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Subject: Article 42 Amendment

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To: Redevelopment Board

This article was originally proposed for the 2020 spring Town Meeting by Barbara Thornton. The idea itself came from a leading Arlington realtor who suggested that there were a few dozen isolated lots in residential districts in town that were unbuildable because they were too small or had insufficient street frontage. It seemed reasonable to relax the lot size or frontage requirements to allow small homes to be built provided that they were permanently deeded to be affordable according to the usual HUD guidelines.

For a brief time last January I teamed up with Ms Thornton to work on a mutually agreeable version. We did reach a consensus with a proposed article that maintained all current yard setbacks. I demonstrated that a small home with a footprint of approximately 30'x25' (comparable to hundreds of typical Arlington homes) could be built on such smaller lots with existing yard setback requirements. The scope of the article was to be zoning districts R0, R1, and R2. Ms Thornton suggested at one point that I be the lead sponsor. At the last minute, however, Ms Thornton changed her mind about the scope, extending it to include all business districts, and I withdrew my support. And since last year, the scope has been further extended from existing undersized lots to open it up to subdivision of existing parcels to create non-conforming lots.

In her presentation, the petitioner has estimated that there might be 500 such vacant, undersized privately owned lots waiting for development. That is grossly inaccurate. I have carefully reviewed the Assessor's database for all of the undeveloped lots between 3000 and 5000 sf. There are not hundreds nor even dozens of such lots that would qualify. I challenge the petitioner to list more than a handful of opportunities.

I would like to return to the original intent of this article from last year and propose to the Board the attached simplified and specific wording, to amend Section 5.4.2 by appending an additional exception to those listed.

Don Seltzer

Amend Section 5.4.2 B. *Exceptions to Minimum Lot Area, Minimum Front Yard Lot Width, Frontage, Open Space, Side Yard, and Height Requirements* in the R0, R1, and R2 Districts by adding:

(8) The following applies to undeveloped lots in the R0, R1, and R2 zoning districts that are unbuildable due to insufficient lot size or frontage. If such lot was recorded with the Registry of Deeds prior to July 1, 2019, the minimum lot size and frontage requirements of section 5.4.2 shall not apply, and the lot may be built upon with a single-family detached dwelling provided that the Zoning Board of Appeals, acting pursuant to Section 3.3, issues a special permit and that such dwelling is permanently deed-restricted for rental or ownership according to official regional guidelines of affordability (see Zoning Bylaw Section 2, Basic Provisions, Definitions Associated with Affordable Housing), meeting the requirements of 8.2.3 (B) and (C),

and provided that:

The lot contains at least 4,000 square feet of land area and 45 feet of frontage, and [L]
The lot has not been held in common ownership with any adjoining land after July 1, 2019, and [SEP]

The district yard and open space requirements of section 5.4.2 are satisfied. [L]
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