

## Section 4-20

### SPECIAL DIMENSIONAL EXCEPTIONS

#### 4-20.1 - Lot Aggregation.

Adjoining lots or plots under common ownership may be considered a single lot for zoning purposes and without regard to internal lot lines. Any subsequent separation of ownership shall subject such lots and structures thereon to all other requirements and provisions of this ordinance.

#### 4-20.2 - Infill and Lot Size Averaging.

The Planning Board may issue a Special Permit to allow for a reduction in the Dimensional Requirements and/or an increase in the Density (number of dwelling units per lot) Requirements for lots for residential purposes within the RR, RA, RB and RC Districts provided they find all of the following:

- a. Said lots are not located within a Water Resource Protection Area
- b. The lot's dimensions and density are equal to or greater than the average (the sum of the values divided by the number of values) dimensions and densities of at least sixty (60) percent of the lots located within that same Zoning District within a 300 foot radius of the lot's property lines, but in no case shall such lot have less than 50 feet of frontage and/or 5,000 square feet of lot size.

A list of all of the lot sizes, densities and frontages corresponding to the properties required above derived from the city's Assessor's Maps, as well as the mathematical equations determining the averages of at least 60%, shall be filed by the Petitioner as part of the Special Permit Application.

- c. The lot is serviced by both Westfield public water and public sanitary sewer
- d. On-site parking is provided in accordance with the zoning parking requirements
- e. No traffic congestion, health or safety limitations would be created
- f. The proposed dwelling is consistent with the architectural style, scale, setbacks and character of the immediate neighborhood (abutters and abutters-to-abutters) in that Zoning District

#### 4-20.3 - Frontage Reduction.

1. Cul-de-sacs. In the case of a subdivision lot approved under the Subdivision Control Law, the lot frontage requirement may be reduced by not more than 20% those for lots situated around a cul-de-sac (those having at least 80% of their resultant frontage requirement along cul-de-sac radii), provided they are approved as a part of and are shown on the approved Definitive Subdivision Plan.
2. Use Exemptions. Lot frontage requirements shall not apply to municipal facilities and, where operating without a building, agricultural, nursery and livestock uses. The requisite Special Permit Granting Authority may waive frontage requirements for large scale solar power generators, windmills and wireless communication towers.
3. Flag Lots. To allow for more flexible residential land use options in appropriate locations, the Planning Board may issue a special permit allowing for development of a flag lot, provided:
  - a. The lot is located in the Rural Residential or Residence A District, including the entirety of its frontage;
  - b. Minimum frontage and width is forty feet, and minimum lot area is four acres;
  - c. The lot is used for residential purposes, with the dwelling structure having a minimum setback of fifty feet from the side and rear lot lines;
  - d. A flag lot special permit shall be deemed to have been substantially used upon the recording of the subject lot plan at the Hampden County Registry of Deeds. (9/19/22)

#### 4-20.4 - Building Setbacks.

1. General. No building or structure shall be closer to any lot line than the yard or setback requirement specified for the subject zoning district, except that yards may contain overhanging eaves, gutters, and cornices (of less than 3 feet in length on a principal building) and customary mechanical equipment/projections, exterior steps and required landings, handicapped ramps, basement hatchways/bulkheads, accessory buildings, permissible signs, fences, public utility apparatus, poles, landscape elements, parking spaces and drives. Residential decks attached to the principal building, not having a roof and not higher than 4 feet above ground (decking level) may extend up to 8 feet into rear or side yards. All such features remain subject to other requirements of this ordinance.
2. Reduction by Special Permit. A reduction in any rear or side yard requirement, or of any required separation distance between buildings, may be allowed by a dimensional Special Permit, with the due consideration being given to consistency with the existing character and development pattern of the neighborhood.

*The Board of Appeals shall be the permit granting authority, except that a dimensional Special Permit for a use, lot or structure that requires an additional Special Permit and/or Site Plan Approval by a different authority should and may be requested of and granted by that authority as part of its overall Special Permit and/or Site Plan Approval decision.*

3. Corner Lots. The yard adjacent to each street shall be considered a front yard and shall meet the front setback requirements unless otherwise stated in this ordinance; or in the case where an already developed lot is made a corner lot by the subsequent creation of a new street, the yard adjacent to that new street may be considered a side yard. Rear yard setbacks shall apply only to those lot lines, or portions thereof, which are the rear lot lines of an abutting lot.

(7/13/21)