

Northeastern Conservation Overlay District

Overview of Regulations

Why do we need this regulation?

The area covered by the NCO has been identified by multiple studies as containing relatively undisturbed natural habitat, including forests, wetlands, streams, meadows, and farms. The value of these habitat types is greatly affected by their size and undisturbed quality. Development in this area can result in a “death by a thousand cuts,” as each new house and driveway carves up the forests and fields into building lots. The NCO District will benefit the habitats we share with nature by ensuring future construction is designed to minimize impacts.

How does the law work?

The proposed zoning amendment contains two sections:

1. The Northeastern Conservation Overlay District section creates the NCO District and establishes rules for developing there, focusing on conservation design to protect specific natural resources.
2. The Conservation Design section details the 5-step planning process to be used within the NCO District.

What areas are included?

The NCO District spans the northeastern part of the Town. A parcel map is available. The district was mapped by combining information on sensitive resources and contiguous forest blocks from previous reports, including field studies. Existing neighborhoods and densely developed areas were omitted from the NCO District, as their ecological value is limited.

Are all parcels regulated?

Because the focus is on large, intact blocks of habitat, the NCO District exempts all parcels less than 6 acres in size. This exemption eliminates regulation of over 40% of parcels in the District while maintaining the goal of preserving large tracts of habitat.

What activities are subject to regulation?

All new construction that would otherwise require a subdivision or site plan approval is subject to the NCO District regulations. Also, single family homes (on lots over 6 acres) need to comply with the regulations, even if they would not otherwise be subject to Planning Board review. This requirement protects against the cumulative effect of many small construction projects fragmenting forests and habitat.

For parcels that lie only partially within the NCO District, owners may choose to site development on the land outside the district to avoid the overlay’s additional requirements.

What is required for projects within the NCO District?

Applicants wishing to build on or subdivide land in the NCO District must adhere to the Conservation Design planning process for their site. The Conservation Design process starts with a sketch plan discussion with the Planning Board. A five-step process is employed to map and prioritize natural resources on and adjacent to the site, and identify the places where development will least impact the environment. The applicant will proceed through the design process in coordination with the Planning Board.

The NCO District designates certain resources that are particularly important, including forests, wetlands, streams and meadows, and directs their prioritization in the Conservation Design process. The district also establishes design guidelines to minimize habitat fragmentation, like reducing driveway lengths. Finally, it adds resource-specific protections, like stormwater runoff management, tree protection, and light pollution reduction. After the site is designed, protected areas are designated that will remain undeveloped.

Does the NCO District reduce the uses of land?

The Town's existing zoning districts remain in place, and the NCO District adds extra protections. The NCO District does not change the land uses allowed by the existing zoning. Instead, it guides the layout of uses on each site to protect natural resources.

Does the NCO District reduce the number of houses that can be built?

The NCO District and Conservation Design planning process are density-neutral, meaning that the same number of buildings or housing units can be built. They will be arranged on the land in a way that protects natural resources, such as clustering homes together on one part of a lot to preserve forest on another part of the lot.

Is there any flexibility?

The Conservation Design process is designed to be flexible and site-specific. There is also a waiver provision in the NCO District regulations for unique circumstances. Any waiver requires a showing by the applicant that waiving a requirement would result in equal environmental protection.