

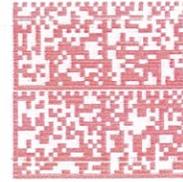
# CPTC Conference Program!



MA Department of Housing  
and Community Development  
100 Cambridge Street  
Suite 300  
Boston, MA 02114

UMass  
Extension

CENTER FOR AGRICULTURE



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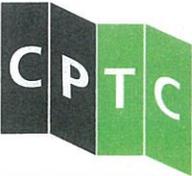
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## Citizen Planner Training Collaborative

Eleventh Annual Conference

# Advanced Tools and Techniques for Planning and Zoning

Saturday, March 17, 2012  
Hogan Conference Center  
Holy Cross College  
Worcester, MA

[www.umass.edu/masscptc](http://www.umass.edu/masscptc)

### Our Sponsors:



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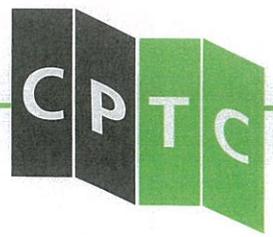
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Massachusetts Association of  
Planning Directors, Inc.



American Planning Association  
**Massachusetts Chapter**  
*Making Great Communities Happen*



## Citizen Planner Training Collaborative

# Advanced Tools and Techniques for Planning and Zoning

## Eleventh Annual Conference

**Saturday, March 17, 2012**  
**Hogan Conference Center**  
**Holy Cross College, Worcester, MA**

This year's conference is dedicated to the late Alexandra Dawson, whose expertise and enthusiastic championing of open space conservation was unsurpassed.

Ms. Dawson presented a lively discussion of "Paper Streets and Public Ways" at the 2008 CPTC Conference. A tireless advocate for our environment, and a friend to many, she will be greatly missed.

## 2012 Conference Schedule

8:00-8:45	Registration and continental breakfast					
	Timely Topics				Nuts and Bolts for Effective and Efficient Boards	
Early-morning sessions 9:00-10:30	1. Soup to Nuts: How to Draft and Enact a Zoning Amendment <i>Judi Barrett</i> <i>Barbara Saint André</i>	2. Are Your Wireless Regulations Up to Date? <i>David Maxson</i>	3. Zoning Tools to Promote Economic Development <i>Danielle McKahn</i>	4. Preparing for Casinos: Impact Agreements <i>Clyde Barrow</i>	5. Roles and Responsibilities 1 <i>Bob Mitchell</i> <i>Bob Ritchie</i>	6. Intro to Zoning Act <i>Luke Legere</i>
10:30-10:40	Break					
Late-morning sessions 10:45-12:15	7. Saving Land and Protecting Natural Resources with Zoning <i>Jeff Lacy</i> <i>Kurt Gaertner</i>	8. Sustainable Neighborhood Road Design <i>Chris Kluchman</i> <i>Jeffrey Rhuda</i>	9. Regional Approaches to Revitalizing Cities and Towns <i>Victoria Maguire</i> <i>Barry Keppard</i> <i>Angus Jennings</i>	10. Moving CLURPA Forward <i>Eric Hove</i> <i>Jim O'Connell</i>	11. Roles and Responsibilities 2 <i>Bob Mitchell</i> <i>Bob Ritchie</i>	12. Writing Reasonable and Defensible Decisions <i>Barbara Saint André</i>
12:15-1:30	Lunch with speaker Greg Bialecki, Secretary of Massachusetts Office of Housing and Economic Development					
Afternoon sessions 1:45-3:15	13. Encouraging Open Space Subdivisions <i>Bob Levite</i> <i>Joel Russell</i>	14. Financing Strategies for Infrastructure <i>Peter Richardson</i>	15. Integrating Market Realities Into Your Community Plan <i>James "Jef" Fasser</i> <i>Darren Mochrie</i>	16. The Next Chapter of 40B <i>Laura Shufelt</i>	17. Boards of Health, Planning Boards and the Subdivision Control Law <i>Judi Barrett</i>	18. Non Conforming Uses/Vested Rights <i>Pam Brown</i>

The conference will take place unless the State or city of Worcester is declared CLOSED as part of an official snow emergency: Tune to WCVB Channel 5, Worcester TV Channel 3, or WSRS Radio 96.1 or call for a taped message at (413) 545-2188.

Also refer to the CPTC Web site for cancellation information:

[www.umass.edu/masscptc](http://www.umass.edu/masscptc)

# Program

**8:00–8:45 a.m.**

Registration and continental breakfast

**9:00–10:30 a.m. Early Morning Sessions**

## **1. Soup to Nuts: How to Draft and Enact a Zoning Amendment (MIIA)**

This session will show how to effectively draft zoning amendments, from the mundane to hotter topics such as adult uses and affordable housing. It will present common drafting pitfalls including "legalese," vagueness and constitutional concerns. It will also review the procedural requirements for enacting zoning amendments with tips on holding effective public hearings, combatting challenges such as spot zoning, exploding myths on the scope of town meeting warrant articles and amendments, and others.

**Speakers:** *Judi Barrett, Director of Planning, Community Opportunities Group, Inc.; Barbara Saint André, Attorney, Petrini & Associates, P.C.*

**Moderator:** *Bruce Hughes, MPA, EDP, Economic Development/Community Planner, Old Colony Planning Council*

## **2. Wireless Zoning in 2012—Are Your Wireless Regulations Up to Date? (AICP)\***

This session will provide an overview of the current state of the wireless marketplace with insights on how municipalities can keep up with the changing wireless demands on zoning. Most wireless bylaws/ordinances were initially crafted more than a dozen years ago. Nearly one-quarter of U.S. residences no longer rely on a land line for telephone service. Data services are expanding, requiring more cell sites and more wireless capacity per site. Antenna-change regulations and definitions of federal "collocation" vs. local "co-location" will be reviewed in this session.

**Speaker:** *David Maxson, WCP, Isotrope, LLC*

**Moderator:** *Kathy Joubert, Town Planner, Northborough, Mass.*

## **3. Zoning Tools to Promote Economic Development in Your Town Center (AICP)\***

Do your town's zoning regulations prevent economic development in your downtown or village center? Find out how your zoning codes may unintentionally hinder reuse and redevelopment of properties in your downtown. Using a current effort in Williamsburg as a case study, workshop attendees will learn how to assess whether zoning regulations meet town goals for their downtown and how to identify appropriate zoning amendments to ensure that new development is compatible with their downtown's character and town goals. Specific tools discussed will include downtown zoning assessment (including using Pictometry software), community visioning and goal setting, how to promote your downtown "brand," and zoning strategies that will enhance the brand.

**Speaker:** *Danielle McKahn, Land Use Planner, Pioneer Valley Planning Commission*

## **4. The Local Impact of Casinos: What Should be in a Development Impact Agreement (AICP)\***

On November 22, 2011, Governor Deval Patrick signed into law "An Act Establishing Expanding Gaming in the Commonwealth," which authorizes three destination resort casinos and one slot parlor in Massachusetts. The Act requires that casino developers sign an impact agreement with the proposed host community and impact agreements with surrounding communities. This presentation will review the potential local impacts of resort casinos on host and surrounding communities, including the impacts on municipal infrastructure, town services, and local businesses. It will review provisions of the gaming-expansion law that address these impacts and explain how host and surrounding communities can maximize the economic and fiscal benefits, while mitigating potential negative social, community, and economic impacts.

**Speaker:** *Dr. Clyde W. Barrow, Director, Center for Policy Analysis and Project Manager, New England Gaming Research Project*

**Moderator:** *Doug Albertson, Town Planner, Belchertown*

## **5. Roles & Responsibilities Part 1 (MIIA)**

Join us if you are a new board member or building inspector. This program will launch you into your role as a local official, introduce you to the functions of the two boards and the main tools of planning and zoning. This session is presented in two parts to cover the large amount of information and provide time for questions and answers. We encourage you to sign up for parts 1 and 2.

**Speakers:** *Bob Mitchell, FAICP, Robert P. Mitchell & Associates; Bob Ritchie, General Counsel, Massachusetts Department of Agricultural Resources*

## **6. Introduction to the Zoning Act (MIIA)**

This session addresses the history and purpose of zoning, adoption of zoning bylaws, variances and special permits, public hearings, and voting requirements and other key procedural requirements of the Massachusetts Zoning Act.

**Speaker:** *Luke Legere, Attorney, McGregor & Associates, P.C.*

**Moderator:** *Alan Pease, Town of Ashby Planning Board*

**10:30–10:40 Break**

**10:45–12:15 Late Morning Sessions**

## **7. Saving Land and Protecting Natural Resources with Zoning (AICP)\***

Learn about the groundbreaking "NRPZ" approach to zoning that aims to protect rural character and the health of forests and agricultural lands. Find out what the towns of Shutesbury, Brewster, Wendell, and New Salem have done to lead the way and learn about the State's new model zoning to help others follow their example.

**Speakers:** *Jeff Lacy, AICP, Regional Planner MA Dept. of Conservation and Recreation; Kurt Gaertner, AICP, Massachusetts Executive Office of Energy and Environmental Affairs*

# Program

## 8. Sustainable Neighborhood Road Design: A Guidebook for Massachusetts Cities and Towns (AICP)\*

Traditional design of local roadways is dominated by engineering to ensure safety, but this can unnecessarily discourage better ways to develop local roads and subdivisions to advance community goals for the environment, transportation and efficiency in planning and construction. Take a look at alternative design standards that make residential roadway development more sustainable.

**Speakers:** *Chris Kluchman, AICP, Town Planner, Westford; Jeffrey Rhuda, Symes Assoc. (representing the Home Builders Association of Massachusetts)*

**Moderator:** *Peter Lowitt, FAICP, Devens Land Use Administrator*

## 9. Regional Approaches to Revitalizing Cities and Towns (AICP)\* (MIIA)

The I-495 region is the latest to build on the success of the South Coast Corridor Plan and other strategic regional planning initiatives. Learn about the I-495 Regional Compact plan and how municipalities can work with the state regional planning agencies and private partners to enhance the economy and quality of life across a region with smart growth.

**Speakers:** *Victoria Maguire, State Permit Ombudsman/Director Massachusetts Permit Regulatory Office, EOHED; Barry Keppard, AICP, Regional Planner, Metropolitan Area Planning Council (MAPC); Angus Jennings, AICP, Director of Land Use Management, Town of Westford*

**Moderator:** *Heidi Ricci, Senior Policy Analyst, Mass Audubon*

## 10. Moving CLURPA Forward (AICP)\*

This session will give you the latest news about "CLURPA," the current effort to revise Massachusetts zoning law. Learn what to expect to happen in 2012 and hear about strategies that can be used to help move CLURPA forward.

**Speaker:** *Eric Hove, Senior Regional Planner, Metropolitan Area Planning Council; Jim O'Connell, Chair, Zoning Reform Working Group*

**Moderator:** *Ralph Willmer, FAICP, Senior Planner/Project Manager, VHB-Vanasse Hangen Brustlin, Inc.*

## 11. Roles & Responsibilities Part 2 (MIIA)

Part 2 of this topic will explain the Massachusetts Conflict of Interest, Open Meeting, and Public Records Laws.

**Speakers:** *Bob Mitchell FAICP, Robert P. Mitchell & Associates; Bob Ritchie, General Counsel, Massachusetts Department of Agricultural Resources*

## 12. Writing Reasonable and Defensible Decisions (MIIA)

Learn key points that help boards to write clear, defensible decisions; criteria that should be contained in local zoning regulations and how these regulations relate to the types of conditions a board may impose when approving a special permit or variance application.

**Speaker:** *Barbara Saint André, Attorney, Petrini Associates, P.C.*

**Moderator:** *Bruce Hughes, MPA, EDP, Economic Development/Community Planner, Old Colony Planning Council*

## 12:15–1:30 p.m. Lunch

## 1:45–3:15 p.m. Afternoon Sessions

## 13. Encouraging Open Space Subdivisions: Avoiding Pitfalls in Securing Conservation Areas (AICP)\*

Conservation subdivision development (i.e. Open Space Residential Development or Natural Resource Protection Zoning) secures the preservation of significant open-space resources within attractive developments. The most effective tool for doing this is a conservation restriction (CR). This workshop will address the practical and legal issues in securing CRs, and how bylaws and regulations can ensure proper procedures to avoid common pitfalls and headaches. It will cover technical issues involving conservation analysis, ensuring the protection of conservation values, drafting of bylaws and CRs, and ownership and management of protected land.

**Speakers:** *Joel Russell, Land Use Attorney, Joel Russell Associates; Robert Levite, Attorney, UMass Extension*

## 14. Strategies for Alternative Financing for Infrastructure (Sponsored by Massachusetts Association of Consulting Planners) (AICP)\*

Many Massachusetts communities are working with bare-bones budgets, with little if any money left to repair aging infrastructure. This session will provide a forum for learning about and discussing the status of the current funding short-fall and some suggested strategies for planning and funding based upon both national reports and a local case study.

**Speaker:** *Peter Richardson, PE, LEED, Vice President and Principal, Green International Affiliates, Inc.*

**Moderator:** *Jonathan Church, Project Manager, Central Massachusetts Regional Planning Commission*

## 15. Integrating Market Realities Into Your Community Plan (AICP)\*

Do you understand the current real estate market in your community and its impact on municipal planning? Learn the importance of taking a real estate market reality check and see how a realistic understanding of the local market will lead to more successful development projects. Learn how current economic conditions and fiscal crises actually increase the importance of incorporating the real estate market in community planning and how a solid grasp of the supply and demand of real estate can be instrumental in achieving a more economically sustainable community.

**Speakers:** *Darren Mochrie, Vice President and Principal of RKG Associates, Inc.; James "Jef" Fasser, ASLA, AICP, LEED AP Director, Landscape Architecture and Planning for Vanasse Hangen Brustlin*

**Moderator:** *Ralph Willmer, FAICP, Senior Planner, VHB-Vanasse Hangen Brustlin*

# Program

## 16. The Next Chapter of 40B: A Training on the Fundamentals and Latest Developments in the Affordable Housing Law (AICP)\*

Presented in association with CHAPA (Citizens' Housing and Planning Association), this training will explain the most up-to-date information regarding Chapter 40B and how your community can work with the comprehensive permit process.

**Speaker:** *Laura Shufelt, Chairperson and Hearing Officer, Barnstable Zoning Board of Appeals*

**Moderator:** *Phil DeMartino, Technical Assistance Program Coordinator, DHCD*

## 17. Boards of Health, Planning Boards and the Subdivision Control Law

Examine the roles and responsibilities of Boards of Health and Planning Boards under the Subdivision Control Law and how their powers, rules and regulations, interests, and decision-making intersect during preliminary and definitive plans review. Look at the statute, case law and practices around the state and consider ways to form effective working relationships between the two boards. Recommended for members of planning boards and boards of health.

**Speaker:** *Judi Barrett, Director of Planning, Community Opportunities Group, Inc.*

**Moderator:** *Kathy Joubert, Town Planner, Northborough, Mass.*

## 18. Non-Conforming Uses and Vested Rights

What is the difference between a nonconforming structure, lot or use? Learn the difference between a nonconforming structure and a protected one. Become familiar with types of alterations to a nonconforming structure or use. Learn about separate and common protection as well as grandfathering protections for subdivision plans.

**Speaker:** *Pam Brown, AICP, Attorney, Brown & Brown, P.C.*

**Moderator:** *Alan Pease, Town of Ashby Planning Board*



## Who Should Attend?

- Planning, zoning, building, conservation officials
- Citizens interested in land-use and development issues in their communities
- Municipal staff members who serve Boards and planning departments
- Professional planners, and others who consult with municipal Boards

### Cost:

Conference attendance costs \$50 and includes buffet lunch. (Attendees will also receive valuable handout materials produced by CPTC). Payment is due with registration (see form), except Town checks may be sent separately and may arrive after the deadline.



Questions? [umass.edu/masscptc](http://umass.edu/masscptc) or Michael DiPasquale, (413) 545-2188

## The Citizen Planner Training Collaborative

is a cooperative program of UMass Extension, the Massachusetts Department of Housing and Community Development, the Massachusetts Chapter of the American Planning Association, the Massachusetts Association of Regional Planning Agencies and the Massachusetts Association of Planning Directors.

**UMass Extension** is an equal opportunity provider and employer, United States Department of Agriculture cooperating. Contact your local Extension office for information on disability accommodations.

**Contact the State Extension Director's Office** if you have concerns related to discrimination, (413) 545-4800 or see [www.umassextension.org/civilrights](http://www.umassextension.org/civilrights).

# Get Credit for Taking CPTC Courses

You can get credit for taking many of the CPTC courses offered throughout the year, including the annual conference. Credit applies as follows:

## CPTC Certificate Program

CPTC offers a Level One Certificate for completing 3 of the following courses:

1. The Roles and Responsibilities of Planning and Boards of Appeals
2. Introduction to the Subdivision Control Act
3. Introduction to the Zoning Act
4. How to Write Reasonable and Defensible Decisions

CPTC offers a Level Two Certificate for completing Level One requirements and 3 of the following courses:

1. Planning with Community Support (applies to planning board members only)
2. Non-conforming Structures, Lots, and Uses, and Vested Rights
3. Zoning Exemptions
4. Special Permits and Variances

## AICP Continuing Education Credit

Workshops designated with an asterisk (\*) have been submitted to AICP for CM credit. If approved, these sessions will also entitle the participant to credit. Additional information will be provided at the conference.

## Massachusetts Interlocal Insurance Association (MIIA) Rewards Program

Sessions designated "MIIA" entitle your town to credit under the MIIA Rewards Program towards public officials liability insurance.

# Registration Form

**Absolute Deadline for receiving registrations is: FRIDAY, MARCH 9, 2012!**

*We cannot accept last-minute registrations. You can fax your form until the deadline. Town checks may be sent by separate mail and arrive later than the deadline if necessary.*

Name: \_\_\_\_\_ Board affiliation (planning, zoning, etc.): \_\_\_\_\_

Street address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime phone number: \_\_\_\_\_ E-mail: \_\_\_\_\_

City/town served (you must fill this in to get course credit): \_\_\_\_\_

## I want to attend the following sessions:

Mark one conference session per time slot (✓). Please keep a copy of this page for your records—we do not confirm registrations.

### 9:00 a.m.–10:30 a.m.

- 1. Zoning Amendment
- 2. Wireless Zoning in 2012
- 3. Zoning Tools
- 4. Local Impact of Casinos
- 5. Roles and Responsibilities 1
- 6. Intro to Zoning Act

### 10:45 a.m.–12:15 p.m.

- 7. Save Land/Protect Resources
- 8. Sustainable Design
- 9. Revitalizing Cities/Towns
- 10. Moving CLURPA forward
- 11. Roles and Responsibilities 2
- 12. Writing Defensible Decisions

### 1:45 p.m.–3:15 p.m.

- 13. Open Space Subdivision
- 14. Financing for Infrastructure
- 15. Integrating Market Realities
- 16. The Next Chapter of 40B
- 17. Subdivision Control Law
- 18. Nonconforming Uses

**Registration fee: \$50/per person. (Receipts will be provided at registration. We do not confirm registrations.)**

**Please make check payable to CPTC and mail or fax this form by Friday, March 9, 2012 to:**

CPTC, P.O. Box 912, Greenfield, MA 01302 or Fax to (413) 625-2099.

You may also register by E-mail—please include ALL of the above information and E-mail to [cptc-registration@comcast.net](mailto:cptc-registration@comcast.net)

**QUESTIONS? Please contact Michael DiPasquale (413) 545-2188, [www.umass.edu/masscptc](http://www.umass.edu/masscptc)**

**Directions to Holy Cross College:** From Route 290 in Worcester, take Exit 11 (College Square). Immediately cross over to the far right lane and take the first right before the traffic light onto College Street. Go up the hill and turn left into the last gate (number 7). The Hogan Center is the second building on the left.