

Williamstown Planning Board, 2022 Proposed Bylaw Amendments

Proposed by: Williamstown Planning Board

Submitted to Selectboard: February 17, 2022

ARTICLE A – CLARIFICATION OF BYLAW PURPOSE

To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

[Amend §70-1.2](#) Purposes by adding the following underlined language.

The purposes of this chapter are to promote the health, safety, convenience and general welfare of the inhabitants of the Town of Williamstown; to promote a diverse and affordable mix of housing types; to protect and conserve the value of property within the Town; to preserve and increase the beauty and amenities of the Town; to conserve, insofar as possible, natural conditions and to secure safety from fire, congestion or confusion, by encouraging the most appropriate uses of land within the Town in accord with the objectives expressed in Section 2A of Chapter 808 of the Acts of 1975 and the provisions of Chapter 40A of the General Laws of the Commonwealth of Massachusetts.

Zoning is the primary tool that regulates land use which, in turn, dictates housing diversity and affordability. It seems appropriate that the word "housing" should appear prominently in our overall "purposes."

ARTICLE B - REMOVING BARRIERS TO DUPLEXES.

Amend [§70-3.3.A.1](#) Residential Uses by removing footnote 2 (which requires a Zoning Board finding for new construction) from the byright approval for Two Family Homes in RR2.

Amend [§70-4.2 \(E\)\(1\)](#) by deleting (1) New (not converted) two-family dwellings must have lot area equaling 50% more than that required at that location for a single-family dwelling. And then renumbering the remaining section.

This proposal would remove a footnote that modifies the by-right nature of duplexes in the RR zone by calling for the ZBA to make an extraordinary finding of "no health, safety, or congestion problems" – a finding that is not required of the same type of dwelling in the GR Zone. It also eliminates a requirement that in all zones they must have 150% of required lot area. This gives duplexes the same rights currently enjoyed by detached accessory dwelling units, commonly known as mother in law apartments.

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ARTICLE C - REMOVING BARRIERS TO SMALL SCALE MULTI UNIT HOMES

To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend [§70-3.3.A.1](#) Residential Uses, Use Table, by inserting the bold and underlined use and permissions;

	RR1	RR2	GR	LB	SG	VB	PB	LI
		RR3						
USES NOT LISTED	No	No	No	No	No	No	No	No
§ 70-3.3A Principal uses (See § 70-3.3B for accessory uses.)								
RESIDENTIAL USES	Yes	Yes	Yes	No	Yes	No	No	No
<i>Single-family dwelling</i>								
<i>Two-family dwelling</i>	No	Yes	Yes	No	Yes	No	No	No
<u>Three and four-family dwelling</u>	<u>No</u>	<u>Yes²</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>No</u>	<u>No</u>
<i>Detached accessory dwellings [See § 70-7.1D]</i>	No	Yes	Yes	No	Yes	No	No	No

Amend [§70-9.2](#) by adding the following;

DWELLING, THREE-FAMILY

A detached structure containing three dwelling units.

DWELLING, FOUR-FAMILY

A detached structure containing four dwelling units.

This proposal will allow Three and Four Unit Buildings in our General Residence Zone by right. These buildings are neighborhood scale and already exist in our community in multiple neighborhoods including South Street, Cole Ave, Southworth St, and Hoxsey St. These were built pre war before zoning came into effect and have been an accepted part of the fabric of Williamstown for years. This change will allow these “missing middle” housing types to be constructed again. They are at present not allowed. The change will also permit them in the Rural Residence 2 Zone with a finding from the ZBA required.

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ARTICLE D - REFORM OF OTHER MULTI FAMILY DEVELOPMENT STANDARDS

To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend [§70-3.3.A.1](#) Residential Uses by changing the approval for “Dwelling units located above the first story of a nonresidential use” from NO to BA in the GR & RR2 / RR3 district columns.

Amend [§70-7.1.G](#) by increasing the allowable number of units to 24 from 16.

Amend [§70-7.1.G](#) by deleting sections §70-7.1.G.1(a), 1(b), & 1(f), and renumbering the remaining sections as necessary.

Amend [§70-7.1.G.2\(a\)](#) by reducing the distance a parking space is required to be from a building to 20 feet from 30 feet.

Amend [§70-7.1.G.2\(c\)](#) by reducing the distance required between buildings within a development from 40 feet to 30 feet.

Amend [§70-7.1.G.3\(a\)](#) by reducing the required amount of open space per unit to 1,000 SF from 1,500 SF and deleting the following language; (1,000 square feet for elderly developments under § 70-7.1E)

Amend [§70-7.1.G.3](#) by deleting (c) floor area requirements.

This proposed amendment will remove special lot size requirements from multi family developments of up to 24 units in the General Residence Zone. At present a building of 5 units requires over an acre of land. This will be reduced to the current minimum lot size but remain controlled by the number of parking spaces and the amount of required open space per unit in the development. All of these developments will remain only permissible through a Special Permit granted by Williamstown’s Zoning Board of Appeals.

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ARTICLE E - INCREASING OPPORTUNITY FOR INFILL DEVELOPMENT

To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend [§70-1.4 \(A\)\(4\)\(b\)\(2\)](#) by deleting the struck through language as follows;

Decision on a special permit for such separation and building shall be based upon the following, rather than the more general criteria of § 70-8.4D. Such special permit shall be granted if the Board determines that each lot will have access and utility service comparable to that serving nearby developed premises, and no congestion or health or safety limitations would be created by development, subject to such conditions as the Board may impose, which conditions shall include that any subsequent construction shall provide yards of dimensions ~~no smaller~~ comparable to than those prevailing in the vicinity.

This proposed amendment removes a requirement that all infill development have yards no smaller than nearby homes. The new standard provides that yards for infill development be comparable to the rest of the neighborhood.

ARTICLE F - REDUCTION OF LOT DIMENSIONS, GENERAL RESIDENCE

To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend § 70-4.3 Dimensional Schedule by replacing the struck through language with the underlined.

§70-4.3 DIMENSIONAL SCHEDULE

District	Min. Lot Area	Min. Lot Frontage (feet) [1]	MINIMUM YARDS (FEET)			Max % Bldg Cov.	Min % Open Sp.
			Front ²	Side	Rear		
General Residence	10,000 SF	100	30	15	15	-	50
	<u>6600 SF</u>	<u>66</u>	<u>20</u>	<u>10</u>	<u>10</u>		

This proposed amendment reduces the lot sizes, frontages, and yard requirements, in the General Residence District by approximately one third. Many of our existing neighborhoods including Lower Cole Avenue, Haley Village, Colonial Avenue & Berkshire Drive, and portions of the White Oaks could not be built under today's rules requiring 100 feet of frontage and 10,000 sf of lot area. This proposal will allow these neighborhoods to evolve as they once did prior to zoning and will allow additional housing opportunities within other areas in an incremental manner that will not be out of character from our existing built environment

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ARTICLE G - REDUCTION OF LOT DIMENSIONS, RURAL RESIDENCE 2

To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend § 70-4.3 Dimensional Schedule by replacing the struck through language with the underlined.

§70-4.3 DIMENSIONAL SCHEDULE

District	Min. Lot Area	Min. Lot Frontage (feet) [1]	MINIMUM YARDS (FEET)			Max % Bldg Cov.	Min % Open Sp.
			Front	Side	Rear		
Rural Residence 2	2-1/2 Acres	150	50	25-16	25	-	50
	<u>1-2/3</u>	<u>100</u>	<u>33</u>	<u>16</u>	<u>16</u>		

This proposed amendment reduces the lot sizes, frontages, and yard requirements, in the Rural Residence 2 District by approximately one third, thereby opening up more land to residential housing development.

ARTICLE H - UTILITY EXTENSION

To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend [§70-8.4 \(D\)\(1\)\(a\)](#) by rewriting the existing language as follows by deleting the struck through and replacing with the underlined.

Providing adequate water, sewerage and drainage for this location should pose no unusual public problems, and ~~preferably would not result in~~ taking into the Board's consideration any utility extension past undeveloped parcels.

This proposed amendment would change allow the Zoning Board of Appeals to take under consideration the effects of extending utilities but would remove the suggestion that they look unfavorably on any such application to extend municipal water or sewer service.

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ARTICLE I - ASSISTED LIVING

To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend § 70-3.3A (1) "Principal uses" (Residential uses) to change from NO to BA to allow conversion of hotels and nursing homes into Assisted living residences.

This proposed amendment allows a developer to convert a former hotel or motel to an assisted living facility. This is currently not allowed. Williamstown has two under utilized hospitality properties on the market today and a regional shortage of elderly housing options with on site services. An example of a motel converted to assisted living can be seen in nearby Lanesborough on Route 7 across from the Town Hall & Mobil Gasoline Station.