

Town of Northborough

COMMUNITY
DEVELOPMENT
PLAN



Final Report
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Community Opportunities Group, Inc.
Boston, Massachusetts

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About This Plan

In 2003, the Northborough Planning Department retained Community Opportunities Group, Inc. (COG) to assist with a growth policy plan for housing and economic development. The project included the following tasks:

HOUSING

- Existing conditions inventory
- Analysis of needs
- Gap analysis
- Housing goals
- Housing suitability map

ECONOMIC DEVELOPMENT

- Assessment of Northborough's current economic base
- Projections for future economic base
- Economic development goals
- Identification and analysis of development opportunities for industrially zoned land
- Zoning diagnostic of existing commercial districts and development regulations

GROWTH POLICY PLAN

- Housing
- Economic Development
- Zoning & Other Regulatory Recommendations
- Organizational/Capacity Recommendations

This report is informed primarily by the consulting team's field observations of local neighborhoods and commercial areas, two community meetings that the Planning Board sponsored in January-February 2004, and several work sessions with the Planning Board and Town Planner in May-June 2004.

Background

Northborough is a small, relatively mature suburb on the eastern edge of Worcester County. Bounded by Boylston, Berlin, Marlborough, Southborough, Westborough and Shrewsbury, Northborough is located in a region that has absorbed significant population and housing growth since 1980. At mid-century, Northborough was largely undeveloped and rural, but the interstate highway network formed by I-90, I-495 and I-290 all but assured the town's evolution as a modern suburb.

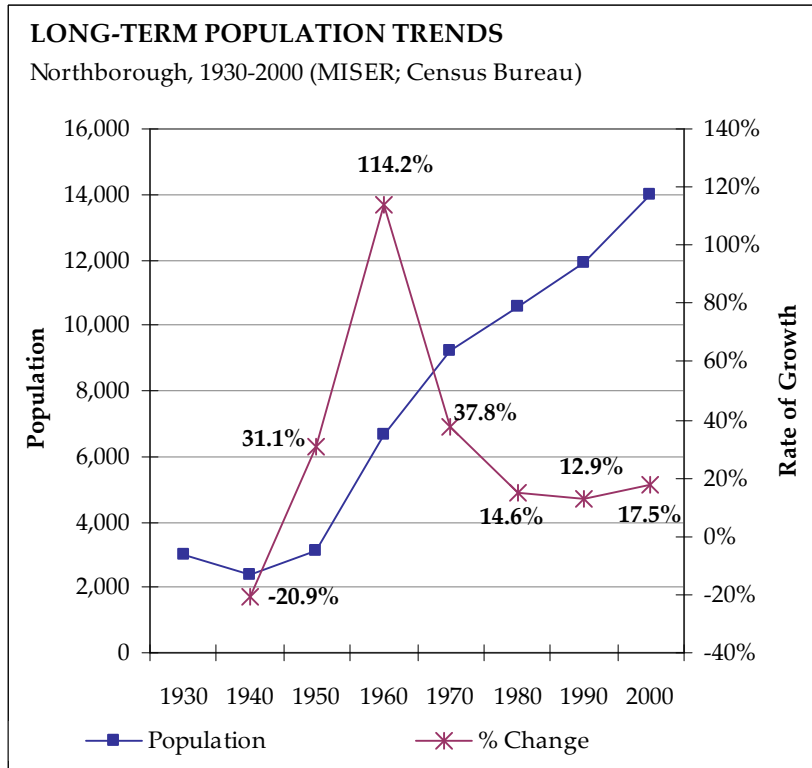
Transportation improvements, the loss of agriculture from the New England economy, and

federal policies that encouraged new-home construction after World War II made towns like Northborough candidates for rapid growth. In fact, Northborough's population more than doubled between 1950-1960.¹

Northborough is the only town in the comparison area that experienced a dramatic gain in population during the 1950s, followed by successively lower rates of decennial population growth. The same era produced the largest number of housing units in Northborough at any point during the 20th century, yet after 1960, residential development continued at a more rapid pace than Northborough's population history implies. For the past 30 years, decennial housing growth has been remarkably consistent, deviating very little from the town's average of 854 dwelling units per decade. Compared to other communities nearby, Northborough's recent development history has been remarkably stable. However, its residential land use pattern has changed quite a bit.

NORTHBOROUGH'S PHYSICAL EVOLUTION: 1970-PRESENT

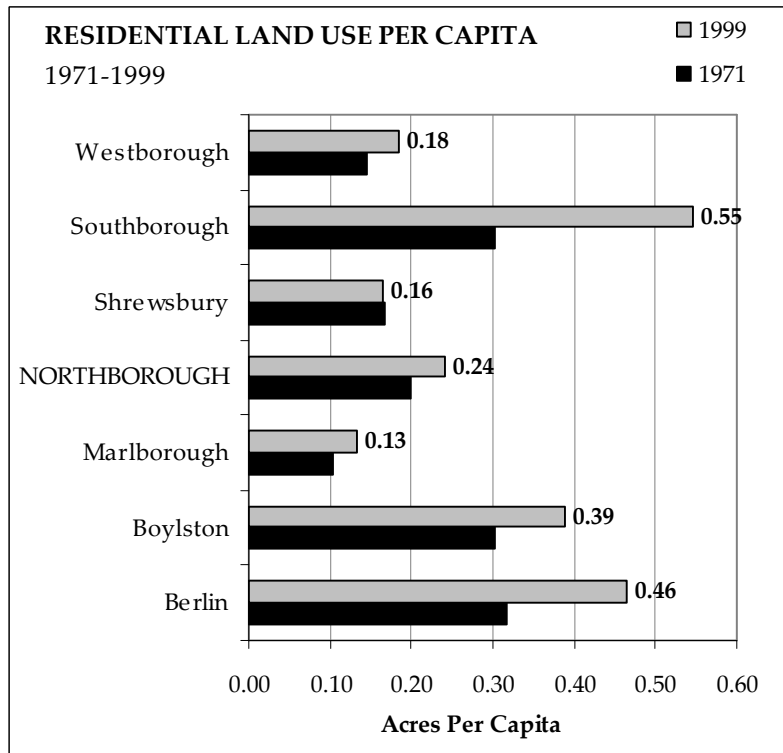
In 1970, aggregate residential land use covered .20 acres of land per person, a statistic that captures Northborough's relatively concentrated development pattern at the time. Thirty years ago, a majority of the town's 2,400 housing units were located along streets that radiate from the center of



¹ Massachusetts Institute for Social and Economic Research, "Population of Massachusetts Cities, Towns and Counties: Census Counts and Estimates, 1930-1998," 30 June 1999; Bureau of the Census, Census 2000 Redistricting Data Summary File (P.L. 94-171), 21 May 2002.

town: Church, Howard, Whitney, Hudson, South, Summer and School Streets, and Brigham Street to the east. Still, the extension of new, suburban neighborhoods into outlying areas of Northborough was plainly evident by 1970, for only a few years before, large subdivisions were built between Whitney and Newton Streets in the northeast corner of town, and between Howard and Whitney Streets just south of I-290.² Indeed, the impacts of I-495, I-290 and capacity upgrades along Route 9 had begun to be felt throughout the region, and since Northborough had both residential and industrial land available, it was poised to attract new growth.

Much like today, Northborough in 1970 was a community of families, a place that took substantial pride in its schools and visual image. Residents at the time were said to value “openness...and widely separated residences (low residential density), with large back yards, long street frontages for each lot, screening by trees in streets, and large, unbroken residential areas. These elements comprise the image of Northborough as a sanctuary for the isolation and protection of the family.”³ A new house in Northborough sold for about \$30,000 – affordable to those for whom Southborough’s \$75,000 new homes were out of reach. After the housing market decelerated for a few years in the mid-1960s, production resumed quickly, triggering speculative investments by developers and homebuilders.



Vacant land near I-290 was pressed into service for new homes throughout the 1970s, as illustrated in subdivisions such as Coolidge Circle off Whitney Street, Valentine Road between Church and Howard Streets, Franklin Circle off West Street, and a proliferation of Approval Not Required (ANR) lots along Brewer, Green, Howard and Whitney Streets. With few exceptions, the subdivisions built after 1970 reinforce the town’s preference for “isolation and protection,” for Northborough’s late 20th-century neighborhoods were designed for defense against through traffic. Juniper Brook Road, Milk Porridge Circle, Indian Meadow Drive, Charino Road, Wiles Farm Road and Edmunds Way all exemplify a progressive, 30-year shift toward the self-contained development served by a cul-de-sac street. In contrast, new development in the town’s northernmost end consists of fairly large ANR and “pork chop” lots etched long Ball, Green and Howard Streets, and Smith

² Town of Northborough Assessor’s Office, “FY04 Parcel Database” in d-Base format [CD-ROM] (22 October 2003).

³ MIT, Growth on the Urban Fringe, 1969.

Road. Here, the homes are spacious – generally 2.1 times larger than the average home built in Northborough during the 1950s – and often set back from the street, with generous yards. By 2000, the changes that had occurred in Northborough’s development pattern could be seen in an increase in residential land use per capita: .24 acres per person instead of .20 In 1970. The difference captures at least two conditions, neither of which is unique to Northborough: the larger lot sizes that typify late-20th century development, and smaller households. Development regulations, demographic trends and market forces have contributed to the gradual increase in consumption of land per capita for new homes. Table 1 shows that between 1971-1999, land used for low-density residential development in Northborough increased from 746 to 1,698 acres, or 125%.

Table 1: Land Use Change, 1971-1999

Land Use	1971	1985	1999
Agricultural Uses	1,162.6	843.9	681.9
Forest	6,949.3	6,440.3	5,580.0
Wetlands & Water	761.3	763.3	763.3
Recreation & Other Public Uses	467.9	390.0	538.3
Multi-Family Residential	15.6	15.6	26.8
Small-Lot Residential	55.2	55.2	94.2
Moderate-Density Residential	1,016.1	1,345.6	1,542.4
Low-Density Residential	745.8	1,139.4	1,697.6
Commercial	129.2	246.5	263.2
Industrial	33.5	179.8	315.4
Open Land, Mining, Other	463.7	380.8	293.7
Transportation, e.g., highways & ramps	<u>195.7</u>	<u>195.7</u>	<u>199.1</u>
Total Area	11,995.9	11,995.9	11,995.9
<u>Land Use % of Total Area</u>			
Agricultural	9.7%	7.0%	5.7%
Forest	57.9%	53.7%	46.5%
Residential	15.3%	21.3%	28.0%
% Low-Density Residential	40.7%	44.6%	50.5%
Commercial & Industrial	1.4%	3.6%	4.8%

Source: MassGIS Data Library, “Land Use” in d-Base format.

GROWTH POLICY CONCERNS

A community development plan under Executive Order 418 is not a city or town master plan. Northborough completed a new master plan in 1997. Since a master plan’s main purpose is to guide the physical evolution of a town, it is important to account for the major goals and recommendations of the Northborough Master Plan.

Under current zoning, Northborough provides for four residential zoning districts, three business districts and two industrial zones. According to data obtained from the Northborough Assessor’s Office, there are approximately 2,591 acres of vacant, privately owned land in town, although not all of it is developable. The chart below summarizes Northborough’s vacant land inventory by zoning

district. When land listed as “unassigned” is allocated to zoning districts according to the use for which it is assessed, the town appears to have approximately 181 acres of vacant commercial land, 764 acres of industrial land, and 1,646 acres of residential land.

Estimate of Vacant Land by Zoning District

Assessor’s Classification	BA	BB	BC	IA	IB
Developable	1.1	34.9	32.2	303.0	17.6
Potentially Developable		0.4	14.7	60.4	0.4
Not Developable		0.2	1.2	30.0	
Unclassified Development Capacity ⁴		96.2		352.1	
Total	1.1	131.7	48.1	745.5	18.0

Assessor’s Classification	GR	RA	RB	RC	Unassigned Land ¹
Developable	11.4	312.1	179.4	166.7	99.7
Potentially Developable	0.5	0.4	3.1	3.1	
Not Developable	2.0	42.0	8.7	49.5	15.6
Unclassified Development Capacity		195.5	166.9	390.1	
Total	13.8	549.9	358.0	609.3	115.3

Source: FY04 Assessor’s Parcel Database; statistics by author.

A town’s future development is not limited to the capacity of its vacant land. Underused property – such as large parcels with a single house, commercial parcels with room for more businesses, or industrial parcels with accessory land that could also be used for other purposes – also contribute growth potential. The most recent buildout study that was completed for Northborough indicates that if all of the town’s vacant or underused industrial land were developed to the maximum allowed by zoning, Northborough would have 12.3 million ft² of additional commercial and industrial space and 2,331 more dwelling units. For Northborough, the issue is not only how much future growth the town may be pressed to absorb, but also the extent to which new investment provides lasting community benefits.

⁴ “Unclassified development capacity” refers primarily to land under Chapter 61, 61A and 61B Agreements. “Unassigned land” includes four parcels for which there is no zoning designation in the assessor’s property database.

Housing

HOUSEHOLDS AND FAMILIES

Just about everyone in Northborough is part of a *family*: a household of two or more people related by blood, marriage or adoption. Compared to surrounding towns, Northborough's percentage of family households is second only to Southborough and it significantly exceeds that of the state or the Worcester metropolitan area. Since single-family homes constitute the vast majority of housing units in Northborough, the prevalence of families makes sense. Northborough also attracts somewhat larger families than a majority of the communities nearby. More than 56% of its owner-occupied dwelling units house families of three or more people, a characteristic shared by only 26.5% of the town's rental units.

Northborough's average family size and percentage of families with children under 18 shed light on the kind of community it is, both to the people who live here and to prospective homebuyers. Northborough has an average of 1.03 children and .78 school-age children per family, much like Southborough and Westborough. The presence of so many children in families explains Northborough's relatively high population percent of persons under 18 (29.5%) and its low percent of persons over 65 (9.8%). Differences such as these are more pronounced among homeowners than renters, for the percentage of homeowners with children in Northborough (46.6%) is much higher than the percentage statewide (33.8%). Table 2 provides comparison household statistics for Northborough, Worcester County and the Commonwealth.

Table 2: Comparison Household Characteristics

Demographic Measurement	Worcester County	Northborough	Massachusetts
Population	750,963	14,013	6,349,097
Households	283,927	4,906	2,443,580
Families	192,423	3,866	1,576,696
Percent Families	67.8%	78.8%	64.5%
Average Family Size	3.11	3.22	3.11
Households w/ Children < 18	95,472	2,130	748,865
Percent Households w/ Children <18	33.6%	43.4%	30.6%

Source: Bureau of the Census, Summary File 1, Table DP-1.

Not surprisingly, married-couple families are far more common in Northborough than single-parent families, and here again, the town is quite different from the state as a whole. Married couples comprise nearly 85% of all families in Northborough and 76-77% of all families in the Commonwealth and Worcester County. While families headed by single men are about equally represented in Northborough and the state (5-5.5% of all families), the percentage of families headed by single women is much lower in Northborough (10.3%) than the state average (17.7%). Still, the composition of Northborough's single-parent households reinforces the family-oriented culture that exists here. While the percentage of single women with children under 18 is about the same in

Northborough and the state, the percentage of single men with children under 18 is significantly higher: 58.2% locally, 42.3% statewide.⁵

Northborough has very few one-person and non-family households. Although one-person households comprise 28% of all households in Massachusetts today, the same can be said for only 16.9% of all households in Northborough. Women living alone constitute a slightly higher percentage of one-person households in Northborough than elsewhere in the state, and most appear to be women over age 65. However, Northborough has a small percentage of elderly households: 16.3% locally compared to 22.3% statewide, yet about 19% of all households in town include at least one elderly person and 6% of the town's families are multi-generational, i.e., an elderly person living with a son or daughter and grandchildren.⁶ Furthermore, Northborough's senior citizens are far more likely to own than rent the home they live in, and elderly renters make up a smaller percentage of all renters in Northborough than is the case statewide.⁷

POPULATION AGE

Northborough is remarkable for its stable rates of housing and population growth since 1970, but the town experienced some significant changes in the age make-up of its population during the last decade, much like other suburbs. While the state's under-18 population increased by only 10.9% between 1990-2000, Northborough absorbed a 29.4% increase – resulting in a state rank of 37 out of 351 cities and towns for rate of under-18 population growth.⁸ Northborough differs from state averages in other respects as well. For example, the under-5 population declined in Massachusetts between 1990-2000, yet Northborough attracted considerable growth among pre-school age children: a 12.1% increase. The state's 7% loss of population between 65-74 bears no resemblance to Northborough's 61% gain in the same age group.

Table 3: Change in Age of Northborough Population, 1990-2000

Age Cohort	1990	2000	% Change	Age Cohort	1990	2000	% Change
Under 5	917	1,028	12.1%	Age 45-54	1,507	2,284	51.6%
Age 5-17	2,297	3,104	35.1%	Age 55-64	969	1,213	25.2%
Age 18-24	961	625	-35.0%	Age 65-74	515	833	61.7%
Age 25-34	1,955	1,561	-20.2%	Over 75	420	537	27.9%
Age 35-44	2,388	2,828	18.4%	Total Population	11,929	14,013	17.5%
Population <18				Population >65			
Northborough	26.9%	29.5%		Northborough	7.8%	9.8%	
Massachusetts	22.5%	23.6%		Massachusetts	13.6%	13.5%	

Source: 1990 Census of Population and Housing, Census 2000, Summary File 1.

⁵ Bureau of the Census, Census 2000, Summary File 3, Table P10 [American Factfinder database online] (cited 26 December 2003), available on the World Wide Web at <<http://www.census.gov/>>.

⁶ Census 2000, Summary File 1, Tables P21, P30; Summary File 3 Table PCT8.

⁷ Census 2000 Summary File 3, Table H38; 1990 Census Summary File 3 Table H029.

⁸ Census 2000 Summary File 1 Table P12; 1990 Census Summary File 1 Table P011.

LABOR FORCE, EDUCATION AND EMPLOYMENT

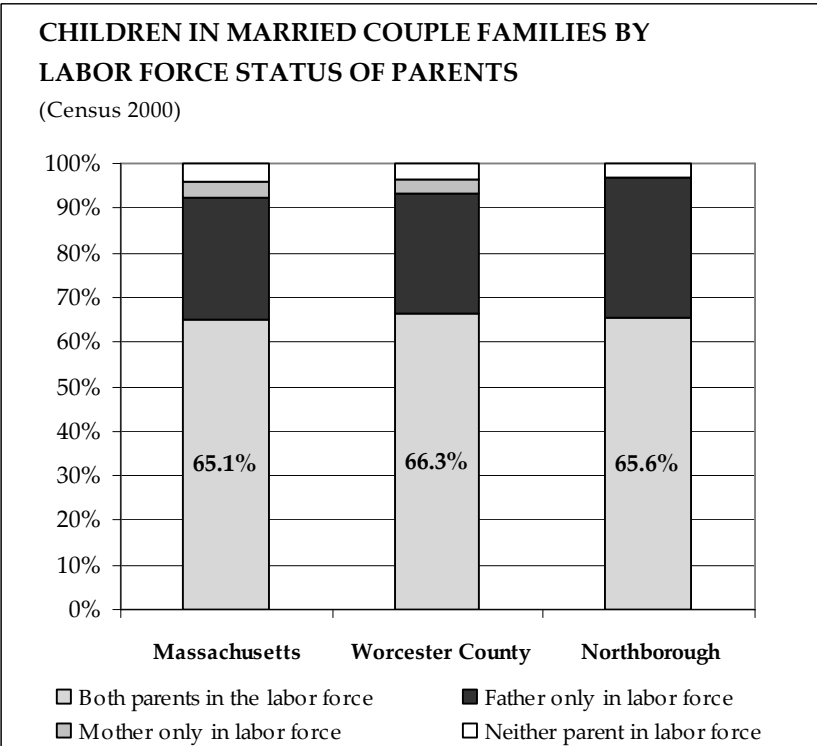
The age, educational and occupational characteristics of Northborough residents help to explain the town’s higher-than-average percent of persons in the labor force (74.4%). More than 51% of the town’s over-25 population holds a college, professional or graduate degree, compared to 33.2% of all persons over 25 across the state. As a result, Northborough residents enjoy greater access to high-paying jobs: managers and professionals are far more prevalent in Northborough’s labor force than is the case statewide, and they are more likely to be employed by manufacturing, research and development, and technical or scientific establishments.⁹ Northborough slightly exceeds the Commonwealth for percentage of workers employed as home-based or self-employed business owners, and a larger share of its residents hold private-sector wage or salary positions. Historically, the town’s unemployment rate has run much lower than that of the state or Worcester County, even during the recession of the early 1990s.¹⁰

Northborough’s high percentage of men in the labor force is consistent with the profile of a suburb dominated by married-couple families. More than 85% of all men over 16 in Northborough are in the labor force compared to 72.6% in Massachusetts, and very few are unemployed (1.9%).

Among the town’s women over 16, 64.5% are in the labor force – a statistic that

also exceeds the state average, although to a lesser degree. In fact, Northborough women with preschoolers are somewhat less likely to be in the labor force than their counterparts across the state, but the labor force percentage of women with school-age children is higher.

Overall, labor force participation by both parents in married-couple families is about the same in Northborough and the state. A noteworthy difference lies in married-couple families in which the wife only is employed: about 4% of the state’s children under 18, and 0% of Northborough’s, are in married-couple families with stay-at-home fathers. Furthermore, in single-parent families, 100% of all children under 18 living with their fathers, and 79.4% of children living with their mothers, have



⁹ Census 2000, Summary File 3, Tables DP2, DP3.

¹⁰ Massachusetts Department of Employment and Training (DET), “Local Area Unemployment Series” (LAUS) [database online] (cited 19 January 2004), available on the World Wide Web at <<http://www.detma.org>>.

parents in the labor force and nearly all of the parents are employed. As a result, the economic position of families and children in Northborough is much higher than that of families and children across the state, as evidenced by the town's strikingly low family poverty rate of 1.7%.¹¹

HOUSEHOLD AND FAMILY INCOMES

Northborough has attracted middle- and upper-middle-income families for many years. Past planning studies reveal a distinct consciousness of Northborough's home values and the role that higher-end housing plays as a gatekeeper for traditional families; they, in turn, bring a special vitality to the town that is plainly evident in the quality and physical condition of the schools. Available data show that Northborough's state rank for median household income has changed very little: 41 in 1980, 33 in 1990, and 41 in 2000.¹² Accordingly, Northborough falls in the state's upper quartile for household wealth. Table 4 provides comparison income statistics for the state, Northborough and neighboring suburbs.

Table 4: Comparison Household Income Data

Geography	Median Household Income	Households >\$200,000 Income		Median Family Income by Family Type		
		% All Households	Incomes as % Aggregate Household Income	All Families	Families with Children <18	Married Couples with Children <18
Massachusetts	50,502	3.5%	18.2%	61,664	61,530	74,589
Marlborough	56,879	2.8%	14.9%	70,385	71,112	78,128
Berlin	65,667	4.6%	18.0%	76,419	81,299	86,095
Boylston	67,703	4.1%	17.4%	77,604	77,684	82,534
Northborough	79,781	6.4%	19.8%	90,480	97,249	104,034
Shrewsbury	64,237	4.5%	18.6%	77,674	81,199	89,728
Southborough	102,986	19.6%	47.0%	119,454	127,909	131,402
Westborough	73,418	8.5%	28.9%	94,610	102,654	109,058

Source: Census 2000, Summary File 3, Tables P52, P53, P53, PCT 39, PCT40.

Since Northborough's housing stock is fairly homogenous and its growth rate has been stable for a long time, household income differences are less pronounced here than is often the case in high-growth suburbs. More than half of the town's households have annual incomes of \$75,000-\$99,000, and while nearly one-fourth of the Commonwealth's households have incomes below \$25,000 per year, the same applies to only 10% of the households in Northborough. The difference between family incomes and household incomes is also somewhat smaller in Northborough, largely because families make up such a sizeable percentage of the town's households. Even though Northborough's percentage of very affluent households (6.4%) is higher than that of the state (3.5%), their combined income as a percentage of aggregate household income town-wide is about the same

¹¹ Census 2000, Summary File 3, Tables P43, P44, P45 and P90.

¹² Census 2000, Summary File 3, Table DP-3; "Comparison Census Profiles 1980-2000," Boston Globe, [online edition] in EXCEL format (21 May 2002 [cited 21 May 2002]), retrieved on the World Wide Web at <<http://www.boston.com>>.

as the state average. Household wealth appears to be somewhat more evenly distributed in Northborough than in the state as a whole, and it is much more evenly distributed than in high-growth towns nearby.

Of course, not all residents of Northborough are equally well situated. Approximately 550 of the town's households and families have quite different circumstances from the impression conveyed by mainstream income statistics. Six percent of the town's households have incomes below \$20,000 per year, and most are elderly people living alone. In addition, the median income of single-parent families headed by women is less than half of Northborough median family income overall, and only 42% of the median for married-couple families with children. However, the income gap between single men and single women raising young children is smaller in Northborough than in most communities, which most likely reflects Northborough's high housing costs and limited housing choices. Table 5 reports these statistics by comparison geographies.

Table 5: Economic Position of Lower-Income Households

Geography	<u>Median Income</u>					
	Non-Family Households	<u>Single Parents</u>		Householder 75+ yrs.	<u>Elderly Households</u>	
		Men with Children <18	Women with Children <18		Men 65+ Living Alone	Women 65+ Living Alone
Massachusetts	29,774	34,532	22,138	21,522	17,974	14,328
Marlborough	36,105	42,500	26,875	21,175	15,870	14,213
Berlin	30,938	27,250	30,938	31,000	13,750	12,083
Boylston	34,688	100,724	41,607	16,852	18,036	16,292
Northborough	38,646	49,306	43,553	26,029	15,000	14,783
Shrewsbury	32,778	54,706	34,572	24,795	23,031	14,600
Southborough	36,172	127,308	48,750	22,548	35,703	9,946
Westborough	37,458	51,071	41,071	26,292	25,156	17,028

Source: Census 2000, Summary File 3, Tables P56, P80, PCT 40, PCT 42.

HOUSING CHARACTERISTICS

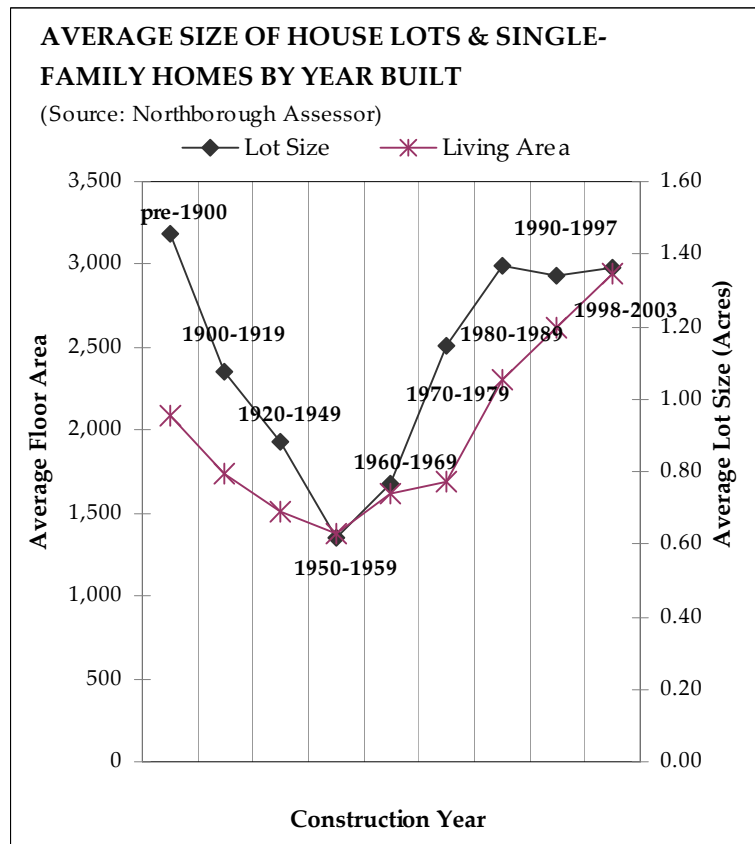
Housing Inventory

Communities influence the make-up of their populations by the choices they make to control housing growth, and Northborough is no exception. Its housing inventory helps to explain the overwhelming presence of families and homeowners and the community's overall wealth. Of Northborough's 5,002 housing units, 81% are detached single-family homes. Moreover, 84% of the town's housing units are owner-occupied, with an average of 2.98 persons per household. In fact, Northborough has the second highest percentage of owner-occupied housing units of the seven communities in the comparison area. Slightly more than 35% of all homeowners in Northborough purchased their present house after 1995, paying an average of \$281,000 for it, but new homes commanded an average sale price of \$590,000.¹³ Like other communities near I-495, Northborough

¹³ Town of Northborough, "FY04 Property Database," and Census 2000, Summary File 3 Tables P30, QT-H7.

has a competitive housing market and during the past decade, housing sale prices increased by more than 61%.¹⁴ Regardless, Northborough's very low owner-occupied vacancy rate of .4% indicates that homes for sale move quickly. When the decennial census was taken in April 2000, there were 40 single-family homes on the market in Northborough with a median asking price of \$230,800.¹⁵

Single-family homes constitute more than 80% of the town's housing inventory and as a result, they are the dominant image of what it means to live in Northborough. Their qualities and the diversity that exists among them – in terms of styles, rooflines, materials, colors, setting and accessory uses – contribute significantly to the visual and social character of the town. New and older 20th century homes in Northborough differ by size, amenities, value and lot area. The town's newest single-family homes (1998-2003) offer an average living area of 2,943 square feet (ft²) with 4-5 bedrooms and 2.5 or more bathrooms, and they occupy parcels with an average of 1.4 acres of land. In contrast, most homes built between World War I-II have an average living area of 1,510 ft² and two or three bedrooms, and house lots of about .70 acres. Single-family residences that pre-date 1900 are similar to mid-20th century homes, with 2,093 ft² of living area and three bedrooms. They also have relatively large lots, or an average of 1.46 acres.



There is a significant spread in property values by age of dwelling unit. Single-family homes built since 1998 command an average total assessed value of \$515,842, and assessments of \$320,000 are fairly common among historic properties in Northborough. However, single-family homes built between 1920-1949 are assessed for about \$250,000-\$259,000. In most cases, the value of these homes lies mainly in their land value, as evidenced by the frequency of building-to-land value ratios of less than .99. There are also significant differences in the value of improvements, i.e., the home itself. The average building value of new homes is twice that of homes built prior to 1900 and 2.83 times the value of homes constructed between the wars.¹⁶ This kind of market weakness in interwar home

¹⁴ The Warren Group, "Free Market Statistics," [database database] (cited 15 January 2004, 1 April 2004), available on the World Wide Web at <<http://www.thewarrengroup.com/html>>.

¹⁵ Census 2000, Summary File 1, Table DP-1; Summary File 3, Table QT-H6: Northborough.

¹⁶ FY04 Parcel Database; statistics by author.

values is very common and it has a great deal to do with the gradual loss of lower-priced housing in suburban communities. The reason: as competition for vacant land intensifies, older homes become very desirable candidates for demolition/rebuild or “gut rehab” projects, the result being a modern, essentially new dwelling unit on a previously used lot.

Nearly all single-family homes in Northborough are found in conventional subdivisions and along main roads, but about 15 homes occupy large tracts of open space. Agricultural, forested and recreational parcels, accounting for nearly 12% of the town’s land area,¹⁷ usually include one or more dwelling units and often, a business. Although the homes are single-family residences, they stand out in at least two ways. First, the residence co-exists with an operation that depends on an income-producing use of land, e.g., a farm or a commercial recreation facility. Second, the homes tend to be large, with an average living area of 3,200 ft². Occasionally, the remnants of former farms can be seen in smaller holdings that retain more than one residential building, such as a single-family home and a carriage house. Northborough has about eight of these properties, located mainly in outlying sections of town.¹⁸

While there is a noteworthy mix within Northborough’s single-family home inventory, housing choices in Northborough are most evident in the two-family homes and small multi-family buildings in neighborhoods around the center of town, notably along Pleasant, Church, Whitney, Hudson, Main, School, and Summer Streets, nearly all built prior to the adoption of zoning. These dwellings play an important role in providing options to people in Northborough because the



Mix of commercial and residential uses along South Street.

units are smaller than single-family homes and many of them are renter-occupied. By virtue of their architectural features, sizes and settings, Northborough’s older multi-family buildings also contribute to a distinctive sense of neighborhood identity. In addition, about 50 housing units are in turn-of-the-century buildings with a mix of residential and commercial uses.¹⁹ Most of these buildings are in downtown locations and on Route 20 in the Business B and General Residence Districts.

¹⁷ For purposes of this description, “open space” refers to privately owned land under Chapter 61, 61-A and 61-B agreements.

¹⁸ FY04 Property Database; statistics by author.

¹⁹ Ibid.

Northborough also has 425 condominiums in 31 locations around town. A few of the condominiums appear to have been created by converting small, older multi-family buildings from rental to ownership units, but most are in fairly new developments. About 14% of Northborough's condominium units are investor-owned or used as an occasional residence by non-local owners. On average, the units have about 1,209 ft² of living area and average market values of \$200,000-\$220,000. Several are subject to affordable housing deed restrictions. In addition, the Northborough Housing Authority owns a number of properties, including two apartment developments and some smaller, scattered-site housing units for low- and moderate-income renters.²⁰

Housing Market

Market choices are determined by household income and factors important to individual homebuyers, such as the reputation and quality of a school district, commute distance to work, convenient highway access, choice of homes and housing styles, proximity to family members, or proximity to services. Ultimately, homebuyers may investigate homes for sale in a small area: a group of towns deemed similar in terms of their advantages. Preferences of homebuyers, developers and the communities themselves, by the zoning regulations they adopt, converge to shape housing demand characteristics at local and sub-regional levels. The communities in Northborough's area have historically offered a continuum of home prices and served a fairly wide range of incomes. Table 6 compares Northborough to surrounding communities by the demographic characteristics of households in owner-occupied dwelling units and recent single-family home sale prices.

Table 6: Homeowner Characteristics and Housing Prices

Municipality	Owner-Occupied Units	% Family Households	Average Size Owner Household	Median Owner Household Income	% Long-Term Owners	Median Single-Family Home Sale Price (2003)
Berlin	706	76.4%	2.86	76,388	38.4%	293,000
Boylston	1,317	72.5%	2.67	71,997	28.9%	279,500
Marlborough	8,842	64.0%	2.68	70,017	29.1%	310,000
Northborough	4,123	78.8%	2.98	88,437	25.0%	345,000
Shrewsbury	9,038	70.3%	2.81	74,477	25.2%	357,950
Southborough	2,595	82.2%	3.08	110,675	27.9%	502,500
Westborough	4,208	69.2%	2.93	95,155	24.6%	386,000

Sources: Census 2000; Banker & Tradesman.

The communities in Table 6 bring several qualities to the housing market: a mix of housing types and neighborhood settings, regional highway access, proximity to employment centers, a suburban location, and good schools. They also bring increasingly expensive housing and diminishing choices, for all of the communities in Table 6 have experienced a dramatic increase in housing sale prices since the early 1990s. While Northborough's median single-family home sale price rose by 82% between 1994-2003, sale prices in Southborough – the region's most expensive town – skyrocketed by 130%. More disturbing is the sale price growth in Shrewsbury and Marlborough: communities that have traditionally housed middle-income families. Shrewsbury absorbed a 135%

²⁰ Ibid, and Massachusetts Department of Housing and Community Development (DHCD), "Northborough Subsidized Housing Inventory," in EXCEL format (26 November 2003).

increase in single-family home sale prices between 1994-2003, the region's highest rate of sale price growth. Although typical home prices in Shrewsbury used to be \$25,000-\$30,000 less than Northborough's, by last year this was no longer true.²¹

Low mortgage interest rates and high employment enabled more households than ever to find a place to live in and around Northborough during the 1990s. However, the surplus of vacant homes at the beginning of the decade was inadequate to meet the level of housing demand triggered by high rates of new household formation. Rental-to-ownership conversions often displaced tenants in favor of homebuyers, and when new-home construction and housing resales did not keep pace with the market, the result was a substantial jump in sale prices. By 2000, the number of vacant units had declined by nearly 50% in Northborough and neighboring communities. While their combined housing inventories increased by 19.4%, they also absorbed a 23.8% rate of growth in households.

Table 7: Comparison Profile of Housing Unit and Household Growth

Municipality	Percent Growth 1990-2000				
	Total Housing Units	Single-Family Homes	Total Households	Family Households	K-12 School Enrollments
Berlin	7.7%	100.0%	9.1%	3.1%	43.5%
Boylston	17.9%	82.0%	18.3%	12.6%	43.5%
Marlborough	14.4%	69.5%	19.3%	16.5%	25.7%
Northborough	19.7%	84.2%	20.9%	20.9%	43.2%
Shrewsbury	26.3%	81.2%	32.9%	33.8%	42.2%
Southborough	26.9%	96.7%	29.4%	30.6%	43.2%
Westborough	17.4%	80.3%	21.2%	25.5%	58.7%

Sources: Census 2000, Summary File 1, Tables H1, H30, P15, P31; Mass. Department of Education, "Long-Term Trends in School Enrollments."

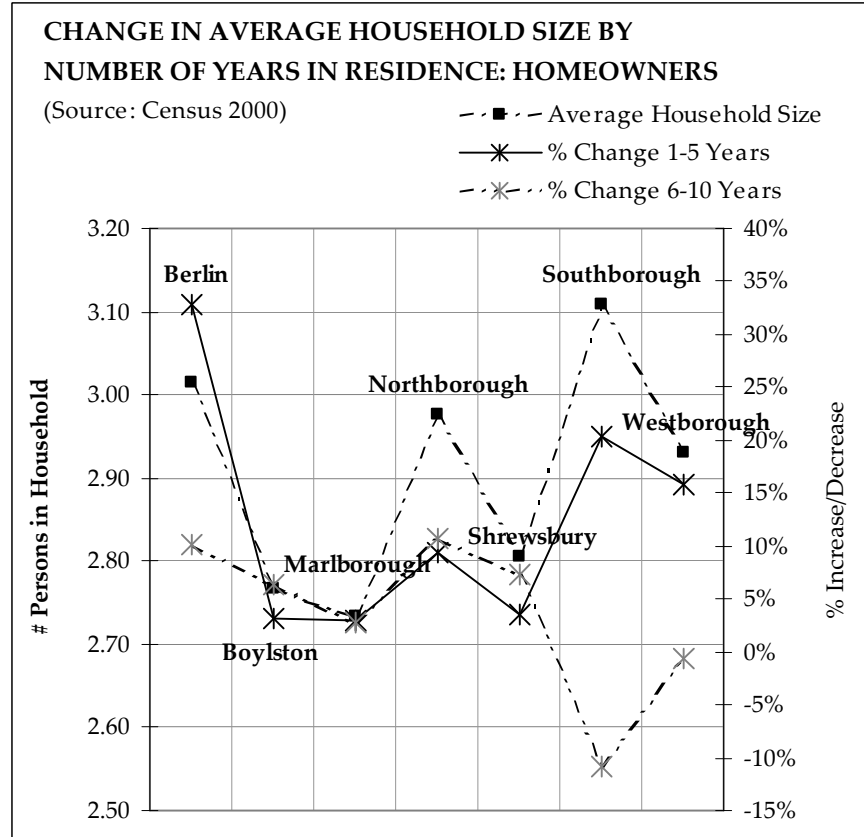
Consistent with suburban trends nationwide, Northborough and its neighbors gained both family households and new school students. Four years ago, the Massachusetts Department of Education (DOE) released a K-12 enrollment trends report for the 1990s and classified communities across the state by enrollment growth rate.²² DOE's report shows that all of the towns in Northborough's region absorbed above average to high rates of enrollment growth. Federal census data give proof to what happened: in most of these communities, the school-age population increased 34-68%, far above the statewide mean. In addition, while Northborough's under-5 population growth rate of 12% differs from the statewide drop in the same age group, the under-5 population rose by a staggering 65-78% in Shrewsbury, Southborough and Westborough. These communities also experienced unusually strong housing growth and high rates of housing unit turnover, and they have comparatively large percentages of households headed by persons under 35. Under these circumstances, it is not surprising that the average household size in Southborough increases by .66 persons within four years of purchasing a single-family home, or .46 persons in Westborough.²³

²¹ The Warren Group, "Free Market Statistics."

²² Massachusetts Department of Education, "Foundation Enrollments in Massachusetts Cities and Towns, 1993-1999," [database online] in EXCEL format (cited 28 January 2001), available on the World Wide Web at <<http://state.ma.us/doe>>.

²³ Census 2000 Summary File 1 Tables P12, P21; cross-tabulation of Tables H28, HCT9.

Although Northborough has recently experienced housing and population growth, its growth has occurred at a more even pace than many towns nearby or elsewhere along the I-495 corridor. A majority of its family homebuyers already have children when they move into town, for the average household size among new families and those that purchased a house in Northborough in the past ten years is not significantly different. The cost of housing, the types of homes available, and the incomes of families with children under 18 all indicate that Northborough serves a “buy-up” market of second-time homebuyers seeking a great town in which to raise their children.



Rental Market

Compared to homebuyers, renters have very few choices because rental housing is so scarce. Age-restricted units dominate the rental housing inventories in many towns, making portions of the rental inventory unavailable to a larger market. Often, persons seeking rental housing must search across a large area to find a vacant rental unit, especially one they can afford. In addition, renters have a wide range of needs: young citizens living on their own for the first time, families wanting a short-term rental while they search for a home, senior citizens seeking relief from the burdens of homeownership, and households needing affordable housing or simply preferring to rent instead of owning a home. Some renters need longer-term housing while others may be tenants for less than a year. These factors make the demand side of the rental market fairly uneven. As for the supply side, Northborough’s rental inventory is very small, much older than the homeownership inventory, vulnerable to homeownership conversion, and expensive in relation to renter household incomes.

Like many suburbs in Massachusetts, Northborough prohibits multi-family development. As a result, renters tend to live in older housing stock, such as units in two-family homes. More than half of all renters in Northborough occupy dwellings that pre-date 1950, and nearly 19% (mainly senior citizens) occupy subsidized housing owned and managed by the Northborough Housing Authority. Region-wide, there is very little new rental housing. The largest number of rental units built in any single decade date to the 1970s, when market-rate apartment developments were in vogue, Chapter 40B was new, and federal and state agencies invested heavily in low-income housing production. Marlborough, Westborough and Shrewsbury offer some new rental units and as a result, the

percentage of tenants in older buildings in these communities is fairly low. Together, the same three communities house 76% of all households in the region, yet they have 87% of the region's entire rental housing inventory and 88% of the region's subsidized rental inventory.²⁴ Although most rental units appear to move through the market in three-year cycles, long-term tenancies exist in every town, notably Berlin, where 21% of the town's renters have lived in the same dwelling unit for more than 10 years. Table 8 supplies a summary-level profile of renter households in Northborough's market area.

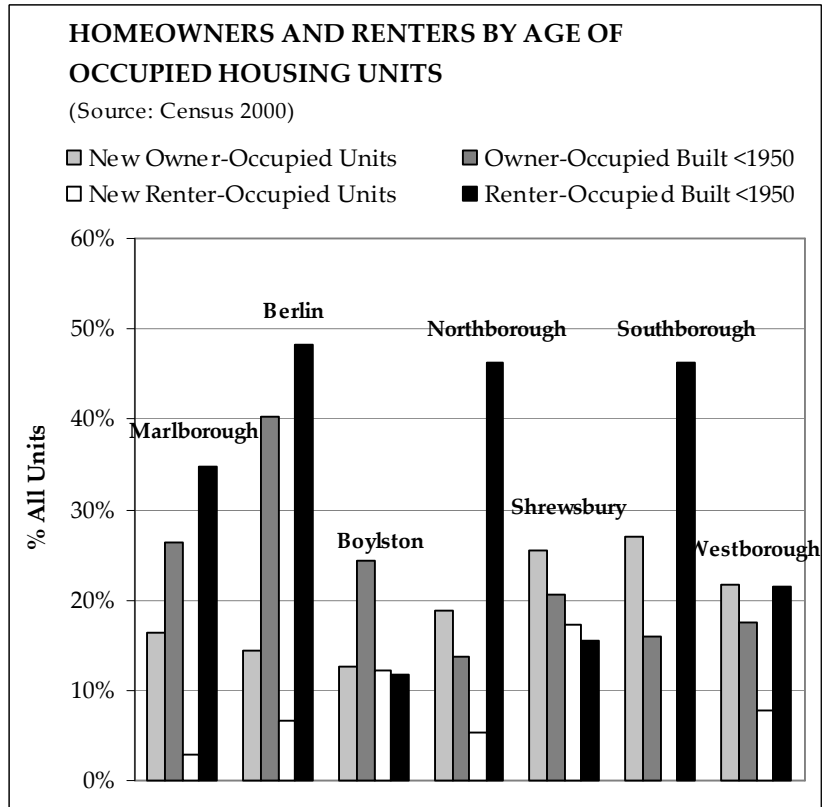


Table 8: Renter Household Characteristics and Rents

Municipality	Renter-Occupied Units	% Family Households	Average Size Renter Household	Median Renter Household Income	% Long-Term Tenants	Median Gross Rent
Marlborough	5,659	46.0%	2.05	39,755	11.6%	811
Berlin	166	34.9%	1.47	23,125	20.5%	629
Boylston	256	40.2%	1.43	50,313	10.9%	640
NORTHBOROUGH	783	45.8%	2.05	41,299	12.7%	792
Shrewsbury	3,328	42.6%	1.83	40,259	12.7%	817
Southborough	357	46.7%	1.91	43,348	11.3%	913
Westborough	2,326	43.7%	2.07	47,346	9.7%	863

Source: Census 2000, Summary File 1 Table H1, H4, H12; Summary File 3 Tables H38, HCT1, HCT12.

Rental housing needs differ from town to town, but two conditions seem almost universal among tenants: the high cost of housing in relation to income and a constricted supply of affordable units for households ineligible for subsidized rental units. As of April 2000, the effective date of Census 2000, tenants paid anywhere from \$629 per month for apartments in Berlin to more than \$1,000 per

²⁴ Department of Housing and Community Development (DHCD), "Chapter 40B Subsidized Housing Inventory," in EXCEL format (April 2002 [cited 22 April 2002]); February 2003 update supplied to author by Metropolitan Area Planning Council; Census 2000 Summary File 1, Table H4, Summary File 3 Table H59.

month in Shrewsbury and Southborough. This wide range of rents reflects several factors: the size of rental units, building types, market demand, and the percentage of renter-occupied housing that is subsidized by federal or state sources. In Shrewsbury, for example, most renter-occupied units are in market-rate (unsubsidized) multi-family developments while one-third of all renter-occupied units in Southborough are detached single-family homes. In Northborough, 51% of all tenants live in two-, three- or four-family homes, nearly all of which were built prior to the adoption of zoning, and the town is roughly at the regional midpoint for percentage of subsidized rental housing (17.9%). The physical characteristics of each community's rental housing have a significant impact on prevailing rents. While rents have undoubtedly increased in the past four years, the relative market position of each community has most likely remained the same.

In virtually all Chapter 40B rental developments built today, 75% of the units are priced for "market" occupancy and 25% for low- and moderate-income tenants. The relatively high rents paid by market tenants contribute to the region's rent ranges. While Northborough rents are fairly low compared to rents in Southborough, Westborough and Shrewsbury, it also has a higher percentage of rental units in developments built and managed by the Northborough Housing Authority – meaning units that can be rented only to low- and moderate-income tenants, and 86% of these units are further restricted to low-income elderly tenants. Since Northborough has no recently built Chapter 40B rental housing, the units available to other tenants are largely old. However, they are also large in relation to rental units in other communities nearby. Ironically, the presence of so many older rental units in Northborough means the town offers more units suitable for families than is the case in Marlborough and Westborough. In fact, Northborough has one of the highest percentages of rental units with three or more bedrooms of any town in the region – except Southborough, where more than 40% of all renter-occupied units are detached single-family homes.²⁵

Prospective renters – those in search of an apartment– face low odds of finding moderately priced apartments in Northborough's area. In April 2000, there were 495 vacant housing units for rent in the seven-town region, including 36 in Northborough. More than 45% of the 495 units were on the market at rents of \$1,000 or more per month, with a majority of the highest-priced units in Marlborough, Shrewsbury and Westborough. However, Southborough had no rental units available at monthly rents below \$2,000, and the median rent sought by local landlords at the time was equal to 55% of the town's median renter household income. For both existing and soon-to-be renters, the issue is not only monthly rents charged by landlords, but also the added cost of utilities, that is, gross rent. Depending on the type of housing unit and whether it is subsidized, gross rent exceeds contract rent by anywhere from \$25 to \$100 per month in Northborough's area. While gross rents in Northborough and most towns nearby are reasonably affordable to many existing tenants (measured by gross rent as a percentage of household income), nearly one-fifth of the region's entire rental housing inventory is subsidized, not including privately owned, market-rate units rented to households with HUD Section 8 vouchers.²⁶

²⁵ Census 2000, Summary File 3 Tables H32, H42.

²⁶ Census 2000 Summary File 3 Tables H46, H59, H60, H63. Note: in April 2000, most of the higher-end vacant units in Westborough were at Avalon West, a recent Chapter 40B development by AvalonBay that was in rent-up at the time.

HOUSING AFFORDABILITY

Chapter 40B

While Northborough has some lower-cost homes, only a few meet the definition of an affordable housing unit under state law. In Massachusetts and most states across the country, the term “affordable housing” means homes made affordable to lower-income households by a deed restriction or covenant that restricts sale prices and rents as the units are vacated, sold or leased to new occupants. Northborough has 173 units of housing that qualify as “affordable” under Chapter 40B, a law that is highly controversial in most communities because it overrides local zoning regulations that make low- and moderate-income housing economically infeasible to build. The device that overrides local zoning is known as a comprehensive permit. Enacted in 1969, Chapter 40B establishes a legal presumption of unmet housing needs when less than 10% of a community’s year-round housing stock is affordable to households at or below 80% of median family income. Generally, communities that do not meet the 10% threshold must issue a comprehensive permit unless there is an unusual or compelling basis to deny one. Aggrieved developers may (and do) ask the state’s Housing Appeals Committee (HAC) to intervene, and while most appeals are resolved by negotiation, HAC’s occasional overrides have left a negative impression on communities.

According to state data, Northborough’s inventory of low- and moderate-income housing includes 154 rental units (primarily age-restricted) and 19 homeownership units, or 3.47% of the town’s year-round homes. Across the Commonwealth, 8.53% of all houses and apartments meet the statutory definition of “low- or moderate-income housing units,” yet slightly more than 30 of the state’s 351 communities have produced enough subsidized housing to satisfy the 10% goal. Though cities top the list, a few towns also exceed 10%. Subsidized housing as a percentage of all year-round homes in Northborough and neighboring communities varies considerably. Regionally, there are 2,501 Chapter 40B units or 4.2% for the area as a whole. Marlborough tops the list for number and percentage of Chapter 40B units (7.95%) and Boylston, the lowest (1.5%). In Massachusetts, the suburban mean for percentage of Chapter 40B units is 2.78%.²⁷

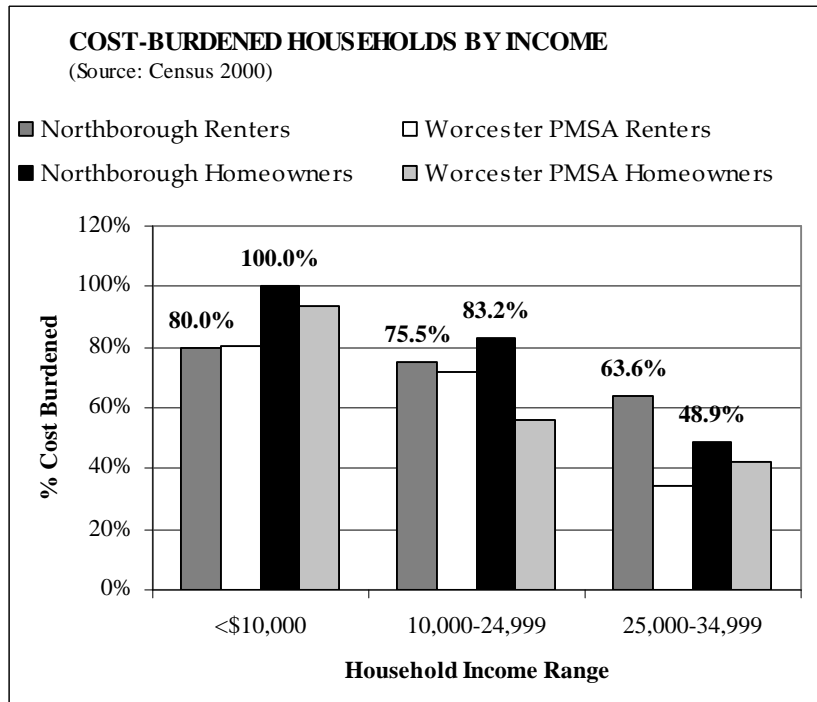
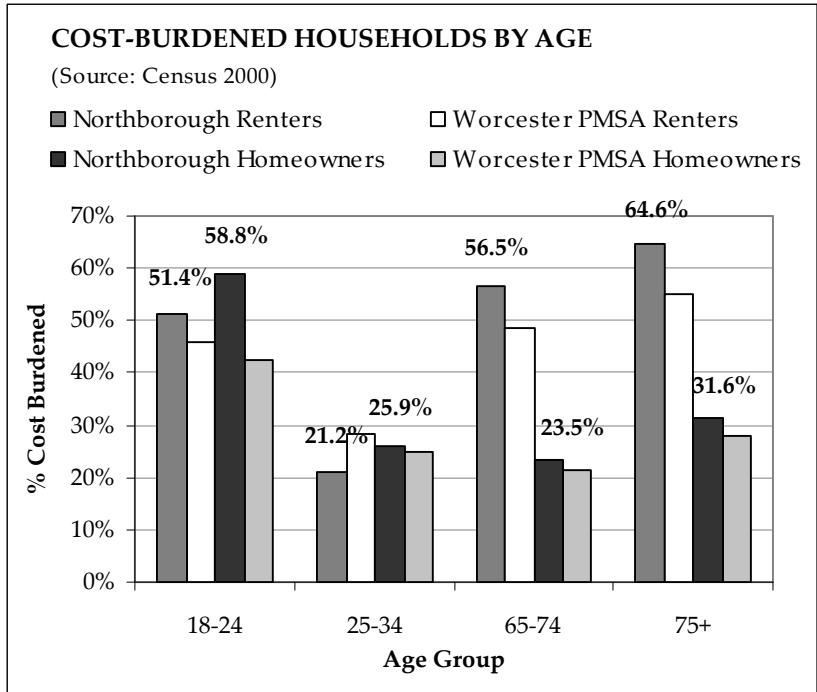
Housing Cost Burden

By enacting Chapter 40B, the legislature intended to assure a “fair-share” distribution of low-income housing across the state, but housing policy analysts do not define affordable housing need on the basis of a fixed 10% standard. The national definition of housing affordability assumes that a home is affordable to its owners if they spend no more than 30% of their monthly income on housing costs: a mortgage payment, property taxes, and house insurance. Similarly, an apartment is affordable when tenants pay no more than 30% of their monthly income on rent and utilities. In housing industry parlance, households that pay more than 30% of their income on housing costs are “housing cost burdened.” The incidence of housing cost burden is usually highest among very young, elderly and low-income renters. However, the high market rents in Chapter 40B developments demonstrate that even in communities with new rental housing, cost burden has become an increasingly serious problem for middle-income renters.

²⁷ Affordable housing percentages derived from DHCD Subsidized Housing Inventory; “suburban communities” refers to 53 towns defined as suburbs by Massachusetts Department of Revenue “Kind of Community” classification system.

According to federal census data, 36.2% of all tenants in the Worcester metropolitan area and 34.5% in Northborough are housing cost burdened.²⁸ That Northborough has a slightly lower incidence of rental housing cost burden is not surprising: its renter households tend to have higher incomes than renters across the Worcester metropolitan area, and much of its market-rate rental housing is old. However, 61% of the town's elderly renters and 51.4% of its youngest householders, i.e., households headed by 18-24 year olds, pay more than 30% of their monthly income on rent and utilities. In fact, Northborough exceeds the Worcester metropolitan area for percentage of young cost-burdened renters. The same groups are disproportionately affected as cost-burdened homeowners. Throughout the Worcester metropolitan area, 26.2% of all homeowners pay more than 30% of their income on a mortgage payment, insurance and taxes. In Northborough, the incidence of homeowner cost burden for the town as a whole is 23.6%, but it is much higher for young householders between 18-24 years old (58%), and over-75 elderly households (32%).²⁹

Over time, high housing sale prices and high property taxes have reduced Northborough's affordability to all but upper-middle income families.



²⁸ Census 2000, Summary File 3 Tables DP4 and H84.

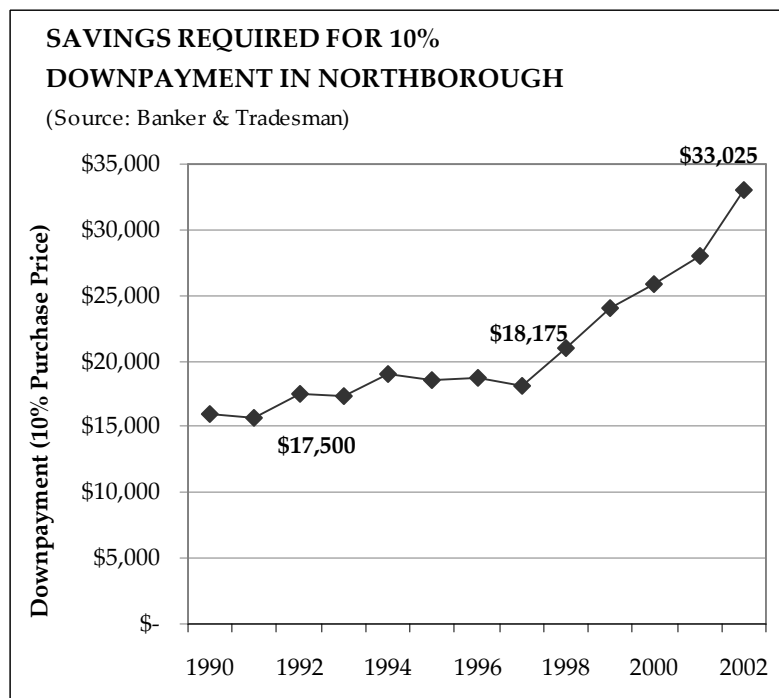
²⁹ Census 2000, Summary File 3 Tables QT=H13 and QT-H15.

To some extent, a profile of low- and moderate-income households in any community includes a majority of its youngest and oldest households. However, the number of low- and moderate-income households in Northborough far exceeds both the sum of young and elderly households and the town's inventory of subsidized housing units. As a result, Northborough has more cost burdened low- and moderate-income households than its cost burden statistics by age might imply. Indeed, Northborough is striking for its unusually high percentage of low and moderate income households that are housing cost burdened, and this applies equally to homeowners and renters. Among households with incomes below \$35,000 per year, the percentage of renters paying more than 30% of their monthly income on rent and utilities in Northborough is consistently higher than the percentages for the state as a whole or the Worcester metropolitan area. According to the U.S. Department of Housing and Urban Development (HUD), 25.4% of all households in Northborough qualify as moderate-income – that is, households with incomes at or below 80% of area median income (AMI) – and 12.6% as low-income, or below 50% of AMI.³⁰

Affordability Gap

Since the 1930s, federal housing policies have subsidized homeownership through income tax deductions for mortgage interest and property taxes, federal home mortgage insurance, and more recently, low-interest loans and grants that help moderate-

income people transition from renter to homeowner. Often, home-seekers have more resources than a mortgage lender requires, such as equity to invest from the sale of a previous home or a gift or loan from family members. However, households with only their savings to put toward a downpayment find homebuying more difficult. First, while saving to purchase a home they must also pay rent, and because apartments are so scarce, market rents in Northborough's region have become very expensive even though local rents have not accelerated to the same extent. Second, since the purchase price of a house usually determines the downpayment amount, first-time homebuyers end up saving toward a moving target: the sale price of homes in a very tight real estate market.



³⁰ For percentage of low-income persons and households, see U.S. Department of Housing and Urban Development, "Low and Moderate Income Persons by Non-Entitlement Community," [database online] in EXCEL format, (18 February 2003 [cited 21 February 2003]) available at <http://www.hud.gov/offices/cpd/systems/census/lowmod/index.cfm>.

Under conventional loan underwriting standards, homebuyers at Northborough’s median household income of \$79,781 can afford a purchase price of about \$254,160. For them, the town’s median single-family home sale price of \$345,009 (2003) translates into an “affordability gap” of \$90,840, or the difference between the sale price and the purchase price they can afford. However, Northborough’s median single-family sale price creates a more substantial barrier for homebuyers at the Worcester-area median income (\$47,899): an affordability gap of \$192,407. A sale price of \$345,000 is also high enough to preclude 68% of Northborough’s present households from purchasing a house in town if they were first-time homebuyers today. Condominiums often supply a more affordable housing opportunity than single-family homes, and in Northborough this appears to be true. The median condominium sale price of \$205,000 would be affordable to a majority of Northborough’s present households if they were first-time homebuyers today. Nonetheless, the town’s inventory of condominiums is only 8.5% of its entire housing stock.

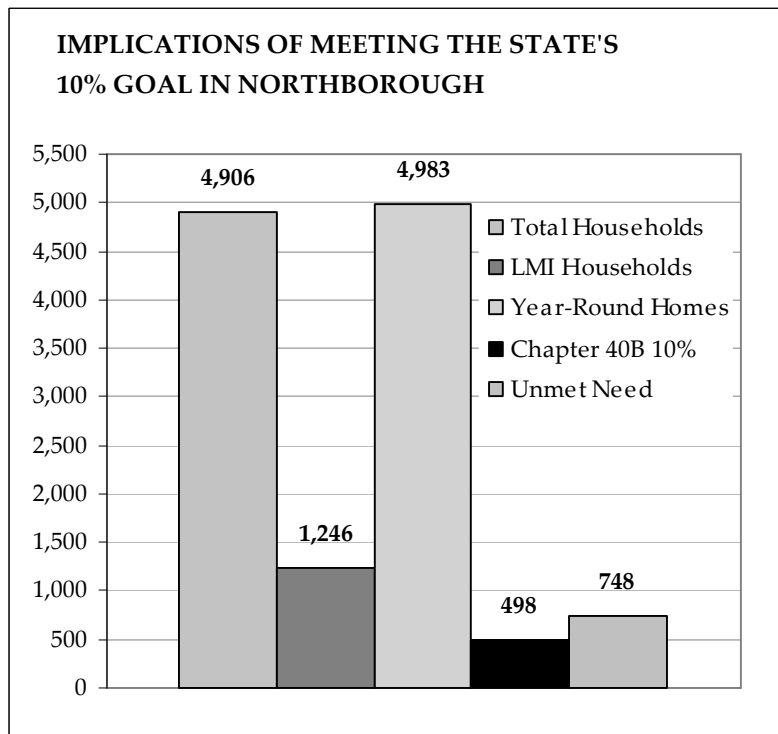
HOUSING CHALLENGES & OPPORTUNITIES

Housing Needs

Although it is tempting to define housing needs in any town by its shortfall of Chapter 40B units, the reality is that decent, suitable and affordable housing needs exist at most market levels. Moreover, the needs are far more complicated than state policymakers and most communities have been willing to address, for even if every community in the Commonwealth met Chapter 40B’s 10% goal today, the state would still have

a substantial number of underhoused and cost-burdened families. The most recently available HUD estimates indicate that 43.9% of the state’s households have incomes in the low- or moderate-income range, i.e., at or below 80% of the applicable area median income (AMI) for each city or town, adjusted for household size. Providing enough low- or moderate-income housing to reach 10% of all homes in the Commonwealth would appear to require 262,199 units, but since Chapter 40B excludes seasonal and vacation homes from the state’s housing base, 10% for the state as a whole would actually be 252,696

units.³¹ Aside from the fact that Chapter 40B effectively places less responsibility on resort towns to house the state’s poor, the reality is that even at 10% of all year-round homes in Massachusetts, there



³¹ HUD, “Low and Moderate Income Persons by Census Block Group,” and DHCD, “Chapter 40B Subsidized Housing Inventory.”

would still be 819,008 families without access to an affordable housing unit as the term is defined by law.³² In Northborough's case, reaching 10% requires about 338 Chapter 40B units in addition to the existing 173-unit inventory, yet technical compliance with Chapter 40B would leave 748 resident families without an affordable home.

A second temptation in defining housing needs is to focus on local residents only, i.e., without regard for needs that exist within larger regions or among communities with similar housing markets. To some extent, DHCD has encouraged communities to focus on local housing needs by promoting a policy of 70% "local preference" units in Chapter 40B developments. However, the state's local preference policy evolved several years ago as one of many initiatives to combat city and town resistance to affordable housing. In Worcester County, 43% of all households qualify as low or moderate income and 57% of them live in non-urban communities, including Northborough.³³ Federal census data show that about 62% of Worcester County's population moved from one Central Massachusetts home to another after 1995.³⁴ Although local officials in most cities and towns worry about the social, economic and fiscal impacts that affordable housing developments may bring to their communities, many households can choose to move from one town to another because they have economic mobility. For low- or moderate-income households, the shortage of affordable housing is effectively a shortage of choices.

Housing needs are not limited to low- or moderate-income households. Accessible homes for households with a disabled family member, smaller housing units for older people who do not want the maintenance responsibilities of a single-family home, and a base of modestly priced rental units for young citizens entering the workforce are fairly common needs in communities across the state. Approximately 9% of Northborough's working-age (21-64) adults have a disability, but except for elderly public housing units, there is no obvious indication that any barrier-free housing has been developed in Northborough. In addition, while Northborough's region has attracted a number of "over-55" housing developments, most are higher-end communities with condominium or "cottage" sale prices that far exceed the means of many senior citizens, especially households headed by people over 75. The Central Massachusetts inventory of public housing for very-low-income elders has not changed in more than a decade, and very few housing units for seniors of modest means have been built anywhere in the region. Although some age-restricted Chapter 40B developments have been approved in Northborough's area, the income and asset tests for eligibility to buy a Chapter 40B homeownership unit create more marketing and sales challenges for these projects than many people realize.

Considering the age, income and composition of households in Northborough and adjacent communities and housing prices throughout the area, Northborough would make a useful

³² In lieu of renting a Chapter 40B unit, some low- or moderate-income households receive voucher assistance from the HUD Section 8 program. Tenants with Section 8 vouchers pay 30% of their monthly income to rent a privately owned, non-subsidized apartment and HUD fills the gap. Approximately 67,000 renters statewide have HUD Section 8 vouchers.

³³ HUD, "Low and Moderate Income Persons by Census Block Group," Census 2000 Summary File 3 Tables H38, P45.

³⁴ Census 2000 Summary File 3 Table P24.

contribution to regional housing needs (including its own) by focusing on the following types of housing:

- **Rental housing for individuals:** developments of studio, one- and two-bedroom apartments, marketed primarily to young adults and young couples with annual incomes of \$20,000-\$40,000, or monthly rents of \$500-\$950. At least 5%-10% of the units should be accessible to persons with disabilities or designed for accessibility retrofits.

Northborough's region has 1,015 under-25 households. Sixty-six percent are non-family households, 87% live in rental units, 54% have annual incomes below \$35,000 and 45% are housing cost burdened.

- **Rental housing for families:** developments of two-, three- and four-bedroom apartments, marketed primarily to young families with annual incomes of \$30,000-\$65,000, or monthly rents of \$750-\$1,725. Some provision should be made for accessible units, but data to estimate the disability housing needs of families are unavailable.

Northborough's region includes 7,435 households headed by persons 25-34 years of age, 66.7% of which are family households. Nearly half of all households in the 25-34 age group have incomes of \$30,000-\$65,000. Fifty-three percent live in rental housing and 24% of the renters are housing cost burdened. Of the 12,000 households headed by persons 35-44, 80% are families, 27% are renters and 33% of the renters are housing cost burdened.

Many of the renter families in these age groups earn too much to qualify for subsidized housing but they cannot afford the market rents in new developments, and because they are predominantly families they need rental units with two or more bedrooms. Significantly, while 27% of the region's renters households consist of three or more people, only 15.2% of all rental units have more than two bedrooms. The shortage of rental units sized for family occupancy increases by household size, for households of four or more people constitute 14.2% of the region's renters, yet only 3% of all rental units have more than three bedrooms and a majority of them are renter-occupied single-family homes.

- **Rental housing for very-low-income seniors:** developments with a mix of one- and two-bedroom units for elderly households with annual incomes below \$15,000, or monthly rents of \$250-\$375. At least 10% of the units should be fully accessible to persons with disabilities.
- **Rental housing for low- or moderate-income seniors:** developments with a mix of one- and two-bedroom units for elderly households with annual incomes of \$15,000-\$35,000, or monthly

Priority Housing Needs: Rental Development



- For young citizens with incomes of \$20,000-\$40,000.
- For families with incomes of \$30,000-\$65,000.
- For very-low-income, low- and moderate-income senior citizens.

rents of \$375-\$500 and some as high as \$750. At least 10% of the units should be fully accessible to persons with disabilities.

Regionally, there are 8,272 households headed by persons over 65. They differ by economic position, the types of homes they occupy and the amounts they spend on housing. In general, the incomes of elderly households drop significantly after age 75, and both the incidence of disability and the percentage of renter occupancies increase with age. About 36% of the over-75 elderly households in Northborough's area are tenants, and the percentage swells to more than half of over-85 households. Fifty-three percent of all over-75 households have incomes below \$25,000.

Although elderly rental housing is traditionally associated with over-65 households, in Northborough's area the greatest needs exist among over-75 households and it is for this group that affordable rental units should be designed, priced and marketed. Nearly 60% of the region's over-75 households are one-person, non-family households and for them, one-bedroom units are generally considered suitable. However, there needs to be a mix with two-bedroom apartments to accommodate special circumstances and live-in aides for frail or disabled elders.

- **Homeownership units for individuals:** developments of one- and two-bedroom condominiums, marketed to persons between 22-34 years of age with annual incomes of \$30,000-\$75,000, or sale prices of \$85,000-\$205,000. At least 5% of the units should be accessible to persons with disabilities or designed for accessibility retrofits.

About 15% of the households in Northborough's area are one-person households, excluding seniors over 65. Despite the growth in one-person households statewide, there is a striking lack of suitable housing units designed for young workers. In most cases, young, unmarried college graduates and recent recipients of graduate degrees have earnings that exceed the income limits for Chapter 40B units yet they do not earn enough to afford prevailing market rents or purchase prices. It is not particularly surprising to find that in Northborough's area, over half of the households in this age group are renters; the homeownership market offers them few choices in terms of size or price, for new residential development in all towns around Northborough is comprised almost exclusively of single-family homes.

Higher-density housing developments of one- and two-bedroom units, priced at the lower end of the market, would provide opportunities for young workers to achieve homeownership and possibly

Priority Housing Needs: Homeownership



- For individuals, primarily young citizens in the workforce, with incomes of \$30,000-\$75,000.
- For families with incomes of \$60,000-\$90,000.
- For empty-nester and over-55 households at all market levels.

reduce pressure on the region's rental market. "Higher density" is not synonymous with "large scale."

- **Homeownership units for families:** developments with a mix of two-, three- and four-bedroom townhouses and single-family homes, marketed to families with annual incomes of \$60,000-\$95,000, or sale prices of \$140,000-\$225,000.

About 31% of the region's households headed by persons 25-44 years of age have incomes of \$40,000-\$75,000. Most are families, and the homeownership market offers them very few choices. Some of these families may be eligible to purchase Chapter 40B housing, but many are ineligible because their incomes are too high. In fact, Chapter 40B is not a particularly good way to address their needs because many households in this income group earn too little to purchase the unrestricted (market-rate) homes and too much to purchase the affordable homes. Small to moderate-scale developments that achieve feasibility with a mix of housing types and higher density would help to meet the needs of family homebuyers at the lower end of the market.

- **Homeownership units for empty-nesters and seniors:** developments of one-, two- and some three-bedroom condominiums or cottage units, restricted to over-55 households and priced at all market levels (without regard to assets), with an emphasis on sale prices of \$90,000-\$190,000. At least 10% of the units should be accessible to persons with disabilities or designed for accessibility retrofits.

The communities in Northborough's area have attracted several over-55 housing developments, primarily at the higher end of the market. More modestly priced alternatives to conventional single-family homes would serve the market of over-55 households seeking to downsize from their existing residence to a townhouse or cottage unit they can afford. Much like the families that need unsubsidized housing but cannot afford market homes in Chapter 40B developments, many over-55 households cannot meet the assets limit for Chapter 40B housing even though they qualify on the basis of income. Developments that offer a continuum of units – some in the Chapter 40B price range, others at roughly the middle of the over-55 market – could fill an obvious gap that exists in the over-55 housing industry, but producing these kinds of homes requires a permitting tool other than Chapter 40B.

Policy & Regulatory Challenges

The Northborough Master Plan (1997) includes an "umbrella" housing goal and several strategies that need to be considered in the design of recommendations for the Community Development Plan. The goal and strategies are very important, first because Northborough's master plan process included citizen involvement and second, because the main purpose of all master plans is to provide an overall growth policy direction for communities. At issue is whether Northborough's housing needs can be addressed successfully through a literal application of the Master Plan's housing element. The Master Plan's housing goal is: "Provide diversity of housing options to increase housing affordability and choice while maintaining Northborough's primarily single-family character."

Toward that end, the Master Plan articulates strategies such as:

Maintain the basic residential zoning patterns and minimum lot size requirements currently in place.

- **Comments.** According to Northborough’s recent buildout study (CMRPC, 2001), most of the town’s vacant residential land is in the RA and RB Districts, which require a minimum lot size of 80,000 ft² and 40,000 ft² respectively. The only residential use allowed as of right in the RA and RB Districts is a detached single-family dwelling. If the town is committed to preserving these land use policies, it may be unrealistic to consider affordable housing strategies for the only residence districts with a significant supply of vacant land.

There is a potential conflict between this strategy and others outlined in the Master Plan. For example, maintaining the “residential zoning patterns...currently in place” seemingly calls for continuing the sprawl-like, unconnected development pattern that characterizes many of Northborough’s outlying areas. However, the Master Plan also advocates for protecting more open space and forging better visual and physical connections between neighborhoods. Creative land development and neo-traditional planning – concepts explicitly embraced by the Master Plan – argue for a discontinuation of many existing land use practices in Northborough, not only in residential zoning but also in the town’s commercial districts.

In addition, the Master Plan promotes a Neighborhood Planning Strategy based on locally defined Neighborhood Planning Areas. This would benefit Northborough for reasons far beyond housing affordability. For example, a neighborhood-by-neighborhood housing inventory may surprise residents and local officials. First, there is more diversity within the town’s established single-family traditions than a statistical profile of Northborough housing implies. Second, there are more neighborhoods with a mix of residential uses than the neighborhoods around Downtown Northborough. An analysis of the distinctive elements of each neighborhood – in terms of architectural styles, the location of buildings in relation to the road, site design qualities, locally recognized landmarks, and natural features – would shed light on the kinds of development regulations that can preserve the ambience of each neighborhood as the town continues to grow.

The same process could be used to tailor affordability and housing diversity options to unique conditions that exist in different areas. While some affordable housing strategies can be applied seamlessly from one district to the next, this is not the case for all types of development. In a typical suburban neighborhood, a single-family dwelling for adults with disabilities or a small congregate residence for elderly tenants would fit comfortably with surrounding homes, but a larger-scale, fairly dense rental development in the same neighborhood might be visually and operationally incoherent. The issue is not that Northborough should designate some neighborhoods as receiving areas for all of the town’s affordable housing. Rather, it is to understand the role that architectural, site plan and open space design standards play in making higher-density housing compatible with surrounding neighborhoods.

Protect existing neighborhoods from unwanted incursions or encroachment from other land uses, but encourage neighborhoods to consider whether more varied types of uses are wanted by local residents and if so, provide support to these resident-sponsored efforts...Guide the development of new neighborhoods that have their own identity but which relate to existing neighborhoods and are linked to other areas of town through trails, sidewalks, open space connections and overall design.

- **Comments.** Ideally, residents would warm to the challenge of identifying and promoting ways to address unmet housing needs in their own communities. However, suburban housing initiatives rarely come about as grassroots efforts to diversify the social and economic makeup of

existing neighborhoods. For the most part, affordable housing is met with fear and resistance, and the task of securing change falls on a community's leadership: planning boards, selectmen, local housing partnerships, economic development commissions, school committees and others. When affordable housing comes by way of Chapter 40B, the board of appeals must be willing to lead – not as advocates, but as public officials responsible for providing a fair hearing process and basing their decision on law, not emotion.

In Northborough, it seems all but certain that increasing the supply of affordable housing will pit localized interests against community-wide interests. Since the town is substantially developed, there are not many “invisible” sites that can accommodate new affordable housing. Moreover, since the town's most significant housing gap is rental housing for families, young people and seniors – at all market levels – the production of new affordable housing will most likely require densities that differ from Northborough's traditional development pattern. In addition, many residents at the community conversation meeting questioned whether Northborough needs or should take responsibility for providing more affordable housing.

Encourage new developments to protect the maximum amount of open space possible, to incorporate open space within developments in ways that are integral to the neighborhood and to protect open space in ways that enhance the Town's overall open space program.

- **Comments.** The Master Plan makes an eloquent case for protecting more open space in Northborough. It also describes the role that open space should play toward fostering connected, cohesive neighborhoods and enhancing a sense of community. A related Land Use strategy speaks of “strengthen[ing] the residential land use pattern by encouraging future subdivision projects to creatively protect open space [*sic*]...and by encouraging local residents to consider allowing greater housing variety within their respective neighborhoods.”

A visual inspection of Northborough's new and old neighborhoods corroborates the wisdom of the Master Plan. Since so much of the town's late-20th century growth consists of conventional subdivisions with fairly large lots, its new neighborhoods differ significantly from the older, more densely developed neighborhoods around the downtown area, in both the General Residence and the RC Districts. Although the density of new growth is much lower, it is bereft of the visual distinction and connectedness that characterize neighborhoods closer to the village or in the older, established areas elsewhere off Route 20. Moreover, the town has lost a considerable amount of open space to subdivision lotting. A reassessment of Northborough's neighborhood design standards will be important for protecting land and providing more housing choices. Northborough needs effective open space zoning, and many of the design features of a good open space bylaw can support the inclusion of affordably priced homes.

Encourage the Housing Authority, other town bodies and private developers to provide housing that addresses the full range of needs of the aging population and other groups as defined by the Town.

- **Comments:** Existing zoning regulations do not effectively encourage the provision of affordable housing, whether for the elderly or others with equal or greater needs. As a result, Northborough must either change its zoning or choose strategies that capitalize on comprehensive permits through the state's Local Initiative Program (LIP).

This Master Plan strategy raises a number of questions about affordable housing production in Northborough. First, while many towns would like their housing authorities to develop some affordable housing, there is virtually no development funding available for local housing authorities – unless the housing authority has a non-profit “arm” that can apply for and receive other types of federal or state subsidies. In the past 15 years, federal and state funding for public housing has gradually eroded. At the same time, a clear policy preference has emerged in favor of non-profit and for-profit developers. In response, some housing authorities have established their own non-profit development corporations so they can continue to build affordable rental housing. For most housing authorities, however, it is a major challenge to marshal the sophistication, resources and will to make these small corporations successful. Often, the corporations are little more than entities “on paper,” without a track record.

Regardless of where Northborough finds the right kind of development capacity, the more central issue is how any organization can create housing choices without substantive changes in the town’s zoning bylaw. Specifically, the only residential use allowed by right in all zoning districts is a detached single-family dwelling. The Zoning Bylaw explicitly prohibits multi-family housing and limits mixed-use development to the BA (Downtown) District, where residential uses are permitted in the upper stories of office or commercial buildings. In effect, Northborough’s zoning discourages accessible and elderly housing close to goods and services, and encourages growth in outlying areas of town. While the Planned Unit Business Development (PUBD) option for land in the Industrial A (IA) District creates the potential for other residential uses, the PUBD regulations seem unduly complicated and ambiguous; in any case, they do not convey a clear message that the town actually wants residential uses in a PUBD project.

Economic Development

Like many communities in Worcester County, Northborough once had a variety of profitable mills and manufacturing companies. However, its economy has changed in the past several decades. The mills and most of the manufacturing companies have closed or left town, and today, Northborough's economic base is comprised mainly of services, technology, and trade-oriented businesses. Despite these changes and the growth of several major industries, Northborough remains a small, primarily residential town.

REGIONAL CONTEXT

Northborough is uniquely located at the confluence of several economic regions. It is part of the Worcester Labor Market Area (LMA), which is coterminous with the boundaries of Worcester County, and it is also very close to the border of the Boston LMA. As a result, Northborough's economy is influenced by economic trends in both Worcester and Boston. In addition, state planners classify Northborough as part of Metro-Worcester, a sub-region of the Central and I-495 Regions. According to the state's economic development plan, the Central Region's economy often lags behind that of the Greater Boston Region and the state as a whole. During the 1990s, its unemployment rate usually surpassed the statewide rate, and the Central Region recovered more slowly from the economic downturn that occurred at the beginning of the decade. The Central Region's major employers include Services, Manufacturing, and Retail Trade, and Metro-Worcester is its trade and services center. Over the past decade, Metro-Worcester also absorbed significant growth in biotechnology.

In the same period, the Greater Boston Region experienced low unemployment, high wages and high housing costs, and employment strength in services, wholesale and retail trade, and manufacturing. While the Greater Boston Region's workforce is highly educated, many people are "aging out" of the workforce just as the population entering the workforce is shrinking. Economic activity in the I-495 West Sub-Region, which follows I-495 from Littleton to Franklin, is similar to the economy of Greater Boston due to its proximity to the Boston LMA and the relocation of many firms along Route 128 and I-495. In particular, I-495 West has become an important location for "new knowledge-based clusters." During the 1990s, I-495 West experienced even higher wages and lower unemployment rates than the Greater Boston Region, mainly because of growth in information technology, knowledge creation, and manufacturing clusters. However, the same sub-region trailed the Greater Boston Region for wages in financial services and health care. Most of the Greater Boston Region's 1990-2000 population growth occurred along I-495 due to the availability of land for new industrial and residential growth.³⁵

LOCAL ECONOMY

Northborough's economy is characterized by slow, steady growth and stability. Historic trends for the number of establishments, wages, and employment show that Northborough has performed well in times of economic prosperity and in times of economic downturn, for there has been steady

³⁵ Massachusetts Department of Economic Development, Massachusetts: Toward a New Prosperity [online publication] in PDF format (2002 [cited February 2004]), 54-93 passim, available on the World Wide Web at <http://www.mass.gov/econ/newprosperity>.

growth in the number of establishments and number of jobs they provide. In addition, wages have grown at a stable pace, and the town's unemployment rate has been relatively low for decades. Despite the economic growth that has occurred in Northborough, the town does not have a large pool of establishments and on balance, its businesses are fairly small in terms of physical size, sales volume and employment.

Establishments and Growth by Industry

Available data suggest that Northborough has about 700-800 business establishments, not including government, religious and public school employers. It is difficult to determine the actual number of business establishments in any city or town because federal and state agencies that report economic data obtain their information from different sources, and these differences often affect the accuracy of industry estimates as well.³⁶ However, trends evident in federal data show that the number of establishments in Northborough has been growing slowly over time, increasing by 44.5% between 1990-2003 and by about 8-13 establishments per year from 2000-2003.

Two groups of industries clearly lead Northborough's economy. Trade, Transportation, and Utilities and Professional and Business Services make up 49.7% of all establishments in Northborough, and these industries are slowly becoming an even larger portion of the town's economy. Table 9 shows that establishments in Trade, Transportation and Utilities make up 27.7% of all establishments in Northborough and they grew by 9.5% between 2001-2003. Although Professional and Business Services is Northborough's second largest industry, it has not grown significantly in the last few years. In addition, five industries make up the second tier of major industries in Northborough, each contributing 6.8%-9.4% of all establishments. "Other Services," which includes 9.4% of all establishments, is Northborough's third largest industry, followed by Construction, Education and Health Services, Leisure and Hospitality, and Finance, Insurance and Real Estate (FIRE), respectively. Of the five "second-tier" industries, Construction and FIRE are the only ones that have experienced recent growth in establishments.

Some of the growth or decline experienced by other industries does not mirror trends in either the Worcester or Boston LMA. In fact, the changes in these industries are noteworthy because they differ from the changes that have been taking place in the same industries within the Worcester or Boston LMA. The 18.6% increase in the number of Construction establishments is particularly significant because the industry has been declining in many towns adjacent to Northborough and elsewhere in Worcester County.

³⁶ According to the Massachusetts Division of Employment and Training (DET), ES-202 data set, Northborough has 555 establishments. Reference USA, an industry source, lists 714 businesses in Northborough as of 2003, and STDB, Inc. identifies 786. Records maintained by the Northborough Town Clerk include 523 businesses with current registrations, and the Northborough Assessor has a roster of 662 businesses on file. The differences in the number of businesses reflect data collection methods and the purposes for which the data were collected. For example, ES-202 and local tax assessors generally omit small businesses with no employees, e.g., sole proprietors and home-based businesses. Given these differences, the Costar.com and Reference USA's databases seem to be more accurate and they form the basis for the estimate of 700-800 businesses.

Table 9: Establishments By Industry, Northborough

	<u>2001</u>		<u>2002</u>		<u>2nd Qtr 2003</u>		% change 2001-2003
	#	% Total	#	% Total	#	% Total	
Total, All Industries	534	100.0%	547	100.0%	555	100.0%	3.9%
Trade, Transportation and Utilities	137	25.7%	146	26.7%	150	27.0%	9.5%
Professional and Business Services	125	23.4%	123	22.5%	126	22.7%	0.8%
Other Services	51	9.6%	53	9.7%	52	9.4%	2.0%
Construction	43	8.1%	46	8.4%	51	9.2%	18.6%
Education and Health Services	49	9.2%	47	8.6%	46	8.3%	-6.1%
Leisure and Hospitality	46	8.6%	45	8.2%	43	7.7%	-6.5%
Finance, Insurance, Real Estate	34	6.4%	38	6.9%	38	6.8%	11.8%
Manufacturing	20	3.7%	20	3.7%	19	3.4%	-5.0%
Public Administration	14	2.6%	14	2.6%	14	2.5%	0.0%
Information	10	1.9%	10	1.8%	11	2.0%	10.0%
Natural Resources and Mining	5	0.9%	5	0.9%	5	0.9%	0.0%

Source: Department of Employment and Training, ES-202

Employment in Major Industries

Northborough's economy has changed since 1985 and it appears to be in a period of slow transition. Several industries are growing and providing more jobs than they ever have in Northborough's recent history, yet industries that used to be the largest employers in town have or are beginning to decline. Manufacturing, a major employer from 1986-1991, sharply declined in 1992 and never recovered. One of Northborough's mainstay industries, Trade, has experienced a somewhat erratic employment pattern since 1999. In contrast, Services employment has been growing steadily since 1989 and in 1992, the service industries comprised Northborough's second-largest source of jobs. By 2000, the service industries employed more than 2,000 people. Moreover, Transportation, Communications and Public Utilities (TCPU) employment has grown considerably over the past seven years. TCPU establishments employed fewer than 200 people until 1997, when employment suddenly doubled and has grown every year to more than 700 workers as of 2001.

Agriculture, Forestry and Fishing, along with the FIRE industries, remain small but stable sources of employment in Northborough. These industries have grown slightly since 1995, but each continues to employ fewer than 500 people. Construction, a relatively small employer in Northborough with a slightly erratic past, has grown steadily since 1996, employing approximately 800 people in 2001.

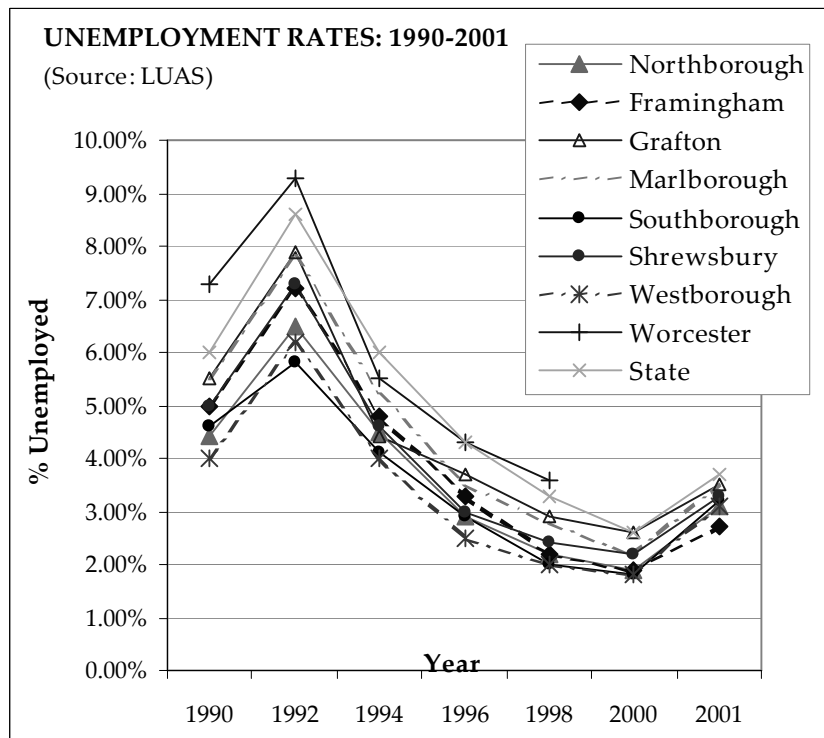
Today, the Trade, Transportation and Utilities industries, and Services – Education and Health on one hand, and Professional and Business Services on the other hand – provide a majority of the jobs in Northborough. A noteworthy difference exists between the largest industries by employment and the largest industries by number of establishments. For example, the Trade, Transportation and Utilities industries employ the most people, but the Education and Health Services industry, which provides 17.2% of all local jobs, is the fifth largest industry by number of establishments. The Professional and Business Services industry ranks second for number of establishments but provides only 15.5% of local employment. These distinctions are not uncommon, but they shed light on considerations that are important to a local economic development strategy.

In Northborough and most communities nationally, smaller industries are growing faster than the larger ones. The industries with the most employment growth between 2001-2003 differ from industries that employ the largest number of people or have the largest number of establishments. Comparatively small industries like Information, Construction, and Other Services have experienced the highest rate of growth in average monthly employment in the past three years. For several reasons, employment growth in Education and Health Services is particularly interesting. Of Northborough's top three employers, Education and Health Services is the only industry that experienced a significant amount of growth, yet it also experienced the second largest decline in number of establishments. Consequently, the Education and Health Services industry is relatively strong even though the actual number of establishments has decreased. Furthermore, the Trade, Transportation and Utilities industries, which have both the largest number of establishments and the largest share of employment in Northborough, grew only by 6%. Still, the growth in average monthly employment in these industries was significant: 130 jobs.

Four industries experienced a decline in employment between 2001-2003. Manufacturing sustained the largest decrease, 39.3% or 212 jobs. Two industries tied for the second largest loss in jobs: average monthly employment in Leisure and Hospitality and Natural Resources and Mining declined by 9.4%. The decrease in Leisure and Hospitality employment appears to correlate with a loss in the number of establishments during the same period. Compared to employment changes in the Boston and Worcester LMA's, however, Northborough's experience indicates that its economy is generally stronger and more stable. Over half of all industries in the Worcester LMA and 63.6% of industries in the Boston LMA experienced a decline in average monthly employment between 2001-2003. However, employment declined in only four industries in Northborough while the town's remaining industries had employment growth.

Unemployment

Northborough has enjoyed low unemployment for many years. After reaching a maximum of 7.2% in 1991, the town's unemployment rate has remained below 4% since 1995. Despite the economic downturn that has existed nationally since 2001, Northborough's labor force has fared better than many workers across the Commonwealth. As of November 2003, the town's unemployment rate was 3.8%, 1.3% below that of the state. In fact, for nearly 20 years the unemployment rate in Northborough has been lower than the unemployment rate for the

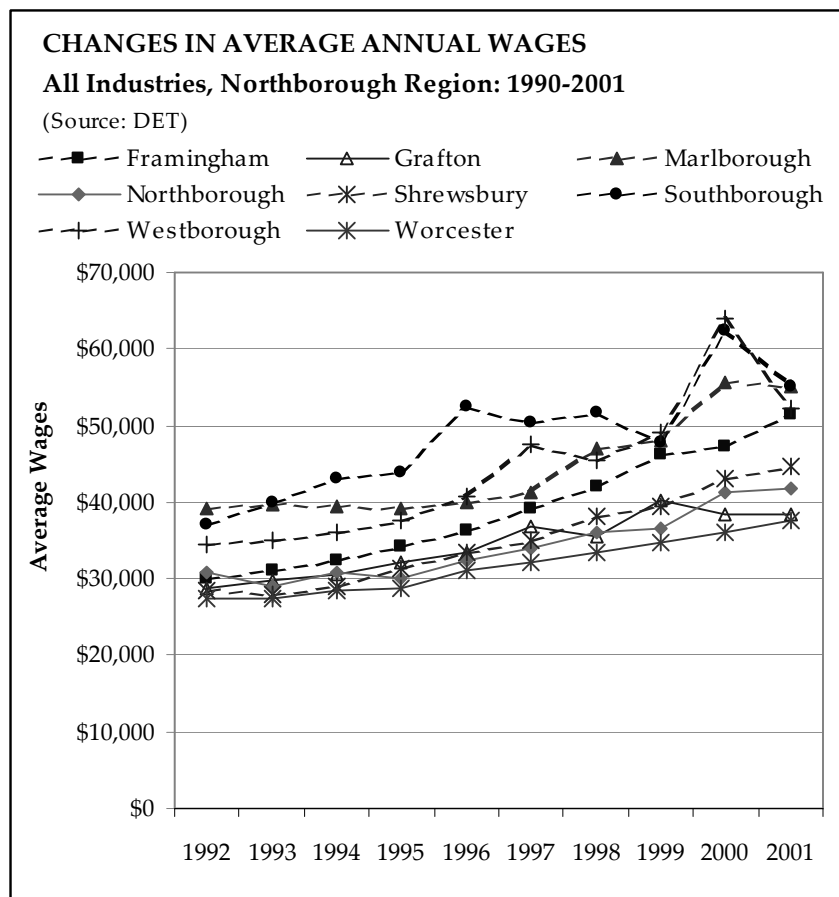


state, the City of Worcester, and many adjacent towns such as Grafton and Marlborough. The stability and strength of Northborough's economy is underscored by a comparison to Westborough's unemployment rate. Since 1980, Westborough is the only town in the immediate region that has consistently maintained an unemployment rate equal to or lower than Northborough's unemployment rate. However, unemployment in Westborough increased to 5.9% in November 2003, exceeding the state's unemployment rate by .8% and Northborough's by 2.1%.³⁷

Wages

Average weekly wages in Northborough have steadily increased, and between 2002-2003 average wages by industry rose in all but three instances. However, wages by industry have fluctuated; in some, wages declined slightly in 2002 and then increased sufficiently above 2001 levels to show an overall increase in wages by the end of 2003. Five industries pay wages that are above the reported average wage for Northborough: \$841 per week or \$43,732 per year. Specifically, the Trade Transportation and Utilities, Construction, and FIRE industries all pay wages that are 14.7% to 34.7% higher than the average weekly wage for the town as a whole. The Information industry pays the highest wages of all, averaging at \$1,133 per week or \$58,916 annually.

Unfortunately, more industries pay average weekly wages that are below the average weekly wage for the town. While wages in the Professional and Business Services industry are slightly below average, industries such as Leisure and Hospitality and Natural Resources and Mining pay wages that are 63.7% to 74.5% below the town's average weekly wage. Moreover, the Education and Health Services industry, a relatively large source of employment in Northborough, pays the third lowest wage and its wages are 32.7% below the average wage.³⁸ Compared to wages in surrounding towns and the Worcester and Boston



³⁷ DET, Local Area Unemployment Series (LAUS), (online database).

³⁸ DET, ES-202.

LMA's, Northborough's average wage is relatively low. Although Northborough wages exceed the average for all industries and most of the average wages for each industry in Shrewsbury and the Worcester LMA, they are low in relation to the Boston LMA, Framingham, Marlborough, and Westborough. Wages in Northborough are particularly low in Education and Health Services, Professional and Business Services, and Manufacturing. Although the average weekly wage paid by manufacturing establishments is close to the town's overall average wage, it is less than half the average weekly wage for the same industry in Framingham and Marlborough and about 60% of the average weekly wages in Shrewsbury and Westborough. For the Education and Health Services industry, Northborough's average weekly wage is \$91-\$275 less than in other towns. Given Northborough's relatively low wages and high household incomes, many residents commute to non-local places of employment in order to garner better pay even though similar jobs are available in their own town.

Journey to Work and Places of Employment

Those who describe Northborough as a bedroom community are right – to a point. Arguably, Northborough is a residential town and most people commute elsewhere to work. However, it is not a bedroom community for Boston, as some have speculated. In fact, Northborough is not a bedroom community for any particular city or employment center. Journey-to-work statistics from U.S. Census Bureau help to explain why Northborough's main roads are so busy and congested during peak commuting hours. The 7,425 employed residents of Northborough work in 106 cities and towns throughout the state. Although some people live and work locally, most of Northborough's labor force travels to other communities to work. Similarly, local businesses employ 6,292 people, 78.4% commuting into Northborough from 146 cities and towns. Ironically, 11.2% or 831 of Northborough's residents commute to Worcester to work and 16.31% or 1,026 of employees of Northborough businesses commute from Worcester.³⁹

Table 10: Comparison Employment by Industry

Industry	Northborough Residents	Northborough Employees
Agriculture, forestry, fishing and hunting, and mining	0.4%	0.7%
Construction	3.9%	6.3%
Manufacturing	20.1%	4.9%
Trade, Transportation, Warehousing, and Utilities	20.2%	33.4%
Information	4.0%	1.6%
Finance, insurance, real estate and rental and leasing	7.8%	3.7%
Professional, scientific, management, administrative, other services	13.7%	15.5%
Educational, health and social services	19.0%	17.2%
Arts, entertainment, recreation, accommodation and food services	5.5%	9.1%
Other services (except public administration)	3.8%	4.3%
Public administration	1.6%	2.8%

Source: Census 2000 Summary File 3 (SF 3) - Sample Data

³⁹ Census 2000, "MCD/County-to-MCD/County Worker Flow Files," accessed June 2003.

The small percentage of Northborough residents who work locally is explained by a comparison analysis of the industries that employ them, employment by major industry in Northborough, and wages paid by these industries in other towns. There is a poor fit between the industries in which Northborough residents work and the jobs those industries provide in town. For example, 20.09% of the town's residents work in the Manufacturing industry, yet only 4.9% of local employment is supplied by manufacturing establishments. Less substantial but evident gaps exist in the Information, FIRE, Construction, and Arts and Entertainment industries. The fact that wages for most industries are significantly higher in neighboring towns makes working locally unattractive if not disadvantageous for many Northborough residents.

Commercial Vacancies⁴⁰

Much like the difficulties involved with measuring local business establishments and employment, it is a challenge to estimate commercial vacancy rates because information is not collected systematically and it is usually incomplete. By consulting more than one source of data, it is possible to gauge how existing businesses are performing and whether there is any demand for various types of commercial space.

In Northborough, retail space is in relatively high demand and retail businesses appear to be performing reasonably well. A recent walk-through in Northborough's commercial areas revealed only one vacant retail space, and it was available because a food service establishment was relocating from one spot to another in town. Data supplied by a local real estate agency indicate that last year, the retail vacancy rate was about 8.2% in the first quarter but dropped to 0% by the fourth quarter, a condition that has remained constant through the first quarter of 2004. However, these data are based on a limited sample of six buildings with 30,075 ft² of retail space. The local assessor's office estimates a 5% vacancy rate for retail, restaurant, fast food, convenience, and bank uses.

The vacancy rate for office space appears to be higher, and there is considerable disagreement about the amount of vacant warehouse space in Northborough. According to sample data for 29 office buildings with a total leasable area of 543,641 ft², the vacancy rate for traditional office space is 9.5%. However, this is distorted because it includes larger office buildings. Of the 22 office buildings with up to 24,999 ft² of leasable area, most are fully occupied and one building accounts for three-fourths of all vacant space in this category. Larger buildings, e.g., 50,000-174,999 ft², apparently have no vacancies, yet there is substantial vacant space in five medium-size office buildings (25,000-49,999 ft²): 20.2%. As for warehouses, the town assessor estimates an overall warehouse vacancy rate of 5% and 15% for mini-warehouse facilities, but a local realtor's sample data for 31 buildings show that last year, warehouse vacancies fluctuated from a high of 30% to a low of 22%. By the first quarter of 2004, the vacancy rate for warehouse space had climbed to 24%.

Flex space appears to have experienced the widest fluctuations and currently has the highest vacancy rate of all commercial use categories.⁴¹ Since 2001, the vacancy rate for flex space has

⁴⁰ Vacancy data supplied by Sperry Van Ness, ComVest Realty, reporting information from CoStar.com, 10 March 2004; and the Northborough Assessor's Office. The assessor's vacancy estimate is based on data reported by commercial and investment property owners.

⁴¹ Flexspace is a space that combines office and warehouse space in what is usually a single-story building. The breakdown typically works out to 80% office space and 20% warehouse space.

ranged from a low of 6% in 2002 to 28% in the first quarter of 2004. In addition, data from the town assessor indicate vacancy rates of 5% for manufacturing uses, auto service uses, and gas station uses, and 10% for motel, nursing home, and rest home uses.

CHARACTERISTICS OF BUSINESSES

Most businesses in Northborough are small and relatively young. According to industry data, 83.2% of local businesses operate in spaces smaller than 10,000 ft², with 40% occupying a space of less than 2,500 ft². The smallest businesses include gas stations and auto repair shops, professional offices for doctors, lawyers, accountants, real estate agents and appraisers, and beauty salons, antique stores, photographers and graphic designers. Among businesses operating in 2,500–9,999 ft² of space, the mix includes childcare providers, construction-related businesses, computer and software stores, banks, and limited-service restaurants. About 13% of the town's business establishments occupy larger facilities, e.g., 10,000-39,000 ft², including durable goods merchants and manufacturers, counseling centers, trucking and freight companies, fitness centers, and individual and family service centers. Only 25 businesses are located in 40,000 ft² or more of commercial space, and they range from self-storage and warehousing companies to semi-conductor or other device manufacturers, and Walmart.

Northborough businesses are also small in terms of employment and sales. Most businesses in Northborough have fewer than 20 employees. Estimates vary by source, but approximately 83-91% of the businesses in town employ 1-9 people. In addition, about 52% of local businesses report annual sales of less than \$500,000 per year, 22% have sales of \$500,000-\$1 million, and 14% have sales of \$1 million-\$2.5 million.⁴² Businesses with annual sales of up to \$1 million make up about 74% of the town's entire business base. Less than 2% have sales volumes of more than \$10 million, including businesses such as a subsidiary of Mass Electric Company, Fiber Optic Network Solution, and Bertucci Corporation.

The number of self-employed people in Northborough further contributes to the small-business makeup of the local economy. Census 2000 data show that 15% of Northborough residents are self-employed. Not all self-employed people operate their business in town, but most probably do, and it is likely that the businesses are small. Approximately 4% of Northborough residents work at home, i.e., as home-based entrepreneurs. The presence of at-home businesses is conspicuously obvious along Route 20, where signs posted in front of residences identify the offices of professionals and others with home occupations. Given the size of the homes and zoning requirements, it is clear that these properties accommodate small businesses.

Although there is limited information available on the number of businesses that own the space they occupy, the physical stock of buildings in Northborough's commercial districts indicate that most businesses rent or lease their space. Most of the commercial buildings in Northborough are small shopping centers or office complexes occupied by multiple businesses or offices. Although this may reflect lack of capital on the part of business owners, it is most likely a function of the zoning

⁴² Reference USA, STDB, Inc. Estimates vary by database. Reference USA's figures are based on a roster of 714 businesses with 41 unknowns and STDB, Inc.'s database includes 786 businesses with 72 unknowns.

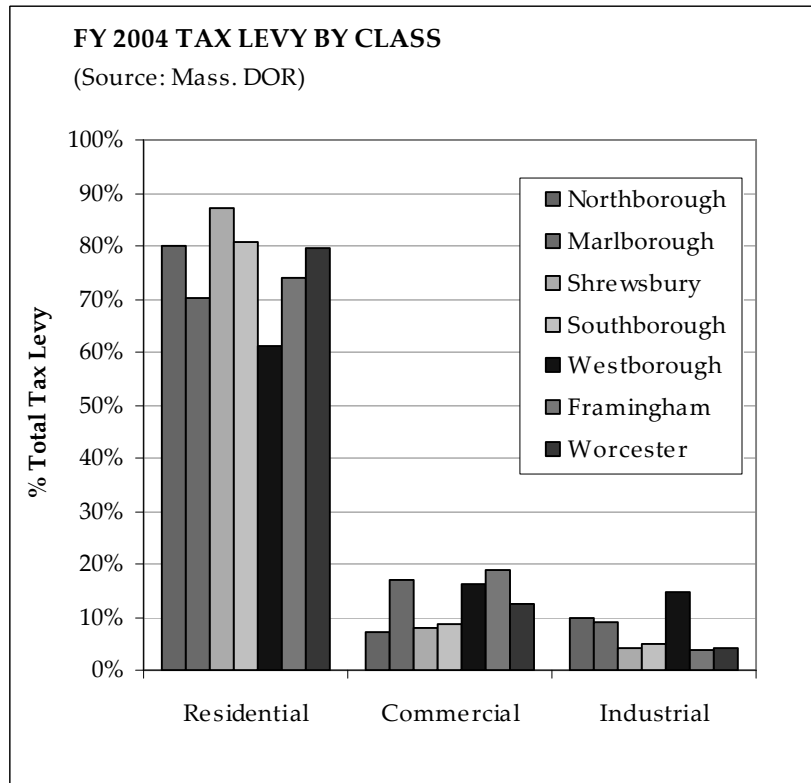
regulations in commercial districts. The setbacks, lot frontage, and minimum lot area requirements make it difficult to buy a small lot and develop one office or business. Instead, the regulations encourage the development of small- to medium-size buildings on large lots. Since most businesses in Northborough are small, these buildings are often divided into multiple spaces resulting in small shopping centers or office complexes.

As for how long businesses have operated in Northborough, it appears that many are fairly young. The Town Clerk’s registered business list shows that 294 businesses have registered since 2000. Although some businesses have never registered and others may have done so for the first time several years after they began operating in Northborough, a large percentage of the town’s business establishments are new even if only one-third of the businesses on the Town Clerk’s inventory have actually opened since 2000.

LOCAL TAX REVENUE

Like many suburbs, Northborough relies heavily on residential taxes to finance the cost of town and school services. According to the Massachusetts Department of Revenue (DOR), 80.2% of Northborough’s Fiscal Year (FY) 2004 tax levy is comprised of residential property taxes, an increase of 1.1% since FY 2000.⁴³ Commercial taxpayers contribute 7.3% of the tax levy and industrial taxpayers, 9.8%.

The allocation of Northborough’s tax levy by class is not substantially different from that of neighboring towns, but the differences that exist are noteworthy. Compared to other communities in the region, Northborough obtains the smallest percentage of its tax levy from commercial property. One would imagine that Northborough collects less in commercial property taxes than Worcester, Framingham or Marlborough. However, it is surprising that Northborough falls short even in comparison to Southborough – which, like Northborough and unlike Marlborough or Framingham



⁴³ Residential property includes land classified and assessed as open space.

– has a uniform tax rate for residential, commercial and industrial property. In contrast, Northborough surpasses all other towns in the area except Westborough for the percentage of its tax levy that comes from industrial property. The relatively high industrial percentage of the tax levy is interesting because more than half of Northborough’s industrially zoned land is vacant, and about 15% of the land is assessed having little or no development potential.⁴⁴

The consequences of depending on residential taxes can be seen in single-family tax bill trends. In FY 2004, Northborough’s average single-family tax bill of \$4,902 represents a 41.9% increase since FY 2000 – a rate of growth that is roughly at the regional midpoint. However, the average single-family tax bill as a percentage of per capita income is high in Northborough compared to other communities nearby. Table 11 shows that Northborough has the second highest average single-family tax bill as a percentage of per capita income.

Table 11: Residential Tax Burden Comparison Statistics

Municipality	Average Single-Family Tax Bill	Per Capita Income (Census 2000)	Average Tax Bill % Per Capita Income
Framingham	3,978	27,758	14.3%
Grafton	3,758	26,952	13.9%
Marlborough	NA	28,723	NA
Northborough	4,902	32,889	14.9%
Shrewsbury	3,240	31,570	10.3%
Southborough	6,318	44,310	14.3%
Westborough	5,450	35,063	15.5%
Worcester	2,658	18,614	14.3%

Source: DOR, Municipal Data Bank. Marlborough is omitted because the Municipal Data Bank excludes several cities from the average single-family tax bill data sets.

PHYSICAL CONDITIONS OF COMMERCIAL DISTRICTS

Most of U.S. Route 20 in Northborough is zoned for commercial development, interspersed with residential areas. Route 20 functions as a gateway into Northborough, particularly around the center of town, because it carries a considerable amount of through traffic each day. Unfortunately, the commercial districts do not provide a strong impression of Northborough. Instead, they tend to be characterized by small strip malls and office buildings scattered along the road, with little definition or visual coherence.

Higher-density commercial nodes do exist in some locations. For example, an obvious small business cluster exists on West Main Street near Shrewsbury, formed by a collection of stores that includes Agway, Pendleton Square, The Groves, Cold Harbor Village and the Goodyear Tire Center. A second commercial cluster extends from Times Square Plaza to Lorie Stuart’s Hair and Body Wellness Studio before the intersection of West Main Street and Route 20 (Southwest Connector). A third cluster begins at the southeast corner of the West Main Street-King Street intersection and includes Northboro Animal Hospital, Northborough Shopping Center, a strip mall at 276 West Main

⁴⁴ FY04 Parcel Database; statistics by author.

Street, European Car Services, St. Rose of Lima Catholic Church, and the Post Office. Downtown Northborough is the town's most recognizable commercial area, beginning at Dunkin Donuts on the north side of West Main Street and ending at the library on the south side of Main Street across from Trinity Church. Finally, a small cluster of commercial activity exists on the east side of town, and it includes businesses such as Chet's Diner, Fiske's Garden Center, and Yoong Tong.

In general, Northborough's commercial zones share several characteristics:

- They are car-oriented and not conducive to pedestrian activity.
- Except for the banners on light poles in the downtown area, there are no unifying elements that tie each of the commercial districts together.
- Although many architectural styles can be found in Northborough's business districts, most of the new commercial development is designed to look residential.
- The commercial areas are relatively successful and they contain many small businesses.

The auto-dependent character of Northborough's commercial areas stems from the design of existing strip malls and office buildings, the lack of sidewalks, the types of commercial signage used, and the speed of vehicular traffic on Route 20 and West Main Street. Parking lots are located in front of every commercial building outside of Downtown Northborough and in front of a few downtown commercial buildings as well.

Some parking lots are so large and the stores are set back so far that it is difficult to read the signs on the stores. In a report released last year, the [Final Preliminary Route 20 Traffic Study](#), Central Massachusetts Regional Planning Commission (CMRPC) found that with few exceptions, traffic on Route 20 moves at or very close to the speed limit, at times approaching 60 mph. CMRPC also reported that the number and frequency of curb cuts serving residential and commercial property aggravate traffic hazards on Route 20.



Northborough commercial area, south side of West Main Street.

Northborough's business areas do not encourage or support pedestrian activity. The location and size of parking lots, the siting of buildings and the substantial space between them all foster an environment that is not conducive to pedestrian access. As a result, there are very few pedestrians in the downtown area and almost none in the commercial areas outside of the downtown. There are

no public sidewalks along Route 20 beyond the downtown business zone, and downtown's sidewalks are not only narrow but also interrupted by gas stations and driveways. Furthermore, the absence of crosswalks makes crossing Main Street difficult and dangerous: cars travel at high speeds when there is no traffic, and there are very few traffic lights on Route 20. In addition, the signage in Northborough's business zones clearly caters to cars, not pedestrians. Many businesses place unadorned sandwich boards with large letters along West Main Street and Route 20 to advertise sales and attract the attention of drivers passing by. Moreover, Route 20 is peppered with traffic signs – announcing intersections, highways, and railroads tracks – and they contribute to the impression that Main Street is a major roadway, not a shopping area.

Since Northborough's commercial areas lack unifying elements, they do not draw shoppers from one part of Main Street to another. There is nothing that makes the commercial areas stand out from commercial areas in other communities. The wide variety of architectural styles, significant differences in the design of buildings that are clustered together, and the lack of visual connectedness between buildings do not create the feeling of a business district. Instead, each building looks self-contained, cut-off, and unrelated to other buildings on adjacent parcels.

Finally, most retail stores in Northborough are geared for convenience shopping. The retail mix consists of pharmacies, hardware stores, drugstores, gas stations, dry cleaners, drive-through banks, beauty salons, and convenience stores such as Honey Farms on Route 20. Some of the specialty stores close to Downtown Northborough do provide comparison shopping opportunities, however, such as the antique shops, art gallery, craft store, and the tea house off Church Street and in Pierce Plaza, and these types of businesses encourage residents to linger, browse and enjoy the town. There are also a few higher-end health related businesses such as day spas, yoga centers, personal fitness or training centers, and wellness centers sprinkled around town.

CHALLENGES & OPPORTUNITIES

Competitive Economic Advantages

In economic development terms, Northborough has at least four competitive advantages: its people are highly educated, its households are relatively affluent, there is available land for commercial and industrial growth, and the town offers convenient highway access.

- **Education.** The high level of educational achievement in Northborough is an asset for attracting additional professional businesses. Fifty-four percent of the town's residents have earned at least a bachelor's degree, and 22% hold a master's degree, professional degree or doctoral degree.⁴⁵ Compared to educational attainment levels elsewhere in the state, Northborough residents have much to offer to businesses.
- **Incomes.** Northborough households have significantly higher incomes than households throughout the state and elsewhere in Worcester County. The town's median household income is 58.6% higher than the median household income statewide, and 67.7% higher than the median

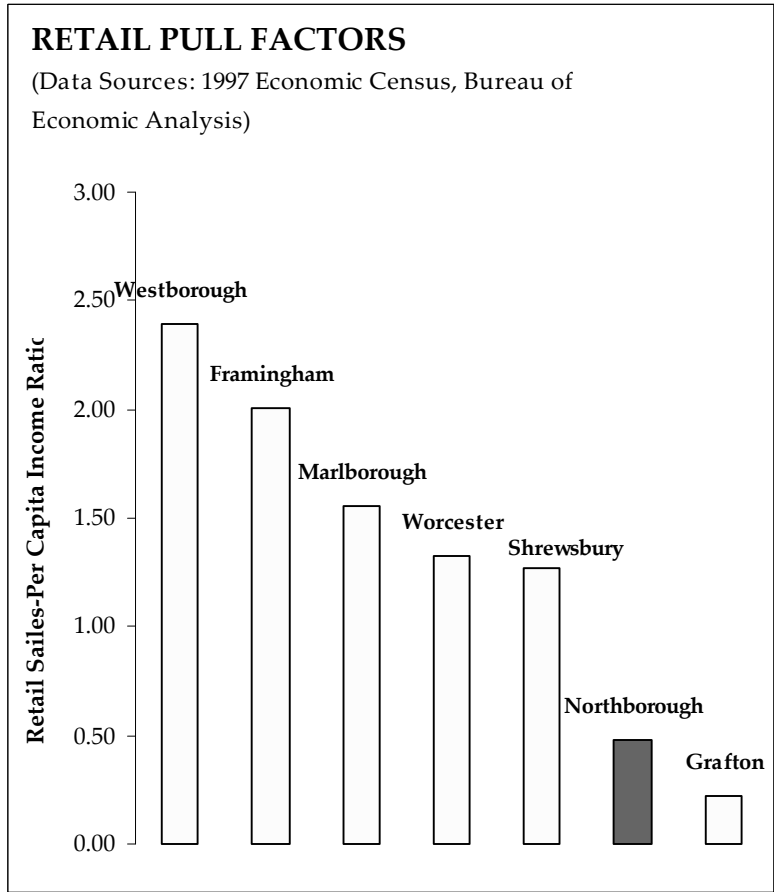
⁴⁵ Census 2000, Summary File 3 Table P37.

income for Worcester County. Moreover, the very high earnings of family households reinforce the town’s healthy economic status because families make up 78.8 % of the town’s households.⁴⁶

- **Untapped Spending Power.** The high incomes of Northborough’s residents shows that there is a considerable amount of economic opportunity in Northborough for businesses interested in capturing some of the spending dollars of Northborough’s residents. Retail “pull factors” for the region suggest that

Northborough functions as an “import” town – that is, a town that effectively imports goods and services from other communities because its residents go elsewhere for most of their shopping.⁴⁷ In contrast, the region’s leading “export” town is Westborough: its retail base serves both local and non-local consumers to a greater degree than any other community.

- **Development Opportunities.** Northborough has a significant amount of vacant, potentially developable commercial and industrial land. Local records show that there are 82 acres of vacant developable and potentially developable commercial land and 452.4 acres of vacant developable and potentially developable industrial land. However, Northborough also has a considerable amount of underutilized land in the BB District. Lots



⁴⁶ Census 2000, Summary File 3 Tables HCT12, P13.

⁴⁷ Retail pull factors are measured as the ratio of retail sales per capita for a community and its county or state comparison area to the community’s per capita income and that of the comparison area. A ratio of .95-1.05 generally represents a community that provides enough goods and services to support the local population, while communities with very low pull factors are generally said to be leaking sales to business districts in other communities. Similarly, cities and towns with very high pull factors (over 1.5) are classified as “export” locations, i.e., they export sales to other communities nearby. Northborough’s retail pull factor of .48 indicates a retail mix that does not meet the goods and services needs of local shoppers – and as a result, adjacent communities “pull” sales from Northborough businesses.

with existing development present a valuable opportunity because most of them already have direct access to utilities, making them easier to develop.

- **Highway Access.** Northborough has convenient access to several major highways. I-290 and Routes 20, 135, and 9 run through the town and connect it to other highways such as I-495 and I-90. The proximity of so many highways makes it relatively easy for Northborough residents and workers to reach their destinations. Northborough also has vacant industrially zoned land close to I-290, Route 9 and Route 20, making access to highways for potentially new development easy and convenient.

Competitive Disadvantages & Challenges To Future Growth

Northborough has some economic development disadvantages that pose a challenge to future growth. The disadvantages include the town's lack of young people, high housing costs, business competition in neighboring communities, environmental and regulatory obstacles to commercial development, and traffic.

- **Population Age.** Northborough gained family households during the 1990s, but population percent of young adults declined more rapidly in Northborough than elsewhere in Worcester County or across the Commonwealth. The state's shrinking labor pool is largely attributable to a decrease in young people ready to enter the job market at a time when the overall population has aged. These trends are even more pronounced in Northborough. For example, the percentage of persons between 18-21 dropped by more than 40% in Northborough while growth among 10-17 year olds lagged in comparison to the rest of the state. Moreover, the percentage of persons between 50-64 increased more dramatically in Northborough than statewide, and the percentage of persons between 65-74 increased by 38% while the percentage of persons in the same age group dropped in Worcester County and Massachusetts. As of Census 2000, 18-29 year olds make up only 10% of Northborough's total population. Despite the high levels of educational attainment in Northborough, companies may choose other locations if they anticipate a shortage of workers in the in the near future. The development of more "over-55" housing will further skew the age make-up of Northborough's population.
- **Housing Choices.** Housing is one of the factors that companies consider when they choose new or expansion sites. The economic growth that has occurred along I-495 reflects, at least in part, access to reasonably priced land for businesses and housing for their employees. Northborough used to be a relatively affordable town with excellent highway access. However, housing sale prices have risen dramatically and homeownership is increasingly unaffordable, particularly to young workers. The lack of housing diversity creates similar disadvantages. Since many young workers – single or married – are not ready to purchase a single-family home, they will find few options in Northborough. Although the town's housing conditions are hardly unique, they create barriers to labor force growth and consequently, to economic growth.
- **Competition.** Residents say they want more stores and services and that their incomes can support a larger retail base, but Northborough's small population may not be enough to attract additional businesses, especially when there is strong competition from retail centers in towns nearby. These retail centers already have a strong customer base and most have even better access to major highways. Northborough's most significant competition comes from Solomon

Pond Mall in Berlin. Solomon Pond Mall has four major department stores, 115 specialty shops, a 15-screen movie theater, and full-service restaurants such as Bertucci's and TGI Fridays.

Other sources of competition include Worcester and Natick. Worcester has two shopping centers within 12 miles of Northborough. They offer a wide variety of shopping and entertainment options, such as Greendale Mall, with 56 stores and restaurants, discount stores like T.J. Maxx and Marshall's, and higher-end specialty stores. Worcester Common Outlets offers about 48 retail shops and outlet stores and unique, family-oriented entertainment, including the Bijou Cinema, the only community theater in Central Massachusetts, and the Foothills Theatre Company. Natick Mall is the largest retail shopping center in the area. Although located 18 miles from Northborough, Natick Mall is a significant source of competition. It has 161 stores, including four major department stores, and the area around the mall consists of numerous small shopping centers with large national chain stores and a cluster of furniture stores.

- **Construction-Ready Land.** Northborough has vacant and underdeveloped commercial and industrial land, but the location and capacity of municipal water, sewer, and storm drainage systems, and proximity to wetlands may limit the actual development potential of some sites. While public water is available to about 80% of the town, the sewer system serves only a limited portion of Northborough's commercial and industrial zones. Of course, lack of access to public sewers is not an inherent development constraint: Northborough already has commercial developments without sewer service, and recent advances in Title V technology have made on-site wastewater disposal more affordable and feasible. High-value development may be able to absorb the additional cost of on-site disposal, but to attract high-value development, the town must zone for it. Regardless of zoning, wetlands will remain a limiting factor to new commercial growth.

Another limiting factor to the development of additional commercial and industrial space on vacant land is both existing and future residential development. Fifty-five and older communities pose an even larger threat to development on industrial zoned land because current zoning allows the development of such projects on industrial land. Not only is developable, industrial zoned land being taken for residential uses, but it becomes politically difficult to locate an industrial use next to or close to residential uses. In addition, as residents demand buffers from non-residential uses around their communities the area of land available for commercial and industrial uses in the future becomes even smaller.

- **Traffic.** Northborough's commercial and industrial land lies along the few roads that go through town and connect to regional highways. As a result, there is a common perception that "everyone" needs to drive on Route 20 for trips to work, to shopping areas or to reach the interstate highway system. To some extent, this perception is corroborated by observations of Route 20 during rush hour. Traffic counts collected by CMRPC show that daily traffic volumes are highest on Route 20 between Lincoln Street and East Main Street, with more than 20,000 cars moving through the intersection of Route 20 and Brigham Street.⁴⁸ As a result, some residents are concerned about attracting more businesses, and potential employers may be deterred from locating in Northborough for the same reason, despite the town's proximity to major highways.

⁴⁸ Central Massachusetts Regional Planning Commission, Final Preliminary Route 20 Traffic Study, April 2003.

However, CMRPC's traffic study also found that taking alternative routes around town does reduce travel times. Encouraging traffic to use alternative routes could ease traffic in Downtown Northborough and on Route 20.

Policy & Regulatory Challenges

The Northborough Zoning Bylaw provides for three commercial districts (BA, BB, BC) and two industrial districts (IA, IB). The three business districts include about 414 acres of land and the two industrial districts, nearly 2,930 acres. Together, the business and industrial zones cover nearly one-fourth of Northborough's total land area. According to the Master Plan, Northborough's economic development goal is: "Maintain and enhance the local economy with an emphasis on serving the shopping, service, tax base and employment needs of the community."

The Master Plan articulates several strategies to accomplish this goal, including:

Encourage economic development that contributes to the existing character of the Town and strengthens the tax base.

- **Comments.** Northborough as it is today and the development program anticipated by its zoning map are not at all the same. In fact, Northborough is a predominantly residential community: the kind of town residents say they want to preserve. "Economic development that contributes to the existing character of the Town" is a very broad statement. Given all of the other ideas expressed in the Master Plan, however, the statement presumably refers to business growth that is small-scale, high-value, pedestrian-oriented and focused primarily on local trade. Unfortunately, Northborough's land use and zoning policies do not guarantee or foster these outcomes.

The commercial areas in Northborough – both downtown and along Route 20 – face strong competition from shopping areas in neighboring towns. To provide vital commercial districts that are visually and functionally compatible with the character of the town, Northborough needs ways to make its commercial areas more appealing to businesses and customers. For example, adopting recognizable names for commercial areas, increasing the potential for foot traffic by providing for some higher-density housing in and between commercial areas, implementing commercial building design and signage guidelines, and providing safe places for people to walk would help to create a sense of place in the business districts.

Of course, zoning alone will not deliver a vibrant local economy. Working relationships with economic development organizations, a business retention and recruitment strategy, and public investment in utilities and services are really essential to a strong business base and therefore, a strong tax base. However, since Northborough is a small suburb, local government will have to assemble a manageable toolbox to encourage economic growth that is compatible with the town's vision of itself. Zoning has a significant impact on commercial investment decisions and the quality of commercial areas. Making logical connections between allowed and special permitted commercial uses, dimensional and design controls, and the kinds of businesses that Northborough wants to attract will help to shape the character of each district and promote clusters of compatible business uses. Northborough would benefit from encouraging commercial development that appeals to families, youth, couples, and the elderly, including family entertainment and a broader variety of retail.

Continue efforts to strengthen the downtown economy by encouraging new businesses, improving the appearance of the area, encouraging downtown residential uses and enhancing the pedestrian system in the downtown.

- **Comments:** During the community meeting on economic development (February 2004), residents seemed to agree with many of the consulting team's initial findings. Residents said they want their commercial areas to be more pedestrian-friendly, and they prefer to park in one spot and shop in several stores in one trip. For all of the reasons described in Northborough's Master Plan, the Northborough Downtown Project (2000) and this report, if Northborough wants a lively, attractive downtown, the town needs to reassess its zoning regulations for the BA District and establish and fund a capital improvements plan for the downtown area.

In addition to the need for wide, suitably landscaped walkways into and around the downtown area, alleviating traffic volume and speeds on Route 20 and West Main Street will be an important component of Northborough's future economic growth. At the community meeting in February 2004, several residents noted that crossing Route 20 and West Main Street is very dangerous because of the speed of vehicular traffic. Sadly, traffic is one of the reasons that residents say they prefer new commercial development outside the downtown area, i.e., the sheer volume of cars moving through downtown discourages pedestrian activity. CMRPC's traffic study recommends several actions, including signage along Route 20 to direct commuters to alternate routes and educating residents of neighboring towns about other ways to access the regional highway system. While important, steps like these will be even more effective if they are coupled with traffic calming measures such as raised crosswalks in the downtown area.

Maintain the size and boundaries of the current Route 20 commercial districts, but sponsor efforts to improve their appearance, increase the amount of public open space in and around the areas, and where desired by nearby neighborhoods, increase pedestrian and bicycle connections between commercial areas and residential neighborhoods.

- **Comments:** The existing commercial zones on Main Street and West Main Street have enough vacant and underused land to support a considerable amount of business growth. Given the size and configuration of the BB Districts, the town is in a position to obtain more valuable commercial development by making better use of available land. The dimensional and density regulations that apply to the BB and BC Districts, together with site plan review and design standards, need to be revisited.

Based on the analysis of Northborough's businesses and the visual and operational character of its commercial areas, the town should focus on strengthening the existing commercial development along West Main Street and Route 20. These roads serve as Northborough's key gateways and today, the commercial uses along them do not present a "good face" to outsiders. Many of Northborough's businesses are small and relatively new, and they would benefit from the addition of businesses that draw from the region as well as local pedestrian traffic. Residents think the town does not offer enough services and shopping opportunities, and they would like to support Northborough's economy by spending more of their money here. At the community meeting (February 2004), they cited supermarkets, full-service restaurants, and recreational and entertainment activities for youth and families as the types of establishments that Northborough really needs.

While the size and boundaries of the commercial districts on Route 20/West Main Street are important, the use, dimensional and design regulations that apply to development in these locations are even more important. A significant reduction in minimum setbacks, the establishment of maximum setbacks, and new parking lot design standards would help to make new commercial development in the BB District safer for drivers and pedestrians. In addition, the town's existing regulations do not establish maximum coverage ratios or a minimum open space requirement. In the BB District, Northborough regulates building height and indirectly regulates maximum gross floor area through off-street parking requirements, but there is no overall limitation on the size of a permitted structure or a distinction in size between permitted and special permitted uses. This seems especially crucial for the BC District in the southwest corner of town. Since design is problematic in many areas along Route 20/West Main Street, Northborough would benefit by adding qualitative development controls to the BB (and BC) District regulations. In fact, the town's lack of qualitative controls contributes to many of the appearance concerns alluded to in the Master Plan.

Northborough's site plan standards currently address landscaping for parking areas, but there does not appear to be a formal requirement for landscaping along sidewalks, particularly between sidewalks and the street. Moreover, while the BA District regulations call for parking at the rear of buildings, there is not a comparable requirement in the BB or BC Districts. This omission from the Zoning Bylaw helps to explain the auto-oriented appearance of commercial properties along Route 20 and West Main Street, i.e., the prevalence of off-street parking lots adjacent to the road.

Owing to Route 20's gateway function in Northborough, any discussion about the boundaries of BB Districts must consider activity that occurs between them and the downtown area. In some locations, the residential areas adjacent to businesses contribute to Main Street's visual incoherence. Since there is no design, operational, circulation or open space connectivity between homes and businesses along Route 20, the road conveys a "cars first" impression and drivers respond accordingly. Successful small business districts need pedestrian traffic, yet Northborough's residential zoning precludes both the types and density of housing that help to bring people, goods and services close together. Ironically, Northborough allows detached single-family dwellings in all business zones, yet the town prohibits other residential uses that are common in business areas (if not essential to their success). Possibly Northborough could address two growth policy needs – housing choices and economic development – by establishing transitional use overlay districts that allow some multi-family housing in areas between the BB and BA Districts. Aside from the higher property values that will most likely result from mixed residential development in these areas, locating higher-density housing near business areas makes economic sense. (The same policy may help to deter unwanted comprehensive permits in low-density residential zones and the industrial districts.)

Alternatively, Northborough could consider allowing mixed-use development in the BB District. The ability to mix upper-story and multi-family residential and commercial uses in a development will most likely attract higher-quality investment along Route 20, increase property values and meet a number of community development needs. (Here, "mixed-use" means vertical and horizontal mix, i.e., residential units above the ground floor of commercial buildings and freestanding multi-family buildings on the same parcel as a commercial building.) By offering more choices to developers, Northborough will be in a much better position to encourage redevelopment in some of the existing commercial strip areas. Changing the

character of commercial strips is a slow, difficult process, and it is even more difficult during periods of slow economic growth.

Encourage the development of the IA and IC districts⁴⁹ with mixed use, high value projects that include a variety of tangible benefits to the community...

- **Comments:** Northborough has an unusually large amount of land zoned for industrial development. The Master Plan recommends a strategy of “staying the course,” i.e., retaining these areas for existing and future industrial uses. To achieve that end, the Master Plan calls for several changes in Northborough’s industrial zoning regulations, such as prohibiting single-family dwellings in a Planned Unit Business Development (PUBD) and requiring that all special permits be based on a finding of master plan consistency by the Planning Board. In addition, the Master Plan recognizes some important differences between the two areas now zoned as IA (previously IA and IC). For example, it suggests that more emphasis be placed on industrial/retail, retirement and passive recreation uses in the Southwest Area (IA), and office-research/industrial, retirement and active recreation uses in the Southeast Area (IC). After 1997, Northborough amended its industrial zoning, site plan and parking regulations in response to some of the recommendations made in the Master Plan.

For at least three reasons, Northborough should focus today on improving its existing commercial areas. First, it is possible to make changes now that will produce near-term results; second, much about the quality of life in Northborough hinges on the character of Route 20; and third, emphasizing high-quality business districts is a sensible economic development strategy for a small town. However, focusing more on the commercial areas than the industrial zones reflects an implicit assumption that Northborough’s available industrial land will remain vacant until there is enough demand to attract new investment in these areas. Some large landowners, such as Northborough Land Realty Trust (The Guttierrez Company), do have development plans for their property, but these are reportedly long-term plans, i.e., development that the owners are prepared to carry out over extended period of time.

It is important to point out that Northborough’s vacant industrial land is not secure from conversion to residential uses. Under current zoning, it is possible to apply the Senior Residential Community Overlay District to industrial land, but more significantly, Chapter 40B developments can be built on non-residential land. In fact, many of the state’s recent comprehensive permit projects have been developed on vacant industrial land, often because the landowners wanted to sell their property and could not find an industrial buyer. Since the state allows affordable housing developers to inflate the acquisition price of land through purchase and sale agreements that guarantee sellers more income for each additional housing unit over a specified minimum, comprehensive permits have become an increasingly attractive alternative to land owners regardless of zoning, but especially industrial land owners.

If Northborough wants to strengthen its long-term control over land in the IA District, the town should consider establishing an economic development and industrial corporation (EDIC) by petitioning for a special act of the legislature. To prevent unwanted and unplanned outcomes for land that Northborough has set aside for future industrial growth, the town may need the

⁴⁹ The IA and IC Districts were merged into single industrial zone (IA) after 1997.

flexibility to respond to changes in land ownership or a landowner's plans for property, including notice of an intent to sell land under a Chapter 61 or 61A agreement. An EDIC is a mechanism that communities can use to acquire land for purposes of gaining site control. It can serve as pass-through to move land efficiently from local government to private developers, and with the right deed restrictions in place, the town can guide the eventual disposition of the property with far more assurances than can be achieved through zoning. About eighteen months ago, Shrewsbury formed a "special act" EDIC for precisely these reasons. About 25 communities across the state have created an EDIC

Housing & Residential Development Recommendations

By choice, Northborough is a town for families. A recurring theme in previous planning studies is the role that Northborough's home values play as a gatekeeper for traditional families. In nearly all areas of town, Northborough restricts housing development to single-family residences and as a result, it surpasses most of the Commonwealth's communities for high percentages of married-couple families and school-age children. Families that can afford a home in Northborough move here in part because of its schools, and the school district's reputation has an impact on home values. Virtually everyone in Northborough has a stake in protecting the qualities that make the town so competitive in the Worcester-area housing market. High land values, regulatory constraints, and concerns about the impacts of growth all present major challenges to producing affordable housing in Northborough.

However, Northborough needs more housing choices: affordability, variety, and suitability for different types of households. Northborough lags significantly behind the state and its own region for population percent of young and senior citizens, and many of its current residents could not afford to purchase a home in Northborough if they were first-time homebuyers today. While local officials worry about the impact of a large Chapter 40B development on town and school services, Northborough does not have effective ways to provide affordable housing without Chapter 40B. Unfortunately, if Northborough relies solely on Chapter 40B to build a base of affordable housing units, there is no guarantee that local or regional housing needs will be met.

Although it may not be obvious to many residents of Northborough today, the town's economic vitality is threatened by the lack of affordable housing choices for people who work for local businesses. Entry-level jobs, employees of service businesses and social service agencies, and recent college graduates cannot afford to live in Northborough, yet much of the town's economy is limited to lower-wage employment. Northborough needs zoning that allows a variety of housing development options. The town also needs clear policies to guide the review of comprehensive permits, and it needs development capacity to create small-scale, low-impact affordable housing that meets a range of housing needs.

INCLUSIONARY ZONING

1. Replace the existing Affordable Housing/Conditional Density Bonus Bylaw with an Inclusionary Housing Bylaw that requires affordable units in all residential developments of five or more homes and does not obligate the developer to seek a special permit.
 - Apply the Inclusionary Bylaw to all zoning districts in which residential uses are allowed, and to all types of residential uses, in any development of five or more housing units.
 - Establish a base inclusionary requirement, e.g., 10% of all dwelling units in any project.
 - Offer developers a menu of compliance options, subject to approval by the Planning Board:
 - Include units in the development.
 - Provide equivalent units in another location in Northborough.

- Pay a fee in lieu of creating new units, the fee to be equal to the difference between an affordable purchase price as defined by DHCD's Local Initiative Program (LIP) and the median single-family home or condominium sale price for the most recent fiscal year, as determined by the Board of Assessors.
 - Donate to the town a parcel of land with equivalent development capacity, restricted for affordable housing use.
 - Provide a density or floor area ratio bonus by special permit to encourage additional affordable units in the following zoning districts:
 - General Residence
 - BB-East
 - Transitional Use Overlay District
 - BA
 - Condition the release of occupancy permits on the town's receipt of affordable unit documentation.
2. In conjunction with the Inclusionary Bylaw, establish a permanent Affordable Housing Trust fund by special act of the legislature for all revenue generated by the bylaw and any other funding sources as determined by the town, such as "windfall" profit from the resale of currently affordable homes to market homebuyers, and profit distributions to the town under Chapter 40B rental housing regulatory agreements.
- Assign administrative responsibility for the trust fund to the Board of Selectmen, whose duties should include preparing an annual allocation plan for the expenditure of trust fund revenue, in consultation with the Planning Board and the Housing Partnership Committee.
 - Place authority for approving the annual allocation plan with Town Meeting.
 - Incorporate in the home rule petition an exemption from G.L. c.30B requirements so the town can expend trust fund revenue on contracts with the Northborough Housing Authority, the Northborough Affordable Housing Corporation, the Northborough EDIC or another non-profit organization, without conducting a formal procurement process for goods and services.
 - Limit the use of trust fund revenue to subsidizing the production of dwelling units that will qualify for as Chapter 40B units under the Local Initiative Program, preserving existing affordable housing, and providing for reasonable administrative costs.
 - "Production" includes units created through new construction or by reuse and conversion of existing structures.

- “Preservation” includes purchasing existing Chapter 40B homeownership units if, upon resale, a qualified moderate-income homebuyer cannot be found, and purchasing existing market-rate units for sale to moderate-income homebuyers.
- Administrative costs includes legal services, affordable unit monitoring and staff or consulting services to implement housing projects funded in whole or in part with inclusionary zoning fees.

ZONING FOR ACCESSORY DWELLINGS AND CONVERSION UNITS

1. Amend the Zoning Bylaw to provide for one accessory dwelling unit in a single-family home or detached structure on the same lot (such as a barn or carriage house) in any zoning district, as follows:
 - Allow an affordable accessory dwelling unit by right, subject to adequate area for parking as determined by the Building Inspector, and adequate provisions for wastewater disposal as determined by the Board of Health.
 - Set a maximum gross floor area threshold for eligible units, e.g., 900 square feet.
 - Condition the release of an occupancy permit on receipt of affordable housing documentation.
 - Create a standard application package for homeowners to apply for an affordable accessory dwelling permit, including a LIP-approved deed rider, rent limits and a checklist of submission requirements.
 - Allow by special permit an accessory dwelling with no affordability restriction, or an affordable unit that exceeds the size threshold for a unit by right.
2. Amend the Zoning Bylaw to provide for single-family to multi-family conversions, up to four units per conversion project, as follows:
 - Allow single-family to multi-family conversions by right, subject to administrative site plan review, in the General Residence and Transitional Use Districts provided that a conversion project includes at least one affordable dwelling unit.
 - Allow single-family to multi-family conversions by special permit in the General Residence and Transitional Use Districts for projects that do not include affordable units.
 - Allow single-family to multi-family conversions by special permit, subject to site plan review and the inclusion of at least one affordable unit, in the Residence C District.

ZONING FOR MULTI-FAMILY HOUSING

1. Amend the Zoning Bylaw to allow multi-family housing in the General Residence and Transitional Use Districts, as follows:
 - By right, subject to site plan review:

- At a maximum gross density of 6 units per acre, subject to adequate provisions for wastewater disposal as determined by the Board of Health.
 - Require 25% of the units to be affordable and eligible for listing on the Chapter 40B Subsidized Housing Inventory as LIP units.
 - Establish a maximum of 24 units per multi-family development.
 - By special permit:
 - At a maximum density of 10 units per acre, subject to adequate provisions for wastewater disposal as determined by the Board of Health.
 - Set a sliding scale of 15-25% of the units to be affordable and eligible for listing on the Chapter 40B Subsidized Housing Inventory as LIP units, the actual percentage to be based on the degree to which a project's density exceeds the 6-unit standard for multi-family housing by right.
 - Establish a maximum of 50 units per multi-family development.
 - Establish a limit on aggregate residential gross floor area that may be devoted to multi-family uses in the General Residence and Transitional Use Districts.
2. Amend the Zoning Bylaw to allow multi-family housing as part of a mixed-use development in the BB-East and BB-West Districts.
- Allow dwelling units above the ground floor of a commercial building by right, subject to inclusion of affordable units (vertical mixed-use).
 - Allow multi-family units in separate buildings on the same lot as a permitted commercial use, subject to 25% affordable units (horizontal mixed-use).
 - Establish a maximum percentage of gross floor area that may be devoted to residential uses, e.g., 60%.

ZONING FOR INFILL AFFORDABLE HOUSING DEVELOPMENT

1. Amend the Zoning Bylaw to provide for modest frontage waivers in the General Residence, BA and Transitional Use Districts, subject to the following requirements:
- An infill lot created with a frontage waiver must comply with the minimum lot area for the district.
 - Its use must be limited to an affordable single-family or two-family dwelling.
 - Establish a maximum number of infill development lots that may be created in each zoning district.

ZONING FOR ELDERLY HOUSING

1. Amend the Zoning Bylaw by deleting the existing Senior Residential Community Overlay District and replacing it with a Senior Residence Development Bylaw, as follows:
 - Allow Senior Residence Development by special permit in the Residence A and Residence B Districts, using the tract size, density and other regulations that presently apply in the overlay district.
 - Consider a sliding scale of affordability for over-55 developments so they offer options to households with incomes up to 110% AMFI. While the Town should not exclude SRC developments from an inclusionary housing requirement, the standard could be adjusted to reflect the needs of elderly households on a continuum of “below-market” affordability levels.
 - Consider a cap on aggregate SRC Units that may be built town-wide, e.g., expressed as a percentage of the Town’s total housing inventory. For example, if Northborough were to impose a 10% ceiling on SRC development, the maximum number of SRC units that the Planning Board could approve would be 501 units based on the most recent decennial census.
2. Amend the Zoning Bylaw by adding a new use definition for Elderly Cottage Housing Opportunity or “ECHO dwelling,” and establish ECHO units as a permitted accessory use in any residential zoning district.
 - Establish an administrative site plan review process for ECHO units.
 - Establish minimum design standards and additional land area requirements (if any) for ECHO units.
3. Amend the Zoning Bylaw by adding a new use definition for Assisted Living Facility, and allow the use in all residential districts, the BA and BB Districts, and the Transitional Use Overlay District:
 - By right, up to 10 units per facility, subject to site plan and design review.
 - By special permit, more than 10 units per facility.

MANAGING COMPREHENSIVE PERMITS

1. The Board of Selectmen and Planning Board should jointly adopt a comprehensive permit policy that includes the following provisions:
 - Invite developers to use the Local Initiative Program ((LIP) comprehensive permit process instead of applying directly to MassHousing or MassDevelopment for a project eligibility letter.
 - Be open with developers about areas that are most suitable for higher-density housing:

- Identify a preference for development in the General Residence, Transitional Use and BB-East Districts.
- Discourage higher-density housing in the Groundwater Protection Overlay District and on parcels identified in the Master Plan or the Open Space and Recreation Plan as priority open space protection areas.
- Leave room for options to consider small homeownership developments (2-10 units) in other zoning districts.
- Describe the zoning waivers that Northborough is willing to consider, such as a realistic range of additional units per acre or a higher floor area ratio to accommodate affordable homeownership units.
 - For the General Residence, Residence C, Transitional Use and BB-East Districts, identify an acceptable range of 6-8 units per acre.⁵⁰
 - For all other districts, consider a maximum standard of 4-6 dwelling units/acre.
 - For small projects in other areas, consider a density that does not exceed twice the density permitted by zoning unless the applicant agrees to beneficial trade-offs, such as the protection of roadside open space.
- Identify trade-offs the town is willing to consider to encourage comprehensive permits in preferred locations, such as more density in exchange for design elements that are compatible with surrounding buildings, green building certification, or inclusion of units affordable to very-low-income households.
- Identify housing needs that Northborough wants comprehensive permit developers to meet.
 - Rental developments will accelerate Northborough's progress toward 10%, but the more important issue is that Northborough needs affordable rental housing. The most significant rental housing need is for young citizens and family households, but Northborough is very concerned about the fiscal impact of new growth. At the same time, state government appears to be taking the shortage of family housing more seriously than it has for the past several years. For example, one of the competitiveness criteria for financing from the Priority Development Fund is the inclusion of units with three or more bedrooms.
 - Rather than argue against any family units, ask developers to limit the number of rental units with three or more bedrooms to 12-15% of all units in a Chapter 40B rental development.

⁵⁰ The state standard for homeownership developments is eight units per acre or 4x existing zoning, whichever is greater.

- Ask developers to include some below-market units in any comprehensive permit development designed for over-55 households. Ten percent in addition to the minimum 25% low- and moderate-income requirement is reasonable for most projects.
 - Create a fast-track local review process for small comprehensive permit developments, e.g., 10 or fewer units. Prepare a “Small Project Application Package” and work with the Board of Appeals to create an expedited review and decision-making process for small-scale projects.
 - If Northborough prefers small, scattered-site projects, it needs to make the permitting process faster and easier for them. Having a standardized application package will provide technical assistance to applicants who may not be seasoned developers, and the expedited process will result in a more desirable and useful comprehensive permit process.
2. Designate an individual officer of the town – such as the Town Planner or Town Administrator – to negotiate with comprehensive permit applicants during the permit process or, subject to Town Counsel’s approval, retain an outside special counsel to assist with negotiations.
 3. Re-establish the Housing Partnership Committee.

SUPPORTING INITIATIVES

1. Northborough needs to be pro-active with owners of existing homes to create a base of scattered-site affordable housing units. Toward that end, the town should work with the Northborough Housing Authority and Northborough Affordable Housing Corporation on the following local initiatives:
 - Develop a priority list of single-family and two-family homes for acquisition/rehabilitation in exchange for permanently affordable housing units.
 - Approach property owners about the possibility of acquiring a right of first refusal to purchase their home when they decide to sell.
 - Request an allocation of Inclusionary Housing revenue for a small fund to pay for refusal rights or option agreements between annual town meetings.
 - Apply for predevelopment funds from the Massachusetts Housing Partnership (MHP) or MassDevelopment to plan small new-construction projects for very-low-income families on land donated by developers under the Inclusionary Housing bylaw.
2. Using Inclusionary Housing revenue for a special set-aside fund to purchase Chapter 40B homeownership units upon resale if a qualifying low- or moderate-income homebuyer cannot be found within the period specified in the deed restriction.

Economic Development Recommendations

In Northborough, car-oriented commercial developments are scattered along Route 20. As a result, businesses do not benefit from the additional customers they could attract by being located close to complementary business uses or services. In addition, residents are dissatisfied with the lack of pedestrian-oriented shopping opportunities in town, and Northborough has been unable to attract many new businesses or shoppers to its commercial districts. To provide pedestrian-oriented shopping areas, encourage businesses that offer a wide variety of goods and services, strengthen existing businesses and assure orderly economic development in the future, Northborough needs to take the following actions:

- Adopt zoning and other policies to encourage a distinctive sense of place in each of Northborough's commercial areas.
- Use zoning to create a variety of opportunities for economic development.
- Adopt pedestrian-oriented design guidelines for the BA, BB-East and BB-West commercial areas and implement them through site plan review.⁵¹
- Make a commitment to invest public resources in support of the commercial districts.

PEDESTRIAN-ORIENTED DEVELOPMENT

Pedestrian-oriented development is a popular term that has recently caught the attention of many people outside of the planning field. However, the concept of pedestrian-oriented development has been around for centuries. In fact, some of the best examples of pedestrian-oriented development can be seen in the state's older, well-established downtown areas such as Andover and Winchester. Pedestrian-oriented development is simply development that gives priority to the needs and interests of the pedestrian and gives careful attention to how a pedestrian, as opposed to automobiles, can use space.

GUIDELINES. There are generally accepted guidelines for creating pedestrian-oriented commercial development and guidelines for reactivating traditional suburban commercial districts by adopting pedestrian-oriented design principles. These guidelines tend to focus on making the space interesting to pedestrians, attracting shoppers, protecting pedestrians from automobile traffic, and creating development that is sensitive to human scale. The general guidelines that Northborough should adopt and implement are summarized below.

1. Ensure that there is a dedicated space for pedestrians in the district. Currently, there are few sidewalks in Northborough's commercial districts. The few that exist are in portions of the downtown area. These sidewalks are wide enough for only one person and they are discontinuous. In some sections, the sidewalks are interrupted by curb cuts and gas stations. The following are design guidelines for sidewalks in pedestrian-oriented commercial areas:

⁵¹ This report refers to the existing BB District on the west side of Northborough as the "BB-West District" and the BB District on the east side of Northborough as the BB-East District.

- The “movement zone” or area in which pedestrians walk should be a minimum 8 feet wide, preferably 10-12 feet wide
 - The “curb zone” or area in between the street and movement zone where street trees, street lighting, street furniture, parking meters, waste receptacles should be located should be a minimum of 3 feet wide
 - Sidewalks should begin no more than 10 feet from the street and the buildings should have a maximum setback of 25 feet.
 - Extend public space to the building by filling the space between the sidewalk and building with a walkway, plantings, and street furniture
 - Minimize the number of curb cuts into the sidewalk
 - If there is a curb cut for a driveway or parking lot, there should be a clearly marked pedestrian pathway through the driveway/apron
 - Main entrances to buildings should be off the sidewalk
2. Enclose the street to make the pedestrian space created by sidewalks feel welcoming, comfortable, and safe to pedestrians. Regardless of the height of the buildings, the techniques listed below create a space that has human scale and is sensitive to pedestrians’ needs. They provide pedestrians places to rest, lighting so that they can see, and a sense of protection from automobile traffic and weather. Use several techniques to enclose the street:
- Create a “street wall” with 2-3 story, adjacent buildings at the property line
 - Plant a row of trees or place planters on the sidewalk in the “curb zone”
 - Place street furniture in the curb zone along the sidewalk to give pedestrians a place to rest, wait, or enjoy the environment
 - Stores should have awnings to protect pedestrians from the elements and to help create an enclosed walkway
 - Balconies, bay windows, or roof decks on upper stories of the building not only help enclose the street but make the space more visually interesting, vibrant, and safe.
 - Well designed signage can also help enclose the street.
3. The structures should be designed to make the commercial districts visually interesting and attractive to draw shoppers out of their cars and encourage them to walk up and down the street. Design guidelines for keeping commercial districts visually interesting from a pedestrian point of view:
- Buildings should have relatively large windows on the ground floor, especially ones for displays.

- Avoid blank walls.
 - Side or back walls that are visible to pedestrians or motorists passing-by should have windows, displays, murals, secondary entrances, or even false windows or architectural features to create a more interesting and welcoming “face” to potential customers.
 - Avoid off-street parking between the street and the building and prohibit parking in-front of the building.
4. Building facades should not be uniform. Some variations in building height (vertical modulation), use and type of awnings, light fixtures, and architectural details create interesting and non-uniform building facades.
5. Adopt signage guidelines that are pedestrian-oriented.
- Signage should have unifying design characteristics, but the regulations should provide enough flexibility for individual businesses to creatively express themselves.
 - Pedestrian oriented signs should be smaller and designed to be read by people closer to the building. Some rules of thumb are:
 - 3” letters can be read from a distance of 120 feet
 - 6” letters can be read from a distance of 300 feet
 - Signs should be integrated with the building’s architecture
 - Signs should be aligned to people on sidewalks, such as blade signs or single signs hanging below canopies or small signs on canopies or awnings
 - Sculptural signs, signs that incorporate artwork, or signs with high quality graphics should be encouraged. Neon signs are permitted if they are incorporated into the design of the building.
 - Avoid or prohibit internally lit signs. Front lighting or down lighting on signs is preferred.
 - Signs should have uniform design elements but regulations should also encourage creativity and businesses to express their own character
 - Prohibit off-premise signs except for directional signs
 - Only one parking lot sign per entrance, and it should not extend more than 12’ off the ground
6. Good design guidelines for lighting can significantly change the character of commercial districts, making them more inviting and attractive:
- Lighting of sidewalks should be from storefronts, canopies, awnings
 - Building entries should be well lit

- Back-lit and translucent awnings should be discouraged or prohibited
 - Variety in use of light fixtures on the building façade from one building to another should be encouraged
7. Off-street parking lots should be pedestrian-friendly. The guidelines for pedestrian-oriented parking are:
- Prohibit off-street parking between the street and the building
 - Avoid off-street parking between buildings (a gap between buildings creates a “no-man’s land” and lacks visual interest)
 - Encourage shared parking lots through shared parking agreements
 - Main orientation of buildings should be off the street, not the parking lot
 - Require the minimum number of curb cuts
 - If off-street parking is provided between buildings make sure sidewalks continue through the entrance to the parking lot, and the driveway should be as narrow as possible
 - Provide landscaping and street furniture to improve lot’s appearance
 - Provide a clearly visible pedestrian connection between the parking area and the street/sidewalk
8. Developers of commercial projects that include at least 40,000 square feet of commercial space should be required to show pedestrian access from adjacent residential neighborhoods on one of the plans submitted for site plan review. If providing direct pedestrian access from adjacent neighborhoods is not feasible, the applicant should satisfactorily demonstrate to the Planning Board that no feasible alternative exists.

PUBLIC INVESTMENT. In addition to implementing pedestrian-oriented design guidelines that developers must follow, the town needs to commit public resources to its commercial districts. Northborough’s commercial areas cannot fully transform into pedestrian-oriented districts without considerable public investment and commitment. While the town can reasonably require developers of new commercial buildings to follow pedestrian-oriented design principles and pay for pedestrian-oriented streetscape improvements such as sidewalks, street furniture or street lighting, the same cannot be expected of owners of existing businesses or buildings.

1. Northborough needs to find ways to fund and coordinate streetscape improvements on Main Street in the downtown area, within the BB districts, and in the proposed transitional zone between the downtown and the BB-East District. Otherwise, the streetscape improvements will remain fragmented and the sidewalks will be discontinuous. The town should take responsibility for streetscape improvements in the following areas:
- On Main Street in the BA and BB-East districts in front of existing buildings and vacant lots

- Widening or installing sidewalks within ¼ mile of the BA district, e.g., South Street, School Street, Monroe Street, Whitney Street and Hudson Street.
2. Northborough should investigate these methods of financing downtown-area improvements:
- HUD Community Development Block Grant (CDBG) funds for infrastructure improvements, streetscape improvements and signage⁵²
 - Municipal bonds
 - Business Improvement Districts
3. However well designed a commercial district may be, it needs people who can easily walk to shops throughout the day in order to make the place vibrant and full of pedestrian activity. Northborough's zoning regulations should support the following:
- Allow and encourage a blend of land uses such as shops, restaurants, offices, public buildings, entertainment, residences, public spaces, light industry in and adjacent to the commercial districts.
 - Require site plans for new, medium- and large-scale commercial development to incorporate pedestrian access from adjacent residential neighborhoods wherever feasible.
 - Encourage high-value, more compact development.⁵³

DISTINCTIVE SENSE OF PLACE

Northborough's business districts lack a distinctive sense of place and they do not have a visually identifiable edge. To provide business districts that make a positive contribution to Northborough's image and increase their competitiveness with business districts in neighboring towns, Northborough should take the following actions.

1. Adopt strong design guidelines for the BA, BB-West, and BB-East Districts that are clear and enforceable. The design guidelines should:
 - Encourage the preservation and rehabilitation of buildings with historical features by providing design guidelines that are appropriate for existing structures. Guidelines for preserving older buildings need to consider financial feasibility, preservation priorities and the practical needs of the proposed use.
 - Provide enough detail so developers and their design teams will be able to understand the town's design objectives while leaving room for creativity and innovation.

⁵² Northborough may find it difficult to compete for CDBG funds because grants for downtown-related activities are usually based on evidence of severely deteriorated conditions.

⁵³ See Appendix for detailed zoning recommendations, including use classifications and definitions.

- Be consistent with preferences expressed by local residents and the Planning Board, e.g., colonial revival and related architectural styles. The desired characteristics of colonial revival and related architecture should be stated clearly so developers can anticipate what the town's review boards want to see in building designs. The characteristics might include:
 - Roofs/rooflines: mansard, gable, articulation in the rooflines
 - Windows: multi-pane or bay windows, elaborate casings, lintels and sills, shutters
 - Doors: pediments, decorative door frames
 - Landscaping around the footprint of the building or in window-boxes
 - Building envelope: wood siding, unpainted brick, articulated façade
 - Other details: Cornices with corbels, dormers, columns, chimneys
- Recognize that the design guidelines will apply mainly to commercial buildings. If there is a conflict between pedestrian-oriented design for commercial buildings and colonial revival architectural, the priority should be pedestrian-oriented design and the needs of businesses that will occupy these buildings. For example:
 - Windows on the ground floor of commercial buildings should be large so that businesses can adequately display their merchandise and should not be small multi-pane windows
 - It is not appropriate for every entrance in a commercial building to have a pediment over each door. It is preferable for businesses to have awnings or signs over the entrances into businesses.
- Create distinctive names for the BB-West and BB-East Districts so people have some way of identifying or referring to each business area. The names should be based on historical background or character.
- Change the uses allowed in each zone to create business districts that are tailored to different needs.
- Encourage development that unifies each commercial district, both physically and visually, such as signage regulations, sidewalks, landscaping, and architecture.
- Increase the minimum lot frontage in the BB-West and BB-East districts to encourage parcel assembly and facilitate more compact development of land.

ZONING FOR ECONOMIC DEVELOPMENT

Most of Northborough's businesses are small and relatively young. They would benefit from more pedestrian traffic. To create such an environment, Northborough needs to attract more businesses and pedestrians to its commercial areas. While zoning alone will not strengthen the economy,

improve business health or bring new businesses to town, zoning can impede or create opportunities for economic development.

BUSINESS DEVELOPMENT. Unfortunately, the zoning regulations for Northborough's business districts do not encourage or facilitate the compact, walkable commercial areas that residents have said they would like. Instead, the Zoning Bylaw consciously limits development or makes it difficult – and in some cases impossible – for landowners to build higher-value or pedestrian-oriented projects. To strengthen existing businesses and increase the economic stability of small businesses in Northborough, the town should adopt zoning regulations that create a variety of opportunities for planned, coherent economic growth.

1. Prohibit uses in the BA, BB-West, BB-East districts that conflict with commercial uses, or are low-density uses, or make it difficult to develop these areas into pedestrian-oriented business districts. The following types of uses should be prohibited in these locations:
 - Single-family homes
 - Auto-related uses such as gas stations, autobody repair shops, auto sales establishments, car wash
 - Storage or warehousing facilities, freight terminals
 - Uses that require the storage of numerous trucks or heavy machinery
 - Greenhouses or nurseries
 - Drive-through food service
2. Change the zoning regulations to allow and encourage increased intensity of land use.
 - Reduce the minimum front and side setback requirements in the BB-East district.
 - Adopt maximum front and side setback requirements in the BB-East and BA Districts.
 - Adopt zoning regulations that encourage vertical and horizontal mixed uses in all commercial districts, such as:
 - Office or multifamily units over ground-floor retail
 - Office, multifamily or elderly housing adjacent to retail uses
 - Office, multifamily or elderly housing behind other commercial buildings on lots with sufficient depth
 - Since the existing BB-West District already has some established commercial nodes, create an overlay district for this area instead of changing the basic density and dimensional requirements, and offer incentives to encourage new development or redevelopment that is more compact and includes a mix of uses. The overlay district should:

- Offer dimensional regulations similar to those adopted for the BB-East district for commercial or mixed use structures
 - Allow horizontal and vertical mix of land uses
 - Encourage shared parking and provide partial relief from parking requirements if the peak-parking demand for some of the proposed uses occur during different times of the day or if the development includes complementary uses.
3. Differentiate the commercial districts by refining the types of uses allowed in the BA, BB (East and West), and BC districts. Although there are very few differences in the use and dimensional regulations for the BB and BC Districts, the two BB Districts – BB-East and BB-West – and the BC District have developed quite differently. For example, the BB-East District tends to have smaller commercial buildings that are closer to the street, with relatively small parking lots in front of the buildings. However, BB-West has a number of large commercial developments set back on the site, with large parking lots in front of the stores. The Zoning Bylaw should be modified to recognize these differences and use them to the town’s advantage.
- For BB-East:
 - Protect the district from uses that require large buildings and parking lots (e.g., “big-box”) in order to maintain and further develop the more pedestrian-oriented character of this area.
 - Encourage a concentration of pedestrian-generating and complementary uses such as professional offices, full- and limited-service eating establishments, business services, general merchandise, specialty food stores, and personal services. (This also applies to the BA District.)
 - Establish a maximum gross floor area of 25% of the total gross floor area of a structure, not to exceed 5,000 square feet per commercial unit.
 - For BB-West:
 - Permit a wider variety of commercial uses, including larger scale commercial uses and more auto-dependent uses that require more parking.
 - Establish a maximum street frontage of 100 linear feet per and maximum gross floor area of 10,000 square feet per floor per commercial unit.
 - Base special permit decisions on criteria that relate rationally to the purposes of each zoning district and the goals of the Northborough Master Plan.
 - Amend the Zoning Bylaw to prohibit use variances – but provide more development flexibility to reduce the need for variances.
4. Bring multi-family development and elderly housing into and adjacent to the BA and BB-East districts to increase pedestrian activity and provide a sustainable customer base for each business district.

- Create a Transitional Use Overlay District between the BA and BB-East districts in order to allow higher-density housing and mixed-use, predominantly residential development.
- The Transitional Use Overlay District should begin at the existing boundary of the BA district and extend east on Route 20 through the western portion of BB-East, ending approximately 300 feet east of Gladwalt Road.
- Provide a density bonus for new affordable housing units or the conversion of existing buildings into affordable housing units (see also, Housing Recommendations).

INDUSTRIAL LAND. Northborough has a considerable amount of industrially zoned land that is vulnerable to Chapter 40B and senior residence developments. At present, the land produces very little economic benefit to the town. The current economic climate and the distance of a significant portion of the IA District from I-495 make it unlikely that most of Northborough's IA-zoned land will be developed for industrial uses in the near future. To protect the land from encroachment by Chapter 40B or senior residence developments and increase Northborough's tax base, the town should provide landowners more options for viable and profitable commercial uses in the IA District.

1. Create an overlay district that applies to the boundaries of the I-West District,⁵⁴ and allow the following uses as of right, subject to site plan and design review. Note: uses already allowed in the underlying IA District would remain available in the overlay district, and they could be developed in combination with one or more of the uses listed below in a campus-style compound.⁵⁵
 - Agriculture (less than 5 acres), Forestry, Fishing, and Hunting
 - Automotive Equipment Rental and Leasing
 - Building Material and Garden Equipment and Supplies Dealers
 - Commercial and Industrial Machinery and Equipment Rental and Leasing
 - Commercial Greenhouse or Nursery
 - Construction and Related Uses
 - Facilities Support Services
 - General Rental Centers
 - Investigation and Security Services

⁵⁴ IA-West refers to the IA district on the southwestern side of Northborough.

⁵⁵ Uses referred to here are based on NAISC definitions. Although they are virtually the same as uses listed in the proposed zoning bylaws (Appendix A), in some cases the use category names were changed to reflect more common land use terms.

- Linen and Uniform Supply
- Motor Vehicle Parts and Dealers
- Non-Store Retailers
- Outdoor Amusement and Theme Parks
- Property Managers
- Repair and Maintenance
- Security Systems Services and Investigation and Security Services
- Services to Buildings and Dwellings
- Transit and Transportation

2. Allow the following kinds of establishments throughout the IA District:

- Manufacturing
- Wholesale Trade
- Business Service Centers
- Hospitals
- Commercial and Private For-Profit Education
- Educational Support Services
- Funeral Home or Mortuary
- Gasoline Stations
- Hardware Stores
- Hotels
- Internet Service Providers, Web Search Portals, and Data Processing
- Media
- Medical and Diagnostic Laboratories
- Motion Picture and Sound Recording
- Nursing Care Facilities, Mental Health, Substance Abuse and Disability Facilities

- Outpatient Care Centers
 - Packaging and Labeling Services
 - Postal Service, Couriers, and Messengers
 - Printing and Related Activities
 - Research and Development
 - Service-Enriched Residential Facilities
 - Telephone Call Centers
 - Telecommunications
 - Warehousing and storage, or establishments that require a significant amount of indoor or outdoor storage or warehouse space, by special permit
3. Establish a Northborough Economic Development and Industrial Corporation (EDIC) by special act of the legislature so that Northborough has the capacity to acquire and control the disposition of industrially zoned land.

APPENDIX

- A. PROPOSED ZONING BYLAWS
- B. PROPOSED EDIC LEGISLATION
- C. COMMUNITY MEETINGS
- D. PLANNING BOARD WORKSHOP MEETINGS
- E. ISSUES FOR FUTURE RESEARCH & DISCUSSION
- F. TOWN/NON-PROFIT ROLES & RESPONSIBILITIES
- G. MAPS

APPENDIX A

Proposed Zoning

PART I: BUSINESS B-EAST DISTRICT

Amend Chapter 7-08, ESTABLISHMENT OF DISTRICTS

Section 7-08-010, Districts Enumerated

Amend Part D, Business districts, as follows:

- (1) Business District A
- (2) Business District B-East
- (3) Business District B-West
- (4) Business District C

Section 7-08-020, Zoning Map Established

Amend by deleting existing "BB" designations on Main Street and West Main Street and substituting in their place, "BB-East" and "BB-West."¹

Amend Chapter 7-12, USE REGULATIONS

Section 7-12-010, Schedule of Use Regulations

(Note: make corresponding changes to Schedule of Use Regulations table)

BUSINESS DISTRICT B-EAST

Uses Permitted by Right

The following uses are permitted by right in a building that does not exceed 30,000 square feet of gross floor area:

- Retail
 - General merchandise stores
 - Miscellaneous retail stores
 - Clothing and accessories stores
 - Specialty food stores
 - Sporting goods stores
 - Hobby, book, and music stores
 - Art or graphic design supplies and related services, e.g., picture framing or matting service
 - Photographic equipment and supply stores, including photofinishing service
 - Convenience stores
 - Hardware stores

¹ See Appendix H, Maps.

- Professional or Business Office Uses
 - Bank or other financial institution, not including drive-through service or a free-standing or kiosk-style automated teller machine (ATM)
 - Professional office, such as for an engineer, architect, attorney, accountant, graphic design, advertising, marketing research, or similar recognized professions
 - Office of real estate agent or broker
 - Business services
 - Office administrative services, collection or credit agencies, mailbox rental and other postal and mailing services (not including direct mail advertising), word processing services
 - Photocopying, duplicating, blueprinting, and other document copying services, excluding offset printing, digital printing or prepress services
- Hospitality, Entertainment, Recreational Uses
 - Food service establishment, excluding drive-through service
 - Full-service restaurant
 - Limited-service/seating restaurant
 - Drinking establishment
 - Indoor amusement uses such as billiard halls
 - Art studio, museum, library
 - Theatre, cinema
- Personal Services
 - Travel agency
 - Laundry agency, dry cleaning and pressing or tailor shop where no work is done on the premises for retail outlets elsewhere
 - Shoe and hat repair, bicycle and household appliance repair, dressmaking
- Industrial Uses
 - Shop for custom work involving manufacture of goods sold at retail only on the premises, e.g., crafts
- Residential Uses
 - Boarding or rooming house in a dwelling occupied by the owner as the owner's principal residence
 - Conversion of existing single-family dwelling to a multi-family dwelling
 - Multi-family dwelling above the ground floor of a building used principally for permitted non-residential uses
- Other Uses
 - Uses exempt under G.L. c.40A, Section 3
 - Civic and social organizations
 - Public service corporation
 - Municipal use approved by Town Meeting

Uses Allowed by Special Permit from the Planning Board

- Uses allowed by right but in a building of more than 30,000 square feet, up to a maximum of 60,000 square feet of gross floor area.
- Residential Uses
 - Two-family dwelling
 - Multi-family dwelling
 - Congregate residence for the elderly
- Hospitality, Entertainment, Recreation Uses
 - Take-out food service establishment, excluding drive-through service
- Use variances shall not be allowed in the BB-East District

Amend SCHEDULE OF DIMENSIONAL REQUIREMENTS

(See attached)

SPECIAL DIMENSIONAL REQUIREMENTS FOR BB-EAST ONLY

Standard	Requirement
Maximum gross floor area of any building	Maximum: 30,000 square feet by right Maximum: 60,000 square feet by special permit
Maximum floor area for individual establishment/leasable space	Maximum: 20% of gross floor area of building, except that no establishment may occupy more than 8,000 square feet
Number of buildings on a lot	No limit on number of buildings Instead, total gross floor area determined by size of parcel: Maximum floor area ratio of 2.0

PART II: BUSINESS B-WEST DISTRICT

Amend Chapter 7-12, USE REGULATIONS

Section 7-12-010, Schedule of Use Regulations

(Note: make corresponding changes to Schedule of Use Regulations table)

BUSINESS DISTRICT B-WEST

Uses Permitted by Right

The following uses are permitted by right in a building that does not exceed 50,000 square feet of gross floor area:

- Retail
 - General merchandise stores
 - Sporting goods stores
 - Hobby, book, and music stores
 - Photographic equipment and supply stores, including photofinishing service
 - Convenience stores
 - Hardware stores
 - Video rental and sales
- Professional or Business Office Uses
 - Bank or other financial institution
 - Professional office, such as for an engineer, architect, attorney, accountant, graphic design, advertising, marketing research, or similar recognized professions
 - Medical offices, including a medical center with offices for several physicians and other health care professionals, but not including a hospital or other inpatient treatment center
 - Office of real estate agent or broker
 - Business services
 - Office administrative services, collection or credit agencies, mailbox rental and other postal and mailing services (not including direct mail advertising), word processing services
 - Photocopying, duplicating, blueprinting, and other document copying services, excluding offset printing, digital printing or prepress services
 - Office of wholesale or import/export agent or broker, or manufacturer's representative, with no storage of goods sold on the premises
 - Employment or personnel agency
 - For-profit educational use
- Hospitality, Entertainment, Recreational Uses
 - Food service establishments, excluding drive-through service
 - Full-service restaurant
 - Limited-service/seating restaurant
 - Take-out food service establishment

- Drinking establishment
- Indoor amusement uses such as billiard halls, bowling alley
- Museum, library
- Theatre, cinema

- Personal Services
 - Travel agency
 - Laundry agency, dry cleaning and pressing or tailor shop where no work is done on the premises for retail outlets elsewhere
 - Shoe and hat repair, bicycle and household appliance repair, dressmaking

- Residential Uses
 - Conversion of existing single-family to multi-family dwelling
 - Multi-family dwelling above the ground floor of a building used principally for permitted non-residential uses

- Other Uses
 - Uses exempt under G.L. c.40A, Section 3
 - Civic and social organizations
 - Public service corporation
 - Municipal use approved by Town Meeting

Uses Allowed by Special Permit from the Planning Board

- Uses allowed by right but in a building of more than 50,000 square feet, up to a maximum of 100,000 square feet of gross floor area.

- Residential Uses
 - Multi-family dwelling
 - Congregate residence for the elderly

- Professional or Business Office Uses
 - Drive-through for bank or other financial institution

- Hospitality, Entertainment, Recreation Uses
 - Hotel, motel
 - Drive-through for food service establishment

- Other Uses
 - Nursing care facility

- Use variances shall not be allowed in the BB-West District

Amend SCHEDULE OF DIMENSIONAL REGULATIONS

(See attached)

SPECIAL DIMENSIONAL REQUIREMENTS FOR BB-WEST ONLY

Standard	Requirement
Maximum gross floor area of any building	Maximum: 50,000 square feet by right Maximum: 100,000 square feet by special permit
Maximum floor area for individual establishment/leasable space	Maximum: 20% of gross floor area of building, except that no establishment may occupy more than 20,000 square feet
Number of buildings on a lot	No limit on number of buildings Instead, total gross floor area determined by size of parcel: Maximum floor area ratio of .50 ²

² The floor area ratio for uses developed under BB-West overlay regulations would be 2.00..

PART III: TRANSITIONAL USE OVERLAY DISTRICT

Amend Chapter 7-08, ESTABLISHMENT OF DISTRICTS

Section 7-08-010, Districts Enumerated

Amend Part E, Overlay Districts by adding:

(5) Transitional Use Overlay District

Section 7-08-020, Zoning Map Established

Amend by adding Transitional Use Overlay District³

Amend Chapter 7-12, USE REGULATIONS

Section 7-12-010, Schedule of Use Regulations

(Note: make corresponding changes to Schedule of Use Regulations table)

TRANSITIONAL USE OVERLAY DISTRICT

Uses Permitted by Right

- Residential Uses
 - Detached single-family dwelling
 - Two-family dwelling
 - Boarding or rooming house in a dwelling occupied by the owner as the owner's principal residence
 - Multi-family dwelling, up to six dwelling units per acre
 - Conversion of existing single-family dwelling or non-residential building to two-family or multi-family dwelling
 - Congregate residence or assisted living facility for the elderly, up to ten (10) units
- Accessory Uses
 - Bed and breakfast
 - Home occupations
 - Professional office or studio of a/an engineer, architect, doctor, musician, artist, accountant or other recognized professional
 - Personal service establishment such as insurance, notary public, real estate broker, dressmaking or tailoring, beauty care, instructional studio for the fine arts or crafts, family day care, home care or therapy, home baker or caterer
 - Home business workshop, such as the business or shop of a painter, carpenter, electrician or similar recognized trade
 - Any home occupation allowed as an accessory use shall be part of the business owner's principal residence and no more than one (1) full-time or regular employee in addition to the business owner may use the office or studio

³ See Appendix H, Maps.

- One accessory dwelling in a detached single-family dwelling on a conforming lot, provided that:
 - The accessory unit does not exceed 900 square feet of gross floor area or 25% of the gross floor area of the principal dwelling, whichever is greater
 - There are no exterior changes to the principal dwelling except as required by the Building Code
 - There is one (1) dedicated parking space for the accessory dwelling, and the lot has sufficient area to accommodate the additional parking space, as determined by the Building Inspector
 - The owner makes adequate provisions for solid waste and wastewater disposal, as determined by the Board of Health

- Non-Residential Uses
 - Professional office, such as for an engineer, architect, attorney, accountant, graphic design, advertising, marketing research, or similar recognized professions
 - Antique shop

Uses Allowed by Special Permit from the Planning Board

- Multi-family dwelling, up to ten (10) units per acre
- Assisted living facility for the elderly, with more than 10 units

Amend SCHEDULE OF DIMENSIONAL REGULATIONS

(See attached)

PART IV: INDUSTRIAL DISTRICT A

Amend Chapter 7-12, USE REGULATIONS

Section 7-12-010, Schedule of Use Regulations

(Note: make corresponding changes to Schedule of Use Regulations table)

INDUSTRIAL DISTRICT A

Uses Permitted by Right

The following uses are permitted by right in a building that does not exceed 25,000 square feet of gross floor area:

- Industrial and Industrial-Office Uses
 - Manufacturing, processing, research, testing, fabrication, alteration, finishing, packaging and assembly of products, and accessory uses normally incidental thereto provided that such operations shall be conducted entirely within an enclosed building or structure.
 - Biomedical, biotechnology, bioprocessing and pharmaceutical uses
 - Manufacturing of precision instruments, tool and die, dental, medical and optical equipment, photographic equipment, electrical or electronic instruments, biomedical or biotechnology products
 - Laboratory for scientific, medical or industrial research, experiment and testing including testing and product development, but not including animal experimentation
 - Eco-industries
 - Printing and publishing, e.g., offset printing, digital printing, prepress services
 - Motion picture and sound recording production facilities
 - Administrative or executive offices for a permitted industrial use
- Warehouse and Distribution Uses
 - Wholesale warehouse, storage warehouse and distribution facilities for merchandise, machinery, and like products, provided that no retail sales are made on the premises
 - Wholesale lumber and building material distributors, fuel distributors, provided that no retail sales are made on the premises
 - Parcel distribution facilities
 - Freight or trucking terminal
- Public Services and Utilities
 - Essential public services such as transformer stations, substations, pumping stations, automatic telephone exchanges for neighborhood service only, not including outdoor vehicle or equipment storage
 - Wastewater treatment facilities
 - Any municipal use approved by Town Meeting
 - Hospitals, including dormitories accessory thereto
- Business Services
 - Business service centers

- Data processing centers and storage of office records and data
- Office administrative services, collection or credit agencies, mailbox rental and other postal and mailing services (not including direct mail advertising), word processing services
- Photocopying, duplicating, blueprinting, and other document copying services, excluding offset printing, digital printing or prepress services
- Office of wholesale or import/export agent or broker, or manufacturer's representative, with no storage of goods sold on the premises

- Commercial Uses
 - Business, medical, bank or other financial institution, or professional office or agency
 - Commercial and private for-profit educational use
 - Funeral home or mortuary
 - Medical or outpatient care centers

- Accessory Uses
 - Food service establishment or cafeteria principally serving the employees of a permitted use
 - Watchperson's quarters, no more than one (1) dwelling unit located on the premises of a permitted industrial use, up to a maximum of 1,200 square feet of gross floor area

Uses Allowed by Special Permit from the Planning Board

- Uses permitted by right in a building of more than 25,000 square feet of gross floor area
- Airport
- Radio or television towers, communication towers, relay stations
- Nursing home

PART V: INDUSTRIAL DISTRICT A-OVERLAY

Amend Chapter 7-08, ESTABLISHMENT OF DISTRICTS

Section 7-08-010, Districts Enumerated

Amend Part F, Overlay District, as follows:

(6) Industrial District A-Overlay

Section 7-08-020, Zoning Map Established

Amend by adding "Industrial District A-Overlay"⁴

Amend Chapter 7-12, USE REGULATIONS

Section 7-12-010, Schedule of Use Regulations

(Note: make corresponding changes to Schedule of Use Regulations table)

INDUSTRIAL DISTRICT A-OVERLAY

Uses Permitted by Right

- All uses permitted as of right in the underlying district (Industrial District-A)

The following additional uses are permitted as of right in a building that does not exceed 25,000 square feet of gross floor area:

- Hospitality, Entertainment, Recreational Uses
 - Outdoor amusement and theme parks
 - Golf course, country club
 - Indoor recreation, e.g., tennis or racquetball club, fitness center, gym
 - Hotel, motel
- Construction-Related Uses
 - Wholesale or retail sale of grain, building materials, garden equipment and supplies
 - Contractor's yard
 - Shop of a painter, carpenter, electrician, other similar recognized trade
- Auto-Related Uses
 - Automotive equipment rental and leasing, and automotive sales
 - Fuel service station, including auto repair shop
 - Auto body shop
 - Retail sale of auto parts and supplies
 - Car wash

⁴ See Appendix H, Maps.

- Transportation Uses
 - Commercial or commuter parking lot or structured parking facility
 - Passenger station

- Other Uses
 - Merchant wholesalers
 - Non-store retailers
 - Commercial greenhouse or nursery
 - Security systems and security services
 - General rental centers
 - Cemeteries

Uses allowed by Special Permit from the Planning Board

- Permitted uses in a building that exceeds 25,000 square feet of gross floor area
- Uses allowed by special permit in the underlying (I-A) district

PART VI. DIMENSIONAL REGULATIONS

Amendments to SCHEDULE OF DIMENSIONAL REQUIREMENTS¹

	Minimum Lot Area (sq. ft.)	Minimum Lot Frontage (feet)	Minimum Lot Width (feet)	Minimum Setbacks			Maximum Setback Front ²	Maximum Height		Maximum Floor Area	
				Front	Side	Rear		Stories	Feet	Ratio ³	Lot Coverage
<i>Residential</i>											
Residence A	80,000	200	200	30	15	25	-	-	-	-	None
Residence B	40,000	150	150	30	15	25	-	-	-	-	None
Residence C	20,000	100	100	30	15	25	-	-	-	-	None
Gen. Residence	15,000	100	100	30	15	25	-	-	-	-	None
Transitional Use ⁴	15,000	90	90	25	15	25	-	-	-	-	None
<i>Business</i>											
BA	4,000	50	None	None ⁵	None	None	-	-	45	2.00	None
BB-East ⁶	30,000	180	None	15	None	20	25	3	45	1.80	80% ⁷

¹ Footnotes in Northborough's existing Schedule of Dimensional Regulations have been omitted from this chart. All footnotes shown here relate to the zoning proposals outlined in the Northborough Community Development Plan.

² Proposed new dimensional standard aimed primarily at the BB-East District. Its purpose is to assure that new development contributes to a pedestrian-oriented business zone by bringing buildings close to the street. There are corresponding site design and parking requirements elsewhere in Appendix A.

³ Proposed new dimensional standard for non-residential districts. "Floor area ratio" is the amount of gross floor area in a development divided by total area of the parcel.

⁴ Proposed new overlay district. See Appendix G, Maps.

⁵ Northborough currently requires a minimum front yard setback of 6 feet in the BA District. Recommendation: reduce to 0 feet or "None."

⁶ Reflects proposed division of Business B District into two districts: BB-East and BB-West.

⁷ Northborough currently does not regulate lot coverage in the Business Districts. There should be a maximum lot coverage for *all* non-residential development.

	Minimum Lot Area (sq. ft.)	Minimum Lot Frontage (feet)	Minimum Lot Width (feet)	Minimum Setbacks			Maximum Setback Front ²	Maximum Height		Maximum Floor Area Ratio ³	Maximum Lot Coverage
				Front	Side	Rear		Stories	Feet		
BB-West	20,000	150	None				-	3	45	.50	60%
BB-West Overlay ⁸	30,000	200		15	None	20	25	3	45	2.00	80%
Business C	20,000	150	None	50	25	25		-	-	1.00	None
<i>Industrial</i>											
Industry A	60,000	150	None	40	20	25	-	-	60	1.00	60%
Industry A-Overlay ⁹	40,000	150	None	40	20	25	-	-	60	1.25	70%
Industry B	10,000	50	None	20	20	20	-	3	40		None

⁸ Proposed overlay district to encourage properties that redevelop in BB-West to achieve many of the same objectives as those outlined for BB-East. The FAR for BB-West Overlay is intentionally much higher than for BB-West in order to create realistic incentives for redevelopment that can provide public benefits.

⁹ Proposed overlay district that applies to the I-A District in the western end of town. Its purposes are to provide for a wider variety of uses on Northborough's industrially zoned land and to create ways for each of the large industrial areas to develop a unique identity.

PART VII. SITE PLAN REVIEW

Amend Section 7-20, SPECIAL REGULATIONS

Delete existing Section 7-20-040 and replace with the following:

7-20-040 Site Plan Review

A. Purpose and Intent.

Developments of non-residential, institutional, mixed use or multi-family uses, together with associated outdoor areas for vehicular movement and parking, accommodate varying degrees of open and continuous use by the general public. Due to their physical and operational characteristics, these developments may affect neighboring properties and adjacent sidewalks and streets. It is in the Town of Northborough's interest to promote functional and aesthetic design, construction, and maintenance of such developments and to minimize any harmful effects on surrounding areas. The intent of Site Plan Review is to regulate rather than prohibit uses through reasonable conditions that may be required by the Planning Board concerning design and location of buildings, signs, open space, landscaping, parking areas, access and egress, drainage, sewage, water supply and fire safety.

B. Applicability. Site Plan Review by the Planning Board is required for any of the following:

- (1) All new construction of commercial, industrial, institutional, municipal or other non-residential uses.
- (2) All commercial or industrial additions, alterations or reconstruction exceeding 1,000 gross square feet or that would require a total of ten (10) or more parking spaces to serve both existing and new development, or any change of use which would require ten (10) or more additional parking spaces based only on new development.
- (3) Construction or creation of any new parking lot or the expansion, or redesign of an existing parking lot with ten (10) or more parking spaces, used or to be used for any non-residential purposes.
- (4) All uses requiring a special permit.

C. Relationship to Other Permits and Approvals.

- (1) No building permit or occupancy permit shall be issued for any activity or use within the scope of this section unless a Site Plan has been reviewed and approved therefore, and the site is constructed in accordance with the approved Site Plan.
- (2) No activity within the scope of this section shall be carried out without a Site Plan approved by the Planning Board. Any work done in deviation from an approved Site Plan shall be a violation of this Bylaw, unless such deviation is approved in writing by the Planning Board as being of no significant detriment to the achievement of any of the purposes set forth herein.

- (3) Approval of a Site Plan under this section shall not substitute for the requirement of obtaining a special permit or other permits or approvals required by the Zoning Bylaw.
- (4) When a project requires both a Special Permit and Site Plan Review, the Planning Board and the appropriate Special Permit Granting Authority (SPGA) shall hold joint public hearings in order to coordinate the review process. Within the prescribed review periods, the Planning Board and the appropriate SPGA shall take separate actions relative to the proposal as required by the Zoning Bylaw.

D. Site Plan Application Procedures.

- (1) All applications for Site Plan Review shall be submitted to the Town Clerk, who shall forward the same to the Planning Board within five (5) days of receipt.
- (2) A complete Site Plan application shall include eight (8) copies of the Site Plan in accordance with the submission requirements at Section 7-20-040.E, the filing fee, and a completed distribution sheet demonstrating delivery of one (1) copy of the Site Plan each to the Board of Health, Town Planner, Conservation Commission, Town Engineer, Building Inspector, Board of Selectmen, Earth Removal Board, Department of Public Works, Fire Department, Design Review Committee and Police Department.
- (3) A complete Site Plan application shall also include five (5) copies of the Site Plan for the Design Review Committee, together with the additional requirements listed at Section 7-20-040 __, where applicable.

E. Site Plan Submission Requirements.

- (1) The site plan shall be prepared by a Massachusetts registered professional architect, landscape architect or registered professional engineer and shall show the following:
 - (a) All property boundaries, area and zoning classification, use and ownership of adjacent land, a locus map showing the project within the town at a scale of one (1) inch equals one hundred (100) feet, and the location and use of any building thereon within three hundred (300) feet of the boundary of the subject property. The Town of Northborough Assessor Maps, as amended to the date of filing said site plan, shall be acceptable to show the use and ownership information required by this subsection.
 - (b) Location of site with regard to the Groundwater Protection Overlay District as shown on the Town of Northborough Official Zoning Map.
 - (c) Location of site with regard to the Floodplain District as described in Section 7-08-030.
 - (d) Existing and proposed topographical contours of the property taken at two-foot (2') contour intervals by a registered engineer or registered land surveyor.
 - (e) Location of all wetlands or water bodies on the property and within one hundred feet (100') of the perimeter of the development activity.
 - (f) The nature, location and size of all significant existing natural land features, including, but not limited to, tree, shrub, or brush masses, all individual trees over ten inches (10") in caliper, grassed areas, and soil features.

- (g) Engineering cross-sections of proposed new curbs and pavements, and vision triangles measured in feet from any proposed curb cut along the street on which access is proposed.
 - (h) Proposed surface treatment(s) of paved areas and the location and design of drainage systems with drainage calculations prepared by a registered civil engineer.
 - (i) Comprehensive parking and traffic circulation plan, showing location and dimensions of proposed parking spaces, dividers, bumper stops, required buffer areas and planting beds, the location and dimensions of proposed pedestrian walkways, and provisions for accessible parking and circulation for persons with disabilities.
 - (j) Location, height, elevation, interior and exterior dimensions and uses of all buildings or structures, both proposed and existing; location, number and area of floors; number and type of dwelling units or proposed leasable areas; location of emergency exits, retaining walls, existing and proposed signs.
 - (k) Provisions for waste disposal, drainage, dust, erosion control and other utilities.
 - (l) Lighting plan showing the location, direction and intensity of existing and proposed external light fixtures.
 - (m) Landscaping plan showing the location, name, number and size of plant types, and the locations and elevation and/or height of planting beds, fences, walls, steps and paths.
- (2) When deemed necessary by the Planning Board, the applicant shall submit an impact report, prepared by a professional recognized or accredited in the relevant field, detailing the effects of the project on abutters and the Town in general. The Planning Board may require that any or all of the following topics be addressed:
- (a) Traffic impact: projected total and peak-hour trip generations, capacity of streets to be affected, assessment of ability of streets to handle additional traffic, existing and proposed traffic controls and sight lines at the intersections of proposed driveways and streets.
 - (b) Environmental impact: written analysis of the project's potential impacts on the quality of air, surface water and groundwater; flooding potential; erosion; increases in impervious surfaces; compliance with Groundwater Protection Overlay District requirements; hazards from radioactive emissions or other hazardous materials; solar access to adjacent properties; and noise and light impacts.
 - (c) Infrastructure impact: impacts on existing infrastructure serving the site, including roads, water, sewer, draining and other public utilities.
 - (d) Neighborhood impact: analysis of the project's impact on the surrounding neighborhood in terms of architectural compatibility, pedestrian movement and overall character, and impacts on nearby historic structures or sites.
- (3) A certified list of abutters shall be submitted with the application.

- (4) For applications that require design review, the applicant shall submit the following additional materials to the Planning Board and Design Review Committee.
 - (a) In cases involving changes to existing buildings:
 - [1] Photographs of existing buildings showing location of proposed alterations/renovations and of adjacent areas.
 - [2] Drawings showing exterior elevations, outline plans, schedule of exterior materials and colors.
 - [3] Landscaping (site) plan showing all proposed changes and describing all materials including plantings.
 - [4] Manufacturers' brochures with illustrations and specifications for new materials, components or assemblies to be used.
 - (b) In cases involving construction of new buildings:
 - [1] Site plan locating the structure and showing existing and proposed grades.
 - [2] Drawings of exterior elevations.
 - [3] Schematic floor plans.
 - [4] Schedule of all exterior materials and colors.
 - [5] Manufacturer's brochures as described above.
 - [6] Landscaping plan as described above.
 - [7] Photographs of adjacent buildings.
 - (c) Drawings standards. Drawings need not be professionally prepared but must:
 - [1] Be drawn to scale.
 - [2] Show all exterior features completely and accurately.
 - [3] Show finish grades and floor elevations.
 - [4] Indicate all materials, colors and unusual details.
 - (d) Photograph standards. Photographs must be recent. Photographs should be in color and no smaller than 4" x 6". Several different views are necessary, including those of adjacent properties.
 - (e) Samples. Samples, models, mock-ups, etc., may be requested by the Design Review Committee.

F. Site Plan Review Schedule.

- (1) For uses requiring a Special Permit and Site Plan Review, Site Plan Review shall be conducted concurrently with the Special Permit application, review, and decision process.

- (2) For all other uses requiring Site Plan Review, the Planning Board shall issue a decision within 90 days of the date of submission unless the period is extended through written mutual agreement between the Planning Board and the applicant.
 - (a) The Planning Board shall hold a public project review meeting with the applicant no later than 45 days from the date of submission of the proposed Site Plan. Departments of the Town receiving a review copy of the Site Plan shall forward their comments, in writing, to the Planning Board no later than the date of the public meeting.
 - (b) The Planning Board shall have the authority to deny any application that does not include the specific information required by Subsection E, Site Plan Submission Requirements, or, in cases of impact studies, as requested of the applicant in writing by the Planning Board. If all material has been submitted, the Planning Board shall work with the applicant to ensure that all aspects of the Site Plan meet town standards.
 - (c) The Planning Board shall either approve the site plan as presented or approve with conditions as determined during the review process. Those conditions shall be recorded with the plan at the Registry of Deeds and shall become binding zoning requirements of the project.
 - (d) Noncompliance with the site plan or the conditions placed on said plan by the Planning Board shall be cause for action by the Zoning Enforcement Officer of the Town of Northborough.
 - (e) If no action is taken within 90 days, the application shall be deemed approved as submitted except where the Planning Board and the applicant have agreed in writing to extend the review period.
 - (f) One copy of the approved Site Plan shall be provided each to the applicant, the Building Inspector, the Department of Public Works, the Police Department, the Fire Department, the Conservation Commission and the Board of Health. One (1) copy of the approved Site Plan shall remain in the records of the Planning Board.
- G. Site Plan Review Criteria. At minimum, the Planning Board shall review all Site Plans for the following:
- (1) Compatibility with the design and character of the surrounding area.
 - (2) Consistency with the General Site Design Standards at Subsection M.
 - (3) Consistency with the Special Site Design Standards in Subsection N, where applicable.
 - (4) Consistency with the Northborough Master Plan.
 - (5) Protection and enhancement of important existing site features, natural and man-made.
 - (6) Protection of adjoining premises against detrimental uses by provision of stormwater management, sound and light barriers, preservation of light and air, and preservation of views when possible.
 - (7) Adequacy of methods of wastewater disposal, as determined by the Board of Health.

- (8) Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic and/or adjacent streets, and the adequacy and arrangement of parking and loading spaces.
- H. Performance Guarantee. As a condition of Site Plan Review:
- (1) The Planning Board may require that a performance bond, secured by deposit of money or negotiable securities in the form selected by the Planning Board, be posted with the Town to guarantee completion of improvements to be made in compliance with the plans submitted and approved hereunder.
 - (2) The Planning Board may also require that an amount be included for land restoration not having to do with the construction of improvements. The amount of security shall be determined by an estimate from the applicant's engineer which may be confirmed or increased by the Board.
 - (3) The Town may use the secured funds for their stated purpose in the event that the applicant does not complete all improvements in a manner satisfactory to the Planning Board within two years from the date of approval, or the final date of the last extension of such approval, if any.
- I. Appeals. Applicants for a Site Plan Review may appeal conditions imposed by the Planning Board to the Zoning Board of Appeals.
- J. As-Built Plan. Upon completion of all work, an As-Built plan and a letter of certification shall be submitted to Building Inspector by a Registered Professional Engineer, Registered Architect, Registered Landscape Architect or Registered Land Surveyor, as appropriate to the work involved, that all work has been done substantially in compliance with the approved Site Plan.
- K. Duration of Approval. Site Plan Review shall become void two years from the date of issue, which two years shall not include time required to pursue or await determination of an appeal referred to in G.L. c.40A, Section 17, unless any construction work contemplated thereby shall have commenced and proceeded in good faith continuously to completion, except for good cause. In such case a request for extension of the date of completion must be submitted to the Planning Board.
- L. Regulations and Fees. The Planning Board shall adopt rules and regulations for Site Plan Review, including submission and review fees assessed to the applicant. Such fee may include a deposit for engineering, architectural or other reviews by a consultant selected by the Town.
- M. Site Design Standards; General Requirements. The purpose of site design standards is to ensure that adequate consideration will be given to the natural resources and characteristics of a site, to its topographic, hydrologic and geologic conditions, to public convenience and safety, particularly with regard to abutters, and to the suitability of a proposed use on a site. Before approving any site plan, the Planning Board shall assure that each site plan submitted for review and approval complies in full with the following site design standards:
- (1) Stormwater runoff. For all sites, the peak rate of stormwater runoff from the development site shall not exceed either the regulations of the Conservation Commission or the rate existing prior to the new construction based on a twenty-five-year design storm,

whichever is more restrictive. The applicant shall provide the analysis, certified by a Massachusetts registered civil engineer, necessary to document the previous and proposed runoff rates. The Planning Board may authorize the use of stormwater drainage facilities located off the development site and designed to serve one (1) or more lots, provided that it finds that:

- (a) The peak rate of stormwater runoff from such off-site facilities does not exceed the rate existing prior to the new construction based on a one-hundred-year design storm; and
 - (b) The applicant has retained the rights and powers necessary to assure that the off-site stormwater drainage facilities will be properly maintained in good working order.
- (2) Erosion control. Slopes in excess of ten percent (10%) shall be protected against erosion, runoff, and unstable soil, trees and rocks. Appropriate measures shall be taken to stabilize the land surface from unnecessary disruption. All stabilization measures shall be the responsibility of the property owner.
- (3) Minimum pavement standards.
- (a) All areas designed for vehicular use shall be paved with a minimum of either a three-inch (3") bituminous asphalt concrete, a six-inch (6") Portland cement concrete pavement, or other surface, such as brick, cobblestone or gravel.
 - (b) Pedestrian walkways shall be composed of a raised, color-treated or textured surface clearly distinct from paved areas for vehicular use. The selection of surface treatments for pedestrian walkways shall be approved by the Planning Board in consultation with the Town Engineer and Town Planner.
- (4) Outdoor lighting. Outdoor lighting, including lighting on the exterior of a building or lighting in parking areas, shall be arranged to minimize glare and to not shine beyond the perimeter of the site. Except for low-level intensity pedestrian lighting with a height of less than eight (8) feet, all outdoor lighting shall be designed and located so that the luminaire has an angle of cutoff less than seventy-six degrees (76°) and a line drawn from the height of the luminaire along the angle of cutoff intersects the ground at a point within the development site.
- (5) Common driveway. Wherever possible, the Planning Board encourages shared driveway access to two (2) or more lots used for business or mixed-use development in the Business Districts. A common driveway may not exceed a width of twenty-four (24) feet at any point where it crosses required open space or any parking setback area required under Section 7-20-010.
- (6) Placement of buildings and associated improvements. Buildings, structures, fences, lighting, and fixtures on each site shall be placed so as to not interfere with traffic circulation, safety, appropriate use and enjoyment of adjacent properties.
- (a) Buildings in a Business District shall be oriented toward the street, not toward the parking lot.

- (b) To the maximum extent practical, lighting of sidewalks shall be from storefronts, canopies or awnings.
- (7) Utilities. To the maximum extent practical, all utility service transmission systems, including but not limited to water, sewer, natural gas, electrical, telephone and cable, shall be placed underground.
- (8) Signs. All signs shall comply with the requirements of Section 7-20-030.
- (9) Landscaping standards. Landscaping of open space shall be designed to enhance the visual impact of the use upon the lot, adjacent property and views from the road. Where appropriate, existing vegetation may be retained and used to satisfy the landscaping requirements. Open space areas shall be kept free of encroachment by all buildings, structures, storage areas, parking and interior drives. Open space landscaping shall be maintained as open planted areas and used to ensure buffers between properties; minimize the visual effect of the bulk and height of buildings, structures, parking areas, lights or signs; and minimize the impact of the use of the property on land and water resources.
 - (a) In the Business or Industrial Districts where a business or industrial use abuts a Residential district, the Planning Board may require a landscape buffer of at least thirty (30) feet in depth.
 - (b) All parking lots and loading facilities shall be suitably landscaped to minimize their visual impact on the lot and upon adjacent property by the use of existing vegetation, where appropriate, and by the use of trees, shrubs, walls, fences or other landscape elements.
 - (c) Any parking lot containing ten (10) or more parking spaces shall include landscaping which, in the opinion of the Planning Board, is located and designed to enhance the visual appearance of the parking or loading facility, to ensure traffic safety and to minimize the adverse effects of the parking or loading facility on the natural environment. Such landscaped areas shall not be less in area than five percent (5%) of the total area of the parking lot and shall be in addition to any minimum open space required under Section 7-20-010. Any landscaping located at the perimeter of a parking lot which, in the opinion of the Planning Board, is deemed to satisfy the above standard shall be counted as open space but may be included as part or all of the required five-percent parking lot landscaping.
- (10) Bicycle facilities. Any development in a Business District shall provide bicycle racks in one or more appropriate locations on the site.
- (11) Off-street parking. All off-street parking shall be designed in accordance with Section 7-20-010, except as provided below.
 - (a) Reserve parking spaces. The applicant may request and, where appropriate, the Planning Board may authorize a decrease in the number of off-street parking spaces required in Section 7-20-010, subject to the following conditions:

- [1] The decrease in the number of parking spaces is no more than thirty percent (30%) of the total number of spaces required under Section 7-20-010. The waived parking spaces shall not be used for building area and shall be labeled as "Reserve Parking" on the site plan.
 - [2] Written approval is given by the Building Inspector, the Police Department and the Town Engineer.
 - [3] The proposed decrease in the number of required spaces will not create undue congestion, traffic hazards, or a substantial detriment to the neighborhood, and does not derogate the intent and purpose of this chapter.
 - [4] The reserve parking spaces shall be properly designed as an integral part of the overall parking development
 - [5] In no case shall any reserve parking spaces be located within areas counted as buffer, parking setback or open space.
 - [6] If, after one (1) year from the date of issuance of a certificate of occupancy, the Building Inspector and/or Planning Board find that all or any of the increased reserve spaces are needed, the Planning Board may require that all or any portion of the spaces identified as increased reserve spaces on the site plan be constructed within a reasonable time period as specified by the Planning Board. A written notice of such a decision shall be sent to the applicant within seven (7) days before the matter is next discussed at a Planning Board meeting.
- (b) Increase in parking spaces. The Planning Board may require provisions for an increase in the number of parking spaces required under Section 7-20-010, provided that:
- [1] The increase in the number of parking spaces is no more than twenty percent (20%) of the total number of parking spaces required under Section 7-20-010 for the use(s) in question.
 - [2] Any such increase in the number of required parking spaces shall be based upon the special nature of a use or building.
 - [3] The increased number of parking space shall be labeled "Increased Reserve Parking" on the Site Plan and shall be properly designed as an integral part of the overall parking layout, located on land suitable for parking development and in no case located within an area counted as buffer or parking setback. The applicant shall not be required to construct any of the spaces labeled as "Increased Reserve Parking" for at least one (1) year following the issuance of a certificate of occupancy. Where the increased reserve parking area is required and the applicant has otherwise provided the number of parking spaces required under Section 7-20-010, the area of land reserved for the increased number of parking spaces may be deducted from the minimum open space required under this chapter.

N. Site Design Standards; Special Requirements for BB-East District.⁵ In addition to the standards set forth in Subsection M, the following standards apply to site design in the Business B-East District. The Planning Board is authorized to adopt BB-East District Design Regulations to implement this section following a public hearing and consultation with the Department of Public Works, Town Engineer, Town Planner, Building Inspector, Police Department, Fire Department, Design Review Committee, Board of Selectmen and Capital Improvements Committee.

(1) Pedestrian facilities.

(a) Any development of 25,000 square feet or more of gross floor area in the BB-East shall provide a sidewalk of no less than ten (10) feet in width along Main Street.

[1] The sidewalk shall extend the full width of the lot, extend clearly across any access or exit driveway, and be designed to provide continuity with sidewalks on adjacent parcels.

[2] A row of trees shall be planted, or planters shall be placed, between the sidewalk and the street in order to create a sense of enclosure and to separate the movement zone for pedestrians from vehicular traffic on Main Street.

[3] Pedestrian amenities including but not limited to street furniture, trash receptacles, pedestrian-scale lighting and informational signage shall be placed between the sidewalk and the building or buildings facing Main Street.

[4] Interior pedestrian walkways shall be directly accessible from the sidewalk along Main Street and from off-street parking areas serving the development. The interior walkways shall be composed of a raised, color-treated or textured surface clearly identifiable and distinct from paved surfaces used for vehicular circulation.

(b) Any development of less than 25,000 square feet of gross floor area shall provide pedestrian facilities appropriate to the scale of the project, such as access walkways, street furniture, or a patio area with seating. All pedestrian facilities shall be in accordance with the Planning Board's BB-East District Design Regulations.

(2) Context. Major visual exposure comes not only from the front of a building. Accordingly, applicants should give full attention to the treatment of sidewalks, landscaping, parking areas and the building wall at the rear and sides.

(3) Buildings.

⁵ The additional requirements for development in the BB-East District represent an example of the approach that Northborough should take to supplement its Site Plan Review bylaw with criteria tailored to particular districts. Corresponding changes to the Design Review bylaw should be made in consultation with the Design Review Committee. In addition, it should be noted that many of the Economic Development recommendations for site development and building design standards could -- and probably should -- be addressed in Planning Board regulations instead of the Zoning Bylaw. The proposed Site Design Standards for the BB-East District include authorization for the Planning Board to adopt implementing regulations.

- (a) A lot may have more than one building used principally for commercial purposes, provided that aggregate gross floor area does not exceed the floor area ratio for the BB-East District of 2.0.
 - (b) Individual establishments within a building shall not exceed 8,000 square feet of gross floor area, or 20% of the gross floor area of the building, whichever is greater.
 - (c) Buildings shall face the street and may be oriented around a courtyard or respond in design to a prominent feature, such as a corner location. Buildings and site design should provide an inviting entry orientation.
 - (d) A single building with a width of more than 60 feet facing the street should be divided visually into sub-elements which, where appropriate, express the functional diversity within the building.
 - (e) All buildings should:
 - [1] Provide continuous visual interest, emphasizing such design features as bay windows, recessed doorways, pilasters, columns, horizontal and vertical offsets, material and color variations, decorative cornices, awnings or canopies.
 - [2] Avoid blank walls.
 - [3] Provide windows, displays, murals, secondary entrances, or other architectural features on side or rear walls that are visible to pedestrians or vehicular traffic.
 - [4] Avoid unarticulated and monotonous building facades and window placements, regular spacings, and building placements that will be viewed from the street as continuous walls.
 - [5] Provide human-scale features, especially for pedestrians and at lower levels and from a pedestrian viewing distance.
 - [6] Contribute to a sense of continuity and coherence for all who visit, shop or work in the BB-East District. Architectural diversity is encouraged as long as individual design solutions are compatible with the purposes of the BB-East District as a pedestrian-oriented, mixed-use area with a strong visual definition.
- (4) Signs.
- (a) To the maximum extent practical, signs should be integrated with the building's architecture and aligned to pedestrians on sidewalks, such as blade signs, single signs hung below canopies, or small signs on canopies or awnings.
 - [1] Sculptural signs, signs that incorporate artwork, or signs with high quality graphics are encouraged.
 - [2] Neon signs are permitted if they are incorporated into the design of the building.
 - (b) Front lighting or down lighting on signs is preferred. Internally lit signs are prohibited.

- (c) There shall be a maximum of one parking lot sign per entrance to a development, extending not more than 12 feet off the ground.
- (5) Landscaping. Visual relief from buildings and hard materials shall be accomplished with landscape treatments such as shrubs, trees, flower boxes and other greenery around buildings or in recessed places.
- (6) Large retail development. Large retail developments of more than 50,000 square feet of gross floor area should provide outdoor spaces and amenities to link structures with surrounding areas in the BB-East District or to nearby residential neighborhoods. Special design features should enhance the function of buildings as a center of activity. Subject to approval by the Planning Board, each large retail development should provide at least one of the following design features, which shall be constructed of materials that match the principal structure and be linked by sidewalks to the principal structure:
 - (a) Pedestrian plaza with benches
 - (b) Pedestrian walkway to adjacent residential neighborhood.
 - (c) Window shopping walkway
 - (d) Play areas
 - (e) Kiosk area
 - (f) Water feature or clock tower
 - (g) Other focal feature approved by the Planning Board
- (7) Off-street parking. The Planning Board prefers that wherever possible, developments on adjacent lots be served by shared parking areas under written shared parking agreements.

O. Design Review.⁶

- (1) Purpose. The purpose of this section shall be to promote historic preservation of land uses and structures along with implementing architectural and ecological consideration for the betterment of the community. This section is intended to provide a guide to the applicant in the development or evaluation of site and building design as well as a frame of reference for the design review of proposed actions. This section shall provide flexibility in the review process, as defined below. The application of this section is specifically precluded from mandating any official aesthetic style for Northborough and from imposing the style of any particular period. Rather, this section provides principles to strengthen the character of downtown Northborough as the focal point of a prosperous rural New England community and provides for the expansion of these design principles into the BB District. More specifically, this section shall seek to accomplish the following objectives:

⁶ This section is Northborough's existing Design Review bylaw, or Subsection M of Section 7-20-040. To implement the land use and economic development recommendations of the Community Development Plan, Northborough may need to amend the Design Review bylaw so that it complements new sections of the Site Plan Review bylaw, such as Site Design Standards for the BB-East District.

- (a) To encourage and guide the rebuilding and redesign of downtown Northborough and property in the BB District.
 - (b) To strengthen the downtown as the center of the community.
 - (c) To promote the downtown as a destination for shopping, services and government.
 - (d) To encourage that future construction and rebuilding maintain a relationship to the historic development of the community through appropriate design.
- (2) Applicability. Nothing in this section should be construed to conflict with M.G.L.A. C. 40, § 3, which prohibits the regulation or restriction of the use of materials or methods of construction of structures regulated by the State Building Code.
 - (3) Establishment. In accordance with § 7-04-020 Purposes, a design review process shall be required of all projects in the BA and BB Districts that fall under the authority of this § 7-20-040 Site Plan Approval.
 - (4) Appointment of Design Review Committee.
 - (a) The Planning Board shall have the authority to appoint a Design Review Committee. Such Committee shall be chaired by a member of the Planning Board and shall additionally consist of the following four (4) members:
 - [1] One (1) degreed architect.
 - [2] One (1) degreed landscape architect.
 - [3] One (1) representative appointed by the Chamber of Commerce.
 - [4] One (1) interested and responsible citizen of the town.
 - [5] Or a balance of representation as close as possible to this mix.
 - (5) Procedure. As a part of the site plan approval and special permit with site plan review processes, a review of the project for its design character shall be carried out by the Planning Board and the Design Review Committee. Said review shall proceed as follows. A minimum of two (2) meetings with the Design Review Committee shall normally be required to comply with the site plan approval process.
 - (a) Preliminary design review. At this meeting it is suggested that at least two (2) preliminary design alternatives be presented in rough sketch form. The purpose of the preliminary meeting is to discuss design alternatives during the early planning stages. Applicants are encouraged to have this meeting prior to their formal submittal of a site plan approval or special permit with site plan review application.

- (b) Formal design review. This meeting is held with the Planning Board and the Design Review Committee. The applicant's project shall be evaluated in terms of the criteria described in Subsection M(6), Decision criteria.⁷
- (6) Decision criteria. For all site plan approvals and special permits with site plan review within the BA District and BB District, the Planning Board shall use the following criteria to judge the design merits of a project when it hears the recommendations of the Design Review Committee. In cases where the Zoning Board of Appeals acts as the special permit granting authority, said Board shall consider the recommendations of the Design Review Committee and the Planning Board in the course of its special permit decision. The proposed project shall:
- (a) Preserve the distinguishing original qualities of the following buildings, structures or sites and their environments:
- [1] All of those buildings or structures within Historic Districts.
 - [2] The Town Hall replica.
 - [3] Trinity Church.
 - [4] Gale Library.
 - [5] Winn Whitaker Block (10 Main Street).
 - [6] Chapin-McAlister House (18 Main Street).
 - [7] Gale-Laurence House (20 Main Street).
 - [8] Carruth-Shattuck House (24 Main Street).
 - [9] Northborough National Bank Building (28 Main Street).
 - [10] Monroe Tavern (Carey Block, 20 Pierce Street).
 - [11] 10 Church Street.
- (b) Be compatible with the built and natural environment and reflect the traditional image of Northborough as a prosperous, rural New England town. The use of peaked roofs, chimneys, steeples, ornamental cornice work, towers, etc., are recommended to create interesting and varied roof lines. Buildings should acknowledge the uniqueness of their location, such as the corner of a block or end of a vista, with detailing correlating to the prominence of the setting.
- (c) Preserve and encourage distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site.

⁷ This reference applies to Northborough's existing Site Plan Review bylaw. Here, it should be read as Subsection O(6).

- (d) Be compatible with the authentic features of buildings in the Historic District and/or those historic structures listed above and preserve significant historical, architectural or cultural features when altering or adding to existing properties.
 - (e) Provide a favorable business climate and promote economic vitality. Designs should provide a mix of commercial, office and residential uses, including affordable housing. Each project need not include all these uses, but should be coordinated with adjacent properties to provide complimentary uses and activities.
 - (f) Ensure that new buildings or structures built close to the replica of the old Town Hall are similar to that building in mass, scale and height whereas those closer to the edges of zone BA are smaller in mass, scale and height. No building should exceed the height or mass of the old Town Hall.
 - (g) Ensure that site amenities such as seating, walkways, landscaping, fences, walls, light fixtures, etc., are provided, and are designed in order to support the other criteria described in this subsection. For lots which have frontage on Main Street, the traditional placement of buildings such that only a sidewalk and some landscaping is between the structure and Main Street is preferred.
 - (h) Ensure that signage relates in size, scale, color and overall design to the general character of its location and to the specific context in which it is to be placed.
 - (i) Provide aesthetically pleasing, integrated green spaces which foster recreational and community activities. Useful, interconnected open spaces, such as greens, squares, arcades, patios and similar gathering spaces, should extend into a project in order to promote interaction. These spaces should ideally be linked by a walkway system to encourage interaction and a sense of community.
 - (j) Improve traffic flow, pedestrian access and circulation to provide adequate parking. Parking and loading areas should be subdivided, screened and landscaped in order to reduce the visual impact of the parking and loading areas. Where possible, it is suggested that parking areas be combined with and linked to other parking areas in order to make use of shared and complementary uses, which may lessen the total number of parking spaces required. Combined driveways are suggested, where possible, in order to lessen the number of curb cuts and facilitate a better flow of traffic.
- (7) Design Review Committee recommendations. The Design Review Committee shall issue written recommendations to the Planning Board. Where the Planning Board shall render a decision contrary to the recommendations of the Design Review Committee, the Planning Board shall state the reasons therefor in writing.

PART VIII. OFF-STREET PARKING

Amend Section 7-20, SPECIAL REGULATIONS

Delete existing Section 7-20-010 and replace with the following:

7-20-010 Off-Street Parking Requirements⁸

- A. Purpose. The purpose of Off-Street Parking Requirements is to assure that any use of land designed to accommodate the arrival, departure, parking or storage of motor vehicles will be planned and operated to provide safe access and adequate off-street parking to serve the uses of such land. These requirements also are intended to provide for safe movement of pedestrians and to assure that necessary provisions are made for the safe use of such other means of transportation as may be reasonably expected to use a site. Finally, the requirements serve the purpose of establishing minimum landscaping requirements for off-street parking facilities in order to protect the Town of Northborough's health and safety.
- B. Applicability
- (1) No building or structure constructed after _____⁹ shall be used or shall be changed to a greater category of parking demand as described in Subsection O, Table of Off-Street Parking Requirements, except in compliance with this Bylaw.
 - (2) Any building, structure or land use with its associated parking, if any, which was existing or lawfully begun or for which a permit was issued prior to _____ may continue its permitted operation or may be changed to a use within the same or lesser category of parking demand without having to conform to these Off-Street Parking Requirements. However, any building or structure or land use which changes its operation to a category of greater parking demand, as outlined in Subsection O must comply.
 - (3) Where an existing building or structure has been damaged or destroyed by fire or other disaster, and reconstructed to the same size or lesser size as previously existed, the parking facilities which serve that building or structure may remain the same size and dimensions as previously existed, and continue, even though they do not conform to the requirements of this section, provided the building is not changed to a category of greater parking demand as outlined in Subsection O.
 - (4) No existing off-street parking spaces shall be eliminated if their removal would cause the total number of spaces provided on a site to be less than the number required by this Section.
- C. Compliance with Off-Street Parking Regulations.

⁸ For ease of use by permit granting authorities and applicants, the Town should consider merging the existing 7-20-010, Off-Street Parking, with 7-20-020, Off-Street Loading, thereby creating a consolidated section called "Off-Street Parking and Loading Requirements."

⁹ Refers to the date of adoption of the Off-Street Parking Requirements.

- (1) The Planning Board shall determine compliance with the following off-street parking requirements during Site Plan Review under Section 020-70-040.
- (2) For projects that are exempt from Site Plan Review, the Building Inspector shall determine whether a site provides sufficient parking for the proposed use(s).

D. Dimensional Requirements.

- (1) For the purpose of this regulation, an off-street parking space or parking stall is an all-weather, surfaced area having a width of not less than nine (9) feet and a length of not less than eighteen (18) feet for angle parking or twenty-two (22) feet for parallel parking. The length required shall be measured on an axis parallel with the vehicle after it is parked. The required areas, other than those serving one- and two-family dwellings, are to be exclusive of driveways and shall be permanently reserved for the temporary parking of one automobile, and shall be connected with a street or public right-of-way by an all-weather surfaced driveway. In the case of single-family and two-family dwellings, all-weather surfaces shall not be required.
- (2) In parking lots containing more than 50 parking spaces, ten percent (10%) of the required parking spaces may be designed for small-car use. Small-car parking spaces shall be not less than nine feet in width and not less than 16 feet in length, and they shall be grouped in one or more contiguous areas and identified by appropriate signage.

E. Location of Required Parking Spaces

- (1) Except as provided hereunder, required parking spaces shall normally be located on the same lot as the building or use they serve. However, the Planning Board may grant a special permit to allow use of parking facilities not on the same lot, provided that the Board determines, in consultation with the Building Inspector and Police Department, that proper provision is made to insure pedestrian and traffic safety and that the purposes of these Off-Street Parking Requirements are attained.
- (2) Land in a Residential District shall not be used for off-street parking accessory to or to service a structure or use in a Business or Industrial District.

F. Basic Design Standards

- (1) Parking areas used for parking and vehicle maneuvering shall have grades not to exceed five (5) percent slope.
- (2) Driveways used exclusively for ingress or egress or interior parking lot circulation shall have slopes not exceeding twelve (12) percent except within thirty (30) feet of the road, in which case the slope shall not exceed five (5) percent.
- (3) Except for parking within an enclosed structure, e.g., a parking garage, no parking space shall be located within eight feet of a building wall. No access aisle, entrance or exit driveway shall be located within five feet of a building. Loading docks are exempt from this requirement.

G. Access Driveways.

- (1) For parking areas containing fewer than 5 spaces, the minimum width of entrance and exit drives shall be 10 feet wide for one-way use and 18 feet wide for two-way use. For facilities containing five or more spaces, such drives shall be a minimum of 12 feet wide for one-way use and 22 feet wide for two-way use. The minimum curb radius shall be 15 feet. The maximum width of such driveways at the property line shall be 24 feet. The Planning Board may modify these width and radius limitations to facilitate traffic flow and safety.
- (2) Entrance and exit driveways will be located so as to provide for safe access and egress to the parcel being served. In addition, evidence that the necessary driveway permits will be issued by either the Northborough Department of Public Works for town-controlled roads or Massachusetts Highway Department for state-controlled roads must be presented before a building permit may be issued.
- (3) The Town of Northborough prefers shared access drives serving adjacent non-residential or mixed-use parcels, with shared parking located behind buildings. The Town recognizes that if a Curb Cut Permit is required from the Massachusetts Highway Department, the construction, width and number of driveways shall conform to the Massachusetts Highway Department standards. However, the Town expects applicants for Site Plan Review to make every reasonable effort to establish shared driveway access in a manner that will satisfy Massachusetts Highway Department standards.

H. Interior Lanes and Driveways.

- (1) Interior drives shall be of adequate width to serve a particular design arrangement of parking spaces, the following being the minimum width permitted.
 - (a) For 90 degree to 61 degree parking, driveway width shall be at least 24 feet.
 - (b) For 60 to 46 degree parking, driveway width shall be at least 18 feet
 - (c) For 45 to 30 degree parking, driveway width shall be at least 15 feet
 - (d) For parallel parking, driveway width shall be at least 15 feet
- (2) Ninety degree (90 degree) or parallel parking shall be used in all off-street parking lots unless there is positive control of traffic directions. Parking at angles at less than thirty degrees (30 degrees) is prohibited except for parallel parking. The minimum width of any interior driveway serving an off-street parking area shall be fifteen (15) feet.

I. Construction of Parking Spaces. Except for single-family or two-family residences, all required parking spaces shall be marked by painted lines, curbs or other means to indicate individual spaces. Signs or markers painted or provided and maintained in good condition shall be used as necessary to assure efficient traffic flow within the lot.

J. Pedestrian Walkways.

- (1) Crosswalks shall be provided in appropriate locations and shall be clearly recognizable through the use of raised, textured or color treatments in order to aid pedestrians in crossing traffic within the lot.

- (a) Any off-street parking area located in front of a building shall be separated from it by a paved walk at least eight (8) feet wide with a seven (7) inch high safety curb located along the front of the building, or other safety devices as the Planning Board may specify.
- (b) Where there exists along an exterior side or rear wall, an entrance or exit normally used by the general public (excepting therefrom but not limited to fire doors and loading areas) such entrance or exit shall be provided with a paved walk at least four (4) feet wide with a seven (7) inch high safety curb extending at least six feet along the building on either side of such entrance or exit.

K. Landscaping and Screening Requirements.

(1) Buffer areas.

- (a) Any off-street parking or storage area serving a use other than one (1) and two (2) family dwellings and which abuts residentially zoned land shall be separated from the adjoining land by a ten (10) foot buffer area.
 - [1] The buffer area shall be suitably landscaped and maintained with natural and living materials so as to create an effective year-round visual screen at least six (6) feet in height to insulate the residentially zoned land from the off-street parking area.
 - [2] Trees planted in this buffer area shall be at least six (6) feet in height and not less than two (2) inches in diameter immediately after planting. By special permit, the Planning Board may allow the use of a fence, wall or other non-living structure to achieve the purpose of this buffer, provided it is determined to be a more effective and suitable buffer than could be provided with living materials.
- (b) At minimum, all off-street parking and loading areas except those serving one- and two- family dwellings shall be separated from adjacent properties by a four (4) foot buffer strip planted with grass or similar ground cover. However, where adjacent parcels agree to share a common parking area with a common entrance and exit, the Planning Board may approve eliminating the minimum four (4) foot buffer on all common property lines.
- (c) The Town prefers that wherever possible, existing natural vegetation and landforms are protected and incorporated into the buffer area. Major trees and outlines of wooded areas shall be shown on the required Site Plan.

(2) Interior landscaping.

- (a) Off-street parking areas that cover twenty (20) percent or more of the total site area shall have at least ten (10) square feet of interior landscaping for each parking space. As used herein, "interior landscaping" shall be defined as landscaped islands or areas, exclusive of any other landscaping or buffer areas required elsewhere in these Off-Street Parking Requirements, which are contained within or project into the paved off-street parking area.

- [1] Each separate landscaped area shall contain a minimum of one hundred (100) square feet, shall have a minimum dimension of at least five (5) feet, shall be planted with grass or low shrubs, and shall include at least one deciduous tree of not less than two (2) inches in diameter and at least six (6) feet in overall height immediately after planting.
 - [2] Each such island shall have a five (5) inch curb and may be used to locate hydrants within a parking area.
 - [3] Whenever possible, such interior landscaping shall be located so as to channel pedestrian and vehicular traffic safely and efficiently.
- (b) For off-street parking areas covering less than 20% of the total site area, interior landscaping shall include at least one deciduous tree for each eight parking spaces, each tree to be not less than two (2) inches in diameter and at least six (6) feet in overall height immediately after planting.
- (3) Landscaping adjacent to right of way.
- (a) Except for parking that serves single-family and two-family uses, off-street parking areas shall have a continuous landscaped strip adjacent to the right-of-way line of any existing, proposed, paper, public, or private street, or state highway. The landscaped strip shall not be less than ten (10) feet wide.
 - [1] For parcels in the BB-East and BB-West Districts, there shall be a landscaped strip with at least ten (10') feet of width for every one hundred (100') feet of width or fraction thereof of frontage, up to a maximum required width of thirty-five (35) feet.
 - [a] Wherever possible, the landscape strip should be located between the sidewalk in front of the parcel and the road in order to create a sense of enclosure for pedestrians. In these cases, the Planning Board may approve a reduction in width of the landscaped strip in order to accommodate both a wide sidewalk and landscaping within the front yard setback.
 - [b] Trees to be planted shall be a minimum of 2 1/2 inches in caliper six feet above grade, be of a species common in Northborough, tolerant of future site conditions and reach an ultimate height of at least 30 feet.
 - [2] In the BC and IA Districts, the continuous landscaped strip adjacent to the right-of-way along the frontage of the parcel shall be at least thirty (30) feet in depth.
 - [3] The landscaped strip along any streets internal of the parcel shall be at least 10 feet in depth.
 - [4] Bituminous concrete or concrete paving is prohibited in the buffer area except for driveways and sidewalks. The buffer adjacent to the right-of-way required by this section must be located within the affected parcel.

L. Lighting. Adequate lighting shall be provided in lots of more than ten (10) spaces if off-street parking spaces are to be used at night. However, minimum security lighting must be provided in all lots serving other than one-and two-family residential. The lighting shall be arranged and installed to minimize glare on adjacent property. If property is not to be used at night, a note to that effect shall be indicated on the plan.

M. Special Requirements for Non-Residential Zoning Districts.

(1) Business districts

(a) Minimum design standards. All parking areas shall be graded and surfaced and have a minimum of twenty (20) feet as a means of access and a minimum of twenty (20) feet as a means of egress where separate means are provided and be otherwise adopted to the parking of vehicles and shall be kept available therefor. Where only one (1) means for both access and egress is provided, the width of the means shall be a minimum of twenty-five (24) feet. A parking area for one (1) vehicle shall be not less than one hundred eighty (180) square feet plus space for maneuvering. Provisions for adequate drainage of the parking area shall be required.

(b) Location of parking areas.

[1] In Business Districts A and B-East, off-street parking for uses other than detached single-family or two-family homes shall be located in the rear and to the side of buildings, except that no side yard parking shall be located within 20 feet of the front elevation of a building. Projects involving the renovation or redevelopment of existing buildings will not be required to conform to this requirement if the proposed uses are within the same or lesser category of parking demand. However, any building or structure or land use which changes its operation to a category of greater parking demand, as outlined in Subsection O, must comply. All new construction must comply.

[2] In Business District B-West, parking may be located in front of a building provided that no parking areas extend to a depth of more than 40 feet from the right of right-of-way line.¹⁰ All other parking required by these regulations shall be located to the side or rear of buildings. Projects involving the renovation or redevelopment of existing buildings will not be required to conform to this requirement if the proposed uses are within the same or lesser category of parking demand. However, any building or structure or land use which changes its operation to a category of greater parking demand, as outlined in Subsection O, must comply. All new construction must comply.

¹⁰ This provision recognizes the established development pattern in the BB District located west of Downtown Northborough. However, as recommended in the Community Development Plan, the Town should consider establishing an overlay district for BB-West that provides redevelopment incentives in exchange for bringing buildings closer to the street. Toward this end, the front yard setback in the BB-West Overlay District should be comparable to that proposed for the new BB-East District, and for developments approved under the overlay district regulations, there should be no parking in front of a building.

- [3] In Business District A, up to one hundred percent (100%) of the required parking as determined by Subsection O may be permitted off-site if the Planning Board determines that such an arrangement is superior to on-site parking and/or furthers the Town of Northborough's downtown planning objectives. All such arrangements shall be presented in writing, approved by the town's legal counsel and recorded with the property deed.
- (c) Shared parking. Shared parking is encouraged and shall conform to the most recent Institutes of Traffic Engineers (ITE) standards for shared parking. The Planning Board may authorize a decrease of up to twenty-five-percent in total required parking spaces for developments served by shared parking.
- (2) Industrial districts.¹¹
- (a) The entrances and exits to the property shall be located so that vehicular movement in connection with such uses will not make undue use of local residential streets.
- (b) All off-street parking areas and driveways are to be treated with a surface binder, gravel or crushed stone and are to be adequately drained.
- (c) No more than two (2) driveways of a minimum width of twenty-two (22) feet and a maximum width of twenty-six (26) feet each shall be permitted on the total street frontage of any use. The Planning Board may, at its discretion, allow for the driveway to be wider than twenty-six (26) feet in order to accommodate additional traffic flow by adding turning and through lanes. Review of any proposal to create wider driveways shall be based upon evidence provided regarding traffic generated by the proposed project, existing roadway conditions and capacity, and the layout of the proposed driveways.
- (d) Shared parking. In determining the appropriate reduction, if any, the Planning Board may give consideration to the hours of usage of the proposed use/structure, hours of usage of other uses/structures within the district, amount of "shared" parking with other uses, as well as other relevant information to assist the Planning Board in determining the need for additional parking for motor vehicles.
- N. Planning Board Regulations. The Planning Board has the authority to adopt regulations to implement this section, following a public hearing and consultation with the Town Engineer, Police Department, Department of Public Works, Building Inspector, and Town Planner.

¹¹ These industrial district standards mirror Northborough's existing requirements. They have not been modified because the Town recently adopted several zoning amendments for the industrial districts, including parking requirements.

O. Table of Off-Street Parking Requirements

USE	REQUIRED NUMBER OF SPACES
Residential Uses	
Detached single-family or two-family dwelling	2 spaces per unit
Multi-family dwelling	1 space per studio unit 1.5 spaces per one-bedroom unit 2 spaces per unit with two or more bedrooms
Assisted living facility	.5 space per unit 1 space per employee on each shift
Nursing home	1 space for each 6 patient accommodations, plus 1 space for each 2 employees on the largest shift
Congregate living residence	1 space per unit
Senior residence (over-55) unit	1.5 spaces per unit
Accessory dwelling unit	1 space per unit in addition to spaces required for principal dwelling
Home occupation	As required for the particular occupation and use, in addition to required spaces for the dwelling unit
Commercial & Institutional Uses	
Restaurant, bar	1 space per three seats or 1 space per 50 square feet of public floor area, ¹² plus 1 space for every two employees on the largest shift
Drive-through restaurants	1 space per 50 square feet GFA, minimum of 20 spaces
Retail store	3 spaces per 1,000 square feet for the first 10,000 square feet GFA 2.5 spaces per 1,000 square feet for between 10,001-12,500 square feet GFA 2 spaces per 1,000 square feet for GFA over 12,500
Personal pr business service establishment	1 space per 250 square feet GFA
Professional or business office	1 spaces per 400 square feet GFA
Bank, financial institution	1 space per 250 square feet GFA
Hotel or motel	1 space per sleeping room, and 1 space for every 3 employees on the largest shift. For hotel or motel with conference and/or restaurant space, add 1 per 200 square feet of restaurant and function room floor area combined
Place of assembly with fixed seating, such as a church, stadium, assembly hall	1 space for every three seats or, when benches are used, 1 space per eight linear feet of bench
Museum	1 space per 80 square feet of public floor area

¹² "Public area" means the area reserved for actual consumption of food and beverages by the general public.

USE	REQUIRED NUMBER OF SPACES
All other places of public assembly	1 space for every five occupants as determined by the State Building Code
Theatre, cinema	1 space for every 3 seats for single-screen theatres; for theaters with more than one screen, 1 space for every 5 seats
Library or museum	1 space per 1,000 square feet GFA
Hospital	1 space for each two beds plus 1 space for each 2 employees on the largest shift
Funeral home	1 space per sixty (60) square feet of public area in addition to spaces required for residence, where applicable
Bowling alley	4 spaces per each alley
Other commercial uses	The greater of 1 space per three employees or 1 space per 300 square feet of GFA
Industrial Uses	
Office for administrative, executive, professional, medical sales and other similar uses, the normal operation of which does not involve retailing activities on the premises	Minimum 1 per 300 square feet of gross floor area. Maximum 1 per 200 square feet of gross floor area.
Laboratory for scientific, industrial research, research & development, or biomedical research & technology	Minimum 1 per 400 square feet of gross floor area. Maximum 1 per 300 square feet of gross floor area.
Wholesale warehouse, truck freight terminal or storage warehouse	Minimum 1 per 1,500 square feet of gross floor area. Maximum 1 per 1,000 square feet of gross floor area.
Light industrial use, including manufacturing, storage, processing, fabrication, packaging and assembly	1 per 500 square feet of gross floor area
Printing, publishing, or copying facilities	1 per 500 square feet of gross floor area
Public utility building or structure	1 per 500 square feet of gross floor area
Industrial park services	Restaurant: 1 per 3 seats plus 1 for every 2 employees on shift of greatest employment; bank, minimum 1 per 250 square feet of gross floor area and maximum of 1 per 200 square feet of gross floor area.

P. Notes to Table of Off-Street Parking Requirements

(1) Interpretation

- (a) The parking required herein is in addition to space for storage of trucks or other vehicles used in connection with a business, commercial or industrial use.
- (b) Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.

- (c) The parking space requirements for a use not specifically listed in this section shall be as specified by the Building Inspector based on a listed use of similar characteristics of parking demand generation.
 - (d) For mixed uses in an individual building up to 5,000 square feet of gross floor area or a parcel of land used for two or more principal uses that fall into different classes of use, i.e., uses with different parking requirements occupying the same building or premises, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
 - (e) For buildings of more than 5,000 square feet of gross floor area that accommodate several distinct principal uses, such as a small shopping center or a retail building with upper-story offices, the total amount of required parking may be reduced by 25% for each additional 5,000 square feet of floor area.
 - (f) Where a single parking area contains more than 400 adjoining parking spaces intended to serve more than one establishment dedicated to the retail sale of products or services to the general public, the total number of parking spaces required in excess of 400 may be reduced by 25%.
 - (g) As used in Subsection O, gross floor area shall mean the total floor area of all floors, including basements, within the perimeter of the outside walls of the building under consideration, with no deduction for hallways, stairs, closets, thickness of walls, columns or other features. However, where a basement is used only for storage and not accessible to the public only one-fourth of such area need be included in the calculation of gross floor area.
 - (h) In a commercial district where outside sales or storage space is provided, the square foot area shall be added to the gross floor area for the purpose of calculating the required number of parking spaces.
- (2) Exceptions for Business A (BA) District. In the BA District, the number of parking spaces required may be reduced by up to twenty five (25%) percent of the requirement of Subsection O when the Planning Board, with the concurrence of the Building Inspector and Police Department, determines that sufficient public parking spaces exist within close proximity of such activity to supplement its parking needs. In addition, the Planning Board may waive all or part of these Off-Street Parking and Loading Requirements in the BA District if the Board determines that a reasonable effort has been made to meet the requirements and no additional spaces can be provided on a site.

PART IX. INCLUSIONARY ZONING

Amend Section 7-20, SPECIAL REGULATIONS

Add new Section 7-20-120 as follows:

7-20-120 Inclusionary Housing

A. Purposes and Intent. The purposes of the Inclusionary Housing Bylaw are to:

- (1) Produce high-quality dwelling units affordable to low- or moderate-income households.
- (2) Provide more housing choices in Northborough.
- (3) Promote geographic distribution of affordable housing units throughout the Town.
- (4) Assist the Town in providing housing units eligible for listing on the Subsidized Housing Inventory under G.L. c.40B, Sections 20-23.

B. Definitions

- (1) Accessible: As applied to the design, construction, or alteration of a dwelling unit, accessible housing is a housing unit that can be approached, entered, and used by individuals with mobility impairments.
- (2) Affordable Housing Trust Fund: A fund account established and operated by the Town for the exclusive purpose of creating or preserving affordable housing opportunities in the Town of Northborough.
- (3) Affordable Housing Unit: A dwelling unit that is affordable to and occupied by a low- or moderate-income household and meets the requirements of the Local Initiative Program for inclusion on the Chapter 40B Subsidized Housing Inventory.
- (4) Affordable Housing Restriction: A contract, mortgage agreement, deed restriction, or other legal instrument, acceptable in form and substance to the Town of Northborough, that effectively restricts occupancy of an affordable housing unit to qualified purchaser or qualified renter, and which provides for administration, monitoring and enforcement of the restriction during the term of affordability. An affordable housing restriction shall run with the land in perpetuity or for the maximum period of time allowed by law, so as to be binding on and enforceable against any person claiming an interest in the property. An affordable housing restriction shall be enforceable under the provisions of G.L. c.184, Section 32, and be approved by the Department of Housing and Community Development through the Local Initiative Program.
- (5) Dwelling Unit: A dwelling unit or a unit within an assisted living facility or congregate residence.
- (6) Local Initiative Program: A program administered by the Massachusetts Department of Housing and Community Development (DHCD) pursuant to 760 CMR 45.00 to develop and implement local housing initiatives that produce low- and moderate-income housing.

- (7) Low- or Moderate-Income Household: A household with income at or below 80% of area median income, adjusted for household size, for the metropolitan or non-metropolitan area that includes the Town of Northborough as determined annually by the United States Department of Housing and Urban Development (HUD).
- (8) Maximum Affordable Purchase Price or Rent: A selling price or monthly rent, exclusive of utilities, that meets the maximum purchase price or rent guidelines of the Local Initiative Program.
- (9) Qualified Purchaser: A low- or moderate-income household that purchases and occupies an affordable housing unit as its principal residence.
- (10) Qualified Renter: A low or moderate-income household that rents and occupies an affordable housing unit as a tenant.
- (11) Subsidized Housing Inventory: The Department of Housing and Community Development Chapter 40B Subsidized Housing Inventory as provided in 760 CMR 31.04.

C. Applicability.

- (1) This Bylaw applies to all developments involving the creation of five (5) or more dwelling units or five (5) or more lots for residential use.
- (2) Developments may not be segmented to avoid compliance with this Bylaw. Segmentation shall mean one or more divisions of land that cumulatively result in an increase by five or more residential lots or dwelling units above the number existing twenty-four months earlier on any parcel or on a set of contiguous parcels that were in common ownership as of the effective date of this Bylaw.
- (3) Mandatory Provision of Affordable Housing Units. In any development subject to this Bylaw, the fifth unit, the eleventh unit, the sixteenth unit and every tenth unit thereafter shall be an affordable housing unit. Nothing in this section shall preclude a developer from creating more affordable housing units than required under the provisions of this Bylaw.

D. Methods of Providing Affordable Housing Units. The Planning Board, in its discretion, may approve one or more of the following methods, or any combination thereof, for the provision of affordable housing units by a development that is subject to this Bylaw.

- (1) The affordable housing units may be constructed or rehabilitated on the locus of the development.
- (2) The affordable housing units may be constructed or rehabilitated on a locus different than that of the development. The Planning Board, in its discretion, may allow a developer of non-rental dwelling units to develop, construct or otherwise provide affordable units equivalent to those required by this Bylaw in an off-site location in the Town of Northborough. All requirements of this Bylaw that apply to on-site provision of affordable units shall apply to provision of off-site affordable units. In addition, the location of the off-site units shall be approved by the Planning Board as an integral element of the development review and approval process.

- (3) A donation of land may be made in lieu of providing affordable housing units. An applicant may offer, and the Planning Board may accept, subject to approval of the Board of Selectmen, donations of land in fee simple, on- or off-site, that the Planning Board determines are suitable for the construction of an equivalent number of affordable housing units. The value of donated land shall be equal to or greater than the value of the construction or set-aside of the affordable units. The Planning Board may require, prior to accepting land as satisfaction of the requirements of this Bylaw, that the applicant submit appraisals of the land in question, as well as other data relevant to the determination of equivalent value.
- (4) An equivalent fee in lieu of units may be paid to the Town. The Planning Board, in its discretion, may allow a developer of non-rental dwelling units to make a cash payment to the Town through its Affordable Housing Trust Fund for each affordable unit required by Subsection D of this Bylaw.
 - (a) For single-family dwellings, the cash payment shall be equal to the difference between the median single-family home sale price in Northborough for the most recent three fiscal years, as determined by the Board of Assessors, and the price of an affordable housing unit for a qualified purchaser, assuming a household size of 1 person per bedroom plus 1 additional person.
 - (b) For condominium units, the cash payment shall be equal to the difference between the median condominium sale price in Northborough for the most recent three fiscal years, as determined by the Board of Assessors, and the price of an affordable housing unit for a qualified purchaser, assuming a household size of 1 person per bedroom plus 1 additional person.
 - (c) In no event shall the sale price of an affordable housing unit exceed the sale price of a unit that would be eligible for listing on the Subsidized Housing Inventory as a Local Initiative Unit.

E. General Provisions

- (1) The Planning Board shall be charged with administering this Bylaw and shall promulgate rules and regulations to implement its provisions, including but not limited to submission requirements and procedures, methods of setting the maximum affordable sale price or rent, minimum requirements for a marketing plan, and documentation required by the Town to qualify the affordable housing units for listing on the Chapter 40B Subsidized Housing Inventory.
- (2) Affordable dwelling units shall be dispersed throughout the building(s) in a development and shall be comparable to market housing units in terms of location, quality and character, room size, bedroom distribution, and external appearance.
- (3) The Planning Board, in its discretion, may require the provision of an accessible unit(s), up to 5% of the total number of units, and may designate when the unit(s) shall be provided during the construction process.

- (4) The selection of qualified purchasers or qualified renters shall be carried out under a marketing plan approved by the Planning Board. The duration and design of the marketing plan shall reasonably inform all those seeking affordable housing, both within and outside the Town, of the availability of such units. The marketing plan must describe how the applicant will accommodate local preference requirements, if any, established by the Board of Selectmen, in a manner that complies with the nondiscrimination in tenant or buyer selection guidelines of the Local Initiative Program.
- (5) Developers may sell affordable units to the Town of Northborough, the Northborough Housing Authority, the Northborough Affordable Housing Corporation, or to any non-profit housing development organization identified by the Planning Board as serving the Town of Northborough, in order that such entity may carry out the steps needed to market the affordable housing units and manage the choice of buyers.

F. Timing of Construction

- (1) Where feasible, affordable housing units shall be provided coincident to the development of market-rate units, but in no event shall the development of affordable units or payment of fees in lieu of providing affordable units be delayed beyond the schedule below. Fractions of units shall not be counted.

MARKET-RATE UNIT %	AFFORDABLE HOUSING UNIT %
Up to 30%	None required
30% plus 1 unit	At least 10%
Up to 50%	At least 30%
Up to 75%	At least 50%
75% plus 1 unit	At least 70%
Up to 90%	100%

- (2) Certificates of Occupancy for any market-rate housing units shall be issued at a ratio of Certificates of Occupancy for required affordable housing units or fees paid in lieu of units in accordance with the schedule above.

G. Preservation of Affordability; Restrictions on Resale

- (1) An affordable housing unit created in accordance with this Bylaw shall be subject to an affordable housing restriction or regulatory agreement that contains limitations on use, resale and rents. The affordable housing restriction or regulatory agreement shall meet the requirements of the Town and the Local Initiative Program, and shall be in force for the maximum period allowed by law.
- (2) The affordable housing restriction or regulatory agreement shall be enforceable under the provisions of G.L. c.184, Section 32.
- (3) The Planning Board shall require that the applicant comply with the mandatory provision of affordable housing units and accompanying restrictions on affordability, including the execution of the affordable housing restriction or regulatory agreement.

- (4) All documents necessary to ensure compliance with this Bylaw shall be subject to the review and approval of the Planning Board and, as applicable, Town Counsel. Such documents shall be executed prior to and as a condition of the issuance of any Certificate of Occupancy.

H. Severability. If any portion of this Bylaw is declared to be invalid, the remainder shall continue to be in full force and effect.

PART X. AFFORDABLE HOUSING TRUST FUND

Note: this is not an amendment to the Zoning Bylaw. It is a home rule petition that the Town would need to approve at a town meeting and submit to its state representative in order to obtain a special act of the legislature. There is no explicit general law authority for cities and towns to establish a special revenue fund for affordable housing purposes.

AFFORDABLE HOUSING TRUST FUND

SECTION 1. The Town of Northborough may establish a separate fund to be known as the Affordable Housing Trust Fund for the purpose of creating or preserving affordable housing by (a) the Town of Northborough or the Northborough Housing Authority, (b) the Northborough Affordable Housing Corporation or a housing trust, community development corporation, non-profit housing development corporation, or similar entity created under the laws of the commonwealth for the purpose of creating, maintaining or operating affordable housing, or (c) an applicant for affordable housing funds to the United States Department of Housing and Urban Development or the Massachusetts Department of Housing and Community Development, subject to the subsequent approval of funding by that agency. Expenditures from the Affordable Housing Trust Fund shall be authorized by a majority vote of the Board of Selectmen, in consultation with the Northborough Housing Partnership.

SECTION 2. All the expenditures from the fund shall be used for low- or moderate-income housing as defined in section 20 of chapter 40B of the General Laws. The funds may be used to:

- a) Purchase and improve land for low- or moderate-income housing;
- b) Acquire and rehabilitate or redevelop existing dwelling units for purchase or rental by low- or moderate-income homebuyers or tenants;
- c) Acquire, redevelop and convert existing non-residential structures for low- or moderate-income housing;
- d) Develop and construct new dwelling units for purchase or rental by low- and moderate-income housing purchasers or tenants;
- e) Purchase rights of first refusal to acquire existing dwelling units for sale or rental to low- or moderate-income households;
- f) Provide grants, low-interest loans or deferred payment loans to assist low- or moderate-income homebuyers to purchase a home in the Town of Northborough;
- g) Redevelop and convert municipal, school or other public buildings for low- or moderate-income housing;

- h) Pay for administrative costs to carry out the purposes of this act, provided that amounts expended for administrative costs do not exceed 10% of the certified fund balance in each fiscal year.

Expenditures shall follow an allocation plan submitted by the Board of Selectmen annually to the Town at the Annual Town Meeting and approved by Town Meeting. The allocation plan may be amended by the Town Meeting at any Special Town Meeting upon a favorable recommendation from the Board of Selectmen. The Board of Selectmen may request the advice of the Northborough Housing Partnership, the Planning Board and others in developing any allocation plan. The allocation plan shall be a general plan of how funds will be expended during the next fiscal year. It shall also include a report on how funds were spent during the previous fiscal year.

All expenditures from the fund, including funds for capital purchases of land or buildings, shall be in accordance with the allocation plan and approved by a majority vote of the Board of Selectmen.

SECTION 3. As a means of providing available assets for the fund, all monies received by the Town through the following means shall be paid over to and become a part of the fund for the purposes set forth in this act:

- a) Cash payments made by developers to the Town pursuant to Section 7-20-120 of the Northborough Zoning Bylaw.
- b) Funds authorized by Town meeting for community housing purposes under chapter 44B, the Community Preservation Act, if the town votes to accept section 3 to 7, inclusive of said chapter 44B.
- c) Gifts, grants, donations, contributions or other cash payments made to and accepted by the Town for the purpose of providing low- or moderate-income housing.
- d) Any other source of revenue determined by Town Meeting, as allowed by law.

SECTION 4. Real property interests purchased or conveyed by the Town under this act shall be in accordance with section 16 of chapter 30B of the General Laws, unless exempt under section 1 of said chapter 30B or under other laws of the Commonwealth. For purposes of this section, when real property acquired by the Town is conveyed by sale or lease to the Northborough Affordable Housing Corporation for affordable housing development, such disposition shall be considered exempt from section 16 of chapter 30B and other laws of the Commonwealth.¹³

The Board of Selectmen may convey, through sale, lease or transfer, real property purchased under this act provided that an affordable housing use restriction as defined in chapter 184 of the General Laws is executed with or on behalf of the purchaser or owner of the property and recorded at the Registry of Deeds. The term of the affordable housing use restriction shall be the maximum allowed by law unless a lesser term is authorized in the allocation plan approved by Town meeting.

¹³ The sale or lease of land to the Northborough Housing Authority is already exempt from G.L. c.30B, Section 16.

Real property conveyed through sale, lease or transfer to a for-profit or non-profit developer to provide low- or moderate-income rental housing shall be subject to an affordable housing regulatory agreement executed with or on behalf of the developer and the Department of Housing and Community Development

SECTION 5. The Town Treasurer shall be the custodian of the fund and shall invest the funds in the manner authorized by sections 55, 55A and 55B of chapter 44 of the General Laws. Any income or proceeds received from the investment of funds shall be credited to and become part of the fund.

APPENDIX B

Economic Development & Industrial Corporation Home Rule Petition

NORTHBOROUGH ECONOMIC DEVELOPMENT AND INDUSTRIAL CORPORATION⁵⁶

SECTION 1. It is hereby declared that in the town of Northborough, unused, underused, substandard, undeveloped or underdeveloped areas exist; that each such area constitutes a potential menace, injurious to the health, safety and welfare of the residents of the town; that each such area constitutes an economic liability, substantially impairing or arresting the sound growth of the town and retarding the economic well-being of the commonwealth; that each such area decreases the value of private investments and threatens sources of public revenue; that redevelopment of each such area in accordance with locally approved community and economic development, capital improvement or other plans is necessary to retain existing enterprises, attract new commercial, industrial or residential development, and promote the sound and orderly growth of the town; that the existence of such unused, underused, undeveloped or underdeveloped areas makes persons unwilling or unable to do business in the town; that the menace of such unused, underused or underdeveloped areas is beyond remedy and control solely by the regulatory process in the exercise of the police powers, and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided; that to prevent a recurrence of such conditions in such areas, the improvement of sites for commercial, industrial or residential uses or for necessary public facilities in the areas, the disposition of property for redevelopment incidental to the foregoing, the exercise of powers by the corporation, and any assistance which may be given by the town or any other public body in connection therewith, are public uses and purposes for which public money may be expended; that the acquisition, planning, clearance, development, rehabilitation or rebuilding of such unused, underused, substandard and undeveloped areas for commercial, industrial, residential, institutional and public facility purposes are public benefits for which public funds may be expended for the good and welfare of the town and the commonwealth.

It is hereby further declared that there exists in the town conditions of underemployment which cause hardship to many individuals and families, wastes vital human resources, increases the public assistance burden, impairs the security of family life, impedes the economic and physical development of the town and adversely affects the welfare and prosperity of its people; that obsolete, inefficient or inadequate public facilities and infrastructure are causing injury to the town's economy; that the unaided efforts of private industry have not provided and cannot provide the necessary sites within the development zone due to problems in the assembly of suitable sites, the provision of adequate public facilities and services, the unavailability of private capital for development and the inability of private enterprise alone to plan, finance and coordinate feasible development projects.

It is hereby further declared that there exists in the town of Northborough a dire need to develop or redevelop public facilities and infrastructure to stimulate and support economic growth; that

⁵⁶ The preamble (Section 1) for an EDIC created by special act of the legislature should follow the statement of purpose in G.L. c.121C for a general law EDIC.

without such public facilities and services the town cannot arrest the decline of, revitalize, stabilize or expand its economy; that without such public facilities the town cannot develop a sound, vibrant economic base; that the development, management and operation of public facilities in support of economic development are essential to the preservation and enhancement of the town's tax base and economy.

It is hereby further declared that there exists in the town of Northborough a dire need to protect and preserve historic resources and develop affordable housing in order to support the objectives of balanced growth; that without sufficient housing affordable to a broad range of incomes, the town cannot develop and sustain a vibrant economic base; and that the preservation of historic resources and the provision of affordable housing are essential to viability of the town's tax base and economy.

Therefore, a public corporation is necessary to address these and related public purposes. It is the purpose of the corporation created by this act to aid the town, private enterprises and non-profit organizations, and other public agencies in the speedy and orderly development or redevelopment of unused, obsolete, underused or underdeveloped areas, and in the development, operation and management of facilities and infrastructure necessary to support the economic vitality of the town.

SECTION 2. As used in this act, the following words, unless a different meaning clearly appears from the context, shall have the following meanings:

"Affordable housing," low and moderate income housing as defined in chapter 40B, sections 20-23 of the General Laws.

"Board of selectmen", the duly elected board of selectmen of the town of Northborough.

"Corporation", the Northborough Economic Development and Industrial Corporation established under section 3.

"Cost of a project", all costs, whether incurred before or after the issue of bonds or notes hereunder, of acquisition, site development, construction, improvement, enlargement, reconstruction, alteration, machinery, equipment, furnishings, demolition or removal of existing buildings or structures, including the cost of acquiring any lands to which such buildings or structures may be moved, financing charges, interest prior to and during the carrying out of any project, interest for up to 2 years after completion or estimate completion date of any project, planning, engineering and legal service, administrative expense, the funding of notes issued for capital purposes, such reserve for debt service or other capital or current expenses as may be required by a trust agreement or resolution securing notes or bonds, and all other expenses incidental to the determination of the feasibility of any development project or to carrying out a development project or to placing the project in operation.

"Development area", any area located in the town of Northborough that is suitably zoned for the kinds of activities identified in section 3, including but not limited to research and development, commercial, light industrial and business uses, residential uses whether a principal use or an accessory or incidental use carried out in association with an economic development or historic preservation project, or under a land disposition agreement with the town.

"Development project", shall include the following for the purposes of this act:

(1) a project to be undertaken in furtherance of the purposes of this act, for acquisition or leasing by the corporation of land and improvements thereon and the development of the property so acquired;

(2) a project to be undertaken in furtherance of the purposes of this act for the rehabilitation or conservation of property, or for the demolition, removal, rehabilitation or addition of improvements whenever necessary to carry out the purposes of this act;

(3) a project entailing the construction, improvement, or rehabilitation of infrastructure, public facilities, or both, in furtherance of the purposes of this act; or

(4) a project involving a combination of the foregoing types of projects.

A development project may include improvements necessary for carrying out the objectives of the project, together with such site improvements as are necessary for the preparation of any site for uses in accordance with locally approved development plans, and making any land or improvements acquired in the area of the project available for redevelopment or rehabilitation by private enterprise, including sale, initial leasing or retention by the corporation for industrial, commercial, business, manufacturing or residential uses contemplated by a development plan.

A development project may include the construction by the corporation of any of the buildings, structures or other facilities for industrial, commercial, business, manufacturing or residential uses contemplated by a development plan and the repair, removal or rehabilitation by the corporation of any of the buildings, structures or other facilities located in a development area which are to be repaired, moved or rehabilitated. A development project may also include a preservation project as defined by this act, where limited development of land to be preserved for conservation, farming, forestry, recreation or open space uses may be carried out by the corporation in order to finance all or a portion of the cost of acquiring the land and improvements thereon.

"Development plans", a plan or study, including, but not limited to, a master plan or comprehensive plan, community development or economic development plan, affordable housing plan, open space and recreation plan, capital improvements plan, or other plan approved from time to time by the Northborough planning board or board of selectmen, which plan shall guide the type, land use, general location, density and other requirements of a development project carried out by the corporation.

"Preservation project", a development project carried out for the purpose of preservation or conservation of land, including but not limited to land in forestry, agricultural, horticultural or recreational use when valued, assessed and taxed under chapter 61, chapter 61A or chapter 61B of the General Laws, or a historically significant property, landmark, site or other cultural resource determined by the board of selectmen, where a limited amount of development or redevelopment is necessary to finance the acquisition of land or improvements or to achieve the town's conservation and community preservation objectives. A development project carried out as a preservation project may include residential, commercial, business, research or industrial uses provided that the land is zoned for such uses.

"Town", the town of Northborough.

"Town administrator", the town administrator of the town of Northborough.

"Town meeting", town meeting of the town of Northborough acting in a lawfully convened session.

SECTION 3. (a) There is hereby established a body politic and corporate to be known as the Northborough Economic Development and Industrial Corporation. The corporation shall be a public instrumentality separate from the town, and is not an authority, board or committee of the town. The corporation is empowered to carry out this act, and the exercise by the corporation of the powers conferred by this act is the performance of essential public and governmental functions.

(b) The purposes of the corporation shall be to correct or address the conditions found to exist in the town as set forth in section 1, promote the common good and general welfare of the town, improve the living standards of the citizens thereof by fostering the improvement of their employment opportunities, preserve and protect open space, historic resources and affordable housing, and to develop, manage and operate public facilities and infrastructure necessary to improve the town's economy, focusing on, but not limited to, areas within the development zone, all in a manner consistent with approved economic development plans as defined in section 2. In furtherance of purposes and in addition to the powers conferred on the corporation by the foregoing provisions, the corporation may:-

- (1) sue and be sued in its own name, plead and be impleaded;
- (2) adopt bylaws and rules for the regulation of its affairs and the conduct of its business and to alter the same;
- (3) accept, acquire other than by eminent domain, receive and hold by bequest, devise, grant, gift, purchase, exchange, lease, transfer, judicial order or decree, or otherwise, for any of its objects or purposes, any property, both real and personal, from any source, including grants, loans or advances for or in aid of the purposes of the corporation from any federal agency, agency of the commonwealth or any political subdivision thereof;
- (4) sell, convey, mortgage, lease, transfer, exchange or otherwise dispose of, any property, both real and personal, that the objectives and purposes of the corporation may require, subject to limitations prescribed by law;
- (5) borrow money and, from time to time, to make, accept, endorse, execute, and issue bonds, debentures, promissory notes, bills of exchange, and other obligations of the corporation for monies borrowed or in payment for property acquired or for any of the other purposes of the corporation and to secure the payment of obligations by mortgage, pledge, deed, indenture, agreement, or other instrument of trust, or by other lien upon, assignment of, or agreement in regard to all or any part of the property, rights of privileges of the corporation, whether now owned or hereafter to be acquired, said borrowing not to exceed a period of 40 years;
- (6) employ consulting engineers, an executive director, superintendents, managers, and such other employees, agents and consultants as may be necessary in its judgment, and to fix their compensation; employees of the corporation shall not be considered employees of the town; but the town and the corporation may in writing agree to allow employees of the corporation to participate in employee insurance, retirement or other benefit programs offered to town employees; in which

case, any employees performing non-administrative or managerial work, shall be members of the appropriate municipal bargaining unit;

(7) make and enter into all contracts and agreements necessary or incidental to the performance of its duties;

(8) receive and accept from any federal agency, the commonwealth or any political subdivision thereof any grants, loans or advances for or in aid of a development project or projects and to receive and accept contributions from any other source of either money, property, labor or other things of value, to be held, used and applied for the purposes for which such grants, loans, advances and contributions may be made;

(9) invest any funds not required for immediate use or disbursement in certificates of deposit or in obligations of the government of the United States or in obligations the payment of the principal of, and interest on, which is guaranteed by the government of the United States; and subject to a specific vote of the board of directors, to invest funds in any fashion in which municipal funds may be invested pursuant to the provisions of chapter 44 of the General Laws;

(10) own and manage real property;

(11) receive assignment of the town's first refusal options in order to continue the forestry, agricultural, horticultural, recreational or open space use of the major portion of any land valued, assessed and taxed under chapter 61, chapter 61A or chapter 61B of the General Laws, where the town has received notification of the owner's intent to sell; but when the corporation accepts assignment of a first refusal option from the town, any development carried out by the corporation in order to finance the cost of acquisition shall be a preservation project as defined in section 2 of this act and all remaining open space shall be protected in perpetuity by a conservation restriction or a donation of the land to the Northborough conservation commission;

(12) make loans to any person, firm, corporation, joint stock company, association or trust located or doing business in the town for the purposes of promoting and developing business, industry, or tourism;

(13) acquire improved and unimproved real estate for the purposes of developing, demolishing, constructing or reconstructing commercial, industrial, residential, institutional, or other establishments thereon, or of developing, redeveloping or constructing public facilities, or for the purpose of disposing of such real estate to others for the development, redevelopment, demolition, construction, operation or management of commercial, industrial, residential, institutional or other establishments, or of public facilities, as the objects and purposes of the corporation may require; but nothing contained herein shall be construed to grant the corporation the power of eminent domain;

(14) acquire, demolish, construct, reconstruct, alter, maintain, sell, convey, transfer, mortgage, pledge or otherwise dispose of commercial, industrial, residential or business establishments or other property as the objects and purposes of the corporation may require;

(15) acquire, subscribe for, own, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the bonds, debentures, notes or other securities and evidence of interest in, or indebtedness of, any

person, firm, corporation, joint stock company, association or trust, and while the owner or holder thereof, to exercise all of the rights, powers and privileges of ownership;

(16) make relocation payments to persons and businesses displaced as a result of carrying out a development project under this act, in accordance with chapter 79A of the General Laws;

(17) provide advisory services and technical assistance necessary or desirable to carry out the purposes of this act;

(18) prepare or cause to be prepared plans, designs, drawings, specifications and estimates of cost for the construction, reconstruction, development, redevelopment, rehabilitation, remodeling, alteration or repair of development projects and from time to time modify such plans, designs, drawings, specifications and estimates;

(19) designate property for development and preservation projects, except that when the property is owned by the town, the designation and use shall have the concurrence of the board of selectmen;

(20) procure insurance against any loss in connection with its property, other assets and operations, and in relation to insuring the payment of principal and interest for bonds issued pursuant to section 9, in amounts and from insurers as it considers desirable;

(21) arrange or contract with the town for the planning, replanning, opening or closing of streets, roads, alleys or other places or for the furnishing of facilities or for the acquisition by the town of property or property rights or for the furnishing of property or services in connection with a development project or projects;

(22) manage or lease any development project, whether owned or leased by the corporation, and to enter into agreements with the commonwealth or the town or any agency or instrumentality thereof, or with any person, firm, partnership or corporation either public or private for the purposes of causing any development project to be managed;

(23) prepare and amend plans to advance economic development, affordable housing or balanced growth goals within the town and defining necessary development projects to achieve these goals;

(24) establish subsidiary or affiliate legal entities convenient or necessary to advance the purposes of this act;

(25) establish and collect fees for the use of any properties owned or leased by the corporation, or for the provision of infrastructure, facilities, services and amenities;

(26) act with respect to one or more development projects as a corporation organized under chapter 121A of the General Laws;

(27) carry out any other public purposes designated by the board of selectmen;

(28) borrow money for the purposes of aiding in the construction of equipment required by the commonwealth or United States to abate air or water pollution;

(29) borrow money for the purposes of aiding in the construction of public facilities, infrastructure and utilities necessary for economic development;

(30) apply to the federal government or to the commonwealth for housing and/or economic development assistance grants to carry out the approved development projects, to receive and administer such grants, to contract with the commonwealth for financial assistance, to apply for and receive advances for the estimated costs of surveys and plans and administrative expenses in preparation for development projects, and to apply for, receive and administer community development action grants, all to the same extent and subject to the same terms and conditions as an urban renewal agency pursuant to sections 53 to 57A, inclusive, of chapter 121B of the General Laws.

(31) do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

(c) The corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office, or publish or distribute any statements with respect thereto.

Notwithstanding any other provision herein contained, neither the directors, officers, nor the corporation, shall participate in any of the prohibited transactions as defined in section 503 of the Internal Revenue Code, nor shall the corporation accumulate income or engage in any activities if the accumulation of income or the activities so engaged in are or would be within the prohibitions of section 504 of the Internal Revenue Code nor shall the corporation be operated at any time for the primary and sole purpose of carrying on a trade or business for profit.

SECTION 4. The principal office of the corporation shall be located in the town of Northborough.

SECTION 5. For the purposes of chapter 30B of the General Laws, the corporation shall be a governmental body. The corporation shall not be subject to section 16 of chapter 30B of the General Laws. Redevelopment or improvement of any property owned by the corporation or leased by the corporation to another party, including design, development, construction and operation, shall be subject to sections 38A to 38O, inclusive, of chapter 30B of the General Laws; section 39M of chapter 30 of the General Laws; and sections 44A to 44M, inclusive, of chapter 149 of the General Laws, when customized improvements exceed the thresholds contained therein, except to the extent that the corporation enters into a ground lease which provides that title to the improvements remain with the lessee. For the purposes of clause Sixth of section 7 of chapter 4 and chapter 66 of the General Laws, the records of the corporation shall be public records. Chapter 31 of the General Laws shall not apply to any person employed or engaged by the corporation under this act. For the purposes of chapter 268A of the General Laws, the corporation shall be considered a municipal agency. The members of the board of directors and employees of the corporation, together with any person who performs professional services for the corporation on a part-time, intermittent, or consultant basis, such as those of an architect, attorney, engineer, planner, or construction, financial, or real estate expert, shall be special municipal employees.

The corporation shall be subject to all local by-laws and regulations of the town, including the zoning by-law, by-laws concerning the protection of foreshores and wetlands in the town, and historic district regulations where applicable. The corporation shall also be subject to sections 23A to 23C, inclusive, of chapter 39 of the General Laws.

SECTION 6. The corporation shall not be subject to chapter 63 of the General Laws, nor shall the corporation be liable for any taxes based upon or measured by income. The securities and evidences of indebtedness issued by the corporation shall be free from taxation by the commonwealth.

SECTION 7. The corporation shall be managed by a board of directors consisting of 7 members appointed by the board of selectmen. The directors shall include persons with education and experience in the fields of law, finance, real estate, architecture or planning and local government. Each member shall be sworn by the Northborough town clerk to the faithful performance of his official duties as a director of the corporation. A majority of the 7 members shall constitute a quorum for the transaction of any business, but any action of the board of directors shall require the affirmative vote of a majority of the entire board.

The original members of the board of directors shall be appointed within 60 days following the effective date of this act. Of the members of the board of directors first appointed, 1 shall be appointed to serve for a term of 1 year, 2 for a term of 2 years, 2 for a term of 3 years, and 2 for a term of 4 years. All terms thereafter shall be for 4 years. Upon the expiration of the term of office of any member of the board of directors, or any subsequent member of the board of directors, the successor of the member shall be appointed for a term of 4 years. In the event of a vacancy on the board of directors, a successor member shall be appointed to complete the term of service for the member whose term has not expired. Unless reappointed, a member of the board of directors shall not hold office after the expiration of his term. At its discretion, the board of selectmen may reappoint a member to the board of directors of the corporation.

The first meeting of the corporation shall be called by the chairman pro tem, who shall be designated by the board of selectmen when the initial appointments to the board of directors are made. There shall be elected by and from the board of directors a president, treasurer, secretary/clerk, and any other officers considered necessary by the board.

A member of the board of directors of the corporation may be removed by the board of selectmen for malfeasance, misfeasance, or willful neglect of duty, but only after reasonable notice and a public hearing by the board of selectmen, unless the notice and hearing are in writing expressly waived by the member of the board subject to removal.

The members of the board of directors shall not receive compensation for the performance of their duties hereunder, but each member shall be reimbursed by the corporation for expenses actually incurred in the performance of his duties. Every reimbursement shall be open to public inspection from and after the requisition therefor.

The board of directors shall have the powers to set a fiscal year for the operation of the corporation and to make, amend, or repeal the by-laws in whole or in part.

SECTION 8. The board of directors shall adopt a corporate seal for the corporation and designate the custodian thereof. The board of directors shall cause at all times accurate accounts to be kept of all receipts and expenditures of the funds of the corporation; and shall make a report annually to the board of selectmen, containing an abstract of such accounts and detailed information of all receipts and expenditures, including prices paid for property acquisition, contracts for construction of facilities and for the leasing thereof, and such other detailed information as may be helpful. The corporation shall cause an audit of its books and accounts to be made at least once in each fiscal year

by certified public accountants and the cost thereof shall be treated as a current expense. Except as otherwise provided for in this act, the corporation shall have the full power to exercise care of its property and the management of its business and affairs. The treasurer shall give bond for the faithful performance of his duties, with a surety company authorized to do business in the commonwealth as surety, in such sum as the board of directors may determine, the premium thereof to be paid by the corporation.

SECTION 9. The corporation, from time to time, may provide by resolution, for the issuance of revenue bonds of the corporation for the purposes of paying all or any part of the cost of a development project or projects. The principal of and interest on the bonds shall be payable solely from the funds herein provided for the payment. The bonds of each issue shall be dated, shall bear interest at the rates and shall mature at the time or times not exceeding 40 years from their date or dates, as determined by the corporation, and may be redeemable before maturity, at the option if the corporation, at the price or prices and under the terms and conditions fixed by the corporation before the issuance of the bonds. The corporation shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be an officer before the delivery of the bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until the delivery. The bonds may be issued in coupon or registered form or both, as the corporation may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest. The corporation may sell the bonds in a manner and for a price, either at public or private sale, as it may determine to be for the best interests of the corporation.

The proceeds of the bonds shall be used solely for the payment of the cost of a development project, and shall be disbursed in a manner and under such restrictions, if any, as the corporation may provide. Before the preparation of definitive bonds, the corporation may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when the bonds have been executed and are available for delivery. The corporation may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Revenue bonds may be issued under this act subject only to those proceedings, conditions or things which are specifically required by this act.

The corporation may provide by resolution for the issuance of revenue refunding bonds of the corporation for the purpose of refunding any revenue bonds then outstanding and issued under this act, including the payment of any redemption premium thereon on any interest accrued or to accrue to the date of redemption of the bonds and, if deemed advisable by the corporation, for the additional purpose of construction or reconstructing and extensions or improvements of the development project. The issue of the bonds, the maturities, and other details thereof, the rights of the holders thereof, and the duties of the corporation in respect of the same shall be governed by this act insofar as the same may be applicable.

While any bonds issued by the corporation remain outstanding, the powers, duties or existence of the corporation shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of such bonds.

Revenue and revenue refunding bonds issued under this act, unless otherwise authorized by law, shall not constitute a debt of the commonwealth or the town, or a pledge of the faith and credit of the commonwealth or of the town, but the bonds shall be payable solely from the funds herein provided therefore from revenues. In the event that the corporation or the town or commonwealth is not obliged to pay the revenue or revenue refunding bonds, then, all the revenue and revenue refunding bonds shall contain on the face thereof a statement to the effect that neither the corporation nor the commonwealth nor the town shall be obliged to pay the same or the interest thereon except from revenues, and that neither the faith and credit nor taxing power of the commonwealth or of the town is pledged to the payment on the bonds.

All revenue and revenue refunding bonds issued under this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments as defined in section 3-104 of chapter 106 of the General Laws.

SECTION 10. In the discretion of the corporation the revenue bonds or revenue refunding bonds may be secured by a trust agreement by and between the corporation and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth. The trust agreement may pledge or assign the revenues to be received, but shall not convey or mortgage any development project or part thereof.

Either the resolution providing for the issuance of bonds or the trust agreement may contain provisions for protecting and enforcing the rights and remedies of the bondholders, including without limiting the generality of the foregoing provisions defining defaults and providing for remedies in the event thereof, which may include the acceleration of maturities, and covenants setting for the duties of and limitations on the corporation in relation to the acquisition, construction, improvement, enlargement, alteration, equipping, furnishing, maintenance, operation, repair, insurance and disposition of property, the custody, safeguarding, investment and application of moneys, the use of any surplus bond or note proceeds and the establishment of reserves. The resolution or trust agreement may also contain covenants by the corporation in relation to, among other things: (1) the establishment, revision and collection of such rents and charges for services of facilities furnished or supplied by the corporation as shall provide revenues sufficient with other revenues of the development project, if any, to pay (i) the cost of maintaining, repairing and operating the development project and of making renewals and replacements in connection therewith, (ii) the principal of and the interest on the revenue bonds as the same shall become due and payable, (iii) payments in lieu of taxes, betterment and special assessments, and (iv) reserves for such purposes; (2) the purpose or purposes for which the proceeds of the sale of the bonds will be applied and the use and disposition thereof; (3) the use and disposition of the gross revenues of the corporation from the development project, any additions thereto and extensions and improvements thereof, including the creation and maintenance of funds for working capital and for renewals and replacements to the development project; (4) the amount, if any, of additional revenue bonds payable from the revenues of the development project and the limitations, terms and conditions on which the additional revenue bonds may be issued; and (5) the operation, maintenance, management, accounting and auditing of the development project and of the income and revenues of the corporation.

It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth to act as depository of the proceeds of the bonds or of revenues, and to furnish indemnifying bonds or to pledge securities as required by the corporation. The trust agreement may set forth the rights

and remedies of the bondholders and of the trustees, and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds and debentures of corporations. In addition to the foregoing, the trust agreement may contain other provisions as the corporation considers reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the trust agreement may be treated as a part of the cost of the operation of the development project. The pledge by any trust agreement or resolution shall be valid and binding from the time when the pledge is made; the revenues or other moneys so pledged and then held or thereafter received by the corporation shall immediately be subject to the lien of the pledge without any physical delivery thereof or further act; and the lien of the pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the corporation, irrespective of whether the parties have notice thereof. Neither the resolution nor any trust agreement by which pledge it is created need be filed or recorded except in the records of the corporation, and no filing need be made under chapter 106 of the General Laws.

SECTION 11. Revenue bonds and revenue refunding bonds issued under this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section 14 of chapter 167E of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control and belonging to them; and the bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and income thereof in the manner provided by section 2 of said chapter 167E. The bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth is now or may hereafter be authorized by law.

SECTION 12. To provide funds for the general purposes of the corporation, including working capital, the corporation may from time to time issue debentures which, unless otherwise authorized by law, shall not constitute a debt of the commonwealth or of the town, or a pledge of the faith and credit of the commonwealth or of the town, and shall be subordinated to all other obligations of the corporation and shall be payable at the time and in installments, if any, as the corporation shall determine, but solely out of the net assets of the corporation; and the holders thereof shall be entitled to interest thereon, but only out of the net earnings of the corporation, and in no event at a rate higher than the rate specified therein.

The debentures may be secured by a trust agreement by and between the corporation and a corporate trustee, which shall be located within the commonwealth and shall be a trust company or bank having the powers of a trust company. The trust agreement shall contain provisions for protecting and enforcing the rights and remedies of the debenture holder. It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth which may act as a depository under the trust agreement to furnish indemnifying bonds or to pledge securities as required by the corporation. The trust agreement shall set forth the rights and remedies of the debenture holders and of the trustee, and may restrict individual right of action by debenture holders. In addition to the foregoing, the trust agreement may contain such other provisions as the corporation may consider reasonable and proper for the security of the debenture holders. All expenses incurred in carrying out the trust agreement may be treated as an item of current expense.

Debentures may be issued under this act without obtaining the consent of any department, division, office, commission, board, bureau or agency of the commonwealth or the town, and without any other proceedings or the happenings of any other condition or things other than those proceedings, conditions or things which are specifically required by this act.

SECTION 13. Any holder of bonds or debentures issued under this act or of any coupons appertaining thereto, and the trustee, except to the extent the rights herein given may be restricted by the trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights under the laws of the commonwealth or granted hereunder or under the trust agreement, and may enforce and compel the performance of all duties required by this act or by the trust agreement, to be performed by the corporation or by any officer thereof.

SECTION 14. Notwithstanding any rule at common law or any authorization, limitation or any general or special law, or any provision in their respective charters, agreements of associations, articles or organization, or trust indentures, domestic corporations organized for the purpose of carrying on business within the commonwealth, including without implied limitation any electric or gas company as defined in section 1 of chapter 164 of the General Laws, railroad corporations as defined in section 1 of chapter 166 of the General Laws, financial institutions, trustees and the town may acquire, purchase, hold, sell, assign, transfer, or otherwise dispose of any bonds, securities or other evidence of indebtedness of the corporation and to make contributions to the corporation, all without the approval of any regulatory authority of the commonwealth.

A contribution made under this section to the corporation shall be in addition to contributions authorized by section 12C of chapter 155 of the General Laws and by other general or special law.

SECTION 15. Except as herein provided, rents and charges for services or facilities furnished or supplied by the corporation shall not be subject to supervision or regulation by any department, division, commission, board, bureau or agency of the commonwealth or the town, and if derived from a development project in connection with which revenue bonds have been issued, shall, with all other revenues derived from the development project, except the part thereof necessary to pay the cost of maintenance, repair and operation, and to provide reserves therefore provided for in the resolution authorizing the issuance of the bonds or in the trust agreement, but including the part thereof necessary to provide the reserves for the payment of the principal of and the interest on the revenue bonds provided for in the resolution or trust agreement, and including also the proceeds of sales by the corporation of property for, or in connection with, a development project, be set aside at such regular intervals provided for in the resolution or trust agreement, in a sinking fund which is hereby pledged to and charged with the payment of: (1) the interest upon the bonds as the interest shall fall due, (2) the principal of the bonds as the same shall fall due, (3) the necessary charges of paying agents for paying principal and interest, and (4) the redemption price or the purchase price of bonds retired by call or purchase as therein provided.

SECTION 16. The corporation shall be liable in contract and in tort in the same manner as a municipal corporation. The directors, employees, officers and agents of the corporation shall be liable in contracts and tort, in the same manner as municipal employees under the General Laws. The corporation shall indemnify its employees under sections 9 and 13 of chapter 258 of the General Laws as public employees. The property or funds of the corporation shall not be subject to attachment or to levy and sale on execution, but if the corporation refuses to pay a judgment entered

against it in any court of competent jurisdiction, the superior court may direct the treasurer of the corporation to pay the judgment. The real estate owned by the corporation shall not be subject to liens under chapter 254 of the General Laws, but sections 28 and 29 of chapter 149 of the General Laws shall be applicable to any construction work by the corporation.

SECTION 17. The corporation shall make reports of its condition not less than annually to the board of selectmen and secretary of state, which report shall be published in a newspaper of general circulation in the town within 60 days of the close of the corporation's fiscal year. The secretary of state shall make copies of the reports available to the commissioner of insurance and to the commissioner of banks, and the corporation shall also furnish such other information as may be required by the secretary of state from time to time.

SECTION 18. Notwithstanding any other general or special law to the contrary, the town, acting by vote of town meeting and upon terms and conditions as determined by the board of selectmen, the town administrator, or a board or officer to whom such authority is delegated by town meeting, may convey, by sale or gift, property within a development area, or any interest in such property, to the corporation in aid of the public purposes of the corporation. The town may lease for a term not to exceed 40 years any land or land with improvements owned by the town upon terms and conditions as the board of selectmen shall determine, for public purposes consistent with this act. All leases shall provide that the corporation may not encumber property owned by the town, or the corporation's leasehold interest therein, without approval of the board of selectmen.

Notwithstanding any general or special law to the contrary, the corporation shall establish a maintenance reserve fund from any lease revenues obtained from development projects carried out on publicly owned property, sufficient to meet the expenses of maintaining the projects in a fully operational state, including, but not limited to, routine and non-routine maintenance and the maintenance of any and all improvements. All leases shall also provide that the lease shall terminate in the event that the corporation ceases to use the land for the declared public purpose described in section 1.

SECTION 19. The town may take actions in aid of the corporation in connection with a development project pursuant to the provisions of section 23 of chapter 121B.

SECTION 20. A development project shall not be undertaken by the corporation until the board of selectmen holds a public hearing relating to the project and authorizes the project by an affirmative vote of a majority of the entire board. Notice of public hearings shall be given to the public through a legal notice in a newspaper having a general circulation in the town, published no later than 2 weeks before the hearing date.

SECTION 21. The real estate and tangible personal property of the corporation shall be deemed public property used for essential public and governmental purposes and shall be exempt from taxation by the commonwealth or any subdivision thereof and from betterments and special assessments; but in lieu of the taxes, betterments, and special assessments, the town may determine a sum to be paid to it annually in any year or period of years, the sum in any year not to be in excess of the amount that would be levied at the then current tax rate upon the average assessed value of the real estate, including buildings and other structures, for the 3 years preceding the acquisition thereof, the valuation for each year being reduced by all abatements thereon.

The town may, however, agree with the corporation upon the payments to be made, or the corporation may make and the town may accept the payments, the amount of which shall not in either case be subject to the foregoing limitation.

Nothing in this act shall be construed to prevent the taxation, to the same extent and in the same manner as other real estate is taxed, of real estate sold or otherwise transferred by the corporation pursuant to a development project, or the taxation to the same extent and in the same manner as real estate of the commonwealth is taxed, of real estate acquired by the corporation pursuant to a development project and thereafter leased by the corporation; but real estate so acquired by the corporation and sold or leased to an urban redevelopment corporation or other entity operating under chapter 121A, 121B, and 121C of the General Laws shall be taxed under said chapters. The corporation and the debentures issued under this act, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation by the commonwealth or any subdivision thereof.

SECTION 22. The corporation is hereby designated as a community-based development organization for purposes of carrying out community or economic development projects with federal financial assistance.

SECTION 23. The town may raise and appropriate or may borrow funds for the purpose of granting or loaning funds to the corporation to aid the corporation in carrying out any of its public purposes, including, but not limited to, defraying all or part of the development, acquisition and operating costs of any development project, and for the purpose of acquiring land to convey or lease to the corporation for a use or uses approved by town meeting. Indebtedness of the town authorized and issued under this section shall be payable within 40 years from its original date of issue and shall be exempt from the limit of indebtedness prescribed in section 10 of chapter 44 of the General Laws; but the total amount of indebtedness of the town outstanding at any one time under this section and under clauses (1), (2) and (4) of section 20 of chapter 121B of the General Laws shall not exceed 5 per cent of the town's equalized valuation as defined in section 1 of said chapter 44, notwithstanding section 21 of said chapter 121B, and the approval required pursuant to section 22 of said chapter 121B shall be required before the town incurs any indebtedness under this section which will cause the total amount of its indebtedness outstanding under this section and under clauses (1), (2) and (4) of section 20 of said chapter 121B to exceed 2 per cent of the town's equalized valuation. Notwithstanding the provisions of section 17 of said chapter 44 to the contrary, the town may issue temporary notes for a period not to exceed 10 years in anticipation of money to be derived from the sale of serial bonds or notes authorized by the town under this section, and the town may refund notes from time to time by the issue of other temporary notes from time to time, the period from the date of issue of the original notes to the date of maturity of the refunding notes shall not exceed 10 years, and the town shall not be required to use revenue funds of the town to pay any portion of the principal amount of any such notes or refunding notes that are refunded. Except as otherwise provided in this section, indebtedness authorized and incurred by the town under this section shall be subject to said chapter 44.

SECTION 24. The corporation may, upon the affirmative vote of 2/3 of its members, petition for its dissolution by order of the supreme judicial or superior court, in the manner provided in section 11A of chapter 180 of the General Laws.

SECTION 25. If the town shall modify its form of government, then without amendment of this act, those provisions of this act which refer to specific municipal officials or municipal bodies shall be understood, upon the form of government or charter change, to refer to those who under such change exercise the same or equivalent functions.

SECTION 26. This act, being necessary for the welfare of the commonwealth and the town and its inhabitants, shall be liberally construed to effect the purpose thereof.

SECTION 27. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of the court shall not impair any of the remaining provisions.

SECTION 28. This act shall take effect upon its passage.

APPENDIX C

Community Conversations

The Planning Board's community meetings were designed to accomplish four goals: to inform residents about this planning initiative, to consult with residents, to help the consultants understand how Northborough residents perceive their town, and to test some ideas. Prior to the meetings, the consultants had reviewed the town's development regulations, the Northborough Master Plan (1997) and other plans, studies and data, toured the town, and photographed the business districts and several neighborhoods. The information compiled for Northborough's public meetings was largely statistical and it was used to identify issues that would be important to Northborough's Community Development Plan.

HOUSING FORUM

The January 28, 2004 forum focused on housing choice and mainly, affordable housing. Affordability was stressed for two reasons: first, Northborough is required to examine and plan for affordable housing needs as a recipient of Executive Order (E.O.) 418 funds. Second, the state's affordable housing law, Chapter 40B, creates a permitting environment that differs significantly from the procedures and customs of most towns. While Chapter 40B is a helpful tool for developing low-income housing, sometimes it makes it harder for towns to plan for and pursue strategies that are realistic for them to implement.

The meeting included a presentation, an informal discussion period and a breakout activity that gave participants a chance to work in small groups. We asked Northborough residents to consider several questions:

- Does Northborough want to encourage affordable housing developments?
- What are the major objections to/concerns about affordable housing developments?
- From local government's point of view?
- From a resident's point of view?
- What is the "ideal" affordable housing development?
- Would a Chapter 40B development be more or less acceptable if it were proposed for commercial, industrial or low-density residential land?
- Is zoning a realistic strategy for Northborough – and if so, where?

Not surprisingly, the responses were mixed. The community's conversation about housing choice revealed some consensus on housing needs, but little agreement about how to meet them. During the informal discussion period, we heard these comments and concerns:

- Participants were very sensitive to the use of the terms such as "housing choice" and "affordable housing." They perceived "housing choice" as good and desirable because from their point of view, it promotes options and serves a wider range of people. While many residents said they

favor housing choice, they were less comfortable with “affordable housing” and seemed ambivalent about the idea of developing more of it in Northborough.

- Some of the concerns that residents expressed about affordable housing include:
- Objections to the use of public subsidies to develop or operate affordable housing.
- Objections to capping the re-sale price of an affordable housing unit and thereby limiting a homeowner’s ability to benefit from appreciation in value.
- Concerns about the potential impact of additional school-age children on the Northborough Public Schools.
- Dislike for state policies that force racial, ethnic or class diversity on small towns.

The primary advantages that residents saw in providing more affordable housing in Northborough include:

- Support for people being able to live and work in the same town.
- Support for enabling those who grew up in Northborough to live in their own hometown as adults. This concern was widely shared by participants, including those who expressed reservations about affordable housing development.
- Recognition that population diversity is important, especially in small communities, provided the town can have some control over the location, size and quality of an affordable housing development.

Most people seemed to think that if Northborough’s affordable housing inventory is increased, developments should provide small housing units in order to reduce the number of children living in them. Throughout the conversation, we heard repeated concerns about the school system’s capacity to absorb more students.

- Participants understood that housing costs are influenced by the price of land, and they recognized that Northborough’s diminishing supply of land is partially responsible for the shortage of affordable housing. This led to a broader discussion of how the state’s need for more affordably priced homes could be met. Some residents said that state policymakers should plan now to set aside less expensive land west of the Worcester area for future affordable housing development.
- Several commenters said that Northborough is close to residential “buildout,” or the point when all of a town’s residentially zoned land has been converted to housing developments. They questioned whether the town needs to be concerned about comprehensive permits because there is so little vacant residential land left that Northborough may be protected from Chapter 40B. Accordingly, they seemed somewhat alarmed when they heard that Chapter 40B developments could be built on land zoned for business or industrial uses.
- Some questioned whether Northborough needs to provide more affordable housing because other towns nearby have fairly large inventories of Chapter 40B units.

- Although people seemed reluctant to build affordable housing, they wanted some tools or plans in place to protect the town from large, unwanted Chapter 40B projects.
- Some participants seemed surprised by how unaffordable Northborough's condominiums and single-family homes had become.

The breakout period produced lively discussions about how the town should approach a hypothetical Chapter 40B development, "Northborough Woods." The activity called on residents to explore several tradeoffs associated with a 150-unit homeownership development comprised of single-family homes and townhouse units. The tradeoffs ranged from accepting more housing units in exchange for open space or age-restricted units to negotiating for fewer units even though a smaller development would provide only one housing type: single-family homes. At the conclusion of the breakout period, presenters described these possibilities:

- All groups favored preserving open space on the site, but there was little agreement about how to achieve that end. There was fairly strong support for saving open space that provides a link to adjacent town-owned land, although some thought that open space should serve as a buffer to separate the development from surrounding higher-end neighborhoods. Differences about the best location(s) for the open space meant that the groups also had different ideas about where the new homes should be built.
- Most groups preferred a development of single-family homes only, i.e., no townhouses, but some groups supported a mix of unit types and one group said the mix should include some rental units. For the most part, the groups did not see including rental housing as a compelling advantage even though all of the rental units would be added to the Subsidized Housing Inventory. Presenters for two groups specifically said they thought Northborough would never reach the 10% threshold under Chapter 40B. As a result, they thought Northborough Woods should look and feel like a traditional neighborhood of single-family homes.
- The groups had quite different ideas about additional public benefits the developer should be asked to provide. A soccer field or a cash contribution to the town for new recreation facilities appealed to some groups, yet several wanted assurances that town and school employees would receive preference for the affordable units at Northborough Woods. Setting aside some of the homes for elderly households seemed less important to participants than restricting the size of housing units. They said it would benefit the town to make Northborough Woods more attractive to empty nesters and childless couples than to families with school-age children.

ECONOMIC DEVELOPMENT FORUM

Much like the first meeting, the economic development forum on February 24, 2004 included a presentation on initial findings from an economic analysis and a group exercise that challenged participants to respond to the presentation by evaluating two hypothetical commercial development projects, one in the downtown area and the second in an outlying commercial zone. Unlike the housing forum, however, participants in the economic development meeting were remarkably consistent in their response to the group exercise. They were quite clear about what they want for Northborough's economic future. Specifically:

- All but one group chose development of Parcel #2 over Parcel #1. Residents indicated that the project proposed on Parcel #1 would be too small, and they thought the larger project on Parcel #2 would bring a wider variety of goods and services. Concerns about parking also contributed to the preferences for Parcel #2. The groups said it is important to assure sufficient parking, and the first project (Parcel #1) would not be able to provide it. However, residents said they were concerned about impacts on wetlands, and adequacy of water and sewer utilities to serve the development on Parcel #2. Generally, people supported the project as long as it would not harm nearby wetlands and had or could obtain access to necessary utilities.
- Residents would like more services in Northborough and they want to spend their money locally. They dislike having to drive to other towns to do their shopping.
- In several instances, participants appeared to take data from the presentation very seriously – or they were responding intuitively to issues raised by the data. For example:
 - Northborough has a high percentage of family households and in particular, families with children. Participants at the economic development forum indicated a strong desire to bring more commercial uses into Northborough in order to give local youth places to congregate and things to do, other than “hanging out at the mall.”
 - Northborough has a smaller-than-average population percent of young adults, i.e., persons between 18-24 years of age. The openness that participants expressed to providing small affordable housing units and recreational/entertainment uses seemed to come from their desire to retain young people and young couples in their community.
 - The comparatively high incomes of Northborough's residents could support more retail. Participants realized that Northborough's residents do have a lot of money to spend and they felt that residents should be spending it in Northborough. One participant seemed very surprised by the town's high household incomes because he sees little evidence of upper-income lifestyles (“You don't see Mercedes and Lexus-es all over town”).
- People are not opposed to large commercial development, especially if the project serves needs in the community. However, they expressed concerns about protecting wetlands and assuring adequate water and wastewater capacity.
- While traffic is a concern for Northborough residents, it is not a “deal breaker.” Participants seemed to think that the right layouts for entrances and exits to new commercial development and good traffic management could address many traffic-related concerns. Some people said

that traffic in Northborough is not as bad as the traffic they see in other towns. Still, concerns about traffic were among the factors that led groups to select the hypothetical project on Parcel 2 over Parcel 1. People did not want to increase traffic in the downtown area.

- People expressed stronger feelings and had more to say about parking than traffic. They said that commercial development needs to provide adequate, convenient parking, but they were open to different parking solutions. People want to park close to where they will shop and they want to know that parking is available, but they were not particularly concerned about how “sufficient parking” is achieved. During the group exercise, one group said that shared parking for commercial and residential uses is acceptable because the uses would need parking at different times. Another group said visible parking is important, but it does not have to be in front of the store. The concept of shared parking was endorsed by one group that said the proposed retail development on Parcel 2 should consist of multiple buildings (instead of one large structure) with shared access to a single parking lot.
- Participants said they want walkable commercial areas. A few people mentioned that crossing Main Street/Rte. 20 is a scary, life-threatening experience and they want to be able to cross it on foot. Several people talked about wanting shopping areas that allow people to park in one spot and walk around and visit several stores at one time.
- A few people expressed interest in having commercial and retail uses on land that is currently zoned for industrial development. This interest seemed to stem mostly from a feasibility and access standpoint; some industrially zoned land has municipal sewer and water improvements and some of the land has better highway access.
- The groups registered strong preferences for:
 - A supermarket.
 - Youth/family-oriented entertainment or recreational facility. Only one group disliked the idea of a movie theater.
 - Full-service restaurant.
- Most participants liked the idea of mixed-use developments with retail and commercial development and affordable housing on the same parcel. However, they wanted small housing units to minimize the addition of children. One group disliked the idea of housing on either site and recommended a hotel instead.
- The groups also said they want:
 - Pedestrian-friendly commercial areas. People want to be able to park in one spot and walk to accomplish several errands or shop for a while. This desire was reinforced by comments in favor of crosswalks.
 - Colonial architecture and architecture that “fits in with the environment,” which they perceive as colonial design.

- Tasteful signage, although “tasteful” was unspecified. Participants said they would want the developer to follow Northborough’s existing sign regulations.
- Landscaping to serve as a buffer between residential and commercial uses and to beautify parking areas. Participants said they want landscaping to buffer and beautify without negatively impacting business activity by blocking the view of stores or parking.
- Most participants did not object to a commercial building height of up to three stories, although one group reduced the height of the building one story.
- Generally, participants in the group exercise did not care whether the new stores were chain stores or high-end specialty retail. They wanted a broader selection of stores in Northborough.
- Most people expressed concerns about lighting. While they said they want adequate lighting for the commercial uses, they said it would be important to protect the residential portion of the development.

APPENDIX D

Summary of Planning Board Workshop Meetings

MEETING DATE: May 6, 2004

PLANNING BOARD MEMBERS PRESENT: Rick Leif, George Pember, Bob Rosenberg

OTHERS PRESENT: Judi Barrett, Community Opportunities Group, Inc.
Kathy Joubert, Town Planner, Tony Abu, Dick Kane

PURPOSE:

This was the first of a series of working sessions to be held between the Planning Board, Community Opportunities Group to discuss and develop recommendations to be included in the final report. The meetings were open to the public. The main purpose for this first meeting was to review the interim report and to begin discussion on recommendations to meet housing needs in Northborough.

DISCUSSION ITEMS:

Review of the Interim Report

1. The main goal was to make sure that the planning board members were comfortable with the data in the interim report
2. Clarification on several the tables in the report and how the information in those tables were gathered was provided

Addressing Affordable Needs:

The discussion centered around tools that Northborough could use to develop affordable housing that meets the housing needs identified in the report as opposed to affordable housing that simply meets Chapter 40B regulations. One group that was of particular concern during this discussion was first-time homebuyers between the ages of 24-30. There was a discussion about how to get builders to build houses that are affordable to people aged 24-30 and priced in the \$150,000-\$200,000 range. It was recognized that the high cost of land is driving up the cost of housing in Northborough and that land needs to be "created" in order to build more houses available to those at different income ranges.

The following tools were discussed:

1. Adopting an inclusionary zoning bylaw. Although complicated, inclusionary zoning would result in the production of affordable housing.
 - The inclusionary zoning bylaw could require developers to either include some affordable housing within the development or meet the requirement by selecting one of the following:

- build affordable housing at another location in the town, or
 - donate land to the town which the town would develop as affordable housing, or
 - pay a fee directly to a housing trust fund to be used for the creation of affordable housing. The fee the developer would pay would be determined by the difference between an affordable unit and the median household income.
- Inclusionary Zoning is not a guarantee to solving the affordable housing crisis but is a step many communities are taking to begin to address the issue.
 - The town should not build the housing itself, but leave the task of housing construction using resources collected through inclusionary zoning to a non-profit or put the project out to bid.
2. Allowing developers to donate the construction at half the price but on town property.
 3. Allowing developers to build more houses on less land as long as some of the units are affordable
 4. Removing barriers to the creation of low-impact affordable housing units.
 5. Explore the conversion of a single family home to a multiple units, thereby creating multifamily housing and maintaining the style of the existing neighborhood.
 6. Allowing an accessory apartment with an income limitation placed on it is considered an affordable unit by the state and is counted towards the 10%. The town would need to adopt a zoning bylaw allowing these accessory apartments.
 7. Allowing multifamily zoning and allow multifamily buildings as long as some of the units are affordable.

Related Issues to Keep in Mind While Thinking Through Policy Options:

1. Because of market fluctuations, Northborough needs to create housing that will remain affordable. The lower the price now, the bigger the gap later. Towns must create development opportunities.
2. The town needs to create multiple opportunities with flexibility. The developers are willing to give to the community if the expectations are reasonable.
3. It will be important to invite developers to a meeting and get their input.

MEETING DATE: May 11, 2004

PLANNING BOARD MEMBERS PRESENT: Rick Leif, George Pember, Bob Rosenberg

OTHERS PRESENT: Judi Barrett & Mee Heh Risdon, Community Opportunities Group, Inc., Kathy Joubert, Town Planner

PURPOSE:

The main purpose of this meeting was to continue the discussion from the May 6, 2004 meeting on affordable housing tools. While similar tools were discussed at this meeting, there was more in-depth discussion of inclusionary zoning and specific zoning changes.

DISCUSSION ITEMS:

1. Legality of Inclusionary Zoning:

- Inclusionary zoning has been challenged in other states
- The general sense among land use attorneys and planners is that inclusionary zoning can withstand a challenge if the regulations provide developers several ways to comply and the options are reasonable

2. Inclusionary Zoning in Other Communities:

- Cambridge, Newton and Brookline require developments over a specified size to include affordable units. They also provide for a density bonus.
- Recently towns that have adopted inclusionary zoning have used six units as the threshold to requiring affordable units with options being:
 - On site units
 - Off site units
 - Developer provides land elsewhere in town to develop by town
 - Developer pays a dollar amount
- Some towns require developments over 6 units apply for a special permit. The Town of Belmont does not require a special permit.
- Duxbury, Stow and Marion have no density bonus option and all require a special permit.

3. Logistics of Adopting an Inclusionary Zoning By-Law:

- The town needs to establish a special revenue fund that can be used to segregate developer-generated revenue from the general fund and limit the use of inclusionary zoning fees for affordable housing. This requires a special act of the legislature.
- The people overseeing the trust fund need to have enough authority over how and when the money gets spent so that they do not have to get town meeting approval before they can spend money on individual projects.
- The town should identify one or more non-profit housing groups that can serve as designated developers or recipients of town funds without being subject to Chapter 30B. Exemptions such as this need to be written into the trust fund legislation.
- It was suggested that the Planning Board think about the type of housing developments that occur in town when setting the threshold for the inclusionary zoning by-law. Currently, most developments happen on pork chop lots with common driveways.

4. Feasibility of Adopting Inclusionary Zoning:

- Some people were concerned that town meeting may be leery of setting up a trust fund for housing without any specific information. It was agreed that the board:
 - Needs to be prepared with information on who will manage the fund and how will the money be used at the town meeting
 - Should attempt a reasonable approach at the 2005 Annual Town Meeting. The board needs to present a portion of the report by summarizing the inclusionary zoning, the housing trust fund and explain what is reasonable. They also need to provide other options that the board can do but can be examined by the town of Northborough.
- There was also concern about whether a developer would choose to pass on making a profit to provide affordable housing. It was suggested that the town provide developers that trigger the inclusionary zoning bylaw a density bonus to offset potential losses in profit.
- The planning board members expressed strong interest in adopting an inclusionary zoning by-law that gave developers several options which included the donation of land and the payment of fees for the following reasons:
 - The planning board wants to have some way to build resources that can be used to proactively develop affordable housing in the future
 - To prevent developers from building large residential projects on the few remaining large parcels in town without addressing the town's affordable housing needs in some way

5. Some Potential Sources of Funding for Affordable Housing Development:

- The State and Federal government do not provide adequate subsidies for affordable housing.

- Community Preservation Act revenue can help develop affordable housing.

6. Density

- There was a discussion on whether the town is ready for an increase in density because the inclusionary zoning bylaw, especially if it provided a density bonus, would increase the density of new projects.
- A question was posed about whether the town should adopt inclusionary using the Duxbury/Stow/Marion model to avoid increases in density. In this scenario developers will not build the affordable units and choose to pay the required fee and the town have to set up a housing trust to develop affordable housing.
- Other options is for the inclusionary zoning bylaw to provide density bonuses to only certain types of proejects, such as:
 - housing for seniors at 40% of median income
 - housing for 24-year-old first time homebuyers.

7. Incentives to Encourage Affordable Housing:

- There was discussion of the idea that production of affordable housing might be inspired by re-using land in commercial districts, such as
 - Allowing multi-family units in the BB and BA districts
 - Thinking vertically for mixed-use and they need to loosen up on commercial zoning bylaws to allow for multi-families and senior housing.
- Someone raised the question of whether it was necessary for a bylaw permitting accessory units to required deed restrictions.
 - The feeling was that accessory units, by definition, would be smaller than typical units in Northborough and would naturally have lower rents than regular apartment units.
 - It was proposed that accessory units be allowed simply because it provides an alternative type of housing and not require a deed restriction.
 - Due to a shortage of time, this issue was not thoroughly discussed and no agreement was reached. It was agreed that some provisions may or may not require an affordable housing restriction if they are by nature more affordable than more conventional housing units
- The possibility of including a provision in a conversion bylaw allowing the re-use of building and adding new building to a lot could help save older structures in town.
 - This tool would allow people to keep their ranch and build a trophy house.

- The provision would allow conversion of house into 3 units or so to keep unit.
- The idea of adopting a multi-family overlay district was discussed and the general idea of it seemed agreeable to most people at the meeting.

8. What Approach Should the Planning Board Take?:

- Northborough's approach should be several tools to produce affordable housing
- The Planning Board should focus on what the town can do to produce affordable housing. The town should not approach the issue from the perspective that it is going to use the recommended tools to stop 40B project. Instead, the town should pursue 40B developers and proactively work with them.

MEETING DATE: May 27, 2004

PLANNING BOARD MEMBERS PRESENT: Rick Leif, George Pember, Bob Rosenberg, Michelle Gillespie

OTHERS PRESENT: Judi Barrett & Mee Heh Risdon, Community Opportunities Group, Inc, Kathy Joubert, Town Planner

PURPOSE:

The purpose of this meeting was to explore the regulatory approaches for economic development that would result in more productive commercial district and attract more businesses.. The approaches focused on creating more pedestrian oriented commercial districts within the BB district and creating an environment to encourage more businesses and to support existing businesses by allowing higher density and a mix of housing.

DISCUSSION ITEMS:

Pedestrian-Oriented Design Principles

1. Before entering into a discussion about the issues raised by pursuing pedestrian-oriented development the general principles of pedestrian-oriented principles were presented.
 - The guidelines encourage creating a more enjoyable environment to encourage pedestrians to get out of their cars and walk to shop. Make it feel safe by enclosing or making it feel enclosed by adding landscaping, awnings that create a space that feels enclosed and large windows for display purposes, if there is a large wall make it interesting by adding landscaping to the wall or create a mural.
 - Pictures of Northborough and other towns were presented to show how a downtown area can be a safe and enjoyable space.
 - Because parking is important, pedestrian-oriented design guidelines for parking areas such as masking parking lots with landscaping, and clearly marking walking areas for pedestrians were discussed.. Pictures of Northborough and other towns were presented to show how parking in the downtown can appear less cluttered and appealing.
2. Why Pursue Pedestrian-Oriented Development?
 - The main reason it was suggested that the town adopt regulations that are consistent with pedestrian-oriented development were:
 - residents do not like Northborough's existing commercial districts and made it clear that they would like to see more pedestrian-oriented commercial districts
 - affordable housing should be developed near commercial districts and pedestrian-oriented commercial development will better serve the new residents in the area

- pedestrian-oriented development may attract more shoppers and therefore more businesses to Northborough
3. Members of the Planning Board felt pedestrian-oriented development was important for several different reasons:
- One member suggested that downtown commercial businesses are important to Northborough because they provide services, retail and local employment. Pedestrian-oriented development will support these businesses.
 - Another is important benefit of pedestrian-oriented development is that if affordable and multifamily housing is integrated into commercial areas, people living in these units, especially the elderly, will want to have easy access to services and businesses. If they are able to walk to the commercial areas they will be able to access the services they need and support local businesses.

Parking

1. There was not agreement on whether the need for additional parking was going to limit economic development opportunities in Downtown Northborough.
- There was a concern that it would be difficult for the downtown area to change the way people wanted it to because property/business owners would need to be able to expand the depths of their properties the downtown area to accommodate additional parking. However, business owners would have to capture not only the property but also the property behind it to create a parking area.
 - It was unclear whether parking is as significant an issue as some perceive it to be. One member commented that there are parking areas that aren't being used and that town officials need to be thinking about making sidewalks attractive to pedestrians and opportunities to create a walkable loop from the downtown to residential areas.

The Need for Public Investment

1. A point was made that if the town wants to have a walkable, pedestrian-oriented downtown, it is going to have to invest real time, money, and human resources into the area
- Government will have to get involved.
 - If necessary the town could build a parking garage and charge for parking to offset the cost, if the sidewalks are unsafe the government needs to spend some money and correct the problems.
 - The town cannot wait for or rely on public money to fund these kinds of improvements.
2. Someone argued that the government had spent a lot of money in the past couple of years in the downtown area, they have widened the roads, decreased the sidewalk width and made more lanes for vehicles and made less opportunities for pedestrians.

3. It was explained that widening of lanes and adding traffic lights may not be attractive but is necessary for safety.

What is the Planning Board's Vision for the Business Districts?

1. It was agreed that the BB-East district is the district at most risk because it was the least developed area and attention must be given to this area to protect it from unwanted forms of economic development; however, the BA district should not be ignored.
2. It was agreed that it is important to look at the zoning regulations, compare what is presently allowed in each business district and what the town wants in the area, and change the zoning regulations so that they accurately reflect what the town wants developed and preserved in each zoning district.
3. A recommendation was made that the board consider a decreasing the size in the size of the BB east zone in order to further encourage the development of the existing vacant space in that zone.
 - Shrinking the BB-East district forces compact development. Otherwise, commercial development will continue to be scattered along Route 20.
 - Businesses will not locate in an area simply because zoning allows it. They will be attracted to an area where there are a concentration of businesses that attract customers and where growth is expected in the near future. The strategy of shrinking the BB-East district combined with the other recommended changes will increase the likelihood of businesses being attracted to the BB-East district.
 - There was a concern that town residents and landowners would not agree with or understand why shrinking the size of business districts in Northborough will help economic growth
 - Some people present at the meeting felt that the BA district should be expanded towards the BB-East district so that the BB-East district and BA district would eventually merge.
4. A recommendation was made that the board consider creating nodes of commercial activity along Route 20, with the highest concentration of commercial activity and multifamily developments in the nodes and decreasing levels of commercial activity as one moves away from the nodes.
 - There was a discussion about which commercial districts along Route 20 should be nodes
 - One member felt strongly that the downtown should be the most significant center of commercial activity for the town
 - One member felt that it would difficult to incorporate change in the downtown due to the businesses that are there presently and asked whether it would be better to consider an area off route 20 to create small pockets of commercial properties that end at route 20

- Another member supported the idea having nodes of commercial activity along Route 20 and not having any one node be any more significant than others
- No conclusion was reached on whether to create commercial nodes or reduce the size of the BB-East district. However, it was agreed that:
 - The plan should include recommendations for some sort of more dense commercial/residential district that can provide more commercial retail services for the town, provide more affordable housing options and pedestrian shopping, and try and connect all of these together.
 - There should be some kind of transitional zone between the BA and BB-East district that encourages higher density housing and a higher intensity of uses in that area.

MEETING DATE: June 2, 2004

PLANNING BOARD MEMBERS PRESENT: Rick Leif, George Pember,

OTHERS PRESENT: Judi Barrett & Mee Heh Risdon, Community Opportunities Group, Inc, Kathy Joubert, Town Planner

PURPOSE

The purpose of this meeting is to continue discussions on economic development issues and come to closure on what types of recommendations the Planning Board is most interested in pursuing.

DISCUSSION ITEMS:

Creating Distinct BB Districts:

1. Because the two BB-districts have developed so differently, a recommendation was made that the town consider creating two separate Business B districts: one to the east and one to the west. The final report would make recommendations that would apply generally to both BB districts as well as specific recommendations that would apply to each of those districts. It was agreed that:

- the B-East and B-West commercial districts will become 2 different zoning districts
- zoning regulations should be changed so that the zoning supports pedestrian-oriented development in the BA and B-East zones and so that the uses in and adjacent to these zones support commercial uses

2. General Recommendations for Both BB Districts Would Include:

- It was agreed that the following changes should be made to all BB districts to improve the character and appearance of these districts:
 - reduce the front setbacks
 - establish minimum and maximum front setbacks
 - add a housing component.
- Evaluate the classification of uses, what is needed, and the impact of certain uses and identify locations that are suitable for each classification of uses
- Modify parking requirements so that they are no so restrictive as to prevent a project.

BB-East District

1. The idea of reducing the size of the BB-East district was discussed.
- It was agreed that the size of the district would not be reduced.

- However, it was agreed that the proposed transitional district could overlap with some of the BB-East district.
2. It was also agreed that the BB-East district is one of the districts the town should focus on changing into a pedestrian-oriented district and that the underlying zoning of this district should be changed to conform to pedestrian-oriented design principles.

Transitional Zone

1. The idea of using zoning to create an area between the BA and BB-East district that will support predominantly residential uses but also allow commercial uses like professional office space to support businesses in the BB-East and BB-West districts was discussed.
2. Three different tools for creating a different kind of district between the BA and BB-East districts were discussed. The transition zone may be created:
 - By creating an overlay district
 - By changing the zoning regulations for the GR district
 - By modifying General Residential zone to be form a transitional zone
3. It was agreed to create a transition zone connecting the BA and the BB-East district
 - The overlay zone could partially overlap with the BA and B-East districts
 - Both mixed use and higher density housing development will be permitted in this district
 - The overlay district will allow higher density residential development, particularly affordable housing
 - The regulations affecting the redevelopment of sites should carefully consider the constraints the Housing Authority will face if it tries to redevelop or build a development for affordable housing in the transitional district

The BB-West District

Because this district already has several successful businesses, it was recommended that the town avoid encouraging tearing down existing structures. The regulations should encourage the ability to redevelop and expand an existing structure. It was recommended that changes the town desired to see in the district be encouraged through the creation of an overlay zone for BB-West to allow for more development. The following was agreed upon regarding recommendations for the BB-West district:

1. Most of the zoning in the BB-West district should remain the same, but still encourage pedestrian-oriented development through a geographically tied overlay district

- The underlying zoning in this district should not change because it is already a thriving district and the land uses there are at less risk because most of the land in that area is already development.
 - Another very strong reason for leaving BB-West zoning as it is is to avoid making negatively impacting the commercial district by making so many buildings non-conforming to new zoning regulations.
2. Create an overlay district in the BB-West area because it is important to address the appearance of the district and further support the district's economic vitality by creating incentives for additional development and designs that are more pedestrian-oriented design
- The design guidelines should address development in the B-west area and a new overlay district should be laid over this area.
 - The overlay district will mostly follow the existing boundaries of the BB-West district and will also include some additional land along side-streets leading to the BB-West district.

Design Guidelines

It was agreed that the town needed to adopt design guidelines for the commercial districts that were clear, enforceable, and able to control the design of future development in Northborough. It was also agreed that the design guidelines and a design/architectural review process should, over time, result in BA and BB-East zones that encourage pedestrian-oriented development. However, there were several concerns that board members wanted to make sure were addressed by the revised design guidelines, such as:

3. There should be some way to encourage people to save, instead of tear down, some of the beautiful structures on Route 20 between the BA and BB-East district
4. The members of the review committee should be talented design professionals with significant design experience
5. The guidelines should avoid using the word colonial so that all the buildings do not look the same
6. The guidelines need to thoughtfully address the size and scale of future development
 - Most buildings should probably not exceed two stories in height since that seems to be the appropriate scale for Northborough
7. The following was recommended to address some of the above mentioned concerns:
 - The design guidelines should be clear so that developers have a very good sense of what the town is looking for in proposals and so that the committee can consistently apply the design criteria
 - The guidelines still need to be flexible enough to allow for creativity and sensitivity to unique site constraints/features and real budget constraints

- When revising the design guidelines, list specific criteria instead of the address of a specific building
- The design review process could be part of the site plan review process
- The design guidelines should treat the redevelopment or rehabilitation of existing structures differently from new construction to provide incentives to preserve attractive buildings already in the B-east and districts and in the transition zone

MEETING DATE: June 7, 2004

PLANNING BOARD MEMBERS PRESENT: Rick Leif, George Pember, Bob Rosenberg?,
Michelle Gillespie

OTHERS PRESENT: Judi Barrett & Mee Heh Risdon, Community
Opportunities Group, Inc, Kathy Joubert, Town
Planner

PURPOSE

The purpose of this meeting was to discuss and outstanding issues or concerns related to housing recommendations and to discuss issues and recommendations related to Senior Residence Communities/Over 55 Communities and IA zoned land in Northborough.

DISCUSSION ITEMS:

Policy Question – Senior Residence Community Bylaw:

“Who is in charge of administering zoning in Northborough?”

1. By design, the SRC bylaw gives town meeting a role in the approval process and requires contractors to go to town meeting to get to the Planning Board.
2. Ms. Barrett said that zoning bylaws should clearly state the standards that a developer is required to meet. Town meeting should adopt zoning bylaws, but it is not the environment to make permitting decisions. Open Town meeting is a legislative body and zoning policies can't be implemented fairly on town meeting floor because there is no way to predict who will show up for town meeting.
3. Concerns raised by people in the community about Senior Residence Communities/Over 55 Communities:
 - These 55 and older communities are being dropped in places the town may not want to have residential development or in places that seem inappropriate for more development (e.g., unsafe access)
 - The units in these projects do not serve low-income elderly households and do not meet the needs of most of the elderly in Northborough. Many seniors in town are finding they can't afford the taxes on houses they purchased many years before but don't really want to move into a smaller apartment or condo that costs more than what their house is worth and they can't afford the selling price.
 - Some people feel that the town should get something (i.e. affordable units) in exchange for favorable zoning.
 - Density is a significant issue because many people in the surrounding area of the project don't want large projects.

- Some residents are asking what the town will they get in return for relaxing its zoning regulations
4. Problems with SRC's from a Planning Perspective are:
- The zoning bylaws do not list the criteria that the town should use to evaluate SRC and there is no information on what developers must do to meet special permitting requirements.
 - The town needs to figure out if it wants to continue to give SRCs favorable treatment above all the other housing uses, especially at a time when developable land is growing increasingly scarce.
 - There is nothing in the bylaw that requires a developer to meet with the Planning Board to discuss their SRC project before town meeting. Developers can collect enough signatures to place an article on the town meeting warrant without any prior consultation with the Planning Board.
 - Allowing SRCs in the IA districts creates an interest group that will fight commercial or industrial development in the IA districts in the future
5. The Process of Approving or Disapproving Senior Residence Communities:
- The question of whether town meeting is an appropriate venue for issuing permits for any projects, including senior residence communities.
 - It was recommended that senior residence/over 55 communities be made a special permitted use in one or more zoning districts, with explicit application procedures, review and decision-making criteria, instead of having each SRC site approved by town meeting. The Planning Board should have special permit granting authority to consider SRC applications based on rational standards. Town meeting is not looking at eligibility in a rational way. Currently, there are no written standards.
 - It was recommended that senior residence communities/over 55 communities be permitted in specific areas of town and specific criteria for what is and is not acceptable be adopted.
 - It was explained if the board wants to remove the town meeting component, the board would have to strengthen the criteria of the approval process because:
 - The present bylaw and stated there isn't enough in the bylaw to disallow a project.
 - The present bylaw discusses what is required and not what is not allowed as well as off site mitigation.

Additional Questions About Inclusionary Zoning

1. There was a question about whether an inclusionary bylaw would cover all residential development, including SRC's. It was explained that the town could decide whether inclusionary zoning applied to all residential development over a certain size or whether certain types of residential development such as SRC's were exempted from the bylaw.

2. A question was asked about the difference between inclusionary zoning and senior residence communities. It was explained that with SRCs, the number of units in the town is increased without getting any affordability. The town is not getting anything other than tax revenue.
3. With an inclusionary bylaw the town would benefit by increasing affordable housing for seniors.
4. A concern was raised about whether inclusionary zoning would create too large of a disincentive and that developers would stop building in Northborough – particularly over-55 housing. It was explained that developers would not be “scared” away from developing in Northborough if:
 - The board adopted a fee schedule that was transparent and predictable.
 - The town required a reasonable amount of affordability: Unless the town is willing to give generous density bonus it is unrealistic to be asking 25% affordability, without a density bonus 10% is more reasonable.
5. A question was asked whether the inclusionary bylaw could require that a developer pay the difference between what a unit is selling for and what a low-income person can afford as a fee if the developer didn’t want to develop the affordable units.
 - It was explained that this is a common method for setting an inclusionary zoning fee, but there is a problem with it because the standard formula for determining low income is at 80% of AMI and most low-income people are not at 80%.
 - An alternative method might be to offer a density bonus for a gap fee that represents an income level lower than 80% of AMI. The town would then have leverage for more money if the developer wants to apply for the density bonus.

Does the Planning Board want more Senior Residence /Over 55 Communities in Northborough?

1. The reason for the original law was explained.
2. The bylaw was presented by a developer who was proposing an SRC.
3. When it was presented to town meeting it was explained it increased tax revenue and it appeared everyone came out a winner.
4. Some members of the board support SRC’s because they are an excellent source of tax revenue for the town and it does not require town services.
5. Some members of the board are concerned about the fact that these communities do not serve the housing needs of Northborough’s elderly population
6. It was determined that there is not consensus among Planning Board members on whether additional SRC’s in Northborough were a positive or negative outcome and that the Board will need to work on coming to agreement on a position.

Concerns About IA Zoned Land

1. Several questions related to the amount of land zoned IA were raised:
 - If all of the industrially zoned land were built out for uses allowed by zoning, would Northborough be the same town it is today?
 - If it were built out for those uses would the results be positive?
 - If there are issues for so much land being used, what is the town losing or gaining from developing the land?
2. There was a discussion about whether having so much land zoned IA was unique:
 - Although the amount of IA land was not unique, having so much land owned by 2 individuals/corporations is unique. When Met Life owned the land with its abutting land in Marlborough it was said it was the largest singly zoned area east of the Mississippi
3. A concern was raised that the zoning regulations for IA land invited 40B projects.
 - Landowners currently do not have many options for uses that they could build on their land and in a market when not much industrial development is occurring landowners may decide that they are better off selling the land to a housing developer.
 - The town should be aware of this and maybe be flexible about the types of uses allowed on IA land as not to force someone to create a 40B project.
 - It was recommended that the town consider additional commercial/industrial uses or mixed-use zoning.
4. It was mentioned that the town's existing bylaws have a mixed-use zone that allows 25% residential. The land must be developed for industrial/commercial zoning before the residential can be developed.
5. It was recognized that although the mixed-use bylaw was a smart idea, there may be some portions of it that make it unrealistic for developers to use it. It was recommended that the town look at the bylaw and figure out some ways to make a good contract for the real world.

The Mismatch between Affordable Housing Units Available and Housing Need

1. The units in the Housing Authority's existing stock of affordable units are too small for many elderly people who come to the housing authority looking for assistance:
 - Many elderly cannot afford to maintain the homes they own and are looking for something more affordable.
 - The Housing Authority only has units that are 1 or 2 BR, mostly 1 BR for seniors and many seniors have a hard time moving from a house to a 1 BR apartment. There is a need for affordable, yet more spacious, units.

- The longest waiting list is for 2BR units in general. The wait time is 8-10 years for a 2 BR unit. The Housing Authority cannot place smaller families/HH in the 3BR units because the State considers that underutilization of a unit and does not allow it unless a unit has been left vacant for a certain period of time because there isn't an appropriate sized HH to fill the unit.
2. It was explained that it is difficult to build units larger than a 2BR unit for the elderly because the financing available for elderly housing restricts the size of the units. In addition, the funds available for multi-family housing favor larger units like 3-BR units, even though there are many families that do not want, need or qualify for 3BR units.
 3. It was concluded that the mismatch between the types of affordable housing available, the types of units that traditional funding sources require, and the needs of low and moderate income elderly and families in Northborough underscored the importance of the town's ability to obtain funds for affordable housing development through inclusionary zoning.

There is a problem with the land that is zoned IA

1. The majority of land zoned IA is zoned by 1 or 2 individuals/corporations.
2. IA land is vulnerable to 40B projects.
3. Landowners unable to wait for the market to make it valuable to develop their land for industrial uses might sell their land to 40 B developers who can pay lots of \$ for land and can develop on it right now.
4. The development of residential uses (SRC) on IA land makes it difficult for landowners to develop industrial uses on their land in the future.
5. The town may want to give landowners more options for uses for IA zoned land such as mixed use developments
6. The vision statement should recognize:
 - There are a number of issues related to affordable housing and 40B's and the town's need to develop a strategy for developing affordable housing to meet the needs in the town.
 - The town needs to develop strategies to address the fact that its vision does not match what the government funding or regulations allow the town to do with government funding.
 - The integration of multifamily and commercial uses to increase the town's tax base and meet some affordable housing needs

APPENDIX E

Issues for Future Research & Discussion

1. **Business Survey:** Northborough would benefit from obtaining additional information about the local business community, such as how many years businesses have been in town, what their greatest needs are, whether they would be interested in participating in a business improvement district, whether there are ways the town could support them better.
2. **Parking Study:** Residents and business owners have identified parking as a significant concern. It is often seen as a limitation to additional economic development in Northborough, especially in the downtown area. It may be beneficial to hire a firm to conduct a parking study to find out if there really is a parking problem, how severe the problem is, and possible solutions. If the downtown needs a parking lot or a structured parking facility, the town should determine how much additional parking capacity is needed. The parking study should also include a methodology for calculating credits for parking spaces for shared parking lots.
3. **PUD Business Districts:** Planned Unit Developments can be an excellent tool for obtaining mixed-use developments that serve a wide variety of needs and bring tax revenue to the town. Unfortunately, no one has ever taken advantage of Northborough's PUD zoning. The Planning Board should host a discussion meeting with local developers to find out why no one has tried to use it and what changes would make the PUD bylaw more appealing to developers and landowners.
4. **Senior Residence Communities:** Northborough is divided over the wisdom of its Senior Residence Community zoning and whether senior residence communities or over-55 developments are beneficial to the town. Residents and town officials need to consider the long-term implications of senior residence and over-55 communities and determine whether these types of projects should be encouraged or discouraged by regulatory policy.
5. **Outreach:** This plan recommends some major changes to Northborough's zoning bylaw. It will be important for the Planning Board to obtain support from key groups in the community so these changes can actually be implemented. The Planning Board should seek feedback from interest groups that are affected by the zoning recommendations, as well as other town boards and commissions, and key figures in the community. Some key groups include business owners in the BB, BA, and BC districts, landowners the BB, BA, BC, and IA districts, developers, the Board of Selectmen, the Northborough Housing Authority and the Open Space Commission.

APPENDIX F

Town/Non-Profit Partnership Opportunities

Northborough is fortunate to have a potential housing development partner: the Northborough Affordable Housing Corporation (NAHC), a non-profit organization established several years ago by the Housing Authority. NAHC has not been “activated” in that it has never carried out any development projects. However, with encouragement from the Housing Authority and the town, capacity-building assistance and adequate planning resources, NAHC could serve as a locally oriented, small-scale developer of affordable housing. To make a partnership effort succeed, NAHC and the town need to be clear about their respective roles and responsibilities, and they will have to share a commitment to meeting Northborough’s affordable housing needs.

Northborough Affordable Housing Corporation

Opportunities

1. Meet with the town’s planning board to determine how they would like to work together and what each party can contribute to the affordable housing effort
2. Respond to Requests for Proposals issued by the Town for affordable housing development projects on town-owned land.
3. Establish a relationship with regional non-profit developers of affordable housing. Identify opportunities to work together so that NAHC can build development capacity.
4. Partner with regional non-profit affordable housing developers to develop affordable housing while the organization builds capacity.
5. Actively seek to identify potential development sites for affordable housing development and purchase sites with potential.
6. Identify and apply for sources of financing for land acquisition, new construction or rehabilitation.
7. Assemble the design team, hire the contractor, obtain permits, manage the construction process for each project.
8. An affiliate corporation of NAHC created specifically for each housing development project will own the project.
9. The Housing Authority should rent-up and manage affordable housing units created by the non-profit on a contract basis.

Phase I: Getting Started

1. The Housing Authority and Executive Director need to determine what their relationship will be to the NAHC, and make sure there is sufficient separation between the two groups to prevent the problems associated with a “mirror board.”

2. They should consider the types of projects they want to pursue with the NAHC, the populations they want to serve, and the role the organization should play in developing affordable housing in Northborough.
3. NAHC's role should not be decided by the town, and the organization should not be pressured to serve (or exclude) particular groups.
4. NAHC needs to:
 - Draft a mission statement that will inform their future decisions and the content of their by-laws.
 - Determine how the organization should be structured.
 - Examine its bylaws and Articles of Incorporation, and make sure these documents accurately reflect its mission and preferred organizational structure.
 - Decide how many members should serve on the Board of Directors, the types of people who should serve, considering qualifications, experience and other factors, who will be invited to join the board, and actively recruit members.
 - Raise funds for project manager or development assistant.

Phase II: Building NAHC's Capacity

1. NAHC should build its resume by starting with what its Board of Directors knows best and gaining experience in other types of projects by partnering with others.
2. Hire staff to assist with project management: consult with established technical assistance organizations such as Massachusetts Housing Partnership, CEDAC or LISC to determine the best ways to finance project management.
3. Focus on projects that involve purchasing small, multi-unit residential buildings, rehabilitating the units, and renting them out as affordable housing.
4. Hire a consultant or another non-profit to obtain assistance in applying for acquisition and rehabilitation financing.
5. Partner with more experienced non-profit affordable housing development corporations to gain experience developing new affordable rental housing projects.

Phase III: Gaining Independence

1. As NAHC gains success with small projects and begins to generate income from development, it will be able to pursue a wider range of affordable housing projects on its own. It should:
 - Work independently to acquire land and construct/rehabilitate affordable housing.

- Hire additional staff as the number of projects in the development stages and inventory of rental units begins to grow.
2. If the Board of Directors is interested in developing ownership housing, NAHC could consider pursuing these types of projects during Phase III.
 3. Phase III is also the appropriate time to consider adding supportive services to some of NAHC's projects.

Town of Northborough

Opportunities

1. Re-establish the Housing Partnership Committee (HPC).
2. Obtain technical assistance and training for HPC members.
3. Meet with NAHC to determine how the two organizations should work together and what each can contribute to a community-based affordable housing effort.
4. Adopt Inclusionary Zoning.
5. Adopt zoning to allow small-scale multi-family housing development. Northborough needs to create a climate in which affordable rental housing can be created through means other than a comprehensive permit.
6. File a home rule petition with the legislature to establish a special revenue fund for fees paid by developers under the inclusionary zoning bylaw.
7. Consider filing a separate home rule petition to establish NAHC as a local housing development corporation, modeled after legislation in Lexington, Belmont and Mansfield.
8. Confirm and short-list town-owned parcels that may be declared surplus property, offer to NAHC. (The home rule petition will need to establish authority for Northborough to sell or lease land directly to NAHC without being subject to Section 16 of Chapter 30B.)
9. For sites that NAHC does not have an interest in developing, prepare and issue Requests for Proposals and select developers. Dispositions may include surplus town-owned land or land donated to the town by developers to meet their inclusionary zoning requirement.
10. Use revenue from the affordable housing trust fund to purchase land for affordable housing or to subsidize the development of affordable housing units by NAHC.
11. Monitor affordable housing projects for compliance with regulatory agreements between the town and landowner/developer. (The affordable housing trust fund legislation should allow for a modest revenue set-aside for administrative costs.)

APPENDIX G
Maps


















TOWN OF NORTHBOROUGH

COMMUNITY DEVELOPMENT PLAN

Executive Order 418

Water Resources & Wildlife Habitat

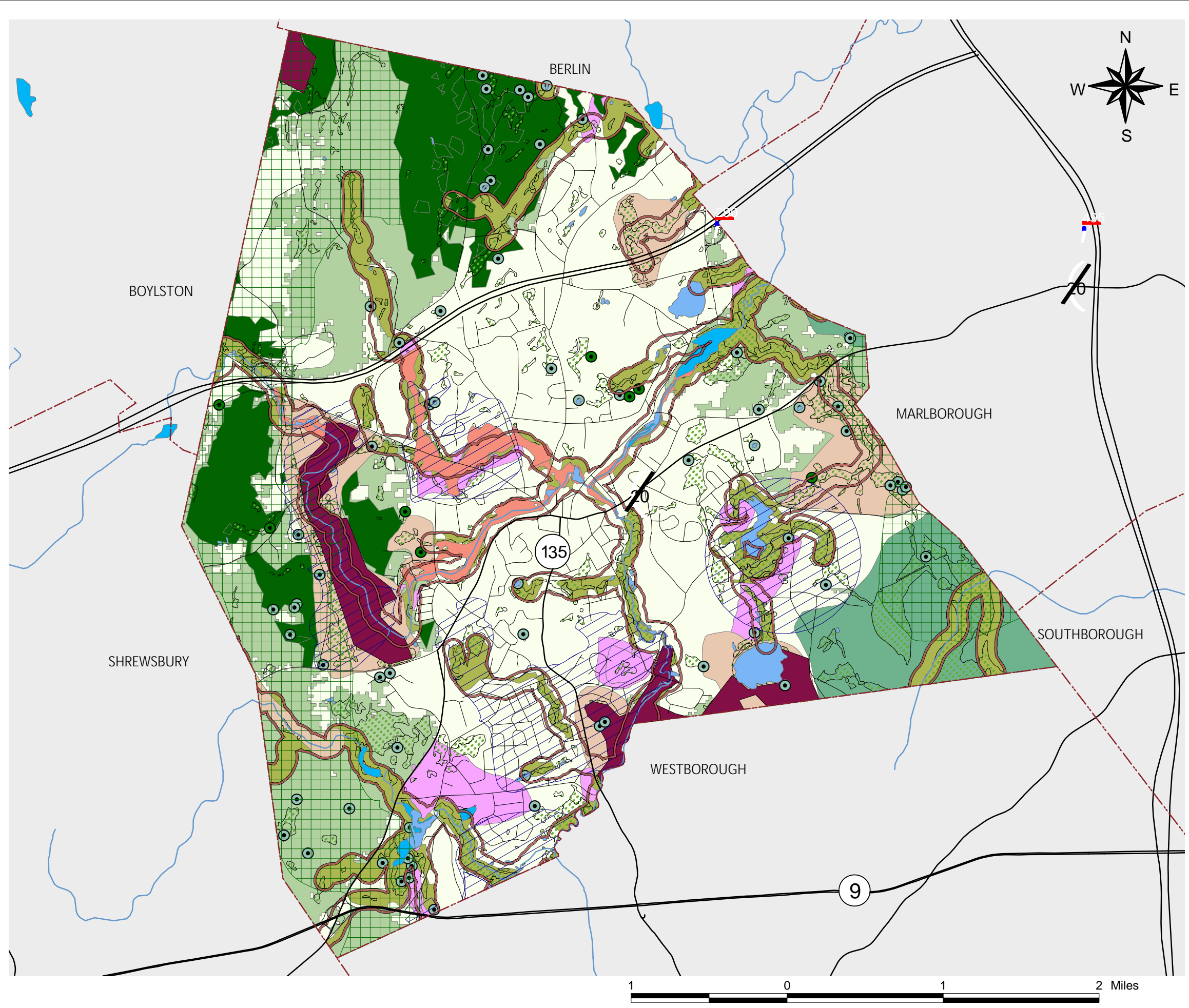
LEGEND

-  Municipal Boundaries
-  Roads
-  Riparian Corridor
-  Scenic Resource Inventory
-  DEP Water Supply Zone II
-  Open Water
-  NHESP Certified Vernal Pool
-  NHESP Potential Vernal Pool
-  NHESP Biomap Core Habitat
-  100-Year Flood Plain
-  Wetlands
-  NHESP Priority Habitat
-  Natural Land Riparian Corridor
-  NHESP Biomap Supporting Natural Landscape
-  DEP Outstanding Resource Waters
-  Contiguous Natural Lands
-  Aquifers

Data Sources: MassGIS, Geography Network, USGS

NOTE: The data represented on this map are intended to be used for planning purposes only. The data are not accurate enough for legal boundary definition or regulatory interpretation. Exercise caution when using this map.

Community Opportunities Group, Inc.
Boston, Massachusetts



TOWN OF NORTHBOROUGH

COMMUNITY DEVELOPMENT PLAN

PLAN

Executive Order 418

Existing Land Use & Open Space

LEGEND

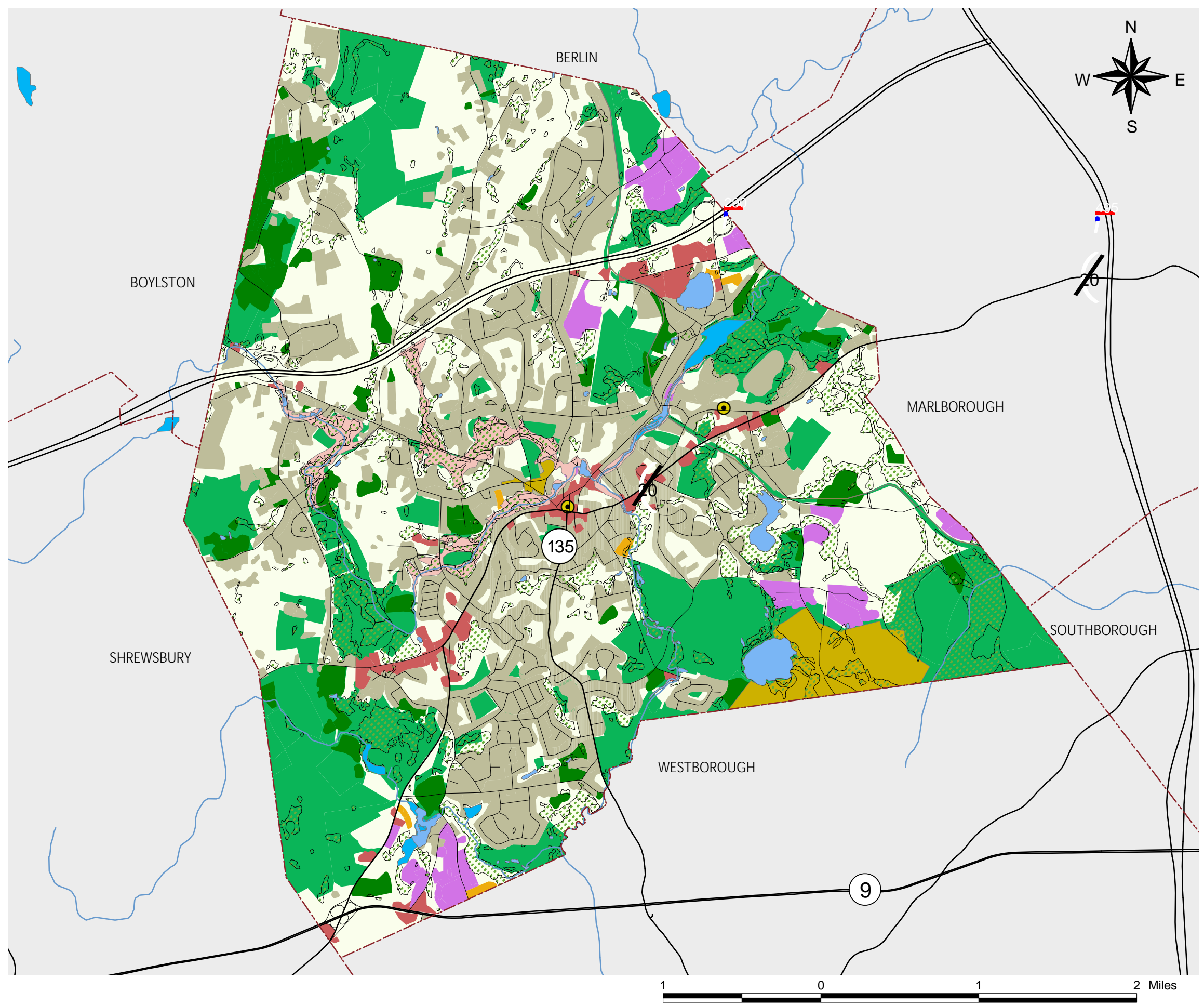
- Municipal Boundaries
- Roads
- Open Water
- Wetlands
- 100-Year Flood Plain
- State Register of Historic Places
- Cultural Resources
- Land Use**
- Agriculture
- Commercial
- Industrial
- Multi-Family
- Single-Family
- Open Space

"Open Space" includes land owned by public and private organizations to protect water resources, wildlife habitat and farmland, or to provide passive recreation opportunities. It also includes land under Chapter 61, 61A or 61B agreements, and urban public space such as school yards, parks and playing fields.

Data Sources: MassGIS, Geography Network, USGS

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Community Opportunities Group, Inc.
Boston, Massachusetts



TOWN OF NORTHBOROUGH

COMMUNITY DEVELOPMENT PLAN

Executive Order 418

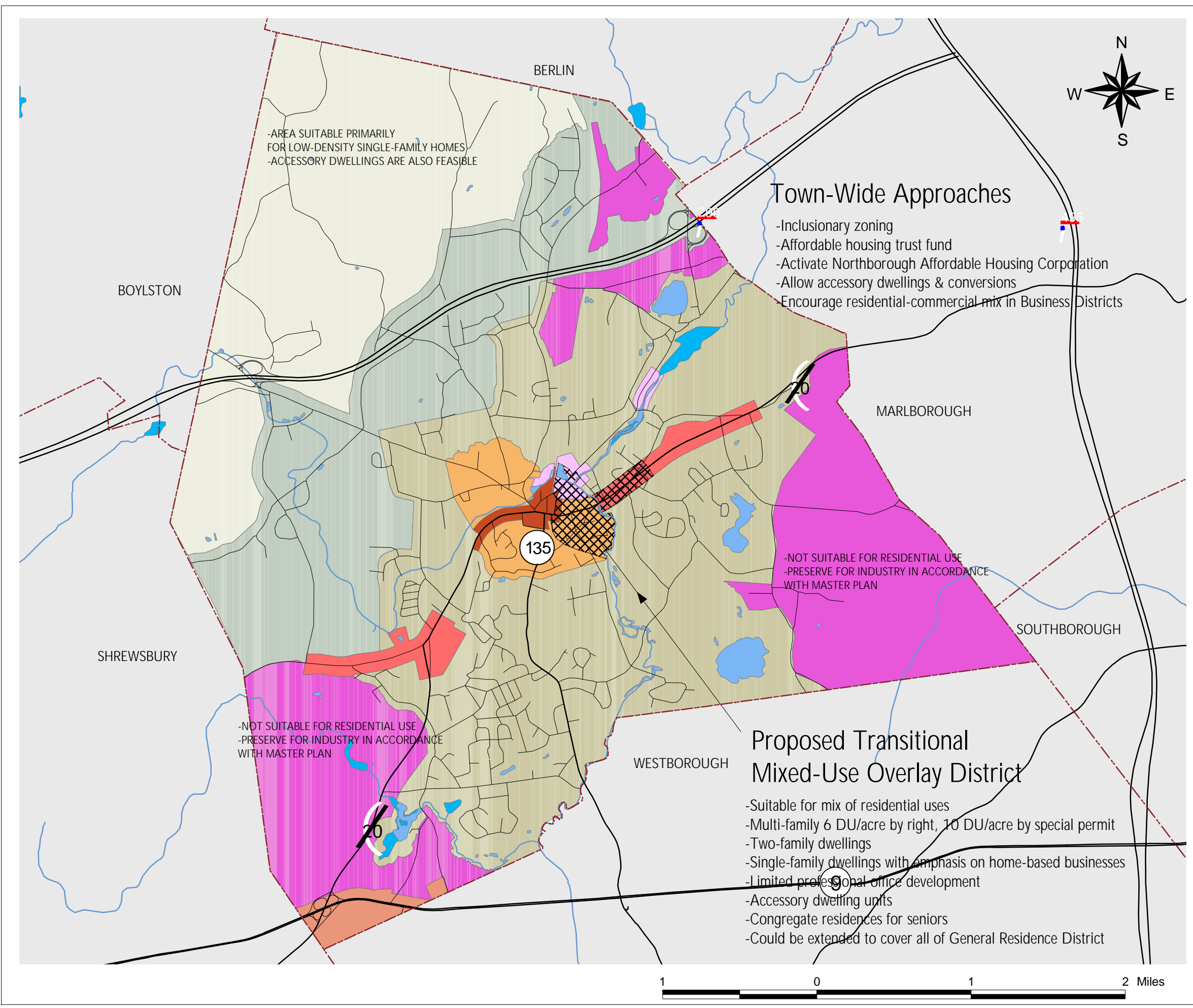
Housing Opportunities

LEGEND

- Municipal Boundaries
- Roads
- Open Water
- Transitional Use District
- Existing Zoning
- Business A
- Business B
- Business C
- General Residence
- Industrial A
- Industrial B
- Residence A
- Residence B
- Residence C

Data Sources: MassGIS, Geography Network, USGS

NOTE: The data represented on this map are intended to be used for planning purposes only. The data are not accurate enough for legal boundary definition or regulatory interpretation. Exercise caution when using this map.



Town-Wide Approaches

- Inclusionary zoning
- Affordable housing trust fund
- Activate Northborough Affordable Housing Corporation
- Allow accessory dwellings & conversions
- Encourage residential-commercial mix in Business Districts

Proposed Transitional Mixed-Use Overlay District

- Suitable for mix of residential uses
- Multi-family 6 DU/acre by right, 10 DU/acre by special permit
- Two-family dwellings
- Single-family dwellings with emphasis on home-based businesses
- Limited professional office development
- Accessory dwelling units
- Congregate residences for seniors
- Could be extended to cover all of General Residence District

-AREA SUITABLE PRIMARILY FOR LOW-DENSITY SINGLE-FAMILY HOMES
-ACCESSORY DWELLINGS ARE ALSO FEASIBLE

-NOT SUITABLE FOR RESIDENTIAL USE
-PRESERVE FOR INDUSTRY IN ACCORDANCE WITH MASTER PLAN

-NOT SUITABLE FOR RESIDENTIAL USE
-PRESERVE FOR INDUSTRY IN ACCORDANCE WITH MASTER PLAN

TOWN OF
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COMMUNITY
DEVELOPMENT
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Economic Development
Opportunities

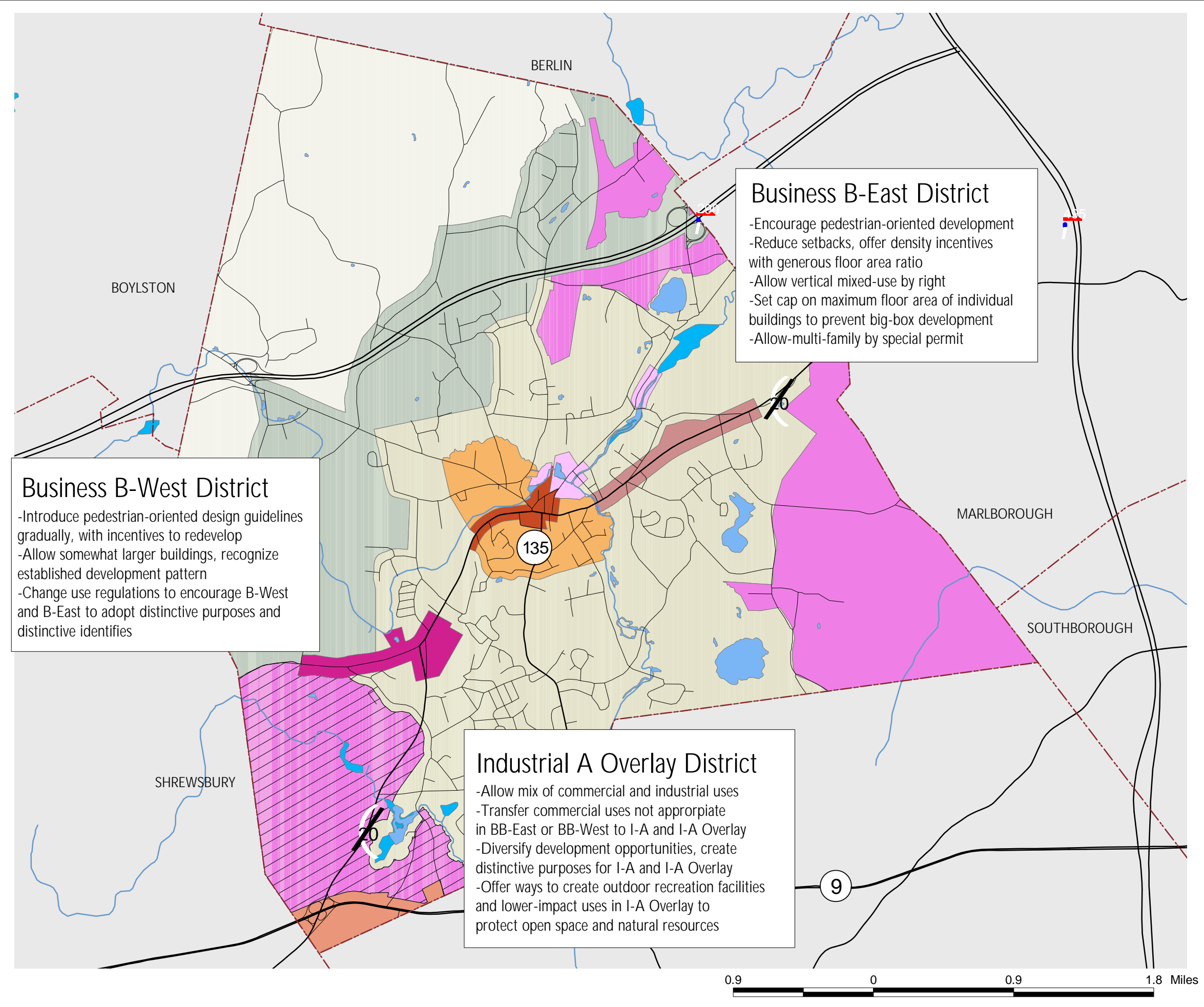
LEGEND

- Municipal Boundaries
- Roads
- Open Water
- Proposed Zoning
 - 215BB-East
 - 215BB-West
 - IA Overlay District
- Existing Zoning
 - Business A
 - Business C
 - General Residence
 - Industrial A
 - Industrial B
 - Residence A
 - Residence B
 - Residence C

Data Sources: MassGIS, Geography Network, USGS

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Community Opportunities Group, Inc.
Boston, Massachusetts



Business B-East District

- Encourage pedestrian-oriented development
- Reduce setbacks, offer density incentives with generous floor area ratio
- Allow vertical mixed-use by right
- Set cap on maximum floor area of individual buildings to prevent big-box development
- Allow-multi-family by special permit

Business B-West District

- Introduce pedestrian-oriented design guidelines gradually, with incentives to redevelop
- Allow somewhat larger buildings, recognize established development pattern
- Change use regulations to encourage B-West and B-East to adopt distinctive purposes and distinctive identifies

Industrial A Overlay District

- Allow mix of commercial and industrial uses
- Transfer commercial uses not appropriate in BB-East or BB-West to I-A and I-A Overlay
- Diversify development opportunities, create distinctive purposes for I-A and I-A Overlay
- Offer ways to create outdoor recreation facilities and lower-impact uses in I-A Overlay to protect open space and natural resources

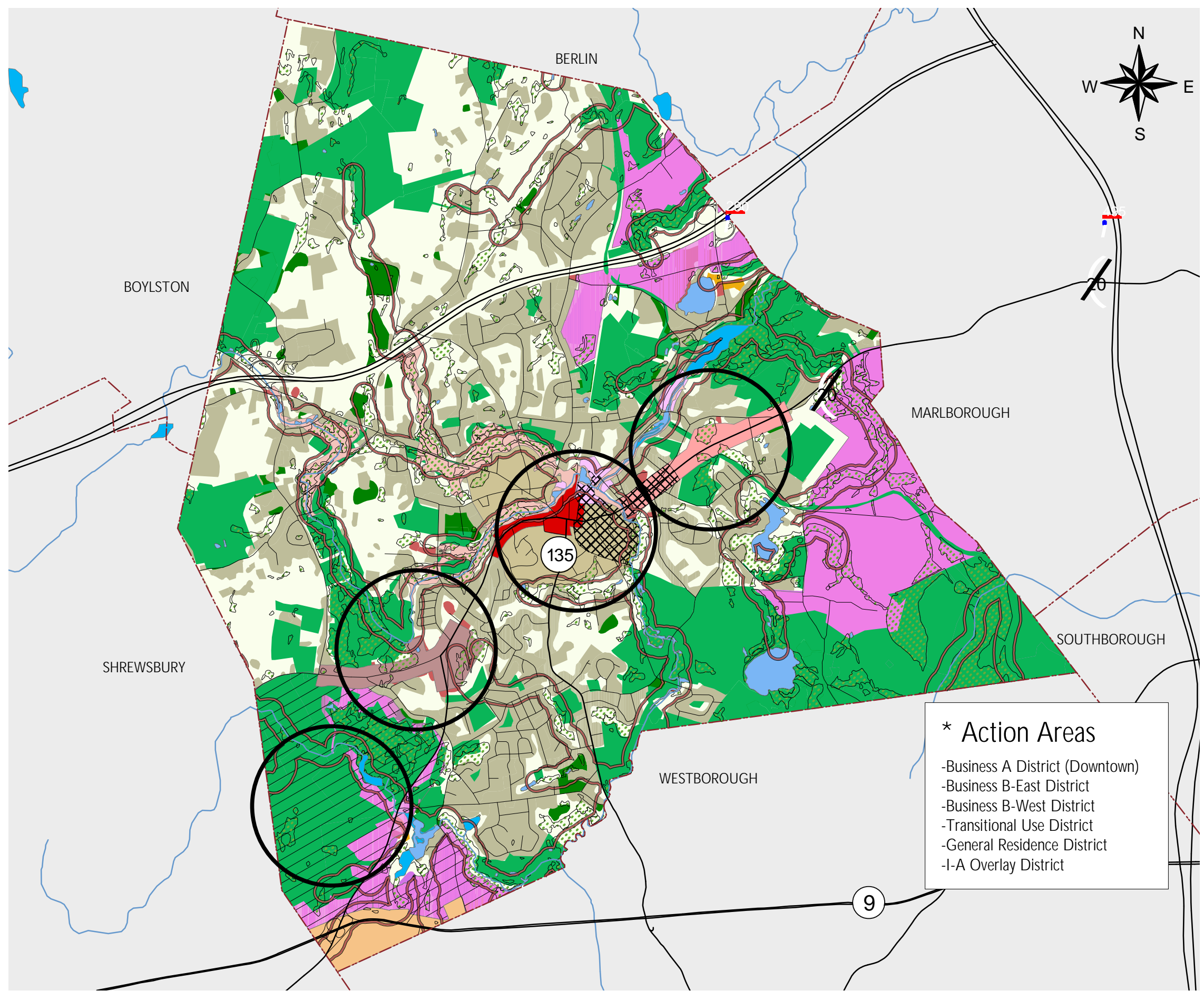


TOWN OF NORTHBOROUGH

COMMUNITY DEVELOPMENT PLAN

Executive Order 418

Putting It All Together



*** Action Areas**

- Business A District (Downtown)
- Business B-East District
- Business B-West District
- Transitional Use District
- General Residence District
- I-A Overlay District

LEGEND

- Municipal Boundaries
- Roads
- Riparian Corridor
- Open Water
- Wetlands
- 100-Year Flood Plain
- Transitional Use District

Focus Areas

- Business A
- Business B-East
- Business B-West
- Business C
- General Residence
- Industrial A Overlay
- Open Space

Existing Zoning

- Industrial A
- Industrial B

Existing Land Use

- Agriculture
- Commercial
- Industrial
- Multi-Family
- Single-Family

Data Sources: MassGIS, Geography Network, USGS

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