

# Article #

## Amend Zoning Bylaw Nonconforming Lots (Two-thirds Vote)

Ray Yacouby moves that the  
Town adopt the Zoning Bylaw  
amendments as set forth in the  
Article.



This article provides additional protections for lawfully constructed single family and two family dwellings on nonconforming lots, and clarifies calculation methods and language for by-right additions or alterations.



- Increases the by-right threshold for extensions, alteration or changes from 15% to 50% of Gross Floor Area of the existing house without a Special Permit.
  - Existing Gross Floor Area of House x .50 = Total by-right Gross Floor Area expansion allowed without a Special Permit
- Changes the word “replacement” under Section 8.1.3 to “reconstruction” to provide consistency with Section 8.1.5



# Relevance

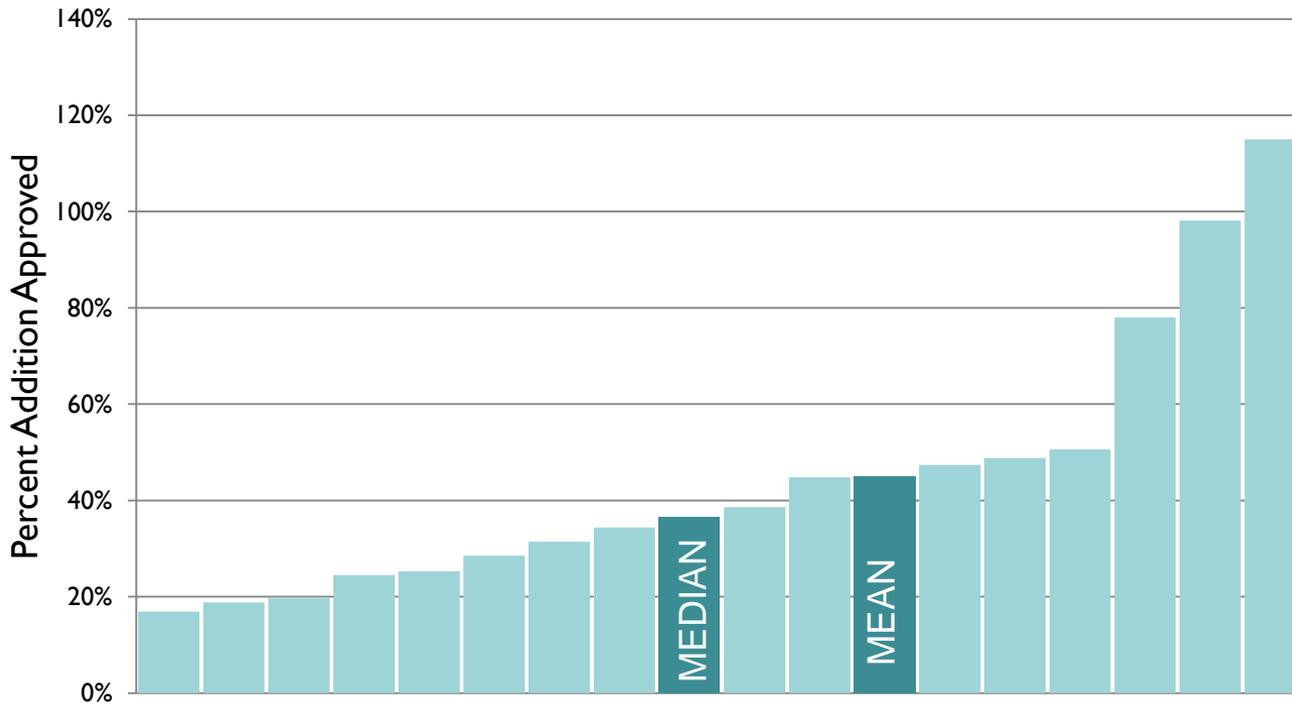
- Based on AppGeo's algorithms, Acton currently has approximately 2,335 nonconforming lots (33.5%)
- Since 2012, 16 special permits were sought for additions over 15% increase - ALL were granted





# Approval ZBA Special Permits

Special Permits Approved, 2012 - Present



Total Permits Approved: 16

Total Permits Denied: 0

Median = 36.5%  
Mean = 45.05%

12 of these special permits granted an increase of less than 50%.



By adopting this Bylaw change, the Town would acknowledge that an increase of  $\leq 50\%$  to the size of a single-family or two-family dwelling structure on a non-conforming lot is not more detrimental to Acton neighborhoods than the existing structure.



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