

A New Day for Transfer of Development Rights in Massachusetts

Massachusetts Land Conservation Conference
Worcester Technical High School
March 23, 2019



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Mass Audubon



Shaping the Future of Your Community

Created in 2009 to implement Losing Ground
recommendations

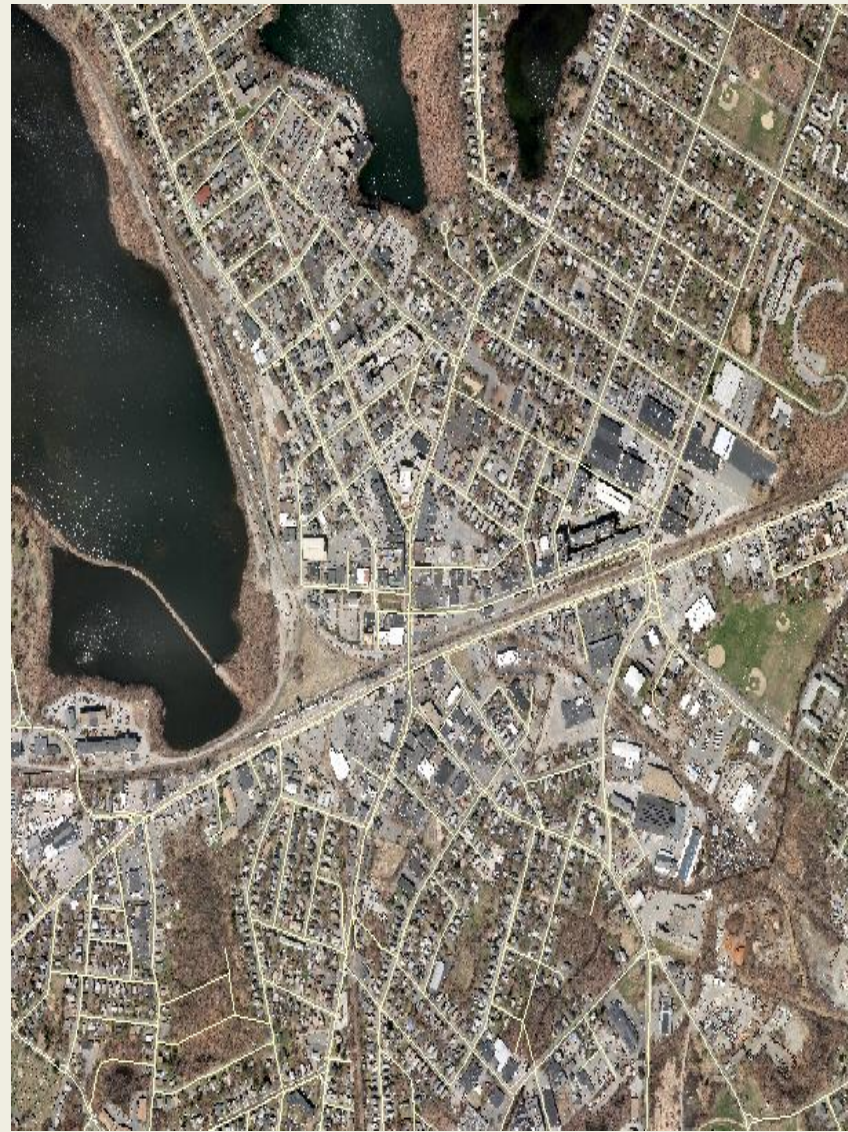
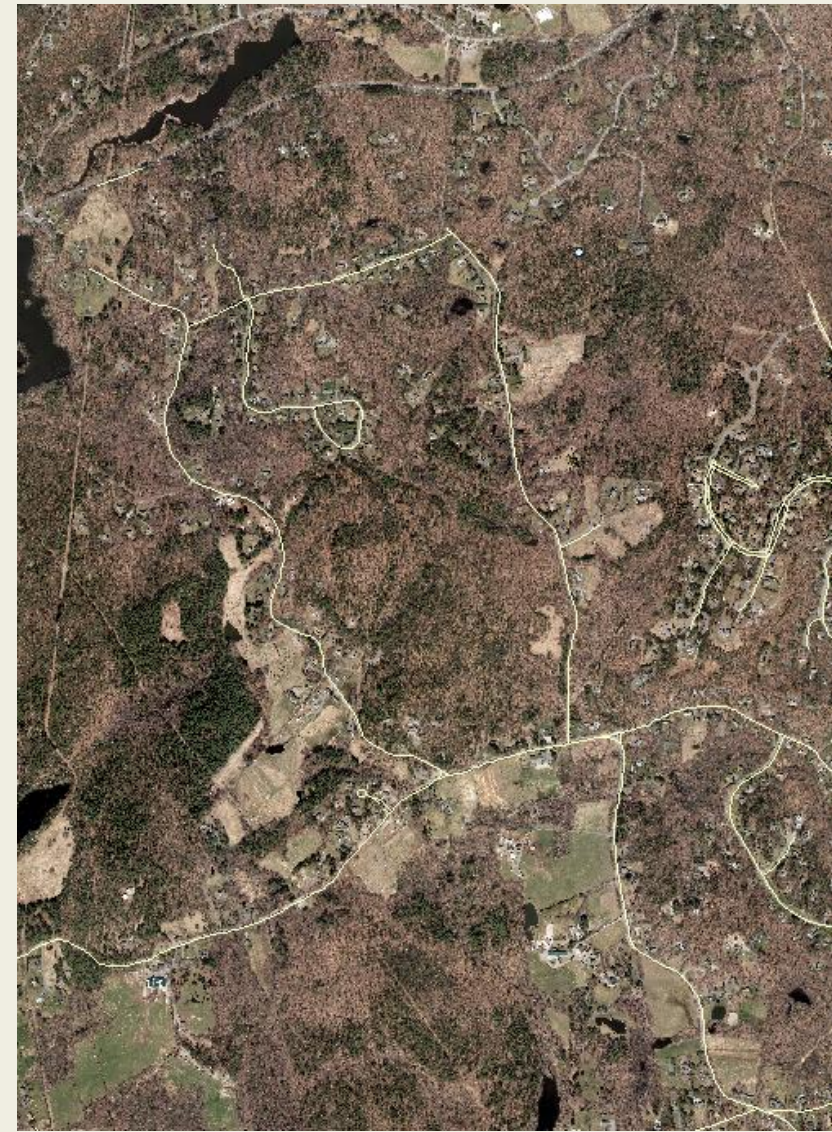
Assists communities chart a more **sustainable
future** through customized community
workshops and direct assistance



City of Framingham Transfer of Development Rights



No one size fits all...



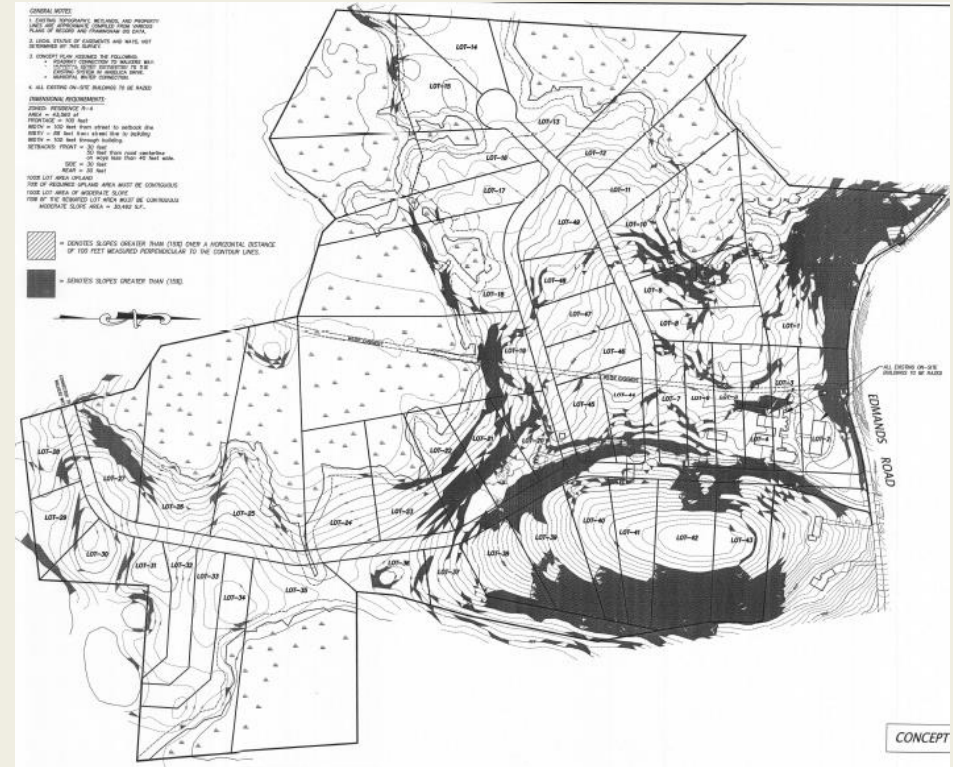
What Has Framingham Done ?

- Master Land Use Plan
- Preservation of Land
- Cluster Developments
- **Transfer of Development Rights (TDR)**
- Recodification of the Zoning By-Law
- Land Disturbance & Stormwater Management
- Subdivision Rules & Regulations
- Zoning Districts (CMU and Village)
- Stormwater By-Law (In Progress)



Transfer of Development Rights (TDR)

- Giving and Receiving Parcels
- TDR Yield Plan – Lot Determination
- Site Plan Review – for Use of Development Rights
- Increase in commercial development
- Conservation Restriction (CR) or Agricultural Preservation Restriction (APR)



TDR Residential Building Size Chart

Giving Parcel Zoning District	Number of Giving Parcel Lots	Equals	Development Rights to be Transferred per Lot**
Single Family Residential (R-4)	1	=	10,000 square feet
Single Family Residential (R-3)	1	=	9,000 square feet
Single Family Residential (R-2)	1	=	8,250 square feet
Single Family Residential (R-1)	1	=	7,500 square feet
General Residential (G)	1	=	6,750 square feet

Development Rights Use by Receiving Parcels

	Increase in Lot Coverage of an Additional ***	Maximum Increase in FAR***	Maximum Increase in Building Height/Additional Floors***
Receiving Parcels	75%	1.68	35%

FORM O – Transfer of Development Rights Yield Plan (Giving Parcel)

Framingham Planning Board
 Memorial Building • Room 205 • 150 Concord Street
 Framingham, MA 01702-8373
 (508) 532-5450 • planning.board@framinghamma.gov



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 plan • build • grow



Town Clerk Stamp

Office Use Only	Project Number: _____	Public Hearing Date: _____	Filing Fee: _____
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Property Address: _____

Property Information	<i>acres</i>	<i>square feet</i>
Total area of the parcel(s)	_____ / _____	_____ / _____
Total area of the parcel(s) that can be defined as Moderate Slope	_____ / _____	_____ / _____
Total area of the parcel(s) that is wetlands/vernal pools/waterway	_____ / _____	_____ / _____
Total area within the 30' No Build Zone as defined by the Conservation Commission	_____ / _____	_____ / _____
Total area within the 100' No Disturb Zone as defined by the State of Massachusetts	_____ / _____	_____ / _____
Total area within the 125' No Disturb Zone as defined by the Conservation Commission	_____ / _____	_____ / _____
Please list any property designations i.e. state/local		

Development Rights Eligible for Transfer to a Receiving Parcel (calculation)

Number of Residential Lots Allowed By-right	X	Residential Building Size Number from the Chart in Section V.O.2.a.4 of the Zoning By-law	=	Total Number of Development Rights to be Transferred to a Receiving Parcel
	X		=	

Receiving Parcel Information (if known)

Address of the Receiving Parcel: _____

Total number of Development Rights to be transferred: _____

Holder of the Agriculture Preservation Restriction/Conservation Restriction: _____

Project Information Description of Giving Parcel

Thank you!

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