



TOWN OF PRINCETON

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May 12, 2021

Letter from the Planning Board Regarding Proposed Zoning By-Law Amendments

Dear Princeton Residents:

For Town Meeting on May 15, the Planning Board is proposing three amendments to the Princeton Zoning By-Laws dealing with the area required for municipal uses (Warrant Article 18), primary and accessory uses (Warrant Article 19), and pre-existing structures, lots, and uses (Warrant Article 20). This letter is a report to the Town residents concerning these proposed amendments.

Our Zoning By-Laws begin with the following statement of purpose:

SECTION I. PURPOSE:

To promote the health, safety, morals, convenience, and general welfare of the habitants of the Town of Princeton, to lessen the danger from fire and congestion to protect and conserve the value of property and the beauty of the town, and with a view to encouraging the most appropriate use of the land, under the provisions of the General Laws, Chapter 40-A, as amended, the use of buildings, and the use of land in the Town of Princeton are hereby restricted and regulated as hereinafter provided.

One of the responsibilities of the Planning Board is to review the Zoning By-Laws and recommend amendments. Princeton adopted zoning almost 70 years ago, when we were a smaller and more rural town. Our Zoning By-Laws reflect the issues that concerned the Town then, and were fairly general and simple. The Planning Board has intentionally continued the approach of general and simple by-laws, and resisted proposing more complex and detailed zoning by-laws. Our approach has been to describe the intent of provisions to provide guidance to the application of the zoning by-laws rather than set out detailed regulations.

Sometimes proposed amendments are new initiatives intended to set a framework for development in Princeton, such as the open space and back lot provisions adopted in 2008. Those amendments were designed to encourage residential uses while retaining the Town's agricultural-residential character, and avoiding a suburban subdivision feel. In other years, the amendments are more in the nature of "fine tuning" the Zoning By-Laws, such as the amendments dealing with signs.

The impetus for amendments can be an experience with the application of the Town's existing Zoning By-Laws in a specific situation, a suggestion by the Central Massachusetts Regional Planning Commission ("CMRPC") which looks at overall municipal issues and State and Federal initiatives, media reports on issues in other towns such as Charlton's experience with an extensive marijuana facility, or simply a request by a Town resident that the Planning Board "look at" a provision.

Municipal Use Area - Warrant Article 18

Section VI.1.B of the Zoning By-Laws provides that the minimum area for a building or structure dedicated to a municipal use have a minimum of 5 acres. That provision would preclude use of the Center School lot for a new public safety building – or for any new municipal use – without a variance. The proposed amendment reduces the area required for municipal uses from 5 acres to 2 acres, which is the requirement of for building lots generally.

Single Primary Use – Warrant Article 19

Most zoning by-laws provide for a single primary use or building on each lot, with such accessory uses or buildings that were either specifically enumerated in the by-laws (such as a bed and breakfast) or were necessarily or customarily incidental and subordinate to the principal use or building (such as a garage or barn). While our Zoning By-Laws have references to accessory or incidental uses and buildings, the Planning Board discovered in the course of a proceeding last year that the Zoning By-Laws do not contain the standard language. This proposed amendment adds that language.

If adopted, this amendment would primarily affect land in Princeton's business and business-industrial districts where residences have been built. Last year, we had a situation in which a homeowner's landscaping business moved beyond the scope of business permitted as a home occupation (allowed anywhere in Princeton) and turned into a significant business - and was affecting the neighboring residences.

Under a "single primary use" provision, a homeowner would be required to choose between using the property for a residence and relocating the business, or using the lot for the business and relocating the residence. If adopted, this amendment would benefit neighboring residences by protecting the actual residential character of the neighborhood. *Note: as with any zoning by-law amendment, this amendment, if adopted, would grandfather in all multiple use situations allowed under the existing Zoning by-Laws.*

The Planning Board determined that this was an issue that should be presented to Town Meeting for discussion and determination.

Clarification of Pre-existing Structures, Lots, and Uses

Princeton has many houses and other older structures that do not meet current setback requirements (50 feet from the road, and 30 feet from property lines), current lot requirements

(225 feet of frontage and 2 acres of area), and current use restrictions. The current Zoning By-Laws have confusing language, and in at least one instance are out of compliance with state law. The proposed amendments are intended to clarify and conform the Zoning By-Laws and provide clear guidance for land owners and the building inspector.

Pre-existing Nonconforming Structures. The proposed amendment clarifies that if an addition is put on a pre-existing structure, and the addition meets the current set back requirement, a homeowner only needs a building permit. Similarly, if a house is being rebuilt on the existing footprint, the homeowner needs only a building permit.

An addition that does not meet current setback requirements will require a special permit on a finding that the addition is “not substantially more detrimental to the neighborhood” than the current non-conforming structure.

For example, if a house is within 50 feet of the road, a homeowner could add a room to the rear of a house with only a building permit. But to construct the addition on the side of the house within 50 feet of the road, the homeowner would need a special permit.

Pre-Existing Nonconforming Lots. The proposed amendment clarifies and conforms Princeton’s Zoning By-Laws to state law: a residence can be built on a pre-existing non-conforming lot. Of course, the lot will have to have sufficient size and soil conditions for a well and a septic system.

Pre-Existing Nonconforming Uses. Princeton has a number of commercial activities that have traditionally been conducted on land zoned residential-agricultural, such as the House of Pizza and the Gregory Store. The Planning Board recognizes that business uses evolve, and felt that the Zoning By-Laws should be appropriately flexible. The proposed amendment allows additions, expansion, and changes by Special Permit on a finding that the addition, expansion, or change is “not substantially more detrimental to the neighborhood” than the current use of the property.

Princeton Planning Board

John Mirick, Chair