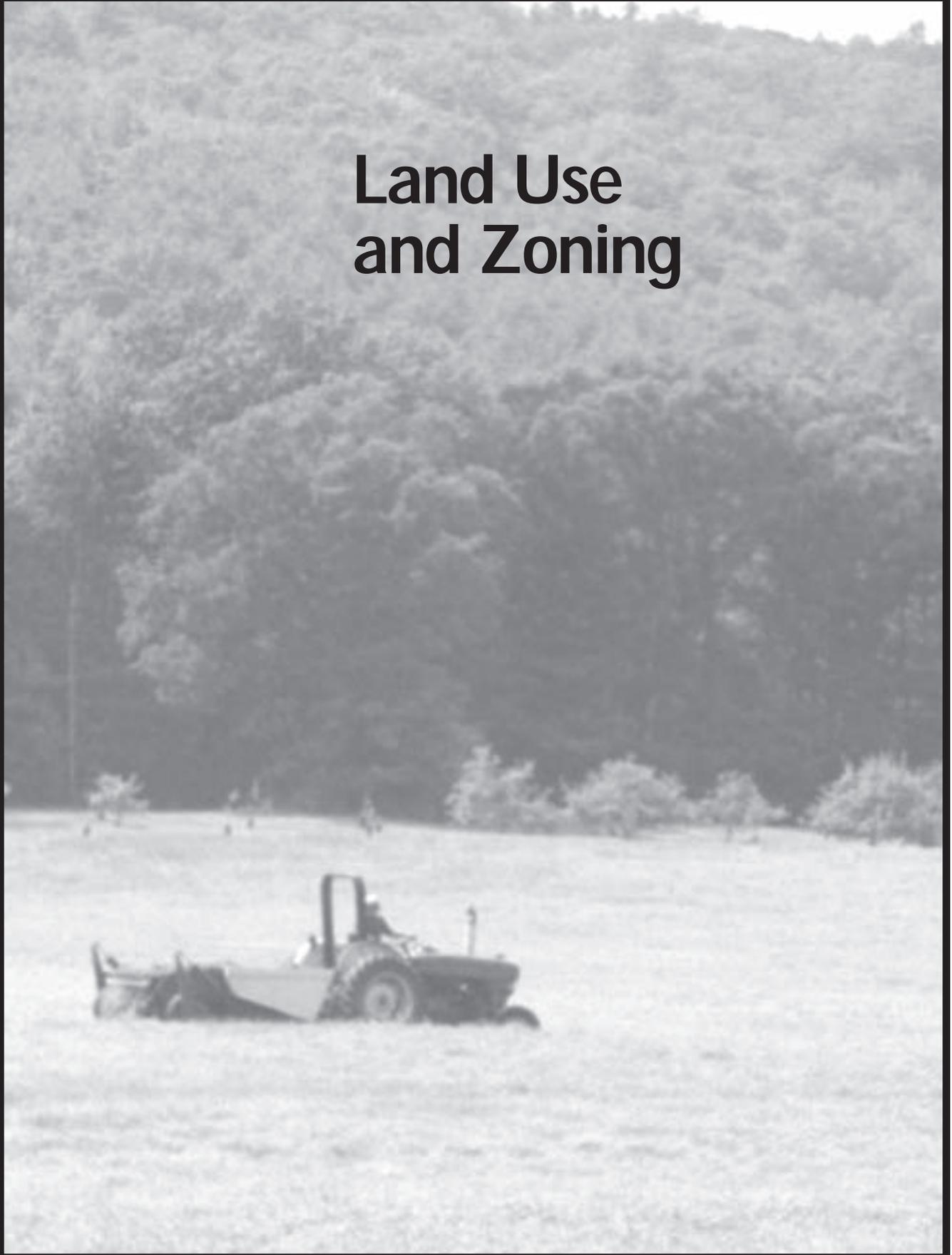


Land Use and Zoning



The existing land use along the Mohawk Trail Scenic Byway is a reflection of the corridor's history and development. The land use along the corridor is dominated by forestland with village centers, commercial and residential land uses scattered along the way. Zoning is a tool that allows communities to support the existing uses of land and to promote the desired future development patterns in order to maintain the health and welfare of the community over time. Land use development patterns are likely to follow zoning. Zoning is a means for a town to establish their own blueprint to guide future development and to protect unique resources for future generations.

Land use and zoning are important to consider when completing a comprehensive plan such as this corridor management plan. Zoning is a tool that can be effective for preserving scenic vistas, farmland, and historic resources as well as defining what types of commercial activities may occur that are critical to the support of tourism along the byway.

The corridor management plan is intended to provide information to assist in efforts to both protect and enhance the area through which the byway travels. To truly protect and enhance the Mohawk Trail Scenic Byway experience, it is important to consider the land use and zoning beyond the corridor directly abutting the roadway. Often the viewshed within key scenic vistas makes traveling this byway extremely beautiful and enjoyable. The consideration of land uses and zoning within these wider vista areas will be discussed in this chapter; however, it is recognized that the specific communities and individual land owners ultimately control what actually happens.

The Land Use and Zoning chapter of the Corridor Management Plan describes the existing land use patterns along the Byway; examines the existing zoning regulations in each of the towns along the Byway; analyzes how this zoning impacts the landscape and resources within the Byway study area; discusses specific land use related topics of concern to the Byway; and recommends future actions to

protect the resources identified in previous chapters of this report.

Land Use and Zoning along the Byway Corridor

This part will discuss, in more detail, the land use and zoning under which development occurs along the Scenic Byway corridor. Specifically, this discussion will look at land that exists along the immediate Byway corridor in Greenfield, Shelburne, Buckland, Charlemont, Florida, Clarksburg and the eastern section of North Adams. This Land Use and Zoning section will not discuss the Byway corridor as it passes the town of Savoy, because the land through which the Byway travels is part of Mohawk Trail State Forest, owned and managed by DEM. Land management decisions are guided by the agency's dual role of protecting the state's natural resources and providing recreational access to those resources, and land use is not expected to change for this property in the future.

Resources

Several resources were utilized to assess land use and zoning for the communities along the Scenic Byway. The FRCOG and BRPC staff conducted field observations and personal communications with local residents. In addition, the Potential Build-out Analysis that were completed for each of the cities and towns by the FRCOG and BRPC for Phase I of the Community Preservation Initiative of 2000 provided a valuable source of information. This information provided a snapshot of what each town would look like given the current zoning.

The FRCOG also utilized the Master Plans that have been completed for each of the towns along the Byway. The town of Greenfield recently completed a Master Plan. The Buckland-Shelburne Master Plan was completed by the FRCOG in 1998. The town of Charlemont is also in the process of completing a Master Plan. Each of these plans identifies goals and priorities for the town, which were intended to guide future projects and development.

Other references utilized for the Berkshire County portion of the Byway were various past Master Plans and Open Spaces Plans for Clarksburg, North Adams and Williamstown, as well as the new Draft Master Plan for the Town of Williamstown, which is in the process of being written. The town of Florida is in the preliminary stages of developing its first strategic plan, and the data and input collected through surveys and public forums for this plan are being used by BRPC to discern public attitudes regarding land use and protection for this section. In addition, citizens participating on the Mohawk Trail Advisory Committee provided invaluable information and support.

TABLE 7.1
*Land Use within the Scenic Byway Corridor Study Area**

Land Use Type	Acreage	Percentage of the Total
Agricultural	2,357	9%
Forest	17,180	68%
Residential	3,356	13%
Commercial, Industrial and Infrastructure	1,206	5%
Non-agricultural Open Space**	1,305	5%
Total	25,405	100%

*1/2 mile on both sides of Rt. 2, from Greenfield to Williamstown. See Base Map for Corridor Study Area.

**Includes wetland, abandoned agriculture, power lines, areas of no vegetation, recreation, parks, cemeteries, public and institutional green space, vacant undeveloped land and water.

Land Use within the Corridor Study Area: Greenfield to Williamstown

The hilly topography and rural character of the landscape along the Mohawk Trail Scenic Byway is a welcomed break from the predominantly urbanized landscape of the Commonwealth. As can be seen in Table 7.1, the dominant land use within the Mohawk Trail Scenic Byway study area, which is one-half mile on both sides of Route 2, is overwhelmingly forest (68%). Other major uses within the study area are residential development (13%) and agriculture (9%). These land uses are not evenly distributed throughout the length of the Byway. For example, areas of heavy residential development are centered in the more urbanized areas of Greenfield, North Adams and Williamstown, while the highest acreage of agricultural lands are found in the communities of Shelburne and Charlemont. For more detailed information on land use within the communities and within the study area of Franklin County see Tables 7.2, 7.3, and 7.4; for more detailed information on Berkshire County see Table 7.5.

With careful planning and design, the Byway's existing mix of forest and village landscapes can accommodate future development that is not obtrusive.

TABLE 7.2

Summary of the Land Use in the Byway Study Area in Franklin County

Land Use Type	Acreage	Percentage of the Total
Agricultural	1,772	13%
Forest	9,601	68%
Residential	1,190	8%
Commercial	255	2%
Industrial	37	<1%
Infrastructure	87	<1%
Other Open Space and Recreation	1167	8%
Total	14,109	100%

Source: Compilation of 1999 MassGIS land use data.

In particular, new development can be less obvious when located in a village setting or within a forested environment. Roadside trees, shrubs and groundcover can help to screen houses and commercial buildings and maintain the cool dark feel of a forested roadway.

Land Use in Franklin County

The land use data is based on 1999 land use data provided by MassGIS. Further the land use classifications have been broken down and categorized based on MassGIS land use code definitions. The figures include acreage by town for agricultural, forest, residential, commercial, industrial, infrastructure, and other open space land uses. The agricultural land use category includes cropland, pasture, and woody perennial (including orchards and nurseries). Forest includes all land classified as forest by MassGIS. The residential land use category includes all residential land (including multi-family, any lots larger than 1/4 acre, any lots between 1/4 to 1/2 acre and any lots smaller than 1/2 acre). The commercial

land use category includes all land defined as commercial by MassGIS. The industrial land use category includes all light and heavy industrial uses, mining and waste disposal uses. The infrastructure category includes the land defined as transportation by MassGIS, which includes all highways, freight storage and railroads. Other open space and recreation includes land classified as wetland, open land (defined as abandoned agriculture, power lines, areas of no vegetation), recreation (which includes participation, spectator and water based recreational uses), urban open (parks, cemeteries, public and institutional green space, vacant undeveloped land) and water.

It is important to note that land defined as other open space and recreation for the purposes of this section of the report does not necessarily mean that it is permanently protected to remain as open space or recreational uses. Lands, which are currently used as open space or for recreation uses, may be converted to a developed use unless permanently protected. A discussion of permanently protected lands is included later in this chapter.

Table 7.2 provides a summary of the existing land uses in the Byway Study Area (includes 1/2 mile on either side of Route 2) in Franklin County. Table 7.3 provides a break down of the land use by town in Franklin County and also for the land within each town that is in the Byway study area. The Byway study area is defined as a 1/2-mile buffer on either side of Route 2 and includes Shelburne Falls. Overall, the land uses that exist within the Byway study area are reflective of the composition of the land uses that exist in the four Franklin County towns.

Greenfield

Of the towns in the Franklin County section of the Byway, Greenfield is that largest and most developed. According to the 2000 U. S. Census Summary Data File 1,

TABLE 7.3

Land Use in the Communities and in the Study Area Corridor in Franklin County

Community	Land Use Type	Acreage in Town	Percentage in Town	Acreage in Byway Corridor	Percentage in Byway Corridor
Greenfield					
	Agricultural	1,936	14%	114	8%
	Forest	6,721	48%	865	58%
	Residential	2,826	20%	217	14%
	Commercial	325	2%	109	7%
	Industrial	334	2%	9	1%
	Infrastructure	355	3%	42	3%
	Other Open Space and Recreation	1,539	11%	138	9%
	Total Acreage in Greenfield	14,036	100%	1,494	100%
Shelburne					
	Agricultural	2,659	18%	626	14%
	Forest	10,399	69%	2,893	66%
	Residential	746	5%	398	9%
	Commercial	58	<1%	58	1%
	Industrial	11	<1%	7	<1%
	Infrastructure	6	<1%	6	<1%
	Other Open Space and Recreation	1,099	7%	373	9%
	Total Acreage in Shelburne	14,978	100%	4,361	100%
Buckland					
	Agricultural	1,161	9%	230	12%
	Forest	10,155	80%	1,274	65%
	Residential	726	6%	177	9%
	Commercial	25	<1%	21	1%
	Industrial	43	<1%	18	1%
	Infrastructure	21	<1%	20	1%
	Other Open Space and Recreation	523	4%	225	11%
	Total Acreage in Buckland	12,654	100%	1,965	100%
Charlemont					
	Agricultural	1,475	9%	802	13%
	Forest	14,010	83%	4,570	73%
	Residential	671	4%	398	6%
	Commercial	67	<1%	66	1%
	Industrial	14	<1%	3	<1%
	Infrastructure	19	<1%	19	<1%
	Other Open Space and Recreation	604	4%	431	7%
	Total Acreage in Charlemont	16,860	100%	6,290	100%

Source: 1999 Land use data from MassGIS

the population of Greenfield is 18,168. Within the town of Greenfield, 48% of the total land is forested, 20% is residential, 14% is agricultural, and 11% is classified as other open space and recreation. Commercial, industrial and infrastructure each comprise approximately 2% of the land use.

A major dense commercial retail area is located in the Byway area just west of the rotary. The section of the Byway corridor located in Greenfield has a considerably different land use composition than the remainder of the corridor. The commercial and retail oriented land uses located within the Byway Study area in Greenfield reflect their location near the intersection of Route 2 and Interstate 91. The land within the Byway study area in Greenfield is 58% forestland, 14% residential, 7% commercial, 1% industrial, 8% agricultural, and 9% other open space and recreation. There is a large area of agricultural land to the north of the road within the study area and extending beyond. This area of agricultural land use is within the panoramic view that the byway traveler sees when proceeding east from Greenfield Mountain. A panoramic vista of this valley and the town of Greenfield is visible from the Long View Tower which is located on Route 2 at the top of Greenfield Mountain.

Shelburne

The town of Shelburne has experienced growth pressure as a result of its location near Greenfield and Route 2. According to the Buckland-Shelburne Master Plan, residential development grew by 163 acres in Shelburne between 1985 and 1997. Shelburne has retained its rural traditional character. The development pattern in Shelburne is characterized by village centers with compact mixed use development, surrounded by rolling hills covered with mixed forests, and dairy farms, orchards, and farmhouses in the outlying rural areas. Residential development dots all of the major roads in the towns. The historic town center is lo-

cated off of Route 2, and Shelburne Falls is characterized by the traditional small lot village layout. Commercial development is concentrated in the Shelburne Falls village center and along the Route 2 corridor in Shelburne.

Most of the development in these two village centers is characteristic of the traditional New England mill town. Most of the residential and commercial development in the village is on small parcels with narrow frontages and little or no setbacks.

As is the case with the other towns along the Byway, the town of Shelburne is predominantly forestland (69%). The remaining land is composed of agricultural (18%), residential (5%), open space/recreation land uses (7%), and less than one percent each of commercial, industrial and infrastructure.

The Byway corridor represents 10% of the town, and the percentage of land use is very similar to the town as a whole. Within the Byway corridor study area, 66% of the land is forested and 14% is agricultural land. Residential land represents 9% of the Byway corridor, and 9% is other open space and recreation land uses. Industrial development and infrastructure represent less than 1% of the land in the Byway corridor. Commercial land use is only 1% of the land use in the town; however, all 58 commercial acres are located within the Byway study area. The Byway study area does include Shelburne Falls. According to the 2000 Census information, the population in Shelburne is 2,058.

Shelburne has a commercially zoned area located along the entire length of Route 2. Commercial development in the commercially zoned area along Route 2 has increased dramatically since 1985. In a community survey completed as a part of the Buckland-Shelburne Master Plan development process, 76% of the respondents from Shelburne stated that they were con-

cerned about potential negative impacts of commercial growth along the Route 2 corridor. Of the Shelburne residents who responded to the survey, 67% were concerned about loss of scenic character, 62% feared the creation of an unbroken strip of commercial development, 45% were worried about the type of business that may locate there and 38% about traffic impacts.

Buckland

The town of Buckland has also experienced residential and commercial development pressure as a result of its close location near Greenfield, and on Route 2. The development pattern in Buckland is similar to that described for Shelburne. It is characterized by historic village centers with compact mixed use development, surrounded by rolling hills covered with mixed forests, dairy farms, orchards, and farmhouses in the outlying rural areas. As in the case of Shelburne the development in the village center is characteristic of the traditional New England mill town. It is located on small parcels with narrow frontages and little or no setbacks. Residential development is scattered along all of the major roads. Buckland also has a small rural village center to the west of Route 112 as well as the shared village of Shelburne Falls. In Buckland there are pockets of industrial development in the Shelburne Falls Village District, and along Route 112 and the Deerfield River.

Within the town of Buckland 80% of the land is forested, and 9% is agricultural land. The remaining land is composed of residential (6%), and open space and recreation land uses are 4%. The commercial, industrial and infrastructure land uses are less than one percent. The land within the Byway Study Area in Buckland is mostly forested (65%). Agricultural land accounts for 12%. Residential land represents 9% of the Byway corridor in

Buckland. An additional 11% falls under the category of other open space land uses. Of the remaining land approximately 3% is commercial, industrial or infrastructure. As in the town of Shelburne, much of the commercial land is in the Byway study area. The population of the town of Buckland is 1,991 (U.S. Census 2000 Summary Data File 1).

According to the Buckland-Shelburne Master Plan, residential development grew by 151 acres in Buckland between 1985 and 1997.

Shelburne Falls

The village center of Shelburne Falls is located on both sides of the Deerfield River and comprises land in both Buckland and Shelburne. Shelburne Falls contains a mixture of manufacturing facilities, retail stores, office buildings and restaurants and serves as a regional employment and shopping center. Shelburne Falls is also a major tourist destination in Franklin County and along the Byway. Outside of Shelburne Falls, forest and agricultural land, orchards and dairy farms dominate the landscape in both communities. Buckland and Shelburne also each have an historic rural village center in addition to Shelburne Falls, with concentrated residential development and civic activities.

Charlemont

The land area within the town of Charlemont is composed of 83% forest land, 9% agricultural land, and the remaining land is composed of residential (4%), commercial (less than 1%), industrial (less than 1%), infrastructure (less than 1%) and open space and recreation land uses (4%). Agricultural land covers 13% of the Byway corridor, and forestland covers 73%. Residential land occupies 6% of the Byway corridor in Charlemont. Of the remaining land 7% falls under other open space land uses,

MAJOR FINDING



The Byway serves as the main street for some communities, and therefore is a viable location for some economic related development.

TABLE 7.4

Land Use Change in the Byway Study Area in Franklin County from 1971 to 1999

Community	Land Use Type	Acreage in 1999	Acreage in 1971	Change in Number of Acres
Greenfield				
	Agricultural	114	169	-55
	Forest	865	876	-11
	Residential	217	194	23
	Commercial	109	74	35
	Industrial	9	22	-13
	Infrastructure	42	46	-4
	Other Open Space and Recreation	138	113	25
	Total Acreage in Greenfield	1,494		
Shelburne				
	Agricultural	626	737	-111
	Forest	2,893	2,875	18
	Residential	398	352	46
	Commercial	58	39	19
	Industrial	7	0	7
	Infrastructure	6	5	1
	Other Open Space and Recreation	373	353	20
	Total Acreage in Shelburne	4,361		
Buckland				
	Agricultural	230	279	-49
	Forest	1,274	1,298	-24
	Residential	177	156	21
	Commercial	21	18	3
	Industrial	18	13	5
	Infrastructure	20	18	2
	Other Open Space and Recreation	225	184	41
	Total Acreage in Buckland	1,965		
Charlemont				
	Agriculture	802	813	-11
	Forest	4,570	4,701	-131
	Residential	398	305	93
	Commercial	66	59	7
	Industrial	3	2	1
	Infrastructure	19	16	3
	Other Open Space and Recreation	431	379	-52
	Total Acreage in Charlemont	6,289		

Source: MassGIS Data Layer

1% is commercial and less than one percent is industrial or infrastructure. The population of Charlemont is 1,358 (U.S. Census 2000 Summary Data File 1).

The land use change from 1971 to 1999 along the Byway reflects the development trends in the corridor during the past 25 years. The greatest losses occurred in the agricultural and forest-land uses, while the greatest amount of growth was generally in residential land use. In Greenfield the greatest number of acres within the Byway study area were converted from farming to other uses. Commercial uses grew the most with residential and other open space and recreation having a significant growth as well. In Shelburne, agricultural land uses lost over 110 acres or 15% of the agricultural land that existed in 1971. Residential land grew the most dramatically by 45.55 acres or 13%. In Buckland, agricultural land uses had the greatest loss, while other open space and recreation had the greatest gain. In Charlemont, there was a significant loss in forest, but not much of a loss in agricultural land. Residential land also grew significantly during this time.

Land Use in Berkshire County

As can be seen in the Land Use Table 7.5, land use in the Berkshire County byway communities is predominantly forest, even in the relatively developed city of North Adams. The Scenic Byway is a major east-west artery and commercial route, running through the downtown areas of North Adams and Williamstown where commercial and industrial uses are mixed with dense residential development. For land use patterns, refer to the Land Use Map.

Savoy

For the town of Savoy, the only land use within the Study Area is forest, re-

flecting the fact that all the land is part of the Mohawk Trail State Forest, owned and maintained as a park by the Massachusetts Department of Environmental Management (DEM).

Florida

The town of Florida is overwhelmingly forested. Development along the Corridor Study Area mimics development within the rest of the town, with scattered single-family residential development located along local roads and small isolated patches of agricultural fields located behind old farmhouses. The Scenic Byway is the main artery, and over half of the town's 487 acres of residential development and 45% of the commercial property is located within the Study Area Corridor.

Clarksburg

Development in the town of Clarksburg is relatively concentrated in comparison to other rural communities in Berkshire County. This reflects the moderately dense residential development that occurs along a few streets in the southern portion of the town, which serves as a bedroom community for the City of North Adams. One might note that the residential development percentage within the Study Area Corridor for Clarksburg is relatively high, yet the portion of town that we view is extremely rural. Although almost 10% of the area within the Study Area is residential development, this cannot be seen from the Byway or the Hairpin Turn overlook. This is because the development occurs far below the grade of the road. What we do view is scattered residential development and farm fields outside the Study Area.

North Adams

The Scenic Byway travels through the densely developed city center of North Adams, and as such, the diversity of land uses and percent coverage is higher than in the rural communities

TABLE 7.5

Land Use in the Communities and in the Study Area Corridor in Berkshire County

Community	Land Use Type	Acreage in Town*	Percentage in Town*	Acreage in Byway Corridor*	Percentage in Byway Corridor*
Savoy					
	Agricultural	771	3%	0	0%
	Forest	21,176	92%	793	100%
	Residential	588	3%	0	0%
	Commercial, Industrial, Infrastructure	42	0%	0	0%
	Other Open Space**	459	2%	0	0%
	Total Acreage in Savoy	23,036	100%	793	100%
Florida					
	Agricultural	467	3%	237	5%
	Forest	14,202	90%	4,183	88%
	Residential	487	3%	256	5%
	Commercial, Industrial, Infrastructure	73	0%	33	1%
	Other Open Space*	533	3%	67	1%
	Total Acreage in Florida	15,762	100%	4,775	100%
Clarksburg					
	Agricultural	401	5%	10	5%
	Forest	6,675	81%	183	82%
	Residential	732	9%	22	10%
	Commercial, Industrial, Infrastructure	58	1%	5	2%
	Other Open Space and Recreation	326	4%	5	2%
	Total Acreage in Clarksburg	8,191	100%	225	100%
North Adams					
	Agricultural	591	4%	165	4%
	Forest	9,095	69%	2,179	49%
	Residential	1,813	14%	1,330	30%
	Commercial, Industrial, Infrastructure	688	5%	367	8%
	Other Open Space and Recreation	1,018	8%	403	9%
	Total Acreage in North Adams	13,205	100%	4,444	100%
Williamstown					
	Agricultural	4,237	14%	173	11%
	Forest	21,075	70%	241	16%
	Residential	2,379	8%	560	37%
	Commercial, Industrial, Infrastructure	322	1%	82	5%
	Other Open Space and Recreation	1,978	7%	451	30%
	Total Acreage in Williamstown	29,992	100%	1,507	100%

Source: 1999 MassGIS land use data and BRPC. *Note: Numbers may not add up exactly due to rounding.

east of it. Forest still dominates the mix of land uses, but residential development is a close second with almost 30% coverage. This high residential percentage is evident in the immediate area surrounding the commercial city center. The 9% other open space includes athletic fields, pocket parks, and the Hillside Cemetery. Other uses include commercial and industrial businesses expected along a commercial route in an urban city center.

Williamstown

Land use within the Corridor Study Area in the town of Williamstown is a mix of residential (37%), commercial (5%) and institutional uses (30%). The most dominant land use feature in the corridor is the vast property of Williams College, which is categorized as an institutional use within the Other Open Space category (see Table 7.5 and refer to the Land Use Map). Although the Williams property includes dozens of buildings that serve several uses (educational classrooms and halls, dormitories, private residences, athletic complexes, large open lawns), they all are classified as other open space.

Zoning in Franklin County

The future pattern of development along the byway and within the viewsheds along the Byway will be greatly influenced by the zoning in each of the communities, and the nature of the land available for development. Zoning has been used to retain property values and keep unwanted uses from diminishing the character of a community. Generally the zoning along the Byway differs considerably from town to town.

An analysis of the existing zoning provides critical information necessary to plan for future development, protect the important byway assets or facilitate

future economic development if desired. An analysis of the build-out potential under the existing zoning regulations provides an view of the impacts of future development on resources such as drinking water supplies, scenic vistas, wildlife habitats, rate and density of development, historic and cultural character, road-side scenic resources, and on the local economy. Below is a brief review of the zoning regulations in the towns along the byway and potential future growth trends.

It is important to note that residential development often occurs through the "Approval Not Required" (ANR) development process that is a residential development process unique to the Massachusetts Subdivision Control Law. According to the M.G. L. Chapter 41, Sections 81-K through 81-GG, land can be legally subdivided and recorded without approval of the Planning Board if it meets the following conditions:

- The lots shown on the plan must front on a way which the town clerk certifies is maintained and used as a public way, or a way shown on a plan approved and endorsed in accordance with the subdivision control law, or a way in existence when the subdivision control law became effective in the city or town in which the land lies, having in the opinion of the Planning Board sufficient width, suitable grades and adequate construction to provide for vehicular traffic in relation to the proposed use;
- The lots must meet the minimum frontage requirements according to the town's zoning by-law; and
- Vital access to such lots exists to protect the safety and welfare.

To receive a building permit the lots must also meet the requirement of the town's zoning bylaw for acreage, and have adequate water and sewer/septic facilities. ANR development often leads to sprawling development along the towns' roads. Such sprawling de-

MAJOR FINDING



"Approval Not Required" development is the single greatest threat to the rural character of the Byway.

velopment can lead to the fragmentation of wildlife habitat, farmland, forest land and scenic resources.

Greenfield

In Greenfield the Byway corridor falls within the “general commercial”, “suburban residential”, and “rural residential”. See the Zoning Map for Franklin County that is contained in this chapter.

The area that directly abuts the Byway and is located around the rotary at Interstate 91 is zoned general commercial. Beyond this area is a district that is zoned suburban residential. Further west on the Byway and to the north is zoned rural residential. The area that is zoned as rural residential to the north and east of the section of the Byway that travels up Greenfield Mountain is significant because this area is within the viewshed of the Byway. When traveling eastbound on the Byway the view from Greenfield Mountain is spectacular at this location.

The general commercial zone that is located to the west of the rotary along the Mohawk Trail is substantially built out. Development in the rural residential district that abuts the Mohawk Trail to the west of the general commercial zone is limited by environmental constraints such as the steep slopes that exist along both sides of the road through this area. In addition, this area currently does not have services such as sewer and water.

A review of the Greenfield Zoning Bylaw reveals that there are a number of measures in place that would allow the town to closely review most development that could occur in this future along the Byway. The Greenfield Zoning Bylaw does have requirements for site plan review for all business, commercial, industrial, institutional, and multi-family development projects. In addition, the Bylaw has screening and landscaping requirements in the above developments as well. These provisions allow the town review boards to

require plantings and site configurations for developments, which are less obtrusive to the Byway’s scenic nature.

There are sign regulations applicable in the general commercial district, which restrict the size and number of signs allowed. Commercial establishments are restricted to one sign affixed to one wall of the building. The sign cannot exceed 15 percent of the area of the building face or a maximum of 25 square feet per sign whichever is less. There can be one identification sign for each entrance not on the front of the building not to exceed ten square feet. There can also be one free standing sign identifying the establishments on the premises not to exceed 20 square feet in area and fifteen feet in height. It was noted that special permits from these requirements were often granted for the commercial area along the Byway.

The Greenfield Zoning Bylaw also contains a corridor overlay district. The intention of this overlay district is to create attractive entryways into Greenfield by minimizing strip development and traffic congestion to protect scenic and natural features. The general commercial zone that is located on the Byway is not included in the overlay district, and has been the site where much of this high intensity commercial development has been located. It may not be feasible to extend the corridor overlay district to include this area, but it may be advantageous to apply access management techniques to future development in this district in order to ensure that the entry/exit from the commercial establishments is safe and accessible. Such techniques include shared driveways for commercial establishments that are located next to each other in order to minimize the number of entry/exit points and thereby reduce conflicts.

The Greenfield Zoning Bylaw also contains an open space/cluster development provision, which allows residential

development in which the buildings are clustered together into one or more groups on reduced lot sizes with the remaining land remaining permanently undeveloped. The purpose of the open space/cluster development is to allow for a flexible design in residential development of single family, two-family, and multi-family housing. This type of a development pattern could be recommended in the currently un-built, but potentially developable land to the northeast of the Byway, if it were to be proposed for residential development. This area currently provides beautiful rural panoramic view from the Byway. A cluster pattern of residential development with a protected area of land could ensure that this view is permanently protected.

Shelburne

The zoning located within the Byway Study Area in Shelburne includes, “commercial”, “residential”, “industrial” and “village.” Most of the land directly abutting the Byway in Shelburne is zoned “commercial.” Beyond the land directly abutting the Route 2 corridor the land is mostly zoned “residential.” The portion of the Byway near Buckland and including Shelburne Falls is zoned “Village.” There is also a small area located along Route 112 near the Buckland town border is zoned as “industrial.”

The residential zone allows dwellings with no more than two dwelling units in the residential zone. In addition, customary home occupations are allowed such as the, use of the premises in connection with a trade provided that no manufacturing or business requiring substantially continuous employment is carried on. Farming, religious, and educational uses are also allowed by right. A number of uses may be allowed by special permit of the Board of Appeals. These uses include but are not limited to mu-

TABLE 7.6
Shelburne Lot Requirements

	Minimum Lot Dimension Area in Sq. Feet	Minimum Frontage in Feet	Minimum Front in Feet	Yard Dimension Side in Feet	Yard Dimension Rear in Feet
Village Area	20,000	100	20	10	20
Rural Area	86,000	250	25	20	20

Source: Shelburne Zoning Regulations

nicipal, recreational, multiple family dwellings, and bed and breakfasts operated by a resident of the building.

The uses that are permitted in the commercial district beyond those allowed in the residential district include: retail or wholesale business, restaurants, theatres, public and semi-public buildings, gasoline stations, offices, hotels, and motels. The Board of Appeals may also grant permission in specific cases after determining that the proposed use is similar to one or more of the uses specifically authorized in the bylaw.

The industrial district allows for any manufacturing or industrial uses including processing fabrication, and assembly provided that no such use shall be permitted which would be detrimental or offensive or tend to reduce property values in the same or adjoining districts by reason of dirt, odor, fumes, gas, sewage, refuse, noise, excessive vibration, danger of explosion or fire. Also allowed are automobile dismantling, junkyards, lumber, and any additional uses which the Board of Appeals may grant permission for specific cases after determining that the proposed use is similar to one or more of the uses specifically authorized in this section.

The minimum lot dimensions are as follows:

Within the village area of Shelburne the development pattern is characteristic of the traditional New England mill town. Most of the residential and commercial development in the village

is on small parcels with narrow front-ages and little or no setbacks. This pattern of development is non-compliant with the current zoning bylaws. Under the current bylaws, any new development in Shelburne Falls would have to be on wider lots, with front and side setbacks. This pattern would not easily conform to the character of the village.

The commercial area of Shelburne Falls is designated as a National Historic District. National designation recognizes the historical value of the area, but does not provide guidelines to ensure its protection. A local historic district and associated bylaws incorporating design guidelines can also be adopted by Town Meeting if desirable to ensure that future development in the area is consistent with the traditional historic character.

Shelburne also has a Telecommunications Ordinance as a part of its zoning bylaw. This provision is intended to preserve the character and appearance of the Town while simultaneously allowing adequate wireless communication services to be developed. The maximum height of the tower allowed is 150 feet, although this height can be increased to 195 feet with a written waiver from the Zoning Board of Appeals. The ordinance contains regulations with regard to the review of proposed towers, fencing requirements and distance that the towers can be located to neighboring properties. The bylaw also defines the Commercial Mobile Radio Service Overlay District on a site known as Shelburne Mountain. This overlay district is an area designated by the town as a desired location for such facilities. This overlay district is located to the south of the Byway near the town's border with Greenfield. Towers are allowed outside of the overlay district only with the approval of the Zoning Board of Appeals.

The Shelburne Zoning Bylaw also has a Flood Plain Overlay District in

which development is allowed as long as it meets a number of provisions.

Generally the Shelburne Zoning Bylaw is flexible with regard to use within the zoning districts as long as they are generally in accordance with the category of land use being targeted for a particular zone. The site planning requirements for proposed developments are also generally flexible. It would be beneficial to complete a full review of the zoning bylaw and consider incorporating incentives or ideas to guide proposed development, which is sensitive to the scenic and natural resources along the byway. The Buckland-Shelburne Master Plan recommended the adoption "of Voluntary Design Guidelines for commercial and industrial development in the Village District, along Route 2 and Route 112 and provided density bonuses or parking reductions to encourage their use." The Master Plan also recommended the consideration of variable front setbacks in the Shelburne Falls Village District to maintain consistency in historic neighborhoods with respect to new construction.

Buckland

The zoning districts in the Byway Study Area in the town of Buckland include "residential", "central village residential", "industrial" and "commercial." Most of the land directly abutting Route 2 in Buckland is zoned residential. Shelburne Falls and the nearby neighborhoods are zoned as central village residential. There is an area of industrially zone land to the South of Route 2 in the north-central part of Buckland and also along Route 112 North. The Buckland-Shelburne Master Plan, completed in May 1999, recommended the elimination of this industrial zone because it is located in a floodplain and is an area of prime farmland soils.

The residential zone allows residential use, and not less than one hundred (100) feet from any adjoining property line, farm related uses, renting of rooms or bed and breakfasts in a home regularly occupied by the owner of the dwelling for residential purposes, accessory uses customarily incidental to the permitted use on the same premises, customary home occupations, use of the premises in connection with the trade of the residents provided that no manufacturing or business requiring substantially continuous employment is carried on, and agricultural, religious, and educational uses by right. A number of uses are permitted by special permit of the Zoning Board of Appeals. These uses include but are not limited to municipal, public utilities, recreational, multiple family dwellings, restaurants, and hospitals.

The uses that are permitted in the commercial district beyond those allowed in the residential district include: retail or wholesale business, restaurants, theatres, public and semi-public buildings, gasoline stations, offices, hotels, and motels. There is also a provision in the bylaw that allows for “other uses for which the Board of Appeals may grant permission in specific cases after the determination by it that the proposed use is similar to one or more of the uses specifically authorized in this section.”

The industrial district allows for any uses allowed in the residential and commercial districts. In addition, any manufacturing or industrial uses, including processing fabrication and assembly are allowed by special permit provided that no such use shall be permitted which would be detrimental or offensive or tend to reduce property values in the same or adjoining districts by reason of dirt, odor, fumes, gas, sewage, refuse, noise, excessive vibration, danger of explosion or fire. Also allowed are lumber, fuel, food and ice establishments and contractors

yards as well as any additional uses which the Board of Appeals may grant permission for specific cases after determining by it that the proposed use is similar to one or more of the uses specifically authorized in this section.

Buckland also has a Flood Plain Overlay District, in which development is allowed as long as it meets a number of provisions to prevent impact to flood storage capacity.

The Buckland zoning bylaw contains a Back Lot with Farmland Set Aside, which is intended to encourage the efficient use of land resources in new residential development to increase opportunities for the preservation and continued agricultural use of productive farmland, to preserve land with prime agricultural soil conditions, and to preserve the scenic qualities of the Town. In exchange for the permanent protection of buildable “Approval not Required” lots with roadside frontage, a Back Lot Bylaw with Open Space Set Aside allows development in the back of the parcel, on an equal number of lots without roadside frontage. The bylaw provides for a common driveway to access the backlots. The intention is to permanently protect this quality roadside area and develop the lots in the back of the parcel as an alternative to a traditional ANR. The incentive for the property owner is that the building lots can be created using a common driveway instead of a subdivision road, which would be more costly and would involve the subdivision process.

The Buckland zoning bylaw also contains a Cluster Development/Conservation Bylaw, which is an optional provision that allows residents and developers of land with an alternative to a standard subdivision. The cluster development is a residential development in which the lots are grouped together in one or more clusters within the boundaries of a larger parcel of land. The building lots are reduced in size,

and concentrated together thereby taking up only a portion of the entire parcel of land. The land not included in building lots is shared by the development's residents as permanently preserved agricultural or forested land or can remain the property of the original landowner if a permanent conservation restriction preventing future development is placed on the land.

As stated above, Shelburne Falls is designated as a National Historic District. National designation recognizes the historical value of the area, but does not provide guidelines to ensure its protection. A local historic district and associated bylaws incorporating design guidelines can be adopted by Town Meeting if desirable to ensure that future development in the area is consistent with the traditional historic character.

The Buckland Zoning Bylaw also contains a provision regulating the construction of personal wireless service facilities.

The Buckland Zoning Bylaw is also flexible with regard to uses within the zoning districts as long as they are generally in accordance with the category of land use being targeted for a particular zone. The site planning requirements for proposed developments are also generally flexible. It would also be beneficial to complete a full review of the zoning bylaw and consider incorporating incentives or ideas to encourage proposed development, which is sensitive to the scenic and natural resources along the byway. The Buckland-Shelburne Master Plan recommended the adoption "of Voluntary Design Guidelines for commercial and industrial development in the Village District, along Route 2 and Route 112 and provide density bonuses or parking reductions to encourage its use." The Master Plan also recommended the adoption of "a Ridge Protection Bylaw that would serve to regulate develop-

ment on the top of a ridge to control erosion and to ensure that uninterrupted views are protected."

Charlemont

The Charlemont zoning bylaw state as one of its purposes, "to maintain the scenic value of the Mohawk trail as an attraction to recreation and tourist activities." Charlemont has only one zoning district classified as "rural agricultural" for the entire town. Uses that require a special permit by the Planning Board include: new buildings containing three or more dwelling units; conversion of existing buildings into three or more dwelling units; commercial, business and industrial uses (excluding cottage industries); mobile homes, mobile home parks and campgrounds; uses involving four or more full-time, or equivalent, employees on the premises or which involve six or more parking spaces; any development involving a total of more than 10,000 square feet of floor area; a building or structure over 32 feet in height; off premises signs providing directions to businesses or activities in abutting towns; and accessory scientific research or development, as provided by paragraph 9, chapter 40A. Special permits are reviewed based on the following criteria:

- The degree to which the activity, site plan and building design are consistent with development of tourist activity in Charlemont;
- The capability of the town to service the premises, considering existing roads, town equipment and other municipal services;
- Impact on the town's educational facilities;
- Consequences for adjoining premises of sound, light, odor, noise or other disturbances;
- The degree to which the proposal results in topographic change, removal of mature trees or

other botanical assets, removal of cover vegetation, risk of erosion or siltation, increased storm water runoff from the site, or displacement of natural habitats;

- Sight distance and traffic safety at the entrance to the Mohawk Trail, town roads or other public ways;
- Environmental compatibility of the proposal with the neighborhood character; and
- Employment and fiscal consequences.

The minimum lot size is 45,000 square feet provided that some conditions are met regarding the slope and ground water at the site. The required minimum lot size for any multi-family dwellings and mobile home parks is increased by one third for each dwelling unit in excess of one. The required lot area for motels and campgrounds shall be increased by one-third of basic minimum lot area for each two motel guest units or campground sites in excess of two. Minimum lot frontage is 150 feet measured on a public way. The front yard setback is 50 feet except on the Mohawk Trail where it is 75 feet. Side and rear yard setbacks are 25 feet.

The Charlemont bylaw contains a Back Lot Development provision that allows a lot recorded and registered prior to the adoption of the bylaw, which has no contiguous land in common ownership may be divided into two lots even though one of the lots does not meet the minimum frontage requirement, provided that certain conditions are met. One lot shall meet all of the dimensional requirements of Section 33 of the Charlemont Town Bylaw (lot area requirements). The other lot shall have a minimum of 20 feet of frontage; a connecting strip from the street to the lot which has a minimum width of 20 feet; width where the principal building is to be erected at least equal to the normal required lot frontage; and lot area, exclu-

sive of the connecting strip, at least equal to the normally required lot area.

The bylaw also has a Cluster Development provision which allows the Planning Board to grant a Special Permit for cluster development on parcels containing five times the minimum lot size or more, as authorized by Section 9 of Chapter 40A.

The Charlemont Bylaw also has a curb cut regulation, in which a permit is required from the town Selectboard.

Finally, the Charlemont Bylaw also contains a regulation regarding the siting of wireless communication facilities. The bylaw is intended to minimize the impact of the towers on the community's character and natural amenities, minimize the number of towers and the height, regulate the site of these towers and also to ensure that no discrimination occurs with competing providers.

In June 2001, the FRCOG completed build-out analysis for each of the towns in Franklin County. These build-out analyses were completed in order to provide the towns with a picture of what it would look like when all land is developed to its full potential under the existing zoning. The exercise was also intended to encourage towns to think in terms of long range planning and the future implications of zoning.

Franklin Regional Build-Out Analyses

In June 2001, the FRCOG completed a build-out analysis for each of the towns in Franklin County. These build-out analyses were completed in order to provide the towns with a picture of what it would look like when all land is developed to its full potential under the existing zoning. The exercise was also intended to encourage towns to think in terms of long range

planning and the future implications of zoning. Full development in accordance with current zoning would mean increased traffic on regional routes and strain on local services. In the context of the Scenic Byway Corridor Management Plan, it is important to consider these potential impacts of full build-out in the Byway, and also to identify the high priority scenic areas for permanent protection.

Greenfield

As noted above, future development along the section of the Byway study area that is in Greenfield is constrained to some extent by steep slopes and much of the area already being built. The general commercial district is mostly built, but there is an area directly along the south side of the Byway that could accommodate additional commercial development. As stated earlier in this chapter, the concern with this additional development is the potential negative impact on the traffic circulation and safety. This area of the Byway is already densely developed and has numerous entrance/exit driveways within a short distance.

Proceeding west, the development potential in the residential area located directly along the Byway is limited by steep slopes on both sides of the road. However, the suburban residential district located to the north and east of the Byway that is zoned suburban residential has a large area that is potentially developable. This is significant to the Byway because this area is within the viewshed that was identified as outstanding during the scenic assessment. Overall, the build-out analysis estimated that there are 5,800 acres available for development in Greenfield or 41% of the total land in the town.

Shelburne

According to the build-out analysis completed for the town of Shelburne,

there is a considerable amount of potential for additional development throughout the town. The buildout estimated that there was the potential for a significant amount of additional commercial development along the Mohawk Trail Scenic Byway. Much of the area near the western portion of the Byway and in the northwest portion of the town were evaluated as constrained for future development by environmental conditions, the land is already held in permanent preservation, or the land is within the village of Shelburne Falls and is considered built out. However, the scenic assessment completed during the development of the Corridor Management Plan identified the area to the north and south of the Byway just west of Shelburne Center as a scenic viewshed. The buildout analysis identified much of this land as potentially developable. There are a number of areas within these identified outstanding viewsheds that are currently held in temporary protection through the Chapter 61, 61A or 61B programs. The Chapter 61 Program entitles the town with the opportunity to act upon its right of first refusal, to match a bonafide offer to purchase the land. There is a considerable amount of land along the eastern portion of the Byway that is potentially developable for residential uses. Overall the build-out analysis estimated that there was the potential for approximately 8,300 acres to be developed, which represents 50% of the land in the town.

Buckland

In Buckland, there is some potential for development directly along the Mohawk Trail, although the portion of the Byway that is in Buckland is relatively short. The area that is potentially developable, which would impact the scenic vista along the Byway is the area that is located across the Deerfield River from the eastern portion of the Byway in Charlemont. Much of this

area is potentially developable. Some of this land is temporarily protected through the Chapter 61, 61A or 61B programs, but none of it is permanently protected at this time. According to the build-out there are approximately 8,200 acres available for development in Buckland or about 65% of the total land in the town.

Charlemont

According to the build-out analysis for the town of Charlemont, there is a substantial amount of potentially developable land located to the north of the Byway in the eastern portion of Charlemont. This land is currently being used for agricultural purposes, but there are no permanent conservation restrictions or lands with the Agricultural Preservation Restrictions (APR) at this time. Again, some of this land is temporarily restricted through the Chapter 61, 61A or 61B programs and it would be beneficial to explore opportunities to purchase conservation restrictions from willing landowners to permanently preserve these scenic areas along the Byway. With the exception of an area to the immediate west of the village of Charlemont, which was noted for its scenic qualities during the scenic assessment, much of the other areas of Charlemont within the Scenic Byway study area are constrained from further development. The build-out figures estimate that there are approximately 8,300 acres available for development in the town of Charlemont or about 49% of the land in the town.

A map of these buildout analyses for the land along the Byway study area is available at the FRCOG planning office.

Land Use and Zoning in Berkshire County

Florida

The Scenic Byway is a commercial truck route, but is also the main travel road for local through traffic, and it is the road on which the town's few businesses are located. It also happens to function as a type of "Main Street," for the residents because the Town Hall, the Baptist Church, and local businesses are located along it. Development along the Byway in the town of Florida is scattered, with the western and relatively flat end of the roadway containing the densest and most consistent development. The town does not have a well-defined town center.

Land within the Byway Corridor in Florida is overwhelmingly undeveloped, but the majority of development that does occur fronts the Byway or is visible from it. Florida is a bedroom community, providing affordable housing for those who commute to jobs in North and Central Berkshire County. Residential development is mostly in the form of modest single-family houses on relatively large lots, located directly along the road. Although some homeowners have maintained a buffer of trees to screen the house from the road, the more typical landscaping along the Byway is a modest or medium-sized open lawn of approximately one-half or one acre in size.

Florida has no Open Space Plan or Master Plan to date. However, the town is currently in the process of developing a Community Development Plan (CDP) with the assistance of the Community Development Initiative. This initiative offers each community in Massachusetts \$30,000 for planning services and technical assistance toward developing a CDP. For many rural communities like Florida, the CDP

is a first step in developing a comprehensive plan for the future.

In the initial stage of this planning process, town residents were invited in July 2001 to attend a public “visioning” session, where as a community they could identify the town’s current assets and liabilities and suggest potential methods for future improvement. Fifty of the approximately 770 residents of the town attended the meeting, and 35 of those 50 filled out and returned a Florida Community Opinion Poll. The Opinion Poll revealed first and foremost that residents are fiercely independent and are proud of it, citing that the severe topography and weather keeps out “flatlanders.”

Residents responded that the most important aspects of living in Florida are its rural nature, the quality of its school system, and its freedom to live with few restrictions such as bylaws and regulations. Although 81% responded that they would support town efforts to maintain their rural and scenic resources, their recommendations to achieve such goals were varied and often contradictory. Many comments reflect residents’ independent nature, preferring to see land remain in private ownership with the purchase of conservation restrictions preferred over the outright purchase of land for public use. Approximately 33% of the town’s total land area is already protected open space in the form of state forest, and many in the town are concerned that an increase in state-owned land will result in a decrease in property tax revenues. Communities rely heavily on property taxes collected for private undeveloped land, but they cannot collect property taxes on state-owned land. Instead, they received state funds through the Payment in Lieu of Taxes (PILOT) program. During the past year these funds have been suddenly and severely reduced, causing communities to drastically reduce or cut local services. The

town of Florida was expecting to receive \$48,485 in PILOT funds for fiscal year 2002, but will now receive only \$34,755. Although this reduction may appear as an insignificant sum to more developed communities, rural communities rely on this income to balance their annual budget. For this and other reasons, other open space conservation methods, such as conservation restrictions on private land, are currently favored by many residents.

Asked how they would like to see the town grow, respondents of the survey indicated that they would like to see moderate growth (74%) or no growth at all (23%), and what growth does occur should be in the form of small, family-owned commercial establishments or home-based businesses, such as those currently existing along the Byway. Large business establishments, such as “big box” retailers, were specifically cited as undesirable. Asked how the town might maintain these features, responses were varied. The establishment of a wind power facility was often cited as a desirable tax generator for the town.

The entire town of Florida consists of one zoning district, the Residential/Agricultural District. Single-family and two-family dwellings are permitted by right, although there has been no two-family development in the last 10 years. The minimum lot size is one acre. Retail stores and consumer service establishments are also allowed by right. Other types of commercial development require a special permit from the Select Board. Although the town does have subdivision regulations, a subdivision has never been proposed. The town is currently being approached by two private wind energy development companies for the construction of windmill farms along hilltops north of the Byway. It is unknown at this time if the windmills will be visible from the Byway.

During the 1990s, the town issued an average of two new residential building permits per year. Although the demand for buildable lots in Florida has been historically been light, rising real estate prices in other regions of Berkshire County make rural communities like Florida more attractive to low and moderate income buyers. This could be especially true if the economic forecast of North County improves and more residents are drawn here.

In 2000, BRPC conducted a potential “buildout” analysis for the Town of Florida using EOE standard buildout methodology. Under this project, a series of buildout maps were created and presented to the town, to help officials and residents visualize potential development patterns allowed by current zoning. According to the Potential Buildout Analysis, much of the undeveloped land located directly along the Scenic Byway has constraints against traditional building development, such as slopes of 15% or greater and/or soils that challenge traditional septic systems. However, the model used in this analysis considered that each building lot was the minimum one-acre size, which may hinder the location of water and septic systems, and does not consider the fact that development in Florida often occurs on larger sized lots. Therefore, the potential for residential and commercial development, with direct frontage on the Byway, still remains beyond the preliminary buildout results.

The area along the Byway identified in the buildout analysis as the least constrained by environmental constraints such as slope and unsuitable soils is the area between South County Road and Church Road. A few modest residences are interspersed among several medium sized parcels of land (less than 40 acres) and large parcels (larger than 40 acres). Approaching the junction of the Byway and Church Road, two large parcels, on both sides of the byway and coinciding

with the relatively more level lay of the land, have been subdivided but are as yet undeveloped.

Continuing west, this pattern continues until the Moores Road intersection. At this point the road levels off, parcel size decreases with an estimated average of 2 acres along the Byway, between the east and west intersections with North County Road. This area is currently the most heavily developed section of the town and where a few businesses are scattered among the residential development. Just past this area and to the border with North Adams, the mixture of small and medium sized parcels returns and the land begins to change in elevation.

None of the properties along the Byway are temporarily protected from development by being enlisted in the State Chapter 61 Tax program nor do they have conservation easements placed upon them, which would provide permanent protection from development. Current zoning throughout the town is Agricultural-Residential, with a minimum lot size of one acre and a minimum of 150 feet road frontage. This allows for a dwelling unit every 150 feet along the roadway, provided the parcel has enough depth to meet the 1-acre requirement. This could allow a great deal of residential development along the corridor. For example, an existing 50-acre parcel, with frontage of 2,450 feet, could accommodate over 16 houses in a row. Additionally, the similarly sized parcel located across the street could accommodate another 16 units, resulting in at least 32 units along that single 2,500-foot Byway stretch of road. Though this does not reflect the total development potential for these properties, it does indicate the amount of development that could occur along adjacent to the scenic corridor.

It is expected that development along the Byway will continue to be scattered residential and/or commer-

cial development. Residents have indicated that freedom from regulations is an important asset to living there, and they would prefer to see only moderate or no development. The challenge is to continue to achieve these two things in the future. The current zoning structure – one single zoning district, generous by right uses, and limited design standards – may be adequate at this time. However, this set of regulations and existing open space protection may not adequately protect the Scenic Byway from endless residential development and inappropriate commercial development should there be an upturn in the North Berkshire real estate market. Town residents may wish to consider updating the current bylaws to provide the Select Board and the Planning Board with greater ability to shape or limit development proposals that come before them.

Two windmill developers have indicated a strong interest in constructing windmill facilities within the town. Windmill facilities would create a clean and renewable energy while providing tax revenue to the town. It is unknown at this time whether the windmills would be visible from the Scenic Byway. To some, windmills are merely another structure to mar the landscape and ruin an otherwise clean ridgeline; to others, they are progressive structures that restate our desire for clean energy and rotate soothingly with the moderate winds that scale the Berkshire hills. Regardless of the local viewpoint, the town should develop a bylaw that allows windmill development while protecting the interests of the local residents and the Byway traveler.

There are several approaches to updating the town's current zoning and subdivision bylaws. The most protective approach would be to update the zoning bylaws and set stricter development standards. Amending zoning bylaws requires the holding of a public hearing and a $\frac{2}{3}$ majority vote at Town

Meeting. Potential tools to consider would be these:

- Consider a Scenic Byway Overlay District, which would include design standards tailored to protecting the scenic beauty and natural beauty of the corridor. Some standards to consider would be the retaining of native vegetation along the roadway, curved driveways, and lot clearing limitations. See the Overlay District description later in this chapter for more information.
- Increasing the minimum lot size and/or frontage requirement. It should be noted that this increase should be fully evaluated regarding current and projected growth patterns. Increasing lot requirements could potentially disperse development all along the roadway, create a sprawl effect and consume more rural area in the long run.
- Consider adopting a multi-district zoning scheme to direct commercial development into the most appropriate areas of town. If the town decides that the Scenic Byway is the most appropriate area for commercial uses, then perhaps it could consider creating commercial zones at select intersections along the Byway. This would concentrate commercial development into specific areas on or immediately off of Route 2, while limiting conventional strip development patterns.
- Require special permits for most commercial development.
- Require site plan approval for larger developments, and establish some design standards to minimize visual impacts, such as requiring buffers of native vegetation to screen large commercial buildings from the road and residential neighbors.
- Allow special consideration and potential waivers from design standards for the redevelopment or expansion of closed or abandoned

commercial establishments to promote their reuse.

- Amend the Rules and Regulations of the Special Permit Granting Authority to insert a Consultant Review Fee clause to require the applicant to fund the hiring of an independent consultant to review complex project proposals on behalf of the town. Unlike a zoning bylaw, the amending of Rules and Regulations only requires Planning Board approval after a public hearing on the subject has been held.
- Develop a windmill bylaw that adequately protects the town's interests, including requirements to ensure:
 - Visual and natural impacts are minimized.
 - Financial surety is secured.
- Collection of consultant review fees.

In addition, the town could amend the Zoning Regulations to include Cluster Development with Open Space Requirement and Flexible Standards to encourage creative designing. It should also insert a Consultant Review Fee.

These tools will help the town control the size and scope of commercial development but it will not help it control incremental single-family residential development, which is the type of development occurring most often in Florida. Such development is known as "ANR" for Approval Not Required. As long as the property owners meets state regulations regarding wetlands and health and the requirements of a building permit (minimum lot size and setbacks, site access specifications, and water and septic specification, etc.), they are entitled to develop their lot as they wish. The Planning Board does not have the authority to require additional standards.

While the Planning Board cannot reject an ANR application if in compliance with local and state regulations, they should discuss basic site design

with the ANR applicant. The Planning Board has a responsibility to suggest or strongly encourage that certain design standards be adhered to at the site, such as maintaining roadside vegetation. The Board's suggestions are just that – suggestions – and the landowner may be free to ignore them. As long as the development meets the basic ANR requirements mentioned above, the Planning Board is bound to approve the application. However, this does provide an added opportunity for the Board to review development plans and engage the applicant in a discussion of them. The town has a better chance of seeing design standards adhered to if the developer understands the reasons behind them, and this gives the Planning Board the chance to discuss them prior to the arrival of the bulldozers.

A word of caution regarding zoning amendments: do not make them lightly! Any initiative to update the zoning bylaws should be conducted in coordination with and compliment the work of under other planning activities, such as work being done for Community Development Plans, Open Space Plans, and Master Plans.

North Adams

The City of North Adams has the most numerous and diverse zoning districts of the communities of the Berkshire County section of the Scenic Byway. As the Byway travels through the city, it passes along or through 12 different zones, including residential, commercial, and industrial districts. All along the Byway residential districts are peppered with compact sections of commercial and industrial districts, reflecting the businesses and industrial buildings that existed when zoning districts were delineated. This patchwork of districts reflects the history of this Industrial Age city center, where residential neighborhoods developed around the

MAJOR FINDING



Local zoning bylaws do not always protect the rural and scenic qualities of the Byway.

industries that were the backbone of the North County region.

In general, the density of development changes drastically as the Byway leaves the mountains behind and descends westward into the Hoosic River Valley. The character of the road changes from a country byway to a modern throughway, first traveling through relatively low-to-moderate residential development along the eastern portion of the city, then traveling through more dense development of the city center, and then traveling once again through a more modern mix of residential and commercial strip development before it enters Williamstown.

Rural Residential 1 District

Land in the vicinity of the Hairpin Turn is zoned Rural Residential 1, with a minimum lot size of 40,000 square feet with a 125-foot frontage requirement. The parcels of land within this region range from moderate, averaging 6.5 acres, to large, with an average of 35 acres. These properties are mostly undeveloped, with the exception of six residences. In general, the steep terrain and shallow-to-bedrock soils will restrict the amount of development that can occur along this stretch of road, although remarkably there is currently a residence on the western leg of the hairpin below the Western Summit.

Once descending to a more level area, are there two large properties of approximately 50 acres each on the western side of the southbound lane. These properties are currently forested and within the viewshed of the Western Summit and Hairpin Turn. Under current zoning requirements of 125 feet, there is a potential buildout of 15 single-family homes for these two parcels; a subdivision of these parcels could afford an increase in the buildout density. It should be noted that one of the parcels is presently enrolled in the Chapter 61 tax abatement program.

Land uses intended for the Residential 1-A District are single family and two-family homes and agricultural-type operations, with a light mix of cultural organizations and institutions. Additional commercial uses such as mobile home parks and hospitality businesses (hotels, motels, inns, tourist cabins, and restaurants) are also allowed.

Residential 1A District

Development along this section of the Byway, with the brief exception of the Rock Manor Mobile Home Park, is currently low density residential, although the zoning allows for much denser development. Minimum lot size for this district is 24,000 square feet, with 120-foot frontage. Most of the parcels in the residential zone average 1-2 acres, with an occasional 6-7 acre parcel. Some of these parcels abut lots in the Rural Residential district and might allow for access to these properties for development. Dispersed among the houses are several currently undeveloped parcels. This alternate mix of open space and residences help to ease the transition between the rural character of the Byway experienced through the previous few towns and the urban and built up experience of the North Adams city center. This is the eastern entrance to Berkshire County's second largest community.

In this area the Byway is bordered on the east and southeast by two city-owned properties totaling over 100 acres. The topography of this area is uneven, with a relatively level area along the road and a sharp incline moving away from the road. This would restrict residential construction, which could possibly accommodate four single-family homes, to a narrow corridor along the Byway. As steepness prevents reasonable development of the entire parcel, an alternative may be for the City to develop recreational trails in this area that would nicely coincide with the nearby Mahican-

Mohawk Trail in its descent to North Adams. A proposed 19-unit subdivision is proposed off of West Shaft Road, which is south of the Byway within the Byway Corridor. It is unknown at this time if the homes will be visible from the Byway.

Land uses intended for the Residential 1-A District are single family and two-family homes and agricultural-type operations, with a light mix of cultural organizations and institutions.

Affordable Housing District

The Rock Manor Park, a mobile home community, is located in the Affordable Housing District, which requires an overall minimum of one-quarter acres per dwelling unit. The parcel of land on which the park is located is approximately 16 acres. It is unknown if the Park is at capacity. However, the four derelict trailers that can be seen from Byway suggests that some land is still available for development.

Flexible Residential Development (FRD)

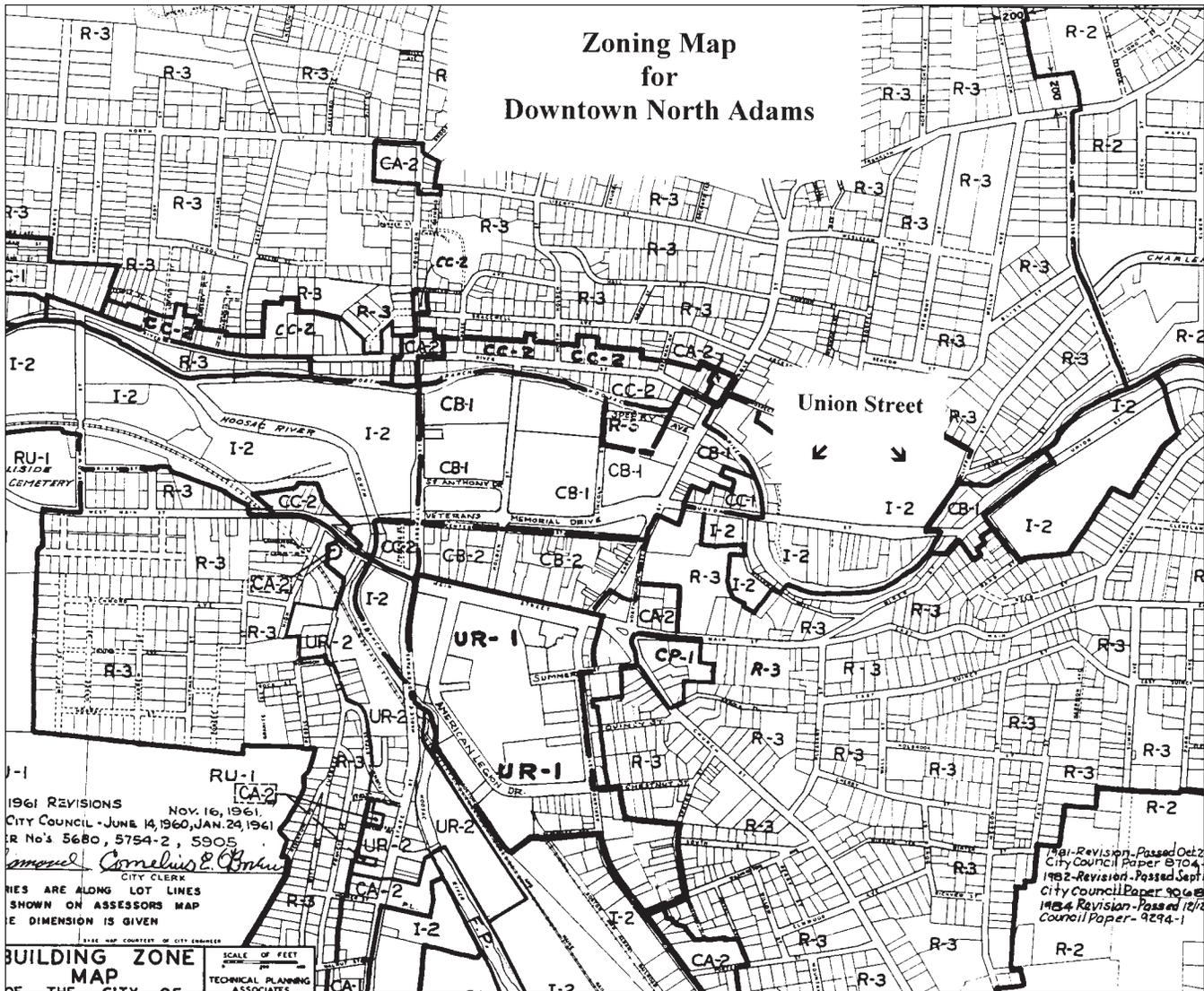
The City has established a specific provision, FRD, for subdivision development of large parcels of land within the residential and rural zones. This optional provision provides for variations from standard residential development, rewarding developments that are harmonious with natural features, provide for the efficient use of utilities, and preserve open space with an increase in permitted density. To be eligible for an FRD, the parcel must contain an area at least five times the minimum lot area requirement for the zone in which it is located. A minimum of two acres or 30% of the total land area, whichever is less, must be devoted to common open space. Reductions in minimum lot size and frontage are tied to percentages of land set aside for common open space. Other general requirements and development standards, as well as the approval process, are specified in this



Traditional residential development with wide open yard.



Future development can occur with less visual impacts. Note that roadside vegetation is maintained and the view of the house and yard is minimized to retain rural character



section (6.3) of the North Adams By-laws. Development of an FRD requires a special permit from the planning board, a process that requires a public hearing on the proposed project and site plan review.

Union Street Corridor

The Union Street Corridor is the eastern gateway to the city center of North Adams. Properties along the roadway are a mix of residences and businesses, existing in a mix of historic homes and mills and modern buildings. Many of the buildings, some historic and some fairly modern, are in various stages of disrepair, giving the corridor an outdated appearance. It should be noted, however, that recent

improvements have been made to buildings along this corridor, including 178 Union Street (Linda's Café) and 26 Union Street (Coakley Pierpan Dolan & Collins Insurance Agency). One building, a historic house with a post-war storefront that housed Pop's Variety, has recently been condemned by the city.

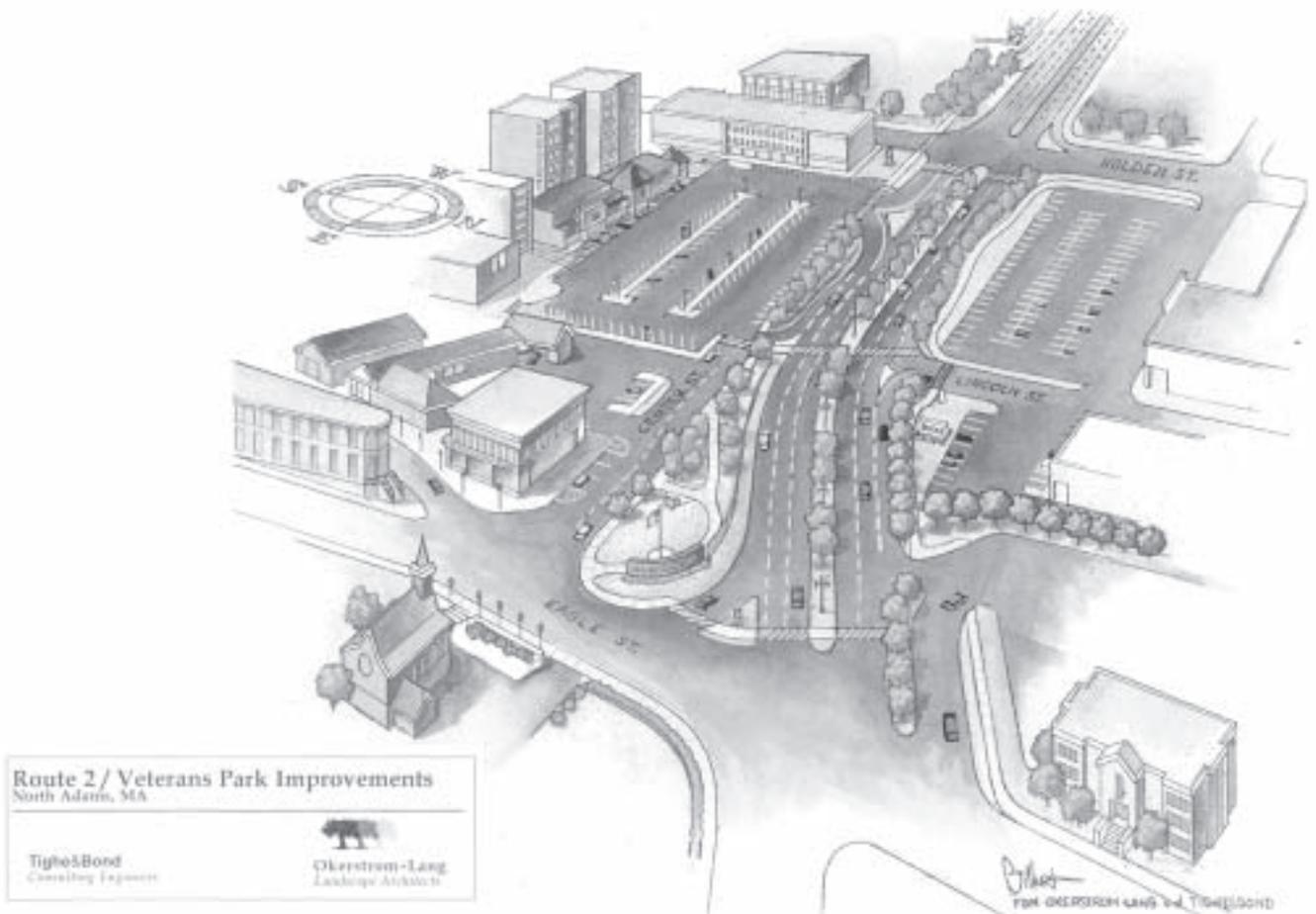
Zoning districts along the Union Street are a disjointed mix of industrial, commercial and residential uses. These zones reflect the tradition of the neighborhood, which has been a mix of mills, family shops and houses. Along this short stretch of road, there are six different zoning districts. Traveling from east to west they are: industrial (I-2),

commercial (CB-1), industrial (I-2), commercial (CC-1), residential (R-3) and commercial (CB-1). See the downtown zoning map on the previous page. It appears that the City delineated industrial zoning boundaries around the existing mill complexes and delineated the commercial zoning boundaries in between the mill complexes, including all the small parcels that fronted the road.

The designation of so many zoning districts along such a short distance was not necessarily a bad decision at the time, but in retrospect it has allowed a very diverse and not always compatible or attractive array of uses. As a result, the corridor has not developed a distinctive character. The redevelopment of the Pop's Variety property is an opportunity to update the look and feel of the Union Street Corridor.

As noted in the Scenic Assessment of this Corridor Management Plan, the Veterans Memorial Drive section of the Byway is currently a sea of asphalt, with no amenities. However, the City of North Adams is currently conducting a \$1.3 million improvement project to improve this area. This project, known as Phase III of the Central City Improvement, is a comprehensive redesign of the area along the Center Street block, including reconfiguring traffic flow on local roads, improving parking, increasing green space, and enhancing the overall appearance of the area (see Figure 7.1, Veterans Memorial Park). This project is intended to greatly improve the traffic circulation and visual quality of this major traffic route and includes the following improvements:

Figure 7.1: Veterans Memorial Drive Streetscape



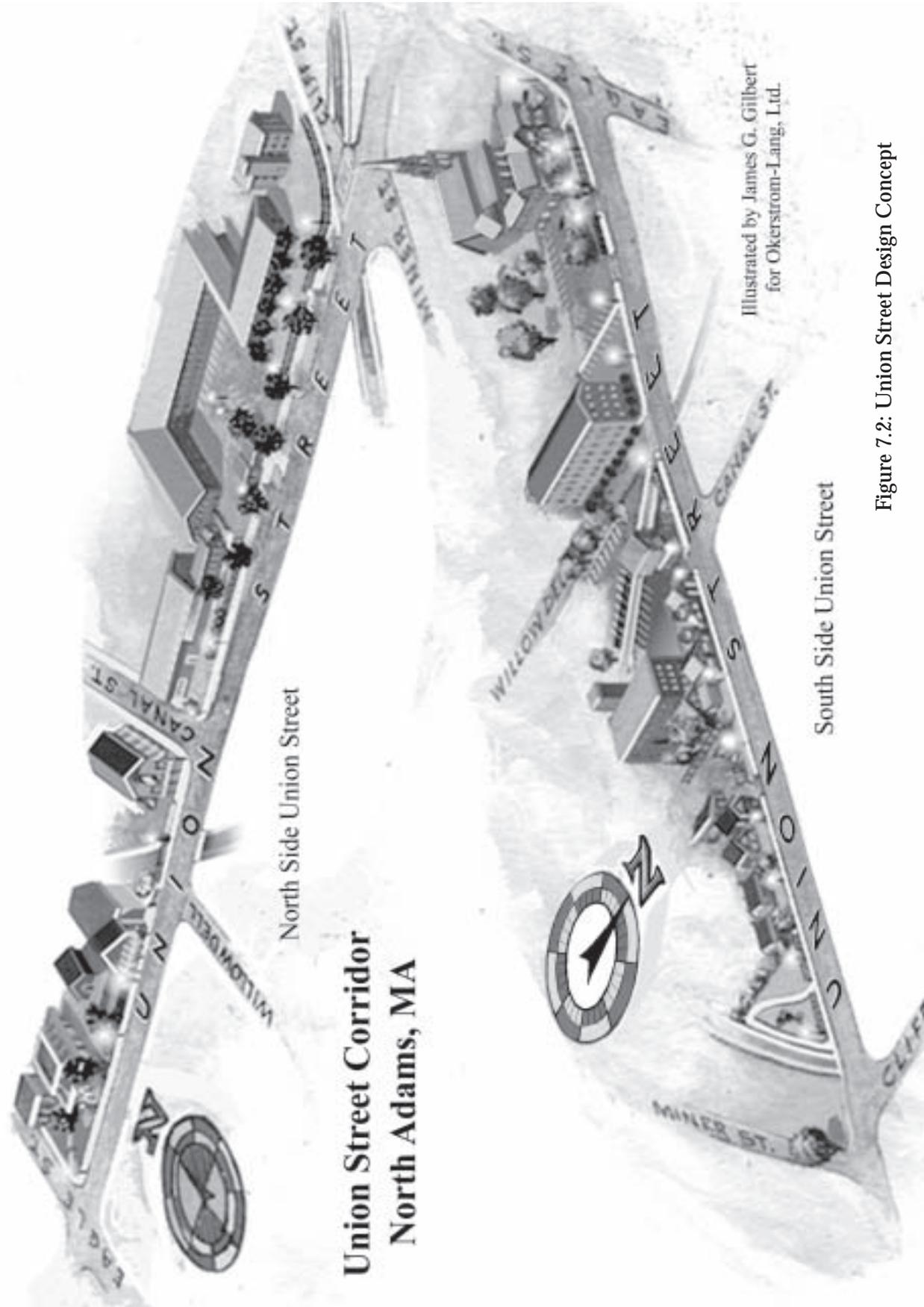


Figure 7.2: Union Street Design Concept

- The central boulevard is being rebuilt to accommodate flowering trees, large historic roadway lights, bollards and a major display garden. The road perimeters will be lined with a four foot decorative metal fence.
- One lane of traffic is being eliminated and converted to a green space buffer for the Center Street Parking Lot.
- Expanded and improved Center Street Parking Lot which is the largest municipal lot in the city serving the entire Main Street shops and offices; 15% increase in parking spaces.
- Expanded pedestrian circulation routes to along all vehicular routes.
- New one-half acre North Adams Veterans Memorial Park with a curving granite memorial wall with large bronze honor rolls, large flagpole, winding walkway amongst flowering and shade trees.

These improvements on Veterans Memorial Highway will be completed by Fall 2002. The design character of the various streetscape projects undertaken by the City could easily be applied to the Union Street Corridor.

Recognizing that the Central City Improvement project will “soften” the feel of Veterans Memorial Drive BRPC, as part of the Mohawk Trail Scenic Byway project, embarked on a project to “soften” Union Street. BRPC hired Okerstrom-Lang of Great Barrington, the firm that designed the Veterans Memorial Park, to design a “streetscape” plan. The Streetscape Plan, which is similar to a landscape plan for a street corridor, suggested possible opportunities to enhance the look and feel of Union Street. This work is a logical extension of what is being done on Veterans Memorial Drive and if implemented will help to each the transition between this older city corridor and the newly designed roadway west of Eagle Street. It would create a more pleasant atmosphere for those living in, working in or visiting the Union Street area.



Figure 7.3: Union Street Design Concept, aerial view

Uses along Union Street include the Windsor Mills Office Complex, North Adams Visitor Center, single family homes, two car dealerships, bars, variety store, insurance company, hardware store, McDonald's, Dunkin' Donuts, and a church. The quality of both the construction and design aesthetic is quite mixed and varied. Some buildings are in very poor condition while others have had major restorations completed. Development is tight to the street with a 6-8' wide sidewalk on each side, which limits the types of streetscaping improvements that can be considered. For instance, there is no room for outside dining and probably no room for installing grassy strips along the roadway, each of which would help to create a more welcoming corridor. However, there are amenities that can be considered, and these are shown in Figures 7.2 and 7.3, and are described in the following paragraphs.

Short-term Streetscape Concepts:

- Extend the aesthetic improvements that are being implemented along Veterans Memorial Highway, such as the installation of period lighting, shade trees, and ornamental railings to soften the feel of the road and create a common look to the corridor. The black wrought-iron style fence placed along the street in front of Linda's Café is attractive and distinctive, and similar in nature to that being installed on Veterans Memorial Drive and what has recently been installed along Main Street, one block south.
- Rebuild the "Pop's Variety" property so that it helps to define the corridor's character. Its location along the Hoosic River gives it prominent stature along the street. Perhaps the new building could be brick to reflect the City's industrial past, looking to the rehab of the Coakley Pierpan Dolan & Collins Insurance Agency building as an example. Or perhaps the new building could be in the Victorian style, of which there are so many fine examples throughout the city. In general, setting the new building back away from the street would leave room for the installation of aesthetic features, such as shade trees and period lighting. If the property were redeveloped as a convenience store or other retail, perhaps consider a general store type approach, with a front porch for ice cream or other customer enjoyment. A brick structure or façade would help the building blend in with other nearby structures, such as the insurance building or the tannery mill in the background, a local landmark which could someday be rehabilitated for reuse. If a brick structure or façade is unaffordable, then perhaps consider brick corner pieces as a decorative amenity.
- Enhance and draw attention to the Visitor Center at the Windsor Mill.
- Place historic markers on the Eclipse and Windsor mills and other historically / culturally significant structures to highlight the City's heritage. This could be within a larger effort to highlight such buildings all across the City or all along the Scenic Byway.
- Work with McDonalds and Dunkin' Donuts to explore opportunities to soften the color schemes and signage used on their properties. National chains restaurants such as these are often willing to voluntarily accommodate local wishes. Those less willing could be wrested into compliance when owners come before local authorities for permitting issues.
- Revisit local signage requirements to ensure that the City has the appropriate power to govern signage along the Byway. This may include the permitting of billboards along the route, such as the two along the Byway (Union Street, corner of Airport Drive).

- Work with local property owners to investigate financial assistance available for building or façade improvements. This should be a cooperative effort between the property owners, City Hall, and lending institutions.

Long-term Streetscape Concepts:

- Create a small park at the corner of Union Street and Miner Road. This property is currently a “brownfield” site, and needs to be rehabilitated, anyway.
- Undergrounding of overhead utility lines (electric, telephone, cable TV). Admittedly this is an expensive venture, with costs as high as \$1 million to bury the lines along this section of the corridor. Utility companies that own the lines and the existing telephone poles have shown little interest in partnering with the City in efforts to bury the lines affordably.

Access Management between the downtown of North Adams and Williamstown

Traveling along the Byway from the city center of North Adams to downtown Williamstown is a very different experience than that east of North Adams. The leisure of the Scenic Byway is transformed into a major commercial and commuter artery of northern Berkshire County, where traffic patterns become more complex to reflect the more urban and busy nature of the area. The Byway intersects with Route 8 in North Adams and Route 7 in Williamstown, two of the major north-south arteries in Berkshire County. These two arteries, together with the businesses located in North Adams and Williamstown, contribute a to the 17,000 vehicles per day that pass through this stretch of the Byway.

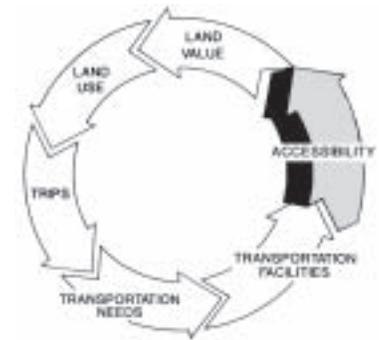
The zoning between North Adams and Williamstown is a patchwork of residential, commercial and industrial districts, and the land use reflects this. Traditional residential development still

exists along the road, but it is interspersed with an increasing amount of commercial development, including individual business buildings, gas stations, car dealerships and strip malls. The traffic generated by these businesses, along with the through truck and local traffic, has made it increasingly difficult to pull in and out of side streets and individual residences located on the road. As a result, the level of service of the roadway for motor vehicles, bicycles and pedestrians has degraded, and the quality of life for residents living along the road has diminished.

Land development patterns shape the character of our communities, and commercial strip development impacts our rural, suburban, and urban environments by causing an increase in traffic congestion and travel delays. In turn, transportation improvements shape land uses and values. Looking at the relationship of these two elements, we see a land use / transportation cycle, particularly relating to site development.

The cycle can start at the land use point, and some land uses (such as commercial development or intense residential development) increases the number of vehicle trips or traffic in and out. Consequently, there is a need for transportation facilities (i.e. road improvements) to serve that traffic, which then in turn provides more accessibility (i.e. traffic flow and access to the new development). This improved accessibility is one feature that gives the land greater value, which consequently invites more development. Hence, we have somewhat of a vicious cycle.

The commercial strip of the Byway between the downtowns of North Adams and Williamstown is in the midst of this vicious cycle. Residents and business owners along this commercial strip have voiced their concern about the increase in traffic congestion, the increase in difficulty in exiting driveways and side streets, and the decrease in traffic flow along this



Source: Ohio-Kentucky-Indiana Regional Council of Governments, 1988

Figure 7.4

stretch of Route 2. This is a result of the increase in commercial businesses located along the road or on side streets intersecting with the road. This concern has recently been publicly restated in Williamstown as local leaders and residents work to develop a new Master Plan for the town.

Access Management is a tool that can be used to preserve the character of the road while providing for safe, efficient traffic operations through the application of land use control measures and design standards. Access management can help improve safety, preserve capacity on the transportation system, and help maintain mobility. This can preclude or delay the need to construct new infrastructure, reducing fiscal and environmental impacts. Proper use of Access Management measures can provide easier access to land parcels, increase transit ridership and allow for visual enhancements of property abutting travel corridors. The basic principles that should be considered in implementing corridor access management are:

- Managing and regulating land uses along corridors. This could include limiting commercial uses to those that generate low daily traffic volumes.
- Limiting access points on high volume roadways. This could include encouraging the use of shared driveways, eliminating extra driveways, and/or relocating driveways to exit onto side streets.
- Applying proper site driveway design and location criteria
- Minimizing vehicle conflict points along roadway corridors
- Using appropriate roadway design and traffic control devices (signs, pavement markings, traffic signals) to maintain or improve traffic flow and safety

- Encouraging use of alternate modes of travel (transit, bicycle, walking) to minimize traffic

Access Management measures generally fall into two categories: Policy (Regulatory) Techniques and Geometric (Design) / Traffic Operations Techniques. Regulatory Techniques are land use measures exercised by local permit granting authorities and include these control measures:

- Statutory authority to limit access to certain highways (driveway permits)
- Zoning bylaws
- Subdivision Regulations
- Site Plan Review

Design Techniques include measures to control vehicular movement in the roadway area, including measures to facilitate traffic flow and control turning movements, such as:

- Physical design of roadways and driveways
- Physical design to control traffic operations.

For the purposes of this Corridor Management Plan, we will discuss Regulatory Techniques in this Land Use section, and discuss the Design Techniques in the Transportation section.

Land use along this stretch of the Byway is nearly built out to capacity, as there are very few buildable open spaces left along the road front. Therefore, land use and the potential for development will not be discussed for this region of the Byway. However, access to the land and neighborhoods in this region are of major concern to local officials and residents. In general, both North Adams and Williamstown have designated this stretch of road to serve as commercial extensions of their downtown areas. The increase in traffic congestion, the increase in difficulty in exiting driveways and side streets, and the decrease in traffic flow along this stretch of Route 2 is a result of this practice.

Four case study areas, each representing a specific access problem, were se-

lected along this commercial corridor to illustrate Access Management techniques. These case studies documented current access management problems, analyzed potential solutions, and recommended access management techniques to remedy the problems. Aerial views of the four case study sites were prepared to document existing conditions and recommended improvements. Cost estimates to implement the recommendations were also included in these case studies. For the most part, the Access Management techniques recommended were short-term Design Techniques and, as such, are more fully discussed in the Transportation section of this Corridor Management Plan. A more detailed narrative of each case study and recommendations to improve current conditions are included in Appendix 6E.

Short-term improvements, such as designing and implementing Design Techniques, may relieve the traffic issues to a limited degree. However, to properly relieve the traffic and access issues in this area, Regulatory Techniques must be developed and implemented in coordination with the shorter-term improvements. For instance, it is no use controlling the number of driveways and installing critically-located traffic signals to facilitate traffic flow, if zoning continues to allow new high-traffic generating commercial uses to develop. Although the traffic flow and ease of exiting a few select properties may be temporarily improved, the traffic generated by new commercial entities will eventually negate the short-term improvement. To truly address the situation, both communities should revisit their zoning by-laws and try to limit future traffic growth by limiting those commercial and residential land uses that generate high traffic volumes in this already congested area. If the two communities were to revisit their zoning bylaw, it would be advantageous and cost-effective if they did so in a coordinated effort.

The Town of Williamstown is very interesting in pursuing a detailed corridor access study, one that would document current conditions and recommend solutions that would lead to long-term benefits. This desire has been stated in their Draft Master Plan for the Town of Williamstown, which is in the process of being developed. They expect that the recommended solutions will include a mixture of regulatory techniques and design techniques.

Historic Downtown Williamstown

The village center of Williamstown is picturesque, green, and well maintained. The Byway is the main street, traveling past historic homes and stately Williams College buildings, all set back and fronted with large manicured lawns. The wide open expanse along Main Street is the remnants of an unusually wide village green, which was redesigned by the Olmsted firm. The developed neighborhoods off the Main Street contain a wealth of historic buildings. The Historical Commission is interested in establishing a local Historic District to recognize the number of historic structures and the character of the village, as well as to protect the open landscape along the Main Street that is so unusual.

Scenic Vistas in Franklin County

Within the Franklin County section of the scenic byway, there are a number of scenic vistas that were identified as outstanding during the visual assessment. These scenic vistas are noted with a viewshed icon on the Land Use Map for Franklin County and also on the Open Space map for Franklin County. The areas with panoramic or medium range views have been noted and are detailed below.

In Greenfield, there is a spectacular panoramic view from the Byway on Greenfield Mountain. This view is at the location where there is a pull off area and also the Long View Tower. The view is to the north and west of the rural fields and beyond. As depicted on the Open Space Map, there is only a minimally amount of the land within this viewshed that is permanently protected.

In Shelburne, there is an area to the east of Shelburne Center where there are long range view of picturesque farm field and the hilly terrain to both the north and the south of the Byway. To the north, some of this land is permanently protected, and much of the land is enrolled as Chapter 61, 61A or 61B land. The Chapter 61, 61A and 61B are only temporary protection and while they provide the town with the right of first refusal is the property does go on the market for sale, it is often difficult for towns to raise the funds to purchase these properties. In addition, there is a large area that directly abuts the Byway to the north that is unprotected and directly within this viewshed. The view to the south of the Byway at this location looks into the town of Conway.

In Charlemont, there is a significant area with scenic vista of the Deerfield River to the south of the Byway and farm field to the north. While there is a significant amount of the land along this portion of the Byway, both in Charlemont and across the river in Buckland that is enrolled in Chapter 61, 61A or 61B, which provides temporary protection; however, there is no land that is permanently protected. In the western portion of Charlemont there are areas that provide spectacular long views into Hawley. Again, in these areas there is only a small amount of land that is permanently protected. The westernmost scenic vista is located in Mohawk Trail State Forest, which is permanently protected as part of the state forest sys-

tem. This vista provides a view of the wooded area along the Cold River.

In light of this information, it is important that sources of funding be sought so that willing landowners may place their land under permanent protection. The State Department of Environmental Management (DEM) and the Department of Food and Agriculture both have programs that purchase land or conservation restrictions in order to permanently protect land that is of significant environmental or scenic quality or to enable land to continue to be used for farming purposes. There is additional information on these preservation programs later in this chapter.

Scenic Vistas in Berkshire County

The Byway is scenic at two levels: one is the aesthetic quality of the roadway corridor itself, and the other is the aesthetic quality of the medium and long-range vistas that can be viewed from several spots along the roadway. The full Mohawk Trail Scenic Byway experience depends on the dynamic inter-relationship that exists between the roadway corridor and medium-range views (local mountains and valleys) and the long-range (mountain ranges several miles away) that can be enjoyed. The “bird’s eye view” of North Adams as seen from the Western Summit and the panoramic view of mountains that lie beyond it are equally as important to the byway experience as the cool dark forests or the fast flowing rivers that exist right along the winding roadway. For reference, medium- and long-range views are noted on the Land Use Map at the end of this chapter. An eye is placed at the viewing area and the dashed lines indicate the direction and scope of the vista. These icons are also placed on the Landscape and Visual Assessment Map in the Scenic Assessment chapter.

General Land Use and Zoning for Medium-range Vistas

This section will discuss in general terms the current land use and the zoning under which development occurs within the medium-range vistas. Specifically, this general discussion will look at land use and zoning for the communities of Clarksburg and North Adams, which can be seen from the Western Summit and Hairpin Turn, respectively. For reference, see viewsheds identified in the Land Use and Open Space Maps in this section.

Several factors are considered when assessing the scenic qualities of a medium- or long-range vista or roadway corridor. Medium and long-range vistas are more breathtaking when they contain both an expansive field of view and depth of view. The field of view is the horizontal width of the view, while the depth of view is how far away one can see. Contrast and focal points are elements that add interest to what is being seen. Contrast is the differences seen in the vista, such as landscape dif-

ferences seen when a village is ringed with light green farm fields, lying below the deep green of a mountain range. Focal points are elements in the landscape that draw the eye. They can be visually enhancing, such a bright red barn amidst open fields or a lake nestled among the distant hills, or visually intrusive, such as clear-cut right-of-ways or graffiti.

Western Summit overlooking North Adams

The field of view at the Western Summit is quite extensive, offering the traveler views of Mt. Greylock to the southwest, the City of North Adams straight ahead, and Clarksburg and the southern hills of the Green Mountains to the north. The contrast here is also quite good, with the dense buildings of the city contrasting with the dark forested hills, with a few scattered farm fields cut into the lower hillsides. The focal point of the viewshed here is undoubtedly the City of North Adams, tightly nestled into the Hoosic River valley and surrounded by the hills of the Taconic Range.

MAJOR FINDING



Significant scenic vistas along the Byway are not permanently protected as open space, forest or farmland.

View of Clarksburg is a mix of lowland farms and upland forest.



The city center developed where the north and south branches of the Hoosic River meet, providing early industrialists with an ample power source. The industrial and commercial districts occupied the valley floor, while residential neighborhoods expanded up into the steeply sloped hillsides. Due to the wealth created during the industrial revolution, the city is endowed with historic mills, residences, and churches that are rich in architectural and historical detail. The lofty churches, most of them with slate roofs and steeples intact, dominate the skyline and provide the community with its nickname, "The City of Steeples." This jagged skyline is clearly seen with the aid of the observation viewscopes.

**Hairpin Turn overlooking
North Adams and Clarksburg**

The field of view here is similar to that of the Western Summit, but the contrast and focal points differ due to a change in elevation and the orientation of the parking lot. Whereas the configuration of the viewing area directs the traveler to look due west, the configuration of the viewing area directs the traveler to look northwest. The contrast here is the farm fields of Clarksburg, set against the backdrop of the Green Mountains and the Taconic Hills. The focal point of this view is a farm property located on River Road (Route 8) in Clarksburg, with a large red barn set amidst the light greens and yellows of the surrounding fields. Although much of the farmland is enrolled in the Chapter 61A tax abatement program, it is not permanently protected from development. It should be noted that the area in which this farmland is located is zoned for commercial use (see the Zoning Map). This commercial zone is 400 feet deep on both sides of River Road and could allow development that would be incompatible with the current rural character of the road.

Delineating strips of commercial zones along major arteries such as

River Road (Route 8) is not uncommon in rural Berkshire County towns; in fact it was once thought that locating commerce outside the village center was a desirable way to attract new businesses and increase the tax base. Farmland, with its open fields and often gentle slopes, became prize real estate for such development. However, this has led to commercial development on once-pastoral roadways throughout the county. Although many communities are now looking for ways to revitalize their village centers with a mix of commercial and residential development, many of them have maintained the commercial strips that radiate out from the downtown. Another focal point from the Hairpin Turn overlook is a second set of fields west of that, once again with farm buildings surrounded by open land. This land is not enrolled in the Chapter 61A program, nor is it protected by conservation easements. Zoning in this area is Agricultural-Residential.

**Protected Open Space and
Agricultural Land in Franklin County**

The open space along the Byway protects the scenic character of the corridor, and provides important land for recreation, farming, and wildlife habitat. Table 7.8 lists the amount of protected open space in the towns along the Byway, and Table 7.9 details the number of acres of protected land within the Byway Study Area. This includes permanently protected land owned by private landowners, municipal, state, and nonprofit organizations, and utility. Some of this land is protected under the Agricultural Preservation Restriction (APR) Program or through the purchase or donation of conservation restrictions. The APR Program is administered by the Massachusetts Department of Food and Agriculture, and purchases the development rights of prime farmland. The figures in the tables below were calculated from the MassGIS Open Space data provided by the Executive Office of

TABLE 7.8

Protected Open Space in the Towns Along The Byway in Franklin County

Level of Protection	Charlemont	Buckland	Shelburne	Greenfield	Total
Permanently Protected	2,088	154	1,586	1,359	5,187
Chapter 61	4,155	4,481	4,100	0.00	12,736
Forestry (CH61)	163	2,338	464	0.00	2,965
Agriculture (CH61A)	3,819	1,758	3,577	0.00	9,154
Recreation (CH61B)	282	379	175	0.00	836
APR	0	0	638	434	1,074
CR	54	0	0	314	368

Source: MassGIS 1999 land use coverage data and compiled by FRCOG.

*This figure includes other categories of open space according to MassGIS classifications, and therefore, is not the total of the acres listed below on this table.

TABLE 7.9

Protected Open Space in the Byway Study Area by Town in Franklin County

Level of Protection	Charlemont	Buckland	Shelburne	Greenfield	Total
Permanently Protected	1,405	0	159	56	1,620
Chapter 61					
Temporary Protection	1,132	487	1,031	0	2,650
Forestry (CH61)	29	143	113	0	256
Agriculture (CH61A)	1,077	305	746	0	2,128
Recreation (CH61B)	55	38	171	0	264
APR	0	0	134	0	134
CR	0	0	0	0	0

Source: MassGIS 1999 land use coverage data and compiled by FRCOG.

Environmental Affairs, and APR data from the Massachusetts Department of Food and Agriculture.

The permanently protected open space within the towns along the Byway represents approximately 9% of the land within these towns. The permanently protected land within the Byway study area represents approximately 11% of the land within the Byway study area. While there is significant amount of land currently enrolled in the Chapter 61, 61A and 61B programs as reflected in the table above, this land is not permanently protected from future development. There are a number of programs or conservation techniques available to provide permanent protect to keep agricultural land in farming.



One of the many agricultural areas along the Byway.

Tools to Maintain Rural Character

Agricultural Preservation Program

The Agricultural Preservation Restriction Program protects prime farmland from development. The APR Program is a voluntary program, which is intended to offer a non-development alternative to farmers and other owners of “prime” and “state important” agricultural land who are faced with a decision regarding future use and disposition of their farms. The program offers to pay farmers the difference between the “fair market value” and the “agricultural value” of their farmland in exchange for a permanent deed restriction, which precludes any use of the property that will have a negative impact on its agricultural viability.

Scenic Easement/ Conservation Restrictions

Scenic, open space and agricultural resources can be protected through the use of conservation restrictions. A conservation restriction is a legally binding agreement between the landowner and a government agency or qualified conservation organization, such as a land trust, that places constraints on the use of a property in order to protect its natural, scenic or open space values. Along the Byway, uses would typically be restricted to agricultural or forestry and prohibit development unless specific to those uses (such as a barn for farming purposes). Scenic easements/ conservation restrictions can be donated or sold by a landowner. A donation of such a scenic easement can yield a significant tax benefit. The Federal Scenic Byway program can provide funding for acquisition of scenic easements with willing property owners.

Chapter 61A

Temporarily protected parcels are those that are enrolled in the Massachusetts Chapter 61 tax abatement programs. These programs offer landowners a reduction in their property taxes, in return for signing a contract promising that the predominant use of the land will not change during an agreed upon time (ten years for Chapter 61 and Chapter 61B, one year for Chapter 61A). The Chapter 61A program helps farmers by reducing their taxes while they farm their land. The Chapter 61 program helps lower the expenses of maintaining actively managed forestland. Landowners with parcels in the Chapter 61B program receive lower property taxes in exchange for keeping their land in open space for ten years.

One of the benefits to the community of the Chapter 61 programs is that they provide a temporary mechanism for protecting land from development by encouraging farmers through tax incentives. When a parcel that has been enrolled in one of the Chapter 61 programs is put up for sale, the Town is provided a one hundred and twenty (120) day waiting period during which it can exercise its right of first refusal to purchase the property. Taking advantage of the right of first refusal is valuable. The Chapter programs can provide an opportunity for towns to protect private land when it becomes available for sale. It is important to identifying key parcels and building partnerships with local land trusts prior to the announcement of a sale. This preliminary work can be a valuable step to ensuring long-term permanent protection through the purchase of the land or the development rights.

Historic Preservation Restrictions

A preservation restriction is a mechanism that can be used to protect historic resources, such as historically significant buildings and landscapes.

Eligible properties must be significant for their architecture, historical or archeological associations. Where an historic resource and the land on which it is located are both worthy of protection, and the landowner is willing, preservation and conservation restrictions can be used in concert. As with scenic easements, preservation restrictions are legally binding agreements. The restriction assures the owner and the community that the property will not be developed or altered in the future and will be preserved for future generations.

Farm Viability Program

The Farm Viability Program offers farmers the opportunity to develop comprehensive farm plans for the portions of their land actively used for agriculture. Farmers interested in developing comprehensive farm plans must apply to the Dept. of Food and Agriculture (DFA) for admission into the program. Once accepted, comprehensive plans are developed with assistance from DFA and suggestions aimed at increasing on-farm income are made. The plans also suggest improved management practices, ways to diversify, direct market strategies and value-added initiatives.

Once the farm viability enhancement plan is completed, the farmer is eligible to participate in phase II of the program. Phase II involves an agreement between the farmer and the DFA for five to ten years for an agricultural use covenant. The farmer is given up to \$50,000 to implement the farm viability plan.

Land Banks

A mechanism for generating local funds to be used for open space protection, land banks work by imposing a small fee on real estate transactions. The revenue goes into a local fund or land bank, which can yield an annual revenue stream that is available for land protection, whether for acquisi-

tion of land in fee or for scenic easements/conservation restrictions. Any land purchased with these funds must be permanently protected.

Community Preservation Act (CPA)

The CPA is a new state law that gives cities and towns a new funding source for protecting and acquiring open space, natural resources, historic properties, and for creating new affordable housing opportunities. Money is raised through the combination of a local property tax surcharge (up to a maximum of 3%) and the allocation of state matching funds, which are placed in a locally controlled Community Preservation Fund. Monies accrued in this fund are to be spent on open space, historic preservation, and affordable housing, with at least 10% of the annual receipts going toward each category. Spending can be deferred until needed. The community determines how best to spend the remaining 70% among these three categories.

Town Bylaws and Zoning Options

Corridor Overlay District

Scenic Byway communities may wish to consider the creation of a zoning district that overlays the Byway corridor. Uses underlying the corridor district would continue to be allowed, but all development would be required to meet additional design standards. Standards might include limiting the amount of lot clearing, maintaining roadside vegetation and trees, favoring curved over straight driveways, limiting the size and color of large commercial buildings and storage facilities, and keeping exterior lighting to a minimum. Additional requirements could be the identification of existing scenic vistas from the Byway and proposed measures to avoid impacting those vistas, such as siting buildings, structures, and power lines out of the sightway

(see Figure 7.5). Performance incentives could be developed to allow an increase in use, density, or other bonuses if the project proponent meets or exceeds the design standards of the bylaw.

The Scenic Mountains Act

This Act (MGL Ch. 131: Section 39A) enables town and cities in Berkshire County to designate “scenic mountain” regions to protect the scenery and natural resources of the higher elevations within the community. This is an important tool to protect the hillsides that provide a backdrop to scenic vistas seen along the Byway. Development within the scenic mountain regions can be limited by the community, and the development that is allowed to occur is more carefully reviewed and can have conditions placed on it to minimize visual and environmental impacts. The local Conservation Commission, which can play a large part in the review process, is often the board that places conditions on the development. Clarksburg has an Upland Conservation District, in which some potentially large developments allowed in the neighboring Agricultural-Residential District are prohibited. Examples of such development are multi-family dwellings, elderly housing and, except for kennels, all commercial/industrial development. Williamstown also has an Upland Conservation District, which is an overlay zone on all land within the town borders that is higher than 1,300 feet in elevation. Zoning bylaws for this district prohibit single-family homes and severely limit other types of development. Specially planned larger developments, such as residential housing groups or recreational uses, may occur under a strict special permit with site plan review process. The town of Florida and the city of North Adams do not have scenic mountain protection zoning.

Local Historic Districts

These districts are generally zoning overlay districts, designed to preserve the unique characteristics of historic

structures and their surrounding area, and to encourage the builders of new structures to choose architectural designs that complement the unique character of the area. Each community develops design standards that it feels are appropriate, and any proposed changes to the exterior of structures within the historic district as seen from a public way are reviewed by a locally appointed Historic District Commission. There is no review of interior features. A variety of exterior features are often exempt from review, such as storm doors, replacement windows, paint color and temporary structures, but as each bylaw is different, the design standards and exemptions will vary for each community. The Historical Commission in Williamstown has inventoried significant buildings and delineated a historic town common as the first steps in creating a local historic district for the downtown area. This is part of an effort to protect the grand landscape that currently exists along Main Street. A fact sheet and flow chart explaining the procedures for creating a local historic district can be found in Appendix 7B.

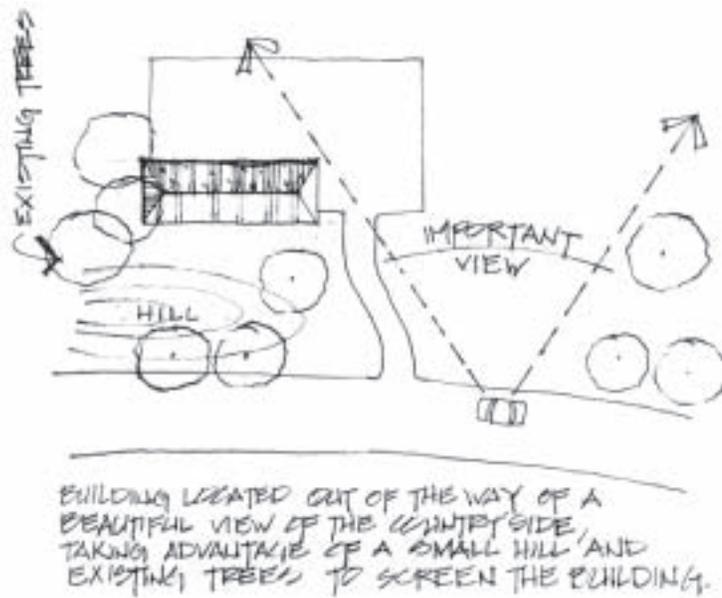
Local Scenic Road designation

A town or city can designate especially scenic roads and enact a local bylaw (a town bylaw, not a zoning bylaw) to maintain the rural character of these roads. Typically, local scenic road bylaws regulate the cutting of large trees along the road and the removal of historic stone walls within the road right-of-way and institutes a public review process for road construction and/or maintenance activities along the designated roads.

Site Plan Review

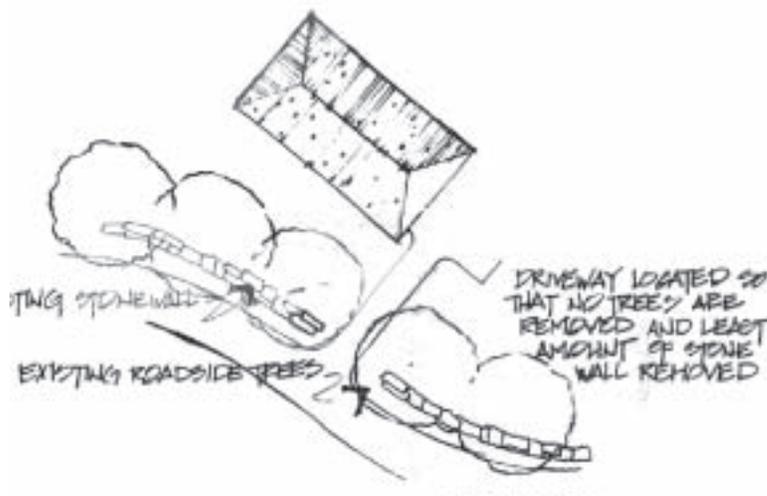
Traditional zoning, which regulates land use, location, and density of development, does not address the visually and environmentally important design issues that ultimately impact the community. It is during this process that local permitting authorities can influence the final design of projects that have the potential

to impact the character and quality of life with in the community. In general, Site Plan Review sets forth guidelines on how property should be developed, including site design (building design, building location, parking lot requirements, minimal clearing requirements and setbacks) and landscape design (buffer area between uses, maintenance of trees, vegetative screening for unattractive accessory uses). BRPC and FRCOG can aid communities in the development of a Site Plan Review clause. For instance, site plan criteria could require the developer to identify scenic vistas seen from the public way and request or strongly encourage that buildings be located so to avoid blocking the existing view. Site plan criteria can also require that roadway trees and stonewalls be maintained and buildings be placed to minimize visual impacts. See Figures 7.5 and 7.6 for examples. Site Plan Review can be required for most types of development, whether allowed as a by-right use or under the special permit process.



Source: Yaro, et al, 1988

Figure 7.5: Creative design to maintain views



Source: Yaro, et al, 1988

Figure 7.6: Maintaining roadside character

ISSUES AND RECOMMENDATIONS

Issues

- There are significant areas, which were ranked as scenic vistas along the Byway that are not permanently protected as open space, forest or farmland.
- The towns along the byway feel that the rural and historic character, natural resources, open space need to be protected
- Small and medium scale commercial and light industrial development should be encouraged and locate in appropriate areas in town in order to encourage economic development.
- “Approval not required” development is the single greatest concern regarding roadside development along the Byway corridor.
- The zoning and subdivision regulations for Florida may be outdated. Among other things, Site Plan Review for large projects could be strengthened and the regulations should include a Consultant Fee Clause.
- The farmlands that are a focal point in the Hairpin Turn Vista, and one area of striking open space is zoned Commercial. Although some of this land is enrolled in the Chapter 61A tax abatement program, this only provides temporary protection from development.
- Residential zoning along much of the developable open space along the Byway in North Adams allows for development on lots of 24,000 square feet, which is considerable denser than the current land use. This would alter the light residential feel of the road, which currently serves as a transition zone between rural Florida and urban downtown North Adams.
- Union Street, the eastern gateway to the City of North Adams, is currently a mixed neighborhood of industrial, commercial and residential uses. Due to pre-zoning development and the current patchwork of zoning districts, the corridor has not developed a distinctive character.
- Commercial land use along the corridor between North Adams and Williamstown is increasing and the enjoyment of traveling the Byway is

being compromised by the resultant increase in traffic.

Recommendations

- Identify areas that are important to protect, using the landscape assessment completed as a part of the corridor management plan development, in the event that funding is available for the purchase of conservation easements or restrictions. Recognize that it is not possible to protect all of the land in rural towns along the byway or seen from the Byway, but it is important that the most valuable and critical are identified. Some of the areas that have been identified through the development of this management plan are along the Deerfield River in Charlemont, the view of the valley looking east and north from Greenfield Mountain, the view of the farmland hills near Shelburne Center in Franklin County and the River Road farmland in Clarksburg.
- Coordinate a workshop for the towns along the Byway by the Citizen Planner Training Collaborative, MA Federation of Planning and Appeals Boards or other organization with expertise in zoning to provide information on planning and zoning techniques that could be used to protect the rural and scenic quality of the Byway and encourage development that is sensitive to the intrinsic qualities of the Byway.
- Consider ways to guide development along the Scenic Byway corridor, such as updating special permit review processes, updating site design criteria and initiating basic sketch review for ANR development.
- The town of Clarksburg may wish to revisit the reasoning behind zoning the rural portion River Road (north of North Adams Country Club) as a commercial strip.
- Ensure that the local zoning codes will result in a desirable future blue print of the town and that valuable natural and scenic resources are adequately protected.
- Towns along the Byway should investigate options, including the adoption

of zoning amendments that would encourage the protection of the rural and historic resources that are currently unprotected and that the town is concerned about.

- Encourage the adoption of the Scenic Mountain Act to regulate development along the upper elevations of hillsides, ensure that uninterrupted views are protected, and erosion is controlled.
- Encourage the adoption of telecommunications Bylaws, in the towns that do not already have one, that address the siting of cellular and telecommunications towers.
- Communities that are concerned about inappropriate development along the Byway can contact BRPC and FRCOG for specific information about measures that they can take to protect community character.
- The Town of Florida should update their zoning and subdivision bylaws to give the town the protection that they should have against inappropriate development. The town needs to develop a windmill bylaw to regulate the development of a facility, and this would be a good time to consider amending other bylaws as necessary. Most crucial would be the addition of a Consultant Fee Clause.
- North Adams may wish to reconsider extending the Rural Residential zone westward to reflect current land use along the Byway.
- Williamstown and North Adams should coordinate a joint Corridor Access Management effort to improve residential property access and the aesthetic qualities of the commercial corridor connecting their two downtown areas. In the event that the two communities are not able to coordinate, they could individually revisit their zoning bylaws and consider ways to limit businesses that generate large numbers of vehicle trips per day, such as supermarkets, gas stations, and convenience stores. The Town of Lenox amended the bylaw to implement measures to limit trip generation along Routes 7 and 20 in 1996.