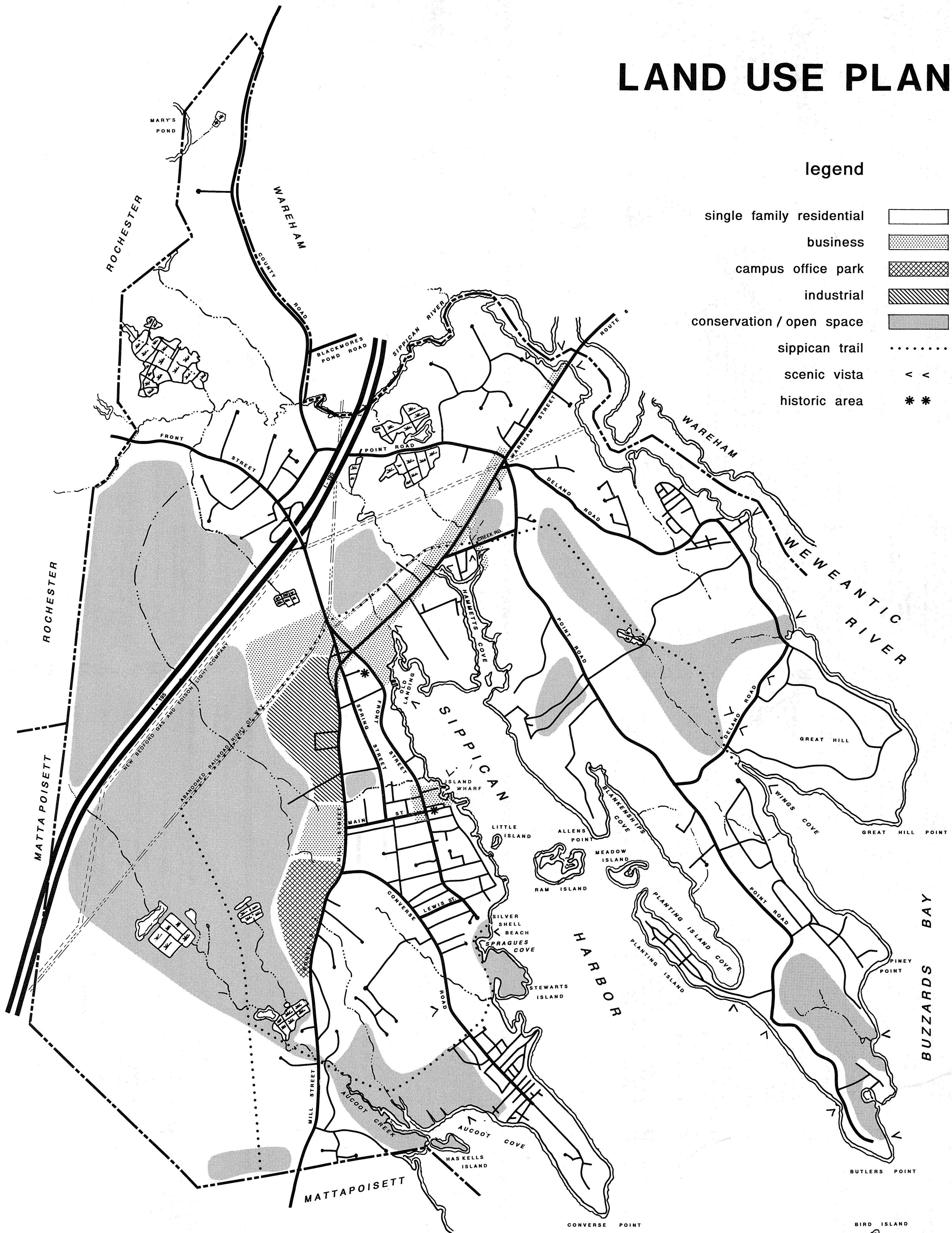
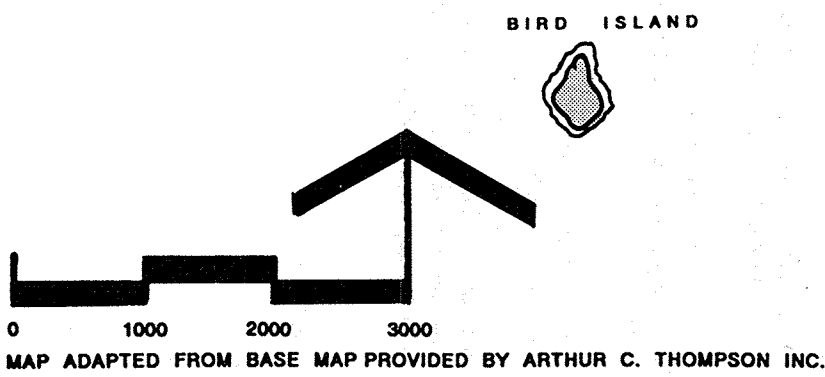


LAND USE PLAN



MARION, MASSACHUSETTS
MARION PLANNING BOARD BURK KETCHAM and ASSOCIATES — PLANNING CONSULTANT



LAND USE PLAN



1989

INTRODUCTION

The Marion Land Use Plan is comprised of the Land Use Plan Map and the Land Use Plan Policy Planning Chart on the reverse side of this sheet.

The Marion Planning Board wishes to express its appreciation to the many citizens and Town boards, commissions and committees who have contributed suggestions and comments during the preparation of the Land Use Plan.

PLANNING PROCESS

The Land Use Plan process was initiated by the preparation of a Community Diagnosis which evaluated the following: development trends in Marion and the surrounding region; natural resources of the community; existing land use configurations; traffic and parking conditions; community facilities such as schools, public buildings, open space/conservation, and recreation; public utilities; and development regulations pertaining to zoning, subdivision review, wetlands, and public health. The findings of the Community Diagnosis and other preliminary planning studies, as described below, are included in a separate loose-leaf binder report.

Following a review of the Community Diagnosis, the Planning Board adopted Preliminary Goals and Objectives to guide the development of several alternative Concept Plans. Three Concept Plans were prepared for consideration by the Town of Marion.

On September 26, 1988, about 150 residents of Marion attended and participated in a Public Workshop to hear the results of the Community Diagnosis and, in small discussion groups, to comment on the pros and cons of the several Concept Plans. Except for a few areas of disagreement, there was a general consensus on how Marion should plan for its future.

The Public Workshop findings and suggestions enabled the Planning Board to select a preferred Land Use Plan for further public discussion. On November 26, 1988, the Marion Planning Board conducted a second Land Use Plan public meeting attended by about 100 residents. At the meeting, the members of the Planning Board presented a summary of the major Land Use Plan implementation recommendations; further suggestions and comments were received from those in attendance.

Following careful consideration of all of the public input, the Planning Board adopted the Land Use Plan presented in this document.

IMPLEMENTATION

The Land Use Plan Policy Planning Chart identifies those actions which are essential for the implementation of the Plan. Significant among these are suggestions for major revisions of the Zoning By-Law. As part of the land use planning process, a series of Zoning By-Law amendments have been prepared for consideration at Town Meeting.

LAND USE PLAN REVIEW

The Land Use Plan will be reviewed every year; the status of implementation will be included in the Planning Board's annual report.

A comprehensive review of the Land Use Plan will take place every five years.

MARION PLANNING BOARD

Margaret A. Ishihara, Chairman
Margherita Baldwin, Vice Chairman
Robert D. Marso, Clerk
Albert W. Caron, Jr.
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PLANNING CONSULTANT

Burk Ketcham and Associates
Cohasset, Massachusetts

TOWN OF MARION ~ LAND USE PLAN POLICY PLANNING CHART

RESIDENTIAL

In 1970 the population of Marion stood at 3,466; by 1980 the population had inased by 13 percent to 3,932. SRPEDD has estimated the 1985 population at 4,048 and the 1990 population at 4,411; this would represent a 12 percent increase for the current decade. Estimates for 1995 and beyond would continue growth at about the same rate; by the year 2010 Marion is projected to have a population of about 5,400.

SRPEDD has anticipated a gradual decline in household size from 2.79 in 1980 to 2.16 in 2010; this is consistent with regional and national trends towards smaller families due to increases in the elderly population and a growing number of single person and one parent households. By 1995 it is estimated that 17 percent of Marion's population will be 65 years of age or older.

The completion of I-195 and the ascension of southeastern Massachusetts as one of the state's growth areas has and will increase pressures for development in attractive waterfront towns such as Marion.

Recent building statistics confirm stepped-up development activity. In the period from 1980 through 1988, 282 permits were issued for new single family dwellings.

Single family homes represent the predominant form of housing in Marion. Residential development ranges from small lots in the Village to large estate areas in East Marion. Most homes are owner-occupied. There are about 125 multiple housing units in Marion, including the Town-sponsored Little Neck Village housing for long-term residents and a number of accessory apartment units.

With the rapid acceleration of housing prices in Marion, housing affordability has become an issue for first-time buyers as well as all who fall within low or moderate income ranges. A Massachusetts Housing Partnership Committee has been appointed to recommend a strategy for the Town.

There are two concentrations of historic and architectural significance: one, which gives the Town its unique identity, is the Village area along lower Front and adjoining streets; the other is located along Front Street near Old Landing.

Most of Marion's vacant land is zoned for residential use; two major concentrations are located in the 665 acre Stone estate on Great Hill and adjoining interior parcels and an 800 acre area between Route 6 and I-195 adjacent to the Mattapoisett Town line.

COMMERCIAL

The existing pattern of commercial use includes a small retail concentration around the Post Office in the Village area, scattered strip commercial and retail along Route 6, primarily between Route 105 and Point Road, and marine-related businesses at the head of Sippican Harbor. There are also scattered non-conforming commercial uses throughout the community which do not appear to pose a major problem.

Marion does not have a shopping center or a supermarket; these services are available in larger communities to the east and west. Many of the commercial uses along Route 6 are of a non-retail nature and serve a broad regional market.

The only area for significant expansion of retail and commercial facilities is along Route 6 - an area whose true form is still evolving. Significant portions of the land along Route 6 which are zoned for business use are developed with single family homes. One area currently zoned for business use to the west of Front Street and south of I-195 is situated within the apparent aquifer of the only producing public water supply well located in the Town of Marion.

Steps to remove the Post Office to Route 6 have stimulated a strong local initiative to retain Post Office services in the Village.

Current zoning for the Marine Business Zoning District allows non-marine business activities as well as housing.

INDUSTRIAL / OFFICE

Marion has a Limited Industrial zone, located along the west side of Route 6, with several non-polluting industries. In general, the community has not encouraged additional industrial development. Light manufacturing is allowed by Special Permit in a General Business zone.

The 1986 League of Women Voters survey showed only 140 votes for and 177 against the development of additional light industry in town.

The service-based economy which is expanding rapidly in Massachusetts requires well-designed offices in attractive surroundings. Under proper regulatory controls, prestige communities such as Marion with an uncongested street system and convenient access to state and interstate highways can attract office development which will add to the Town's tax base.

NATURAL RESOURCES

Approximately 44 percent of Marion's land area is covered by soils associated with wetlands which are unsuitable for development. An additional 9 percent are Scituate-associated soils not suitable for on-site septic systems.

Marion's coastal and inland wetlands provide many valuable functions including groundwater protection and purification, sedimentation control, fish and wildlife propagation, flood control, as well as aesthetic and recreational opportunities.

The major agricultural activity in Marion is associated with cranberry production in bogs. Under the Commonwealth's Agricultural Preservation Restriction Program, Chapter 61 A, a 370 acre cranberry production area west of Route 6 and a small farm off Converse Road are covered by restrictions requiring limited time period agricultural use in return for lowered tax assessments.

Approximately two-thirds of Marion is forested, including many areas where housing has been constructed on relatively large lots. One 665 acre area on Great Hill and adjoining land on Delano Road is covered under provisions for forest land (Chapter 61) similar to those applying to agricultural lands.

Marion's 18 mile coast and its dominant Sippican Harbor is the principal natural resource giving the Town its unique form and character. Generally, man has treated the coast with respect, except where development has occurred in the 100 year flood plain. Absent from the coast are motels, condominiums, and large cottage colonies which abound in many New England coastal communities.

The Massachusetts Wetlands protection Act, administered locally by the Conservation Commission, is the major regulation protecting water-related natural resources. As part of the EPA sponsored Buzzards Bay Project, a SRPEDD study revealed that Marion, along with most of the other towns and cities within the Buzzards Bay basin, have few regulations protecting water quality. Malfunctioning septic systems are believed to be the cause of pollution in Planting Island Cove.

To date, the Sippican River, which cuts across the northern sections of Marion, is relatively unspoiled by development activity.

CONSERVATION / RECREATION

Marion has a broad range of open space and conservation areas worthy of preservation. Although some sites, as noted in the Natural Resources section, are temporarily covered under agricultural and forestry restrictions, there are not a great number of sites permanently protected. Major open spaces include: the 150 acre Kittanaset Golf Club; the 76 acre Marion Golf Club; 163 acres in several locations owned by the Sippican Lands Trust, a non-profit conservation organization; the 91 acre Indian Cove Trust lands along Aucoot Cove and Creek; 33 Town-owned acres in Aucoot Cove; and about 185 acres administered by the Conservation Commission and located in Aucoot Cove, Bird Island, East Marion and between the old railroad line and I-195.

Old Landing and Island Wharf are Town-owned facilities serving boaters; launching ramps are available at Old Landing and Island Wharf. The Marine Resources Commission is responsible for harbor management and planning.

Tabor Academy, located near the Village area, has a large campus which adds to the open feeling of the more densely developed sections of the community.

By most accepted standards, Marion has a good range of recreational opportunities. Major facilities include: the 42 acre Charles R. Washburn Memorial Park; the Sippican School playing fields and an adventure play area on a 9 acre site; the .8 acre Point Road play area, Holmes Woods behind the Sippican School; and Silvershell Beach and Planting Island Beaches along with several small beaches. Other facilities include a public and private golf club, a private tennis club, a private yacht club, and a good range of indoor and outdoor recreational facilities at Tabor Academy.

Needs identified in the Community Diagnosis are as follows: protection of scenic resources, including visual access to the water and scenic roadway designations; additional land in public ownership along the waterfront for boating, boat launching and swimming; a public sailing/training program oriented to the young people of the community; path and bicycle systems; enlargement of facilities at Silvershell and Planting Island Beaches; and a Town-wide open space and conservation plan.

The activities of the Open Space/Land Bank Study Committee in preparing an Open Space Plan for Marion have been coordinated with the preparation of this Land Use Plan. Of necessity, many of the recommendations of the Open Space Plan are in greater detail than those of this plan.

TRAFFIC CIRCULATION

Marion has a well functioning traffic circulation system. East-west traffic is more than adequately handled by I-195 and Route 6. Interconnections between both of these roadways occur at Route 105, which is the major connecting route to Rochester and areas to the north.

Route 6 now handles intra-town traffic circulation; problems include four eleven foot, rather than the safer and more common, twelve foot traffic lanes, and an "S" curve near Converse Road.

The Town's two stop lights are located on Route 6 at the Route 105 and Point Road intersections.

Other principal streets in the community include Front Street, Main Street, Lewis Street, Converse Road, Point Road, Delano Road, County Road and Creek Road.

Somewhat unique, Marion has in excess of 100 private roads not maintained by the Town; local property owners associations are responsible for repairs and plowing. The condition of these streets ranges from poor to excellent. In 1987, the Special Town Meeting approved a procedure allowing the Town to make improvements to private streets through the assessment of betterment charges to the properties served.

Many of the subdivisions developed off the principal streets have only one means of access serving a number of branching cul-de-sacs. If a single access road is blocked, this could lead to problems of public safety.

Marion has a parking problem in the Island Wharf/Village area during about 10 weeks in the summer, due to sailing and boating activities in Sippican Harbor.

All recent Town-wide polls have shown a continuing interest in the provision of safe bicycle routes and paths in Marion.

COMMUNITY FACILITIES

The Town's principal public facilities and buildings include the Town Hall, Elizabeth Taber Library, Police/Fire Station, DPW Barns, Music Hall (leased to VFW),Harbormaster's Office, Old Landing and Island Wharf, water and sewer pumping stations, and the solid waste Transfer Station. A \$1 million renovation plan has been prepared for the Town Hall.

A recent study by the Town Plant Assessment/Capital Planning Committee found the Police/Fire Station to be "in need of immediate repairs and upgrading". A suggested option is the construction of a new police station on Route 6.

The DPW Barns have a cramped 2.1 acre site and the garage facilities are too small.

A 1.5 acre site at Creek and Point Roads is available for the construction of an East Marion Fire Station if construction is completed by December 1999.

The Sippican Elementary School, with 26 classroom spaces on a 9 acre site, serves grades K-6; Marion has joined with Rochester and Mattapoisett under the Old Rochester Regional District for junior and high school education. Recent SRPEDD population estimates shows the population between ages 5-9 (which generally equates with grades K-4) at a 1985 level of 252 and an increase to 294 by the year 2010. These estimates indicate an anticipated growth in the K-6 enrollment, but not sufficient to require the construction of a new school; currently, there are about 6 classrooms not used for classroom purposes.

PUBLIC UTILITIES

Marion has a wastewater collection system serving about 45 per cent of the Town's population. Areas served include the village area and adjoining neighborhoods from Cove Street to Route 6 at Route 105, and a section of Route 6 and adjoining streets from Hermitage Road to Point Road.

The existing treatment works include stabilization ponds designed for an average flow of 0.34 mgd, sand filters and a chlorination facility discharging into Aucoot Cove. A current concern is hydraulic overloading at the treatment works when it rains, due to infiltration-inflow problems.

The Town's sewer consultants, Camp Dresser & McKee Inc, CDM, indicate that limited expansion of the present system is possible.

The balance of Marion is served by individual septic systems. Reportedly, some subdivision areas have had problems with high groundwater and malfunctioning septic systems. At this time, the Board of Health is reviewing its regulations as they relate to septic systems.

Currently, all of Marion, except for County Road north of Blackmores Road, is served by public water supplies derived from 5 wells in Marion and Rochester. The supplies are reported to be adequate to serve present demands; the distribution system is restricted in some areas, due to small diameter pipes.

In 1987, total water usage amounted to 256 million gallons. Of this amount, 21 percent was derived from one well in Marion and the balance of 79 percent came from the four Rochester wells. The Town of Rochester has rights to one half of the water supply from the Rochester wells. Although Rochester depends on individual wells at present, it is located in an area of rapid growth; there could be future demands for a public water system.

To maintain Marion's traditional character as a community where single family housing predominates.

To allow flexible single family residential options, such as clustering, which will respect and preserve the natural and man-made environment.

To prohibit the use of package wastewater treatment systems for new residential development in order to prevent the use of lands with marginal development suitability.

To relate all residential development to soil suitability and impacts on wetlands, and ground and surface water resources.

To provide opportunities for affordable housing throughout the Town with increased densities allowed in areas served by public sewers and water.

To provide independent housing opportunities for Marion's growing population of senior citizens.

To prohibit new housing construction in hazardous areas such as the flood velocity zone.

To protect areas of historic and architectural merit.

To contain Village businesses and Post Office services within the area presently zoned for Limited Business use.

To concentrate Route 6 retail activities near the intersection of Front Street for the general convenience of the public.

To adopt controls which will encourage a safe, functional, and attractive development of Route 6.

To restrict commercial waterfront areas to water-dependent uses.

To restrict area zoned for industrial use to the currently designated Limited Industrial Zone.

To provide opportunities for the development of small, campus-type office complexes.

To require careful site plan and environmental review for all light industrial, manufacturing and campus-type office development.

To conserve coastal natural resources through the adoption of strong buffer area regulatory controls.

To conserve inland natural resources through the adoption of strong regulatory controls.

To adopt incentives such as cluster zoning, which will allow development reflecting the natural contours and resources of the land.

To encourage the continuation and expansion of programs for cranberry bog operations and forest preservation.

To protect and conserve the Sippican River as a scenic waterway.

To increase the land areas protected by public and private conservation ownership and easements.

To link open space areas together through the following: acquisition of contiguous lands; a system of trails, paths and bicycle paths; and the approval of clustered open space residential developments.

To increase public ownership of strategic waterfront areas suitable for boating access facilities.

To preserve visual access to saltwater areas throughout the Town.

To designate scenic roadways for public enjoyment.

To allow only that development which will not overburden the local street system.

To improve traffic safety conditions at the Route 6 "S" curve.

To provide improved connections between existing and proposed residential subdivision streets.

To develop a system of bicycle routes and paths.

To require improvement standards for subdivision streets which preclude future maintenance problems for the Town.

To encourage peripheral, rather than waterfront or Village area parking during peak Sippican Harbor usage periods in the summer.

To continue the Village area as the focus of civic activities including Town and educational buildings and complementary facilities such as the Post Office.

To maintain existing public buildings and undertake major improvements in accordance with a Capital Improvements Budget.

To replace those public buildings and facilities which are inadequate for efficient community service.

To continue the centralized elementary school system.

To upgrade the sewerage system in accordance with DEQE requirements and make selective service area extensions compatible with the Land Use Plan.

To provide a strong local Sanitary Code and strict enforcement of both the Sanitary Code and Title 5 to preclude the development of failing septic system problem areas requiring expensive extensions of the sewer system and potential expansion of the wastewater treatment facilities.

To protect the aquifer serving existing and potential wells within the Town of Marion.

To provide sufficient out-of-town water supply resources to cover Marion's needs under present and future conditions and possible future demands by the Town of Rochester.

Carry out revisions of the Zoning By - Law and Map as follows:

- Provide cluster zoning development option.

- Create a special planned open space development overlay district which may be applied to large land holdings.

- Establish inclusionary zoning provisions to encourage affordable housing construction.

- Prohibit residential development in the flood velocity zone along the coast.

- Create zone and regulations for multifamily residential with densities not to exceed 12 dwelling units per acre.

- Rezone all areas between Creek Road and Hammets Cove to single family residential.

- Review and revise, as appropriate, provisions applying to setback and height measurements, rear lot development, accessory dwelling units, and bed and breakfast operations.

Establish historic district and commission.

Amend the Subdivision Regulations as follows:

- Provide for improved coordination in review of subdivisions by Planning Board, Conservation Commission, Board of Health, and other Town boards and departments.

- Encourage residential development with limited number of curb cuts.

- Provide environmental assessment option for proposed development which might have significant environmental impacts.

Carry out revisions of the Zoning By - Law and Map as follows:

- Enact provisions giving the Planning Board site plan review authority for all commercial development to insure compatibility with surroundings; option to require environmental assessment where development may pose a problem to local ground or surface water resources or present potential for other impacts.

- Amend setback, parking design, and buffering requirements for Route 6 commercial development.

- Allow residential development in General Business Zone areas by special permit only.

- Revise Marine Business Zone to limit amount of non water-dependent activity.

- Require environmental assessment for any non-residential development proposed within the Water Supply Protection District.

Carry out revisions of the Zoning By - Law and Map as follows:

- Enact provisions giving the Planning Board site plan review authority for all industrial and campus office development to insure compatibility with surroundings; option to require environmental assessment where development may pose a problem to local ground or surface water resources or present potentials for traffic or other significant impacts.

- Rezone area of approximately seventy acres along the west side of Route 6 and opposite and to the south of the Route 6 intersection with Converse Road to a new Campus Office Zone.

Carry out revisions of the Zoning By - Law as follows:

- Adopt special shore-land zoning regulations to protect the coastal environment.

- Adopt water use zoning to preclude any activities which would not be compatible with current land and water uses in Sippican Harbor, Aucoot Cove, the Wewancit River and other sections of the waterfront.

- Require environmental assessments for all development with potential significant impacts on the natural environment.

- Strengthen aquifer protection regulations.

Revise the Subdivision Regulations as follows:

- Include provisions to prevent flooding of adjoining lands and siltation of streams.

Enact strong Sanitary Code and enforce its provisions vigorously.

Designate the Sippican River as a local scenic river.

Initiate discussions with cranberry bog owners to encourage their participation in the agricultural use preservation program.

Provide convenient boat pump-out facilities in Sippican Harbor.

Evaluate need for local Wetlands Regulations.

Develop Sippican Trail extending through open space properties and along abandoned railroad rights-of-way from Wings Cove to Silvershell Beach.

Adopt the recommendations of the Open Space Plan with emphasis on the following:

- Enlargement of Washburn Park

- Investigation into the exchange of Town-owned land for waterfront property owned by Tabor Academy.

- Acquisition of scenic easements.

- Further acquisition and consolidation of public ownership in Aucoot Cove.

Public/private cooperation in the development of a linked greenbelt adjoining the Sippican Trail, with priority preference to actions which will protect surface and groundwater quality.

- Designation of scenic roads.

- Establishment of a Marion Land Bank/Open Space Commission to generate funds for the activities proposed in the Open Space Plan.

- Implement harbor and cove management plans.

- Develop safe bikeways/walkways parallel to Converse Road and Point Road.

Request the Massachusetts Department of Public Works to investigate solutions to the Route 6 "S" curve.

Amend the Subdivision Regulations as follows:

- Restrict the length of cul-de-sac streets with only one outlet to the major street system.

- Provide for improved connections between subdivision streets.

- Adoption of street improvement standards comparable with other communities experiencing high cost subdivision development.

Coordinate bicycle path system with trails system. (See Conservation/Recreation)

Designate an off-waterfront site for peak usage parking and provide a shuttle service to link the parking with the wharf areas.

Improve facilities at DPW Barns site.

Develop a five-year Capital Improvements Program for major public facilities construction and renovation.

Study construction of new East Marion Fire Station.

Utilize Taber Hall for affordable housing.

Carry out Wastewater Facilities Plan and implement recommendations.

Adopt strong local Sanitary Code.

Require strong enforcement of Sanitary Code and Title 5 regulations.

Identify the aquifer serving Well Number 1 and adopt further regulations, as necessary, to protect it from polluting influences.

Engage engineering consultants to conduct a long-range study of the water supply and distributions system.