



PLANNING BOARD MEETING

June 21, 2023

Raze and Replace Amendment

- ▶ Defines for ZBA what is and is not “detrimental” when evaluating impacts of continued, extended, or altered nonconformities.
- ▶ Changes the limits to how much a pre-existing nonconformity can be continued, extended or altered.
- ▶ Defines acceptable limit to growth of dimensional nonconformities.

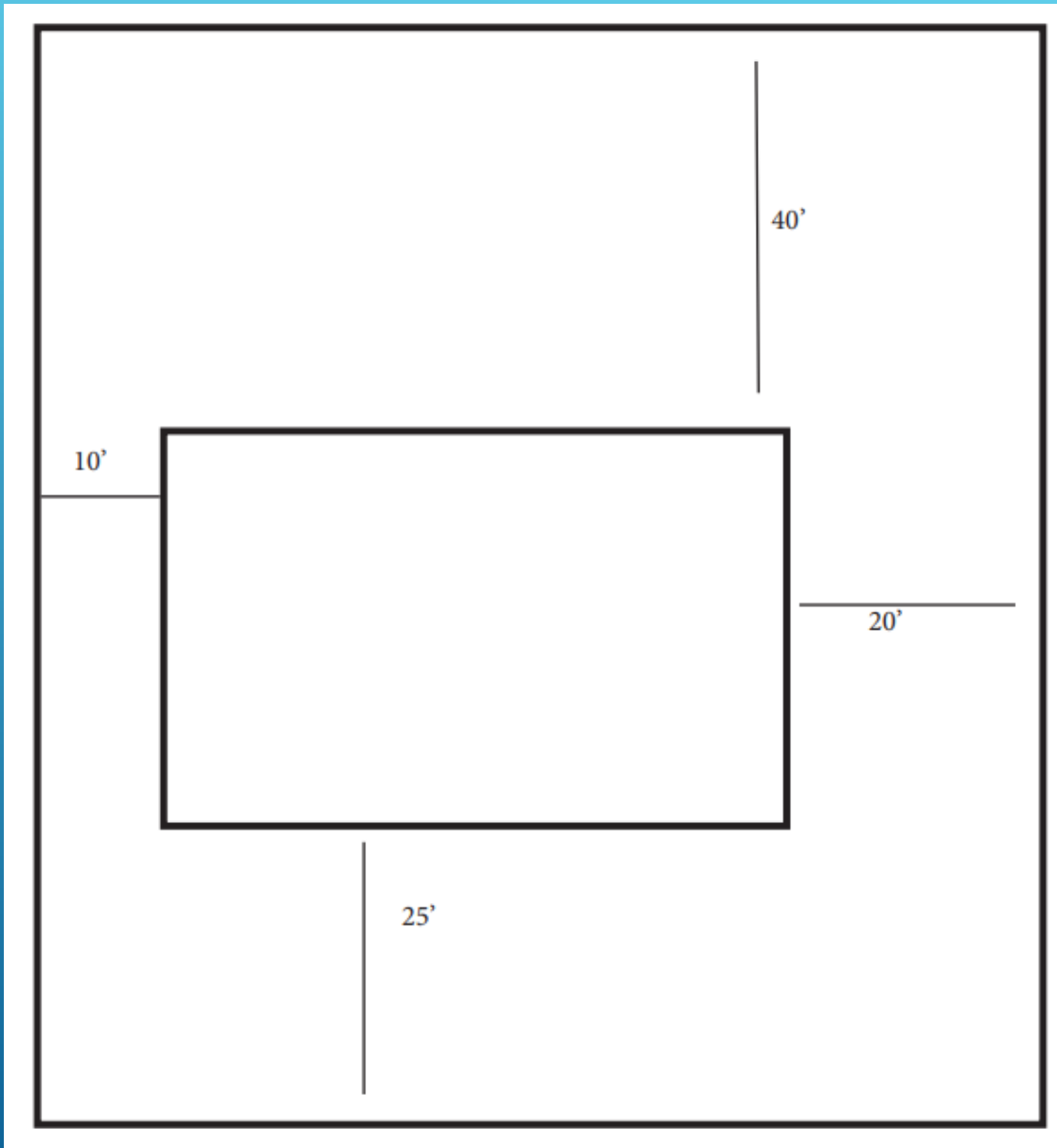
BACKGROUND

- ▶ Any dimensional pre-existing nonconformity may be continued, extended, or altered. There are no “limits” established.
- ▶ ZBA currently has complete discretion over what is and is not “substantially more detrimental” when evaluating lot coverage, building height and all setback nonconformities (front, side and rear).
- ▶ If you have a side setback nonconformity, you are currently allowed to make that setback more nonconforming.

WHAT'S ALLOWED TODAY

- ▶ Allows pre-existing nonconforming homes to increase their footprint to the maximum allowed in the underlying zoning district and maintain setback nonconformities.
- ▶ Removes the ability to increase the setback nonconformity.
- ▶ Establishes limits for modest growth within any portion of a pre-existing home that is dimensionally nonconforming. The proposed limit is 40% of the portion of floor space that is nonconforming.

PROPOSED CHANGES: SETBACKS



Front Setback : 15' nonconforming

Side Setbacks : Left side 5' nonconforming
Right side is conforming

Rear Setback : Conforming

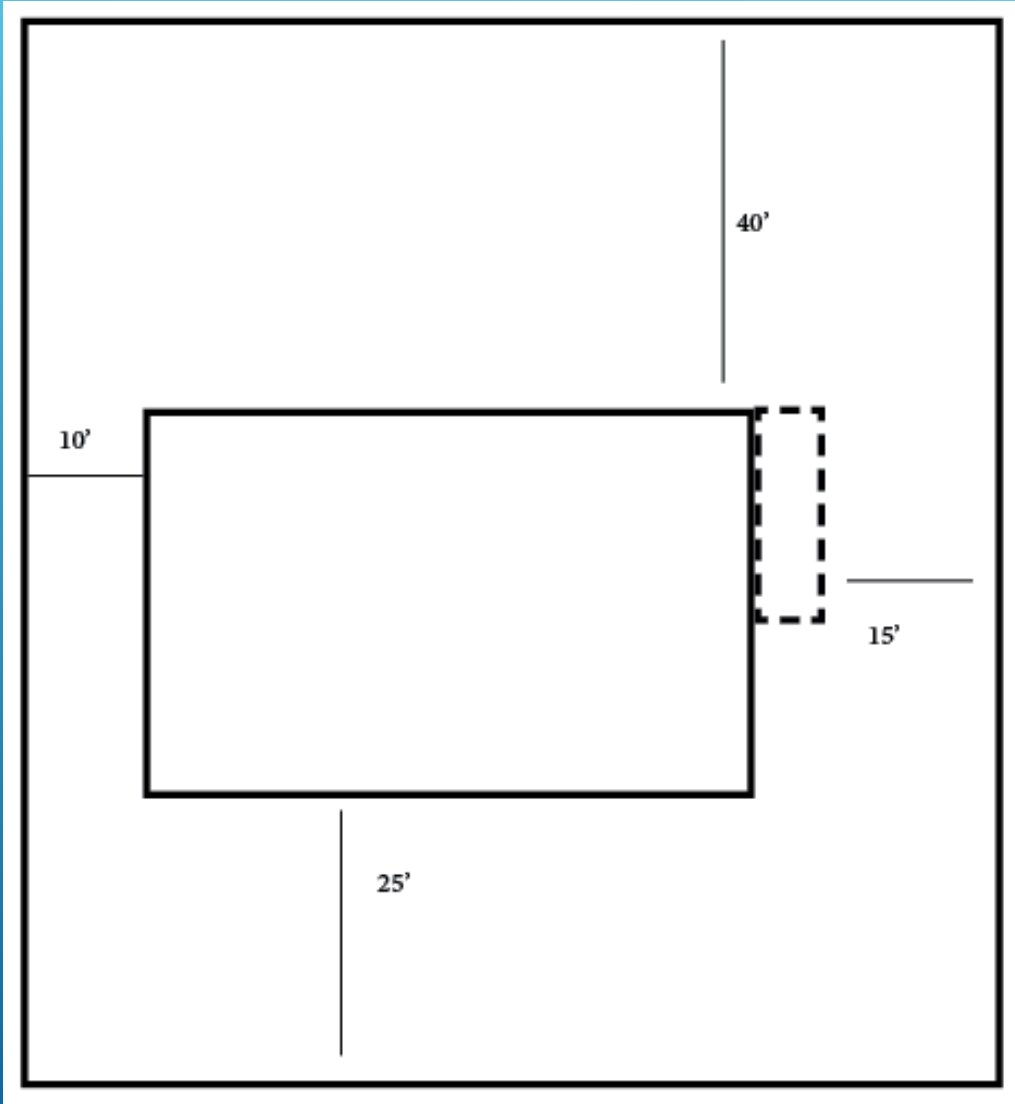
Lot is 15,000 s.f.

Dwelling has a footprint of 1,250 s.f.
(50' x 25') and is 1-story.

$1,250 \text{ s.f.} / 15,000 \text{ s.f.} = 8.3\%$ covered by
structures

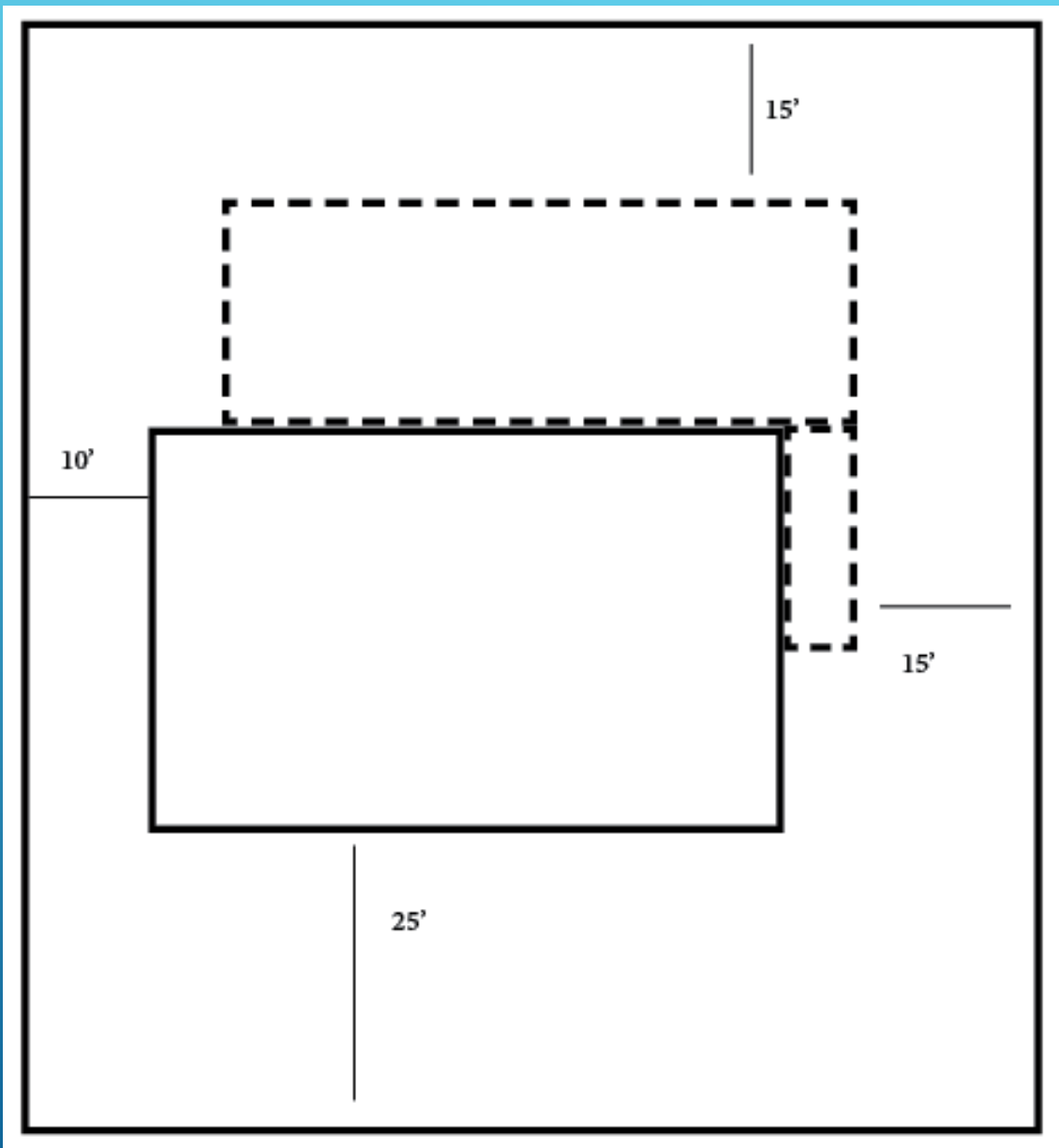
Located totally (100%) in the
100 Year Floodplain

$1,250 \text{ s.f.} / 0 \text{ s.f. (removal of LSCSF)} = 100\%$
lot coverage



Conforming side setback can be pushed out to the minimum allowed in the underlying district or 15'.

Because there is a front setback nonconformity, there are limits to how much additional floor area could be added in that front setback.

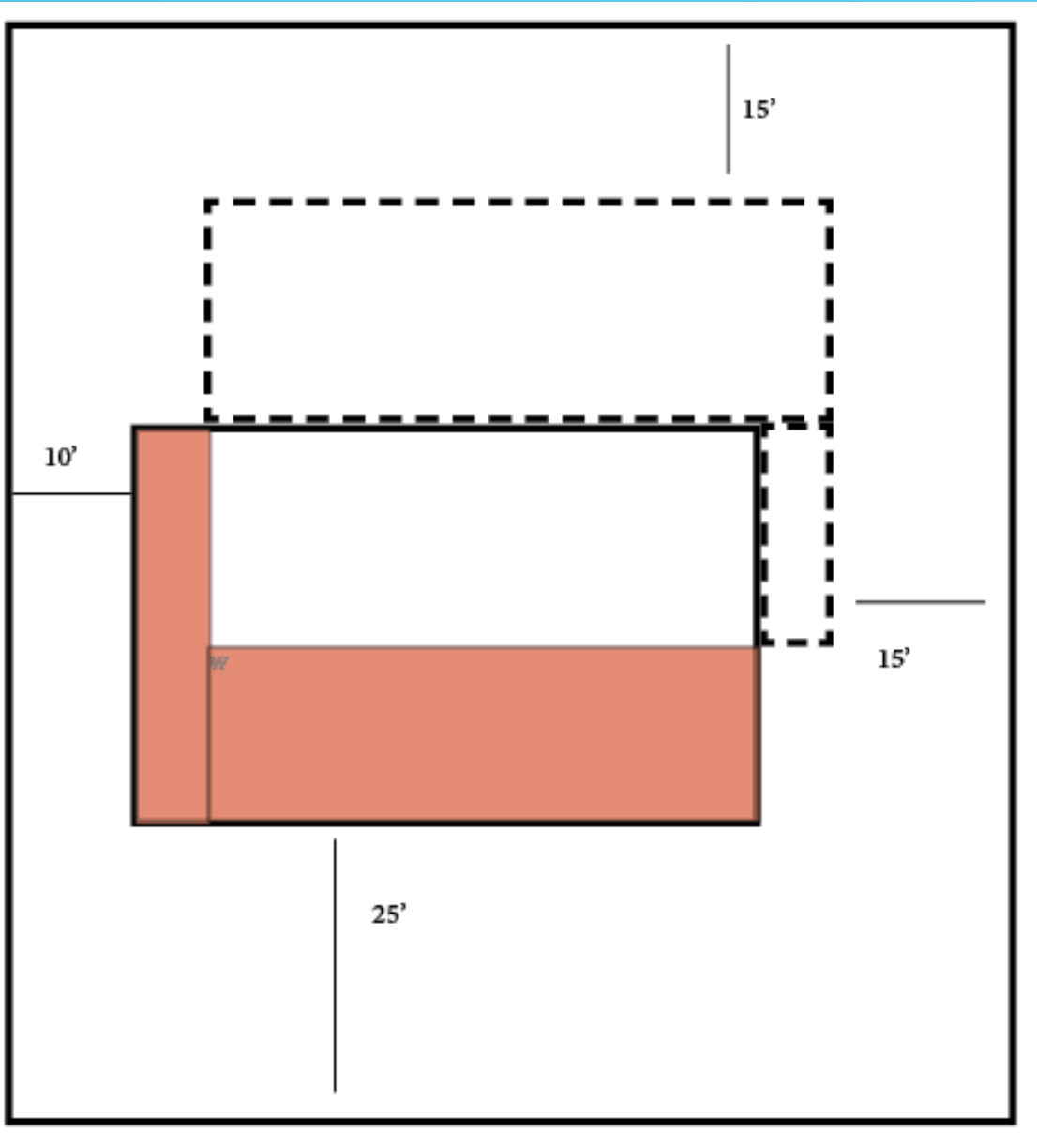


Conforming rear setback can be pushed out to the minimum allowed in the underlying district or 15'.

Dashed lines indicate the redeveloped "growth area" allowed by virtue of the base zoning.

The massing in the portions of the conforming floor space shown in the dashed lines may be carried up to a 2nd story.

Because there is a side setback (right) nonconformity, there are again limits to the amount of floor space that could be added.

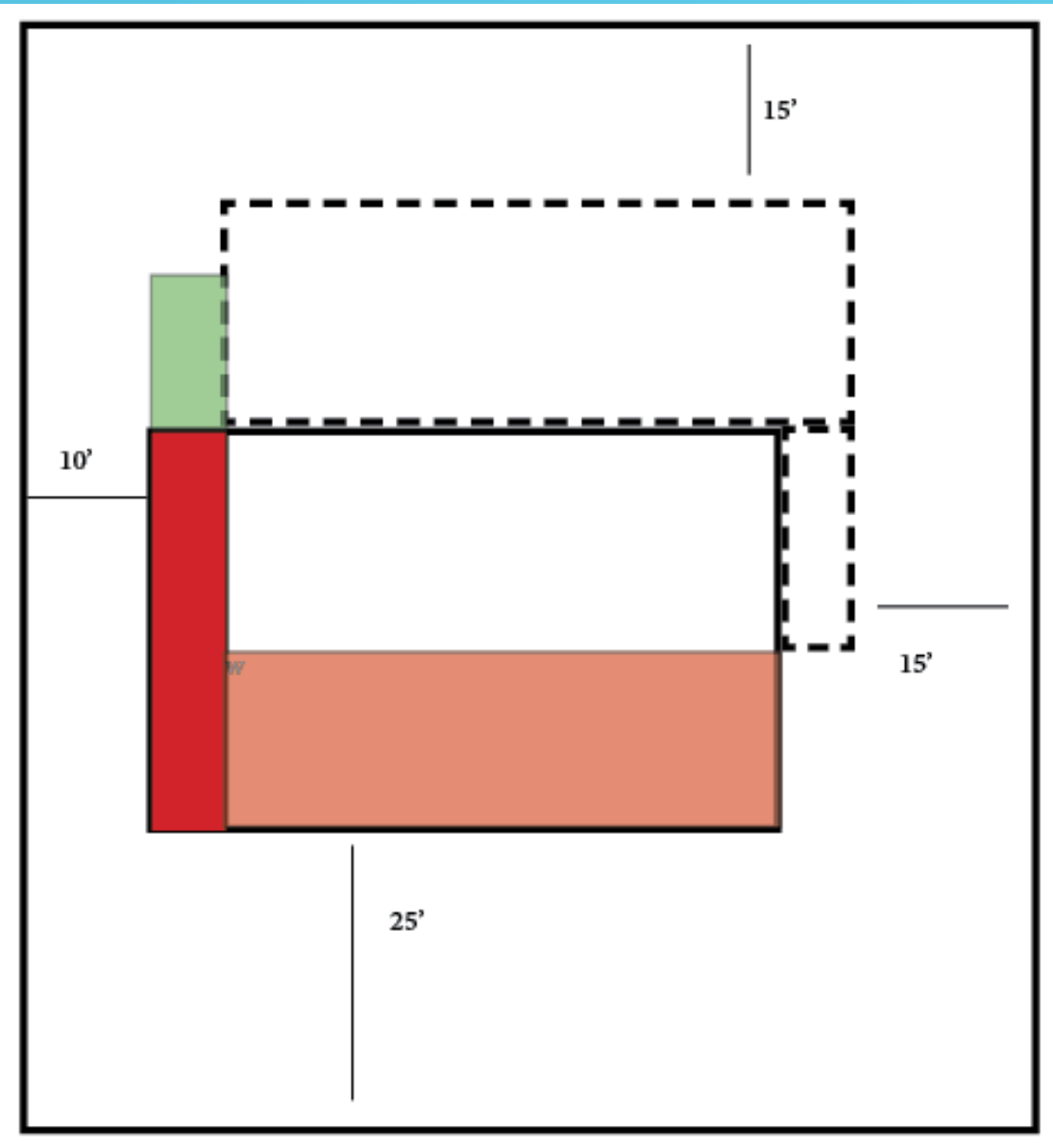


The red-shaded area is the “portion of the floor space” that is nonconforming.

Any house that replaces a home that is voluntarily demolished may increase the floor area within the nonconforming space by only 40%.

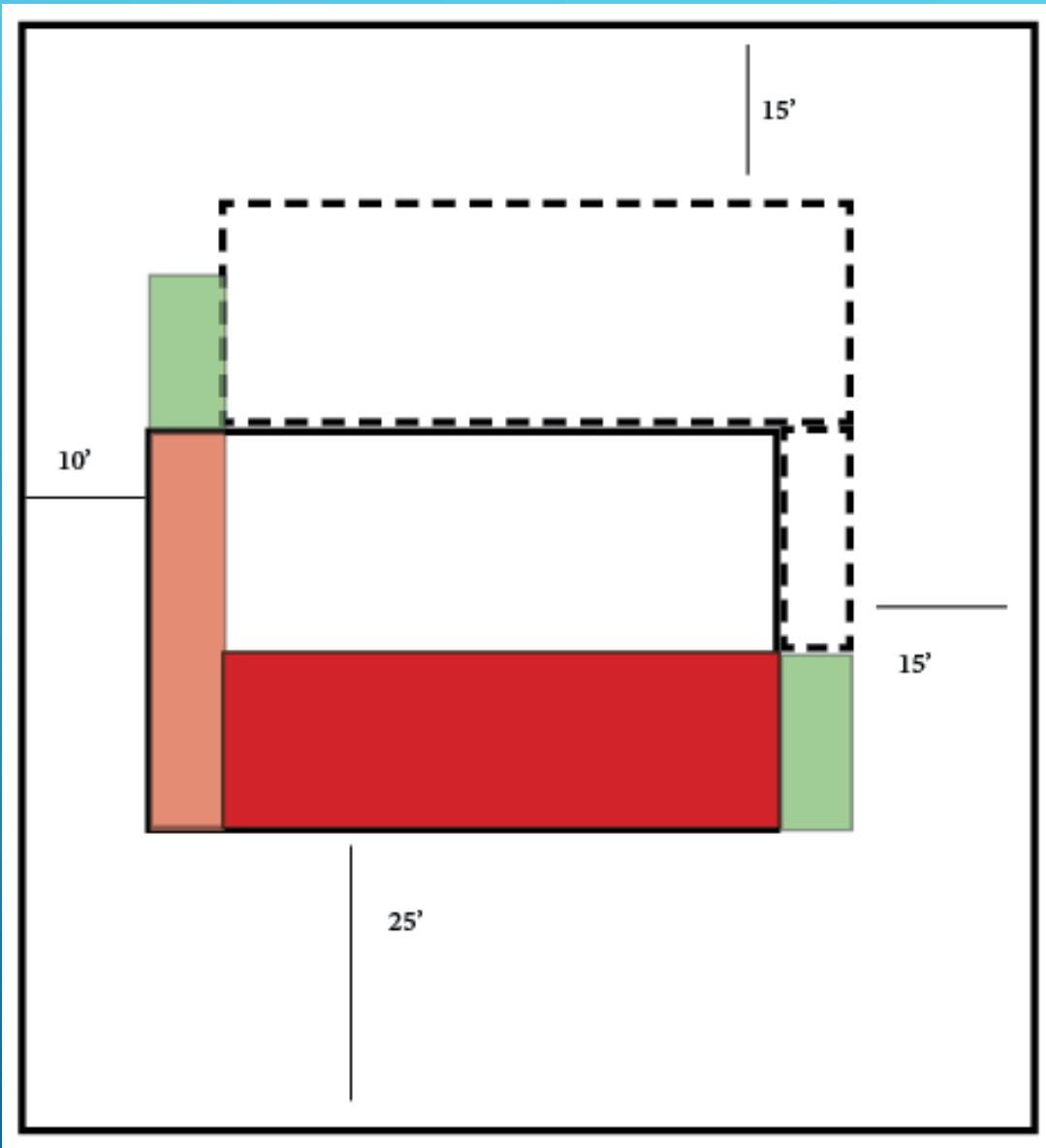
Nonconforming floor space = 750.s.f.

$750 \text{ s.f.} * 0.40 (40\%) = 300 \text{ s.f.}$ of growth permissible in the same setback area either on the same floor or a 2nd floor.



The side setback nonconformity equals approximately 125 s.f. or 5' x 25'.

Only 40% of that area (125 s.f.) can be added within that setback area.



The front setback nonconformity equals approximately 675 s.f. or 15' x 45'.

Only 40% of that area (270 s.f.) can be added within that setback area.

In this conceptual case, 395 s.f. could be added in the portions of the floor space that are nonconforming.

- ▶ Allows ability to increase the amount of land area covered by structures.
- ▶ Does not allow under any circumstances lot coverage by structures in excess of the maximum requirements of the underlying zoning district exclusive of coastal wetlands.

PROPOSED CHANGES: LOT COVERAGE

- ▶ Allows building height increase to maximum allowed in underlying zoning district.
- ▶ Does not allow buildings under any circumstances to be above the maximum height of underlying zoning district.
- ▶ This isn't a substantial deviation from the existing condition, however nothing in the current Bylaw considers height in a meaningful way.

PROPOSED CHANGES: BUILDING HEIGHT

- ▶ Prohibits the utilization of impervious surfaces outside building footprints in the Popponesset Overlay District.
- ▶ Incentivizes redevelopment at smaller scales by allowing raze and replace by right if you comply with all dimensional requirements or rebuild on your current footprint.
- ▶ Allows ZBA to consider lot coverage impacts exclusively from coastal wetlands and its impact on lot coverage calculation.

OTHER NEW CHANGES

The purpose of the proposed Bylaw changes are to:

- ▶ decrease overcrowding and congestion
- ▶ encourage present and future development to maintain harmony in existing neighborhoods
- ▶ clarify which changes, extensions or alterations may be more detrimental than existing
- ▶ Incentivize property owners to make upgrades to their property: FEMA requirements and septic improvements by providing a pathway for modest alterations/extensions of setback nonconformities.
- ▶ Encourages property owners to voluntarily demolish and reconstruct homes within all current setbacks, lot coverage and building height requirements.

CONCLUSION



QUESTIONS

