

AGENDA
SPECIAL MEETING
GROTON ZONING COMMISSION
THURSDAY, MARCH 15, 2018 – 6:30 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 1

I. ROLL CALL

II. APPROVAL OF MINUTES

1. January 31, 2018*
2. February 7, 2018*

III. OLD BUSINESS

1. Commission Workshop - Zoning Regulations Rewrite Project**
 - a. Mixed-Use Design*
 - b. RS-12 and R-12 Zoning District Analysis*
 - c. Mobile Manufactured Homes*

IV. ADJOURNMENT

* ENCLOSED

Next Special Meeting: March 21, 2018
Next Regular Meeting: April 4, 2018

** COMMISSION WORKSHOP – ORAL COMMENTS FROM THE PUBLIC WILL NOT BE RECEIVED AT THIS WORKSHOP. PUBLIC COMMENTS MAY BE SUBMITTED IN WRITING AT THIS WORKSHOP OR PROVIDED ORALLY TO THE COMMISSION AT THE NEXT REGULARLY SCHEDULED ZONING COMMISSION MEETING**

MINUTES
SPECIAL MEETING
TOWN OF GROTON
ZONING COMMISSION
JANUARY 31, 2018 – 6:30 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Hudecek, Sayer, Smith, Sutherland
Alternate members present: Archer
Absent: Edgerton, Marquardt
Staff present: Glemboski, Jones, Gilot

Chairperson Sutherland called the meeting to order at 6:30 p.m.

Chair said oral comments from the public will not be received at this meeting but could be provided at the next regular meeting.

II. APPROVAL OF THE MINUTES

1. January 3, 2018

MOTION: To approve the January 3, 2018 meeting minutes as written.

Motion made by Sayer, seconded by Smith. Motion passed unanimously.

III. ITEMS OF BUSINESS

1. Commission Workshop – Zoning Regulations Rewrite Project

Jeff Davis, Horsley Witten, briefly updated the commission. He noted that Horsley Witten's attorney and the Town's attorney have reviewed the residential definitions which will be discussed tonight. Horsley Witten will not be at the February 7th meeting because the commission has other work, and the February 21st workshop will be a discussion of the mixed use zoning districts and start of the use conditions.

Residential Use Definitions

General Terms:

Household vs. family - "Family" has been changed to "household". Number c) will be changed to a total of 6 (unrelated) persons plus dependent children. Discussion of accessory units, households and number of people allowed to live in an accessory unit. There would need to be some form of legal possession, lease or ownership of the premises. This follows Hartford's definition (Scarborough 11). The current definition of "family" in the zoning regulations allows up to four unrelated persons as a family. The commission agreed to increase the number to six. Domestic employees are now included in the newly proposed definition because they are not part of a family. Only two definitions may be needed, if domestic employees are added to c). Davis will

change “family” to “household”, increase to six, and reflect household employees. Staff said b) is a traditional family and c) is for a mix of related and non-related.

Dwelling - Single family was changed to one-unit dwelling, two-family to two-unit dwelling, and multi-family dwelling to multi-unit dwelling.

Household Living:

Cottages – definitions added for cottage and cottage community: these will be defined according to standards. Conditionally allowed in R, RS, RMF, MVC.

Sayer suggested “one small single household in a cottage community” as a definition for cottage.

Cottage community – the word “community” is not used in other places, so there is no consistency. Community is best word, but not used anywhere else; cottage housing or development would be more consistent. Sayer suggested Housing development consisting of small household units that contains common outside spaces as identified in Section.....”

Mobile homes - The zoning regulations currently have two sets of definitions for mobile homes; one for residential and one for floodplain management. The consensus was to call everything mobile manufactured home - prefabricated and can be moved. “Trailer park” will now become “mobile manufactured home” park or community. Staff explained the history and definition of a mobile home subdivision. The mobile home definitions will be updated and staff will email them to the commission. There is no difference between manufactured (modular) home and stick built home.

Lodging:

Bed and Breakfast – Generally speaking, a bed and breakfast is the use of a primary or main house; usually used to preserve older homes; guests would be allowed to stay in the primary house with the homeowner. As proposed, only the homeowner could stay in an accessory building. This would avoid homeowners adding a secondary building just to use as a guest house. Bed and breakfasts would be allowed in all zones except WW, IG/IM and GR/GC. Some districts might have additional conditional uses. R and RS would require a special permit. RU and RMF would have conditions. The commission did not want to restrict the use of accessory buildings to owners, but may limit the number of accessory buildings on the property. Staff recommended one accessory building. The commission and staff discussed Airbnb’s or temporary rentals. Staff said that has not become an issue yet in this town. Davis said you could request anyone registered through Airbnb must apply for a bed and breakfast. Staff said parking, licensing requirements are considerations for a bed and breakfast. The Building Official has not had any complaints about Airbnb’s and sees no need yet to regulate at this time. Smith said tax revenue may become the issue. Bed and breakfast charges state tax and the business can be written off.

Health/Institutional:

Senior Housing

- Active senior housing – 55 plus, no medical support; currently must meet the density of the underlying zone.

- Residential life care facility – lower density but services are provided:
 - Assisted living
 - Congregate living facility
 - Nursing facility

Staff noted that these definitions have not changed much from current definitions and will align with the state definitions.

Health/Institutional Residential

The attorneys are still reviewing these for compliance with fair housing laws.

- Community group residence, limited
- Residential counseling facility
- Transitional housing

A rooming unit is a private space with shared living areas, no individual kitchen facility. The rooming and boarding house definition was removed.

The commission discussed zero lot line development (such as brownstones or row houses), currently allowed in the zoning regulations and staff wasn't sure if that will be used in the new regulations.

Staff and Davis will update the residential definitions as discussed. The institution definitions will be discussed after the attorneys determine what needs to be allowed and where it has to be allowed.

The commission reviewed the definitions for the green zones. They concurred to change "must have" to "typically has" in the last sentence "...all parcels in this district must have an ownership structure or deed restriction...". The zone description is only a description of what the zone is for, not a definition.

Davis said he just received the analysis data for R-12 and RS-12 and hoped to have the information to the commission for the February 7th meeting if they want to discuss it at that meeting.

A commissioner would like to revisit accessory setbacks, specifically the requirement for an accessory unit to be set back further than the primary building. Also, if an accessory unit as a separate dwelling should be called an accessory dwelling unit. Staff said they will be reviewing these and will bring them to the commission.

The commission also asked about granny pods. Staff said the state has specific standards and the town can adopt those or opt out. Staff said they haven't pushed to opt out because of major revisions to the zoning regulations and they will be looking at this in the future. There is no deadline to the opt-out feature. The commission asked if the opt-out must be adopted by the Town Council. Staff said they would check.

The commission discussed the R-12 and RS-12 neighborhoods that were used for Horsley Witten's analysis. Staff said a lot of variance applications were applied for from the Fort Hill neighborhood, which indicates the setbacks and/or coverage may need to be adjusted so that residents would be allowed to improve their properties.

XI. ADJOURNMENT

Motion to adjourn at 8:06 p.m. was made by Hudecek, seconded by Archer; so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by Debra Gilot
Executive Assistant

NOT APPROVED

MINUTES
TOWN OF GROTON
GROTON ZONING COMMISSION
FEBRUARY 7, 2018 – 6:30 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 1

I. ROLL CALL

Regular members present: Hudecek, Marquardt, Smith, Sutherland
Alternate members present: Archer
Absent: Edgerton, Sayer
Staff present: Glemboski, Zanarini, Gilot

Chairperson Sutherland called the meeting to order at 6:30 p.m. and seated Archer for Sayer.

Staff introduced Tom Zanarini, Code Enforcement Officer/Planner I, who joined the Office of Planning and Development Services about a year ago. Zanarini is the planner for the special permit application for 32 West Main Street.

II. PUBLIC HEARING

1. Special Permit #356, 32 West Main Street, PIN 261918410043, WDD Zone. Proposal is to add outdoor seating with alcohol service and outdoor music to an existing restaurant. Review is per Sections 6.3 and 8.3 of the Zoning Regulations. (Dan Van Kruiningen, Applicant) (Mom Jerry & Jerry, LLC, Owner)

Chairperson Sutherland read the legal notice.

Staff told the commission that Mr. Van Kruiningen did not complete his abutter mailings on time, and requested that the hearing be continued to allow him time to properly complete the mailings.

MOTION: To continue the public hearing for Special Permit #356 to the next regular meeting on March 7, 2018.

Motion made by Hudecek, seconded by Archer. Motion passed unanimously.

III. CONSIDERATION OF PUBLIC HEARING

1. Special Permit #356, 32 West Main Street

The public hearing was continued to March 7, 2018.

IV. PUBLIC COMMUNICATIONS

Jim Furlong, 57 Fishtown Lane, spoke about the new written descriptions of the green districts and offered some suggestions for the table of uses. Mr. Furlong said that Haley Farm and Bluff Point, connected by a pedestrian bridge and a trail, should both be classified as a Green Conservation District. Mr. Furlong also said that recreational vehicles such as ATV's should not be allowed on either of the green zones. Exceptions should be made for handicapped persons. He questioned why the Green Recreation District would allow outdoor amphitheaters, theater or movies and how that would qualify as outdoor recreation, rather than entertainment. He had concerns with food trucks and indoor recreation being allowed in the conservation districts. Also, the regulations have no designation for farm land.

Zell Steever, 81 Main Street, distributed a packet which included Chapter 10 of "Suburban Nation" by Duany, Plater-Zybeck and Speck. Mr. Steever addressed the upcoming discussion of mixed use development in Groton. He outlined eight steps that staff should take to engage other commissions, outside business partners, CONNDOT, and others to coordinate redevelopment along the Route 1 corridor, including development of a master plan of development, a one-stop regulatory process, and possible development of a Traditional Neighborhood Development (TND) ordinance.

V. APPROVAL OF MINUTES - None

VI. OLD BUSINESS

1. Commission Workshop - Zoning Regulations Rewrite Project

Staff noted they are working on the memo regarding R-12 and RS-12 analysis; they will get it out to the commissioners soon. The next meeting is a workshop on February 21st. Horsley Witten will be at the meeting to begin the discussion of mixed use, and the analysis of the RS-12 and R-12 zones. That meeting will start at 7:00 p.m.

Chairperson Sutherland said for the next workshop on February 21st, she would like staff to send a formal invitation to all groups and commissions; the meeting could be held in the larger community room.

VII. NEW BUSINESS

1. Report of Commission - None
2. Receipt of New Applications - None

VIII. REPORT OF CHAIRPERSON - None

IX. REPORT OF STAFF

Staff distributed the Connecticut Federation of Planning and Zoning Agencies newsletter and told the commission that the CFPZA annual meeting will be held on March 22, 2018 at the Aqua Turf Club in Plantsville. If a commissioner plans to attend, please let staff know by March 15, 2018.

Smith asked if staff had any information yet on the annual commissioner training they provide each year. Staff said they would let the commission know as soon as they receive that information.

X. ADJOURNMENT

Motion to adjourn at 6:51 p.m. was made by Hudecek, seconded by Marquardt; so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by:
Debra L. Gilot
Executive Assistant

Horsley Witten Group

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MEMORANDUM

TO: Jon Reiner
FROM: Jeff Davis
DATE: February 28, 2018
RE: Latest Updates to Groton Zoning Regulations, Mixed-Uses, continued

The Horsley Witten Group (HW) presents the following brief summary of the decision points to make with the Zoning Commission (ZC) on March 7. As the ZC did not reach consensus on the R12/RS12 analysis at the last ZC meeting on February 21, there are no edits to the regulations to report. However, the feedback received from the ZC on mixed-use zoning will be helpful in drafting text and standards, particularly for the proposed Mixed-Use Town Center (MTC) zone.

Presentations and Handouts for March 7 Meeting

- Presentation providing the context and decision points for the Mixed-Use Village Center zoning district, particularly focused on the Poquonnock Bridge study area. This will include an analysis of baseline data for the study, and how that data may shape the ultimate boundary of the district.
- Presentation of updated RS-12 and R-12 zoning districts analysis and joint recommendations from HW and Staff. The updated recommendations are included as an attachment to this memorandum.

Discussion/Decision Points for March 7 Meeting

- Boundary of MVC district.
- Consideration of applying R-7 zone to some of the residential neighborhoods abutting the MVC (for example, portions of Fort Hill Homes, North Road, and South Road).
- Height and other dimensional standards specific to the MVC (with Poquonnock Bridge as the example case).
- Whether design standards/guidelines for the MVC should be strictly “traditional” in style or also allow “contemporary” designs that are of high quality and proportionally consistent.
- Review of dimensional analysis for the RS-12 and R-12 zoning districts and accessory buildings. Decision on dimensional standards changes to make, if any.
- Discussion and decision on updated definitions related to mobile homes (see proposed changes below).

Mobile Home Definitions Defined

~~MANUFACTURED (MOBILE) HOME: A transportable single family dwelling unit in one or more sections which is suitable for year round habitation, and equipped with a means to connect to water, sanitary and electric facilities. A manufactured home shall include prefabricated, modular and/or unitized dwellings placed on permanent foundations and mobile homes which are dwelling units built on chassis.~~

MOBILE MANUFACTURED HOME: A home constructed entirely within a controlled factory environment and built to the federal Manufactured Home Construction and Safety Standards (HUD Code). The home may be single or multi-sectional, is able to be transported to the site and installed on rigid supports, is suitable for year round habitation, and is equipped with a means to connect to water, sanitary, and electric facilities.

For the purpose of flood management regulations, the term also includes park trailers and recreational vehicles placed on a site for 180 consecutive days or longer and intended to be improved property. This definition shall not include recreational vehicles placed on sites for fewer than 180 consecutive days and which are fully licensed and ready for highway use; a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions (Eff: 2/10/95)

MOBILE MANUFACTURED HOME PARK OR SUBDIVISION (EXISTING): A **mobile** manufactured home park or subdivision for which the construction of facilities for servicing the lots **or spaces** on which the **mobile** manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before April 15, 1977, the effective date of the floodplain management regulations adopted by the community.

MOBILE MANUFACTURED HOME PARK OR SUBDIVISION (EXPANSION): The preparation of additional **sites area or rearranging of the existing area** ~~by for the construction of new or existing facilities, utilities, streets, recreation or open space~~ for servicing ~~the an existing mobile manufactured home park or subdivision.~~ ~~lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~

Note: As written, this "expansion" is only related to the supports and amenities for existing mobile manufactured homes. It does NOT allow for additional mobile manufactured home spaces or lots. Would the ZC like for expansion to include additional spaces or lots?

MOBILE MANUFACTURED HOME PARK OR SUBDIVISION (NEW): A manufactured home park or subdivision for which the construction of facilities for servicing the lots or spaces on which the mobile manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after April 15, 1977, the effective date of the floodplain management regulation adopted by the community.

MOBILE MANUFACTURED HOME SPACE OR LOT: a plot of ground within a mobile manufactured home park or subdivision designed for the accommodation of one mobile manufactured home.



MEMORANDUM

TO: Jon Reiner
FROM: Jeff Davis
DATE: February 28, 2018
RE: RS-12 and R-12 Zoning District Analysis, Updated

R-12 and RS-12 Analysis

As a follow up to the memo produced for this topic on February 12, 2018 (included in full below, for reference), and in response to the conversation at the last Zoning Commission meeting on February 21, 2018, the following recommendations for changes to the R-12 and RS-12 dimensional standards are provided. Both HW and Groton Town staff present these recommendations for the Zoning Commission’s discussion:

R-12

Standard	Current	Proposed	Comments
Minimum Lot Size	12,000 sq ft	12,000 sq ft	No change
Minimum Lot Width	80 ft	60 ft	
Front Setback	30 ft	25 ft	
Rear Setback	30 ft	25 ft	
Side Setback	12 ft	12 ft	No change
Building Height	30 ft	30 ft	No change
Lot Coverage	20%	30%	
Minimum Lot Area per Dwelling Unit	7,500 sq ft	6,000 sq ft	
Covered Porches	Must meet the required front setback	Must be 6-10 ft deep and may encroach up to 10 ft within the front setback	

Front Setback: As noted in the memo below, a reduction to 25 feet still maintains a significant amount of non-conformity for this standard. However, when coupled with the proposed allowance for a covered porch that may encroach up to 10 feet into the front setback, many homes in these neighborhoods should become conforming as they exist today and have the flexibility to make improvements to their front porches or add new front porches without a variance.

Rear Setback: As the memorandum below points out, most lots in these neighborhoods are conforming for rear setback. However, because one of the long term goals within these zoning districts is to allow flexibility as people age and household compositions in town change, allowing for a smaller rear setback will make it easier for property owners to build accessory dwelling units or universally accessible additions. As the Town intends for such additions to be primarily located to the rear of principle homes, it is important that rear setbacks be large enough to accommodate them. This change would also potentially ease the conversion from one-unit to two-unit homes.

Lot Coverage: As discussed in the memorandum below, an increase in lot coverage from 20% to 30% virtually eliminates non-conformity for this standard. When coupled with the small reduction proposed for rear setbacks, this increase in coverage offers property owners the flexibility to improve and expand their homes to accommodate different household types and aging in place.

Minimum Lot Area per Dwelling Unit: Of the 16 two- and three-unit homes analyzed in these neighborhoods, only five (31.3%) currently meet the standard of 7,500 sq ft for minimum lot area per dwelling unit. If this standard is reduced to 6,000 sq ft, 11 (68.8%) would be conforming.

RS-12

Standard	Current	Proposed	Comments
Minimum Lot Size	12,000 sq ft	12,000 sq ft	No change
Minimum Lot Width	80 ft	60 ft	
Front Setback	30 ft	25 ft	
Rear Setback	30 ft	25 ft	
Side Setback	12 ft	12 ft	No change
Building Height	30 ft	30 ft	No change
Lot Coverage	20%	30%	
Covered Porches	Must meet the required front setback	Must be 6-10 ft deep and may encroach up to 10 ft within the front setback	

General Comment: As is true today, the only proposed difference in dimensional standards between the R-12 and the RS-12 is the allowance of two-unit homes in the R-12 (and therefore the R-12 standards for minimum lot area per dwelling unit). Otherwise, the same comments and analysis discussed above for R-12 apply to RS-12.

Original memo from February 12, 2018:

The Horsley Witten Group (HW) presents the following brief summary of an analysis of the dimensions of parcels located in the RS-12 and R-12 zoning districts. This analysis examines the current conditions and impacts from proposed changes to the districts' dimensional standards. At the direction of the Town, HW can provide a more detailed analysis as needed. This analysis was conducted using the Town's GIS parcel data. The front setbacks were calculated by measuring the distance of the front of each primary building to the front lot line. All buildings, including accessory buildings, were used to calculate the current building coverage. This analysis is meant to give the Zoning Commission the information it needs to decide whether and how to adjust these standards.

The goal of any changes to dimensional standards is twofold. First, changes to dimensional standards could reduce the number of non-conforming lots in these neighborhoods, decreasing time and money spent seeking variances. This could benefit residents who wish to build accessibility improvements in old homes, thereby increasing the capacity of some residents to age in place. Second, changes to dimensional standards could ensure that the desirable character of these neighborhoods can be maintained as new development and redevelopment occur in the future. In other words, new or replacement homes can be located in the historical pattern more easily.

As there are several thousand lots within these two zoning districts, a representative sampling was conducted. First, all subdivisions built after the adoption of the current Zoning Regulations were eliminated from the analysis, as they should already largely conform. Within the neighborhoods built prior zoning, there are still well over 1,000 lots to consider. Analyzing all of these would be very time consuming and would drain project resources. As an alternative, a random sampling of 10% of lots from each neighborhood was selected. In total, 139 lots were analyzed. The tables below analyze all of these lots together, as well as each neighborhood separately, in order to identify any significant differences from one neighborhood to the next.

All Lots; Number of Lots: 139

Dimension Type	Current Average	Current Standard	Total # Current Non-Conforming Lots (% of total lots)	Proposed Standard	Total # Non-Conforming Lots Under Proposed Standard (% of total lots)
Front Setback	38.8 feet	30 feet	90 lots (64.7%)	25 feet	64 lots (46.0%)
Rear Setback	76.1 feet	30 feet	25 lots (18.0%)	25 feet	16 lots (11.5%)
Building Coverage	13.4%	20%	14 lots (10.1%)	30%	0 lots (0.0%)
Lot Size	15,430.0 sq ft	12,000 sq ft	56 lots (40.3%)	No change	NA

Front & Rear Setbacks

There are nine lots out of 139 with front setbacks of over 100 feet, which far exceed the other 130 lots and were therefore removed as outliers. After subtracting these nine lots, the average falls to 28.3 feet, or just under the current setback standard. Despite this favorable average, there is a wide range of front setbacks, with nearly 2/3 of all lots violating the current standard of 30 feet. Even dropping the standard to 25 feet, nearly half (46%) of all lots in the sample would remain nonconforming for front setback. The standard would need to drop to 20 feet in order to reduce nonconformity to a more reasonable 27.3%.

Non-conformities related to rear setbacks are not nearly as pervasive, with over 80% conformity within the sample.

Building Coverage

In general, building coverage is not a serious source of nonconformity in these neighborhoods. Most lots are well under the current standard of 20% and the largest coverage in our sample was only 28.0%. Increasing the coverage standard to 30% would likely come close to eliminating coverage nonconformity in all of these neighborhoods. Increasing the coverage to 25% leaves only three nonconforming lots in the sample (2.2%). Increasing the coverage to at least 25% if not 30% will also provide more flexibility for homeowners in these neighborhoods, allowing more people to age in place. For example, this could accommodate a universally accessible one-story addition or an accessory dwelling unit for an aging relative.

Lot Size

While there is no current proposal to alter the 12,000 square foot lot size minimum in these neighborhoods, it is worth noting that lot sizes in the sample range from 4,356 sq ft (all but one of the lots of less than 6,000 sq ft are located in Fort Hill) to 61,637 sq ft (all of the lots with over 35,000 sq ft are located in the RS-12 district surrounding Downtown Mystic). While the *average* lot size is well above the 12,000 sq ft minimum, over 40% of lots are under that size.

Mystic Area; Number of Lots: 71

Dimension Type	Current Average	Current Standard	Total # Current Non-Conforming Lots (% of total lots)	Proposed Standard	Total # Non-Conforming Lots Under Proposed Standard (% of total lots)
Front Setback	47.1 feet	30 feet	40 lots (56.3%)	25 feet	27 lots (38.0%)
Rear Setback	63.0 feet	30 feet	15 lots (21.1%)	25 feet	11 lots (15.5%)
Building Coverage	13.3%	20%	5 lots (7.0%)	30%	0 lots (0.0%)
Lot Size	17,851.6 sq ft	12,000 sq ft	23 lots (32.4%)	No change	NA

Front & Rear Setbacks

This is the largest contiguous neighborhood of the different study areas, with a very wide range in front setbacks in the sample, from approximately eight ft to nearly 350 ft. This area also has seven of the nine lots with front setbacks of over 100 feet (see “All Lots” analysis). The smallest front setback among these seven lots is 122.2 feet and, similar to the All Lots analysis, this resulted in the removal of several lots as outliers. Removing these outliers, the average falls to 30.6 feet, or just above the current standard. Reducing the standard to 25 feet results in a significant drop in nonconformity, from 56.3% to 38%. A further reduction to 20 feet would lead to 25.4% nonconformity.

It is important to note that the variety in setbacks is part of the existing character of this neighborhood. On the one hand, allowing front setbacks that are closer to the street will ensure that this character can be maintained with future development. On the other hand, outside the historic district, there is little keeping properties with deeper front setbacks from building closer to the road – something that may also impact neighborhood character. Notwithstanding this condition, over 40% of the existing homes in the neighborhood are set far enough back to be able to build closer to the street. Anecdotally, this rarely if ever happens, and not in disruptive ways.

Consistent with the All Lots analysis, this neighborhood has less of a problem with rear setbacks. Average rear setbacks are deep, with just over 20% nonconformity among the sample lots.

Building Coverage

Much like the All Lots analysis, most lots are well under the current standard of 20% and the largest coverage in our sample was only 27.7%. Increasing the coverage standard to 30% would likely come close to eliminating coverage nonconformity in this neighborhood. Increasing the coverage to 25% leaves only two nonconforming lots in the sample (2.8%). Increasing the coverage to at least 25% if not 30% will also provide more flexibility for homeowners, particularly in sub-areas such as Ocean View Heights that have much smaller lots than average, and therefore higher building coverage (see below).

Lot Size

Lot size in this neighborhood is on average larger than the other neighborhoods analyzed, and the amount of lots nonconforming for size is smaller (just under 1/3). However, there are certainly some lots that are significantly smaller, with seven lots (9.9%) in the sample having less than 8,000 sq ft. In particular, the Ocean View Heights area, largely intact since its original subdivision in 1922, typically has lot sizes of just over 7,000 sq ft. In order to maintain the diversity of home and lot sizes in this

neighborhood, it may be worth exploring the possibility of having different standards for existing lots of less than 12,000 sq ft (more on this below, under General Observations).

Fort Hill; Number of Lots: 44

Dimension Type	Current Average	Current Standard	Total # Current Non-Conforming Lots (% of total lots)	Proposed Standard	Total # Non-Conforming Lots Under Proposed Standard (% of total lots)
Front Setback	21.2 feet	30 feet	37 lots (84.1%)	25 feet	31 lots (70.5%)
Rear Setback	67.4 feet	30 feet	6 lots (13.6%)	25 feet	3 lots (6.8%)
Building Coverage	12.5%	20%	1 lots (2.3%)	30%	0 lots (0.0%)
Lot Size	12,662.1 sq ft	12,000 sq ft	15 lots (34.1%)	No change	NA

Front & Rear Setbacks

Front setbacks in this sub-area are significantly smaller, on average, than the current standard, with over 84% nonconformity among the sample lots. Dropping the setback to 25 feet still leaves over 70% of the lots nonconforming. At 20 feet, nonconformity is reduced to 36%.

Rear setbacks, on the other hand, are a minimal issue for the neighborhood, with most homes having a deep setback. Reducing the setback to 25 feet would make all but the smallest lots conforming.

Building Coverage

Even in Fort Hill, which has a reputation for being very densely built out, the average coverage is only 12.5%, which is actually *less* than the average for all of these neighborhoods. There is only one lot in the sample that has greater than 20% coverage.

Lot Size

Again, given the general perception of the Fort Hill neighborhood as densely developed, it may be surprising to some that there is a smaller percentage of lots that are nonconforming for size than the average for the All Lots analysis (34% vs. 40%). However, the lots that are smaller are *significantly* smaller, with eight lots (18.2%) in the sample having less than 7,000 sq ft. These smaller lots tend to be more common along Midway Oval. Another issue in this neighborhood is the prevalence of two-unit homes. Among the sample lots, there are five two-unit buildings and one three-unit building. None of these lots meet the 7,500 sq ft per unit lot size requirement, and half of them are under 12,000 sq ft. The wide range of lot sizes suggests that different standards could be explored for lots of under 12,000 sq ft.

Winthrop; Number of Lots: 9

Dimension Type	Current Average	Current Standard	Total # Current Non-Conforming Lots (% of total lots)	Proposed Standard	Total # Non-Conforming Lots Under Proposed Standard (% of total lots)
Front Setback	29.1 feet	30 feet	6 lots (66.7%)	25 feet	3 lots (33.3%)
Rear Setback	88.8 feet	30 feet	3 lots (33.3%)	25 feet	1 lots (11.1%)
Building Coverage	18.8%	20%	4 lots (44.4%)	30%	0 lots (0.0%)
Lot Size	11,059.4 sq ft	12,000 sq ft	6 lots (66.7%)	No change	NA

Front & Rear Setbacks

Of the nine lots sampled, the average front yard setback fell just within the current standard of 30 feet, but 2/3 of the lots are in violation. Dropping the standard to 20 feet would leave just one lot in the sample nonconforming for front setback.

Non-conformities related to rear setbacks are not as pervasive. A reduction to 25 feet would leave just one lot in the sample nonconforming for rear setback.

Building Coverage

This neighborhood has the highest average coverage of all the neighborhoods analyzed, but the average is still under the current 20% standard. Taken individually, four of the nine lots sampled were nonconforming for coverage. Increasing the coverage to 30% eliminates non-conformity in the sample, and 25% eliminates all but one.

Lot Size

Lots in this neighborhood are undersized compared to the other neighborhoods, with 2/3 nonconforming.

Windy Hill; Number of Lots: 4

Dimension Type	Current Average	Current Standard	Total # Current Non-Conforming Lots (% of total lots)	Proposed Standard	Total # Non-Conforming Lots Under Proposed Standard (% of total lots)
Front Setback	63.1 feet	30 feet	0 lots (0.0%)	25 feet	0 lots (0.0%)
Rear Setback	68.0 feet	30 feet	0 lots (0.0%)	25 feet	0 lots (0.0%)
Building Coverage	13.8%	20%	1 lots (25.0%)	30%	0 lots (0.0%)
Lot Size	18,785.3 sq ft	12,000 sq ft	1 lots (35.0%)	No change	NA

Front & Rear Setbacks

Subtracting the one lot with a front setback of 150 feet (the next deepest setback is only 39.5 feet), the average falls to 34.1 feet, still comfortably within the current standard. Windy Hill is notable for being

the only neighborhood analyzed to have no lots among the sample nonconforming for front setback. The smallest front setback among the sample parcels was 30.3 feet.

Similarly, rear setbacks are relatively deep and there were no lots among the sample nonconforming for rear setback. The smallest rear setback among the sample parcels was 38.2 feet.

Building Coverage

Similar to the other neighborhoods, building coverage nonconformity is not pervasive. The largest coverage in the sample is 20.5%.

Lot Size

On average, this neighborhood has the largest lot sizes in the study area, and there is very little nonconformity for this standard.

Warren Ave; Number of Lots: 4

Dimension Type	Current Average	Current Standard	Total # Current Non-Conforming Lots (% of total lots)	Proposed Standard	Total # Non-Conforming Lots Under Proposed Standard (% of total lots)
Front Setback	24.4 feet	30 feet	2 lots (50.0%)	25 feet	2 lots (50.0%)
Rear Setback	100.6 feet	30 feet	0 lots (0.0%)	25 feet	0 lots (0.0%)
Building Coverage	9.0%	20%	0 lots (0.0%)	30%	0 lots (0.0%)
Lot Size	15,572.7 sq ft	12,000 sq ft	0 lots (0.0%)	No change	NA

Front & Rear Setbacks

This neighborhood has varied front setbacks, with some homes very close (less than 10 feet) to the front lot line, and others set well back (over 30 feet). However, they all tend to sit on very deep lots with significant rear setbacks. There were no conformity issues in the sample for rear setbacks. Conversely, dropping the front setback to 25 feet did not reduce the nonconformity related to front yard setbacks.

Building Coverage

Due to the deep lots, this neighborhood has very low building coverage, and the sample included no lots nonconforming for coverage.

Lot Size

All lots in the sample were above the minimum lot size.

Ackley; Number of Lots: 4

Dimension Type	Current Average	Current Standard	Total # Current Non-Conforming Lots (% of total lots)	Proposed Standard	Total # Non-Conforming Lots Under Proposed Standard (% of total lots)
Front Setback	28.2 feet	30 feet	4 lots (100.0%)	25 feet	0 lots (0.0%)
Rear Setback	84.7 feet	30 feet	0 lots (0.0%)	25 feet	0 lots (0.0%)
Building Coverage	13.6%	20%	1 lots (25.0%)	30%	0 lots (0.0%)
Lot Size	10,672.2 sq ft	12,000 sq ft	2 lots (50.0%)	No change	NA

Front & Rear Setbacks

Of the four lots sampled, all were under the current front setback standard of 30 feet, but would all become conforming at 25 feet. Conversely, all lots sampled are currently conforming for rear setback.

Building Coverage

Similar to the other neighborhoods, nonconformity related to building coverage is not a pervasive issue. The largest amount of building coverage in the sample is 20.3%.

Lot Size

This sample had the smallest average lot size of the neighborhoods analyzed, with an average of below 12,000 sq ft. This neighborhood presents another potential argument for having different standards for lots of less than 12,000 sq ft.

Brookshaven; Number of Lots: 3

Dimension Type	Current Average	Current Standard	Total # Current Non-Conforming Lots (% of total lots)	Proposed Standard	Total # Non-Conforming Lots Under Proposed Standard (% of total lots)
Front Setback	42.7 feet	30 feet	1 lots (33.3%)	25 feet	1 lots (33.3%)
Rear Setback	36.8 feet	30 feet	1 lots (33.3%)	25 feet	1 lots (33.3%)
Building Coverage	16.3%	20%	2 lots (66.7%)	30%	0 lots (0.0%)
Lot Size	13,503.6 sq ft	12,000 sq ft	2 lots (66.7%)	No change	NA

Front & Rear Setbacks

There appears to be quite a variety of setbacks in this neighborhood, even considering the small sample size. There are homes with small front setbacks and deep rear setbacks, and vice versa. One lot had ample of both. Due to this wide variation, dropping either setback down to 25 feet did not increase conformity.

Building Coverage

Two of the lots sampled are at over 20% coverage. At 25% coverage, all three lots become conforming.

Lot Size

Two of the sampled lots are quite small (under 10,000 sq ft) while the other is over 20,000 sq ft. Looking at Google Maps, the central and corner lots tend to be much larger than the lots along the interior edges.

General Observations

Front setbacks are a fairly consistent nonconformity throughout most of the neighborhoods. In many instances, even a drop to 25 feet leaves a significant percentage of lots nonconforming. The Town may want to consider a reduction to 20 feet, so long as it is comfortable that there is adequate protection for the front facades of homes on deeper front setbacks that exist alongside homes on shorter ones. In other words, that there would not be a large number of homeowners adding on to the fronts of their homes where they have enough room to do so within the front setback.

Rear setbacks are generally not an issue, with a relatively small percentage of nonconformity across all of the neighborhoods analyzed. There would probably be little advantage to changing the current standard of 30 feet.

Building coverage is less of a problem than expected, with none of the neighborhoods averaging over 20% - the current standard. Increasing coverage to 30% would very likely eliminate coverage nonconformity. Within the sample, an increase to just 25% would do nearly as well, leaving only three nonconforming lots in the study area (2.2%). As mentioned above, increasing the coverage to at least 25% if not 30% will also provide more flexibility for homeowners in these neighborhoods, potentially allowing more people to age in place. For example, this could accommodate a universally accessible one-story addition or an accessory dwelling unit for an aging relative.

Minimum Lot Size, as noted, is not currently proposed to change. However, it should be reiterated that over 40% of all lots in the study area are less than 12,000 sq ft and will remain nonconforming for lot size. To address this issue, the Town could consider dropping the minimum lot size as it has for the current RS-8 zone. However, with so many larger lots in the study area, this may have unintended consequences in the long term due to lots being subdivided. Alternatively, the Town could explore a new district to cover the pockets of smaller lots such as those along Ocean View Avenue and Midway Oval. However, this would likely lead to confusion and would not meet the Town's desire to simplify the zoning regulations. Further, the legality of this type of approach would need to be verified.

These small lot sizes are most problematic in terms of lot coverage. While on average coverage is not an issue for the study area as a whole, it is a considerable barrier for smaller lots. As discussed above, raising the maximum coverage to 30% would largely eliminate coverage nonconformity, while also leaving room for additions that could help residents age in place. If the Zoning Commission is not comfortable with increasing all lots to 30%, they might alternatively consider increasing only lots under 12,000 sq ft to 30%, with lots of 12,000 sq ft and over increasing to 25%. As with any proposed change in policy and regulatory language, HW will confirm the legality of such an approach with project counsel.