning for Merrimac Square – the Village Center District – to encourage investment in and reuse of existing buildings. Other proposed implementation measures in the Master Plan include an explicit local policy to keep existing community services in the center of town, and to move forward with alterations and improvements to Town Hall. In addition, Merrimac should commit resources to developing a public realm plan for Merrimac Square, proceed with a reconfiguration plan for the roads in Merrimac Square, and adopt the recommendations of the Merrimac Square Parking Study Report (2002). After Merrimac updates its historic property surveys, the town needs to consider establishing a local historic district in Merrimac Square.

Goal. Support and promote cultural activities for the education, entertainment and general benefit of Merrimac residents.

Master Plan Recommendations. The Master Plan recommends that Merrimac move forward with the construction of a new library as soon as state library construction funds are released for the project. In very small communities like Merrimac, public libraries are the main (and sometimes the only) cultural resource for residents. Merrimac outgrew its existing library many years ago. A modern, suitably equipped library that includes meeting space is essential for Merrimac to meet the needs of its existing and future population.

#### Open Space & Recreation Element

Goal. Preserve and connect large tracts of open space.

Master Plan Recommendations. Merrimac needs to maintain an updated open space and recreation plan at all times so the town has a clear set of open space priorities and can qualify for land acquisition grants to acquire additional conservation land. The Master Plan encourages Merrimac to focus on protecting:

- More open space in the aquifer recharge areas for existing and future drinking water supplies.
- Agricultural land and parcels that abut farms.
- Land that can meet multiple community needs, e.g. passive and active recreation uses.

The Guidance Plan reflects these priorities. In addition, the plan advocates for setting aside an annual allocation of funds for open space purchases so the town has a ready "reserve fund" when desired sites become available. Finally, the plan suggests that Merrimac inventory its tax title parcels and identify any that may be sold to abutters as land of low value or to an affordable housing developer if the parcels have development potential, understanding that the sale proceeds should be set aside for future open space purchases. A management plan for existing and future conservation/open space areas, particularly for public access trails, is also critical.

Goal. Assure the continuity of agriculture as a vital open space feature in Merrimac.

Master Plan Recommendations. Merrimac should always be prepared, on its own or with technical support from experienced non-profit land trusts, to continue seeking permanent use restrictions from the owners of agricultural land. The Master Plan recommends that Merrimac prioritize Chapter 61A parcels as high-priority acquisition sites, financing the purchases through a combination of local funds, state grants and limited development techniques. As reflected in the Guidance Plan, zoning that encourages farmland protection for economic reasons will also serve the town's open space interests.

Goal. Provide accessible parks and recreation facilities that foster a sense of community, serve residents of all ages and increase public awareness of Merrimac's open space resources.

Master Plan Recommendations. Merrimac needs additional outdoor recreation facilities and also needs to improve and maintain its existing fields. An accessibility survey should be conducted on all outdoor recreation areas to identify barriers and develop a compliance plan. In addition, the Master Plan recommends that the Open Space & Recreation Plan Committee, the Parks Commission and the Planning Board work jointly to identify optional sites for one or more community park-playing field facilities. The areas they select by consensus should be recognized in the open space plan and monitored by the Planning Board so that if one of the properties is included in a proposed subdivision plan, the Planning Board may exercise its rights under M.G.L. c.41 §81-U to reserve a lot for acquisition by the town.

## Housing Element

Goal. Provide housing choice throughout the community.

Master Plan Recommendations. The Guidance Plan encourages housing stock diversity and affordability in numerous ways:

- The proposed Village Residential Overlay District provides for accessory apartments, single-family to two-family conversions and "over-55" housing development by right, subject to qualitative controls and compatibility with surrounding areas. By special permit, it also provides a density bonus for low-income affordable units in an "over-55" housing development, multi-family housing and uses such as artist live/work space.
- The proposed Conservation-Agricultural District allows "over-55" housing, assisted living and congregate housing for the elderly by right, subject to open space preservation requirements and site plan approval.
- Residential uses above the ground floor should be allowed by right in the Village Center District and by special permit in the Rural Highway District.

- The Guidance Plan preserves Merrimac's existing Mobile Home Park District but applies Village Residential Overlay zoning to both park facilities so that if either one should close, the land may be redeveloped for multi-family or affordable housing.

In support of the Guidance Plan's vision, the Master Plan makes a number of affordable housing recommendations that will help Merrimac produce more low-income units and increase its capacity to address comprehensive permits.

Goal. Protect and enhance the historic, intimate character of existing neighborhoods.

Master Plan Recommendations. An important feature of the Master Plan is a recommendation that special permit relief be available in all districts when strict compliance with zoning regulations becomes an impediment to historic preservation. Additionally, the Master Plan recommends various preservation tools, e.g., a demolition delay bylaw, to protect and reuse older buildings for housing or other purposes. Through the Village Residential Overlay District, the Master Plan encourages infill development.

Goal. Use regulations effectively to promote neighborhood-scale design in new residential developments.

Master Plan Recommendations. An important purpose of the conservation-residential development bylaw is to allow new development to be more responsive to natural features, provide open space and encourage housing "clusters" that are more like the density (in effect) of established neighborhood areas. Site plan standards for such housing uses as "over-55" and multifamily should encourage neighborhood form. The Master Plan urges the Planning Board to revise its subdivision regulations by eliminating needless or excessive roadway requirements that not only waste land, but also induce a regimented, suburban appearance unlike Merrimac's traditional neighborhood areas.

#### Community Facilities & Services Element

Goal. Manage and maintain conveniently located public facilities that meet the needs of Merrimac residents and town employees.

Master Plan Recommendations. The Master Plan encourages Merrimac to keep existing community facilities and services in Merrimac Square, and toward that end, to carry out the proposed renovations at Town Hall. To the maximum extent practical, the town should work to keep other existing services in or near Merrimac Square, such as the water/light departments and the public safety building. Beyond the location of public facilities, however, the Master Plan encourages Merrimac to establish improved building management and maintenance capacity. For example, the proposed department of public works is the appropriate town department to handle building maintenance. In addition, Merrimac should consider a system used in other communities

and establish a permanent Town Buildings Committee to oversee all construction and renovation projects, monitor the condition of all town buildings and advocate for the inclusion of town building projects in the capital improvements plan.

Goal. Provide high quality municipal and school services at a price residents can afford.

Master Plan Recommendations. Merrimac's ability to meet this goal depends on how skillfully the town works to diversify its tax base. The Guidance Plan represents an integrated approach to addressing the town's community preservation and fiscal needs. For example, by promoting housing stock diversity and conservation-cluster development, the Guide Plan anticipates affordability, open space protection, efficient land use and a greater mix of household types than the town will attract if all of its remaining build-out potential is absorbed by single-family residences. Moreover, the Rural Highway District, proposed changes to the existing Industrial District regulations and the Conservation-Institutional Overlay District work together to support quality, higher-value business development, controlled traffic growth, diversification of Merrimac's economic base, and non-residential alternatives to the use of farm and forest land so that "revenue-positive" land uses today are not forced to become revenue-negative land uses tomorrow.

Goal. Develop, manage and maintain public utilities and infrastructure to achieve the town's land use goals in a fiscally sound manner.

Master Plan Recommendations. Merrimac needs to curb the extension of sewer service so that more development can be accommodated in and around the center of town, all as part of a larger strategy to enhance the town's tax base along Route 110 and protect the rural character of northern Merrimac. It is also important for the town to establish a capital reserve for sewer projects, much like the capital reserve that exists for water projects. Merrimac needs to make a significant investment in sewer improvements in order to maximize the facility's benefits to the town and assure its efficient operation. Accordingly, the Master Plan recommends that Merrimac commission an independent review of the town's rate setting procedures and sewer revenue policies.

The Master Plan strongly recommends that Merrimac identify and secure land for a third water standpipe, and to make the development of a third well site the town's top community services priority until a site is permitted and on line. To assure proper management and oversight of Merrimac's various public works functions, the Master Plan encourages the town to consider establishing a consolidated department of public works that would account to the Board of Selectmen.

## Economic Development Element

Goal. Create commercial and mixed-use districts that encourage small businesses to thrive in Merrimac.

Master Plan Recommendations. The Guidance Plan promotes high-quality development of diverse business uses on Route 110, and encourages small-business activity in Merrimac Square with flexible development regulations appropriate for a New England town center. In support of these objectives, the Master Plan also recommends that the town establish a Merrimac Development and Industrial Commission (MDIC) to promote local business growth, coordinate technical assistance and financial resources for existing and new businesses, and focus on difficult-to-develop or underutilized sites in and near Merrimac Square.

Goal. Promote and nurture new small business enterprise.

Master Plan Recommendations. The MDIC should act as the town's economic development policy arm, placing special emphasis on retaining and increasing locally owned businesses. Toward this end, the Master Plan also recommends that Merrimac create and implement an economic development strategy, working through the MDIC to access regional and/or state technical assistance and financial resources.

Goal. Develop and strengthen Merrimac's employment base to provide regionally competitive wages.

Master Plan Recommendations. A central premise of the Master Plan is that without zoning that requires high-quality commercial and industrial development, Merrimac's economic base will remain weak. The proposed Rural Highway District establishes qualitative standards for business activity on Route 110. Also, the Guidance Plan provides for a Conservation-Institutional Overlay District that encourages cultural, recreational and "eco-tourism" enterprises in Merrimac. Ultimately, however, retaining and attracting strong businesses depends not only on zoning, but also on local government capacity: a gap that the MDIC is intended to fill. Merrimac needs capacity to assist existing businesses, develop and carry out a recruitment plan, and establish links to regional economic development organizations that can help to promote Merrimac as a desirable place to do business.

Goal. Retain agriculture as a vital element of the local economy.

Master Plan Recommendations. A key objective of the Conservation-Agricultural District is to preserve farming in Merrimac. Its regulations should provide for a broader meaning of "agricultural business" than the definition of agricultural use under the state Zoning Act. In addition, the district's development regulations should provide ways for owners of farmland to dispose of some of their land while encouraging them to keep the majority in active agriculture. The Conservation-Institutional Overlay District addresses the same objective but with a different

mix of land uses. Ultimately, the town should recognize that if it wants to retain active farms, voters may have to be willing to buy farmland and either lease or sell it, with use restrictions, to a farm business owner. Merrimac needs to be prepared for the eventuality that one or more of its existing farms, or portions thereof, will be sold. The Master Plan urges the town to develop a contingency plan in the event that an important Chapter 6IA parcel becomes available for development.

## Land Use and Zoning<sup>1</sup>

Map 8 illustrates the zoning recommendations of the Master Plan. The proposals retain Merrimac’s existing residential and industrial districts, with regulatory modifications, and replace the existing Commercial District with three zones designed to achieve the development objectives of the areas to which they apply. In addition, the Master Plan promotes overlay districts to preserve open space, protect water resources, reinforce Merrimac’s traditional development pattern and provide for a mix of housing.

### Zoning Recommendations

#### Comparison of Existing Zoning Districts to Guidance Plan Zoning Districts by Acres

##### Principal Districts

<u>Existing District</u>	<u>Acres</u>	<u>Guidance Plan District</u>	<u>Acres</u>
Agricultural-Residential	4,690	Agricultural-Residential	3,624
Suburban-Residential	325	Suburban-Residential	325
Residential	213	Residential	213
Mobile Home	35	Mobile Home	35
Commercial	222	Rural Highway	198
Industrial/Light Industrial	197	Highway Services	13
		Conservation-Agricultural	1,060
Total	5,681	Industrial/Light Industrial	197
		Village Center	17
		Total	5,681

##### Overlay Districts

<u>Existing District</u>	<u>Acres</u>	<u>Proposed District</u>	<u>Acres</u>
Water Supply Protection	1,286	Water Supply Protection	
		Wetlands & Watershed Protection	765
		Village Residential	351
		Conservation-Institutional	1,298

<sup>1</sup> A technical memorandum outlining all proposed zoning changes may be found in Appendix A. In addition, zoning amendments to implement several Master Plan recommendations have been included in Appendix B.

The Master Plan's land use recommendations embrace an approach to development regulation that is quite unlike the present zoning bylaw in Merrimac. The recommendations reflect these ideas:

- Zoning should direct development. It is not an appropriate vehicle for stopping growth.
- Zoning bylaws should be understandable to town boards, land owners, developers and the general public. A bylaw that is ambiguous or poorly organized leads to inconsistent interpretation, creates needless frustration for all who must use it, and increases the cost of development without any corresponding benefit to the community.
- Procedurally cumbersome zoning bylaws lead to mistakes and result in costs that benefit no one.
- Merrimac will gain by offering regulatory incentives to encourage desired outcomes. Wherever possible, the town should allow desired land uses as of right and manage impacts with (a) clear design and dimensional regulations and (b) site plan approval.
- Use the special permit process to review uses that may be desirable under certain conditions, not to create development hurdles. Set clear performance standards, and designate the Planning Board as special permit granting authority for uses that require a special permit.
- Use site plan review to assure that developments are safe and aesthetically pleasing, not as a means to control land use.
- Use protective regulations to safeguard public interests. Wetlands and water resources, farmland, scenic vistas, historic buildings and features, and safe circulation throughout the town are important public interests that merit protective rule-making. While not inherently contrary to these interests, development may compromise them. Protective regulations paired with incentives that direct development to areas that can accommodate it are a legitimate exercise of zoning.
- Zoning alone is rarely adequate to protect critical community resources. Other public actions will be necessary to meet Merrimac's Master Plan goals. However, as a small town with limited capacity, Merrimac must be able to rely on the strength of its zoning to address the environmental, physical, aesthetic and social elements of its vision. Toward these ends, Merrimac needs flexible, creative ways to use development as a vehicle for implementing the Master Plan.

## Description of Proposed Zoning Districts

### Village Center District (VC)

Purposes. The purpose of the Village Center (VC) District is to protect the physical form and built fabric of Merrimac Square by encouraging investment in preservation and appropriate reuse of existing properties, and discouraging development that detracts from the district's historic character. In all cases, development within the Village Center District should make every feasible effort to use and reuse existing buildings over new construction.

District Features. The VC District differs from Merrimac's existing Commercial District in several important respects. First, it promotes density and dimensional standards that rationally relate to the objectives of preserving a historic town center. For example, while the Commercial District's yard setbacks and off-street parking requirements may be suitable for suburban "strip" commercial projects, they run counter to every principle of downtown design. The proposed VC District replaces these requirements with more flexible standards that recognize the unique design features of Merrimac Square. Second, it provides for a controlled mix of uses that allow existing structures to respond to market conditions while assuring that the town center retains its traditional mixed-use character. Third, it recognizes that in historic downtown areas, the imposition of suburban parking requirements on private developers often acts as an impediment to reinvestment and invariably leads to unwanted land use outcomes. The VC District provides for alternatives to providing off-street parking, including exceptions granted by the Planning Board and "in-lieu-of" payments to an off-street parking fund that will help Merrimac fund the cost of developing public parking in or adjacent to Merrimac Square.

Related Regulations. The Master Plan urges Merrimac to adopt a demolition delay bylaw that would give the town critical tools to intervene if a historically significant building is slated for whole or partial demolition. It also promotes the creation of a local historic district. Finally, it calls for an orderly Site Plan Approval process with clear guidelines, mechanisms for interagency review, and standards to achieve both safety and aesthetic considerations.

### Rural Highway District (RH)

Purposes. The purposes of the Rural Highway District are to attract and retain well-planned, attractive, and safe commercial and mixed-use development in designated areas on Route 110, to assure that Route 110 is developed in a manner compatible with Merrimac's rural character, to meet the needs of local and area residents for goods and services, and to provide for a range of employment.

District Features. The RH District also differs from Merrimac's existing Commercial District, but the differences are designed to meet unique development needs that exist along Route 110 in Merrimac. Specifically, the RH District encourages high-quality commercial and mixed-use

development while bringing the total amount of development on Route 110 in line with land use, traffic and other objectives of the Master Plan. Under proposed RH District regulations, the build-out capacity of vacant and under-utilized commercial parcels on Route 110 would be reduced by 23.5%. Mixed-use development is encouraged through such means as the permissibility of combining residential and commercial uses in one project, but in most cases, free-standing residential development is discouraged. The proposed RH District eliminates many of the land use conflicts that are embedded in Merrimac's Commercial District regulations, notably the existing provisions for industrial development on Route 110.

Related Regulations. The Master Plan promotes Site Plan Approval by the Planning Board, with mechanisms for inter-agency review and guidelines to make development on Route 110 attractive and safe for vehicular and pedestrian traffic.

#### Highway Services District (HS)

Purposes. The purpose of the Highway Services District is to provide an orderly mix of land uses that serve local and regional highway traffic in a manner compatible with adjacent land uses and zoning districts. The Master Plan envisions that through sensitive design standards and other public actions, the area contained in the HS District will serve two critical functions in Merrimac: as a business zone that helps to manage the impacts of migrant, non-local traffic from I-495 and as an attractive gateway to the community. In effect, the HS District implements both land use and traffic and circulation goals of the Master Plan.

District Features. The proposed HS District extends along Broad Street from Route 110 to the established residential area north of the interchange with I-495. Owing to the particular objectives that the HS District is designed to serve, its regulations differs from Merrimac's existing Commercial District and from the proposed RH District. The HS District encourages small, high-quality commercial development that meets the goods and services needs of travelers, commuters and town residents. The minimum lot size for HS District projects is smaller than that proposed for the RH District, and the range of development choices is limited by type of use and project scale. For example, facilities such as banks and small restaurants would be allowed as of right while auto services, larger retail and eating establishments, dry cleaning and other personal services may be approved by special permit. Small, convenient, customer-friendly and attractive are the operative ingredients of plans for the HS District.

Related Regulations. The Master Plan promotes Site Plan Approval by the Planning Board, with mechanisms for inter-agency review and guidelines to make development in the HS District attractive and safe for vehicular and pedestrian traffic.

## Industrial (I) and Light Industrial (LI) Districts

Purposes. The Industrial (I) and Light Industrial (LI) Districts already exist in Merrimac, but their respective regulations need to be revised in light of Master Plan goals and case law. The purpose of these districts is to encourage industrial development at a scale compatible with the town's size and the capacity of its roadway system.

District Features. The proposed changes to I and LI District regulations anticipate a limited number of industrial uses by right, including small business incubators, and research and development (R&D), manufacturing and accessory uses up to 20,000 gross ft<sup>2</sup> of space. (The present bylaw allows no industrial uses as of right.) The Master Plan also recommends that employment support facilities – such as day care centers, athletic clubs and health centers – be allowed in the industrial zones. Special permits would still be required to develop larger R&D and manufacturing projects.

Related Regulations. All development in the I and LI Districts should be subject to Site Plan Approval by the Planning Board. In addition, the proposed Conservation-Institutional Overlay District applies to portions of the I and LI Districts, thereby creating opportunities for institutional uses and assisted living facilities on land that may be more difficult to develop for industrial purposes. The town's existing adult entertainment regulations would remain confined to the I District.

## Residential District (R)

Purposes. The Residential (R) District in Merrimac's Zoning Bylaw recognizes the moderate-to-higher-density development pattern that has traditionally existed around Merrimac Square. The Master Plan seeks to reinforce this pattern through a somewhat different approach than that reflected in the Zoning Bylaw.

District Features. The R District should continue to accommodate single-family and two-family development on relatively small (10,890 ft<sup>2</sup>) lots. Several non-residential uses allowed by current zoning should be eliminated from the Table of Uses, however, in order to avoid land use conflicts. In addition, multi-family housing should not be included in the list of R District uses but rather, as a permitted use in a special overlay district. There is very little land left to develop in the R District, but redevelopment opportunities exist and they should be anticipated by appropriate regulation.

Related Regulations. Much of the R District's housing stock has historic importance in Merrimac because it dates to the town's carriage-building era. Merrimac needs appropriate regulatory tools to protect homes around Merrimac Square from whole or partial demolition and inappropriate alterations. The Master Plan recommends a town-wide demolition delay bylaw and a local historic district for Merrimac Square and adjacent neighborhoods. Through the establishment of a Village

Residential Overlay District, Merrimac may encourage higher-density housing, principally through redevelopment in most of what is presently contained in the R District and also in Merrimac's Mobile Home Park zones.

#### Suburban-Residential District (SR)

Purposes. The Suburban Residential District (SR) in Merrimac's Zoning Bylaw acts as a transitional area between the densely developed village center and outlying, rural sections of town. The district's title accurately conveys the Zoning Bylaw's intent: detached, single-family residences on one-acre lots created mainly by the subdivision process.

District Features. Until 1987, a considerable amount of Merrimac's vacant residential land lay inside the SR District. That year, town meeting transferred land in the SR District to the AR District and effectively reduced Merrimac's single-family development potential by 50%. The SR District is largely built out today, although pockets of SR-zoned land remain available for new development. Much like the R District, existing SR regulations provide for land uses that are inappropriate in a residential zone, e.g., an airport. While highly improbable in established residential neighborhoods, these uses should be eliminated from the Table of Uses for the SR District.

Related Regulations. Subdivision control.

#### Agricultural-Residential District (AR)

Purposes. The Agricultural-Residential District (AR) is Merrimac's principal vehicle for residential development. Its purposes are to promote detached single-family residences as the preferred mode of development in Merrimac, to control growth through large-lot zoning, and to preserve as much of Merrimac's rural imagery as possible.

District Features. Under current zoning, the vast majority of Merrimac's remaining developable land is in the AR District. If Merrimac adopts the Master Plan's recommendations to transfer 1,000 acres of AR land to the Conservation-Agricultural District (below), the development potential of this land will change from single-family homes to a mix of residential, non-residential and open space uses. Land which remains zoned for AR development will serve the community's need for single-family residences. The Master Plan recommends amending the Table of Uses to strike certain uses from the AR District, consistent with actions recommended for the R and SR zones. In addition, the Master Plan urges Merrimac to adopt a Conservation-Residential bylaw that will help to protect open space by encouraging clustered housing over traditional subdivisions. An effective cluster bylaw is critical to achieving several Master Plan goals and it was also recommended in the town's last Master Plan (1977).

Related Regulations. Subdivision control, and special regulations to provide for Conservation-Residential (open space-cluster) development.

### Conservation-Agricultural District (CA)

Purposes. The Conservation-Agricultural District is a major component of the Guidance Plan for Merrimac. Its purposes are to protect the town's working landscapes, scenic vistas and associated natural features, to provide housing choice and preserve open space, and to retain agriculture as an enduring element of the town's economy. The CA District effectively re-zones a number of areas that are presently zoned for Agricultural-Residential (AR) Development, as shown in Map 8.

District Features. The proposed CA District applies to land that serves a number of public interests: farming, open space and scenic vistas. Unlike the AR District's more conventional approach to regulating development, i.e., two-acre lots for detached single-family homes, the CA District promotes open space preservation and residential development alternatives to single-family homes. The CA District anticipates mixed-use, predominantly residential development that saves large amounts of forest and farmland at limited public cost while also providing equitable ways for land owners to realize value from their property. Uses such as over-55 housing, assisted living and congregate care facilities, agricultural businesses, and conversions of non-residential buildings to housing would be allowed as of right throughout the CA District, subject to a minimum parcel size of five to 10 acres for most categories of land use. By special permit, the Merrimac Planning Board would have the option to work with owners of larger land holdings to create planned developments with a mix of housing types. In all instances, projects would have to preserve at least 50% of a development site as permanently protected open space.

Related Regulations. In most cases, Site Plan Approval by the Planning Board would be required to develop land in the CA District. The Master Plan also recommends a special Conservation-Institutional Overlay District that applies to land in the CA District and portions of other zoning districts in Merrimac.

### Village Residential Overlay District (VRO)

Purposes. The Village Residential Overlay (VRO) is intended to promote a mix of residential land uses in Merrimac, to encourage preservation and reuse of older buildings over new construction, and to guide new or infill development to established areas in support of the major goals of the Master Plan. Further, the VRO is designed to provide diverse housing stock and affordable housing at a scale appropriate for a small rural community. The VRO is a major component of the Master Plan's land use recommendations and also serves as a vehicle to implement local housing policy. The district overlays Merrimac's existing R District and the two Mobile Home Park Districts (see Map 8).

District Features. As proposed, the VRO promotes three types of residential uses as of right: over-55 housing and multi-family housing (not age-restricted) at a density of up to five units per acre, subject to Site Plan Approval, and conversions of single-family to two- or three-family use. These uses may be authorized at a higher density and some additional residential uses would also

be available by special permit. For example, the Planning Board could issue a special permit for up to six units/acre for “over-55” or multi-family housing if at least 10% of a development’s units are affordable to low- and moderate-income persons. Other opportunities created by the VRO district include accessory apartments with a low- and moderate-income housing covenant, artist residence/studio uses, certain mixed residential-commercial uses and flexibility to convert historically significant buildings to a variety of uses.

Related Regulations. For uses other than single-family to two-family conversions, the town should require Site Plan Approval by the Planning Board. Given the age and architectural significance of buildings in the VRO District, other regulatory tools will occasionally be triggered by VRO development activity, e.g., demolition delay.

#### Conservation-Institutional Use Overlay District (CIO)

Purposes. The Conservation-Institutional Use Overlay District (CIO) is intended to promote community economic development primarily through the provision of cultural facilities, heritage and eco-tourism, and to establish development privileges for large parcels in exchange for public benefits such as positive fiscal impact and permanently protected open space. As proposed, the CIO District overlays portions of the Conservation-Agricultural, Agricultural-Residential and Industrial Districts (see Map 8). Its importance to the Master Plan lies in the opportunities created by CIO regulations to preserve and enhance Merrimac’s traditions of mixed-use development, farming and open space.

District Features. On parcels of 10 or more acres, facilities such as camps, conservatories, philanthropic or cultural institutions, conference centers or theaters for live performance would be allowed by special permit in exchange for a 70% set-aside for permanent open space. Historic structures may be converted to residential or a limited number of non-residential uses, subject to preservation covenants that protect a building’s architectural significance.

Related Regulations. Site Plan Approval, and GSPD/WSPD regulations where they apply.

#### Water Supply Protection District (GSPD)

Purposes. The Water Supply Protection District (WSPD) is an existing overlay district in Merrimac’s Zoning Bylaw. Its intent is to restrict or prohibit land uses in areas that recharge aquifers tapped by public water supplies. Development permitted in the underlying districts is allowed in the WSPD as it does not conflict with WSPD regulations.

District Features. The Zoning Map should be amended to reflect the Zone II boundaries approved by MADEP in August 2001. The WSPD should also be revised to reflect MADEP’s model bylaw standards.

Related Regulations. The use and dimensional regulations of underlying districts remain applicable except where WSPD regulations are more restrictive, in which case they supersede.

#### Wetlands and Water Resource Protection District

Purposes. The Master Plan recommends that Merrimac adopt a Wetlands and Water Resource Protection District (WWPD) to enhance the town's regulatory control over wetland, surface and groundwater resources and their associated watersheds. The WWPD's purposes are several: to reduce risk to water resources through appropriate limitations on land use, to regulate construction activity, to encourage groundwater recharge, and to protect the public interest in clean natural resources.

District Features. The WWPD includes all areas designated in Map 8 as protected wetlands and water resources. Although some uses in the underlying districts are prohibited in the WWPD, the district's regulations are designed mainly to limit density, impervious coverage, and disturbance to the natural contours of land.

Related Regulations. The use and dimensional regulations of underlying districts remain applicable except where WWPD regulations are more restrictive, in which case they supersede. The Master Plan also recommends that Merrimac adopt a local wetlands bylaw and obtain more accurate wetlands maps.

#### Other Zoning Recommendations

##### Conservation-Residential Development (CR)

Purposes and Requirements. The purposes of Conservation-Residential Development are to encourage alternative forms of single-family development and simultaneously protect open space, wildlife habitat, and other natural resources in the Agricultural-Residential District; to protect Merrimac's rural character by encouraging more efficient use of the land and discouraging sprawl; and to promote environmentally sensitive development consistent with the Merrimac Master Plan.

The Master Plan recommends that CR (cluster) development be allowed by special permit on parcels of 10+ acres in the Agricultural-Residential District. As designed, the CR provides for two types of development: a cluster of single-family homes with at least 50% of the land preserved as common open space, and "over-55" housing, which may consist of attached single-family, townhouse or multi-family buildings, with at least 70% of the land preserved as common open space. In a single-family cluster, the number of dwelling units may not exceed one unit/87,120 ft<sup>2</sup>, but an over-55 cluster may include up to five units/acre. The proposed bylaw provides for height, dimensional and coverage restrictions and also sets minimum design standards.

### Reduced Lot Frontage

Purpose and Requirements. The Master Plan recommends that Merrimac adopt a bylaw to provide for lot frontage reductions to encourage flexible development, preserve rural character and reduce overall density. Reduced lot frontage should be allowed by special permit from the Planning Board in exchange for a lot that is at least twice the minimum for the applicable zoning district.

### Common Driveways

Purpose and Requirements. The Master Plan recommends a bylaw to provide for common driveways serving up to three single-family homes. Common driveways often provide important public benefits: reduction in the number of curb openings or driveways onto major streets or at unsafe or unsuitable locations, protection of stone walls, protection of significant natural features, preservation of historic landscapes or views, and/or other safety and environmental concerns which can be avoided by allowing common or shared driveways.

### Affordable Housing

Purposes and Requirements. The Master Plan promotes a pro-active approach to affordable housing so that Merrimac may provide homes affordable to a broad range of incomes, particularly for persons of low- and moderate-income as defined in M.G.L. c.40B, Section 20. To assure that units created pursuant to affordable housing density bonuses are added to Merrimac's subsidized housing inventory, they should be protected by a permanent use restriction such as the Local Initiative Program (LIP) model developed by DHCD. Special permits for affordable housing density bonuses should be granted only when an applicant agrees to enter into the LIP restriction and record it at the registry of deeds. Under the proposed affordable housing policies, Merrimac may sponsor or support applications to one or more housing subsidy programs in order to increase the number of affordable housing units in an over-55 or multi-family development, improve the feasibility of converting/reusing an existing building for affordable housing, or reduce the costs of rent and utilities or monthly mortgage payments to a level affordable to very-low-income persons.

### Site Plan Review

Purposes and Requirements. To ensure that the design and layout of new development will not be detrimental to surrounding land uses, the Master Plan recommends that Merrimac adopt a site plan approval bylaw. Site plan approval is not a device to control land use. Rather, its purpose is to provide the town with review authority over the placement of buildings, signs, open space, landscaping, parking areas, access and egress, drainage, sewage, water supply and fire safety. Site plan approval should be required for all new commercial and industrial construction and any commercial and industrial additions or reconstructions exceeding 1,000 ft<sup>2</sup>. It should also extend to applications for cluster development, over-55 housing, assisted living facilities, public

buildings, institutional uses, and all uses requiring a special permit. A site plan approval bylaw has been supplied to the town (see Appendix B).

#### Miscellaneous Provisions

The Master Plan's zoning recommendations include new parking standards, a substantial overhaul of definitions in Merrimac's existing bylaw, elimination of the development cap in Section 3.2 of the bylaw, and revisions to both the Table of Uses and Table of Dimensional Regulations.

#### Impact of Zoning Recommendations on Build-Out Impacts

Tables 5-1 and 5-2 provide a comparative analysis of Merrimac's build-out potential under current zoning and under the zoning bylaw proposed by the Master Plan. Although Master Plan implementation may result in a somewhat higher number of housing units, the population, school enrollment, water consumption and fiscal impacts will be more advantageous to the town. Moreover, Merrimac will gain the tools it needs to protect open space.

Table 5-1 Build-Out/Existing Zoning

DEVELOPMENT POTENTIAL						
Zoning District	Capacity Acres	Capacity (Ft <sup>2</sup> )	Minimum Lot	Lots by Right	Units	Gross Ft <sup>2</sup>
Agricultural-Residential	1,361	59297051	87,120	595	595	
Suburban-Residential	27	1179890	43,560	24	24	
Residential	1	30,254	10,890	3	3	
Mobile Home	0	0	0			
Commercial	83	3,625,039	10,000	363		1,776,269
Industrial	<u>42</u>	<u>1,826,639</u>	<u>87,120</u>	<u>21</u>		<u>657,590</u>
	1,514	65,958,873		1,005	622	2,433,859
DIRECT IMPACTS				Water (GPD)		
Zoning District	Population	School Students	Residential	Non-Residential	Total	
Agricultural-Residential	1,636	476	122,693	0		
Suburban-Residential	67	54	5,028	0		
Residential	7	6	516	0		
Mobile Home	0	0	0	0		
Commercial	0	0	0	133,220		
Industrial	<u>0</u>	<u>0</u>	<u>0</u>	<u>49,319</u>		
	1,710	535	128,237	182,539	310,776	

Table 5-1 Build-Out/Existing Zoning

FISCAL IMPACTS

Zoning District	Revenue	Costs	Ratio	Net Revenue
Agricultural-Residential	\$ 2,841,784	\$ 3,495,394	1.23	\$ (653,610)
Suburban-Residential	\$ 116,456	\$ 143,240	1.23	\$ (26,785)
Residential	\$ 11,944	\$ 14,691	1.23	\$ (2,747)
Mobile Home				
Commercial	\$ 1,231,754	\$ 800,640	0.65	\$ 431,114
Industrial	<u>\$ 354,671</u>	<u>\$ 67,388</u>	0.19	\$ 287,284
	\$ 4,556,608	\$ 4,521,353		\$ 35,255

Notes (1) "Development potential" is based on the Master Plan build-out study. (2) "Direct impacts" assume current household size and <18 population multipliers from Census 2000, and water consumption at 75 gpd/person and 75 gpd/1000 ft<sup>2</sup> of commercial-industrial development. (3) "Fiscal impacts" assumes current costs and revenues (FY02), and uses the Master Plan fiscal impact study multipliers to forecast outcomes. The lowest cost-revenue ratio for industrial development, .19, reflects an assumption that if Merrimac's existing industrial zones are developed at all, the uses will primarily be low-value industrial uses because the land is not suitable for more intensive development.

Table 5-2 Build-Out/Guidance Plan

DEVELOPMENT POTENTIAL						
Zoning District	Capacity Acres	Capacity (Ft <sup>2</sup> )	Minimum Lot	Lots by Right	Units	Gross Ft <sup>2</sup>
Agricultural-Residential	790	34,412,400	87,120	345	345	
Suburban-Residential	27	1,179,890	43,560	24	24	
Residential	1	30,254	10,890	3	3	
Mobile Home	0	0	0			
Rural Highway	77	3,354,120	80,000	42		1,358,419
Highway Services	10	435,600	20,000	22		163,350
Conservation-Agricultural	571	24,717,089	217,800	92	460	
Industrial	42	1,829,520	87,120	21		699,791
Village Center	<u>0</u>	<u>0</u>	10,000	<u>0</u>		<u>0</u>
	1,518	65,958,873		549	832	2,221,560
DIRECT IMPACTS						
Zoning District	Population	School Students	Water (GPD)		Total	
			Residential	Non-Residential		
Agricultural-Residential	949	276	71,204	0		
Suburban-Residential	67	54	5,028	0		
Residential	7	6	516	0		
Mobile Home	0	0	0	0		
Rural Highway	0	0	0	101,881		
Highway Services	0	0	0	12,251		
Conservation-Agricultural	717	0	53,775	0		
Industrial	0	0	0	52,484		
Village Center	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>		
	1,740	335	130,522	166,617	297,139	

Table 5-2 Build-Out/Guidance Plan

FISCAL IMPACTS				
Zoning District	Revenue	Costs	Ratio	Net Revenue
Agricultural-Residential	\$ 1,649,198	\$ 2,028,514	1.23	\$ (379,316)
Suburban-Residential	\$ 116,456	\$ 143,240	1.23	\$ (26,785)
Residential	\$ 11,944	\$ 14,691	1.23	\$ (2,747)
Mobile Home	N/A	N/A	N/A	N/A
Rural Highway	\$ 941,995	\$ 555,777	0.59	\$ 386,218
Highway Services	\$ 100,689	\$ 65,448	0.65	\$ 35,241
Conservation-Agricultural	\$ 1,522,774	\$ 766,615	0.51	\$ 746,159
Industrial	\$ 377,432	\$ 94,358	0.25	\$ 283,074
Village Center	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
	\$ 5,216,276	\$ 3,931,495		\$ 1,041,846

Notes (1) "Development potential" is based on a Guidance Plan build-out analysis. (2) "Direct impacts" assume current household size and <18 population multipliers from Census 2000, and water consumption at 75 gpd/person and 75 gpd/1000 ft<sup>2</sup> of commercial-industrial development. (3) "Fiscal impacts" assumes current costs and revenues (FY02), and uses the Master Plan fiscal impact study multipliers to forecast outcomes. The industrial development multiplier has been increased slightly to reflect not only the expanded range of uses allowed under the zoning plan, but also the probability that I-district development under quality design controls will command a higher value per foot. Conservation-Agricultural development assumes no school student generation because single-family homes would be eliminated from the list of allowed uses by right. However, single-family homes and unrestricted (by age) attached housing units may be developed through the mixed residential use provisions of the C-A zone, by special permit. Under the proposed limits on the percentage of single-family units that may be developed in a mixed residential use project and the required mix of unit types overall, the fiscal impact will still be revenue-positive: the smaller housing units, which constitute the majority in any given project, should offset the revenue gap associated with single-family or two-family uses. A hypothetical test case of 20 units on a 10-acre tract produced a break-even (revenue-neutral) outcome of \$58,288 in revenue and \$58,268 in costs.