



# Avon 2040 Master Plan - Part 2 Appendicies

Town of Avon, Massachusetts



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# Appendix 1. Action Plan Regulatory Details

Table A1. Zoning Text Changes Considered

What -- OPTIONS for discussion	Discussion
<p><b>Adopt Form Based Code</b> (FBC) or Character-Based Districts in Industrial Areas. <b>(Not recommended)</b></p>	<p>Form Based Code is typically more focused on the form of building and site development (private realm) and the streetscapes (public realms) and less on regulating uses. In industrial areas, they are most useful in places working to attract retail and commercial uses, such as old New England mill building industrial areas. In the Avon Industrial Park, however, while tweaking the existing code is desirable, <b>there is no need for a major new focus on form</b>, the form of business, or ensuring compatibility with residential and retail uses. (FBC, however, is a powerful approach and could be benefit to other Avon retail and commercial areas in Avon, such as the Business Overlay, Commercial, and Village Overlay Districts.)</p>
<p><b>Adopt Mixed Use Development</b> in Industrial Areas. <b>(Not recommended)</b></p>	<p>Mixed use development allows different compatible use, adding overall value to areas, more flexibility, and creating more attractive areas. While extremely important in retail and commercial areas of Avon (e.g., the Business Overlay, Commercial, and Village Overlay Districts), <b>any widespread use in the AIP would be counter-productive if it attracted multi-family housing and reduced the land base for industrial and office development.</b> (See below, however, for liberalization of allowed uses in the Table of Use regulations and for potential map changes.)</p>
<p><b>Global</b> - Consider adding compliance with Comprehensive Plan vision and goals to the special permit approval criteria</p>	<p>Adding the plan as part of special permit criteria brings the plan to the table for those partially discretionary reviews.</p>
<p><b>Section 255-2.1 5.3 Definitions</b> Cluster development- <b>drop</b> “shall not exceed number permitted under normal application”  Height- do you care that this encourages mansard roofs (not flat, hip, or gable roof) which may not fit town design.  Open space- might want to exempt walkways so as to encourage them.</p>	<p>Cluster development should be the preferred residential subdivision pattern. Allowing a developer this small bonus density is a way to achieve that.  Consider removing height incentive for mansard roofs  Avon could exempt 25% of areas with pervious pavement (they allow water, but not as much as green, while still contributing to heat islands)</p>
<p><b>255-3.1 Division into districts</b> Consider making Business Overlay and Village Overlay Districts into underlying districts that allows what is currently allowed in the overall and the underlying districts. Create a 40R Smart Growth Overlay (SG) district</p>	<p>Moving overlays to underlying districts simplifies the zoning  Creating a 40R Smart Growth Overlay provides an option, that the state rewards financially, for dense residential or dense residential with commercial. This is appropriate for Stockwell Drive (with housing only above the first floor or hidden behind other buildings) and possibly for what is now the Village Overlay District.</p>
<p><b>255-3.2 Zoning Map</b> Add 40R Smart Growth Overlay district to Stockwell Drive/Merchants Park area Eliminate the technical standards (1”=600’) zoning map requirements.</p>	<p>Smart growth can provide a place for mixed income housing in a mixed use area, reducing growth pressures elsewhere in town and providing a subsidy from the Commonwealth.  Since the map is primarily distributed electronically on the web, the scale should be dependent on what works for that purpose.</p>

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<p><b>255-4.5 Restrictions on dwelling construction</b></p> <p>Reduce requirements for frontage in Industrial district. Replace with Site Plan Approval performance standards requiring that trucks must be able to access without blocking the roads.</p> <p>Change no more than one principal residential district on any lot unless otherwise authorized by special permit to unless otherwise authorized by zoning (some uses might be by right and some by site plan only).</p>	<p>The Planning Board must be convinced that trucks expected to service a property can access the site without backing out on the street. If not, they can withhold approval until the plans are revised to allow this.</p> <p>This would provide more development options, while the site plan approval would allow conditions that ensure more than one building does not create circulation problems.</p>
<p><b>255-5.1 Table of Use Regulations</b></p> <p>Simplify the table when possible. For examples, Detached dwelling on a separate lot occupied by no more than one family and One two-family or one duplex dwelling on a separate lot are treated the same, so merge into one entry. Places of worship and religions, sectarian... uses are also treated the same under both Avon's zoning and state law, so those could also be merged.</p> <p>Consider allowing some uses by site plan approval only. Some examples are below, but a much more detailed town conversation looking at the entire table of use recommendations should be eliminated.</p> <ol style="list-style-type: none"> <li>1. Attached dwelling occupied by not more than one family in each unit between sidewalks in General Business.</li> <li>2. Hotels in Commercial districts.</li> <li>3. Offices in business overlay and village overlay.</li> <li>4. Private non-profit community center, could be allowed in General Business,</li> </ol> <p>All projects above a certain size or use might, even those currently allowed by right, might be changed to site plan approval.</p> <p>At the same time, some uses currently allowed by special permit might just be more appropriate to not be allowed</p>	<p>A simpler table makes administration and planning easier and more predictable.</p> <p>Currently, all table entries are allowed, not allowed, or allowed with special permit. Some uses should be regulated as to site plan details, such as parking, and landscaping in a form acceptable to Avon, but not leaving the option open of saying no. They do not need the much stricter special permit (which requires a higher vote, poses greater uncertainty to neighborhoods and developers alike). Some examples are below, but a much more detailed town conversation looking at the entire table of use recommendations should be eliminated.</p> <p>This would allow regulation the operation of the use, although not changing the as of right nature of those uses.</p> <p>This would provide more certainty to neighborhoods and less litigation risk. For example, multiple dwelling units and apartments in R40.</p>

<p><b>Section 255-5.3 Table of Use Regulations</b></p> <p>Reduce discretionary Special Use Permits and instead clarify what is desired, for example allow Eating Places and hotels by-right in certain areas within the Industrial District and otherwise eliminate the Special Permit option. This could be simplified by revising the 27 uses that currently require special permits in the Industrial Park.</p> <p>Where uses are allowed by Special Permit, there should be clearer approval standards. For example, self-service gas stations are allowed by Special Permit in two commercial zoning districts, but there is only generic approval standard guidance.</p>	<p>Special permits create uncertainty for all parties, discourages investment, and creates greater legal appeal liability. For example:</p> <ul style="list-style-type: none"> <li>• <b>Site Plan approval only</b> for uses that are appropriate anywhere in the park (e.g., public utilities, town uses, trade schools, and wind energy conversation).</li> <li>• <b>Site Plan approval only in certain areas</b> and not allowed in the rest of the Industrial Park. Hotels, motels, and restaurants, for example, are among the highest job generating and taxpaying properties with property, room occupancy, and meals taxes. (See map change suggestion, below.)</li> <li>• <b>Site Plan approval only with new specific standards</b> for trucking and freight terminals, but with limits such as the expanse of pavement cannot exceed twice the size of the building.</li> <li>• <b>Special Permit and site plan</b> only for land uses that require a site-by-site assessment.</li> <li>• <b>Prohibited uses</b> such as outdoor sports facilities, which would consume so much land, or extraction of materials except for as needed for developing a site).</li> </ul>
<p><b>Section 255-5.3 Table of Use Regulations</b></p> <p>Merge and simplify use categories and rationalize the decision. For example:</p> <ol style="list-style-type: none"> <li>1. “Place for exhibition, lettering or sale of gravestones” should not be its own use.</li> <li>2. The Massachusetts Zoning Act (M.G.L c. 40A, s. 3) does not allow communities to prohibit or require special permits for child care centers or a school-aged child care programs but it does allow reasonable dimensional standards. Avon’s zoning does not address day care at all.</li> </ol>	<p>Categories do not need to be so specific, and there should be rationalizing what is allowed where. Why ban gravestone lettering and sales in the AIP when car washing is allowed.</p>
<p><b>Section 255-5.5 (D(4)(6))-[adult use siting criteria]</b></p> <p>Drop “Skid Row” or add to definitions.</p>	<p>This term is not defined and can be arbitrarily and capricious. It should be replaced or defined</p>
<p><b>Section 255-5.6 Village Overlay District</b></p> <p>E(1)(a) Building height (40’ for multifamily and 60’ for mixed use) has a benefit of encouraging mixed use, but since this is an area where housing would be useful, alternatively allow 60’ for all uses with 1) the requirement that the first 30’ back from the street on the first floor have a commercial use and 2) creating form-based design standards, that are more important than the height.</p> <p>(F) Low Impact Design- why not expand this to all commercial, industrial, and large-scale residential uses, and move out of Village Overlay to cover all such areas.</p>	<p>Consider changing to an underlying district for simplification and clarity.</p> <p>For example, 40’ to a step back that is 5’ deep.</p> <p>This standard can be difficult to enforce for some of the language, such as impervious surface should be minimized or limited salt use for parking lots. Perhaps instead consider a performance standard (e.g., all the water from a one-year storm shall be retained on-site).</p>

<p><b>Section 255-5.7 Business Overlay District</b></p> <p>Again, consider moving to an underlying district.</p> <p>Move the use standards from this section to the table of uses.</p> <p>Move the height requirements to the 255-6.4 Dimensional and Density Regulations Table.</p> <p>(F) As in Village Overlay, merge the LID standards together and move to a section of zoning to cover all commercial, industrial, and large-scale residential uses.</p>	<p>This changes improve the readability of the regulations and increase clarity.</p>
<p><b>Section 255-6.4 Dimensional and Density Regulations Table</b></p> <p>.Consider removing or reducing minimum lot size and frontage for General Business, Industrial, and Commercial.</p> <p>Consider reducing setbacks for industrial and increasing building heights and lot coverage. LID standards are more important than lot coverage.</p>	<p>Examine each entry and consider why those numbers are there It is not clear that they all make Avon a better town.</p> <p>Changes could be an easy way to expand the industrial and commercial tax base that Avon needs.</p>
<p><b>Section 255-6.4. Dimensional and Density</b></p> <p>Consider reducing the 200-foot frontage and 40-foot front setback requirements, increasing maximum building height to 45 feet and replacing the 60% maximum building lot coverage with a maximum impervious area standard. Alternatively, building coverage maximums could be replaced with <b>performance standards</b>:</p> <ul style="list-style-type: none"> <li>• No increase in post-development peak stormwater flow.</li> <li>• Green infrastructure such as vegetated swales, rain gardens.</li> <li>• Sumps and gas hoods in all catch basins, even existing ones.</li> <li>• Street trees and on-site trees</li> <li>• Impervious area caps or green roofs</li> <li>• Adequate room for routine required truck movement and deliveries without blocking adjacent roads</li> </ul>	<p>There is no clear strategy behind the current requirements which sometimes consume land that could otherwise provide economic and environmental benefits without providing meaningful alternative benefits. Reducing the frontage allows more flexibility. Reduce front setback provides more developable space without making industrial development less attractive and might incentive moving parking behind and adjacent to buildings instead of in front of them, which is more attractive. With warehouse heights increasingly at 36 feet, getting close to the 40-foot zoning maximum (rooftop mechanicals are already excluded), a slight increase provides flexibility for special needs warehouses or a four-story office building. A cap on impervious cover, a stormwater runoff performance requirement, or a minimum tree planting area is far more important to softening the appearance and environmental impacts of a site than a cap on building coverage.</p>
<p><b>Section 255-7.2 Procedures</b></p> <p>Generally, avoid copying over requirements in MGL 40A, Zoning enabling act.</p>	<p>Repetition is unnecessary and makes Avon zoning out of date as state law changes.</p>
<p><b>Section 255-7.3 General considerations for approval</b></p> <p>For example, (K) “lighting provided does not have a deleterious effect on neighboring property” should be removed and a new lighting performance standard should be added.</p>	<p>Avoid difficult to enforce and arbitrary standards.</p> <p>Ideally, that would apply to all uses (by right, site plan approval, and special permit) and should then be moved to a separate section of zoning.</p>

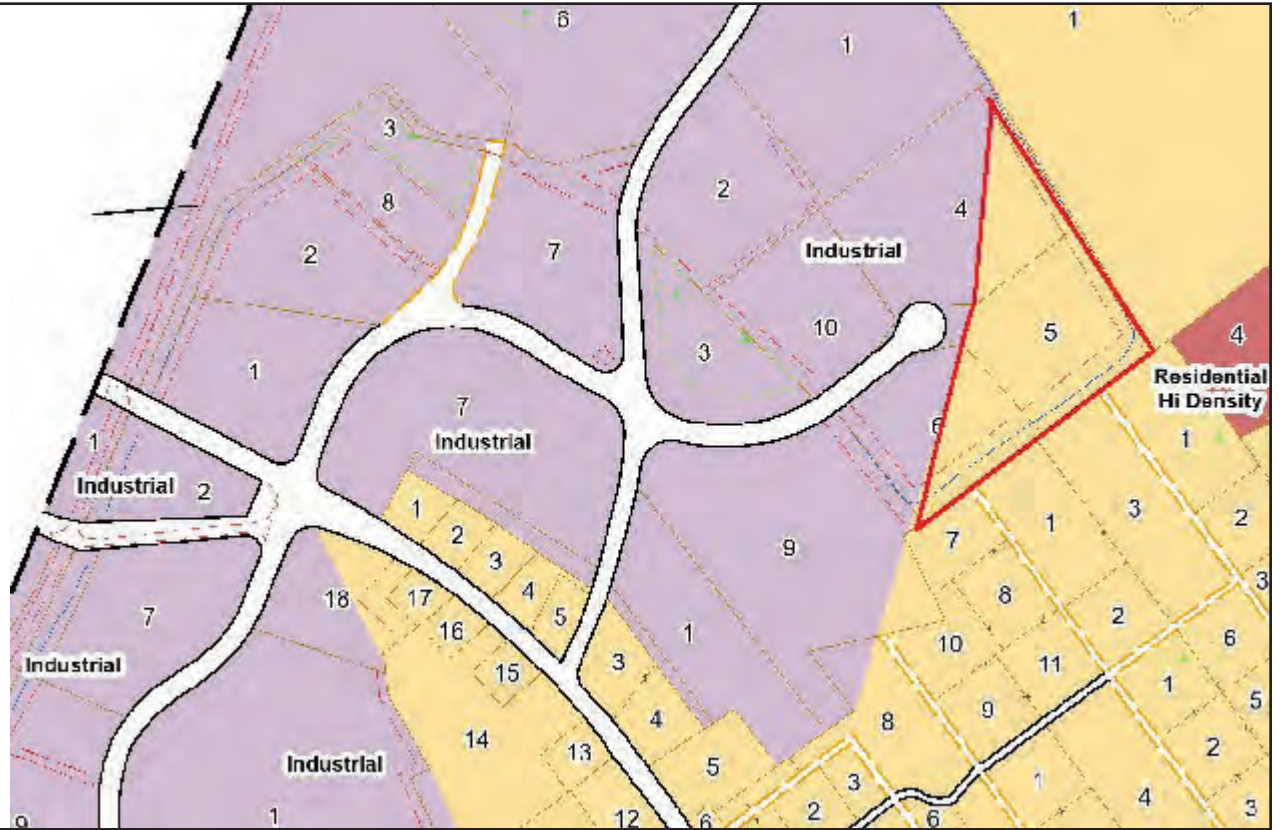
<p><b>Section 255-7.4 Authority to issue permits</b></p> <p>Delete this entire section and move to the Table of Use Regulations, replacing SP [special permit] there with SP-PB [special permit Planning Board] and SP-ZBA [special permit Zoning Board of Appeals].</p>	<p>This section becomes moot if Avon pursues merging the Planning Board and Zoning Board of Appeals.</p> <p>Otherwise, the proposal would simplify zoning and make it easier to read.</p>
<p><b>Section 255-7.5 Specific requirements for particular uses</b></p> <p>Move all dimensional standards to the Dimensional and Density Table</p>	<p>This would improve the clarity and readability of zoning.</p>
<p><b>Section 255-7.5(C)(2) [earth removal]</b></p> <p>Earth removal plans should be prepared by a registered professional engineer on a base plan prepared by a registered land surveyor.</p>	<p>The language about architect is not appropriate to earth removal plans.</p>
<p><b>Section 255-7.5(E) [Cluster residential development]</b></p> <p>Make clusters by-right with only site plan approval and making cookie cutter subdivisions require special permits.</p>	<p>Clusters are the desired subdivision pattern,</p>
<p><b>Section 255-7.5(I)(c) [Home occupations]</b></p> <p>No offensive noise, heat, smoke, dust, odor, vapor, vibration, or other deleterious side effects...” is a difficult to enforce section. Remove from this section and add to 255.11.1 Environmental performance standards section.</p> <p>(2) consider which home occupations have no outward impact, for example art studio and musician without visitors, and allow by right.</p>	<p>Environmental performance standards apply to all uses and should have measurable and enforceable standards.</p>
<p><b>Zoning Map changes or overlay</b> to allow uses currently allowed by special permit (e.g, hotels, restaurants) and not allowed (e.g, housing) on the edge of the AIP and otherwise eliminate the Special Permit option (e.g., expand the business overlay district at Harrison Blvd/Pond Street intersection to any other sites especially suitable for hotels).</p>	<p>Many of the special permit options are for uses that instead could be site plan approval only on the edge of the industrial park (e.g, restaurants, hotels) and not interior (e.g., at the Pond and Page Streets entrances to the Industrial Park on both sides of the current zoning boundaries). Mixed use and higher value uses should be encouraged but not threats to industrial land or new conflicts.</p> <p><b>Site plan standards can include prohibitions on noxious or hazardous materials</b> or bans unless safety standards deemed adequate with the advice of the Fire Chief are included with provision for routine third party inspections.</p>
<p><b>Zoning Map changes</b> to include all areas within the Industrial Park within the general industrial zone, specifically the slivers of lot B8-4-4, -5, and -6 (655, 660, and 675 Bodwell Street Extension) that is within the Industrial Park but is currently zoned residential.</p>	<p>Portions of these three parcels are only accessible from the Avon Industrial Park and are built out as industrial land but are zoned residential. This will make redevelopment or expansion of these parcels easier. (See map, below this table.)</p>
<p><b>Section 255-8.6. Off-Street Parking Regulations.</b></p> <p>Eliminate off-street parking requirements or dramatically reduce in Industrial and commercial zones. Reduction in parking can help meet resilience performance standards, for example from reduced setback requirements and increased stormwater performance site plan requirements.</p>	<p>The current standards <b>require more parking than is typically needed</b> (especially for businesses with two shifts), as evidenced by empty parking areas in the AIP, adding cost, consuming land, adding impervious area. Unlike in residential districts, there is no spillover into sensitive neighborhoods if there is not enough parking, so each business can decide what they need. This could allow alternative investments that might reduce expensive to provide parking for single-occupancy vehicles privatizing the requirement and leaving it to each land owner to decide their own parking needs and whether they want to share parking lots with abutting properties. Privatizing the requirement leaves it to each landowner to decide their own parking needs and whether they want to share parking lots with abutting properties</p>

<p><b>Section 255-8.9 Parking and loading space standards</b></p> <p>(D) As discussed above, move from this section into a town-wide lighting performance standards in 255-11.1 Environmental performance standards.</p> <p>Consider creating a maximum parking lot width (20') where sidewalks from the roadway to the use cross the parking lot.</p>	<p>The lighting standards are unclear, which could lead to appeals.</p>
<p><b>Section 255-10.2 Residence districts, 255-10.3 General business, commercial, and industrial districts, and 255-10.4 Additional sign regulations [signs]</b></p> <p>Replace church with house of worship and revise entire section to meet current standards.</p>	<p>Revise entire section to be consistent with Reed v. Town of Gilbert, 576 U.S. 155 (2015), removing any standard which requires the reading of a sign, other than traffic regulation signs, to evaluate if they meet the zoning.</p>
<p><b>Section 255-11.1 Environmental performance standards</b></p>	<p>Detailed, measurable, and enforceable lighting standard and noise standard sections are needed.</p>
<p><b>Section 255-11.3 Floodplain District</b></p> <p>This section should be revised to comply with MEMA/Federal Emergency Management Agency (FEMA) current model bylaws.</p>	<p>The Massachusetts Emergency Management Agency (MEMA) can provide assistance at no charge.</p>
<p><b>Section 255-12.1 Enforcement authority; impact fees</b></p> <p>A clear legal standard on which fees are required and how they are calculated is needed.</p>	<p>Unless Avon has already receive state legislation to authorize impact fees, consider either 1) requesting such authority or 2) clarifying that these are payment in lieu of requirements, whereby an applicant doesn't have to pay any fee if they choose to mitigate all of the impacts of their project but can voluntarily opt out of making some of those improvements (e.g., off-site traffic mitigation) by paying a payment in lieu of fee.</p>
<p><b>Section 255-12.2 Permits; site plans</b></p> <p>Create clear standard for site plan approval by the Planning Board for all projects meeting defined thresholds in the table of use regulations (see above discussion) and perhaps for projects above a certain size.</p>	<p>This section would benefit from a complete re-write to reflect current site plan review practice and requirements and to address traffic, landscaping, lighting, and other applicable standards. For example, permeable pavement has a higher installation cost but, when installed on relatively flat sites over permeable soils with adequate depth to groundwater, it has a lower full life-cycle cost, but if installed on steep sites or clay or dense soils, the extra cost can be a waste of money. These issues should be reflected in the site plan and environmental performance standards.</p>
<p><b>Section 255-12.2. Permits; site plans.</b></p> <p>Shift to on-line permitting and permit review collaboration as the Town builds out the necessary software and hardware. Reduce or eliminate the number of paper copies provided, provide that plans are provided in PDF at scale and with CAD versions.</p>	<p>Paper and printing add costs and environmental impacts. Reduce the number of copies or eliminate paper filings, if board member reviewers have adequate access to computers, and technical staff reviewers have access to large monitors.</p>
<p><b>Section 255-12.2. Permits; site plans.</b> Clarify that adequate sewage disposal capacity is required for Industrial District projects</p>	<p>Zoning changes can happen now so long as projects that will generate new sewage needs have adequate sewage disposal capacity, on-site or into a centralized system. It allows owners to plan, even if they don't currently have disposal capacity.</p>



<p><b>Section 255-13.1 Amendments</b> Delete any section that repeats the requirements of MGL Chapter 40A, zoning enabling act.</p>	<p>As discussed previously, repeating standards in state law creates problems as state law is amended, and is totally unnecessary.</p>																									
<p><b>255-15.1 Prohibited use [Recreational Marijuana]</b> With more experience on the high tax revenue and low adverse impacts of recreational marijuana sales, Avon may want to revisit this prohibition for downtown Avon and for Stockwell Drive. If so, delete this section and bring into the Table of Use regulations</p>	<p>This is an easy way to increase the commercial and industrial tax base.</p>																									
<p><b>Adopt resilience, green infrastructure and green industrial requirements and incentives in site plan approval or environmental performance standards.</b> These include addressing heat island effect, rooftop, or parking lot solar photovoltaic and/or green roofs, pervious pavement, rain gardens, shade trees and on-site trees and tree pits or constructed soil, outdoor seating areas for employees, increased stormwater treatment and retention standards. Reduced parking requirements, reduced setbacks, and, eventually, freeing up land currently supporting on-site sewage disposal help meet this standard.  Standards would apply equally to private development and private roads.  (See also Stormwater Bylaws section, below, for stormwater utility.)</p>	<p>Incentivize or require green infrastructure. This would include:</p> <ol style="list-style-type: none"> <li>1. Minimum standards and performance standards (e.g., X trees per square foot, no increase in pre-development to post-development peak stormwater).</li> <li>2. Incentives (e.g., for green roofs).</li> <li>3. Assign points for green infrastructure measures and require a minimum number of points, allowing site designers to customize, over and above the minimum standards, based on their needs and site opportunities.</li> </ol> <table border="1" data-bbox="1088 756 2567 1219"> <thead> <tr> <th data-bbox="1088 756 2190 797">Improvement (illustrative table only)</th> <th data-bbox="2190 756 2567 797">Points Available per unit</th> </tr> </thead> <tbody> <tr> <td data-bbox="1088 797 2190 837">Trees with tree boxes or structured soil (per tree box)</td> <td data-bbox="2190 797 2567 837"></td> </tr> <tr> <td data-bbox="1088 837 2190 878">Number of hours that water is retained after a one-year design storm (per hour)</td> <td data-bbox="2190 837 2567 878"></td> </tr> <tr> <td data-bbox="1088 878 2190 919">Nutrient removal beyond DEP stormwater standards (per 1% reduction)</td> <td data-bbox="2190 878 2567 919"></td> </tr> <tr> <td data-bbox="1088 919 2190 959">Reduction in parking spaces below ITE standards (per space)</td> <td data-bbox="2190 919 2567 959"></td> </tr> <tr> <td data-bbox="1088 959 2190 1000">Solar photo voltaic (per kW)</td> <td data-bbox="2190 959 2567 1000"></td> </tr> <tr> <td data-bbox="1088 1000 2190 1040">.Green roofs (per 100 square feet)</td> <td data-bbox="2190 1000 2567 1040"></td> </tr> <tr> <td data-bbox="1088 1040 2190 1081">Fossil-fuel space and water heating (per BTU diverted)</td> <td data-bbox="2190 1040 2567 1081"></td> </tr> <tr> <td data-bbox="1088 1081 2190 1122">Ground source heating and cooling (per BTU generated)</td> <td data-bbox="2190 1081 2567 1122"></td> </tr> <tr> <td data-bbox="1088 1122 2190 1162">Electric Vehicle Charging stations above required (per Level 2 station)</td> <td data-bbox="2190 1122 2567 1162"></td> </tr> <tr> <td data-bbox="1088 1162 2190 1203">Transportation demand management measures (per diverted 10 trips</td> <td data-bbox="2190 1162 2567 1203"></td> </tr> <tr> <td data-bbox="1088 1203 2190 1219" style="text-align: right;"><b>Total required points</b></td> <td data-bbox="2190 1203 2567 1219" style="text-align: center;"><b>100</b></td> </tr> </tbody> </table>		Improvement (illustrative table only)	Points Available per unit	Trees with tree boxes or structured soil (per tree box)		Number of hours that water is retained after a one-year design storm (per hour)		Nutrient removal beyond DEP stormwater standards (per 1% reduction)		Reduction in parking spaces below ITE standards (per space)		Solar photo voltaic (per kW)		.Green roofs (per 100 square feet)		Fossil-fuel space and water heating (per BTU diverted)		Ground source heating and cooling (per BTU generated)		Electric Vehicle Charging stations above required (per Level 2 station)		Transportation demand management measures (per diverted 10 trips		<b>Total required points</b>	<b>100</b>
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<p><b>Adopt Transportation Demand Management</b> Medium to large uses (e.g., 20,000 square feet and above) can be required to minimize transportation and parking demand by maximum parking spaces, requiring transit and/or shared car investments, employee buyout of free parking benefits, subsidizing transit passes at least as heavily as subsidizing free parking</p>	<p>Require that major projects going through site plan conduct an alternatives analysis of how they can reduce peak hour trips generated by their use, though measures such as remote working and flexible work hours. Adoption of such measures would earn points:</p> <ul style="list-style-type: none"> <li>• Towards resilience requirements (above)</li> <li>• If zoning is not changed to eliminate parking requirements, could be used to justify less parking.</li> <li>• If Avon adopted traffic mitigation fees in lieu of traffic requirements, such analysis could be used to reduce such fees</li> </ul>																									

*Zone all areas of the Avon Industrial Park as Industrial  
(#655, 660, and 675 Bodwell Street Extension)*



**Table A1-2. Wetlands Bylaw and Regulations Changes**

What	Discussion
<p><b>Section 239-3 Exceptions</b> could exempt land within the Industrial District from having stricter performance standards or buffer zones than required under the Massachusetts Wetlands Protection Act. (Currently the Conservation Commission has the authority and uses it to create town-wide buffer requirements.)</p>	<p>Industrial areas are not pristine and there is less flexibility in siting uses. Allowing the industrial part to be built to the Massachusetts Wetlands Protection Act standards (which still provide a fair amount of protection), may have a smaller total environmental footprint than forcing development to spread out.</p>
<p><b>Section 239-7(C) permits</b> can be amended to change the default period of permit validity from the current two-year period to the three-year period allowed under the Massachusetts Wetlands Protection Act. (This could be town-wide or only for the Industrial District.)</p>	<p>A two-year permit period can be a challenge for any project, but especially for industrial and large projects that have a long lead time. It is common for construction drawings and financing to take two years after a permit is issued. While the Conservation Commission can currently issue a permit for a longer period or extend a permit, they don't have to: <b>Uncertainty is the enemy of investment.</b> (Note: during the Great Recession and the COVID emergency, the Commonwealth adopted a time-limited permit extension act automatically extending permit periods.)</p>

**Table A1-3. Construction and Post-Construction Stormwater Management Changes**

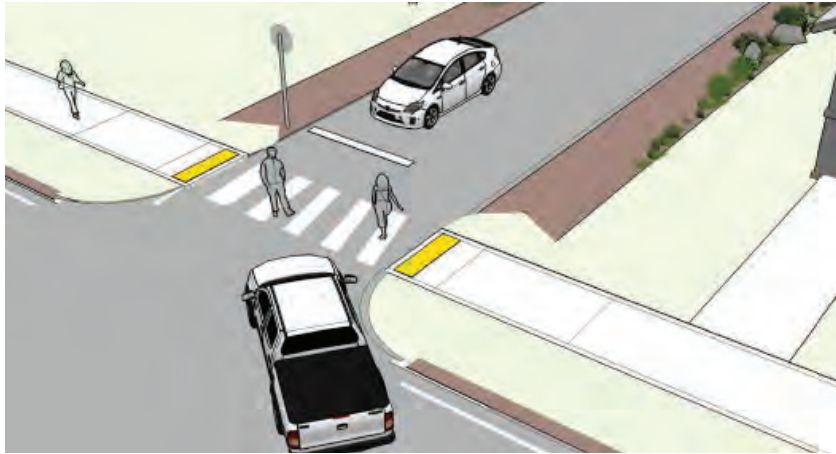
What	Discussion
<p><b>Section 120-4 Administration</b> – Either formally move permit granting authority to DPW or as allowed under this section, delegate the DPW director as the "reviewing agent."</p>	<p>Stormwater regulations are highly technical, and the approval authority might be more suited to trained staff and/or consultants. The authority to write regulations, however, requires a less technical and more balanced focus on all the town's needs. Writing the regulations should be collaborative between the citizen Planning Board and DPW technical staff or consultants.</p>
<p><b>Allow off-site stormwater mitigation</b> such as from narrowing excess roadway pavement or on other properties in the same watershed reach.</p>	<p>This provides designers with alternatives ways of meeting the same stormwater standard. For example, if a property owner narrowed a roadway pavement to the standards in the proposed stormwater regulations, below, they could use the land they free up for a vegetated swale maintained by the stormwater utility (see stormwater bylaw recommendations below), to help meet their own drainage obligations.</p>
<p><b>Add robust green infrastructure standards</b> to Stormwater Management bylaws and/or regulations.</p>	<p>Grassed swales, bio-swales, rain gardens, and other green infrastructure reduces flooding and improves sustainability.</p>
<p><b>Adopt a stormwater fee, utility, and enterprise fund</b> (per M.G.L Chapter 83, Section 1, et seq. with specific authority in Section 16) with a fee based on impervious area. This could be town-wide or only in the Avon Industrial Park.</p>	<p>A stormwater utility can provide funding for the town to:</p> <ul style="list-style-type: none"> <li>• Maintain its own stormwater gray and green infrastructure in the area where it collects fees.</li> <li>• Ensure that private operations and maintenance obligations are fulfilled.</li> <li>• Potentially take over the maintenance of some privately developed critical stormwater facilities.</li> </ul>
<p><b>Put the Stormwater Regulations on Avon's website</b>, ideally in the Code (Division 2: Regulations).</p>	<p>Improve transparency. Regulations are available on the town's website and not readily available in Town Hall. Health, subdivision, and water department regulations are already in the Code (Division 2: Regulations).</p>

Table A1-4. Subdivision Regulation

What	Discussion
<p><b>Global changes-</b> Replace chairmen with chair, Selectmen with Select Board, his with their, and master plan with comprehensive plan.</p>	<p>State legislative approval granted in the Acts of 2023 to change the name of the Select Board. Other changes reflect modern language.</p>
<p><b>Section 350-2.1 Definitions - U.S.G.S Datum</b> - Replace with Datum - Massachusetts State Plan Mainland North American Datum of 1983 (NAD 83, 2011) for horizontal and North American Vertical Datum of 1988 for vertical data. Then globally replace USGS Datum with Datum.</p>	<p>Current language is inaccurate. U.S.G.S is not the same as USC&amp;GS) and is incomplete.</p>
<p><b>Section 350-2.4 Professional services</b> - Replace “or” with “and” as appropriate.</p>	<p>Surveyors are stamping boundaries only. Engineers are stamping improvements only. It should not be an applicant’s choice whether they use a surveyor or an engineer.</p>
<p><b>Section 350-3.1 Preliminary subdivision plans and 350-3.2 Definitive subdivision plans</b> - Expand list and include all information in Auto-CAD electronic files with data dictionary. Both sections need full rewrites. The performance guarantee information should be revised to lower Avon’s burden of proof and specify that only a certification from the Planning Board is required to call a performance guarantee.</p>	<p>The language is old (e.g., it assumes that drawings are hand drawn in pencil and ink) and misses other important information. Lowering the burden to call a performance guarantee doesn’t release the town from liability from a misuse of this authority, but it allows the town to hold the funds and switches the burden of proof to a developer.</p>
<p><b>Section 350-4.3 Blocks</b> - Allow if the town is not going to require shorter blocks.</p>	<p>500-foot blocks are the limits of extremely walkable neighborhoods. Some communities allow longer blocks only if there are footpaths at least every 500’ to shorten the blocks for walking.</p>
<p><b>Section 350-5.1 et seq.</b> - In addition to the 5.2 changes, this entire section would benefit from a major revision. For example, given the recent new town cement concrete sidewalks, Avon can make a credible case that is the town standard and require cement concrete instead of bituminous concrete, which generally lasts longer. Some communities also require that fiber optic cables be installed with any new street.</p>	<p>The section, as far as it goes, has good details, but it is clearly not requiring walkable streets, infrastructure that will be less expensive to maintain (e.g., cement concrete with a deep gravel base and not bituminous concrete). It also includes some virtually unenforceable standards (e.g., “adequate water supply” would not withstand a court challenge. Adequate water flow does not necessarily include adequate fire flow, which in any case should be detailed (e.g., X gallons per minute against Y feet of head).</p>
<p><b>Section 350-5.2(B) Minimum width</b> – narrow required pavement width (for public and private roads).</p>	<p>Wide pavement widths create more impervious areas, heat islands, runoff, construction cost, and on-going maintenance cost.</p>
<p><b>Section 350-5.2(B) Minimum width</b> – allow projects to narrow existing local streets and replace with pervious surfaces (for public and private roads).</p>	<p>This could provide project developers with an easier path to meet stormwater requirements. It would also reduce Town maintenance burdens.</p>
<p><b>Section 350-5.2(J) Storm drains</b> – require low impact drainage/green infrastructure (for public and private roads).</p>	<p>Grassed swales, bio-swales, rain gardens, and other green infrastructure reduces flooding and improves sustainability.</p>
<p><b>Section 350-5.2(R) Shade trees</b> – require more shade trees with structural or other tree pits (for public and private roads).</p>	<p>Shade trees add value, lower heat island, improve aesthetics. Structural soil and other treatment extend the life of shade trees and allows roots to go deep, reducing pavement and sidewalk cracking.</p>
<p><b>Section 350-6.4 Inspections</b> - Details are needed on which inspections are paid for and arranged by the developer, what kinds of certifications are needed, and what as-built plans and tie-ins are required. Does Avon want a privatized system (developers pay their engineers to certify) or have developers pay a fee for town engineer or consultant inspections. This section should include the performance guarantees or cite a separate performance guarantee section.</p>	<p>The current standards create potential town liability and future property owner headaches.</p>



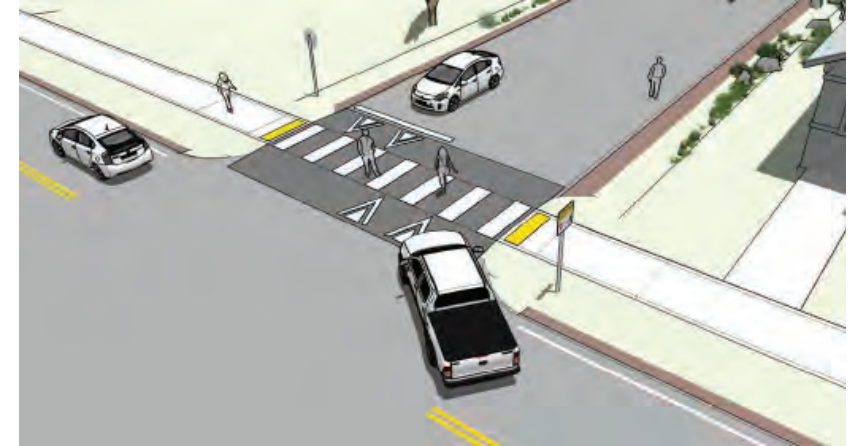
Chart 1-1. Urban, Rural, and Suburban Complete Streets Manual (excerpts Alta Planning + Design, 2017, from manual produced for Hampshire Country regional project.



On local streets without large truck volume, reduce the street entrance to 20' and the corner radius to 10-15'



Driveways should rise up to sidewalk using the same material as the sidewalk for driveway crosswalks. The sidewalk should not drop down to the driveway.



Use raised crosswalks for pedestrian or aspirational pedestrian areas (e.g., at West Main Street by Main Street and by the Avon Middle/High School.).

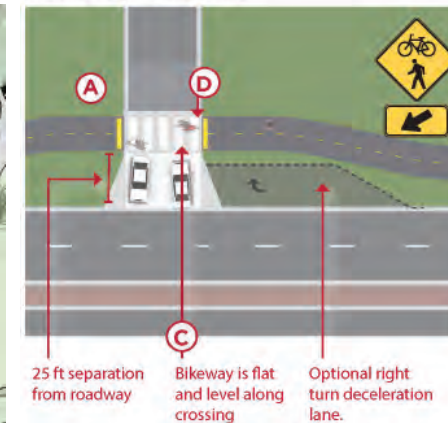


When there is no room for bicycle lanes, advisory bike lanes are more effective than sharrow markings at messaging that bicycles might be present.

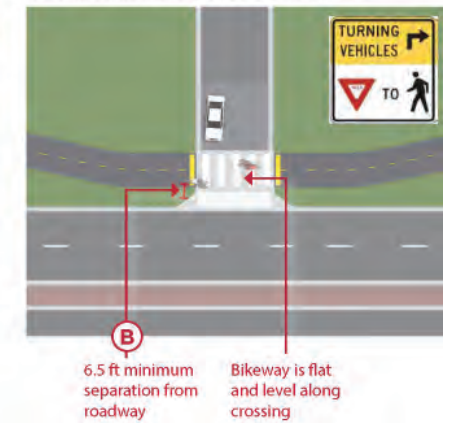


At higher cost, but appropriate as sidewalks are being added or replaced, are shared bicycle and pedestrian side paths.

**High Speed Conditions**



**Low/Intermediate Speed Conditions**



Shared bicycle and pedestrian side paths require advance warning for driveways and especially street crossings.

## Appendix 2. Communities by Design - Avon Team and Strategic Planning

### Avon team

#### Wayne Feiden, FAICP – Team Leader

Wayne Feiden is Director of the Center for Resilient Metro-Regions and Lecturer of Practice at the University of Massachusetts Amherst. Wayne is also the principal of Plan Sustain, a mission-driven planning and sustainability consultancy. Previous to that he was Director of Planning and Sustainability for Northampton. He led that city to earn the nation's first Five-STAR Communities rating for sustainability and the highest "Commonwealth Capital" score, the former Massachusetts scoring of municipal sustainability efforts. His focus includes downtown revitalization, sustainable transportation, open space preservation and recreation, and streamlined regulatory efforts. Wayne's publications include five American Planning Association PAS Strategic Planning reports: Strategic Planning, Planning Management, Assessing Sustainability, Planning for On-Site and Decentralized Wastewater Treatment, and Performance Guarantees, and publications. Wayne's paid and pro-bono consulting focuses on short-term strategic interventions on projects as varied as a greenway in Santa Rosa, master planning on the Hopi reservation, downtown planning in Port Angeles and Dublin, waterfront planning in Staten Island and St. Vincent and the Grenadines, and master planning in Haiti. Wayne's Eisenhower Fellowship to Hungary (1995), Fulbright to South Africa (2007), Fulbright to New Zealand (2011), German Marshall Fund Fellowship to Europe (2015), State Department Fellowships to Indonesia (2023) and Malaysia (2017), Bellagio Residency in Italy (2017), and State Department Fellowship Exchange to Indonesia (2023) all focused on planning and sustainability issues.

#### Miquela Craytor

Miquela Craytor is the Vice President at Kearns & West co-leading the NY Office. At Kearns & West she is leading the stakeholder engagement and community benefit assessments on public and private sector clean energy transition projects. In her 20+ year career she

has specialized in managing complex, multi-stakeholder engagement initiatives, delivering results for the private, government and non-profit sectors. Before Kearns & West, she worked on change management efforts to support Ford Motor Company's BlueOval community engagement strategy for their \$5.6 billion manufacturing investment in EVs and battery production. She ran the City of New York's first Industrial Industry Partnership and oversaw the process to develop the City's Industrial Action Plan. She has designed industry and community-informed workforce and small business growth programs, including apprenticeship programs for the industrial sector. She is passionate about unlocking economic opportunities for equitable and sustainable solutions for all.

#### Troy Moon

Troy serves as the Sustainability Director for the City of Portland, ME. In this role, he works to implement the City's climate action plan, One Climate Future. This involves close collaboration with community members, businesses owners, and City staff in all departments. Current initiatives include deployment of EV charging infrastructure with a focus on neighborhood access, waste reduction and composting, and Electrify Everything, a community wide initiative to promote the electrification of buildings and transportation in both the public and private sectors. Troy also serves as the staff liaison to the City Council's Sustainability and Transportation Committee, which oversees development and implementation of climate action and ordinances related to transportation and the environment.

Prior to joining the Executive Department in 2015, Troy worked in the Department of Public Works, where he began service in 1997. While there he focused on environmental programs including solid waste management and management of City parks and open spaces. He started his career developing and implementing solid waste management programs including the City's successful "pay as you throw" waste collection program and curbside recycling. As

Parks Manager, he worked to expand community agriculture, completed a master plan for a historic cemetery, and led efforts to redevelop two historic parks. He also worked to adopt low impact land management practices that culminated in the adoption of the City's comprehensive Landcare Ordinance that prohibits the use of synthetic pesticides and fertilizers. In 2022, the Natural Resources Council of Maine recognized Troy with a Conservation Leadership Award for his work on One Climate Future and his efforts to promote regional collaboration to fight climate change. He speaks regularly with civic leaders across the State of Maine about municipal climate action. He co-chairs the New England Municipal Sustainability Network and is a member of the Urban Sustainability Directors Network.

#### Jason Schrieber

Jason is Senior Principal at Stantec. He finds innovative solutions to complex mobility problems, focusing on a balance of private needs and public benefits. His efficient and cost-effective mobility, parking, and demand-management solutions build equity, increase opportunity, and improve community and environmental resilience. In more than 22 years as a transportation planner, he's helped hundreds of cities, institutions, and developers broaden options for urban mobility. He's shown governments from Boston to Abu Dhabi how to manage parking in difficult shared environments. He's helped clients like Partners Healthcare develop demand-management programs that get people out of their cars and onto transit, their feet or bikes. He's led citywide plans like Go Boston 2030, that use community-wide goals to help focus mobility investments in ways that strengthen neighborhoods' sense of place, improve public health, and get travelers where they want to go efficiently and safely. Jason and his wife spend their spare moments having great fun with their kids, usually on another urban adventure or just having a great time with family and friends.



#### Erin Simmons

Erin Simmons is Senior Director of Design Assistance for Communities by Design, a program of the Architects Foundation. For more than 18 years, Erin has provided technical assistance to hundreds of communities around the world, leading democratic planning processes and training workshops focused on empowering citizens to create equitable, sustainable, and resilient communities. Her work has been featured in hundreds of news articles and publications, and she has spoken extensively as a subject matter expert on the topics of participatory planning, sustainability, and community revitalization.

Prior to her work with Communities by Design, Erin worked as historic preservationist and architectural historian for an environmental and engineering firm, where she practiced preservation planning, created historic district design guidelines, and conducted historic resource surveys. She holds a Bachelor of Arts degree in History from Florida State University and a Masters degree in Historic Preservation from the University of Georgia. Erin is an Academician of the Academy of Urbanism in London, UK.

#### Joel Mills

Joel Mills is Senior Director for the Communities by Design program. Joel's 28-year career has been focused on strengthening civic capacity, democratic processes and civic institutions. This work has helped millions of people participate in meaningful public processes, visioning efforts, and community planning initiatives. In the United States, Joel has provided consultative services to hundreds of communities, leading participatory processes on the ground in over 100 communities



across 38 states. He has led public processes, training programs and workshops in over a dozen countries across 5 continents. His work has been featured in over 1,000 media stories and several books. Joel has served on dozens of expert working groups, boards, juries, and panels focused on civic discourse and participation, sustainability, and democracy. He was a founding Board Member of the International Association for Public Participation's United States Chapter. He has spoken at numerous international conferences concerning democratic urbanism and the role of democracy in urban success, including serving as the Co-Convenor of the Remaking Cities Congress in 2013. Joel is an Academician of the Academy of Urbanism in London and serves as a Senior Editorial Associate for Civic Green. He is the author of numerous articles on the relationship between democracy, civic capacity and community.

**Amelia A. Lavallee**

Amelia Lavallee is a research assistant at the Center for Resilient Metro Regions and Master's of Regional Planning candidate at the University of Massachusetts. She is also a planner technician for the City of Cranston, RI. Amelia holds a Master's of Public Administration. She focuses on developing plans, practices, and processes that help create and maintain collaborative, engaged, equitable, and resilient communities. Amelia has worked professionally with planners, developers, building and engineering teams, and the public on a myriad of housing projects. Most recently, Ms. Lavallee was awarded the 'Student Award' by the Rhode Island chapter of the American Planning Association for her professional and academic endeavors in the field of planning. Additionally, her department was awarded the 'Affordable Housing Achievement Award' for their exemplary work on approving hundreds of affordable housing units over the course of the past year.

**Lessons from Strategic Planning**

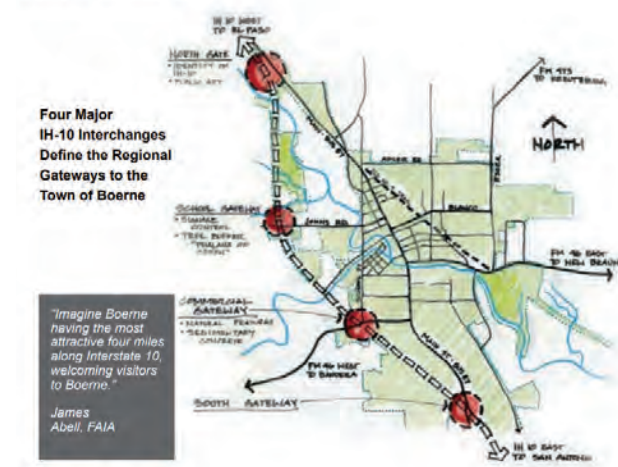
The history of the design assistance program is replete with examples of communities that took control of their future by involving everyone in the process and focusing on implementation, not letting the plan just sit on the shelf. The following community stories illustrate how towns of comparable size have built partnerships and involved everyone to achieve success.

**Boerne, TX (pop 8,000)**

In 2008, the citizens of Boerne, Texas hosted an AIA team to help them plan. At the time, the town had a population of 8,000 but was facing extreme growth pressure and conflict over preservation. It also had a struggling main street that suffered from a lack of walkability, high street speeds, struggling retail, vacant buildings, and a lack of vibrancy. The community process included participation from hundreds of citizens and the resulting report and community outcomes won a state planning award. The main street was a state road, so part of the implementation strategy included



Image of the City



Irū-dat





the town partnering with the Texas Department of Transportation on improvements to the downtown and connections to it. The strategy also required that the town focus its investments on the downtown main street as it grew, so that it did not lose the small-town characteristics everyone in town identified with. Investments were made in walkability and the public realm and street design. Ten years later, Boerne boasts “The Hill Country Mile,” reflecting civic pride for its vibrant main street that draws visitors from all over the world. The street has been awarded the American Planning Association’s Great Street designation and downtown businesses are thriving and growing. Most importantly, the downtown has enhanced its existing character while the town doubled in size (to over 16,000) and it has leveraged its growth to support investment in the characteristics that community members hold important. Today, the life of downtown is marked by cultural events throughout the year that draw both locals and visitors. The downtown and main street have won multiple travel awards as well. While Avon does not boast the kind of historic assets to make it a tourist destination, it does have a main street corridor that could be significantly improved and provide a central community corridor with a vibrant street life that is walkable, safe and offers places that citizens want to visit.

### Newport, Vermont (pop. 4,500)

In 2009, Newport, Vermont brought an AIA team to town to help build a revitalization strategy. Patricia Sears, the Executive Director of the Newport Renaissance Corporation, described the town’s dilemma beforehand: “We were the last city in Vermont to achieve downtown designation from the state. We had some of the highest unemployment in the state. We decided we were done being last. We decided, ‘we are going to be first.’” Hundreds of residents and stakeholders participated in the process. As Mayor Paul Monette said, “it wasn’t the usual political process. Everyone was heard.” Newport was able to leverage the process to build broad partnership and involvement. The city became

the first in the state of Vermont to enact a form-based code and did it through a grassroots process. “Adoption of form-based code in record time through the hard work of numerous people really proves that grass roots efforts pay off,” continued Mayor Monette. “This type of zoning greatly improves the ability for the city to attract development while maintaining our historic downtown. While change does not happen overnight, this zoning will help initiate change and much needed growth.” It also leveraged small actions to build momentum for larger investments. For example, the team included a recommendation to create a community garden downtown. Newport created a community garden with over 32 organizational partners. They took advantage of existing capacity – a downtown parking lot that was donated – and not only created a garden but programmed it to have a transformational impact. Out of the community garden, the “Grow a Neighborhood” program was created, teaching neighborhood residents about agriculture, providing space for family plots, and engaging local restaurants in a farm to table initiative. Six new restaurants opened downtown during the first two years of implementation. This activity spurred new investments that included boutique hotels, a waterfront resort and a tasting center featuring regional agriculture. The Northeast Kingdom Tasting Center set a goal “to create a culinary destination for all the fantastic products in the Northeast Kingdom.” The new restaurants and Tasting Center created enough connectivity to launch an annual downtown food festival, which provided further momentum to the effort to revitalize the main street. One of the key recommendations of the community process was to re-invigorate the connection to the lakefront and organize and program more events to spur investment and visitors. Newport organized an international speed-skating competition, the Rasputitsa Gravel Road Race for mountain bikers, and the Memphremagog Winter Swimming Festival which includes an international outdoor winter swimming competition. The events have spurred visitors from all over the world and increased investment activity in the town while reinforcing local identity and the value of





the place. Newport has undergone a fundamental shift in its thinking since the community process. In 2009, the public dialogue was dominated by nostalgia about the city's past. One resident exclaimed, "I've seen Newport come, and I've seen it go." Two years later, the team conducted a follow up visit to assess progress in the community. The sense of change reached all levels of the community. A resident described the civic "attitude adjustment" that had occurred: "When you have people working together, things can happen and do happen. That's the most important change that has occurred – a change in attitude.... nothing is impossible." It received a Facilitation Impact Award for the results of its process as well. Newport was no bigger than Avon and demonstrates how mobilizing citizens for collective impact can have dramatic results quickly.

#### Helper, Utah (population 2,200)

Helper City, Utah was incorporated in the late 19th century because of surrounding mines and the railroad, which runs through town. It developed a thriving local mining economy in the early 20th century. The town got its name from the 'helper' engines that were stationed at the mouth of the canyon to assist trains in reaching the Soldier Summit up the mountain. The natural resource economy began to suffer economic decline over the past 20 years, and in 2015 the Carbon Power Plant in Helper was closed. It had been in operation since 1954. The economic impact resulted in de-population and increased poverty, putting a strain on resources and capacity. The population of the town was 2,095, with 13 percent of the population living below the poverty line. In 2017, Helper City hosted an AIA team to build a community-driven strategy for its downtown. Over 200 people participated in the process. The resulting report recommended implementation strategies that focused on strengthening the public realm, activating the downtown and enhancing the historic fabric. At the conclusion of the process, one citizen stood up and declared, "You've given us hope."

In the first year of implementation efforts, the town

of 2,000 mobilized hundreds of volunteers in a grassroots effort to remake the public realm and activate downtown. Residents were involved directly in a series of hands-on projects that included the redesign of Main Street, pop-up retail stores, redesigned public parks, restoration of the riverfront, and other initiatives. They also enhanced programming downtown with successful arts festivals and related events. The impact has been transformational, stimulating private investment and momentum for positive change. Helper City Mayor Lenise Peterman notes that, "The plan created from the event is driving continuous improvement in Helper City. By giving voice to the community, we have also given it hope in creating a sustainable environment which is respectful of our past, values our environmental assets and maximizes the opportunity for community engagement."

Carbon County leaders hired a consultant to do an assessment of the entire county a couple of years later. Regarding Helper, he had this to say: "I have never seen a community like this. You guys are the poster child for how to get things done... We really believe Helper is setting the Gold Standard for Utah." That sentiment is felt locally as well. The Mayor and Steering Committee wrote that "The three-day immersion by the team has impacted, and continues to impact, our community on a daily basis. People in our community have something they haven't had for some time, hope for a sustainable community. Key tenants of creating that sustainability include replenishing human capital (drawing young families to our city), caring for our environmental assets, and finally recreating an energy-based economy to a destination based one. And we are doing just that – everywhere in Carbon County people say it's happening in Helper – and it is!" As one local report noted, "Within the last 18 months, all but one of the available buildings on Main Street has been purchased and has undergone some degree of renovation."

In 2018, Helper was recognized with a Facilitation Impact Award for its revitalization efforts. As Mayor



Lenise Peterman wrote, the community process “was the catalyst for what we have done and is the road map for what we will do to create our best version of a sustainable community. The community, at the final presentation during the visit, literally cheered.” Avon has the same opportunity to leverage its master planning process to mobilize citizens for its priorities. Helper demonstrates that being a small community doesn’t have to be a barrier if you mobilize everyone to work together.

### **Applying these Lessons to Avon**

As the preceding examples demonstrate, communities of similar and smaller size have achieved significant success by mobilizing and involving residents directly in the process. Avon can achieve the same level of success if the community can come together and build partnerships across the region to implement the strategies outlined in this report. By leveraging its assets together Avon can elevate its place in a way that protects what citizens value so much while providing economic benefits and livability to the people who call it home.