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TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Article Title: Planning Board – Conservation Cluster Developments Estimated Cost: \_\_\_\_\_

**CONSERVATION CLUSTER DEVELOPMENTS**

*Sponsored by: Planning Board*

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town’s Zoning Bylaw, by making the following revisions to Section 1803.1:

[Key to changes: underlining denotes additions; ~~strikethroughs~~ denotes deletions]

**1803.1.**

After notice and public hearing in accordance with law, which public hearing shall be held within 65 days after the filing of the application with the Planning Board, the Planning Board may, after due consideration of the reports and recommendations of the Conservation Commission, Historical Commission, and the Board of Health, grant such a special permit, provided that:

**1803.1.1.**

It finds that the proposed plan is in harmony with the purposes and intent of this Zoning Bylaw and this article.

**1803.1.2.**

The area of the tract of land is not less than 5 acres.

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**1803.1.3.**

The total number of dwelling units on the tract of land, including any affordable units required by Section 2204, does not exceed ~~the larger of the following:~~

(a) ~~the number of building lots that could be created in the tract shown on such plan without a special permit hereunder~~ through a conventional subdivision in full conformity with the dimensional requirements of this Zoning Bylaw and the Planning Board’s Subdivision Rules and Regulations, plus one lot for each 10 of such building lots that could otherwise be created; ~~or~~

(b) ~~The number of building lots obtained by dividing 90% of the total area of the tract, exclusive of land identified as a protected resource area under the Wayland Wetlands and Water Resources Protection Bylaw (excluding buffer zones), by the minimum lot size permitted in the district within which the tract is located, plus one lot for each 10 lots so arrived at from such division.~~

**1803.1.3.1.**

For purposes of demonstrating the number of lots under Subsection 1803.1.3(a) above, an applicant under this Bylaw shall submit a dimensioned lotting plan signed and stamped by a registered professional engineer ~~or~~ and land surveyor (“Proof Plan”) showing the layout of lots and roadways for a development tract that fully complies with the requirements of the Zoning Bylaw and the Planning Board Subdivision



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Rules and Regulations for a conventional subdivision *and is a feasible development plan under state and local environmental statutes and regulations.*

~~shows the maximum number of lots which can be created on a conventional subdivision plan meeting all dimensional and other requirements of the Zoning Bylaw and being in compliance with the Subdivision Rules and Regulations, which submittal shall include a list of requested waivers necessary to implement the subdivision plan, which the Planning Board shall review and consider.~~

#### **1803.1.3.2.**

Within the Residence Districts, the Planning Board may allow by special permit structures to be constructed containing more than one dwelling unit, but not more than four dwelling units per structure. The total number of dwelling units shall not exceed the total that is allowed under § 198-1803.1.3.

#### **1803.1.3.3.**

Notwithstanding any provision of this Zoning Bylaw to the contrary, the Planning Board may ~~permit~~ allow by Special Permit attached and detached dwelling units to be erected on single lot(s).

#### **1803.1.4.**

Each of the building lots shown on the site plan shall have adequate frontage, but no less than 50 feet, on a public or private way.

#### **1803.1.5.**

Each of the building lots shall be of a size and shape as shall provide a building site that shall be in harmony with the natural terrain and other features of the tract, but no such lot shall have an area of less than 20,000 square feet ~~as shown on the plan.~~

#### **1803.1.6.**

The front, side and rear yards of each lot shall be shown on the plan by dashed lines indicating the area within which a building may be built. All dwellings, accessory buildings, driveways and roadways shall be set back at least 50 feet from the perimeter of the tract except that the Planning Board may reduce this setback to not less than 15 feet if it furthers the interests of this bylaw, and 15 feet from any open land, except for that portion of a driveway or roadway that intersects a public or private way for access to the development.

#### **1803.1.7.**

For Conservation Cluster Developments consisting of at least a majority of single-family detached dwellings, at least 35% of the land area of the tract, exclusive of land set aside for road and drainage areas, shall be designated as Open Land. For Conservation Cluster Developments consisting of at least a majority of single-family attached dwellings, at least 50% of the land area of the tract, exclusive of land set aside for road and drainage areas, shall be designated as Open Land. For the purpose of this article, "Open Land" is defined as a parcel or parcels of land, or an area of water, or a combination of land and water, not including roads or ways, whether public or private. The Open Land shall be reserved for open space, conservation, agriculture, passive recreation, park purposes or some combination of the foregoing.

#### **1803.1.7.1**



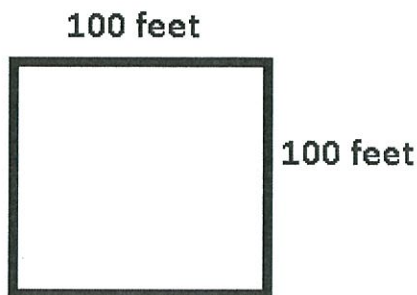
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The minimum required Open Land shall not contain a greater percentage of wetlands as defined in the Wayland Wetlands and Water Resources Protection Bylaw (excluding buffer zones), than the percentage of wetlands found in the overall tract of land on which the cluster development is located.

**1803.1.7.3**

In order to limit the degree to which the Open Land may have an irregular shape, and to optimize the public and ecological value of the Open Land, the following Lot Shape Factor formula shall be used: Lot perimeter squared ÷ Actual Lot area = Lot Shape Factor. Eighty-five percent (85%) of the area of the minimum required Open Land shall not have a Lot Shape Factor greater than 50. See examples below:

**Illustration #1 - Conforming Lot Shape Factor**



Lot Perimeter = 400 ft.  
Lot Perimeter Squared = 160,000 ft.  
Lot Area = 10,000 s.f.  
Lot Shape Factor = 16



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Illustration #2 - Nonconforming Lot Shape Factor

500 feet



25 feet

Lot Perimeter = 1,050 ft.

Lot Perimeter Squared = 1,102,500

Lot Area = 12,500

Lot Shape Factor = 88.2

1803.3.

If the tract of land proposed for the Conservation Cluster development is located in two or more residential districts, the entire tract, for all purposes of this, shall be considered as lying entirely within the district having the largest area and frontage requirements, except that if 75% or more of the total area shown on the plan as building lots lies within one residential district, all of the land shall be considered as lying within that district.

Proposer's Comments (if needed, 150-word limit per Town Code):

The proposed amendments are intended to clarify the total number of dwelling units on a tract of land, by removing the calculation section and further clarifying by requiring a conventional subdivision in conformity to prove number of units allowed in a development. The Bylaw amendment also has new language that defines "open land" and requires that the open land maintain a minimum lot shape factor greater than 50.

Contact Information for Publication in Warrant

Contact Person Name: Sarkis Sarkisian, Town Planner Contact Person Phone: 358-3778

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Proposing Board Information

Board Name: Planning Board

Board Vote (Quantum) to Submit

Article: 5-0 Date of Board Vote: 01-04-2022

Signature of Board Chairperson: [Signature] Date: 1-18-2022