



Information Compiled Regarding Residential Use in Marion Massachusetts

Prepared for the Marion 2015 Oversight Committee
September 3, 2009

For determining the “build -out” of the Town, the Buzzards Bay National Estuary Program (BBNEP) created eleven categories of land to describe the different characteristics that would affect the build-out calculations. Each category has different land use characteristics. The table below shows the categories, whether the build-out number would be affected by a zoning change to a larger lot size, the number of existing units, and the total number of units under existing zoning are provided in the table below. Restrictions on development due to wetlands have been considered in the computation of the build-out numbers using the Department of Environmental Protection, Wetland Conservancy Program (DEP-WCP) data available at MassGIS. Definitions of the terms used to describe the categories are provided below the table.

Not all of the 3634 parcels were included in the analysis. Permanently protected open space, town infrastructure lots, utilities, and DEP-WCP mapped wetlands were removed from consideration as described in “Build-Out Analysis for Marion, Massachusetts, Using Existing Zoning.” Lots that were not shown to contain at least 500 square feet of mapped upland area were dropped from further consideration. This reduced the lots investigated to 3253 separate parcels. In the “# Existing Units” column, information is given for the existing number of units today, the number of units reported in the 2005 build-out is in parentheses. The “Total # Potential Units” column has three pieces of information: the 2009 build-out based on no special permits being issued for second residential units (accessory apartments) in bold, the 2009 build-out with every lot receiving a special permit for a second residential unit, and the 2005 build-out based on a second residential unit for each lot in parenthesis.

<u>Categories of lots (buildable)</u>	<u>Affected by</u> <u>Increased</u> <u>Lot Size?</u>	<u># Existing</u> <u>Units</u>	<u>Total</u> <u># Potential</u> <u>Units</u>
1. Built on & Built out	No	660 (232)	660 , 660 (232)
2. Built on, not built out, not further subdividable	No	1926 (2051)	1955 , 3849 (4130)
3. Built on, not built out, further subdividable	Yes	89 (70)	362 , 686 (788)
4. Not built on, not further subdividable	No	0	393 , 786 (1267)
5. Not built on, further subdividable	Yes	0	612 , 1224 (1396)
6. Apartment Buildings, Condos	No	241 (126)	249 , 249 (134)
7. Commercial Buildings with Apts.	No	28 (35)	41 , 62 (59)
8. Commercial Buildings w/o Apts.	Yes	0	181 , 364 (556)
9. Tabor	Yes	27 (0)	68 , 126 (94)
10. Town owned unprotected open space	Yes	0	1 , 2 (185)

11. Church lots, and other undevelopables	No	<u>0</u>	<u>0</u>
TOTALS		2,971 (2,514)	4,523, 8,894 (8,841)

Definitions:

1. **Built on & Built out:** Includes lots where there are two units (either a single family home and an in-law apartment, or a two family house) and there is no further opportunity for subdivision of land due to a combination of lot size, uplands and velocity zone designation. Also included are lots in the Limited Industrial District that are not further subdividable that have one residential unit.¹
2. **Built on, not built out, not further subdividable:** Includes lots that have one dwelling unit and are not further subdividable due to a combination of lot size, uplands and velocity zone designation. Under existing zoning, each of these lots may have an apartment in the future by special permit. In the Limited Business District, no Special Permit is required for a second unit.
3. **Built on, not built out, further subdividable:** Each of these lots may be subdivided to create more building lots. Most of these lots have only one unit, although a few have two units.
4. **Not built on, not further subdividable:** These are empty lots that under existing zoning can have a house and an apartment by special permit, and are not further subdividable due to a combination of lot size, uplands and velocity zone designation. These lots are commonly referred to as “grandfathered lots” and are generally protected from zoning changes by state law and the Marion Zoning Bylaw. Some of these lot may have no frontage, but have subdivision potential when combined with an adjacent parcel.
5. **Not built on, further subdividable:** These are empty lots that can be further subdivided. Some of these lot may have no frontage, but have subdivision potential when combined with an adjacent parcel.
6. **Apartment Buildings:** Includes lots that were approved by either special permits, variances, by special district (Residence E), the Tremont Campground, or created before zoning. These lots are not further subdividable due to lot size or the number of units on them already. Included here is the proposed little Neck Village expansion, the Baywatch Realty Trust project (at the number recently approved by the ZBA) and 5 apartments recently approved at the Marion marketplace.
7. **Commercial Buildings with Apts:** Includes existing commercial buildings with apartments.
8. **Commercial Buildings without Apts.:** Includes lots that have existing commercial buildings without apartments. Under existing zoning, some of these lots have potential for further subdivision. (Includes VFW lot on Route 6, but not the engineering related uses in the Limited Industrial District²)

¹Residential use in the LI district is by special permit only. It was felt by the BBNEP that it was unlikely that a second special permit would be issued for a second unit on the same lot, as this was inconsistent with intent to limit residential use in this district.

² Since residential use in the LI district is by special permit it was felt that it was unlikely that the ZBA would allow the conversion of an existing commercial use to a residential use. In

9. **Tabor:** Includes all the properties owned by Tabor Academy. A few of these lots contain single family dwellings housing Tabor Academy staff and their families. Some have multiple housing units for staff.
10. **Town-owned unprotected open space:** This is vacant land the town owns which has not been designated for a future use, or has been designated as open space and recreation but has not been legally designated as such. The sole parcel, adjacent to Holmes Woods, was purchased by the town for school use
11. **Church lots, and other undevelopables:** Includes the churches, rectories, Penny Pincher's, Music Hall, Post Office, Nursing Home and miscellaneous small undevelopable lots due to location (no possibility of subdivision road access) lot size or the presence of wetlands. This category also includes the lots in the Limited Industrial District that have an existing engineering related use.

addition, some of the uses in the district are incompatible with residential use due to the nature of the work being performed.