



DOVER PLANNING BOARD

Article 10:

Open Space Preservation

Proposed Open Space Preservation bylaw

If any parcel of land of any size will be subdivided, a developer MAY choose 1 of 2 options:

- A “conventional” subdivision, or
- An “open space” subdivision, in which at least 50% of the parcel becomes permanently preserved open space
 - No lot less than 1 acre
 - Same number of lots as in conventional



How the OSP bylaw differs from the article proposed at 2007 TM

- Voluntary
- All lots at least 1 acre
- No more lots allowed than in a conventional subdivision
- Increased setbacks & safeguards



What is an Open Space Subdivision?

- Identifies and **permanently** protects 50% of land area as open space
- Lots—same # as in conventional—are located on the other half of the parcel



Example: 20-acre parcel in R-2

Conventional Subdivision

20 acres potentially
developable land

8 two-acre lots*

8 single-family houses

No protected
open space

Open Space Subdivision

10 acres
developable land

8 one-acre lots*

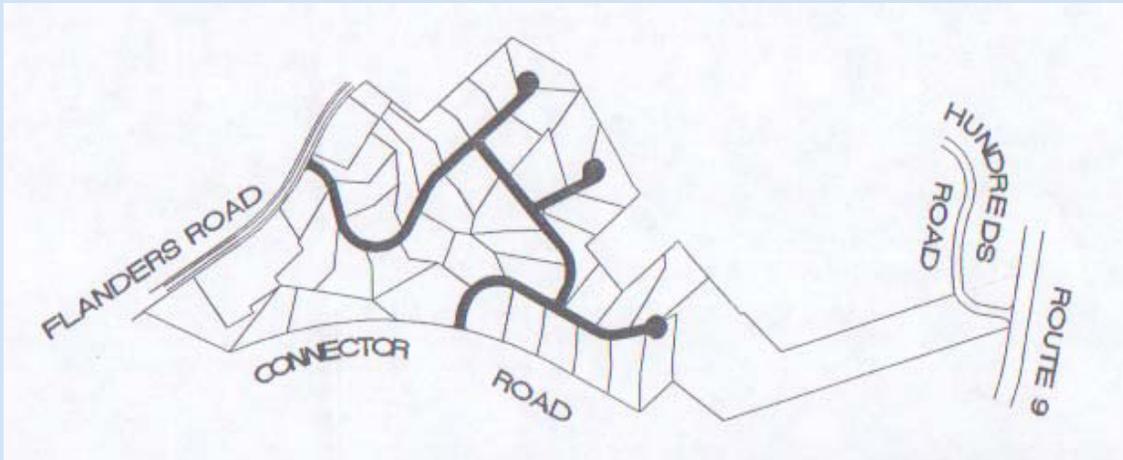
8 single-family houses

10 acres permanently
protected open space

*After accounting for roads, wetlands, steep slopes, etc.

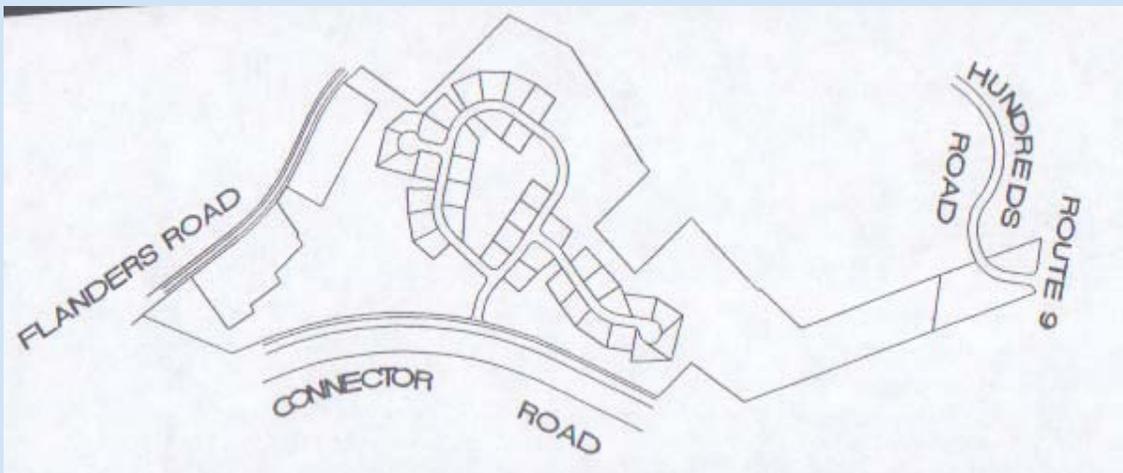


Westborough, MA



Conventional Subdivision

- Cookie-cutter
- **No open space**



Open Space Subdivision

- Same # lots
- **Substantial open space**

Westborough, MA

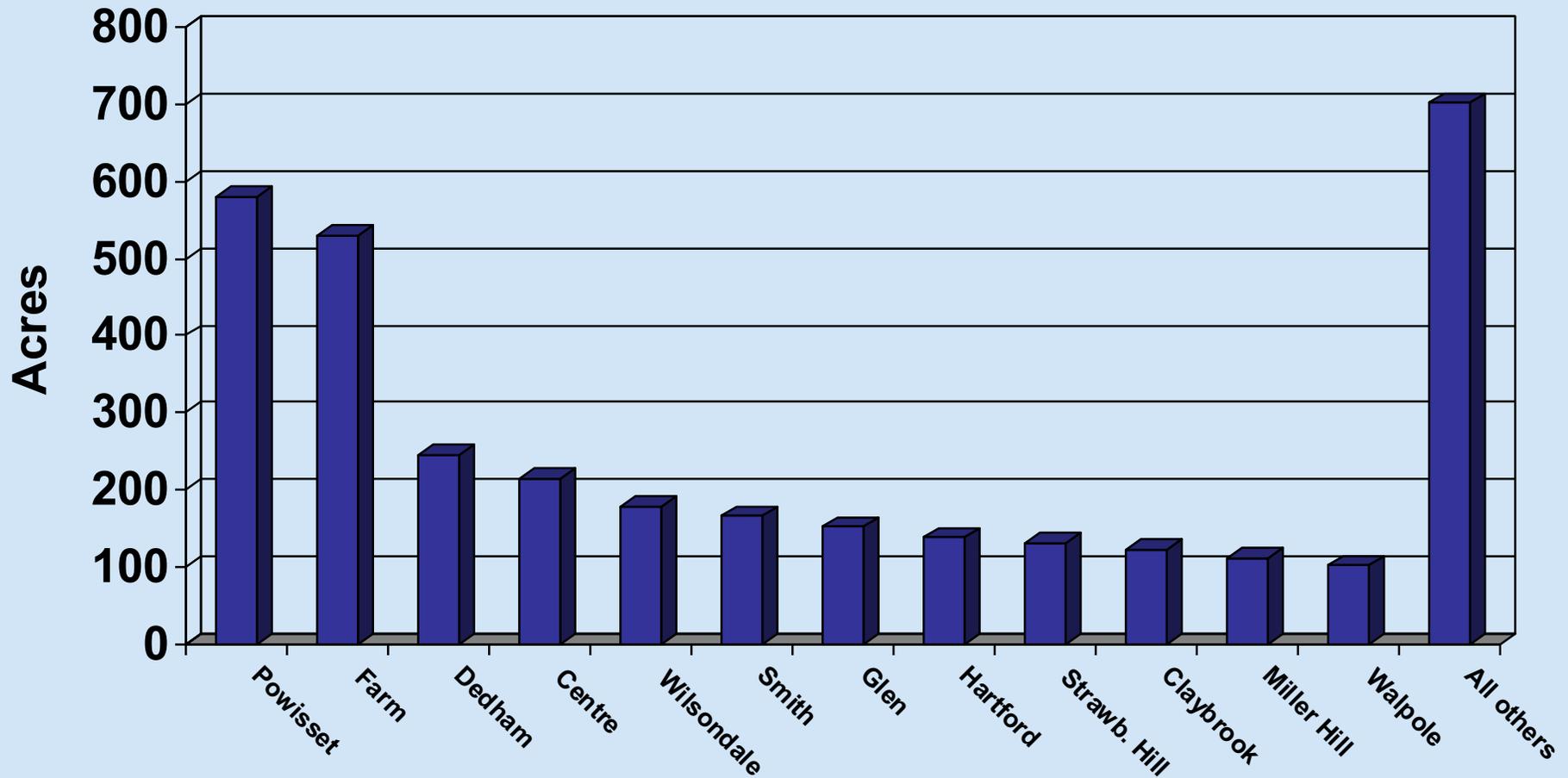


Why Open Space Subdivisions make sense in Dover

- Master Plan stated goal: *Preserve Dover's rural characteristics & existing open space*
- “Large Lot” zoning limits density, but will result in subdividing all remaining land rather than preserving fields, forests, trails
- Over time, any unrestricted large parcels will be subdivided into 1- and 2- acre lots until there is no more open space
- 2 ways to preserve existing open space:
 1. Encourage large lot owners to donate land or put on permanent conservation restrictions
 2. Create a zoning option for Open Space Preservation subdivisions.



Unrestricted* Land in Dover



- 3,388 acres in 274 parcels on 45 streets
- 36% of all land in 1- and 2- acre zones

*Parcels of 4+ acres with no permanent conservation restriction, including Ch. 61, 61A & 61B

Advantages of Open Space zoning

To the Town & residents:

- Preserve Dover's rural character by having an option to save scenic views, fields, trails, etc.
- Acquire additional open space at no direct cost to the Town
- Protect groundwater recharge by preserving our large tracts of natural land which filter and absorb water
- Generates fewer roads & driveways which lowers infrastructure maintenance costs
- Less lawn area conserves clean groundwater



Advantages of Open Space zoning

To the Property Owner/Developer:

- Streamlined approval process & flexible design to encourage “green neighborhoods”
- Maintains property value by allowing the same # of lots as in conventional subdivision
- Less costly, contentious & time-consuming alternative to 40B development
- Increase property values, since open space subdivisions “carry a premium, are less expensive to build, and sell more quickly than lots in a conventional subdivision”¹

¹“The Economics of Conservation Subdivisions: Price Premiums, Improvement Costs, and Absorption Rates,” *Urban Affairs Review*, Vol. 41, No. 3, January 2006, 376-399, by Rayman Mohamed, Wayne State University.



No negative tax impact

- Same number of buildable lots
- Abutting permanently protected conservation land
- Evidence of increased property values

BOTTOM LINE:

- Because it's voluntary, option will not be used unless it enhances property value



145 open space preservation bylaws in 126 towns in MA

Acton

Dartmouth

Millis

Amherst

Deerfield

Northampton

Avon

Gardner

Plainville

Bedford

Harvard

Rowley

Bolton

Ipswich

Sherborn

Bourne

Littleton

Sudbury

Brewster

Manchester

Wayland

Chatham

Medfield

Westford

Concord

Middleton



Will an Open Space bylaw be used?

<u>Towns (date adopted)</u>	<u>Usage</u>
Carlisle (1982)	80%
Hopkinton (1988)	88%
Newbury (2001)	100%
Norfolk (2003)	80%
Weston (1994)	100%
Lincoln (1971)	80%



If OSP option is chosen, **how** does it work?

A. Collaborative 4 step design process

1. Identify resource areas & conservation interests
 - Scenic views, special fields, land adjacent to existing conservation land, connecting trails
2. Review Yield Plan to determine the max. # of lots
3. Locate the lots
4. Align the streets & trails



If OSP option is chosen, **how** does it work?

B. Special Requirements

- No lot less than 1 acre
- Increased setbacks to 100 feet between a house in an OSP and abutting property (from 40' or 30')
- Shared driveways possible, to minimize land area disturbed
 - Will NOT allow shared driveways elsewhere
- Can NOT be used to open previously unbuildable land for development



If OSP option is chosen, **how** does it work?

C. Normal requirements of any subdivision (Conventional or OSP)

- PB holds public hearings before approving any subdivision plan (with notice to abutters & neighbors)
- Any plan requires all normal Board approvals of ConCom, BoH and/or ZBA
- Requires all Town and State regulations still be met



Assabet Estates, Westborough, MA



An old stone cow chase, historically used by farmers to lead cattle to water, was preserved in this open space community design and remains a prominent aesthetic feature.



The view from the open space at the edge of Mill Pond looking toward the houses clustered on Edward Dunn Way (those located closest to the water's edge) does not reveal the houses themselves, rather the edge of the pre-existing forest.

Acton, MA



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From Open Space Residential Development: Four Case Studies, by Metropolitan Area Planning Council (MAPC), July 2000

Chester County, PA



The working orchard within The Ponds at Woodward was preserved by applying the principles of conservation design. This innovative development in Chester County, PA is featured in Growing Greener.

Trim's Ridge, RI



Photo courtesy Randall Arendt

Westford, MA



Unanimous support of relevant Town Boards

- Selectmen
- Conservation Commission
- Board of Health
- Open Space Committee
- Long Range Planning Committee



A photograph of a large, open green field, possibly a golf course or park, with a dense line of trees in the background. The trees include some evergreens and many deciduous trees with light green foliage. The sky is a clear, bright blue. The text is overlaid in the center of the image.

***Do YOU support
open space in
Dover?***