



# Town of Berlin Master Plan

July 2013



Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, and the GIS User Community

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Planning Board  
Conservation Commission  
Housing Partnership  
Board of Selectmen

With additional input from the

Historical Commission  
Historical Society  
Cultural Council  
Finance Committee  
Zoning Board of Appeals  
Agricultural Commission  
Board of Health

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Brown Walker Planners, Inc.

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# INTRODUCTION

The Town of Berlin under the leadership of the Planning Board and with the collaboration of other Town Boards and Committees is in the process of updating the Town's Master Plan. The last Master Plan was completed in 1997. Beginning in 2011 with an update to the Town's Open Space and Recreation Plan, the Master Plan update is being undertaken in phases with ongoing opportunities for input from residents, businesses, and community leaders. As each phase completes, the Master Plan document will be updated to provide the Town with a relevant and implementable Plan that will guide Town land use policy, regulatory decisions, funding priorities, and other activities that shape the town's character, viability, and livability. This document will be an evolving document that will be reviewed annually to help the Town evaluate progress on meeting the plan's recommendations and develop new goals and objectives for each ensuing year.

## Master Plan Overview

The Chapter 41, Section 81D of the General Laws of Massachusetts regulates Master Plans and provides an outline of required content. According to this section, the purpose of a Master Plan is to "provide a basis for decision making regarding the long term development of the municipality." The word "development" is used by the statute to generalize all actions that affect land use and community character.

A Master Plan is a policy guide and a framework to direct future land use and preserve and manage the town's resources in support of its community vision. It includes assessments of existing resources and issues, projections of future conditions and needs, and consideration of community goals.

As a statement of long-range goals and policies, the Master Plan provides a consistent point of reference for evaluating and prioritizing potential actions. In addition, the data and analysis contained in the Plan can be used for documentation in funding applications as well as for monitoring change over time. In order to ensure that the Master Plan continues to provide these positive impacts, all Town departments, boards, and committees should be periodically reviewing the Plan in relation to their areas of responsibility, reporting on progress in meeting Master Plan goals, and advising the Planning Board as to ways in which the Master Plan should be amended to respond to changing conditions.

The Master Plan should reference and be coordinated with other municipal planning documents, including the Town's Open Space and Recreation Plan and Housing Plan, as well as regional planning initiatives. The Master Plan should serve as a guide for the Town in planning for investments, acquisitions, and provision of services.

Since the Master Plan focuses on the town's physical development, the zoning ordinance and other land use regulations are essential tools for implementing the Plan's recommendations.

Under Massachusetts's law, it is the responsibility of the Planning Board to adopt and amend the Master Plan. Required components include:

## INTRODUCTION

- Goals and policies statement (Vision)
- Land use plan
- Housing
- Economic development
- Natural and cultural resources
- Open space and recreation
- Public services and facilities
- Circulation and transportation
- Implementation program

### MASTER PLAN UPDATE SCHEDULE

#### Completed Sections

Community Vision (ongoing)  
Open Space and Recreation (2011)  
Natural and Cultural Resources (2011)  
Housing (2012)  
Land Use (2012/2013)  
Implementation program (ongoing)

#### Future Phases

Economic Development  
Community Services and Facilities (including Energy)  
Transportation and Circulation

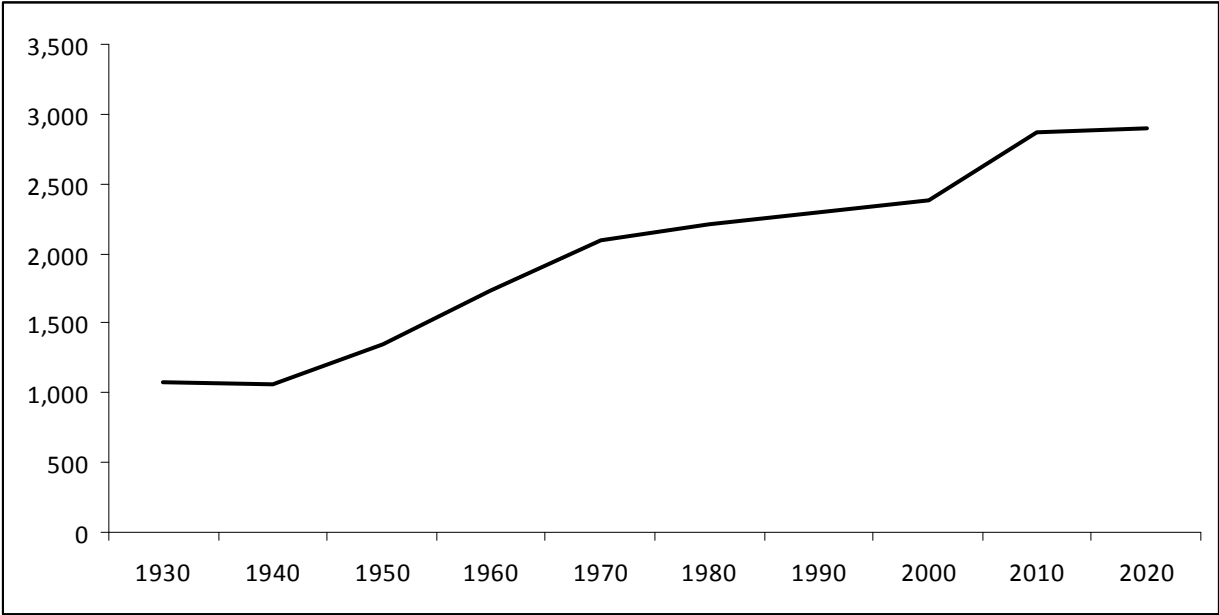
### Community Snapshot -- Town Demographics

#### POPULATION

The 2010 US Census counted 2,866 residents in Berlin, an increase of over 20% since the 2000 Census. With a total landmass of 12.9 square miles, Berlin has a population density of roughly 222 people per square mile. The figure below presents Berlin's growth in population over the years, as well as the town's projected population for the coming decade. The Central Massachusetts Regional Planning Commission (CMRPC) had projected Berlin's population reaching 2,800 by 2015, which the town has already surpassed. The most recent Town Census estimates the population for 2012 at 2,872.



Figure 1: Historical Population Growth and Projected Growth<sup>1</sup>



<sup>1</sup> US Census 2010 and Central Massachusetts Regional Planning Commission 2007

## HOUSEHOLD SIZE AND TENURE

**Table 1: Population, Households, Tenure and Household Size<sup>2</sup>**

	2000	2010	% Change
Total Population	2,380	2,866	20.4%
Population in Group Quarters <sup>3</sup>	8	3	-62.5%
Sub-Total Institutional	0	0	X
Sub-Total Noninstitutional	8	3	-62.5%
Population by Age			
Under 5 years	172	130	-24.4%
5 to 9 years	158	159	0.6%
10 to 14 years	177	209	18.1%
15 to 19 years	132	156	18.2%
20 to 24 years	82	104	26.8%
25 to 34 years	261	243	-6.9%
35 to 44 years	458	364	-20.5%
45 to 54 years	395	564	42.8%
55 to 59 years	152	225	48.0%
60 to 64 years	98	189	92.9%
65 to 74 years	180	297	65.0%
75 to 84 years	86	175	103.5%
85 years and over	29	51	75.9%
Population in Households	2,372	2,863	20.7%
Average Household Size	2.72	2.54	-6.6%
Average Owner-Occupied Unit	2.86	2.65	-7.3%
Average Renter-Occupied Unit	2.14	1.94	-9.3%
Households	872	1,125	29.0%
Owner-occupied	706	954	35.1%
Renter-occupied	166	171	3.0%
Households by persons in Unit			
1-person household	163	262*	60.8%
2-person household	301	403*	33.8%
3-person household	159	192*	21.0%
4-or-more-person household	249	268*	7.4%

Berlin's population and its number of households have increased by over 20% in the past decade, with household growth outpacing population growth. Single person households are the most rapidly growing household size, a 60% increase since 2000, doubling the rate of increase of households of three or more persons.

The age of Berlin's population has also seen substantial change with the number of older citizens increasing and the number of residents aged 25 – 44 decreasing. While there are many

<sup>2</sup> U.S. Census, American Community Survey (estimate)\*

<sup>3</sup> The Census Bureau classifies all people not living in households as living in group quarters. There are two types of group quarters: institutional (for example, correctional facilities, nursing homes, and mental hospitals) and non-institutional (for example, college dormitories, military barracks, group homes, missions, and shelters).

## INTRODUCTION

reasons for the reduction in residents in this early to mid-adult age category, a lack of affordable entry level housing may be one of them, including the lack of rental units.



# VISION STATEMENT

A vision statement is a declaration of desire and intent written in the present tense. It is a clear description of a desired outcome that inspires, energizes, and visualizes stated goals. In the context of a Master Plan the goals are the results achieved by implementing the actions outlined in the plan. A Master Plan vision looks toward the future, perhaps five to ten years away. The following vision statement has evolved out of the Town's Master Plan process to date. It will continue to be reviewed and revised as necessary as the Master Plan process continues.

The residents and elected officials of the Town of Berlin appreciate our town's open spaces, cultural and natural assets, our historic town center, and our sense of community and distinctive rural character.

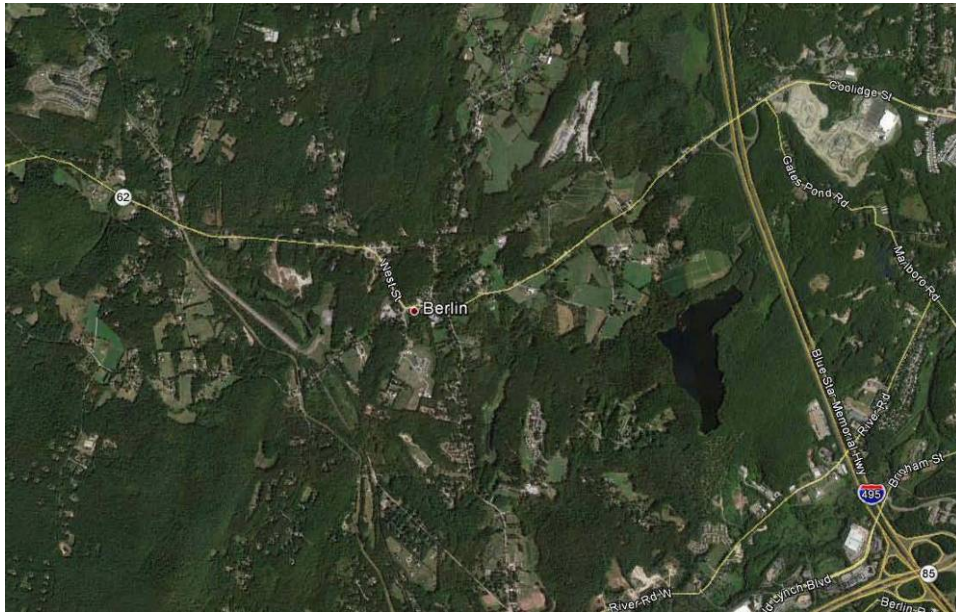
By supporting the implementation and ongoing updating of the Master Plan and related initiatives, the Town Berlin of will work toward a balanced and sustainable existence as we continue to meet the needs of our present populations while planning for our future generations.

That future will include providing a diversity of housing options, protecting our valued natural areas and working landscapes, treasuring our historic and cultural amenities, and supporting growth and development that fits with our town's character and scale.



## SECTION 1: LAND USE

Land use in the broadest sense describes how land is occupied or utilized. Since the mid-20th century, the type, design, and location of development, as well as particular uses have been governed by zoning. These regulations, together with the enforcement processes that are in place, are the Town's tools for identifying incompatible land uses, guiding development, preserving town character, and protecting public health and welfare.



### Land Use Types

Berlin contains a mix of residential, commercial, industrial, public and nonprofit uses, and agricultural and other open land. The table below presents a generalized profile of land uses in the town, based on data assembled from the Town Assessor.<sup>4</sup> Approximately 27 percent of the town's total parcel area is devoted to residential uses; about 23 percent is in municipal, other public or nonprofit use; 17 percent is occupied by commercial, industrial, or mixed use properties. The remaining area—3,127 acres, representing about 33 percent of the total parcel acreage—is comprised of agricultural uses and vacant private land. Some of the municipal and other public land is open space as well.

<sup>4</sup> The Town Assessor's database is the most comprehensive and up-to-date source of information on the use of land in Berlin. A limitation of the Assessor's database is it does not include non-parcel areas such as streets and highways.

## SECTION 1: LAND USE

**Table 2: Land Use Profile – Town of Berlin**

	Parcels (#)	Parcels (%)	Acres (#)	Acres (%)
Residential (Single Family)	820	49.7%	2,326	24.6%
Residential (Other)	227	13.8%	213	2.3%
Commercial	40	2.4%	381	4.0%
Industrial	20	1.2%	227	2.4%
Mixed Use (Residential / Commercial)	65	3.9%	988	10.5%
Agriculture / Outdoor Recreation	76	4.6%	1,695	17.9%
Municipal	80	4.8%	1,096	11.6%
Other Public / NonProfit	78	4.7%	1,093	11.6%
Vacant, Developable	95	5.8%	880	9.3%
Vacant, Potential Developable	18	1.1%	80	0.8%
Vacant, Undevelopable	131	7.9%	473	5.0%
<b>TOTAL</b>	<b>1,650</b>		<b>9,450</b>	

A total of 113 parcels, containing 960 acres (a little over 10 percent of the total area in parcels in the town) are listed by the Assessor as “developable” or “potentially developable.” Site-specific investigation would likely reveal that portions of these “developable” parcels have development limitations, so that their development potential is reduced from what might be expected on the basis of raw acreage figures.

### Zoning Bylaw

Berlin’s Zoning Bylaw divides the town into seven regular zoning districts and five overlay districts. Within each of these districts certain uses are allowed as of right, others are allowed by issuance of a special permit, and others are prohibited. Special permits are granted by the Board of Appeals with the exception of uses covered by Section 7 (Alternative Residential Site Development) which are permitted by the Planning Board and Section 9 (Signs) which are permitted by the Zoning Enforcement Officer.

### RESIDENTIAL DISTRICTS

Much of the town (84% of the town’s area and 81% of parcels) is included within the Residential and Agricultural District (RA), which permits agricultural uses and single-family residences with a minimum lot area of 80,000 square feet.<sup>5</sup> Also permitted in this district are roadside farm stands and home occupations, as well as several uses requiring the issuance of a special permit. Accessory apartments, either within the main structure or in a pre-existing detached building, may be established by special permit.

<sup>5</sup> Land area is based on Town GIS (includes roads and water bodies), parcel information is derived from the Assessor database.



## SECTION 1: LAND USE

**Table 3: Berlin's Zoning Districts<sup>6</sup>**

Zoning District	% of Total Town Land Area
RA	84.3
ARC	7.5
LB	5.9
CV	1.3
LI	0.6
C	0.5

The Agricultural-Recreation-Conservation (ARC) District, adopted in 1997 is the second largest zone. In this district uses are restricted to agriculture, recreation, and municipal/public utilities. ARC zones coincide with the town's protected open spaces.

### COMMERCIAL DISTRICTS

The town's zoning by-law provides for three types of commercial districts – Village Commercial, Commercial, and Limited Business. The Village Commercial (CV) district allows small-scale uses in three historic village centers: Berlin Center (Central Street), West Berlin (West Street and Randall Road) and South Berlin (South Street and Pleasant Street), plus the area around the South Berlin rotary and River Road. In addition to the uses permitted in the Residential and Agricultural District, the Village Commercial District allows (via special permit and site plan review) retail stores, offices, banks and restaurants, funeral homes, production and sale of arts and crafts items, and similar businesses.

The Commercial District (C) is established in three locations: West Street north of Allen Road; Carter Street between Highland Street and West St (Route 62); and Coolidge Street between Interstate 495 and the Hudson town line. This district allows a greater range of uses than the Commercial Village zone. Larger retail and office uses and gasoline service stations, garages, repair shops and shopping centers are permitted.

The Limited Business District was created to permit office, educational, recreational, research and development, and conference and training center uses. It comprises about 6% of the town's overall area. This zone includes four overall areas, along Sawyer Hill Road at Wheeler Hill, at the I-495 interchange, along River Road north of the rotary extending along the Marlborough/Hudson borders to I-495, and a very small area south of North Brook at the Marlborough line.

### INDUSTRIAL DISTRICT

The Limited Industrial District allows research laboratories, manufacturing, building materials, salesrooms, warehousing, wholesale distribution, printing and publishing, and other uses. This district is limited to a 48-acre area that corresponds with the Solomon Pond Mall development, southeast of the Assabet River on the Marlborough line, with no street frontage in Berlin.

### OVERLAY DISTRICTS

The Flood Plain District is an overlay district encompassing the 100-year floodplain of North Brook, Brewer Brook and the Assabet River, as shown on the 1980 Flood Insurance Rate Map. It

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<sup>6</sup> Based on Town GIS information.

## SECTION 1: LAND USE

extends along North Brook from Linden Street to the Assabet River, and along the Assabet River in the southeast corner of the town. Within this district, a special permit is required for any new, substantially improved or relocated structure, and for any dumping, filling or excavation of any material. Encroachments that would result in any increase in flood levels during the 100-year flood are prohibited.

The Regional Shopping Center Overlay District (RSCOD) was adopted in 1994 to permit the construction of the Solomon Pond Mall off Solomon Pond Mall Road at the Berlin-Marlborough line. The RSCOD is an overlay to the Limited Industrial District at that location. The regulations for the district define the uses that may be included in a regional shopping center, and include standards for intensity of use, lot and building dimensions, parking and loading, signage, building design, noise, and lighting.

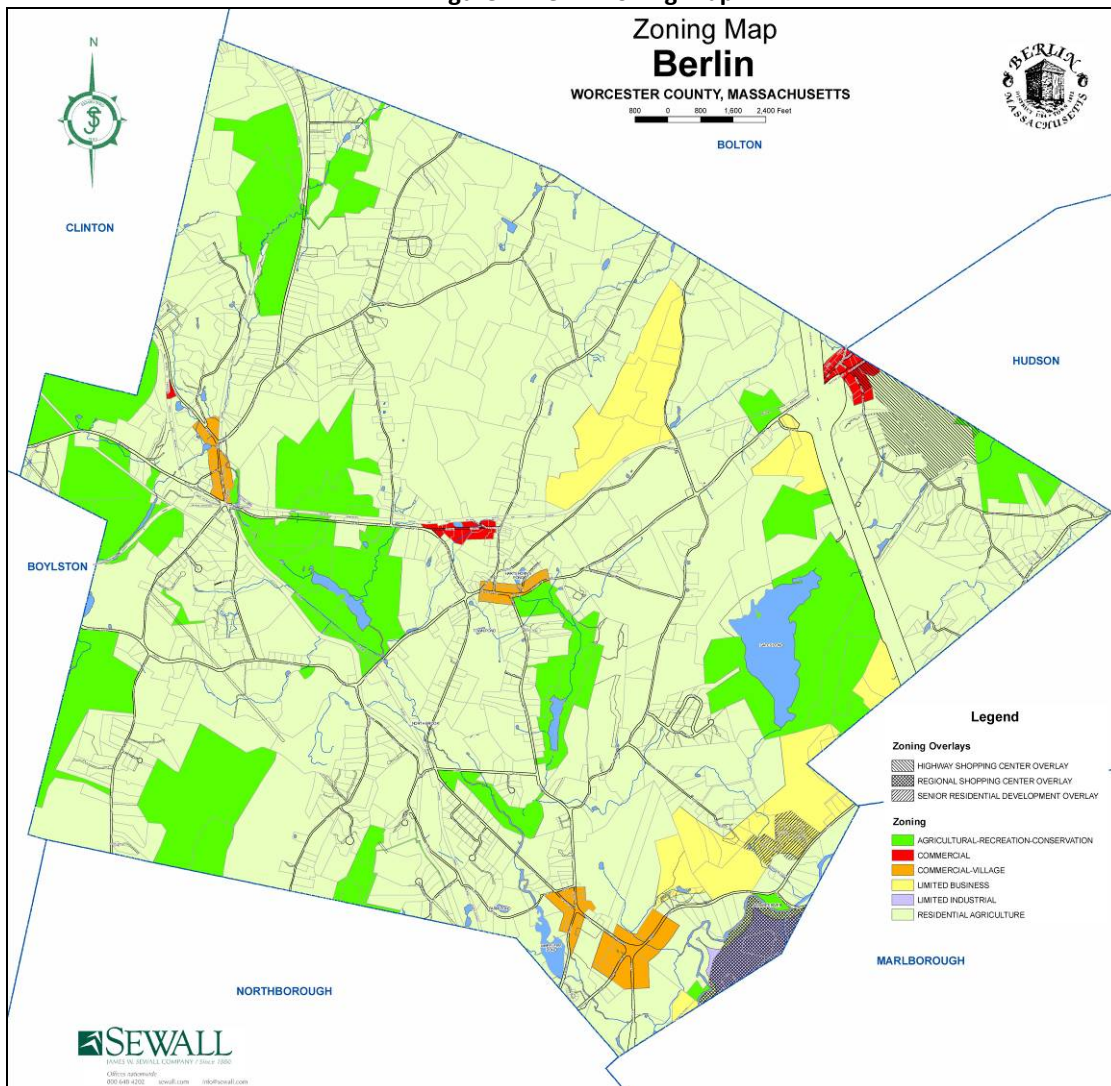
The Senior Residential Development Overlay District was established in 1999 and may overlay any other zoning district. It was created for the purpose of permitting Senior Residential Development in specific areas of town, as approved by Town Meeting.

The Highway Shopping Center Overlay District (HSCOD) was adopted in 2008 to permit the development of Highland Commons, a large scale, integrated shopping center and office uses near the Interstate highway exchange on Route 62. It overlays land within the Agricultural/Recreational/Conservation District, Commercial District, and Residential and Agricultural District in that area. The regulations for the district define the uses that may be included in a highway shopping center, and include standards for intensity of use, lot and building dimensions, parking and loading, signage, building design, noise and lighting and define approval procedures.

The Village Overlay District (VOD) was adopted in 2009 to permit the development of a mixed use village near the rotary in South Berlin that integrates residential, retail, service, and public use components, balances conservation and development goals, and protects and enhances the character of the natural and cultural resources. The VOD overlays portions of the Residential and Agricultural District, Commercial Village District and Limited Industrial District. The regulations for the VOD define the uses allowed, include design and performance standards, and define approval procedures.

In addition, there is a provision in the Bylaw for Telecommunications Facilities. Sometimes referred to as the Telecommunications Overlay, it allows for the installation of stealth monopoles throughout Berlin (with the exception of the Commercial Village) subject to requirements further detailed in the Bylaw.

**Figure 2: Berlin Zoning Map**



## OTHER LAND USE REGULATIONS

### Site Plan Review

Site plan review and approval is required for all projects involving the construction or exterior alteration of commercial or industrial structures and any changes of use on properties for which a site plan was previously granted. In addition, a number of uses require site plan review in certain zoning districts. These are identified in the Table of Uses in the Zoning Bylaw. Site plan review is also required for all projects in the Regional Shopping Center Overlay District, the Highway Shopping Center Overlay District, Senior Residential Development, and the Village Overlay District. The Planning Board is responsible for review and approval of site plans.

### Growth Management

In 2000 Berlin adopted growth management zoning (Article 15) in order to assure that residential growth would not outpace the Town's capacity to provide services and facilities to support its population and would preserve community character. The article, which expired on June 1, 2010, limited building permits to no more than 15 per year with exemptions included for

low or moderate income housing with deed restrictions for a specified period. Even with this growth management policy in place, housing units grew by 18%, largely as a result of Chapter 40B development.

### Potential for Land Use Change

The Town of Berlin continues to be one of only a few in the vicinity (others include Bolton and Stow) that choose to not develop public water and sewer systems to serve any part of town. The lack of public water and sewer, along with the area's thin soils, and generally low density permitted under the Zoning Bylaws dimensional regulations, has helped to restrain development. With about 10% of the town's parcel area identified as potentially developable and another 10% that is in existing agricultural or forestry use that is not permanently protected, there is still substantial potential for more residential or commercial development if market conditions change.<sup>7</sup>

Continuing to manage the rate and type of residential development is important to Berlin's residents. Over 75% of respondents to the 2011 Community Survey indicate support for managing residential growth, and they remain concerned that the quality and location of new development has the greater potential to impact the town's natural resources and rural character.

### RECENT GROWTH TRENDS

#### Commercial Development

Major commercial development in Berlin consists of the Solomon Pond Mall on the Berlin/Marlborough border (completed in 1996), Highland Commons located east of I-495 on the Berlin/Hudson border (still under construction), and Riverbridge, a mixed use village (Phase One under construction) that includes a residential/ assisted living facility between the rotary in South Berlin and North Brook. Both the size of these developments and their regional draw distinguish them from the historical commercial enterprises in Berlin. Due to the careful town-wide planning and citizen support and interest that occurred prior to approval of these developments, Berlin has mitigated many of the adverse impacts such large-scale uses might bring to its host community (see the Open Space & Recreation Section for more information).

#### Housing Development

While Berlin's population grew at a modest 3.5% to 5.5% a decade from 1980 (2,215) to 2000 (2,380), the past decade has seen the population growth rate surge to over 20% (from 2,380 to 2,866). The 2011 Open Space & Recreation Plan indicated that residential development along roadsides consumed land at a rate of over four acres per unit and within conventional subdivisions at a rate of over three acres per unit.

Berlin has experienced a great deal of development pressure from the state's Comprehensive Permit (Chapter 40B) program through the past decade because it did not meet the required threshold of 10% affordable housing stock. When a community is below the 10% affordable housing threshold developers providing affordable units can override certain local land use

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<sup>7</sup> Parcel area is derived from Town Assessor database, does not include roads and some waterways. Protected private lands were identified in the 2011 Open Space and Recreation Plan.

## SECTION 1: LAND USE

regulations. Berlin permitted approximately 182 new housing units within subdivisions between 2000 and 2009. Four of the projects, representing 142 of the 182 units permitted, were approved under Chapter 40B regulations.<sup>8</sup> Using the average household size for Berlin from the 2010 US Census (2.54), the 118 units built since 2000 contributed about 300 people to the town's population.

In December, 2010, the Town received a two-year certification of compliance with its Affordable Housing Plan and, as of 2012, had received state approval of an undated Housing Production Plan, valid through June 2017. During the term of its compliance, the Town, through its Zoning Board of Appeals could deny what it considered inappropriate comprehensive permit applications. To remain certified, the Town is required to show a growth of 1% every two years in affordable housing units until it achieves the 10% threshold. With an increase in total housing units in town documented by the 2010 Census, and permitted affordable units not yet built Berlin's affordable housing inventory has dropped to 8.4% of its total causing the Town to be out of compliance.

A challenge Berlin has faced for complying with the state's Comprehensive Permit requirements during the recent economic downturn was housing applicants who met the state's affordability guidelines could not qualify for either a mortgage or a mortgage within the stated timelines for a resale. Subsequently available affordable units were not able to sell. Where there is no available buyer that meets the state's affordability criteria, the units can eventually be sold as market rate and are then removed from the Town's affordable housing inventory.

### BUILDOUT PROJECTIONS

A buildout analysis is an estimate of the maximum amount of development that can theoretically occur under the existing zoning regulations. By itself, the buildout analysis is not a prediction of the amount of development that will actually occur; but an estimate of the level and types of development that the city has stated, through its regulations, is acceptable.

A buildout analysis conducted in 2000 by the Massachusetts Executive Office of Environmental Affairs estimated 4,634 acres remained potentially developable. This analysis projected the possibility for adding 1,300 residential units. With the 2000 Census reporting 825 housing units, this left the potential for a total of 2,125 housing units at buildout. The 2010 Census reports 1,125 housing units, which brings the Town about 1,000 units shy of the buildout estimate.<sup>9</sup>

A more recent buildout analysis conducted in 2011 with the cooperation of the Planning Board, estimated there are 4,298 acres of potentially developable land. This offered the potential for 599 additional residential units and potential additional commercial gross floor area of 273,745 square feet. Based on the current average household size (2.5 persons per household) this would reflect an increase of 1,497 residents, and, if the town's population age distribution remained consistent, this would be an addition of 272 school age children. Increased need for public safety services, traffic, consumption of open land and the resulting potential change to the historic, rural character of the town are all possible implications for increased commercial and residential development.

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<sup>8</sup> Berlin Housing Production Plan, 2012.

<sup>9</sup> Berlin Open Space and Recreation Plan, 2011

## SECTION 1: LAND USE

These analyses do not take into account potential development under Chapter 40B (Comprehensive Permit) or other land use regulations which may allow a greater density of development (and number of dwelling units) than would otherwise be permitted under existing zoning.

### Regional Planning

In March 2012 the 495/MetroWest Development Compact Plan was completed.<sup>10</sup> The Plan was created to help guide future growth in order to maximize the benefits of the economic development and growth that the 495/MetroWest region is expected to see in the future and to ensure that such growth is sustainable over the long term. To do this, the State partnered with five regional planning agencies, a regional economic development organization, and a not-for-profit environmental organization to undertake this comprehensive regional planning effort.

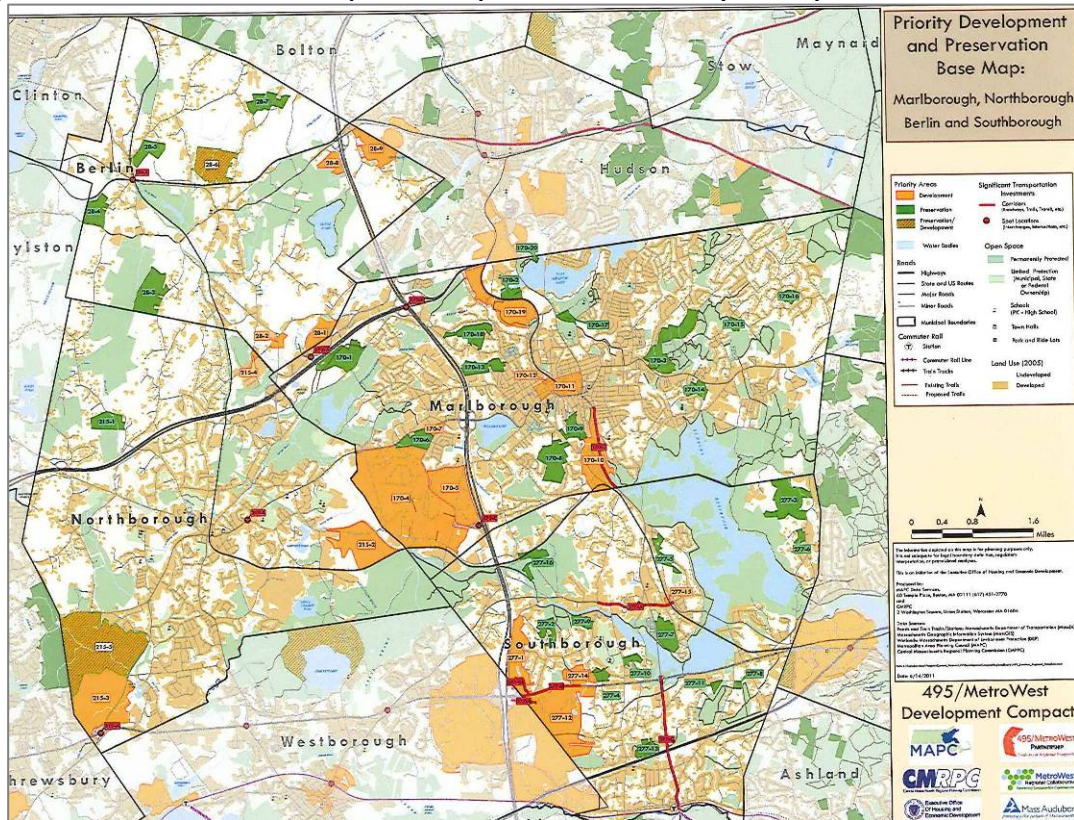
The Plan identifies areas in the region at local, regional and state levels that are considered Priority Development Areas (PDAs) and Priority Preservation Areas (PPAs) in each community. The priority areas identified in this plan are intended to guide and inform future land use decisions and investments in the region. Local activities encouraged in the plan include adoption of prompt and predictable permitting and zoning in the areas identified for growth, protection of areas identified for preservation, and investment in infrastructure improvements to support areas of new growth.

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<sup>10</sup> <http://www.mass.gov/hed/economic/eohed/pro/planning/metrowest/the-plan-and-maps/>



**Figure 3: 495 / MetroWest Development Compact Plan Local Priority Development & Preservation Map**



## Summary of Growth Management Issues and Opportunities

The Master Plan process identified some key issues and opportunities related to managing and guiding land use and future development.

- **Chapter 40B (Comprehensive Permits):** This has contributed to much of the residential growth over the past decade. Although the Town had achieved compliance with the 10% affordable housing threshold, this status could change if all of the currently permitted units do not get built. Even with the recently approved Housing Production Plan, the Town needs to show continued expansion of its affordable housing stock (by 1.0% every two years.)
- **Sewer and water:** In addition to zoning, the rate of new development has been limited by lack of access to public sewer and water.
- **Chapter 61, 61A, 61B Properties:** Even without public sewer and water, there is still potential for residential and non-residential growth particularly in the RA and LB Districts. According to Massachusetts General Laws Chapters 61, 61A, and 61B, lands in active forestry, agricultural, and outdoor recreation use may apply for a reduced tax rate as incentive to maintain this land in current use. Should the owner decide to sell the property, the Town has the right of first refusal to match a bona fide offer for conversion of the property from these uses. Therefore, if the Town is able to purchase the property outright or else secure a conservation restriction on the property, this can be a means of limiting development.

## SECTION 1: LAND USE

- **Protection of Town Character:** Berlin residents have indicated they are concerned about the character and location of development, indicating a desire to protect town character and scenic areas.
- **Home-Based Businesses:** The Zoning Board of Appeals continues to receive requests for variances from the existing home-based business regulation and monitoring and enforcement of this regulation continues to be an issue. There may be opportunity to adjust the existing provisions for home occupations and home offices, and draft amendments as necessary to address concerns. One of the key concerns is how to control home-based businesses becoming too large or expanding beyond the capacity originally granted.
- **Preparing for potential changes in commercial areas:** Berlin residents and planning board members recognize that proactive planning is better than reacting to changes once they have occurred. While changes in ownership and market shifts are outside of the Town's regulatory control, the Town can influence the character and nature of future land uses and development projects. Commercial properties, such as warehouses and big box retail are designed for a particular type of business. As market changes occur or ownership transitions, the Town should be prepared to consider what steps or processes need to be in place that can facilitate redevelopment at these locations.
- **Priority Development Areas:** With the completion of the 495/MetroWest Development Compact Plan, the Town will continue to work with Central Massachusetts Regional Planning Commission and state agencies to identify opportunities in Priority Development Areas identified including adoption of possible zoning changes, 43D application, grant applications (MassWorks), and or promotion to developers.



## SECTION 2: HOUSING

The decisions that Berlin makes about housing have potential to impact many aspects of the community. As the principal land use, housing makes a considerable contribution to the character of the town. In addition the availability and affordability of housing directly affects the town's tax base, the provision of services as well as who lives here.

In 2012, the Berlin Housing Partnership developed a Housing Production Plan in compliance with state regulations to comprehensively assess the town's housing needs and identify goals and strategies that would guide municipal actions to support the development and management of affordable housing.

By documenting Berlin's existing housing stock, studying the community's housing issues, and understanding its housing needs, Berlin is able to take a proactive approach to developing the type of housing most needed and appropriate for its current residents and for supporting a diversity of future residents.



### Housing Supply

**Table 4: Housing Supply by Tenure**

	2000	2010	% Change
Total Housing Units	893	1,189	33.1%
Total Occupied	872	1,125	29.0%
Owner-Occupied	706	954	35.1%
Renter-Occupied	166	171	3.0%
Total Vacant	21	64	204.8%
Vacant for Rent	4	5	25.0%
Vacant for Sale	4	30	650.0%
Rented or sold, awaiting occupancy	4	6	50.0%
Vacant Seasonal, Migratory, Occasional Use, or Other	9	23	155.6%
			33.1%
Vacancy Rate Ownership <sup>11</sup>	0.6	3	
Vacancy Rate Rental	2.4	2.8	

Source: U.S. Census

<sup>11</sup> Vacancy rate is the percentage of all rental units that are unoccupied or not rented at a given time.

## SECTION 2: HOUSING

As of June 2011, Town of Berlin Assessor's records listed a total of 1,241 housing units, including in-law apartments (which may not have been captured in the Census).

Rental housing is often a more affordable housing choice for households with lower incomes. While Berlin's housing supply increased by 296 units from 2000 to 2010, rental units accounted for a small fraction of that total, and make up only 15% of Berlin's housing.

### VACANCY RATES

The vacancy rate reflects the relative availability of housing units, not all of which are of standard quality. A range of 5%-7% vacancy rate is generally considered sufficient to accommodate reasonable housing choice. Compared with other communities in the region, Berlin has more favorable vacancy rate for ownership, but a less favorable rate for rental.

**Table 5: Regional Comparison of Occupied Housing Stock and Vacancy Rates in 2010**

	Occupied Housing 2010				Vacancy Rate 2010	
	Owner	Renter	Total	Renter %	Owner	Renter
Berlin	954	171	1,125	15.2%	3	2.8
Marlborough	8,921	6,474	15,395	42.1%	1.7	7.2
Hudson	5,454	2,074	7,528	27.6%	1.4	10
Northborough	4,319	791	5,110	15.5%	1.4	6.7
Clinton	3,293	2,538	5,831	43.5%	3.6	9
Boylston	1,434	264	1,698	15.5%	1.3	4.3
Bolton	1,542	128	1,670	7.7%	1.5	5.8

Source: US Census

### HOUSING STOCK

**Table 6: Types of Housing<sup>12</sup>**

<u>Use Description</u>	<u># of Properties</u>
Single Family detached	784
Condominium	146
Two-Family	37
Three-Family	3
Apartments (4 to 8 units)	3
Apartments (8 or more units)	1
Multiple houses on one parcel <sup>13</sup>	20
Rooming / Boarding House <sup>14</sup>	1
Mixed Use	53

Source: Town of Berlin Assessors, 2011

Single family homes (including condos) are the predominant residential use type in Berlin -- comprising 89% (930) of residential properties. The majority of multi-family uses are two-family

<sup>12</sup> In-law apartments are not included.

<sup>13</sup> 300 South St, 242 Highland St, 272 Pleasant St, 104 Lyman Rd, 79 Jones Rd, 210 River Rd W, 24 Ball Hill Rd, 79 Pleasant St, 108 Pleasant St, 32 Autumn Ridge Rd, 39 Dudley Rd, 64 Marlboro Rd, 3 Lincoln Rd, 268 West St, 91 West St, 239 Central St, 184 Gates Pond Rd, 283 West St, 36 West St, 308 Randall Rd

<sup>14</sup> Spring House – housing for young mothers and children

## SECTION 2: HOUSING

homes, and 5% of residential properties include a component of commercial or agricultural uses.

In the decades from 1980 to 2000 Berlin averaged 15 new residential units per year. From 2000 to 2010 Berlin issued permits for 261 new residential units. The following table shows the number of new housing units permitted in Berlin for each year of the last decade.<sup>15</sup>

**Table 7: Residential Building Permits 2000 - 2010**

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Permits Issued	21	42	39	12	11	25	7	67	25	4	8

**Table 8: Age of Housing Stock**

Year Built	Number of Properties	% of Total
1990-2010	360	34.3%
1970-1989	204	19.5%
1950-1969	206	19.6%
1930-1949	57	5.4%
1910-1929	35	3.3%
1890-1909	32	3.1%
Pre-1890	155	14.8%

With almost one third of Berlin's housing stock over 60 years old and almost half (46%) over 40 years old, it is likely that many of Berlin's residential dwellings would require substantial alteration to be in compliance with the state building code.

### Housing Costs and Affordability

#### AFFORDABLE HOUSING

Generally, affordable housing is any housing for which total costs (rent or mortgage plus utilities) are no more than 30% of a household's annual income. For many state and federal housing programs, the phrase "affordable housing" means total housing costs that are affordable (costing no more than 30% of income) for a family earning at or below 80% of the area median income (AMI). Currently in the Worcester Metro Region, 80% of AMI for a family of four is \$64,200. In order for a household to be eligible to rent or purchase a restricted unit (affordable housing) the household's income can not exceed 80% of the area median income adjusted for household size.

<sup>15</sup> Berlin Assessor, June 2011

## SECTION 2: HOUSING

**Table 9: Median Income**

	1999	2005	2009	% Change
Median Household Income				
Town-wide	\$64,583	N/A	\$91,856	42.2%
Owner-Occupied	\$76,388	N/A	\$95,817	25.4%
Renter-Occupied	\$23,125	N/A	\$65,536	183.4%
Worcester County	\$47,874	N/A	\$63,720	33.1%

Source: U.S. Census (2000), American Community Survey (2009 estimate), US Department of Housing and Urban Development

### HOUSING COSTS

Housing costs listed in the table below are based on Assessors data as well as market data from the Warren Group.<sup>16</sup> Sales recorded by the Assessors as “Arms Length Sales” (ARM)<sup>17</sup> tend to more accurately reflect market value, as these are sales that are not between family members or that are not otherwise affected by distress or relationships. The Warren Group sales are provided here for comparison purposes, but are not exclusively ARM sales.

**Table 8: Median Housing Costs**

Housing Costs	2000	2010
Median Home Sales Price (Assessors)		
All Properties (15 in 2000, 27 in 2010)	\$310,000	\$310,000
Single Family ARM (7 in 2000, 9 in 2010)	\$310,000	\$351,500
Condo ARM (0 in 2000, 8 in 2010)		\$175,500
Median Home Sales Price (Warren Group)		
All Properties	\$287,500	\$295,000
Single-family	\$259,900	\$344,000
Condo		\$219,950
Median Gross Monthly Rent (American Community Survey) <sup>18</sup>	\$629	\$930

Affordable rent is generally categorized as 30% of total monthly income. Berlin’s 2010 Housing Production Plan indicates that 120 of the town’s 171 occupied rental properties were rented at affordable rates. However the vacancy rate of the town’s rental housing is 2.8% indicating that very few units are available.

<sup>16</sup> Town Statistics from the Warren Group at <http://www.thewarrengroup.com>.

<sup>17</sup> An “Arm’s Length Sale” is one in which the buyer and seller have no relationship to each other which could impact the sale price. When determining the fair market value of a piece of property, the price for the property must be obtained through a potential buyer and seller operating through an arm's length transaction, otherwise, the price will likely differ from the actual fair market value of the property.

<sup>18</sup> The amount of the contract rent plus the estimated average monthly cost of utilities (electricity, gas, and water and sewer) and fuels (oil, coal, kerosene, wood, etc.) if these are paid for by the renter (or paid for the renter by someone else). Gross rent is intended to eliminate differentials which result from varying practices with respect to the inclusion of utilities and fuels as part of the rental payment.

<sup>18</sup> Maximum affordable home price calculated using income limits derived from median family income for the Eastern Worcester County HUD Fair Market Rent Area. Cost of home ownership assume 5% down, 6% APR for 30 years, 30% of income for principle and interest on mortgage. Home prices based on assessed value of home (from Assessors Database).

### Housing Issues Analysis

Historically Berlin has been a community of single family homes; with dwellings more closely clustered around small neighborhood centers, but with most scattered along the town's rural roadways. Since the 1970's development has included residential subdivisions including age restricted subsidized housing development and a co-housing development that includes subsidized units and is built with units close together in order to reduce building footprint and preserve open space.

Berlin believes firmly that major land use decisions should be made by its residents. To date Berlin's residents have favored sparse residential development and have supported Town policies and zoning that enables this rural development pattern. This fact along with the physical characteristics of land in Berlin and the Town's capacity to administer the affordable housing program, creates some challenges for the production and management of affordable housing.

### MULTI-FAMILY HOUSING

Developing multi-family housing in Berlin can be a lengthy and complex process. The process has effectively kept multi-family housing out of Berlin to date as all but senior-only multi-family development requires a change of zoning which needs a 2/3 vote of approval at Town Meeting. Senior-only-units require a Special Permit.

Berlin's zoning bylaw Section 210 Establishment of Districts lists a Multiple Dwelling District and Section 320 Table of Principal Use Regulations indicates that multiple dwellings are allowed by right subject to site plan review in that district. However, no such district currently exists on the Town's Zoning Map. Further, Section 550 contains standards for multi-family dwellings that limit structures to no more than twelve units per building, limits access to no more than two dwelling units per building entrance, allows not more than five percent of the dwelling units to have more than two bedrooms, and prohibits all but unoccupied basement floors below grade at its entire perimeter. Section 620 Table of Dimension Regulations provides dimensional regulations for Multiple Dwelling Apartments, which include a minimum lot area of 80,000 square feet for the first three units plus 10,000 square feet for each additional unit.

While the zoning regulations have existed to control multi-family housing, the fact is that multi-family housing was not allowed in any existing district until 1999. In 1999 Town Meeting voted to create the Senior Residential Overlay District allowing up to four units per dwelling. The Senior Overlay District is a "floating district" which means it can overlay any other zoning district provided the proposed site meets the requirements of Section 720 Senior Residential Development. The requirements include a minimum parcel size of twenty acres, at least two hundred feet of continuous frontage on an existing Town way, and at least thirty percent of the parcel set aside for Common Land for use by residents. Regulations further limit density to no more than three dwelling units, or six bedrooms per acre of developable area. A Special Permit is required for a Senior Residential Development as an alternative to conventional subdivision.

In 2010 Town Meeting voted to create a Village Overlay District on lands around the rotary in South Berlin, and adopt zoning regulations and a Village Development Plan (Section 450) to guide development of a mixed-use village center. Multi-family housing is an allowed use in the

## SECTION 2: HOUSING

Village Overlay District. In addition, the zoning regulations include a provision that requires 10% to 15% of the combined total of Dwellings and Continuing Care Retirement Community Independent Living Units be set aside as affordable.



Figure 4: Rendering of Riverbridge Main Street<sup>19</sup>

### OPEN SPACE RESIDENTIAL DEVELOPMENT

Open Space Residential Development (OSRD), also referred to as cluster development encourages new subdivisions to be built with smaller lot sizes and dimensional standards than what is required in the underlying zoning district and to permanently preserve open space. OSRD can provide benefits to developers and communities. It provides developers with another option for the layout of residential development that is more flexible, promotes the efficient use of land, lowers costs of development, roads and infrastructure, lowers municipal maintenance and service costs, and preserves open space, community character and natural resources. Developer savings could make providing affordable units more feasible.

Berlin does not presently have an OSRD provision in its land use regulations. Based on the results of a recent community survey (see Appendix), Berlin residents have mixed feelings about or would like additional education about OSRD. The survey indicated that preservation of the town's rural character was a primary concern, yet residents were split on their support for OSRD as compared with typical subdivisions. Berlin's Open Space & Recreation Plan notes that residential housing built in conventional subdivisions consumed 3.04 acres of land per unit, while those build in cluster-type subdivisions consumed only 0.35 acres per unit.

Prior to 2006, Berlin voters at Town Meetings twice defeated requests for changes to the Town's zoning bylaws that would allow OSRD as an option for residential development.

### SUBSIDIZED/AFFORDABLE HOUSING

Berlin has experienced a great deal of development pressure from the state's Comprehensive Permit (Chapter 40B) program through the past decade. . When a community is below the 10% state affordable housing threshold developers providing 20 % affordable units can request a comprehensive permit from the Zoning Board of Appeals effectively overriding certain local land use regulations. In December, 2010 the Town received a two-year certification of compliance with its Affordable Housing Plan allowing its Zoning Board of Appeals to potentially deny what it

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<sup>19</sup> Rendering by Architect Daniel Lewis

## SECTION 2: HOUSING

considers inappropriate comprehensive permit applications. In 2012 Berlin received state approval for its updated Housing Production Plan, valid through June 2017, but with an increase in total housing units documented by the 2010 Census, and with permitted affordable units not yet built the Town's affordable housing inventory was reduced from over 10% to 8.4% currently. To regain certification, the Town must continue to show a growth of 1% every two years in affordable housing units until it achieves and maintains the 10% threshold.

A few projects with affordable units in the pipeline will help the Town achieve the 10% threshold – Berlin Woods and Riverbridge. However, with thirty foreclosures in the town as a result of the recent economic downturn, securing interested buyers that meet the state's affordability criteria may be a challenge. Where there is no available buyer that meets the state's affordability criteria, the affordable units can eventually be sold as market rate and are then removed from the Town's affordable housing inventory. Identifying strategies for preventing the loss of affordable housing units should be considered and may require a regional alliance with greater resources and capacity.

### HOUSING CONDITIONS

Nearly forty percent of Berlin's housing stock is over 50 years old; 26% is more than 70 years old. While no comprehensive survey has been completed, it is likely that many of these older residences would not meet today's various housing codes (plumbing, electricity, weather-proofing, energy efficiency, etc.). Older homes with code deficiencies and inefficiencies are often more affordable housing options than new housing. In many instances, these older homes without architectural appeal are being torn down. It is important to maintain Berlin's existing housing stock as a means of providing more affordable housing and preserving the town's historic architecture.

### PUBLIC INFRASTRUCTURE

The Town of Berlin offers no public water or sewer. This increased the cost of developing housing in Berlin and places a substantial burden on large developments which must create and maintain costly private systems. The lack of municipal infrastructure has helped to contain the town's rate of development, population growth, and rural character. At the same time it has prevented the creation of a more dense development pattern in the village areas of town, a strategy that both increases opportunities for a greater diversity of housing including affordable housing, and could reduce pressures on rural undeveloped land. It should be noted however that recent changes to Title 5, the state's wastewater regulations, have expanded options for private wastewater disposal, allowing development in areas previously consider as having low potential.

### MUNICIPAL CAPACITY

The Town of Berlin has no housing authority and limited capacity to administer the regulations required to maintain its affordable housing inventory. Mass Housing<sup>20</sup> and Citizens' Housing and

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<sup>20</sup> MassHousing, the state's affordable housing bank, supports the creation, preservation and long-term viability of affordable homeownership and rental housing opportunities for Massachusetts residents with modest incomes. MassHousing is a self-sustaining agency and does not use taxpayer dollars in its programs.

## SECTION 2: HOUSING

Planning Association (CHAPA)<sup>21</sup> provide oversight to the affordable housing in Berlin. The Town of Berlin created the Berlin Housing Partnership in the late 1980s to address the issue of affordable housing in the community. Members of the Partnership are appointed by the Board of Selectmen for a term of three years. The five-member partnership remains active and keeps the subject of affordable housing before the townspeople through the annual Town Report and through community surveys during planning processes. The Partnership meets and works with the Board of Selectmen, Planning Board, Conservation Commission and Town Treasurer as needed to advance affordable housing goals and has facilitated the creation of affordable housing under the state's Local Initiative Program.

The Partnership prepared the Town's first Housing Production Plan in 2006 and received state approval on its second in June of 2012.

### ENVIRONMENTAL CONSTRAINTS

Environmental constraints including wetlands, floodplains, steep slopes, bedrock, and poor soils make much of Berlin's vacant land ill suited or economically unfeasible for development. Although these challenges for development help to preserve open space and the town's rural character, they also limit the amount of land available for housing.

### MUNICIPAL REVIEW OF MULTIPLE LOT ANR PROPOSALS

Currently, the Town does not have any mechanism to review development plans unless they are submitted to the Planning Board as a subdivision proposal (which means the construction of a new subdivision road). Thus, if a developer wanted to create 20 new lots along an existing Town road, the Town would have limited review authority. The plan would simply be submitted to the Planning Board for their signature as an Approval Not Required (ANR) plan. The only municipal review would occur when the developer applies for driveway permits from the Highway Department or building permits from the Building Inspector and these permits are issued after the lots have been created.

Many Massachusetts communities have Major Residential Development bylaws in place that provide for municipal review of site planning issues such as drainage, environmental impact and neighborhood impact. It is up to each community to determine what constitutes a "major" residential development.

### ACCESSORY UNITS

There are a number of benefits of accessory apartments or units that make them an important strategy to consider for increasing housing options. Accessory units generally provide housing that is more affordable than single family units, they provide alternatives to converting farm and forestland to residential development or creating apartment complexes that are incongruent with the town's character, they encourage neighborhood diversity, and provide homeowners with additional income to support home maintenance.

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<sup>21</sup> CHAPA is a non-profit membership organization for affordable housing and community development activities throughout Massachusetts. CHAPA's core activities span four main areas - Housing Advocacy, Research, Community Education and Training, and Coalition Building.



## SECTION 2: HOUSING

Berlin's zoning bylaw, Section 510, allows In-Law Apartments as an accessory use by right in all but its Limited Business, Limited Industrial and Agricultural-Recreation-Conservation districts. To qualify as an in-law apartment, the accessory unit must be occupied by no more than three persons, at least one of which is related by blood or marriage to the resident owner of the premises. This type of accessory units is limited in use, and its relatives-only requirement difficult to enforce.

Section 520 allows for both attached and detached accessory apartments but both require a special permit. Attached apartments have similar requirements to in-law apartments without requiring relative status. Detached apartments are only allowed in structures in existence on January 1, 1990 or if the unit is rented subject to the conditions that make it qualify as a unit of affordable housing based on the requirements of the State of Massachusetts. If the unit does not qualify as affordable it must be rented to a relative or caregiver.

The Town is presently considering the various issues associated with accessory units including enforcement, conversion, character of development, impacts on public services, and affordability.

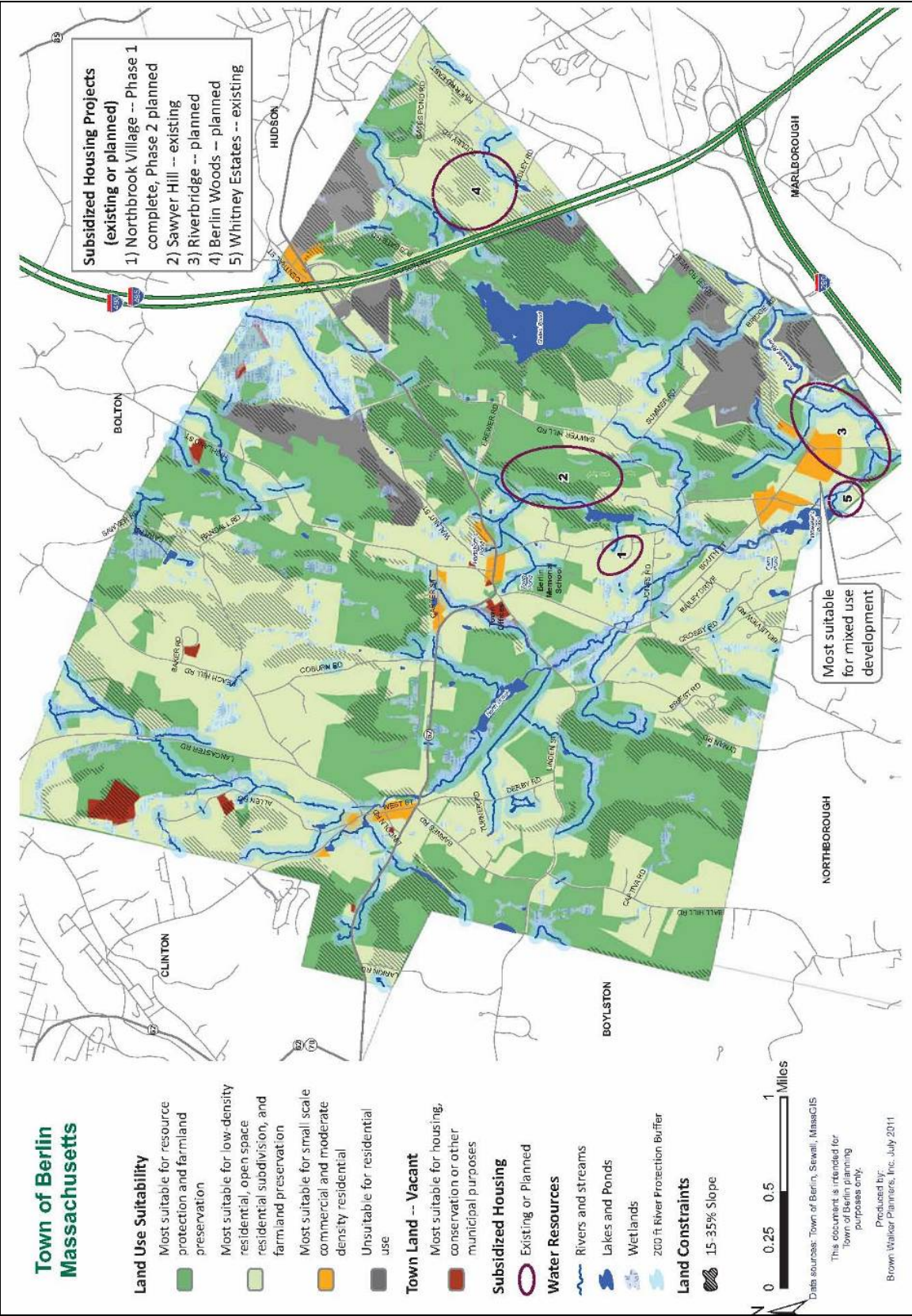
### CONVERSIONS

Single family homes of sufficient size and with sufficient land to meet wastewater treatment regulations could be converted to two-family or multi-family units, which would increase opportunities for less expensive housing without consuming additional land or changing the general character of the structure. Berlin's zoning bylaw, however does not allow multiple dwellings -- defined as any dwelling which houses more than one housekeeping unit in any existing zoning district. The principal difference between a two-family and an accessory apartment is the size of the second unit which effectively limits the number of residents. Similar to an accessory unit, conversions could allow homeowners an opportunity to remain in homes they may have outgrown, and gain income without changing residency.

### Land Use Suitability for Housing Production

The Housing Production Plan identified potential opportunities for new housing production or conversions. These opportunities are identified on the map below.

Figure 5: Housing Production Plan Land Use Suitability Map





## SECTION 3: OPEN SPACE & RECREATION

The Berlin Conservation Commission completed the latest update of its Open Space and Recreation Plan in 2011. Through a public planning process that included a Community Survey and two public forums the residents of Berlin confirmed their community vision is to protect the small town and rural atmosphere that defines the character of the town and ensure that the town's natural, scenic, and historic resources are preserved for future generations.

The following information from the Town of Berlin's 2011 Open Space and Recreation Plan examines the state of open space and recreation in Berlin and outlines strategies for enhancing conservation services and recreation opportunities.



### Open Space and Land Use Trends

Since 1996, vacant land in Berlin has been converted to development at an average rate of 54 acres a year, amounting to 813 acres over the past fifteen years.<sup>22</sup> This rapid development has been spurred by the attractive rural nature of Berlin due in part to the success of previous preservation efforts as well as the rapid growth of the general economy in the central Massachusetts region. In addition favorable access to and from I-495 and I-290 is a major draw

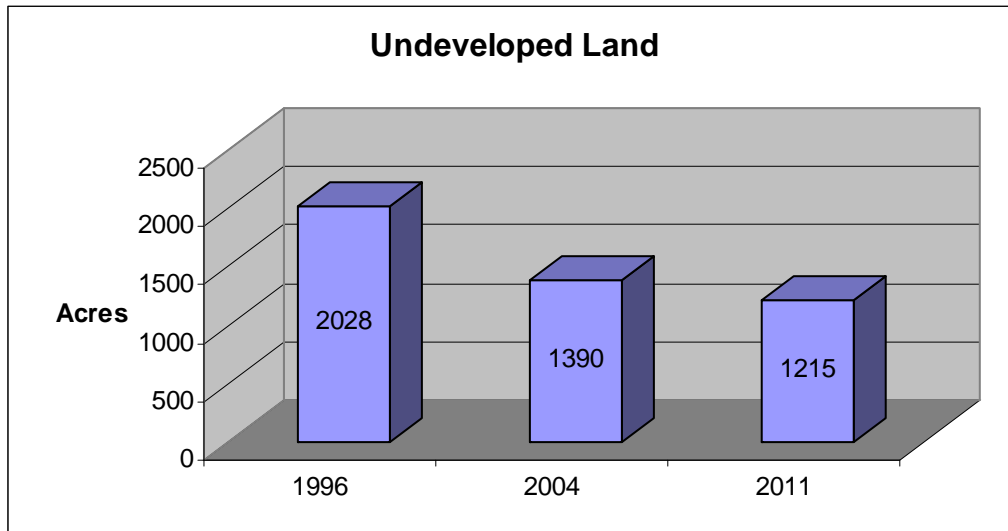
<sup>22</sup> Vacant land refers to that land not currently listed as developed or in use in Berlin Assessor's database. The total listed includes developable, potentially developable and undevelopable (due to various constraints) lands. Agricultural land is not considered vacant land, however it could be converted from agricultural use to vacant and developable land.

## SECTION 3: OPEN SPACE & RECREATION

to commercial development, while increasing employment opportunities in nearby communities has made Berlin increasingly desirable for home buyers.

The chart below illustrates that about 40% of Berlin's vacant land has been developed in the past fifteen years.

**Figure 6: Consumption of Vacant Land in Berlin 1996 - 2011**



### COMMERCIAL DEVELOPMENT

Major commercial development in Berlin consists of the Solomon Pond Mall, Highland Commons, and the Riverbridge mixed use village. Due to the careful town-wide planning and citizen support and interest that occurred prior to approval of these developments, Berlin has mitigated many of the adverse impacts such large-scale uses might bring to its host community. Instead, Berlin has reaped substantial benefits from the agreements it negotiated as part of the permitting process for the development of these projects.

- The Solomon Pond Mall development agreement contained a provision for a substantial up-front payment and additional annual payments for 30 years for open space acquisition and management. Using funding from the conservation trust funded by this agreement, the Town has been able to increase its inventory of protected open space by well over 50%.
- The Highland Commons Mall development also results in substantial benefits from the agreement it negotiated as part of the Mall's permitting process; specifically, the Town will receive substantial funds for its conservation trust to be used for increasing its inventory of protected open space.
- The Riverbridge mixed use development agreement protected 86 acres by granting a conservation restriction along the important North Brook corridor.

### RESIDENTIAL DEVELOPMENT

Recent residential development has included some large Chapter 40B (or Comprehensive Permit, see Housing Section) housing developments. These include a 72-unit Sawyer Hill LLC co-housing development, the 32-unit Dudley Road development, and the Riverbridge mixed-use

## SECTION 3: OPEN SPACE & RECREATION

village which is expected to produce a total of 125 housing units (not including assisted living units within the Continuing Care Retirement Center). Together these three projects alone represent the amount of residential growth experienced in the previous 25 years combined.<sup>23</sup>

Through negotiations with housing developers to preserve open space, and through implementation and consistent application of a Berlin Wetland Policy, Berlin has attempted to mitigate the impact of housing development. For example, as part of the Sawyer Hill LLC co-housing development agreement, 28 acres were preserved with a conservation restriction.

### AGRICULTURAL LAND

Agricultural land in Berlin accounts for about 19% of the town's land and is fundamental to the community's way of life. The proportion of the town's land area devoted to agricultural use has remained relatively unchanged since 1996, a significant victory for those interested in preserving the town's rural character and lifestyle. However, with vacant land rapidly diminishing, Berlin's agricultural lands will likely face increasing pressures for development.

### Protected Open Space

Since 1996 Berlin has preserved over 1,300 acres of its land via outright purchases, gifts and conservation restrictions. Working with generous Berlin landowners and conservation trust organizations such as the Sudbury Valley Trustees (SVT), the Berlin Conservation Commission has judiciously targeted key passive recreational property and environmentally sensitive open space for purchase via the conservation trust fund established through the Solomon Pond Mall negotiations. Where applicable, state grants have successfully been leveraged to supplement the conservation trust fund purchases. The major purchases have included:

- Devine/Pisgah property (48.4 acres south of Linden St. abutting Mt. Pisgah conservation land in Berlin/Northborough),
- Rattlesnake Hill (109 acres south of Route 62 on the Boylston line),
- Eager Woods (65 acres on Ball Hill across the road from Mt Pisgah conservation land and abutting Berlin, SVT and Boylston conservation lands comprising Wrack Meadow, the North Brook corridor),
- Berlin Meadows (13 acres at the corner of Route 62 and Pleasant St.).

Some protected lands are the result of the generosity of Berlin citizens that have gifted about 80 acres to the Town with conservation restrictions held by the Commission. Some of these gifts include:

- O'Brien Trust gift of nine acres in Hog Swamp and abutting other conservation wetlands,
- Curtis gift of seven acres abutting conservation land near Gates Pond,
- Lenkiwicz gift of over 15 acres off Lancaster Road in Forty Caves area, and
- Rhodes gift of nearly 20 acres off Collins Road.

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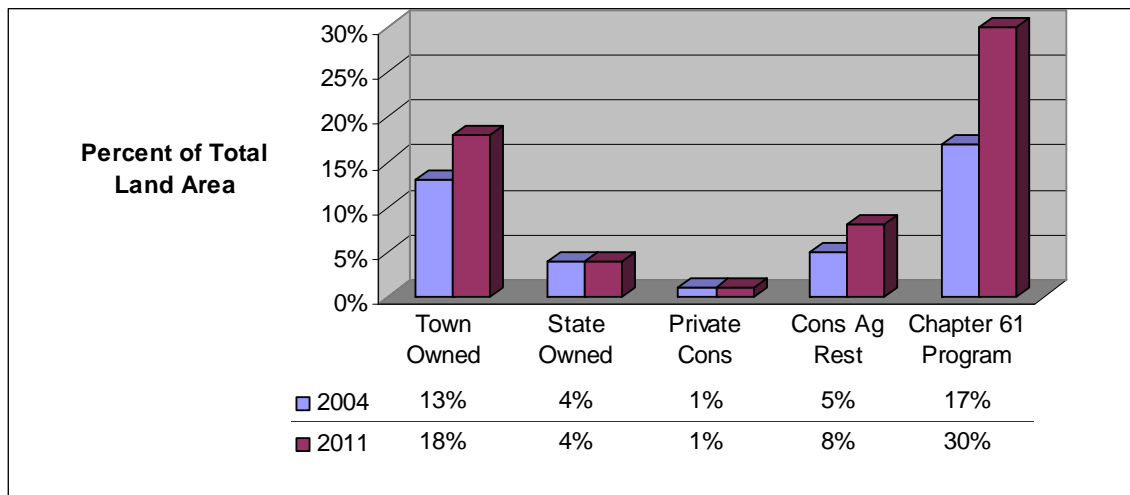
<sup>23</sup> Based on an average growth of 10 units per year from 1970 to 1990 and an average of 6.6 per year from 1990 to 2000 (Berlin 1997 Master Plan).

## SECTION 3: OPEN SPACE & RECREATION

Other conservation restrictions (CR) either granted as part of a development or purchased by the Town have preserved 658 acres of the total amount. A few of these include:

- Sawyer Hill LLC (28.56 acres abutting State of MA and Berlin conservation land),
- A portion of the Devine property described above that was not outright purchased (34.5 acres),
- Riverbridge property (86 acres abutting North Brook)
- Coldwell property (about 13 acres south of Route 62 and east of Larkin Road),
- Tall Pines condo development in Clinton and abutting Berlin (54 acres) and a deed restriction for the remaining 15.6 acres in Berlin.

**Figure 7: Effects of Preservation Efforts: 2004 – 2011**



### Recreational Areas

#### SOUTH COMMONS RECREATIONAL AREA

South Commons is Berlin's only formal recreation area. The 37-acre site abuts the Berlin Elementary School on South Street near Town Center and supports a variety of recreational uses. South Commons is also the site of town-wide events and celebrations including Olde Home Day and the Annual Fishing Derby. South Commons includes three soccer fields, three baseball/softball fields and a playground as well as open fields used for a variety of activities. Overall South Commons has excess capacity for formal recreation and sports activities and offers its facilities to organizations outside of Berlin. The Recreation Committee is seeking additional programs for its baseball/softball fields which are generally unused after mid-June.

#### INFORMAL (PASSIVE) RECREATION AREAS

Natural resource areas provide an abundance and variety of opportunities for recreation in Berlin and the Town should continue to both increase land holdings as well as consider ways to increase pedestrian access where appropriate. Over 70% of Berlin residents responding to the Community Planning Survey supported acquiring land to provide land for informal recreation including walking, hiking, riding and skiing.

### Needs Analysis

#### OPEN SPACE PROTECTION PRIORITIES

The principle open space protection needs in Berlin have remained constant for several decades. Residents continue to wish to preserve the town's natural open spaces as well as its working landscapes in order to protect natural resources, community character and quality of life.

Open space and resource protection is at the core of the Conservation Commission's mission. Since 2004 alone the Conservation Commission, supported by the actions of the Planning Board, the Housing Partnership, and Board of Selectmen has preserved an additional 445 acres through land acquisition and conservation restrictions, increasing protected open space by nearly 20%. As a result of the Town's on-going efforts, nearly 2,000 acres or roughly 19% of land within Berlin has some level of protection.

Key parcels to protect include intact patches of woodlands and wetlands that provide habitat and movement corridors for wildlife, improve water quality, and provide scenic views. Parcels that provide connectivity to other preserved open spaces, conservation lands, or water resources are also high priorities.

Working agricultural or farm lands are recognized as an important component of Berlin's open space system, and a cornerstone of its community identity. While these lands are privately held, the Town is committed to working with farmers to preserve these landscapes and the activities they support.

The Town should continue to support temporary protection of lands through the state's Chapter 61, 61A, and 61B program, as well as permanent protection through conservation and agricultural restrictions, the purchase of development rights, or acquisition. The Town should also focus on developing partnerships with local land trusts, and other preservation organizations to help build local capacity for planning, responding to unexpected opportunities, and developing creative funding strategies.

#### COMMUNITY RECREATION PRIORITIES

Assessment of population trends in Berlin shows a significant decrease in the number of children aged 14 and under and a moderate increase in those age 15 to 19. While the percent of the population made up of children is decreasing, still nearly one third of all households in Berlin include children under the age of 18. The most rapidly growing segment of Berlin's population is residents aged 55 and over. However, residents aged 35 to 54 account for a full one third of Berlin's population. Providing a range of recreational options for all age groups should continue to be a priority for Berlin.

In Berlin currently:

- There are 2,261 acres of permanently protected open space equating to roughly three quarters of an acre per person.
- There is access to 17 public open space and recreation areas offering formal and informal trails, water access, and hunting and fishing opportunities.

## SECTION 3: OPEN SPACE & RECREATION

- There are over 29 acres of trails within Berlin's natural areas.
- There is a 37-acre recreational complex equating to roughly 13 acres per 1,000 people.
- Formal recreational offerings include youth baseball, softball, soccer, and football.
- Around 250 Berlin youth are served annually by formal recreation programs in Berlin.<sup>24</sup>

The 2011 Berlin Community Planning Survey asked residents to rate how important it was to increase open space and recreation lands for active recreation, passive recreation and conservation. Increasing open space and recreation lands for conservation purposes was seen as most important with 79% of respondents rating it as important or very important. Passive recreation was rated as important or very important by 67% of respondents and active recreation was rated as important or very important by only 35% of respondents.

### Active Recreation

Several areas of need are noted by the Recreation Committee, survey respondents and community meeting participants.

- There is a desire to see the town's system of trails maintained, enlarged, marketed and utilized for both summer and winter recreational activities.
- The existing tennis court and basketball facilities should be improved or replaced.
- Parking and circulation should be improved further at South Commons to create a safer environment, particularly as people move from their cars to the fields.
- A picnic/ gathering pavilion on South Commons which can also be used for equipment storage and a snack shack should be considered.
- Installation of a water source on South Commons, separate from the school's supply would provide for drinking water and future irrigation of athletic field space.
- Regionally there is a shortage of regulation size fields suitable for High School and Babe Ruth league baseball (14 and older). Further study should be made to determine if a regulation field would be feasible and appropriate at South Commons.
- Consideration should be given to developing a walking trail to connect South commons to Main Street.

A number of respondents to the 2011 Community Planning Survey noted the need for a swimming area for Berlin residents. Several sites including Brewer Brook and Ross Flood Control area have been considered in the past. Survey respondents also suggested that agreements with neighboring communities to share swimming sites could be considered as an alternative to creating a town beach.

### Informal (Passive) Recreation

In addition participants in the public meeting expressed need for improvements in the following areas:

- Better promotion of trails and education about access to town lands
- More signage at trails
- Increased and improved parking areas at public lands
- Opportunities for guided nature walks
- Increased programming for youth using the town's open space and conservation lands

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<sup>24</sup> Estimation by Rob MacKay, Recreation Committee, Chair



## SECTION 3: OPEN SPACE & RECREATION

Increasing the number of sidewalks and trails in town was also described as a need by survey respondents. In particular, a number of residents cited the desire for more sidewalks in Berlin Center and connecting to the Elementary School.

### **Accessibility Improvements**

In an effort to better accommodate the needs of the disabled, the Commission on Disability was asked to comment on the improvements that are necessary at the town's open space and recreation sites as well as identify needs for new or additional facilities, programs or accommodations. The identified needs generally involve improving access to existing facilities through eliminating barriers at access points, improving parking arrangements, and making use of surfaces that can accommodate wheelchairs.

Several sites have been identified as appropriate for structural changes to improve access for people with disabilities in the near future.

- 40 Caves: improve parking as needed
- Rattlesnake Hill: improve parking; develop accessible trails along rail bed
- O'Brien Meadow: study feasibility for wheelchair accessible trails
- Clark: develop accessible trails in coordination with Mass Rail Trail development
- South Commons: improve parking and circulation; improve transition to playground surface

Gates Pond, though not owned by Berlin would benefit from improved access and trail surfaces. The Town would like to work with the Town of Hudson to determine the feasibility of such improvements.

### **Land Management**

While preservation of additional land is the primary need expressed by Berlin's residents, land management is also vitally important to the long term sustainability of Berlin's network of open spaces and natural areas. Access, information and resource management represent expanding areas of focus for the Conservation Commission.

Since the 2004 Open Space and Recreation Plan the Conservation Commission has completed the following land management initiatives:

- Developed trail maps for conservation lands
- Updated the Open Space Master Map
- Developed a Conservation Commission web site
- Initiated Forest Stewardship Program on 71 acre Clark Property
- Engaged MWRA/MDC/DCR to install barriers and gates at Susasco and MDC/MWRA corridors to prevent illegal motorized vehicle access and destruction
- Identified tax title properties suitable as Conservation Lands
- Improved trails and signage and provided clean ups at Forty Caves, Meusche Woods and Suasco
- Established "blue bird trail" and installed educational signs at vernal pool near South Commons (used by school)

### SECTION 3: OPEN SPACE & RECREATION

- Engaged State of Massachusetts wildlife biologist to improve wildlife habitat by selective clearing of non-wetland areas in the 13 acre conservation land at the corner of Pleasant St and Route 62. Bluebird boxes were also installed in the meadow periphery.
- Researched 'best practices' from Conservation Commissions in other communities, consulted MACC and legal advisors, and as a result in April, 2008 established a 'Berlin Wetland Policy' protecting the immediate 25 feet adjacent to flagged/determined wetlands

A new initiative for the Berlin Conservation Commission focuses on increasing use and knowledge of Berlin's open spaces and natural resources. The Conservation Commission has started laying the groundwork for a "Berlin Outdoors" program to get Berlin residents interested and participating in healthy, non-motorized outdoor activities, especially including nature observation and understanding. The initiative is planned for inclusion in the town's 2012 bicentennial celebration. Activities will include "geocaching"<sup>25</sup>, trail marking, guided nature walks, and nature based contests.

Another continuing area of concern is trail use by unauthorized vehicles. Motorized vehicles have recently caused significant damage at the Lester Ross/Suasco site as well as to other conservation lands and private property abutting conservation lands. In addition, trails have been cut illegally in the Ball Hill and Wrack Meadow Conservation Area impacting resources and opening these sensitive environments to further unauthorized use.

Survey results indicate that there are differences in opinions on how trails should be managed for vehicle use. The majority of survey respondents felt that mountain bikes and snowmobiles should be allowed on some trails, and nearly one third of respondents felt that all-terrain vehicles should be allowed on some trails. In addition to community support or opposition in determining whether to allow or restrict trail use by vehicles, the Town must consider the lands carrying capacity based on the sensitivity of resources and probability of impacts. It must also take into account the Town's capacity to manage and maintain the trails and resources to assure that both the quality of the recreational experience and the integrity of the resource are sustainable.

#### STRATEGIES FOR LAND ACQUISITION AND FUNDING OF OPEN SPACE AND RECREATION

Berlin has been fortunate to have acquired a conservation trust that was established as mitigation for the development of Solomon Pond Mall in 1996. Funds from the trust (an initial deposit of \$1,500,000 and yearly deposits of \$50,000) have enabled the Conservation Commission to protect numerous open spaces over the past decade and a half with little to no dependence on Town funds. The Conservation Trust will continue to be funded at a rate of (\$50,000 a year) until 2026. While Conservation Trust funds have accomplished a great deal to date, the Conservation Commission will not be able to continue preserving substantial land tracts with only the \$50,000 yearly deposits. Additional funding sources are needed.

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<sup>25</sup> Geocaching is a game in which the object is to identify and find items deposited by other players, using GPS navigation.

## SECTION 3: OPEN SPACE & RECREATION

### **Town Funds**

The Town should consider allocating funds annually to the Conservation Trust to allow the Conservation Commission to move quickly on acquisitions and other protection opportunities. It will be necessary to petition Town Meeting to commit funding to the Conservation Trust each year. Funding for the Conservation Trust can be obtained through a determined amount dedicated each year by Town Meeting, issuance of a bond, or by passing the Community Preservation Act (see below).

### **Open Space Bond**

The issuance of a bond for the purchase of open space would also require approval of Town Meeting. A bond can be issued for any amount the Town deems feasible and once issued can be held until such time as funding is needed. The bond can be issued with conditions such as the maximum amount that can be spent without further Town Meeting approval.

### **Community Preservation Act**

The CPA allows communities to create a local Community Preservation Fund through a surcharge of up to 3% of the real estate tax levy on real property. The Act also creates a State matching fund which serves as an incentive to communities to take advantage of the provisions of this legislation. Local municipalities must adopt the Act by ballot referendum. Once locally adopted, the Act would require at least 10% of the monies raised to be distributed to each of three categories: open space (excluding recreational purposes), historic preservation, and community housing. The remaining 70% of funds may be allocated to any one or a combination of the three main uses (including public recreational purposes) at the discretion of the local Community Preservation Committee and subject to the approval of Town Meeting.<sup>26</sup> Up to 5% can also be spent on administrative needs of the local community preservation committee.

### **Chapter 61/61A/61B lands**

If land classified under Chapter 61 is sold for residential, commercial or industrial purposes, the Town has the right of first refusal due to the legal interest in the property that grants the Town the right to match a bona fide offer for conversion of the property from its forest, agricultural, or recreational use. The Chapter 61 laws were amended in 1986 and 1987 to allow towns to assign their options to nonprofit conservation organizations, increasing opportunities for protection. Nonprofits may have the resources to assemble a collection of groups to assist in funding purchase of the properties or it may be able to borrow money on shorter notice than a town and can borrow from a greater variety of sources. Conservation Restrictions

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<sup>26</sup> Community Preservation Coalition.

## SECTION 3: OPEN SPACE & RECREATION

### Conservation Restrictions

In Massachusetts, a conservation restriction (also called a conservation easement) is a way to legally limit the use of private land in order to protect specified conservation values. All conservation restrictions must be approved by the Secretary of Environmental Affairs. There are different types of conservation restrictions:

- 1) A charitable deduction for federal income tax, gift and estate tax purposes;
- 2) A perpetual conservation restriction required by a government agency in the permitting process;
- 3) Development rights restrictions which are purchased by a governmental agency or private, non-profit organization;
- 4) Other restrictions (such as for a term of years).<sup>27</sup>

### Limited Development

A *limited development* project is a land protection strategy that provides for the development of a portion of a property in order to generate the funding that will enable the landowner to conserve the remainder for a lower cost. For example limited development can allow development of that portion of a property with road frontage and retain the balance of the site for conservation. Or limited development can be used to preserve the most environmentally sensitive area of a site and allow development elsewhere. Limited development allows towns to target the most critical areas for preservation while still allowing development in non-critical areas.

### Massachusetts Grants for Conservation and Restoration

An overview of some of the state grants available for open space acquisition or management is provided below.

Upon completion of this Open Space and Recreation Plan and subsequent approval by EEA, the Town would be eligible to apply for the following grants:

- *Local Acquisitions for Natural Diversity (LAND)*: Grants to city and town conservation commissions for the acquisition of open space for conservation and informal recreation purposes (formerly the Self-Help Program).
- *Parkland Acquisitions and Renovations for Communities (PARC)*: Funds for acquiring and/or developing park and recreation land (formerly the Urban Self-Help Program).
- *Land and Water Conservation Fund*: Federal funds (administered by EEA) for up to 50% of the costs of acquiring, developing or renovating park, recreation, or conservation land.

The *Rivers and Harbors Grant Program* is a statewide program of matching grants from DCR to towns and municipalities for design and construction to address problems on coastal and inland waterways, lakes, and great ponds. The Department of Fish and Game (DFG) provides grants to public agencies and non-profits through its *Riverways Program* to help to restore the ecological integrity of rivers and streams.

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<sup>27</sup> *Massachusetts Conservation Restriction Handbook*, Division of Conservation Services, Executive Office of Energy and Environmental Affairs

### SECTION 3: OPEN SPACE & RECREATION

DCR's *Recreational Trails Grants* fund 80% of the project costs for a variety of trail protection, construction, and stewardship projects.

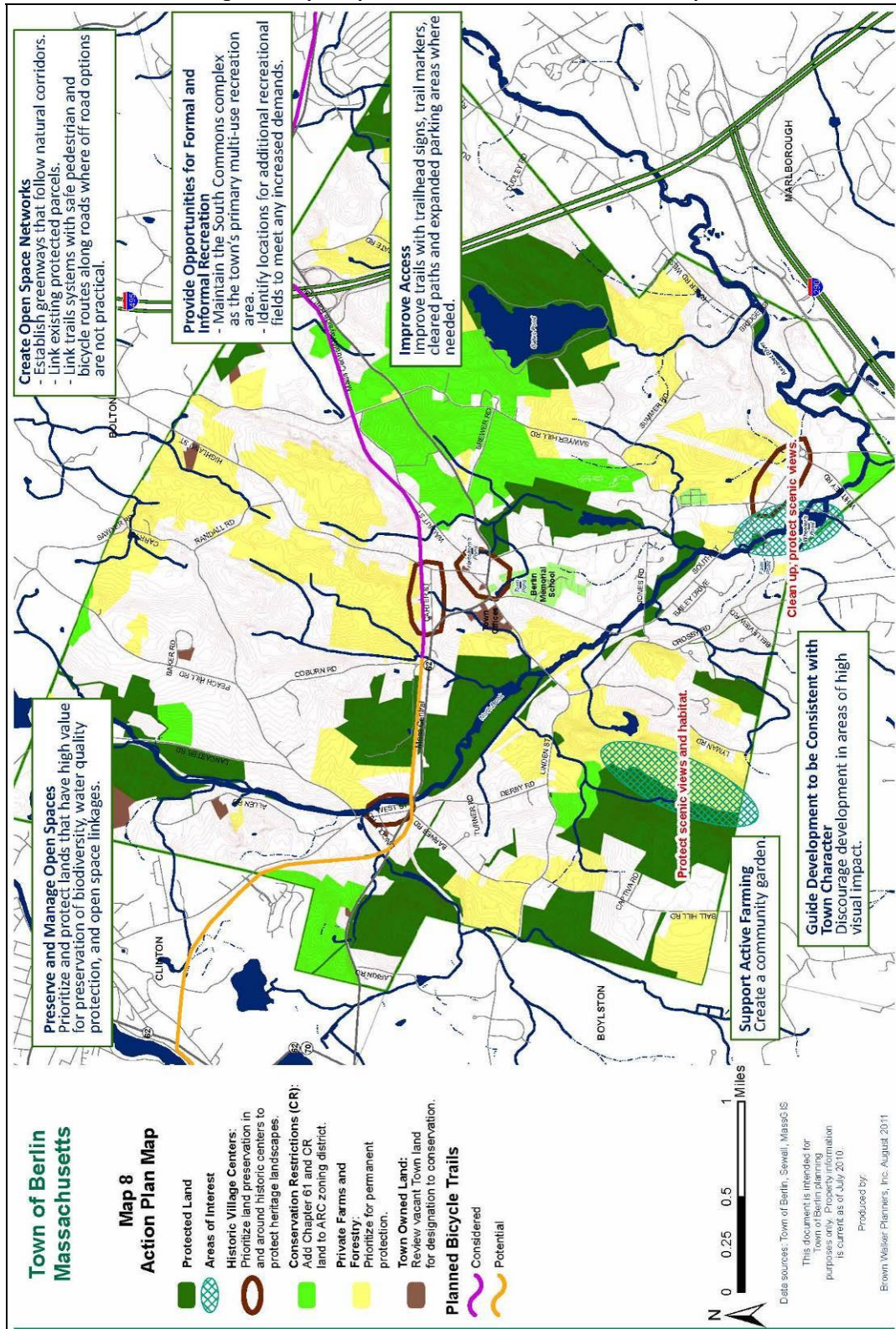
DCR's *Urban and Community Forestry Challenger Grants* assist in building support for the long term protection and management of community trees and forests. Municipalities and non-profits are eligible to apply.

The Executive Office of Energy and the Environment (EEA) offers grants through the *Conservation Partnership Program* to non-public, non-profits for acquiring land and interests in lands suitable for conservation or recreation.

The Department of Environmental Protection (DEP) provides grants through the *Drinking Water Supply Protection Grant Program* to assist in acquiring land to protect the quality of public drinking water supplies.

The *Landowner Incentive Program* through the Department of Fish and Game (DFG) provides grants to private landowners, sportsmen's clubs, land trusts, and non-profit groups to restore or create wildlife habitats for the benefit of species-at-risk.

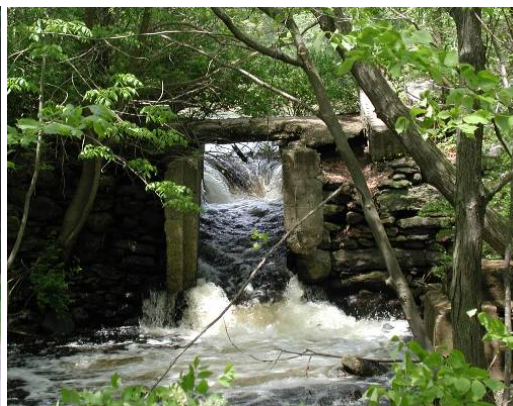
Figure 8: Open Space and Recreation Plan Action Map





## SECTION 4: NATURAL, CULTURAL, AND HISTORIC RESOURCES

The Town of Berlin is rich in natural, cultural and historic resources. It is fortunate to have protected hundreds of acres of natural resources including wetlands, stream corridors, and wooded uplands that are host to common and uncommon flora and fauna. Cultural resources include the agrarian landscapes and homesteads, and the village neighborhoods that are still prevalent throughout Berlin. Around a hundred historic homes, churches, and civic buildings from the eighteenth and nineteenth centuries, along with cemeteries, mills sites and dams, and elements of an early aqueduct system are all part of Berlin's past that remain preserved.



### Natural Resources

#### WATERSHEDS

Except for a tiny section in the northwest corner of the town, Berlin lies entirely within the Suasco (Sudbury-Assabet-Concord) Watershed. The town is divided into a number of smaller sub-basins based on the stream systems that drain into the Assabet River. The upper North Brook sub-basin encompasses most of the western third of the town, between Rattlesnake Hill on the west, Barnes Hill on the south, and Wheeler and Powderhouse Hills on the east. A second sub-basin includes Brewer Brook and the middle stretch of North Brook, as well as Cooledge Brook in Northborough, and extends easterly to Sawyer Hill. The third large sub-basin includes the eastern third of the town, including Hog Swamp, Gates Pond and the mouth of North Brook, and extends northerly and easterly, encompassing much of Hudson.

The Suasco Watershed Initiative works to protect and enhance the watershed, and has set five top priority goals for the region:

- Gather sufficient water quality data to help determine the areas most affected by point & non-point source pollution
- Work to understand Watershed hydrology to aid in decisions concerning Inter-Basin Transfer Act and Water Management Act permit requests
- Work to maintain a healthy, seasonal variability of stream flow to sustain aquatic and terrestrial biodiversity



## SECTION 4: NATURAL, CULTURAL AND HISTORIC RESOURCES

- Decrease impervious surface area and local water consumption
- Support the Suasco Watershed Community Council in providing outreach & education to the Community

In addition, the Organization for the Assabet River (OAR) is a non-profit organization that works to promote improved water quality in the Assabet. OAR pursues this goal through a variety of educational, recreational, clean up, and water quality monitoring programs.

### SURFACE WATER

The town has four major ponds, all of them created or enlarged by dams. In the eastern part of town, Gates Pond is a water supply source for the Town of Hudson, and is classified as Class A under Massachusetts Surface Water Quality Standards. More than three-fourths of the shoreline is owned by Hudson.

The town has two main stream systems—the Assabet River and North Brook. The Assabet River crosses the southeast corner of the town from Marlborough to Hudson. Land in Berlin on the south side of the river is accessible only from Solomon Pond Mall Road in Marlborough. The Assabet is classified as Class B in Berlin, which is described as “a habitat for fish, other aquatic life, and wildlife, and for primary and secondary contact recreation. Where designated they shall be suitable as a source of public water supply with appropriate treatment. They shall be suitable for irrigation and other agricultural uses and for compatible industrial cooling and process uses. These waters shall have consistently good aesthetic value.”<sup>28</sup>

The North Brook system is Berlin’s major river system, encompassing the south and west portions of the town. North Brook enters the northwest corner of the town from Bolton and flows southerly to West Berlin, then turning southeasterly to its outflow into the Assabet River. There are two important water bodies along the brook: the ten-acre pool in the Lester Ross Suasco flood control project (between West Street on the north and Linden Street on the south), and the eighteen-acre Wheeler Pond (Old Mill Pond) off Pleasant Street in South Berlin.

Several smaller streams feed into North Brook. Brewer Brook flows from Wheeler Hill south between Powderhouse Hill and Sawyer Hill, joining North Brook between South Street and Pleasant Street.

### AQUIFERS AND AQUIFER RECHARGE AREAS

The Town of Berlin relies on groundwater for all private water supplies within the town. The town does not have a public water supply system, and residents and businesses use individual wells to provide their water, with few exceptions.<sup>29</sup>

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<sup>28</sup> 314 CMR 4.05

<sup>29</sup> The Solomon Pond Mall receives water from an extension to the city of Marlborough’s public water supply system. The wells serving the Northbrook Village senior citizen apartment development are classified as a “public water supply” based on the number of residences that they supply. In addition, about five wells in Berlin are classified as “non community public water supplies” based on use: these include wells serving the Berlin Memorial School, the Berlin Country Club, two restaurants and an office building.

## SECTION 4: NATURAL, CULTURAL AND HISTORIC RESOURCES

A geologic formation that can easily yield a significant amount of groundwater is called an “aquifer”. As water is withdrawn from an aquifer or discharged to surface waters, it is replenished by water that moves down from the surface through permeable materials. The aquifer’s “recharge area” is an area on the land surface below which groundwater moves down to replenish the aquifer. Such areas must be protected from actions that might reduce the downward flow of water, or that might contaminate groundwater supplies.

DEM has identified four aquifer areas with potential for medium (100-300 gallons per minute (gpm)) to high (300+ gpm) yield. The largest of these follows the course of the Assabet River from Muddy Pond in Marlborough through the southeast corner of Berlin and into the southwest corner of Hudson. Most of this area is estimated to have potential for medium yield; however, a small area off River Road at the Hudson town line may have high yield potential.

The second potential aquifer area extends from Gates Pond to the former Hudson landfill and Crystal Spring in northeast Berlin. The potential high yield portion of this aquifer is crossed by Interstate 495.

A third potential aquifer runs along North Brook from the Suasco flood control project area to Wheeler Pond in South Berlin. The former Berlin landfill sits at the edge of this aquifer, and the Fitchburg railroad line runs through the portion with highest potential yield.

The fourth and smallest aquifer identified by DEM is in the northwest corner of Berlin, in the area where Lancaster Road crosses into Bolton. The Fitchburg railroad line runs along the edge of this area.

### WETLANDS

Wetlands, including marshes, swamps and bogs, serve a number of vital roles in both the natural and built environments. First, wetlands are highly productive systems, and provide important habitat for many species of wildlife. They also act as “sponges” absorbing and detaining surface waters. In this latter role, wetlands are critical to maintaining the quantity of water supplies by maintaining relatively stable groundwater levels and preventing downstream damage from flooding. They also protect water quality by filtering out pollutants and thereby reducing the contamination of streams, lakes and groundwater.

Because of the important roles played by wetlands, it is essential that they be protected. Activities which replace wetlands with impervious surfaces result in increased runoff rates, reduced flood storage, and elevated peak flows, leading to greater damage from storms. Filling of wetlands also reduces wildlife habitat and plant diversity, and can increase contamination of streams, rivers and ponds due to reduced filtration of pollutants.

Under the Wetlands Protection Act (M.G.L., Ch. 131, sec. 40) wetlands are defined in terms of vegetative cover (rather than on the basis of soil characteristics), and the Act regulates dredging, filling or altering areas within 100 feet of such wetlands. The Conservation Commission proposed and the 2003 Town Meeting passed a local wetlands bylaw that would enhance the group’s review authority.

## SECTION 4: NATURAL, CULTURAL AND HISTORIC RESOURCES

### VEGETATION

The vegetation of Berlin consists of a wide variety of plant communities ranging from maintained agricultural lands (hayfields, pastures, orchards, etc.) to advanced succession forests. Some recently abandoned agricultural lands are beginning to grow up to shrub and immature hardwoods. Springs, intermittent streams, wetlands and tributaries comprising the North Brook drainage system have wetland communities comprising mostly forested and shrub swamps. Alien species such as purple loosestrife are becoming increasingly dominant in unmowed wet meadows.

The upland forests have grown up from previous pastures and small woodlots and have mostly mixed hardwoods and local isolated stands of conifers. Oak and maple are the predominant hardwood species. White pine and some mature hemlocks are the predominant conifers. New dwarf varieties of apples and Asiatic pears are replacing long established orchards in the Sawyer Hill area. The majority of hayfields are being maintained by a few remaining farmers in town; however, every year some are lost to residential development.

### FISH AND WILDLIFE

In 2000 Secretary of Environmental Affairs, Robert Durand initiated *Biodiversity Days*. Its two main purposes were: first, to elevate awareness, understanding, appreciation and thereby gain a commitment from the general public for the conservation of our wild flora and fauna and, more importantly, the habitat on which they depend. The second goal was to document the wide diversity and location of wild flora and fauna of Massachusetts.

The strategy for accomplishing these goals was to encourage each of the 351 cities and towns in Massachusetts to engage local citizens to scour their communities and identify wild flora and fauna. Each volunteer was provided with a ten page list of all the fungi, plants, invertebrates, vertebrates and insects found in Massachusetts to carry into the field and check off what species s/he found. Berlin citizens identified 427 species, more than any other town in Worcester County and one of the top in the state.

Berlin citizens are accustomed to seeing wildlife. Deer are abundant and commonly seen are furbearers such as mink, muskrat, fisher, coyote, bobcat, beaver, weasel, opossum and raccoon. Moose are sighted several times a year. There are indications that a moose (or two) dallied in Wrack Meadow for what appeared to be several weeks. Black bear sightings are increasing; in 2010 there were several sightings across town of what appeared to be a 350+ pound black bear. A developing problem is that as other towns in the region become more developed, deer hunters increasingly flock to Berlin. This may result in an effort to implement a 'land-owner-permission-only' right to hunt.

North Brook is stocked with trout, and there is also an active brook trout population in the Forty Caves area. Panfish, bass and pickerel are abundant in all ponds. In the 1950s, old timers and kids fished late at night for pout and eel. Rampant pollution now makes bottom dwelling fish from the Assabet inedible. Today, though pout and eels are plentiful, electronic toys increasingly preclude fishing as an interest of youth.

## SECTION 4: NATURAL, CULTURAL AND HISTORIC RESOURCES

Virtually every bird that has been sighted in Massachusetts has been identified in Berlin. Wood ducks and mergansers nest in cavity trees. Canadian geese are overabundant on agriculture fields and the school playground. A large heronry exists in a beaver flowage on North Brook. Glossy ibises and egrets have been documented. There are several flocks of turkeys, a couple possessing 30+ birds. An interior-nesting Goshawk nests on top of Mt. Pisgah. Indigo buntings and scarlet tanagers are occasionally seen in the large Gates Pond watershed. Red tailed, red shouldered, sharp-shinned, coopers and other hawks are common. Ospreys and bald eagles are often seen. In 2009 an immature bald eagle fed for two weeks on remnants from a butchered cow off South Street. The Conservation Commission recently negotiated a conservation restriction on a large area of wet meadow to protect a large colony of bobolinks. Meadow larks are common in the fields near the junction of North Brook with the Assabet in South Berlin.

### HABITATS

Berlin's easily identifiable abundance and variety of indigenous flora and fauna is due to a diverse range of habitats and some of the largest relatively undisturbed tracts of woodland in the region. Berlin has marshes, streams, rivers, and ponds, forests that include coniferous, hardwood, and mixed woodlands ranging from red maple swamps to chestnut-oak on high ridges with shallow soils over bedrock. Open lands include wet meadows, active farmland, and parks and playfields. Its diverse vegetation provides food and cover. There seems always to be good mast crop in the fall and plenty of browse throughout the year. The 'lay of the land', i.e., its topography, of low lying river and stream riparian corridors, wooded swamps, open meadows, to steep, ledge slopes and high ridgelines provide varied habitat for wildlife diversity and all modes of quiet recreation. Developed lots can also provide habitat for some species which thrive near man.

## SECTION 4: NATURAL, CULTURAL AND HISTORIC RESOURCES

### Cultural and Historic Resources

#### SCENIC LANDSCAPES

A number of landscapes in Berlin have been evaluated as being scenic under the Massachusetts Landscape Inventory.<sup>30</sup> The Inventory divided the state into six physiographic regions, developed a list of scenic landscape features for each region, identified landscape “units” of one square mile or larger, and rated each of these units as “distinctive”, “noteworthy” or “common”. Within Berlin, 1,075 acres (13 percent of the town’s area) were rated as “distinctive”; by comparison only 4 percent of land statewide is rated as “distinctive”. In addition 2,118 acres (25% of the town’s area) were rated as “noteworthy” compared to 5% of land statewide.<sup>31</sup> These scenic areas are located in two broad areas of the town

- The first area consists of a corridor extending from Bolton to Marlborough that includes Highland Street, Wheeler Hill, Sawyer Hill, Gates Pond and the Assabet River east of River Road.<sup>32</sup> Within this area, two subareas were designated as “distinctive”: an area extending from the Brewer Brook Dam north across Sawyer Hill and Central Street to the rail line north of Walnut Street; and outer Highland Street between Randall Road and the Bolton town line. Much of this area is protected by CR or Gates Pond Reservoir watershed protection.
- The second area is in the south and west of town, extending from the Barnes Hill/Mt. Pisgah area in the town’s southwest corner to the Rattlesnake Hill/Reubens Hill area along Boylston Road in West Berlin. The “distinctive” portion of this area encompasses the Devine property on Linden Street. Virtually all of this land is protected ‘in fee’ as conservation land or by CR. As this is being written, the Conservation Commission is in the process of purchasing the remaining 57-acre property on the very south east corner of Berlin. The eastern ridgeline and slope of Mt. Pisgah is a high priority for protection. Development could conceivably build a road houses in this high profile area.

The most important threats to scenic roads and landscapes in Berlin are from haphazard and inappropriate residential and commercial development along roadsides or in open areas such as farm fields. There are several areas where farmland has been recently converted to residential use with a significant resulting impact on the scenic quality of the landscape: examples include groups of houses on the easterly side of Derby Road and the southerly side of Boylston. These are instances where no real alternative existed for development of the site, because of the Town’s zoning regulations regarding minimum lot area, frontage and setback, and the lack of a flexible alternative such as cluster or open space zoning.

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<sup>30</sup>Massachusetts Department of Environmental Management, *Massachusetts Landscape Inventory: A Survey of the Commonwealth’s Scenic Areas* (1982). The Massachusetts Landscape Inventory and the identified scenic landscapes in Berlin are discussed in *Shrewsbury Ridge: Guiding Change* (Charles Bosson and David Jacke, Conway School of Landscape Design, 1984), which also proposes priorities for protection and conservation within the towns of Berlin, Bolton and Northborough.

<sup>31</sup>It is worth noting that a total of 38 percent of the town’s area was included in the two categories representing the top 9 percent of scenic landscapes in Massachusetts: Berlin residents are not alone in appreciating the town’s scenic qualities.

<sup>32</sup>The new Solomon Pond Mall is within the area designated as “noteworthy” by the Landscape Inventory.

## SECTION 4: NATURAL, CULTURAL AND HISTORIC RESOURCES

There is a prevalent idea among laypeople that long driveways to private homes, deep in the woods, hidden away from view, is smart growth. This is a serious mistake; though somewhat aesthetically pleasing to drivers, it is ecologically devastating. Ecology scientists have determined that, on the average, the typical residential home will emit adverse impacts (from pets, off-road-vehicles, noise, and other intrusions) 500' in all directions. This amounts to 17+ acres of land that is no longer 'natural'. A key challenge for the Town is to devise regulatory and non-regulatory strategies for preserving important scenic landscapes so that the town's rural character can be preserved.

Berlin has designated every road in the town (except the numbered routes) as "scenic roads" under the Scenic Road Law (Mass. G.L. ch. 40, s. 15C).<sup>33</sup> This designation gives the Planning Board the authority to review any "repair, maintenance, reconstruction, or paving work" that includes the cutting of trees or the alteration of stone walls.

### FARMLANDS

Berlin's 2004 Open Space Plan reported the following: "Historically, most of Berlin's economy has been based on agriculture. Thus the areas noted under Scenic Landscapes and those remaining in agricultural use are important targets for preservation. The latter include the Balance Rock Farm on Highland Street (104); the Indian Head Farm on Pleasant Street (232) and South Street; and the former ChEdCo Farm along Sawyer Hill Road, Central Street, Brewer Road, and Walnut Street. The Devine Farm on Linden Street (218), the Nutting Farm on Derby Road (102), and two other nearby historic farm sites along Linden Street (264 & 282) form a notable historical agricultural area, bordered to the west by the still active Rainville Farm at Linden Street and Barnes Road (115)."

In 2005 the Devine Farm was purchased partially in fee and partially by CR. Berlin hired Sudbury Valley Trustees (SVT) to manage the sale and also gave SVT a CR on all the property as a second layer of protection. The former ChEdCo Farm mentioned in the 2004 report is mostly protected (350 acres) by a CR donated by Mr. Charles Edward Cotting in 1980. The Conservation Commission is in discussion with both the Rainvilles and Mr. Bentzen on Highland Street regarding the possible purchase of a CR by the APR program.

### VILLAGES

The most important historical resources of the town are its major villages. The *Center Village* around the Meeting House Common has four open spaces nearby which contribute to its setting. These are Powder House Hill west of the Common, the Hartshorn's Pond area north of Central Street, the Town-owned area at the corner of Pleasant and Central Streets, and the Town-owned South Commons to the south of the village. *Carterville* is located along Carter and Highland Streets north of the Center Village. It is bordered by Powder House Hill on the west and an area of rocky and swampy woodland to the east. *South Berlin*, along Pleasant and South Streets, is bordered by fields of the Indian Head Farm to the east and a field at South Street and Crosby Road to the west. *West Berlin* has an undeveloped area of woodland to the east of the

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<sup>33</sup>The statute does not permit a town to designate a state numbered route or highway as a scenic road except when a numbered route is entirely within one municipality and no part is owned or maintained by the state. Thus, Route 62 cannot technically be designated as a scenic road.

## SECTION 4: NATURAL, CULTURAL AND HISTORIC RESOURCES

Conrail line between Randall Road and West Street. All of these buffer areas are important to the preservation of the village landscapes

### INDIVIDUAL STRUCTURES

The Massachusetts Historical Commission's Massachusetts Cultural Resource Information System (MACRIS) includes 120 historical listings in Berlin, including districts, landscapes and buildings. Buildings dating from 1750 to 1900 make up the majority of these listings.

Berlin has two properties 1870 Town Hall and The Bullard House, that were added to the National Register in 2011.

Within Berlin are resources that are included in a linear district and a water supply system that are also both listed on the National Register of Historic Places: The Wachusett Aqueduct Linear District and the Water Supply System of Metropolitan Boston accepted in 1990.

#### **The Wachusett Aqueduct Linear District and Water Supply System of Metropolitan Boston**

The Wachusett Aqueduct extends nine miles from the Wachusett Reservoir in Clinton, through Berlin and Northborough, to Marlborough, Massachusetts. Until the 1960s, the Wachusett Aqueduct was the main conduit used to deliver water from the Wachusett Reservoir to Boston and its surrounding communities.

#### **1870 Town Hall**

The Berlin 1870 Town Hall located at 12 Woodward Avenue and facing Meeting House Common was the seat of Town government until 2000 and a center for social, educational and municipal activities throughout its history.

In 2007 the community completed the initial rehabilitation and rededicated and reopened the Town Hall for public use. Each year since, the Town Hall Advisory Committee has worked with town volunteers to improve the property and its grounds to serve the community's needs. Today the 1870 Town Hall enjoys thousands of visitors a year for regular municipal meetings, community gatherings and classes as well as private activities and events.

#### **The Bullard House**

The Bullard House was built in at least seven parts over two centuries, beginning as early as 1750. About 1790, the center and southwest corner was added to outfit the building as a tavern and inn, for which it was used until 1813.

The first store, as noted in a deed dated 1799, was located in or near the northeast corner of the house. The northeast end has, at various times, served as the post office, a barbershop, and the firehouse.

The house was purchased in 1996 by the Town of Berlin with the assistance of the Berlin Art and Historical Society for use as a museum of local history and art, and as a temporary annex for the adjacent Town Hall.

#### **Old Methodist Episcopal Church**

The 1887 former Methodist Episcopal Church, located between the Town Common and the Town Library in Town Center is currently being restored by the local non-profit Old Methodist Episcopal Church (OMEC) organization. Working closely with resident volunteers and business



## SECTION 4: NATURAL, CULTURAL AND HISTORIC RESOURCES

partners OMEC has defined a mission that is focused on restoring, preserving and maintaining the old church at 19 Carter Street for the benefit, use and enjoyment of the citizens of Berlin and surrounding communities. Their vision is for a community gathering place that is both a staffed drop-in center and a function and activity center that will supplement events and activities already happening in Berlin.

### FORMER MILL SITES

Former mill sites are remnants of the town's early industries. The most important is the South Berlin Mill and Mill Pond on Pleasant Street. There are also two sites on the North Brook in West Berlin between West Street and Randall Road. A former mill dam is included in the Brewer Brook flood control reservation off Pleasant Street, and another is located on South Street at the northernmost crossing of the North Brook. Remains of the site of a shingle mill can be found on Gates Pond Brook off Summer Road.

### CEMETERIES

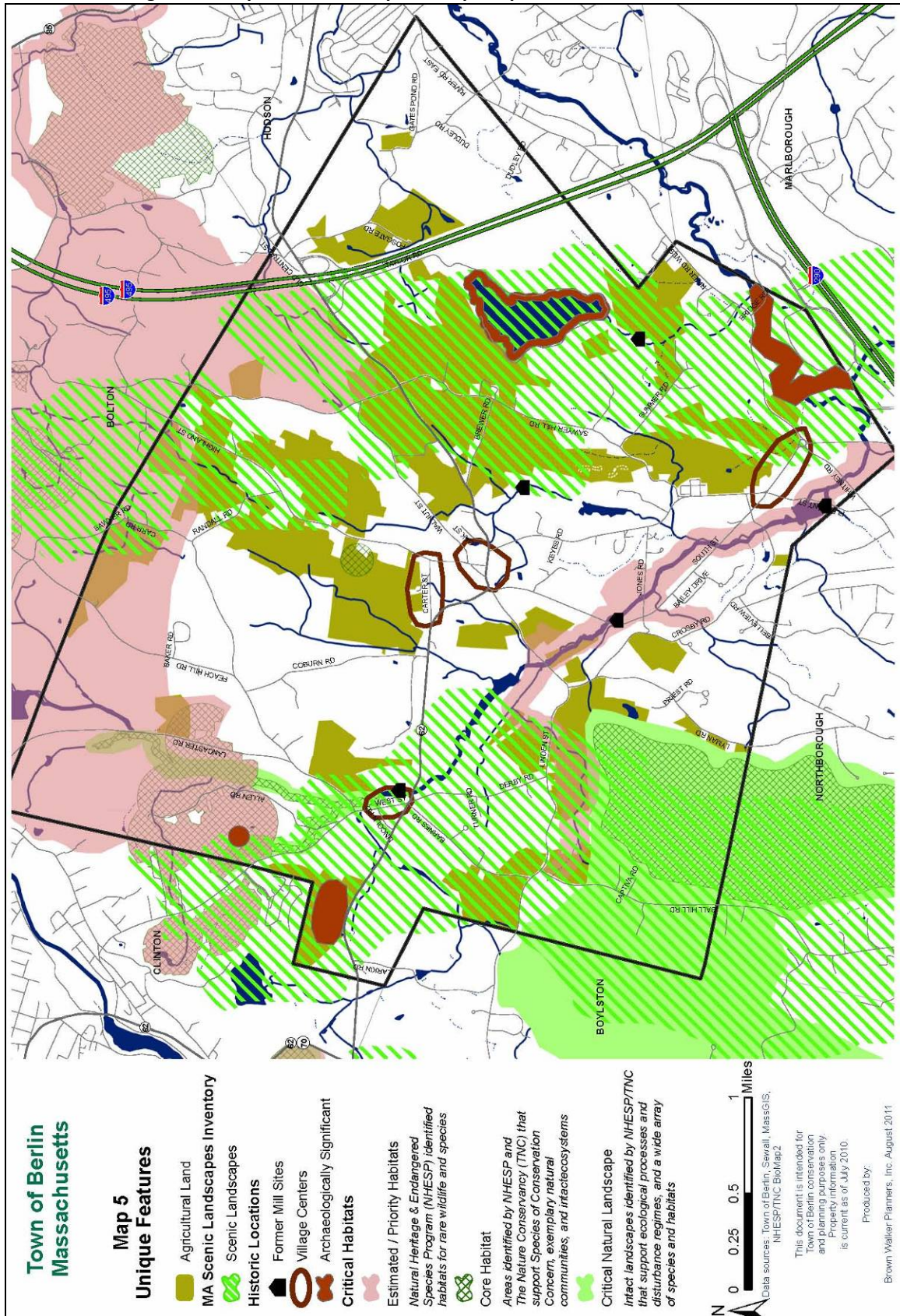
Cemeteries are prominent features within town and contribute to the town's historic character with open landscapes, well kept burial lots, and beautiful shade trees. Cemeteries include Pleasant Street Cemetery, North Cemetery, South Berlin Cemetery, and Old Cemetery.

### HISTORICAL AND ARCHEOLOGICAL RESOURCES

Forty Caves and the area to the north of Boylston Road include significant archeological sites. Signs of pre-Columbian activity have also been found around Gates Pond and near the Assabet River. A former farm house site, unoccupied for over a century, remains on the west side of Ball Hill road about 600 feet north of the Northborough town line, and has potential as an archeological site. Both of these areas are protected as conservation land.

## SECTION 4: NATURAL, CULTURAL AND HISTORIC RESOURCES

Figure 9: Unique Features Map from Open Space and Recreation Plan 2011



## SECTION 5: GOALS AND STRATEGIES

### Land Use

#### **Goal LU 1: Implement land use policies and regulations that support protection of open spaces and naturally sensitive areas**

##### *Strategies*

- LU 1.1: Prioritize Chapter 61, 61A, and 61B lands for Town conservation / land protection efforts.
- Communicate with landowners of current Chapter 61 / 61A / 61B properties to notify them of the Town's interest and to outline the steps for notifying the Town when / if they intend to sell.
- LU 1.2: Reduce potential development impacts such as erosion, sedimentation, adverse impacts on water quality, and related environmental damage that arise when ground cover is removed and impervious surfaces introduced.
- Consider adoption of zoning provision restricting development on steep slopes.
- LU 1.3: Consider methods to address potential environmental concerns related to individual septic systems.
- Consider zoning, site plan review, and /or subdivision provisions to allow (and/or require) onsite wastewater treatment facilities in certain cases.
- LU 1.4: Explore opportunities to improve / strengthen stormwater management regulations.
- Consider revisions to site plan review requirements.
- LU 1.5: Work with private developers to maximize the preservation of open areas and protection of environmentally sensitive areas.
- Work with developers to construct housing and shape developments that provide permanent open space protection.
  - Create a process for evaluating the option of Limited Development for suitable sites.
  - Study the suitability of Transfer of Development rights.

#### **Goal LU-2: Balance provision of affordable housing with protection of open space and retention of town character.**

##### *Strategies*

- LU 2.1: Work with MA Department of Housing and Community Development (DHCD) and Massachusetts Association of Regional Planning Agencies (MARPA) to determine how to account for lack of local demand for affordable housing units, and how market forces impact the Town's efforts.
- Hold a work session with a representative of DHCD, Central Massachusetts Regional Planning Commission (CMRPC), and the legislative district to discuss issue.
- LU 2.2: Continue to work proactively with developers to build affordable housing units.

## SECTION 5: GOALS AND STRATEGIES

### **Goal LU-3: Support retention of community character and economic vitality through regulatory and non-regulatory measures.**

#### *Strategies*

- LU 3.1 Improve regulation and oversight of home-based contracting businesses.
  - Consider revisions to home-based contracting business regulations to allow approvals for these uses with stipulated time limits.
- LU 3.2 Consider future re-use or conversion of large commercial developments.
  - Hold work session with managers or owners of these properties to investigate potential re-uses and discuss proactive measures that can be taken.
- LU 3.3 Prepare for potential changes to existing commercial properties in the Town Center.
  - Hold work session with owners of commercial properties in the Town Center to consider zoning changes or other measures that would encourage compatible future land uses that are in keeping with the character of the Town Center.
- LU 3.4 Work with Central Massachusetts Regional Planning Commission to plan for Priority Development Areas that have already been identified.
  - Consider activities for these areas that would benefit most from possible zoning changes, 43D application, grant applications (MassWorks), and / or promotion to developers.
- LU-3.5 Consider creating a bylaw that grants authority to the Planning Board for Major Residential Review of proposed developments that create multiple lots and dwellings along an existing Town road.

### **GOAL LU-4: Support the Town's capacity to plan for and manage land use changes.**

#### *Strategies*

- LU 4.1 Assess the benefits and costs of creating a Town planner staff position.

## Housing

### **Goal H-1: Balance housing types with projected needs.**

#### *Strategies*

- H-1.1 Support the development of multi-family housing in Riverbridge and like projects.
- H-1.2 Study accessory apartment issue to determine ways to:
  - Add moderately, low and extremely low income priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate, low and extremely low income households who might otherwise have difficulty finding housing;
  - Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle;
  - Provide housing units for persons with disabilities;
  - Protect stability, property values, and the residential character of a neighborhood.
- H-1.3 Consider allowing conversions of single-family homes by special permit to two- or three-family condominiums as a viable strategy for creating a greater diversity of housing in Berlin where septic and water will support the conversion.



## SECTION 5: GOALS AND STRATEGIES

### **Goal H-2: Ensure that affordable housing units produced as part of new development are kept affordable in perpetuity.**

#### *Strategies*

- H-2.1 Ensure that the desired use restrictions are included in permitting approvals and development agreements.
- H-2.2 Track restrictions to enable the Town to work with the appropriate agency to prevent expirations and maintain restrictions through the most appropriate means.

### **Goal H-3: Improve standard of affordable housing**

#### *Strategies*

- H-3.1 Seek state grant opportunities that could assist low to moderate income property owners with the upkeep of their homes and work to
- H-3.2 Build municipal capacity to administer programs identified.

### **Goal H-4: Create affordable housing that fits with the character of the community**

#### *Strategies*

- H-4.1 Develop design guidelines for affordable housing through an open and inclusive public process.

### **Goal H-5: Increase municipal capacity to plan for, create and manage affordable housing**

#### *Strategies*

- H-5.1 Work with Citizens' Housing and Planning Association (CHAPA) and Mass Housing Partnership to develop a clear administrative and communication process to assure that:
  - yearly summaries that document the history and status of affordable housing units that the agencies are responsible for are sent to the Berlin Housing Partnership.
  - the Housing Partnership is notified whenever the status of a unit changes.
- H-5.2 Participate in a regional housing collaborative focused on the housing issues of the area's smaller towns to allow the sharing of ideas, models, and experiences.

## Open Space and Recreation

### **Goal OS-1: Preserve and manage open space to maintain the town's rural character, protect natural and historic resources, and enhance quality of life.**

#### *Strategies*

- OS 1.1: Use the most cost-effective level of protection necessary.
  - Develop/document list of protection strategies and analyze cost and benefits of each when considering each parcel.
- OS 1.2: Prioritize and protect lands that have high value for preservation of biodiversity, water quality protection, and open space linkages.
  - Develop appraisal standards to evaluate potential sites for purchase or protection.

## SECTION 5: GOALS AND STRATEGIES

- Prioritize parcels that possess the following critical natural resources values: endangered species, diversity of native species, water quality, wilderness values, agriculture, passive recreation, scenic
- Inventory CR properties and work with land owner to make protection status permanent.
- OS 1.3: Create a funding strategy for open space acquisition and management.
  - Identify Town, state, and federal funds available for acquisition, improvements and management.
  - Identify partnership opportunities with nonprofit organizations and private entities.
  - Create a process for leveraging grants with partnerships, in-kind services, and Town funding.
  - Develop guidelines for each funding strategy: fee purchase, Conservation Restriction/Easement, tax reduction/ deferment programs, development rights.
- OS 1.4: Consider creation of a municipally supported fund to protect and preserve open space.
  - Determine the most effective funding source, develop a campaign to garner community support and request Town Meeting Approval.
- OS 1.5: Work together with regional land trusts and others to maximize responsiveness to particular opportunities.
  - Establish working relationships with land trusts, developers and other potential partners.
- OS 1.6: Establish cooperative relationships with owners of agricultural land and keep abreast of land availability.
  - Continue to meet with owners of agricultural land to assess interest in land protection.
  - Develop a brochure/guide that outlines opportunities and benefits of the various land protection options.
  - Monitor the status of land in current use assessment programs (Chapter 61/ 61A/61B).
- OS 1.7: Develop a Conservation Restriction Monitoring Plan for all CR properties.
  - Document conservation values at time of CR approval.
  - Monitor site and document annually with consistent methodology.
  - Address any violations or changes.
- OS 1.8: Identify land management needs for individual Town conservation properties including, as appropriate, habitat restoration, sustainable forestry, education and recreation.
  - Identify and prioritize properties that would benefit the most from increased management.
  - Create a phased work plan for developing management plans for those properties.

## SECTION 5: GOALS AND STRATEGIES

- OS-1.9 Implement community outreach and planning process on the Community Preservation Act, assess community support and take actions accordingly.
- OS-1.10 Implement community outreach and education on Open Space Residential Design, assess community support and take actions accordingly.
- OS-1.11 Implement community outreach and education on Transfer of Development Rights, assess community support and take actions accordingly.
- OS-1.12 Implement community outreach and education on Low Impact Development, assess community support and take actions accordingly.

### **Goal 2: Create open space networks throughout the town.**

#### *Strategies*

- OS 2.1: Establish greenways that follow natural corridors such as brooks and streams, ponds, hills and ridgelines, and unique or special features.
  - Continue to identify and map potential greenway properties.
  - Share results of mapping with PB, BHP and others involved in land management, acquisition and disposition.
- OS 2.2: Link existing protected parcels through acquisition of adjoining parcels or easements.
  - Partner with neighboring towns to protect inter-town critical areas and greenways.
- OS 2.3: Develop safe pedestrian and bicycle trails along roads where it is not practical to purchase properties or easements to link trails.
  - Identify on-road connections that can link trail systems.
  - Update trail maps to include on-road connections.
- OS 2.4: Continue to maintain trail networks including identifying new opportunities for creation of trails.

### **Goal 3: Provide opportunities for formal and informal recreation activities that serve the needs of Berlin's population.**

#### *Strategies*

- OS 3.1: Maintain the South Commons complex as the town's primary multi-use recreation area because of its central location and convenience to the elementary school.
  - Improve tennis and basketball courts with repairs or resurfacing.
  - Create a safer pedestrian environment by improving parking and circulation.
  - Construct a multi-use pavilion with a secure area for storage and a concessions booth.
  - Install a potable water source.
  - Evaluate the costs and benefits of constructing a regulation size baseball field for ages 14 and over.
- OS 3.2: Increase income generated from field and facility use to support maintenance and management.
  - Advertise field and facility availability on town's web site.



## SECTION 5: GOALS AND STRATEGIES

- Send information about field and facility availability to neighboring towns, and athletic organizations.
- OS 3.3: Identify locations for additional fields to meet any increased demands from population growth.
- OS 3.4: Increase the diversity of recreation opportunities to meet the needs of youth and adults.
  - Evaluate interest in adult and youth basketball leagues.
  - Evaluate interest in adult and youth golf leagues at nearby courses.
  - Work with nearby golf courses to establish discounts for Berlin residents.

### **Goal 4: Increase public knowledge about and access, as appropriate, to conservation areas and recreation properties and programs.**

#### *Strategies*

- OS 4.1: As facilities are improved, remove barriers to access to ensure universal accessibility to all individuals.
  - 40 Caves: improve parking as needed.
  - Rattlesnake Hill: improve parking; develop accessible trails along rail bed.
  - O'Brien Meadow: study feasibility for wheelchair accessible trails.
  - Clark: develop accessible trails in coordination with Mass Rail Trail development.
  - South Commons: improve parking and circulation; determine feasibility for greater access to playground.
- OS 4.2: Develop an effective outreach and communications program to better inform residents and visitors about open space and recreation resources and volunteer and support opportunities.
  - Continue biodiversity days and consider other nature awareness activities including: geo-caching, letterboxing, champion tree contest, Audubon Society's annual Christmas Bird Count, naturalist program, photography contest, interpretive walks.
  - Continue to develop downloadable field guides (bird, plants, wildlife).
  - Develop a quarterly "What's new in Conservation" program to air on Berlin cable channel.
  - Engage the Berlin Garden Club to assist with beautification and ecological enhancement efforts at school, Town offices and road intersection.
  - Partner with Mass Wildlife to make Berlin a model community for wildlife habitat and protection.
  - Develop an information brochure for Berlin land owners on benefits of conservation efforts and what they can do.
- OS 4.3: Institute a conservation land stewardship program.
  - Recruit volunteers to help identify and evaluate existing land stewardship programs to define a model for Berlin.

## SECTION 5: GOALS AND STRATEGIES

- Meet with administrators and volunteers from existing programs to give first hand feedback of the programs strengths and weaknesses.
- OS 4.4: Improve trails with trailhead signs, trail markers, cleared paths and expanded parking areas where needed.
  - Work with scouts, school and other groups to help clear and maintain paths.
  - Install trailhead signs at all open space and conservation lands where passive use is encouraged.
  - Mark areas along trails to note significant areas of biodiversity.
  - Place small identification tags on or near trees and wildflowers along popular trails.
  - Establish parking at key trail heads as feasible.
- OS 4.5: Cooperate and coordinate with State recreation planning efforts.
  - Work with DCR to advance development of the Mass Central Rail Trail.
  - Identify potential sites that would provide access to or connect with the proposed Mass Central Rail Trail.

### **Goal 5: Support working farms and sustainable farming practices.**

#### *Strategies*

- OS 5.1: Create opportunities to highlight the benefit of working farms and sustainable farming practices.
  - Develop an Agricultural Commission web site as a resource for farmers and an education and outreach tool for the Commission.
  - Work with local farmers to create trails or tours through farmlands.
  - Institute home vegetable garden tour and instruction program.
  - Engage local farmers to help create vegetable and flower gardens at BMS
- OS 5.2: Raise awareness of the benefits of Agricultural Preservation Restriction agreements to farmers and the community.
  - Include information on Agricultural Commission web site.
  - Develop information brochure/handout that can be distributed.
  - Host informational sessions/tables at public events
- OS 5.3: Establish or join a buy local program.
  - Research existing programs to determine the most appropriate program to join or model to emulate.

## Cultural and Historic Resources

Note: Natural Resource Goals and Strategies are included in the Open Space and Recreation Section

### **Goal 1: Increase public knowledge about and access, as appropriate, to historic sites.**

## SECTION 5: GOALS AND STRATEGIES

### *Strategies:*

- CH 1.1: Develop an effective outreach and communications program to better inform residents and visitors about historic resources and volunteer and support opportunities.
- CH 1.2 Develop signage for historic buildings and sites.

### **Goal 2: Devote community resources and regulatory means to support preservation of historic resources.**

- CH 2.1 Implement community outreach and planning process on the Community Preservation Act, assess community support and take actions accordingly. (See OS 1.9)
- CH 2.2 Explore opportunities to incentivize preservation of historic buildings over demolish.
- CH 2.3 Identify land available to relocate threatened structures if necessary.
- CH 2.4 Consider creation of a Local Historic District in Town Center and possibly other village centers.
- CH 2.5 Plan for upkeep and restoration of Town-owned historic properties.

## IMPLEMENTATION PROGRAM

AC -- Agricultural Commission  
 BH -- Board of Health  
 BOS -- Board of Selectmen  
 CC -- Conservation Commission  
 H -- Housing

HC -- Historical Commission  
 HP -- Housing Partnership  
 HS -- Historical Society  
 LU -- Land Use  
 OS -- Open Space & Natural Resources

PB -- Planning Board  
 RC -- Recreation Committee  
 ZBA -- Zoning Board of Appeals

	Strategies	Actions	Responsible Party	Time Frame
LU 1.1:	Prioritize Chapter 61, 61A, and 61B lands for Town conservation / land protection efforts.	Communicate with landowners of current Chapter 61 / 61A / 61B properties to notify them of the Town's interest and to outline the steps for notifying the Town when / if they intend to sell.	CC	Ongoing
LU 1.2:	Reduce potential development impacts such as erosion, sedimentation, adverse impacts on water quality, and related environmental damage that arise when ground cover is removed and impervious surfaces introduced.	Consider adoption of zoning provision restricting development on steep slopes.	PB, CC	1-3 years
LU 1.3:	Consider methods to address potential environmental concerns related to individual septic systems.	Consider zoning, site plan review, and /or subdivision provisions to allow (and/or require) onsite wastewater treatment facilities in certain cases.	PB, BH	1-3 years
LU 1.4:	Explore opportunities to improve / strengthen stormwater management regulations.	Consider revisions to site plan review requirements.	PB	1-3 years
LU 1.5:	Work with private developers to maximize the preservation of open areas and protection of environmentally sensitive areas.	<ul style="list-style-type: none"> <li>• Work with developers to construct housing and shape developments that provide permanent open space protection.</li> <li>• Create a process for evaluating the option of Limited Development for suitable sites.</li> <li>• Study the suitability of Transfer of Development rights.</li> </ul>	PB, CC	Ongoing  1-3 years  3-5 years

## IMPLEMENTATION PROGRAM

	Strategies	Actions	Responsible Party	Time Frame
LU 2.1:	Work with MA Department of Housing and Community Development (DHCD) and Massachusetts Association of Regional Planning Agencies (MARPA) to determine how to account for lack of local demand for affordable housing units, and how market forces impact the Town's efforts.	Hold a work session with a representative of DHCD, Central Massachusetts Regional Planning Commission (CMRPC), and the legislative district to discuss issue.	HP, PB, BOS	1-3 years
LU 2.2:	Continue to work proactively with developers to build affordable housing units.		HP, PB	Ongoing
LU 3.1	Improve regulation and oversight of home-based contracting businesses.	Consider revisions to home-based contracting business regulations.	PB	1-3 years
LU 3.2	Consider future re-use or conversion of large commercial developments.	Hold work session with managers or owners of these properties to investigate potential re-uses and discuss proactive measures that can be taken.	PB	1-3 years
LU 3.3	Prepare for potential changes to existing commercial properties in the Town Center.	Hold work session with owners of commercial properties in the Town Center to consider zoning changes or other measures that would encourage compatible future land uses that are in keeping with the character of the Town Center.	PB	1-3 years
LU 3.4	Work with Central Massachusetts Regional Planning Commission to plan for Priority Development Areas that have already been identified.	Consider activities for these areas that would benefit most from possible zoning changes, 43D application, grant applications (MassWorks), and / or promotion to developers.	PB, BOS	3-5 years
LU-3.5	Consider creating a bylaw that grants authority to the Planning Board for Major Residential Review of proposed developments that create multiple lots and dwellings along an existing Town road.		PB	1-3 years
LU-4.1	Assess the benefits and costs of creating a Town planner staff position.		BOS, PB	1-3 years
H-1.1	Support the development of multi-family housing in Riverbridge and like projects.		HP, PB	Ongoing

## IMPLEMENTATION PROGRAM

	Strategies	Actions	Responsible Party	Time Frame
H-1.2	Study accessory apartment issue to determine ways to:	<ul style="list-style-type: none"> <li>• Add moderately, low and extremely low income priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate, low and extremely low income households who might otherwise have difficulty finding housing;</li> <li>• Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle;</li> <li>• Provide housing units for persons with disabilities;</li> <li>• Protect stability, property values, and the residential character of a neighborhood.</li> </ul>	HP, PB	Ongoing
H-1.3	Consider allowing conversions of single-family homes by special permit to two- or three-family condominiums as a viable strategy for creating a greater diversity of housing in Berlin where septic and water will support the conversion.		PB, HP	3-5 years
H-2.1	Ensure affordable housing units provided as part of development projects are kept affordable in perpetuity by including requirements for deed restrictions as part of permitting approvals and development agreements.		ZBA, HP	Ongoing
H-2.2	Keep track of affordable housing restrictions and time frames on new development projects to enable the Town to work with the appropriate agency to prevent expirations and loss of affordable housing units.		HP	Ongoing
H-3.1	Seek state grant opportunities that could assist low to moderate income property owners with the upkeep of their homes		HP, BOS	Ongoing
H-3.2	Build municipal capacity to administer programs identified.	Explore potential for formation of a Town Housing Authority or regional Housing Authority.	BOS, HP	3-5 years
H-4.1	Develop design guidelines for affordable housing through an open and inclusive public process.		PB, HP, HS	3-5 years

## IMPLEMENTATION PROGRAM

	Strategies	Actions	Responsible Party	Time Frame
H-5.1	Work with Citizens' Housing and Planning Association (CHAPA) and Mass Housing Partnership to develop a clear administrative and communication process to assure that:	<ul style="list-style-type: none"> <li>yearly summaries that document the history and status of affordable housing units that the agencies are responsible for are sent to the Berlin Housing Partnership.</li> <li>the Housing Partnership is notified whenever the status of a unit changes.</li> </ul>	HP	Ongoing
H-5.2	Participate in a regional housing collaborative focused on the housing issues of the area's smaller towns to allow the sharing of ideas, models, and experiences.		HP, BOS	1-3 years
OS 1.1	Use the most cost-effective level of land protection necessary.	Develop/Document list of protection strategies and analyze cost and benefits of each when considering each parcel.	CC	1-3 years
OS 1.2	Prioritize and protect lands that have high value for preservation of biodiversity, water quality protection, and open space linkages.	<ul style="list-style-type: none"> <li>Develop standards to evaluate potential sites for purchase or protection.</li> <li>Work with land owners to make protection status permanent.</li> </ul>	CC	1-3 years
OS 1.3	Create a funding strategy for open space acquisition and management.	<ul style="list-style-type: none"> <li>Identify Town, state, and federal funds available for acquisition, improvements and management.</li> <li>Identify partnership opportunities with nonprofit organizations and private entities.</li> <li>Create a process for leveraging grants with partnerships, in-kind services, and Town funding</li> <li>Develop guidelines for each funding strategy: Fee purchase, Conservation Restriction/Easement, Tax reduction/ deferment programs, Development Rights, Limited Development.</li> <li>Educate landowners of tax benefits of various protection programs, gifting lands and restrictions.</li> </ul>	CC	1-3 years
OS 1.4	Work together with regional land trusts and others to maximize responsiveness to particular opportunities.	<ul style="list-style-type: none"> <li>Establish working relationships with land trusts, developers and other potential partners.</li> <li>Meet with potential partners</li> <li>Share goals and understandings</li> </ul>	CC	1-3 years



## IMPLEMENTATION PROGRAM

	Strategies	Actions	Responsible Party	Time Frame
OS 1.5	Establish cooperative relationships with owners of agricultural land and keep abreast of land availability.	<ul style="list-style-type: none"> <li>Continue to meet with owners of agricultural land to assess interest in land protection.</li> <li>Develop a brochure/guide that outlines opportunities and benefits of the various land protection options.</li> <li>Monitor the status of land in current use assessment programs (Chapter 61/ 61A/61B).</li> </ul>	CC	On-going
OS 1.6	Develop a Conservation Restriction Monitoring Plan for all CR properties.	<ul style="list-style-type: none"> <li>Document conservation values at time of CR approval.</li> <li>Monitor site and document annually with consistent methodology</li> <li>Address any violations or changes</li> </ul>	CC	3-5 years
OS 1.7	Identify land management needs for individual Town conservation properties including, as appropriate, habitat restoration, sustainable forestry, education and recreation.	<ul style="list-style-type: none"> <li>Identify and prioritize properties that would benefit the most from increased management.</li> <li>Create a phased work plan for developing management plans for those properties.</li> </ul>	CC	1-3 years 3-5 years
OS 1.8	Integrate historic resource protection into open space protection and management.	Identify historic resources that need protection.	HC	1-3 years
OS-1.9	Implement community outreach and planning process on the Community Preservation Act, assess community support and take actions accordingly.		PB, HP, CC, RC, BOS, HS	3-5 years
OS-1.10	Implement community outreach and education on Open Space Residential Design, assess community support and take actions accordingly.		PB, CC	3-5 years
OS-1.11	Implement community outreach and education on Transfer of Development Rights, assess community support and take actions accordingly.		PB, CC, BOS	3-5 years
OS-1.12	Implement community outreach and education on Low Impact Development, assess community support and take actions accordingly.		PB, CC	3-5 years

## IMPLEMENTATION PROGRAM

	Strategies	Actions	Responsible Party	Time Frame
OS 2.1	Establish greenways that follow natural corridors such as brooks and streams, ponds, hills and ridgelines, and unique or special features.	<ul style="list-style-type: none"> <li>Continue to identify and map potential greenway properties.</li> <li>Share results of mapping with PB, BHP and others involved in land management, acquisition and disposition.</li> </ul>	CC	On-going
OS 2.2	Link existing protected parcels through acquisition of adjoining parcels or easements.	Partner with neighboring towns to protect inter-town critical areas and greenways.	CC	On-going
OS 2.3	Develop safe pedestrian and bicycle trails along roads where it is not practical to purchase properties or easements to link trails.	<ul style="list-style-type: none"> <li>Identify on-road connections that can link trail systems.</li> <li>Update trail maps to include on-road connections.</li> </ul>	CC, RC	5-7 years
OS 2.4	Continue to maintain trail networks including identifying new opportunities for creation of trails.		CC	On-going
OS 3.1	Maintain the South Commons complex as the town's primary multi-use recreation area, because of its central location and convenience to the elementary school.	<ul style="list-style-type: none"> <li>Improve tennis and basketball courts with repairs or resurfacing.</li> <li>Create a safer pedestrian environment by improving parking and circulation.</li> <li>Construct a multi-use pavilion with a secure area for storage and a concessions booth.</li> <li>Install a potable water source.</li> <li>Evaluate the costs and benefits of constructing a regulation size baseball field for ages 14 and over.</li> </ul>	RC	1-3 years 3-5 years  5-7 years
OS 3.2	Increase income generated from field and facility use to support maintenance and management.	<ul style="list-style-type: none"> <li>Advertise field and facility availability on town's web site.</li> <li>Send information about field and facility availability to neighboring towns, and athletic organizations.</li> </ul>	RC	On-going
OS 3.3	Identify locations for additional fields to meet any increased demands from population growth.		RC	3-5 years
OS 3.4	Increase the diversity of recreation opportunities to meet the needs of youth and adults.	<ul style="list-style-type: none"> <li>Evaluate interest in adult and youth basketball leagues.</li> <li>Evaluate interest in adult and youth golf leagues at nearby courses.</li> <li>Work with nearby golf courses to establish discounts for Berlin residents.</li> </ul>	RC	1-3 years

## IMPLEMENTATION PROGRAM

	Strategies	Actions	Responsible Party	Time Frame
OS 4.1	As facilities are improved, remove barriers to access s to ensure universal accessibility to all individuals.	<ul style="list-style-type: none"> <li>• 40 Caves: improve parking as needed</li> <li>• Rattlesnake Hill: improve parking; develop accessible trails along rail bed</li> <li>• O’Brien Meadow: study feasibility for wheelchair accessible trails</li> <li>• Clark: develop accessible trails in coordination with Mass Rail Trail development</li> <li>• South Commons: improve parking and circulation; determine feasibility for greater access to playground</li> </ul>	CC RC	On-going
OS 4.2	Develop an effective outreach and communications program to better inform residents and visitors about open space and recreation resources as well as volunteer and support opportunities.	<ul style="list-style-type: none"> <li>• Continue biodiversity days and consider other nature awareness activities including: Geo-caching, Letterboxing, Champion Tree contest, Audubon Society’s annual Christmas Bird Count, Naturalist program, Photography contest, Interpretive walks</li> <li>• Continue to develop downloadable field guides (bird, plants, wildlife) Develop a quarterly “What’s new in Conservation” program to air on Berlin cable channel</li> <li>• Engage the Berlin Garden Club to assist with beautification and ecological enhancement efforts at school,T offices and road intersections.</li> <li>• Partner with Mass Wildlife to make Berlin a model community for wildlife habitat and protection.</li> <li>• Develop an information brochure for Berlin land owners on benefits of conservation efforts and what they can do.</li> </ul>	CC	1-3 years
OS 4.3	Institute a conservation land stewardship program	<ul style="list-style-type: none"> <li>• Recruit volunteers to help identify and evaluate existing land stewardship programs to define a model for Berlin.</li> <li>• Meet with administrators and volunteers from existing programs to give first hand feedback of the programs strengths and weaknesses.</li> </ul>	CC	3-5 years
OS 4.4	Improve trails with trailhead signs, trail markers, cleared paths and expanded parking areas where needed.	<ul style="list-style-type: none"> <li>• Work with scouts, school and other groups to help clear and maintain paths.</li> <li>• Install trailhead signs at all open space and conservation lands where passive use is encouraged.</li> <li>• Mark areas along trails to note significant areas of biodiversity.</li> <li>• Place small identification tags on or near trees and wildflowers along popular trails.</li> <li>• Establish parking at key trail heads as feasible.</li> </ul>	CC	1-3 years  3-5 years  5-7 years

## IMPLEMENTATION PROGRAM

	Strategies	Actions	Responsible Party	Time Frame
OS 4.5	Cooperate and coordinate with State recreation planning efforts.	<ul style="list-style-type: none"> <li>Work with DCR to advance development of the Mass Central Rail Trail.</li> <li>Identify potential sites that would provide access to or connect with the proposed Mass Central Rail Trail.</li> </ul>	CC	On-going
OS 4.6	Discourage development in areas of high visual impact.		PB	On-going
OS 4.7	Ensure that development regulations create development that has the least impact on the environment.	Evaluate land use regulations including: Open Space Residential Development, Site Plan Review Regulations, Major Residential Development, Stormwater Bylaw, Erosion Control Standards	PB	On-going
OS 4.8	Work with private developers to maximize the preservation of open areas and protection of environmentally sensitive areas.	Work with developers to construct housing and shape developments that provide permanent open space protection. Create a process for evaluating the option of Limited Development for suitable sites. Study the suitability of Transfer of Development rights	PB	On-going
OS 5.1	Create opportunities to highlight the benefit of working farms and sustainable farming practices	Develop an Agricultural Commission web site as a resource for farmers and an education and outreach tool for the Commission. Work with local farmers to create trails or tours through farmlands. Institute home vegetable garden tour and instruction program. Engage local farmers to help create vegetable and flower gardens at BMS.	AC	1-3 years
OS 5.2	Raise awareness of the benefits of Agricultural Preservation Restriction agreements to farmers and the community.	Include information on Agricultural Commission web site. Develop information brochure/handout that can be distributed. Host informational sessions/tables at public events.	AC	1-3 years
OS 5.3	Establish or join a buy local program.	Research existing programs to determine the most appropriate program to join or model to emulate.	AC	1-3 years
CH 1.1	Develop an effective outreach and communications program to better inform residents and visitors about historic resources and volunteer and support opportunities.	<ul style="list-style-type: none"> <li>Web site</li> <li>Historic site booklets and walking / driving guides</li> </ul>	HS, PB	1-3 years
CH 1.2	Develop signage for historic buildings and sites.		HS, BOS	3-5 years

## IMPLEMENTATION PROGRAM

	<b>Strategies</b>	<b>Actions</b>	<b>Responsible Party</b>	<b>Time Frame</b>
CH 2.1	Implement community outreach and planning process on the Community Preservation Act, assess community support and take actions accordingly. (See OS 1.9)		PB, HP, CC, RC, BOS, HS	3-5 years
CH 2.2	Explore opportunities to incentivize preservation of historic buildings over demolition.		PB, HS	3-5 years
CH 2.3	Identify land available to relocate threatened structures if necessary.		HS, CC	3-5 years
CH 2.4	Consider creation of a Local Historic District in Town Center and possibly other village centers.		BOS, HS, PB	3-5 years
CH 2.5	Plan for upkeep and restoration of historic properties.		BOS, HS	1-3 years

## **APPENDICES**

Public Forum Summary (October 2012)  
Master Plan Survey Summary (May 2013)  
Public Forum Summary (June 2013)

## Public Forum Summary (October 2012)

## Public Forum Summary

The Berlin Planning Board hosted a public forum on Tuesday, October 30, 2012 from 7:00 to 8:30 PM at the Berlin Town Offices. The purpose of the forum was to provide an opportunity for community members to come together to discuss issues related to land use.

About 18 participants attended the Forum including residents, members of town boards and committees, and a local developer.

### PRESENTATION

7:00 to 7:30 PM

Brown Walker Planners presented an overview of the Master Plan update process and a summary of the existing conditions and trends in the Town related to demographics, housing, open space protection, and land use. The presentation is included at the end of this summary.

As the primary focus of this public forum was the land use section of the Master Plan, a handout was distributed that outlined a list of proposed strategies the Town might consider to manage and/or regulate land uses and potential for land use change (handout is appended to this summary).

### DISCUSSION

7:30 to 8:30 PM

Brown Walker Planners facilitated a discussion on land use issues guided by questions focused on where change should or should not occur and what land use strategies may be appropriate for the Town to consider.

**Q1: Consider the types of land uses (e.g. residential, retail, service, agriculture) that are in Berlin today. Think about where different land uses are (or aren't) located around the town.**

1. In what areas of the town (if any) should the types of land uses and pattern of development (e.g. scale, size, density) stay the same (little or no change)?
2. In what areas of town (if any) should the types of land uses and pattern of development change?
3. Where should new development be encouraged (if at all)?
4. What type of development should be encouraged?

#### Comments

- Allowing commercial development on the outer edges of town has preserved the historic center of the community.
- We should work to increase opportunities for walking for transportation (via sidewalks and paths).
- We value Center of Town – but not all public buildings and spaces are accessible (ADA compliant).
- Berlin has over 50 miles of hiking trails – this is a real asset. Some could be managed to be more accessible.



- “Retail Creep” or expansion from retail areas at the edges to town may be undesirable – need to consider how to regulate or minimize this type of growth in our planning and zoning
- “Retail creep” or expansion of retail areas within and around the center of town may be acceptable. If it is, we should develop strategies to allow it such as on-site or “package” treatment for sewer.
- Ridge lines are important to protect, some already are: Sawyer Hill, Mount Pisgah, Peach Hill Road – work with the Conservation Commission to identify which ones are at risk.
- Steep Slopes also need to be protected. Board of Health is important part of this discussion as they have to regulate septic systems and may need more tools to discourage development on steep slopes.
- Foreclosures and vacant buildings have impacts on the community; we need a policy to address this issue.
- Berlin does not have a Housing Authority, which limits capacity to deal with some housing issues.
- Does the Planning Board and Zoning Board of Appeals feel they have adequate tools and capacity to guide change? E.g. Wilson’s near I-495 on Route 62 is currently up for sale and it is not in a commercial zoning district, what should be allowed or not allowed at that location?
- If Solomon Pond Mall or other existing commercial areas go out of business or have a need / desire to evolve into something else, does the Planning Board may have adequate capacity / regulatory authority to guide that change.
- What re-use could enhance Town Center if the National Lumber site changes ownership?

**Q2: Review the list of strategies presented tonight (handout)**

5. Are there any strategies that you would like to add or change?

Comments

- CPA (Community Preservation Act) is an effective tool that increases funding for Preservation of open space and historic resources as well as affordable housing – although this has failed Town Meeting in the past, perhaps we should re-consider.
- Preservation of character is aided by lack of municipal services (e.g. water and sewer), we should continue this policy.
- The \$3 Million from Solomon Pond development resulted in the preservation (to date) of 400 acres, \$1/2 Million remains, \$50 thousand a year for 15 more years still remains to be committed – we need to plan how best to utilize remaining funds as well as how to plan for additional funds as necessary for land preservation and other town needs.
- Bonding for protecting existing open lands (e.g. lands in current use tax status for agriculture, forestry, and recreation) is a strategy to consider: bond now to be able to buy when land becomes available.
- Trail creation and connectivity should be considered in as part of approvals for new developments.

- Consider planning events to get people out and about in the community.
- Need to think of strategies to reach more people and encourage community participation. Communication about events and community planning is important. We need to think about ways to reach / involve residents.
- Trails close to town center should be ADA compliant
- Should we consider creating a Housing Authority?
- How do we plan for and accommodate our aging population in terms of land uses and services?

# Berlin Master Plan

## Charting Our Future Together



Public Meeting  
October 30, 2012

# Planning

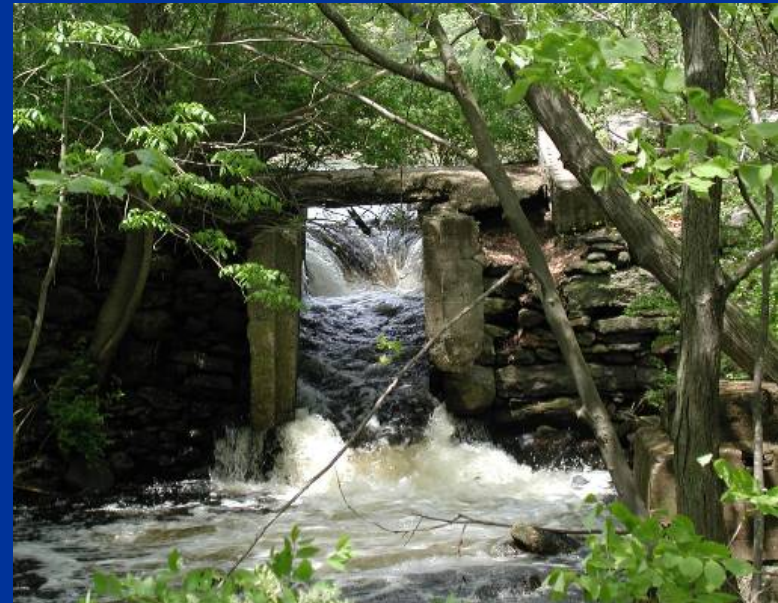
“Planning is a participatory act of community membership and an expression of belief about the future of one’s community.”

William R. Morrish and Catherine Brown  
“Planning to Stay”



# What is a Master Plan?

- defines a community vision
- assesses existing conditions and identifies trends
- recommends strategies for bringing about desired future



# Berlin Master Plan

- The Berlin Master Plan is a collaborative, multi-year effort being led by the Planning Board with contributions from all Town Boards and Commissions
- Berlin Master Plan Update components
  - Community Vision (ongoing)
  - Open Space and Recreation (2011)
  - Natural, Historic and Cultural Resources (2011)
  - Housing (2012)
  - Land Use (2012/2013)
  - Economic Development
  - Community Services and Facilities, Energy
  - Transportation and Circulation
  - Other...

# Work Plan 2010-2013

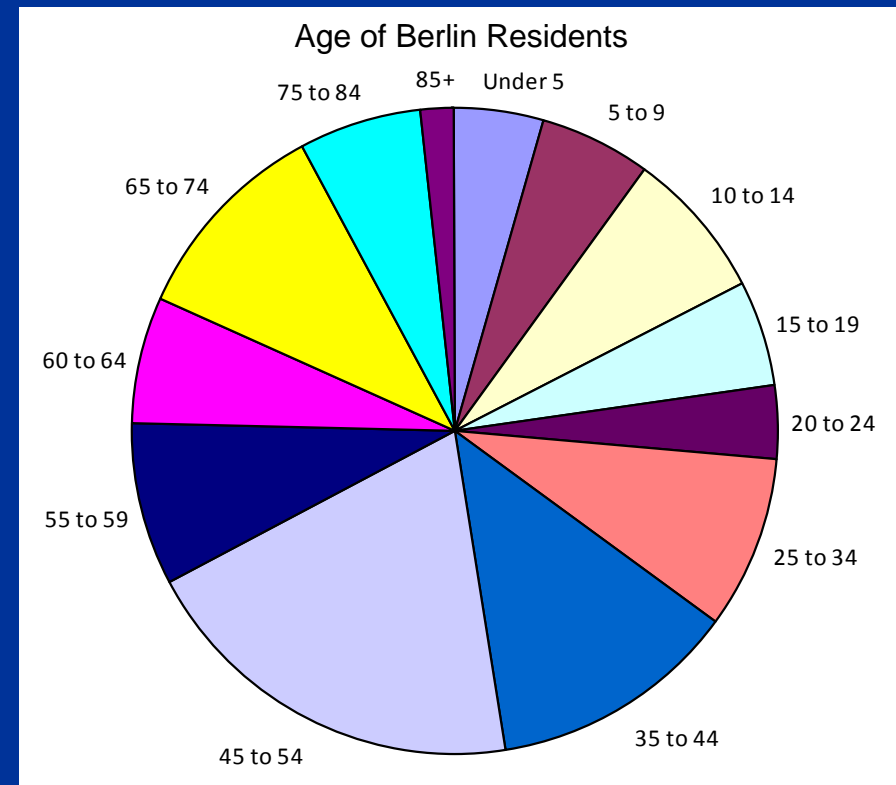
- Community survey (2011)
- Open Space and Rec Plan (2011)
  - Public Meeting
- Housing Production Plan (2012)
- Buildout Analysis (2012)
- Land Use Element (2012)
  - Public Meeting
- Consolidated Draft Plan (2013)
  - Public Meeting
- Remaining elements (...)





# Did you know?

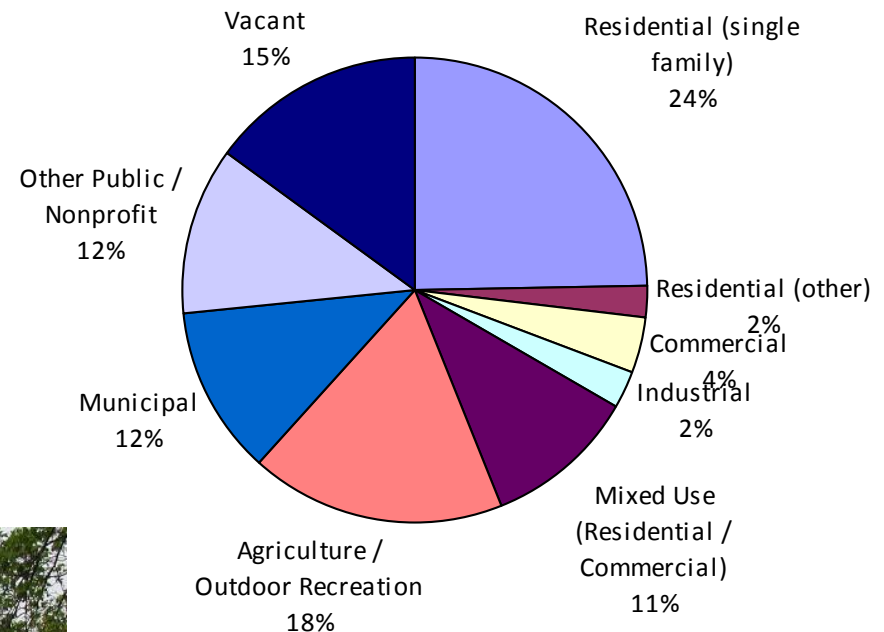
- Town Census estimates 2,872 population (about 20% increase since 2000)
- Over 20% increase in # of households since 2000
- Average household size is 2.5 (2.7 in 2000)
- Median age 46.1 (39.5 in 2000)





# Did you know?

- About 1/3 of the town's parcel area is open land / undeveloped
- About 2,480 acres are Chapter 61 lands



# Did you know?

Zoning District	% of Total Town Land Area
RA	84.3
ARC	7.5
LB	5.9
CV	1.3
LI	0.6
C	0.5



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# Did you know?

- Most of the town is in the RA district
    - Permits agricultural uses and single family
    - Minimum lot area of 80,000 square feet
  - Second largest zoning district is the ARC
    - Permitted uses are agriculture, recreation, municipal / public utilities
    - Boundaries coincide with protected open spaces
-

# Did you know?

## ■ Village Commercial (CV)

- Three historic village centers – Berlin Center, West Berlin, South Berlin
- Also area around South Berlin rotary and River Rd
- In addition to RA uses, retails stores, offices, banks and restaurants other small scale commercial

## ■ Commercial District (C)

- Allows for larger retails / office, shopping centers, service stations

# Did you know?

- Limited Business

- Permits office, educational, R&D, conference and training center – larger scale uses

- Limited Industrial

- Light industrial / research / manufacturing

# Did you know?

- Overlay Districts
  - Regional Shopping Center
    - Solomon Pond Mall
  - Senior Residential Development
  - Highway Shopping Center
    - Highland Commons
  - Village Overlay
    - Mixed use development near South Berlin overlay



# Did you know?

- Development potential exists despite lack of public sewer and water
- Berlin has permitted 182 new housing units within subdivisions since 2000
- Four of the projects, representing 142 of the 182 units permitted, were approved under Chapter 40B regulations

# Did you know?

## ■ Chapter 40B

- State mandated goal for communities to reach 10% of housing stock that is affordable to moderate income households
- When community is below the 10% developers providing affordable units can override certain local land use regulations
- Town's current affordable housing stock (as defined by the State) is 8.5%



# Buildout Estimates

- 4,298 acres potentially developable
  - 599 more residential units
  - 273,745 sq feet commercial
  - 294 units on Chapter 61 lands
- Increase of 1,497 residents
- 272 school age children

# Potential Growth Management Strategies

## ■ Policies

- Protect Chapter 61 lands
- Chapter 40B advocacy
- Protect ridgelines
- Big box conversions
- Other...?

## ■ Regulations

- Stormwater management
- Protect hillsides / steep slopes
- Consider on-site wastewater package treatment options
  - Improve home-based business regulations
  - Other...?

# What do we want from you tonight?



enthusiastic participation  
listen, share  
ideas, concerns, hopes



**Land Use Strategies – DRAFT for Discussion**

Provided below is a list of some suggestions for growth management tools for the Town to consider.

- **Protect Chapter 61 / 61A / 61B Lands** – (Policy) Landowners with properties enrolled in the state’s Chapter 61 program can take advantage of reduced property taxes if they maintain their property as open space for the purposes of timber production, agriculture, or recreation. The Town has right of first refusal to match a bona fide offer for conversion of the property to another use. Therefore, if the Town has sufficient funding available to either purchase the property outright or else secure a conservation restriction on the property, this can be a strategy for limiting development on these land in the future.
- **Chapter 40B** – (Policy) Work with MA DHCD to determine how to account for lack of local demand for affordable housing units. In a recent case, affordable housing units have been built and there are no eligible applicants interested. The developer is then allowed to convert these units to market-rate, but that impacts the Town’s affordable housing inventory.
- **Hillsides / Steep Slopes** – (Regulation) Developing areas with steeply sloping land can lead to threat of erosion, sedimentation, adverse impacts on water quality, and related environmental damage that arises when ground cover is removed and impervious surfaces introduced. Some communities have adopted regulations to limit or restrict development on steep slopes. This can be both a means of controlling growth as well as protecting the environment.
- **Ridgeline Protection** – (Policy / Regulation) Similar to restricting development on steep slopes, protecting ridgelines from development helps to protect environmental qualities and also helps retain rural community character and preserve scenic views.
- **On-Site Wastewater “Package” Treatment** -- (Regulation) In order to off-set potential environmental concerns related to individual septic systems, small, onsite waste treatment facilities can be designed to handle the specific needs of a specialized, small, or remotely located waste generator. In some cases, communities have required provision of package treatment plants for certain development approvals (e.g. for developments requiring site plan review and/or for developments of a certain size and/or for certain environmentally sensitive areas).
- **Home-based businesses** – (Regulation) The ZBA continues to receive requests for variances from the existing home-based business regulation and monitoring and enforcement of this regulation continues to be an issue. There may be opportunity to adjust the existing provisions for home occupations and home offices, and draft amendments as necessary to address concerns. One of the key concerns is how to control home-based businesses becoming too large or expanding beyond the capacity originally granted.
- **Stormwater Management** – (Regulation) Explore opportunities to improve / strengthen stormwater management regulations.
- **Big box Conversions / Transitions** – (Policy) Consider future re-use or conversion of big box uses. Planning Board has discussed inviting managers or owners of these properties to a work session to discuss.

**Berlin Master Plan  
Discussion about Land Use  
Public Meeting, October 30, 2012  
Attendance List**

Name
E Kevin Kraszeski
Robert H. Morrison
Henry Pacofor (sp?)
Evy Dueck
Pat Smith
Mark Smith
Tim Wheeler
Donald Righen (sp?)
Eloise E. Salls
Jonathan Sardell
Pat Jackson
Rob McKay
Dave Westerling
Walter Bickford
Matt Senie
Tom Sanford
Janet Campbell
Charlie Eager
Ron Vavruska



## Master Plan Survey Summary (May 2013)

Thirty eight Berlin residents representing eight of the Town's boards and committees were invited to participate in an on-line survey. The introduction is below and the survey results follow.

Hello and welcome to Berlin's Master Plan Survey. The Planning Board has been working on recommendations as part of updating the Land Use section of the Master Plan and is seeking feedback from other Boards and Committees in town.

We are seeking individual responses as well as consolidated responses from entire Boards and Committees.


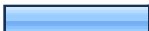
The following is a series of recommendations currently under consideration by the Planning Board. After reading each recommendation, please indicate if you agree or disagree with the recommendation (or unsure). Then, please rank how well current ordinances, policies and procedures address the issue. Each answer is followed with a comment box where we encourage you to elaborate on your opinion.

At the end of the survey, you are asked to prioritize each issue in terms of how soon the town should take action.







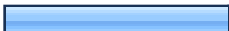

We look forward to discussing your input!

Thank you, Brown Walker Planners, Inc.

## 1. Are you answering as an individual, or is this a consolidated response from a board or committee?

		Response Percent	Response Count
Individual		78.6%	11
Board/Committee		21.4%	3
answered question			14
skipped question			0

## 2. Please indicate which Board or Committee you are representing. Please check all that apply.


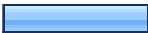


		Response Percent	Response Count
Board of Selectmen		0.0%	0
Planning Board		25.0%	3
Zoning Board of Appeals		0.0%	0
Conservation Commission		25.0%	3
Board of Health		0.0%	0
Agricultural Commission		8.3%	1
Housing Partnership		33.3%	4
Finance Committee		8.3%	1
answered question			12
skipped question			2



3. Plan for Chapter 61 Lands Landowners with properties enrolled in the state’s Chapter 61 program can take advantage of reduced property taxes if they maintain the enrolled property as open space for the purposes of timber production, agriculture, or recreation. The Town has right of first refusal to match a bona fide offer to purchase Chapter 61 land. In the case of intended or determined conversion of use not involving a sale the Town has an option to purchase the land at full and fair market value. Therefore with sufficient funding, the Town can either purchase the property outright or secure a conservation restriction on a property released from Chapter 61. Exercising options to acquire Chapter 61 lands changing ownership or use can be a strategy for limiting development on these lands in the future. **RECOMMENDED POLICY:** Prioritize Chapter 61 lands for Town conservation / land protection efforts. **RECOMMENDED ACTION:** Communicate with landowners of current Chapter 61 / 61A / 61B properties to notify them of the Town’s interest and to outline the steps they must take to notify the Town when / if they intend to sell or change use. **RESPONSIBLE PARTIES:** Agricultural Commission, Conservation Commission, Planning Board, Board of Selectmen Do you agree or disagree with these recommendations? Please explain why.

		Response Percent	Response Count
Agree	<div><div></div></div>	85.7%	12
Disagree	<div><div></div></div>	7.1%	1
Unsure	<div><div></div></div>	7.1%	1
		Comments	6
		answered question	14
		skipped question	0






#### 4. How well do current regulations, policies and procedures address the issue of Chapter 61 land?

		Response Percent	Response Count
Not at all		0.0%	0
Not very well		14.3%	2
Somewhat addressed		21.4%	3
Very well		28.6%	4
Don't know		35.7%	5
		Comments	3
		answered question	14
		skipped question	0




5. Address the Requirements of Chapter 40B The Town needs to show continued progress towards achieving its 10% affordable housing threshold. In recent cases, affordable housing units have been built and there are no eligible applicants interested. In one case, an affordable-qualified owner seeking to sell their affordable unit was allowed to convert the unit to market-rate, negatively impacting the Town’s affordable housing inventory. In another instance, affordable units have remained empty due to lack of demand from qualified buyers. **RECOMMENDED POLICY:** Work with MA Department of Housing and Community Development (DHCD) and Massachusetts Association of Regional Planning Agencies (MARPA) to determine how to account for lack of local demand for affordable housing units, and how market forces impact the Town's efforts. **RECOMMENDED ACTION:** Hold a work session with a representative of DHCD, Central Massachusetts Regional Planning Commission (CMRPC), and the legislative district to discuss issue. **RESPONSIBLE PARTIES:** Housing Partnership, Planning Board, Board of Selectmen **RECOMMENDED POLICY:** Continue to work proactively with developers to build affordable housing units. **RESPONSIBLE PARTIES:** Planning Board, Housing Partnership, Board of Selectmen Do you agree or disagree with these recommendations? Please explain why.

		Response Percent	Response Count
Agree	<div></div>	63.6%	7
Disagree	<div></div>	27.3%	3
Unsure	<div></div>	9.1%	1
		Comments	7
		answered question	11
		skipped question	3

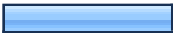



## 6. How well do current regulations, policies and procedures address the requirements of Chapter 40B?

		Response Percent	Response Count
Not at all		16.7%	2
<b>Not very well</b>		<b>41.7%</b>	<b>5</b>
Somewhat addressed		25.0%	3
Very well		8.3%	1
Don't know		8.3%	1
		Comments	5
		<b>answered question</b>	<b>12</b>
		<b>skipped question</b>	<b>2</b>




**7. Hillside/Steep Slopes/Ridgeline Protection** Developing areas with steeply sloping land can lead to the threat of erosion, sedimentation, adverse impacts on water quality, and related environmental damage that arises when ground cover is removed and impervious surfaces introduced. Restricting development on steep slopes and ridgelines can be both a means of controlling growth as well as protecting the environment. **RECOMMENDED REGULATION:** Adoption of zoning provision restricting development on steep slopes and ridgelines. **RECOMMENDED POLICY:** Prioritize protection of ridgelines for land protection efforts. **RESPONSIBLE PARTIES:** Planning Board, Conservation Commission Do you agree or disagree with these recommendations? Please explain why.

		Response Percent	Response Count
Agree		83.3%	10
Disagree		8.3%	1
Unsure		8.3%	1
		Comments	4
		answered question	12
		skipped question	2




## 8. How well do current regulations, policies and procedures protect hillsides and steep slopes?

		Response Percent	Response Count
Not at all		25.0%	3
<b>Not very well</b>		<b>33.3%</b>	<b>4</b>
Somewhat addressed		8.3%	1
Very well		0.0%	0
<b>Don't know</b>		<b>33.3%</b>	<b>4</b>
		Comments	3
		<b>answered question</b>	<b>12</b>
		<b>skipped question</b>	<b>2</b>

**9. Permit On-Site Wastewater “Package” Treatment** In order to off-set potential environmental concerns related to individual septic systems, small, onsite waste treatment facilities can be designed to handle the specific needs of a specialized, small, or remotely located waste generator. In some cases, communities have required provision of package treatment plants for certain development approvals (e.g. for developments requiring site plan review and/or for developments of a certain size and/or for certain environmentally sensitive areas). **RECOMMENDED REGULATION:** Consider zoning provision to allow (and/or require) onsite wastewater treatment facilities in certain cases. **RESPONSIBLE PARTIES:** Planning Board, Board of Health, Conservation Commission Do you agree or disagree with these recommendations? Please explain why.

		Response Percent	Response Count
Agree		66.7%	8
Disagree		8.3%	1
Unsure		25.0%	3
		Comments	4
		answered question	12
		skipped question	2

## 10. How well do current regulations, policies and procedures address wastewater management?






		Response Percent	Response Count
Not at all		0.0%	0
<b>Not very well</b>		<b>45.5%</b>	<b>5</b>
Somewhat addressed		9.1%	1
Very well		0.0%	0
<b>Don't know</b>		<b>45.5%</b>	<b>5</b>
		Comments	2
		<b>answered question</b>	<b>11</b>
		<b>skipped question</b>	<b>3</b>







**11. Improve Regulation of Home-Based Contracting Businesses** The ZBA has received a number of applications from existing home-based contracting businesses currently operating without a permit. Some comply with the regulations, while some do not. Monitoring and enforcement of this regulation continues to be an issue. In exploring amendments to this regulation, one of the key concerns is how to control home-based contracting businesses from becoming too large or expanding beyond the limits of the original permit. One option is to apply a time limit to these permits to allow the Town to periodically review operations and facilities for compliance. **RECOMMENDED REGULATION:** Consider revisions to home-based contracting business regulations to allow approvals for these uses with stipulated time limits. **RESPONSIBLE PARTIES:** Planning Board, Zoning Board of Appeals Do you agree or disagree with this recommendation? Please explain why.

		Response Percent	Response Count
Agree	<div></div>	75.0%	9
Disagree	<div></div>	8.3%	1
Unsure	<div></div>	16.7%	2
		Comments	4
		answered question	12
		skipped question	2




## 12. Do you feel that home-based contracting businesses should continue to be permitted?

		Response Percent	Response Count
Yes, no change to current policy is needed		16.7%	2
<b>Yes, but with time stipulations that allow for periodic review</b>		<b>50.0%</b>	<b>6</b>
Yes, but only if it does not require a variance		0.0%	0
Yes, but only without a variance and including a time stipulation		8.3%	1
No		16.7%	2
Other		8.3%	1
Other (please specify)			1
answered question			12
skipped question			2





**13. How well do current regulations, policies and procedures address home-based contracting businesses?**

		Response Percent	Response Count
Not at all		8.3%	1
Not very well		25.0%	3
<b>Somewhat addressed</b>		<b>33.3%</b>	<b>4</b>
Very well		0.0%	0
<b>Don't know</b>		<b>33.3%</b>	<b>4</b>
Comments			3
answered question			12
skipped question			2




**14. Improving Stormwater Management Regulations Explore opportunities to improve / strengthen stormwater management regulations. RECOMMENDED REGULATION: Consider revisions to site plan review requirements. RESPONSIBLE PARTIES: Planning Board, Conservation Commission, Board of Health Do you agree or disagree with these recommendations? Please explain why.**

		Response Percent	Response Count
Agree		66.7%	8
Disagree		8.3%	1
Unsure		25.0%	3
Comments			5
answered question			12
skipped question			2

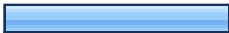


**15. How well do current regulations, policies and procedures address stormwater management?**

		Response Percent	Response Count
Not at all		8.3%	1
Not very well		25.0%	3
Somewhat addressed		25.0%	3
Very well		0.0%	0
Don't know		41.7%	5
Comments			1
answered question			12
skipped question			2



**16. Planning for large Commercial Conversions / Transitions Consider future re-use or conversion of large commercial developments. RECOMMENDED POLICY: Hold work session with managers or owners of these properties to investigate potential re-uses and discuss proactive measures that can be taken. RESPONSIBLE PARTIES: Planning Board, Board of Selectmen Do you agree or disagree with these recommendations? Please explain why.**

		Response Percent	Response Count
Agree		75.0%	9
Disagree		8.3%	1
Unsure		16.7%	2
Comments			2
answered question			12
skipped question			2

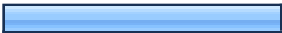


**17. How well do current regulations, policies and procedures address re-use or redevelopment of commercial sites?**

		Response Percent	Response Count
Not at all		33.3%	4
Not very well		8.3%	1
Somewhat addressed		0.0%	0
Very well		0.0%	0
Don't know		58.3%	7
Comments			2
answered question			12
skipped question			2

**18. Town Center Consider potential changes to existing commercial properties in the Town Center. RECOMMENDED POLICY: Hold work session with owners of commercial properties in the Town Center to consider zoning changes or other measures that would encourage compatible future land uses that are in keeping with the character of the Town Center. Do you agree or disagree with these recommendations? Please explain why.**

		Response Percent	Response Count
Agree		91.7%	11
Disagree		8.3%	1
Unsure		0.0%	0
Comments			3
answered question			12
skipped question			2

## 19. How well do current regulations, policies and procedures specifically address Town Center?

		Response Percent	Response Count
Not at all		41.7%	5
Not very well		0.0%	0
Somewhat addressed		16.7%	2
Very well		0.0%	0
Don't know		41.7%	5
		Comments	2
		answered question	12
		skipped question	2

**20. Open Space Funding** The Conservation Commission will continue to receive funding in the amount of \$50,000 a year until 2026 as stipulated in the Solomon Pond Developer Agreement. This funding alone is not sufficient to purchase or protect significant open spaces as is the Town’s desire. Two options for adding to the Town’s fund for open space protection are to adopt the Community Preservation Act and to issue a bond. The Community Preservation Act (CPA) allows communities to create a a Community Preservation Fund of up to 3% of the real estate tax levy on real property which may be matched by the State. Local municipalities must adopt the Act by ballot referendum. The Act requires at least 10% of monies raised to be used on each category: open space, historic preservation, and community housing. The remaining 70% can be allocated to any of these categories with approval of the Community Preservation Committee and Town Meeting. The issuance of a bond for the purchase of open space will also require approval of Town Meeting. A bond can be issued for any amount the Town deems feasible and once issued can be held until such time as funding is needed. The bond can be issued with conditions such as the maximum amount that can be spent without further Town Meeting approval, The bond could be drawn upon as needed until all funds have been used.

**RECOMMENDED POLICY:** Create a municipally supported fund to protect and preserve open space.






**RECOMMENDED ACTION:** Determine the most effective funding source, develop a campaign to garner community support and request Town Meeting Approval.

**RESPONSIBLE PARTIES::** Finance Committee, Conservation Commission, Planning Board, Board of Selectmen




Do you agree or disagree with these recommendations? Please explain why.

		Response Percent	Response Count
Agree	<div></div>	75.0%	9
Disagree	<div></div>	8.3%	1
Unsure	<div></div>	16.7%	2
		Comments	4
		answered question	12
		skipped question	2

## 21. How well do current regulations, policies and procedures address the funding of Open Space?

		Response Percent	Response Count
Not at all		9.1%	1
Not very well		9.1%	1
<b>Somewhat addressed</b>		<b>54.5%</b>	<b>6</b>
Very well		18.2%	2
Don't know		9.1%	1
Comments			2
answered question			11
skipped question			3

## 22. Priority Development Areas Work with the CMRPC to plan for Priority Development Areas that have already been identified. RECOMMENDED POLICY: Plan for Priority Development Area (s) that would benefit most from possible zoning changes, 43D application, grant applications (MassWorks), and or promotion to developers. Do you agree or disagree with these recommendations? Please explain why.

		Response Percent	Response Count
Agree		50.0%	6
Disagree		25.0%	3
Unsure		25.0%	3
Comments			4
answered question			12
skipped question			2



23. How well do current regulations, policies and procedures address planning for Priority Development Areas?

		Response Percent	Response Count
Not at all	<div><div></div></div>	9.1%	1
Not very well	<div><div></div></div>	9.1%	1
Somewhat addressed	<div><div></div></div>	27.3%	3
Very well		0.0%	0
Don't know	<div><div></div></div>	54.5%	6
		Comments	1
		answered question	11
		skipped question	3

**24. Lastly, please indicate the priority level for each of the issues, based on how soon you feel substantial action is needed.**

	<b>Short Term (within a year)</b>	<b>Medium Term (1-3 years)</b>	<b>Long Term (3- 5 years)</b>	<b>Unsure</b>	<b>Rating Count</b>
Plan for Chapter 61 Lands	<b>36.4% (4)</b>	27.3% (3)	18.2% (2)	18.2% (2)	11
Address the Requirements of Chapter 40B	<b>58.3% (7)</b>	16.7% (2)	8.3% (1)	16.7% (2)	12
Hillside/Steep Slopes Protection	8.3% (1)	<b>66.7% (8)</b>	8.3% (1)	16.7% (2)	12
Permitting On-Site Wastewater "Package" Treatment	25.0% (3)	<b>41.7% (5)</b>	16.7% (2)	16.7% (2)	12
Improve Regulation of Home- Based Contracting Businesses	<b>58.3% (7)</b>	25.0% (3)	8.3% (1)	8.3% (1)	12
Improve Stormwater Management Regulations	25.0% (3)	<b>50.0% (6)</b>	16.7% (2)	8.3% (1)	12
Plan for Big Box Conversions	16.7% (2)	<b>33.3% (4)</b>	25.0% (3)	25.0% (3)	12
Town Center Planning	16.7% (2)	<b>41.7% (5)</b>	25.0% (3)	16.7% (2)	12
Open Space Funding	16.7% (2)	<b>50.0% (6)</b>	16.7% (2)	16.7% (2)	12
Priority Development Areas	25.0% (3)	8.3% (1)	<b>50.0% (6)</b>	16.7% (2)	12
<b>answered question</b>					<b>12</b>
<b>skipped question</b>					<b>2</b>

## Page 2, Q3. Plan for Chapter 61 Lands

**Landowners with properties enrolled in the state's Chapter 61 program can take advantage of reduced property taxes if they maintain the enrolled property as open space for the purposes of timber production, agriculture, or recreation. The Town has right of first refu...**

1	Most of the landowners under Chapter 61 are probably aware of their obligations when they sell their land or change use. However, it would be a good idea to remind them in an informal way so that they take into account their obligations when considering changes. The Agricultural Commission would be the best organization to determine and carry out an informal notification.	Apr 4, 2013 12:51 PM
2	Unsure because my answer depends on what the change would be. The Town has many evolving needs. Look to the future needs twenty, fifty, or even a hundred years out. If the change satisfies a different need not listed above, then the town should give its blessing. If after careful consideration, the town departments feel this is not in the best interests of the town, Perhaps a conservation restriction could be negotiated. It is healthy to keep land on the tax rolls. If the town really, really hates the proposal, then seek to match the offer. Seek grants, assistance through an organization similar to Sudbury Valley, a combination of Conservation money and/or a town meeting appropriation.	Mar 25, 2013 6:34 AM
3	The town is historically rural and agricultural. I would like to see that part of Berlin's character maintained.	Mar 22, 2013 2:41 PM
4	The CC's mission regarding protecting open space is to "maintain native biodiversity". We prioritize acquisitions based, foremost, on whether they are on the state's Bio Map II (endangered species map) and then if they enlarge and round out (i.e. reduces the edge to area ratio) or provides a greenway travel corridor between existing protected areas. Ch. 61 does give us a leg up if the parcel meets our 'biodiversity' criteria. The CC is well networked with property owners who own land of interest. Plus, we always get notified when a Ch 61 parcel has a bona fide offer. --No need to formalize contact; the law requires that we are notified.	Mar 19, 2013 5:36 PM
5	Berlin needs land for low income family housing as well. I would not agree to prioritizing more land for conservation/land protection if it could be used for low-income housing.	Mar 19, 2013 12:37 PM
6	The CC lost the opportunity to purchase a significant area because there was no notification that the land was for sale.	Mar 19, 2013 12:07 PM

**Page 2, Q4. How well do current regulations, policies and procedures address the issue of Chapter 61 land?**

1	I'm not completely familiar with Chapter 61	Apr 4, 2013 12:51 PM
2	With all the different modes of communication, effective communication is still one of the hardest things to achieve. Getting the different committees in the same room and having an active discussion which isn't dominated by a few is extremely difficult. Posting the meeting with the "facts" so people have time to think of alternatives, cable taping and replaying the meeting for review, either by television or computer YouTube, before a formal decision is made for those who cannot attend but would like to take part, blogging, having the meeting available as a conference call are all possibilities which can be tried.	Mar 25, 2013 6:34 AM
3	The town has, on occasioin, been cheated out of its right of first refusal.	Mar 19, 2013 5:36 PM

**Page 3, Q5. Address the Requirements of Chapter 40B**

**The Town needs to show continued progress towards achieving its 10% affordable housing threshold.**

**In recent cases, affordable housing units have been built and there are no eligible applicants interested. In one case, an affordable-qualified owner se...**

- |   |  |                      |
|---|--|----------------------|
| 1 | We have to take some action to get a handle on affordable housing. This includes addressing issues within our control and recommending changes that are not within our control.  | Apr 4, 2013 12:59 PM |
| 2 | State law 40B rules were made during the rush which proceeded the burst housing bubble. Unfortunately the same rules don't work during an economic recession. The banks have toughened their rules. The rules are inflexible helping a very narrow band of income. Is there a way to prorate the income rules within the classes of extremely low income, low income and 80% of the median? This needs to be addressed at the state level it exceeds the town's authority. On the local level, the Housing Partnership has an MA Dept. Housing and Community Development accepted Housing Production Plan document. This document was prepared with the expectation that Matthew and Christopher Senie's Riverbridge rental housing component (@100 units of assorted sizes) would have broken ground by 2013. The Town has given all the necessary Town approvals. It is stalled because there is no town water or septic they can tie into therefore expensive private solutions must be found. Getting approval for these private package treatment plants is lengthy and costly. The Senie brother's tried to tie into the newly updated Marlborough sewage treatment plant but were rebuffed. The Senie's have agreed to have the first floor units be handicapped accessible. When electricity gets knocked out that is very important. There will be an elevator to the units on the multi story building, which does address visibility, for example, a wheel chair bound person can visit someone on the third floor. If a way cannot be found to build this project, the town will continue to lose ground with their Housing Production through no fault of the town. The 2005/2006 40B project on Dudley Road is slowly coming on the state Subsidized Housing Inventory list. For every three market rate units there needs to be one affordable unit. When the lottery was held, there were no takers. The developer even had a bank official there to assist with mortgage information and application forms. Really, why would you purchase an affordable unit with its financial restrictions when the prices of market rate units were falling? The 40B housing of 39 rental units for the frail elderly was to be completed by December, 2012. It is over budget and out of time. The current occupancy expectation is August, 2013. It is currently counted on the SHI list. | Mar 25, 2013 8:17 AM |
| 3 | In the housing market of the past few years there have been many foreclosed properties that compared favorably with 40B home pricing, and that lacked the involved application process. Perhaps more significantly, the income restriction formula for potential 40B buyers makes it challenging to get a mortgage for a 40B property in Berlin. Here's how that happens. When one compares the income restrictions on potential 40B purchasers with the income requirements that financial institutions require in order for said purchaser to qualify for a mortgage, there is a fairly small zone of overlap (usually between \$5,000 and \$6,000). For instance, suppose that someone cannot earn more than \$45,000 per year and still qualify under 40B regulations as the formula applies here in Berlin. Yet banks and credit unions will not issue a mortgage to a buyer for the home in question unless they earn at least \$40,000 per year. This limits the pool of qualified buyers to those that earn \$40-\$45K. A very small range of people.  | Mar 22, 2013 2:52 PM |

**Page 3, Q5. Address the Requirements of Chapter 40B**

**The Town needs to show continued progress towards achieving its 10% affordable housing threshold.**

**In recent cases, affordable housing units have been built and there are no eligible applicants interested. In one case, an affordable-qualified owner se...**

This needs to be examined, or it will continue to artificially limit the pool of potential purchasers and undermine the goal of 40B to create accessible and affordable housing.

- |   |  |                       |
|---|--|-----------------------|
| 4 | "...work proactively wiwth developer tyo build ,,,," doesn't make sense if existing affordable units are not selling. We need to lobby to prevent conversion of 40B units to market rate units. 40B drives sprawl. Sprawl exaserbates virtually every environmental, social and economis problem facing localities adn the statel. | Mar 19, 2013 5:43 PM  |
| 5 | Repeal 40B-- it is basically a scam allowing builders to build marginally reduced price houses with severe resale restrictions while ignoring town zoning, conservation and other laws. 40B has NO PLACE in Berlin.  | Mar 19, 2013 3:25 PM  |
| 6 | Let's make affordable housing affordable.  | Mar 19, 2013 12:40 PM |
| 7 | units should stay as 40B to make no. developers should not be able to use this as leverage   | Mar 19, 2013 10:13 AM |

**Page 3, Q6. How well do current regulations, policies and procedures address the requirements of Chapter 40B?**

1	Berlin addresses it very well but the state doesn't.	Apr 10, 2013 5:28 PM
2	Does not address the problem of affordable housing that is not purchased and reverts to market price	Apr 4, 2013 12:59 PM
3	In my opinion the state rules work best in cities and towns that have town water and septic. If many of the state elected or appointed officials have never had to deal with private water or septic in their private lives, then they just do not understand what is involved when you are responsible for your own water, septic and the soil conditions on your estate. Little provision is made for the minimum distances that must be kept between your water supply and your septic discharge area and the need for a reserve area for future septic upgrades. For many people this is your main asset. I believe there should be a different set of rules between public water and septic communities and those with none. I understand the state wants 40B to be a shared burden throughout the state. However, when newspaper reporters make headlines about auditing fraud of some of the 40B developers, that part of the law needs to be strengthened or vigorously enforced.	Mar 25, 2013 8:17 AM
4	See above.	Mar 22, 2013 2:52 PM
5	If people cannot obtain financing, they can't buy homes. We need better regulations	Mar 19, 2013 12:40 PM

**Page 4, Q7. Hillside/Steep Slopes/Ridgeline Protection**

**Developing areas with steeply sloping land can lead to the threat of erosion, sedimentation, adverse impacts on water quality, and related environmental damage that arises when ground cover is removed and impervious surfaces introduced. Restricting de...**

1	Protect the land	Apr 4, 2013 1:16 PM
2	Enough said.	Mar 25, 2013 8:19 AM
3	I would want to see more background information on this issue before making up my mind. On its face it makes some sense.	Mar 22, 2013 2:54 PM
4	There are three ridgetops over a certain elevation (Pisgah, Peach Hill and Sawyer Hill) that could be protected with a ridgetop bylaw. The CC has the info on file.	Mar 19, 2013 5:48 PM

**Page 4, Q8. How well do current regulations, policies and procedures protect hillsides and steep slopes?**

1	We need a by-law to address this problem	Apr 4, 2013 1:16 PM
2	I think it was voted down at town meeting.	Mar 25, 2013 8:19 AM
3	AS far as I know llnly the physical limitations of the slopes prevent development and notany bylaw,	Mar 19, 2013 5:48 PM

**Page 5, Q9. Permit On-Site Wastewater “Package” Treatment**

**In order to off-set potential environmental concerns related to individual septic systems, small, onsite waste treatment facilities can be designed to handle the specific needs of a specialized, small, or remotely located waste generator. In some c...**

1	The Subdivision Rules and Regulations should be amended to adress septic systems for large subdivisions. The exact size of the subdivisions that would need special septic systems and the type of systems would have to be studied by the Planning and Health boards.	Apr 4, 2013 1:32 PM
2	How much land would this open to development that currently cannot be developed inexpensively?	Mar 25, 2013 8:21 AM
3	More background information, and perhaps some examples of where this has been a problem would be very helpful.	Mar 22, 2013 2:57 PM
4	This notion could be very dangerous by opening more land to development.	Mar 19, 2013 5:50 PM

**Page 5, Q10. How well do current regulations, policies and procedures address wastewater management?**

1	No consideration for the specific needs of large subdivisions	Apr 4, 2013 1:32 PM
2	Berlin needs more restrictive health bylaws that limit and dtrictly (harshly) limit their use.	Mar 19, 2013 5:50 PM



**Page 6, Q11. Improve Regulation of Home-Based Contracting Businesses**

The ZBA has received a number of applications from existing home-based contracting businesses currently operating without a permit. Some comply with the regulations, while some do not. Monitoring and enforcement of this regulation conti...

1	Periodic review makes a great deal of sense.	Mar 22, 2013 3:00 PM
2	We apparently need to dosomething.	Mar 19, 2013 5:53 PM
3	Time limits are irrelevant-- keep home businesses out of residentially zoned areas-- the name is residential and not commetcial	Mar 19, 2013 3:27 PM
4	Not knowing the regulations, it's difficult to determine if they are fair. Are the time limits going to be the same for all operations? Can the PB and ZBA handle all of them? It's the buyer who expects regulations to be in place who may be the loser.	Mar 19, 2013 12:49 PM

**Page 6, Q12. Do you feel that home-based contracting businesses should continue to be permitted?**

1	More information needed	Mar 19, 2013 12:49 PM
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**Page 6, Q13. How well do current regulations, policies and procedures address home-based contracting businesses?**

1	Some business will do everything to keep their expenses low, equipment safe from vandalism, and no commute by keeping their business on their property, even when their property is small or cramped.	Mar 25, 2013 8:31 AM
2	I would be interested in hearing more about the variance issue.	Mar 22, 2013 3:00 PM
3	see above	Mar 19, 2013 12:49 PM

**Page 7, Q14. Improving Stormwater Management Regulations**

**Explore opportunities to improve / strengthen stormwater management regulations.**

**RECOMMENDED REGULATION: Consider revisions to site plan review requirements.**

**RESPONSIBLE PARTIES: Planning Board, Conservation Commission, Board of Health**

**Do yo...**

1	With state help	Apr 10, 2013 5:32 PM
2	Try to keep all storm water on site to recharge the land and minimize excessive waters rapidly flowing into the brooks throughout town	Mar 25, 2013 8:34 AM
3	This is an unappreciated environmental issue. We need to deal with it more directly.	Mar 19, 2013 5:54 PM
4	Require the building inspector to include groundwater into their approval process along with notifications and approvals/review by Conservation Commission and Biard of Health and Zoning Boards.	Mar 19, 2013 3:28 PM
5	You aren't giving me much information to form an opinion	Mar 19, 2013 12:51 PM

**Page 7, Q15. How well do current regulations, policies and procedures address stormwater management?**

1	Only addresssed for overlay districts	Apr 10, 2013 5:32 PM
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**Page 8, Q16. Planning for large Commercial Conversions / Transitions**

**Consider future re-use or conversion of large commercial developments.**

**RECOMMENDED POLICY: Hold work session with managers or owners of these properties to investigate potential re-uses and discuss proactive measures that can be taken...**

1	Do it!	Mar 25, 2013 8:39 AM
2	Don't you just hate deserted buildings?	Mar 19, 2013 12:52 PM

**Page 8, Q17. How well do current regulations, policies and procedures address re-use or redevelopment of commercial sites?**

1	As we now have a large retail component in our tax base, we continue to be more exposed to downturns or out right recessions which could have a	Mar 25, 2013 8:39 AM
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**Page 8, Q17. How well do current regulations, policies and procedures address re-use or redevelopment of commercial sites?**

significant impact on both the town and its finances. We need to continue to monitor the world around us and try to be prepared to react fast.

2 More info needed

Mar 19, 2013 12:52 PM

**Page 9, Q18. Town Center**

**Consider potential changes to existing commercial properties in the Town Center.**

**RECOMMENDED POLICY: Hold work session with owners of commercial properties in the Town Center to consider zoning changes or other measures that would encourage compatible future land uses that are i...**

1 It is always helpful to speak with others. If the owners tell you nothing new, the fact that you asked tells them the town is interested.

Mar 25, 2013 8:44 AM

2 If the Historical Commission was half functioning, we would have a string historical district in the town center and south and west villages.

Mar 19, 2013 5:56 PM

3 Being more or less in the town center, of course I want to know about potential zoning changes

Mar 19, 2013 12:53 PM

**Page 9, Q19. How well do current regulations, policies and procedures specifically address Town Center?**

1 Until you speak to many owners, you don't know for sure what the business owners or their heirs have in mind.

Mar 25, 2013 8:44 AM

2 I've seen the maps

Mar 19, 2013 12:53 PM

#### Page 10, Q20. Open Space Funding

**The Conservation Commission will continue to receive funding in the amount of \$50,000 a year until 2026 as stipulated in the Solomon Pond Developer Agreement. This funding alone is not sufficient to purchase or protect significant open spaces as is the Town's desire. Two op...**

1	Based on past experience, the town has voted down the CPA. In my opinion, the town will not vote any sum of money unless a specific site is chosen.	Mar 25, 2013 8:49 AM
2	We have lost perhaps 3 or 4 hundred thousand by adopting the CPA when hte CC put it on the town Meeting warrent. Now is hte time toact.	Mar 19, 2013 6:02 PM
3	CPA current match is only 26% and suspect in future years-- and I do not agree with having a large portion required to be dedicated to recreation and 'affordable housing and historical preservation-- theses are 4 very differing needs with differing funding mechanisms. The existing funds, the 50k per year from Solomon pond, the expected 650k from highland commons and state matches will be sufficient to protect open space for next 5-10 years.	Mar 19, 2013 3:33 PM
4	I don't see the Housing Partnership listed under "Responsible Parties". Wouldn't we also be helping to determine the use of Community Housing?	Mar 19, 2013 1:00 PM

#### Page 10, Q21. How well do current regulations, policies and procedures address the funding of Open Space?

1	My hat is off to the Conservation Commission for what they have accomplished with the mall money.	Mar 25, 2013 8:49 AM
2	Whoever negotiated the \$3 million in Mall mitigation money did a great thingfor Belrin.	Mar 19, 2013 6:02 PM

#### Page 11, Q22. Priority Development Areas

**Work with the CMRPC to plan for Priority Development Areas that have already been identified.**

**RECOMMENDED POLICY: Plan for Priority Development Area (s) that would benefit most from possible zoning changes, 43D application, grant applications (MassWorks), and or ...**

1	The Town of Berlin has done with work with the 495 Compact.	Mar 25, 2013 8:56 AM
2	For Christ's sake we need to prevent development, not promote it,	Mar 19, 2013 6:03 PM
3	Central MA planning is more targeted for denser areas like Worcester and Westboro and Hudson, etc and not applicable at all to a berlin. Central MA planning only helps Berlin when addressing traffic	Mar 19, 2013 3:35 PM
4	Have no idea as to what you are talking about	Mar 19, 2013 1:01 PM

**Page 11, Q23. How well do current regulations, policies and procedures address planning for Priority Development Areas?**

- |   |   |                             |
|---|---|-----------------------------|
| 1 | <p>Only the Senie brothers have approached the town for support of the Mass Works grants. The Selectmen did support the grant application. Unfortunately, the state cannot fund grants like they did in the past and we are a small town. Until a developer appears on your doorstep or a land owner wishes to develop their property, the town really has to wait but be mindful of what is happening around us.</p> | <p>Mar 25, 2013 8:56 AM</p> |
|---|---|-----------------------------|



## Public Forum Summary (June 2013)

## Public Forum Summary

The Berlin Planning Board hosted a public forum on Tuesday, June 11, 2013 from 7:00 to 8:30 PM at the Berlin Town Offices. The purpose of the forum was to provide an opportunity for community members to come together to discuss issues related to historical and cultural resources.

About 18 participants attended the Forum including residents, committee members, town staff, and the full Planning Board.

### PRESENTATION

7:00 to 7:30 PM

Brown Walker Planners presented an update to the master planning process including some key findings on demographics, housing, open space, and summary of targeted boards and committee survey

### DISCUSSION

7:30 to 8:30 PM

Brown Walker Planners facilitated a discussion on historical and cultural resources guided by questions focused on identifying resources, assessing level of protection and risk and identifying strategies that may be appropriate for the Town to consider.

The following notes were recorded.

- Important historic and cultural resources include:
  - 1870 Town Hall (town-owned and programmed)
  - 19 Carter "A Community Gather Place" (501C-3, being renovated)
  - Berlin Library
  - Bullard House
  - Churches, St. Joseph's, First Parish, Children's Church
  - General Store
  - Town Center Area (no historic district, well preserved, but not protected)
  - South Berlin Village
  - West Berlin Village
  - Rainville/Wickstrom – Agricultural buildings and landscape (Linden and Barsdale Road)
  - Sawyer Hill
  - Balance Rock Farm
  - Indian Head Farm
  - Great Oak Farm
  - Three Town cemeteries
  - Wachuset Aqueduct



- Over 100 structures on MACRIS list
- Legion Hall – former one room school house
- Mill Pond Dam
- Dam off of Pleasant and Central Streets
- Stone Walls throughout town
- New Worcester Mill Site
- Ice House on Highland Street (threatened due to disrepair)
- Hop-drying House on Sawyer Hill Road
- Old Burial Ground could be anchor of Town Center Historic District
- Old Fire Barn – town owned
- Old Stable – Old Highway Barn
- One Pole Barn Left in Town - Town owned on South Commons (in use)
- Hearse House
- Historical and Cultural Programs
  - Photographs of history and evolution of building schools etc should be on display as much as possible (some are in school, town offices, and 1870 Town Hall)
  - Driving and walking tour of historic sites are needed
  - Need to utilize cable access to increase awareness
  - Concept for book on Berlin's role in the Civil War
  - Over 500 events occur at 1870 Town Hall annually, three theatre groups practice and perform there, monthly dances, Berlin Art & Historical Society meet there
  - 1870 Town Hall gets information out on events
  - Programs at 19 Carter : community gathering place, role of chamber, youth center and senior center
  - Memorial Day
  - Old Home Day (didn't have this year)
  - Fishing Derby
  - Soccer and baseball
  - need to make more residents aware of what is available on ConCom and other web sites
  - Christmas in Berlin
  - St. Joseph's Fair
  - Fall Fair
  - Planted chestnut trees at bicentennial
- Resources at risk include:

- the oldest small buildings in town are threatened by newer housing development preferences
- 239 Randall Road, circa 1800 resident, vacant
- 100 River Road West, architecturally significant, used previously by Spooky World, on the market
- Gates Pond Dam and Mill sites
- right side of Mill Pond Dam offered to Town, Committee is assessing liability
- Historic and Cultural Organizations in town include:
  - Historical Commission: development review when appropriate, collects property, recognition of sites, grants demolition permits, comment on anything on MACRIS list if state or federal funds used in project
  - Berlin Art and Historical Society (private organizations, collects historic items)
  - Friends of Berlin Library
  - OMEC – Old Methodist Episcopal Church
  - Berlin Cultural Council
  - 1870 Town Hall Advisory Committee
  - Volunteers
  - Conservation Commission
  - Berlin Fire Company – historic fire apparatus
  - Church Groups
  - Recreation Committee – maintains fields
  - Lion's Club
- Goals and Strategies
  - Increase dissemination of information on available resources
  - Needs time and money
  - Should we take another shot at CPA
  - Incentivize preservation of building rather than demolish
  - Should identify land available to relocate threatened structures on
  - Signage for historic buildings and sites
  - Historic District: Town Center, possible other village centers
  - Need to make resources visible to increase pride of historic assets – promote on web site
  - Garden club's planted areas
  - More volunteer efforts
  - Better sharing of information between organizations
  - Bumper sticker idea to generate cross information

- A community newspaper could be an asset
- Berlin MA Google Group
- Feasibility of sponsoring house placards?
- Prioritize/phase initiatives
- More office hours at Town Office
- Consider hours for a Town Administrator
- Having a Town Planner would help

### Attendance List

Barry Eager

Evy Dueck

Mark Smith

Marsha Johnston

Eloise Salls

Walter Bickford

Kevin Pond

Robert Morrison

Pamela Dora

Fran Gill

Edith Brewer

Mildred Ewing

Lee Tabor

Janet Campbell

Ron Vavruski

Tim Wheeler

Tom Sanford

Charles Eager