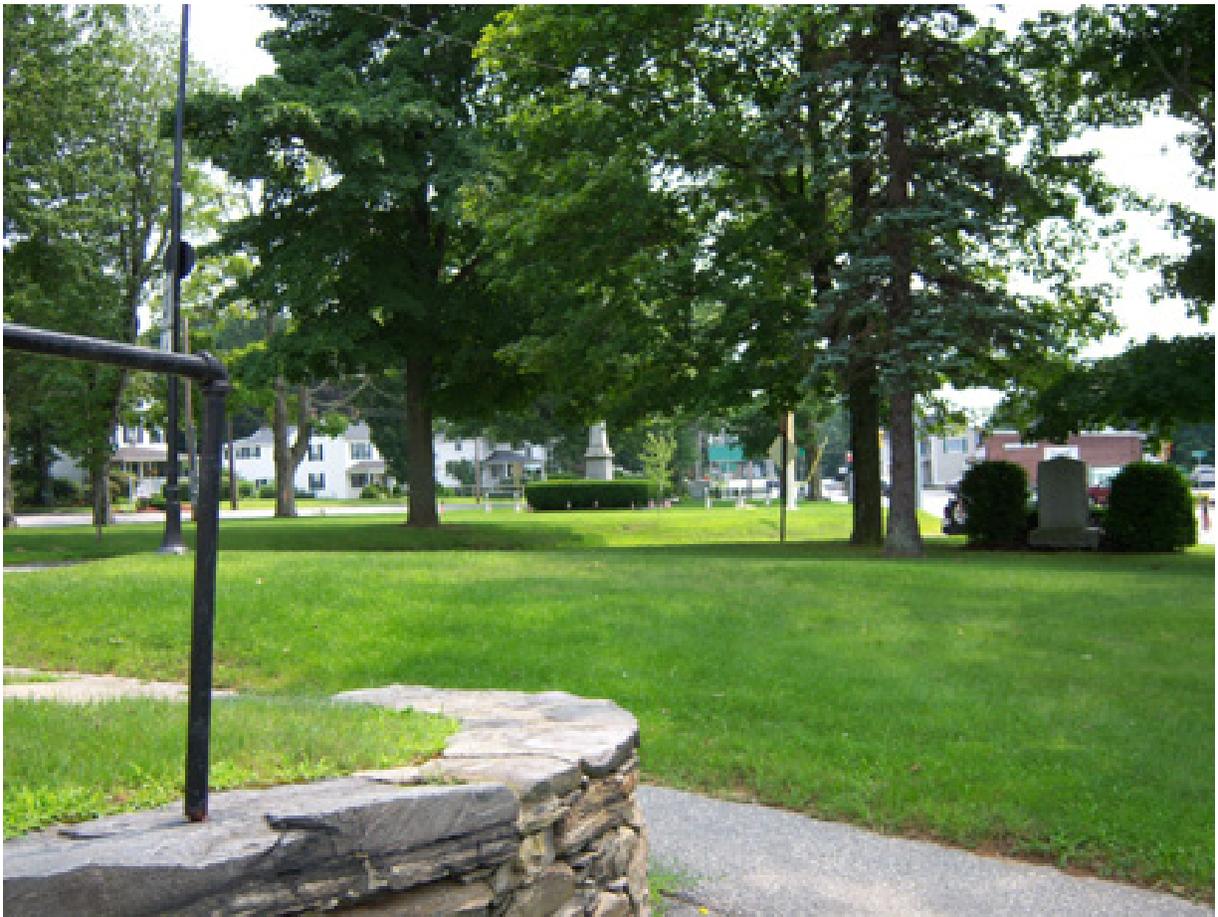


# PAXTON, MASSACHUSETTS 2008 COMMUNITY MASTER PLAN

## CHAPTER 2

### LAND USE AND ZONING



# PAXTON, MASSACHUSETTS 2008 COMMUNITY MASTER PLAN

## LAND USE AND ZONING

### Paxton’s Existing Land Use Pattern

Paxton’s land use pattern can be divided into two distinct segments: the town center that extends from the true center of Town south along Route 122 (Pleasant Street) towards Worcester and the rural residential areas that dot the outlying areas of Paxton and are comprised of existing and former farms.

The town center is comprised of residential, institutional and commercial uses. The town center does not have any easily definable boundaries but would most likely be described as the area beginning where Crowningshield Road meets Pleasant Street (Route 122) and extends north to the end of Center Cemetery. Commercial uses are clustered in a few areas among the historic single-family homes that dominate the streetscape. While there are some other commercial properties located along Route 122 the majority of Paxton commercial uses are in the town center.

Outside of the Town Center, development consists of existing and former agriculture sites, forest lands and low-density residential development.

Table LU-1 presents a breakdown of Paxton’s development pattern as of 2001. The land use pattern was delineated from an orthophotograph of the Town taken in 1999 by the University of Massachusetts – Amherst as part of statewide land use mapping effort. The UMass land use maps were further refined by the Central Massachusetts Regional Planning Commission (CMRPC) in March of 2001, using Geographic Information Systems (GIS). A graphic depiction of Paxton’s land use pattern can be seen on the Land Use Analysis Map.

**Table LU-1 - Paxton Development Pattern – 2001**

Developed Land	Permanently Protected Land*	Land with Environmental Constraints (non-buildable)
1,515 acres 1,495 acres of residential 20 acres of commercial	2,770 acres	1,384 acres

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

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

Table LU-2 - Paxton Land Use 1999-Breakdown of Total Town Land Area

<b>Total Land Area</b>	9,904 acres	100%
<b>Total Amount of Developed Land</b>	1,515 acres	15.3% of total land area
<b>Total Amount of Permanently Protected Land</b>	2,770 acres	28.0% of total land area
<b>Other Non-Buildable Land</b>	1,384 acres	14.0% of total land area
<b>Remaining Amount of Developable Land</b>	4,235 acres	42.8% of total land area

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

According to Table LU-2, Paxton’s developed land currently consists of slightly more than 15% of the Town’s total land area. The “developed” land category includes four types of development: residential, commercial, industrial and institutional (municipal buildings, churches, schools etc.)



Paxton contains several large tracts of permanently protected land, i.e. land that cannot be developed. There are two significant properties under State ownership, Moore State Park and the Moose Hill Wildlife Management Area in the southwest corner of Town. The municipal Water Department owns property throughout Paxton totaling approximately 80 acres for the purpose of protecting the Town’s water supply. The Town also owns three conservation properties and two cemeteries that are considered

permanently protected. The City of Worcester’s Water Department owns 16 properties totaling approximately 1,590 acres and the Town of Leicester’s Water Department owns 4 properties totaling approximately 48 acres for the purpose of safeguarding water supply sources.

Paxton has a significant amount of permanently protected land, (2,770 acres or 28.0% of the Town’s total land area). Additionally there are 707 acres that have “limited” protection because there are landowners in the Town that participate in the State’s Chapter 61 taxation program. The landowners of these parcels receive a lower land valuation as long as their land remains undeveloped and actively used for either farmland or forestland. However, these lands can be pulled out of the Chapter 61 program at any time and sold for development once a tax penalty is paid, the Town is notified of the landowner’s intent, and the Town declines its right-of-first refusal to purchase the property. Thus, the term “limited protection” is applied to these lands. While the Town is given the right-of-first refusal when Chapter properties are pulled out of the program, to date Paxton has not exercised its option to acquire former Chapter properties before they are sold for development. If and when Paxton does exercise its purchase option the Town may find it difficult to mobilize the financial resources necessary to complete the acquisition prior to the land being sold for development (as is the case for many rural communities in Massachusetts).

Table LU-3 below compares Paxton's land use statistics with those of its adjacent neighbors.

**Table LU-3 - 1999 Community Land Use Comparisons**

Town	Total Town Land	Developed Land		Protected Land		Other Non-Buildable Land		Remaining Land	
	acres	acres	%	acres	%	acres	%	acres	%
<b>Paxton</b>	9,904	1,515	15.3	2,770	28.0	1,384	14.0	4,235	42.7
<b>Worcester</b>	24,600	13,965	56.8	2,685	10.9	4,895	19.9	3,055	12.4
<b>Rutland</b>	23,167	1,834	7.9	9,309	40.2	2,818	12.2	9,206	39.7
<b>Oakham</b>	13,625	877	6.4	4,059	29.8	1,543	11.3	7,146	52.5
<b>Spencer</b>	21,735	3,071	14.1	4,164	19.2	2,336	10.7	12,164	56.0
<b>Leicester</b>	14,769	2,664	18.0	1,892	12.8	1,168	7.9	9,045	61.2
<b>Holden</b>	23,250	3,837	16.5	8,456	36.4	3,175	13.7	7,782	33.5

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

Table LU-3 indicates that Paxton is in the mid-range in terms of percentage of developed land at 15.3%, with Oakham (6.4%), Spencer (14.2%) and Rutland (7.9%) having lower percentages. Paxton also falls in the mid-range in terms of permanently protected land at 28.0% with Rutland (40.2%), Holden (36.4%) and Oakham (29.8%) having higher percentages. Paxton has the second highest percentage (14.0%) behind only Worcester (19.9%) of other non-buildable land (defined as wetlands, floodplains, river buffers and steep slopes). It should be noted that the towns compared have varying amounts of remaining vacant buildable land ranging from 12.4% in Worcester to 61.2% in Leicester.

**Table LU-4 - Paxton Land Use Changes Over the Years**

	1971	1985	1971-1985 (% change)	1999	1985-1999 (% change)
<b>Developed Acreage</b>	952	1,181	+24.1%	1,515	+28.3%
<b>Residential Acreage</b>	936	1,161	+24.0%	1,495	+28.8%
<b>Commercial Acreage</b>	15	20	+33.3%	20	0.0%
<b>Forest Land Acreage</b>	6,765	6,595	-2.6%	6,409	-2.8%
<b>Farm Land Acreage</b>	1,065	1,003	-5.8%	713	-28.1%

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

Table LU-4 indicates that Paxton has added 563 acres of new development between 1971 and 1999, while losing 352 acres of farmland and 356 acres of forestland during the same timeframe. Furthermore the rate of development is increasing. To wit: between 1971 and 1985, Paxton's amount of developed land grew by 24.1% and between 1985 and 1999 the Town's amount of developed land grew by 28.3% representing an accelerated rate of development. This is consistent with the increase in population growth over the same general time frame. This increase may be attributed to the increasing size of new homes and the land required to construct them. Larger lot size requirements reduce the number of housing units constructed and limit the amount of children introduced into the school system but they also increase the amount of land that is developed.

## EOEEA-Sponsored Build-Out Analysis for Paxton

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

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

**Table LU-5 - Summary of 2001 Build-Out Analysis**

<b>Zoning District</b>	<b>Amount of Buildable Land (acres)</b>	<b>Number of Buildable Lots</b>	<b>Amount of New Floor Space (sq. ft.)</b>	<b>Additional Population</b>	<b>Additional Students</b>
GRA	71	117		350	82
GRB	4,106	2,725		8,176	1,913
Business	4	5	12,700		
Totals	4,181	2,847	12,700	8,526	1,995

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

### Remaining Development Potential

*Residential Development:* According to the US Census, Paxton's population for the year 2000 stood at 4,386 residents. The 2001 build-out analysis indicates that the Town has enough vacant developable land to accommodate an additional 8,526 new residents under its current zoning standards. This would mean that Paxton could potentially have as many as 12,912 total residents at full build-out (4,386 existing residents + 8,526 new residents = 12,912 total residents). Table LU-5 indicates that Paxton's GRB district has the largest amount of land available for future development, enough to accommodate an additional 2,725 house lots and 8,176 new residents. The GRA district has much less available developable land and would only be able to accommodate 117 house lots and 350 new residents.

Some residents may perceive that in Paxton development is proceeding at an alarming rate and the Town should take action to slow or even prohibit future development in the name of preserving the small town character that many residents treasure. While the numbers in Table LU-4 support the view that development is accelerating, the statistics from the full build out indicate that Paxton has a large amount of land that remains potentially developable. Furthermore land use and building permit data from CMRPC's northern sub-region indicates that ever larger homes are being constructed on progressively larger lots (thus increasing the

consumption of land, the length of roadways being constructed and the amount of water pipe required to be laid to service the new homes) and most of the land being used for new residential developments consists of forestland and former farms. Paxton's planners should review the Town's zoning map and the policy of expanding the Town's infrastructure to determine if the current zoning arrangement is contributing to the accelerated rate of development and what implications the continuing expansion of residential uses in Town may have on the Municipal budget, community character and scenic resources (farm and forestlands).

*Commercial Development:* As indicated in Table LU-5 the 2001 Build Out Analysis indicates that Paxton has 5 acres of vacant commercially zoned land with the potential of 12,700 square feet of commercial floor area. However, what the table fails to indicate is that much of this land has poor access, is associated with an existing commercial or residential use and the parcels are not abutting or of adequate size to support a building and parking. The bottom line is there is essentially no buildable vacant commercial land in the Town of Paxton. There is some potential for the redevelopment of existing commercial areas in the center of Town but even this would be only add up to minor increase in the commercial square footage in Paxton. Unless Paxton rezones new areas of Town for commercial use there will be very little economic growth and there will be not be a place for services (that some residents indicated a desire for in the Master Plan Survey) to locate.



### Paxton's Existing Zoning Scheme

A graphic depiction of Paxton's zoning arrangement can be found on the Zoning Map.

*Residential:* Paxton has two types of residential zoning districts, each called General Residential and classified as A and B. All told 99.8% of the land in Paxton is zoned for residential use.

The GRA district covers 3.4% of Paxton's total land area and is located along Pleasant Street from the Worcester line to the Town center, where it radiates out to encompass properties along Maple Street, Highland Street and Richards Avenue to the east; West Street to the west; and north to the intersection of Davis Road and Pleasant Street. The GRA district has a minimum lot size requirement of 30,000 square feet and a minimum frontage requirement of 100 feet. The entire GRA zoning district is served by the municipal water system and privately sewered. For uses permitted by right, the GRA district allows single-family homes, institutional uses (government buildings, schools, churches, etc.), agricultural uses, poultry farms and traditional home occupations. Uses allowed by Special Permit in the GRA district are nursing homes; boarding houses; bed and breakfast; temporary accessory apartment; medical clinics & hospitals; cemetery/crematory; day or other camp; hunting, fishing or golf club; tennis club; recreational facility; animal hospital; dog kennel; stone quarry; aviation field; radio, television or

communication station or tower; riding stables; funeral home; ski tow; membership club; golf course; earth removal; and the conversion of a single-family home to a two-family dwelling.

The GRB district covers 96.4% of Paxton's total land area and covers the vast majority of the Town outside of the GRA district. The GRB has a minimum lot size of 60,000 square feet and a minimum frontage requirement of 200 feet. While the municipal water system does serve a major portion of the GRB district there are significant areas that are not served, the largest being the northwest quadrant as well all the land abutting the Rutland line and northeast corner of Town. The GRB district has the same list of allowed by right and special permitted uses as the GRA district.

In addition to the uses and requirements outlined above, "Rear Lots" are allowed in both GRA and GRB districts by special permit. These lots are allowed when there is not less than 50 feet of frontage and at a minimum 120,000 square feet of lot area, given that the lot's width does not decrease between the frontage and the building (existing or proposed).

*Commercial:* Paxton has one commercial zoning district, the Business District. All told Paxton has zoned 0.2% of the Town's total land for commercial purpose (or less than ¼ of 1%).

There are distinct business districts in the Town's center and one locate south of the center along Route 122 (Pleasant Street). Municipal water is available for the entire Business district. The Business district has a minimum lot size of 25,000 square feet and minimum frontage requirement of 125 feet. The permitted by right uses in the Business district are the same as those allowed in the residential districts with the exception of poultry farms and the minimum lot size for dwelling units is 20,000 square feet with a minimum frontage requirement of 100 feet. Other uses allowed by right include boarding or lodging houses and personal service establishments. Uses allowed by special permit include retail business; business offices or banks; restaurants; fast food establishments without drive-thru; gas stations; service garage; amusement or assembly places; newspaper or job printing; commercial parking lot or structure; and adult uses.

*Overlay Zones:* Paxton has adopted five zoning overlay districts. An "overlay" district allows the same uses that are permitted by the underlying zoning, while adding additional protections or regulations on significant land use issues of concern to the community. These districts include the Flood Plain District, Watershed Protection District, Wind Energy Overlay District, Wireless Facility Overlay District and Senior Residential Development District.

The Flood Plain and Watershed Protection Districts are both considered environmental overlay districts and place limits on those uses that may pose a hazard to environmental resources if not conducted properly. The Floodplain District covers those areas within the 100-year flood zones as delineated by the Federal Emergency Management Agency (FEMA) on the Town's Flood Insurance Rate Maps (FIRM). Meanwhile the Water Shed Protection District was established to further protect the many reservoirs located with the Town's boundaries. Therefore these reservoirs and portions of the land that hydrologically flow into them are included in the overlay district. The district includes a series of regulated and prohibited activities, as well as, guidelines for applying for and approving special permits in the district.

The Wind Energy Overlay District (WEOD), located along a portion of the easterly boarder of Town, which includes Asnebumskit Hill and surrounding lands, was developed to allow for the location of commercial wind energy conversion systems (WECS) in Paxton. Location of a WECS requires a special permit and adherence to specific design guidelines in reference to siting, height, lighting and other attributes. These specifications are included in the Wind Energy Overlay District Bylaw.

Similar to the WEOD, the Wireless Facility Overlay District governs the location and design of communication towers in Paxton. The bylaw requires that there be a justification of need, as well as including a detailed list of site design requirements ranging from screening to safety measures. The Wireless Facility Overlay District is located almost entirely within the WEOD on the east side of Town.

The final overlay district is the Senior Residential Development (SRD). This bylaw was developed to create housing for an aging population who wish to remain in Paxton but do not have the means or desire to maintain a large single family home and the accompanying lot. The SRD allows for higher density, multi-unit building construction while requiring that not more than fifty (50) percent of the tract consist of buildings, parking areas or other impervious surfaces. This development also includes a requirement that the deed carry an age restriction as well as conditions for the preservation of the open space.

#### Zoning of Neighboring Communities Bordering Paxton

*Rutland:* The zoning along the shared boundary with Rutland is consistently residential on both sides. The Rutland side is zoned R (30,000 square foot minimum lot size if municipal sewer is present and 65,340 square feet minimum lot size if there is private sewer) and the Paxton side is zoned GRB (60,000 square foot minimum lot size). Rutland's municipal sewer system does not extend to the Paxton line; thus, there are no zoning conflicts with Rutland.

*Holden:* The zoning along the shared line with Holden is consistently residential on both sides. The Holden side is zoned R-40 (40,000 square foot minimum lot size) and the Paxton side is zoned GRB (60,000 square foot minimum lot size). There are no zoning conflicts with Holden.

*Worcester:* The zoning along the shared boundary with Worcester is consistently residential on both sides, however there is a significant difference in the minimum lot size in each community. The Worcester side is zoned RS-7 (7,000 square foot minimum lot size and 65 foot minimum frontage) and the Paxton Side is zoned GRA (30,000 square foot minimum lot size and 100 foot minimum frontage) and GRB (60,000 square feet minimum lot size and 200 foot minimum frontage).

*Leicester:* The zoning along the shared boundary with Leicester is consistently residential on both sides. The Leicester side is zoned SA (50,000 square foot minimum lot size) and the Paxton side is zoned GRB (60,000 square foot minimum lot size). There are no zoning conflicts with Leicester.

*Spencer:* The zoning along the shared boundary with Spencer is consistently residential on both sides, however there is an area where the minimum lot size is significantly different. The Spencer side is R-22.5 (22,500 square foot minimum lot size and 100 foot minimum frontage) and the Paxton side is zoned GRB (60,000 square foot minimum lot size and 200 foot minimum frontage). The remaining land in Spencer is zoned R-45 (45,000 square foot minimum lot size) and the Paxton side is zoned GRB (60,000 square foot minimum lot size).

*Oakham:* The zoning along the shared boundary with Oakham is consistently residential on both sides. The Oakham side is zoned ARR (130,680 square foot minimum lot size) and the Paxton side is zoned GRB (60,000 square feet minimum lot size). There are no zoning conflicts with Oakham.

The zoning review for Paxton's neighbors indicates only two significant zoning conflicts. They are both related to minimum lot size requirements and occur at the boundary with Worcester and at the boundary with Spencer.

### Improvements to the Current Zoning Scheme

Paxton's current Zoning Bylaws were adopted on March 19, 2001 and have been updated several times since, with the most recent being April 4, 2005. These Bylaws are contemporary, well organized, and easy to read as well they contain many of the Smart Growth techniques and tools that are critical to proper comprehensive planning and growth management. However there are some areas in which changes would benefit the Town over time.

Possible enhancements to the Zoning scheme are:

- A provision for shared access by commercial uses.
- Expanded economic development options.
- The reduction of the number of uses requiring a special permit in the B district.
- A provision for limiting the allowable floor size of commercial uses.
- A provision for multi-family zoning.
- A series of provisions for "building green".
- Increasing the amount of land zoned for commercial purposes.
- A provision for design review in the commercial district.

While the above may seem like a significant list of changes, they are additions that have the potential to make a well thought out and organized set of regulations stronger. This list can be addressed over time through revisions and the passage of additional sections of the Zoning Bylaws.

Zoning drives development in towns and what you zone for is what you get. A poor zoning scheme or layout will result in many land use issues that compound over time and will require major capital (money and man hours) to overcome. These can range from aesthetic issues to land use conflicts. Paxton has a large amount of developable land available and if action is taken in the near future the Town has the opportunity to direct development in a manner that will reflect Paxton's character.

## Land Use – Goals

- Preserve Paxton’s rural character while promoting the preservation and management of open space.
- Recreate a lively and eye-catching mixed-use village center.

## Land Use – Objectives

- Manage the Town’s growth while retaining the openness and mixture of architectural styles that has long characterized Paxton.
- Define the boundaries of what will be Paxton’s Town Center and limit commercial development to this area only.
- Enact zoning tools that will create an active town center containing a mixture of businesses, residences, municipal government offices, institutional uses and service providers.
- Enact zoning tools that encourage the location of new businesses and service providers that will compliment Paxton’s existing landscape and offer the amenities that residents desire.
- Achieve consistent, coordinated planning and administration among the Town boards.

## Land Use Recommendations - General

1. Adopt the Community Preservation Act (CPA): (Housing Chapter Recommendation #5)  
Adoption of the CPA was narrowly defeated as a ballot measure during the general election of 2006. The small margin of defeat indicates there is some support for the CPA. Town officials should look to identify the reasons the measure was defeated and try to bring the measure before the voters again.

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

*Roadmap to the CPA:* When a community is considering adopting the CPA, it can design the program to meet its specific needs and financial situation. There are a number of exemptions that the town can include in the act in order to protect people on fixed incomes or those facing financial hardships. The community can even limit the total financial impact of the program on property owners. The three major exemptions that can be included in the CPA are; senior, low income and property value exemptions. The following example indicates the impact of the CPA on the average homeowner.

What the CPA Means for the Average Paxton Property Owner:

Average Paxton Home – Assessed Value:	\$362,000
Less \$100,000 Exemption:	- \$100,000
Net House Value Subject to CPA Surcharge:	\$262,000
Municipal Tax Rate (per \$1,000 of assessed valuation):	\$11.42*
Municipal Property Tax (amount subject to CPA Surcharge):	\$2992.04
CPA Surcharge Rate (3% x \$2992.04):	3%
Annual Amount Paid to the CPA Fund:	\$89.76
<b>Monthly Impact on Household Finances (\$89.76/12 months):</b>	<b>\$7.48</b>

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

As noted from the above example, the total annual impact of the CPA program on an average Paxton homeowner would be \$89.76, or \$7.48 per month. This number might be smaller or larger depending on the actual value of the property. According to the 2000 US Census, 1,354 eligible households in Paxton would contribute approximately \$121,535 annually to the Community Preservation Act. When this amount is combined with the Commonwealth’s current match, Paxton would have \$243,070 to spend each and every year on CPA housing, historic preservation and land protection programs.

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

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

these properties. The renovation of historic Town Hall and the acquisition preservation of important properties would qualify for funding under the CPA.

More importantly, many state and federal grants now require cost matches. Communities that cannot provide these matches are effectively blocked from applying for many of these grants. Using funds from the CPA would allow Paxton to leverage its program money as a cost match and allow it to apply for and receive some of these grants. Using just one year's annual CPA assessment of \$243,070 would allow the town to pursue a \$1,215,350 grant that requires a 20% cost match (20% of \$1,215,350 = \$243,070).

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

2. Investigate the Adoption of a Local Wetland Protection Bylaw: Paxton has approximately 1272 acres of wetlands. These valuable ecosystems serve as wildlife and fishery habitats. Wetlands also act as natural pollution filters and this is an important function in Paxton, which has extensive frontage along the Kettle Brook Pond No. 3, Kettle Brook Pond No. 4, Turkey Hill Pond, Asnebumskit Pond and Eames Pond several of which are active drinking water reservoirs for the City of Worcester (Paxton's water supplier). Additionally, some of the tributaries that flow through Town make their way to the headwaters of the Blackstone River by way of Southwick Pond, which the State has classified as a Blackstone River Lake. Additionally, the town of Paxton has rivers and streams that drain into the Chicopee and Nashua River Watersheds. As wetlands are a critical factor for Paxton's environmental integrity, it is recommended that the Town explore the adoption of a local Wetland Protection Bylaw. Such a Bylaw would be in addition to the protections already afforded from the State's River and Wetland Protection Acts. Responsible Municipal Entities: The Master Plan Implementation Committee and the Conservation Commission.
3. Work With Area Land Trusts: Research conducted on behalf of the Master Plan indicates there are 31 tax parcels in Paxton currently enrolled in the State's Chapter-61 taxation program. Many of the large lot property owners are in their "golden years". Elderly property owners are often faced with the following dilemma: how to conduct their estate planning in such a way as to maximize assets while at the same time protecting the land they've lived on for many years. This can be a very complicated proposition, one that requires legal and estate planning assistance. There are several regional land trusts (such as the Greater Worcester Land Trust, the White Oak Preservation Society and the Paxton Land Trust to name a few) that have such expertise on staff. Land trusts often work with property owners to create estate plans that meet the financial needs of the landowners while protecting the land (albeit sometimes in a limited fashion). It is therefore recommended that Paxton work with the region's larger land trusts to identify land protection opportunities. The list of large-lot property owners should be kept with the Conservation Commission, Open Space Committee or Master Plan Implementation Committee, who in turn, should be the Town's liaison with

the region's land trusts. Responsible Municipal Entity: The Conservation Commission or the Master Plan Implementation Committee.

4. Create a Lot Coverage Limit: Lot coverage limits dictate the maximum size of a building footprint as a percentage of the lot size. This limit can include decks, driveways and outbuildings in residential zones and driveways, parking areas and accessory structures in commercial zones. The creation of a Lot Coverage Limit Bylaw would aid in preserving the open feel that characterizes the center of Paxton and reduce any congestion, perceived or real, in newly constructed residential neighborhoods. Responsible Municipal Entity: The Planning Board.

### **Land Use Recommendations – Economic Development**

5. Develop a Description of Character for Paxton Center: (Economic Development Recommendation #2) The Master Plan Implementation Committee should hold a town wide visioning session to identify Paxton residents' ideas of the character that exists or should exist in the Town Center. This session could be held on a Saturday morning and should include a variety of pictures and perhaps a walking tour of the area denoted as Town Center to familiarize people with the extent of the district. This could be followed up with visits to several other communities with distinct commercial areas. These communities have been able to retain or create a character in their downtowns and may provide insight into how Paxton might proceed. All those who make the trip should bring a camera and note pad to record streetscapes and other features that they liked, found interesting or disliked. These experiences, notes and pictures should be compared and contrasted and there should be a follow up with Town officials in each town visited to identify if there is a Town policy in place that guided the development of that area. If there are policies that aided in creating the character of a business district it is important that they be documented and used in the revision of the Site Plan Approval Bylaw as recommended in #7 below. Responsible Municipal Entity: The newly formed Economic Development Commission with input from the Planning Board and Zoning Board of Appeals.
6. Review and Revise the Zoning Bylaw's Use Schedule: (Economic Development Chapter Recommendation #4) The Planning Board needs to review the Zoning Bylaw provisions for new commercial zoning and revise as necessary. The provision that should be reviewed is the Use Schedule. Currently a special permit is required to place most commercial uses in the Business District. While this approach affords the Town certain powers of negotiation during the permitting process it eliminates design consistency amongst new construction. Paxton should examine expanding the Use Schedule to include more service and retail oriented uses by-right. The citizen survey conducted at the Master Plan's outset indicated that Paxton residents would support a limited expansion of these use categories. Responsible Municipal Entity: Planning Board.
7. Review and Revise the Site Plan Approval Bylaw: The existing Site Plan Approval procedures within the Zoning Bylaws should be amended to give developers more guidance regarding how the Town would like to see commercial sites developed. The Town can clearly spell out its design preferences in the form of standards incorporated into the current

Site Plan Approval procedures. Having such standards in place would ensure that new economic development enterprises are built in a way that blends the new buildings into Paxton's community character with minimal disruption to adjacent neighborhoods and existing traffic patterns. These standards could cover issues such as:

- Access/egress,
- Lighting,
- Landscaping,
- Signage,
- Stormwater management and drainage,
- Parking location and layout,
- Facade appearance/materials,
- Building size and location,
- Fencing and screening, and
- Snow removal.

The site plan approval process currently asks the developer to submit information on the above issues but offers no guidelines or standards on how they should be designed. The Planning Board can rectify this problem by clearly articulating a set of design standards in the Bylaw that reflect the community's preference for the reuse of existing buildings and the visual appearance of new economic development enterprises. Responsible Municipal Entity: The Planning Board.

10. Limit the Amount of Commercial Floor Space Per Business: (Economic Development Chapter Recommendation #5) The results of the Master Plan Citizen Survey conducted clearly indicate that Paxton residents are not in favor of having the Town's commercial zoning district encourage large-scale retail operations, i.e. the "big box" retailers. In an effort to address this concern, it is recommended that the zoning bylaw be amended to place a floor space limitation on new businesses. Paxton's residents have a preference for small-scale retail operations that fit within the rural character of the Town where the current businesses are all below (most well below) 5,000 square feet. Instituting a floor area limitation for new businesses in the range of 5,000 – 7,500 square feet would be appropriate for Paxton's commercial zoning district. Responsible Municipal Entity: The Planning Board.

11. Expand the Amount of Land Area Zoned Business: Currently all of the land zoned Business in the Town of Paxton is occupied with active commercial enterprises. It is recommended that Paxton rezone land adjacent to the existing Business zoned land in order to allow new commercial enterprises to locate in Town without altering the overall character of the community. This recommendation is based on the citizen survey conducted at the outset of the Master Plan indicated that Town residents would like Paxton to retain the current character while offering new retail and service opportunities.

It should be noted that any effort to rezone property should be undertaken only after the other four recommendations in the Economic Development section of the Land Use Recommendations are completed. This will allow Paxton's planners to develop specific guidelines for design standards and to expand the Use Schedule to allow more uses by-right. Thus, creating a development climate that is acceptable to and appropriate for Paxton. Responsible Municipal Entity: The Planning Board.

12. Investigate the Creation of an Agricultural Business District Bylaw: Paxton has several large parcels that are presently operating as agricultural uses with an additional business component on site. These businesses, operating under a combination of grandfathering and Special Permits, are located in areas that are residentially zoned. This zoning is problematic because every time one of these businesses wishes to expand or further invest in the property Town boards are sent scrambling to identify the required steps to allow the work to be done. Also, due to the large size of the properties there is concern about the future of these properties should-they-sell to developers or be forced to close. These businesses have been important parts of Paxton's landscape for many years. Therefore it is recommended that Paxton investigate the creation of an Agricultural Business District Bylaw. This new zoning district could allow the agricultural uses to locate a permanent business structure, create a set of standards for the operation of a commercial/agricultural enterprise and preserve an important piece Paxton's landscape. Additionally, the creation of this district would eliminate the fears associated with the conversion of agricultural land to house lots and should one of these businesses close there is the ability for a new owner to locate a similar business without all of the red tape that would currently be associated with it. Responsible Municipal Entity: The Planning Board.

### **Land Use Recommendations – Housing**

13. Investigate the Expansion of the Accessory Apartment Bylaw to the Business District: The expansion of the Accessory Apartment Bylaw to the Business District would aid in the creation of mixed use developments in the Town Center, where the majority of business is located. Currently, Special Permit only allows accessory apartments in the residential districts. The inclusion of accessory apartments in the Business District would expand the housing options for low and moderate income families in addition to young professionals who wish to reside in Paxton. Additionally, mixed use development in the Town Center would aid in the restoration of the area's historic character and create a more vibrant and lively district. Responsible Municipal Entity: The Planning Board.
14. Support Local Housing Partnership: The Paxton Housing Partnership works diligently to create housing that all Paxton residents can afford. These housing units can be applied to Paxton's affordable housing inventory and move the Town closer to the State goal of 10%. Their most recent effort has been focused on providing a stable, attractive and affordable over 55 development on the Klingele Property. It is recommended that the community and Town Officials continue to support the Paxton Housing Partnership. Responsible Municipal Entity: The Board of Selectmen, the Planning Board and the Zoning Board of Appeals.