Sprawl development has contributed to a variety of problems for Massachusetts communities including loss of community character, a lack of diverse and affordable housing, social isolation of residents, and threats to natural resources and water quality. The purpose of revising the Open Space Development (OSD) Bylaw is to make Hatfield an attractive town for residential development while protecting its community character and unique cultural, environmental, and agricultural resources.

**Proposed Major Changes**

**By-right to de facto**

OSD is currently by-right in the Town Center, Agricultural, Rural Residential, and Outlying Residential districts. This proposal will make OSD the standard form of residential subdivision development for all projects that create 3 or more lots or units in the same districts.

- Applicants may request a waiver from the Planning Board in favor of standard subdivision
- The Planning Board can request OSD for developments of fewer than 3 lots/units if the lots contain resources of historical, cultural, or environmental value

**Reduces minimum lot sizes in OSDs, and removes internal frontage and average lot size requirements**

In order to keep OSD as attractive to developers as standard subdivision, this proposal reduces the minimum lot sizes in the Rural Residential and Town Center districts to half an acre.

- These changes do not conflict with Title V septic system requirements
- All subdivisions must comply with Board of Health regulations
- Overall density allowed in OSD is still no greater than what is normally allowed in the district
- No internal frontage or average lot size requirements allow for flexible design
- Frontage requirements along existing public rights-of-ways remain the same as for underlying zoning, maintaining traditional character

**Allows select density bonuses**

In order to promote the objectives of this bylaw, the Planning Board may award a density bonus to increase the number of dwelling units beyond the normal allowable density in an OSD Plan by up to 20%. The density bonuses are as follows:

- 5% density bonus for every additional 10% of the site (over and above the required 50%) preserved in Open Space
- 10% density bonus for every additional 10% of agricultural land (over and above the required 50%) preserved in Open Space
- 1 additional unit for every 1 dwelling unit restricted in perpetuity to occupancy by either Moderate-Income Households or by Low-Income Households
- 1 additional unit for every historic structure, approved as such by the Hatfield Historical Commission, preserved and subject to a historic preservation restriction by the Massachusetts Historical Commission

**Increases open space requirements**

The proposal increases the amount of required open space from 40% to 50%. This increase does not affect achievable density, as per the reduction in minimum lot sizes in the Rural Residential and Town Center districts.
Proposed Changes to the Town of Hatfield’s Open Space Development Bylaw

The diagram above illustrates a standard subdivision of a 25-acre lot (Figure A) and an Open Space Development (OSD) subdivision of the same lot (Figure B). Lot sizes in Figure A are 60,000 sq. ft., while lot sizes in Figure B are 30,000 sq. ft. with the remaining 50% of the parcel preserved as open space. The subdivision of Figure B presents a density-neutral approach (as the overall development still contains 18 lots). However, the OSD design preserves unique natural features, wildlife habitat, and an open meadow.

Proposed Minor Changes

Details requirements of the protection of common open space should a HOA become owner

In the event that ownership of the land will remain with the homeowners in the Open Space Development, a non-profit, homeowner’s association shall be established. This proposal details more explicitly how that ownership shall be structured and maintained.

Adds the Open Space Committee and the Agricultural Advisory Committee to list of authorized review committees

As their purview aligns with the goals of this bylaw, the proposal adds the Open Space Committee and Agricultural Advisory Committees to the list of boards and committees authorized to provide their recommendations regarding applications for OSD.

Reorganizes existing structure of the current bylaw

The proposal reorganizes the structure of the bylaw for easier reading and interpretation, and to streamline the flow of information. In addition to reorganizing existing sections, the proposal adds the following sections:

- Definitions
- Applicability
- Application Requirements (to differentiate from standard subdivision application requirements)
Proposed Accessory Apartment Bylaw Key Facts

Highlights of the proposed Accessory Apartment Bylaw include:

- Accessory apartments that are contained within an existing structure will be allowed by-right in all districts.

- Accessory apartments that are attached to an existing primary dwelling unit but require structural modifications or expansion to the primary dwelling may be authorized through a Special Permit.

- An addition may be added to the original building through a Special Permit as long as it does not increase the floor area of the original building by more than 50% of the existing residential space.

- Only one accessory apartment may be created on a single family lot.

- The owner of the residence in which the accessory apartment is located must occupy at least one of the dwelling units on the property.

- The accessory apartment must be a subordinate part of the single family dwelling and shall be no greater than 100% of the existing total residential space or 900 square feet, whichever is less.

- The accessory apartment may have no more than 2 bedrooms.

- The Planning Board may review accessory apartments built during the 10 years prior to adoption of this bylaw to confirm that they comply with State Building Code.
What is an Accessory Apartment?

A self-contained housing unit incorporated within or accessory to a single family dwelling complete with its own sleeping, cooking, and sanitary facilities and a separate means of egress.

Why an Accessory Apartment Bylaw?

The purposes of the Accessory Apartment Bylaw are to:

1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services via tenants in accessory apartments, thereby enabling them to stay in their homes and neighborhoods which they might otherwise be forced to leave;

2. Add more affordable rental units to the housing stock;

3. Make housing options available to low- and moderate-income households who might otherwise have difficulty finding homes within the town;

4. Protect stability, property values, and the residential character of a neighborhood by ensuring that accessory apartments are installed only in owner-occupied houses; and

5. Legalize conversions to encourage compliance with the State Building Code.