

SECTION II: DEFINITIONS

~~ACCESSORY DWELLING UNIT/APARTMENT~~: a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in floor area than 1/2 the floor area of the principal dwelling or 900 square feet, whichever is smaller. ~~the alteration of an existing single family home with no expansion of square footage to create one additional dwelling unit consisting of no more than four rooms and no more than 800 square feet of living area. The Accessory Apartment shall be occupied by no more than two people.~~ The owner of the property shall permanently occupy the principal or accessory dwelling/residence. Adequate off-street parking shall be provided. See also Section 4-4 Accessory Dwelling Units.

~~TRAILER OR CAMPER OR MOBILE HOME~~: trailer ~~or camper or mobile home~~ shall mean any vehicle or object on wheels, excluding railroad cars, ~~having no motive power of its own, but~~ which is drawn by or used in connection with a motor vehicle and which is designed for travel, recreational, and vacation uses, including equipment commonly called travel trailers, pick-up coaches or campers, motorized campers, and tent trailers, but not mobile homes. ~~so designed and constructed or reconstructed or added to any means of such accessories as to permit the use and occupancy thereof for human habitation, whether resting on wheels, jacks, or other foundations and shall include a type of vehicle commonly known as a mobile home, which shall be defined to mean~~

MOBILE HOME: a dwelling unit built on a chassis to U.S. Department of Housing and Urban Development (HUD) standards and containing complete electrical, plumbing, and sanitary facilities and designed to be installed on a temporary or permanent foundation for permanent living quarters.

MODULAR HOME: a dwelling that is prefabricated at a factory or other off-site location and containing complete electrical, plumbing and sanitary facilities, which is designed to be installed on a permanent foundation for permanent living quarters, excluding Mobile Homes and Trailers. A modular home shall comply with the State Building Code.

SECTION IV: USE REGULATIONS

a) The following Table of Use Regulations is hereby adopted as part of this Zoning Bylaw. The following codes shall apply:

Y = Yes, the use is permitted by right in that zoning district.

N = No, the use is not permitted in that zoning district.

SP = The use is allowed in that zoning district only if a special permit has been granted by the Zoning Board of Appeals.

SPP = The use is allowed in that zoning district only if a special permit has been granted by the Planning Board.

SPR = The use is allowed in that zoning district only if a site plan review has been conducted under the approval of the Planning Board. See Section 12.

VC = Village Commercial

VR = Village Residential

RR = Rural Residential

C = Commercial
 I = Industrial
 HI = Historic Industrial

b) The Table of Use Regulations shall be as follows:

RESIDENTIAL USES	VC	VR	RR	C	I	HI
Single-Family Dwelling	Y	Y	Y	Y	SP	Y
Two-Family Dwelling	Y	Y	Y	Y	SP	Y
Accessory Dwelling Unit Apartment – Attached	Y	Y	Y	Y	N	Y
<u>Accessory Dwelling Unit – Detached</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>N</u>	<u>SP</u>
Temporary Mobile Home (see Section 8-4)	Y	Y	Y	Y	Y	Y
Mobile Home	N	N	Y	N	N	N
Mobile Home Parks	N	N	N	N	N	N
Bed and Breakfast, up to 4 rooms	Y	SP	Y	Y	N	SP
Multi-Family Dwelling	SP	SP	SP	SP	N	SP

[New Section 4-4. Existing sections 4-4 through 4-6 will be renumbered]

4-4 ACCESSORY DWELLING UNITS

An accessory dwelling unit is a self-contained dwelling unit incorporated within a detached single-family home, or within an accessory structure on a single-family house lot, that is subordinate in size to the single-family dwelling in a manner that maintains the appearance of the structure as a single-family dwelling. For the purposes of this bylaw, there are two types of accessory dwelling units:

- a) Accessory dwelling unit – attached, shall mean the alteration of an existing single-family home to create one additional dwelling unit with no more than 900 square feet of living area, or one-half of the floor area of the single family dwelling, whichever is less.
- b) Accessory dwelling unit – detached, shall mean the creation of one additional dwelling unit on a single-family house lot in an existing or new detached accessory structure. The accessory apartment shall consist of no more than 900 square feet of living area, or one-half of the floor area of the single family dwelling, whichever is less. A detached accessory dwelling unit shall not be a trailer or camper, as defined in these bylaws.
- c) Purpose – The purpose of permitting accessory dwelling units is to:
 - 1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services, enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
 - 2. Provide younger homeowners with a means of obtaining rental income and thereby enabling them to own a home they might otherwise not afford;

3. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to households who might otherwise have difficulty finding housing;
 4. Protect stability, property values, and the single-family residential character of a neighborhood by ensuring accessory apartments are created only in owner-occupied houses; and
 5. Provide housing units for persons with disabilities.
- d) Conditions and Requirements – The Building Inspector may issue a building permit for the installation and use of an attached accessory dwelling unit, and the Zoning Board of Appeals may issue a Special Permit for the installation and use of a detached accessory dwelling unit, only when the following conditions are met:
1. The accessory dwelling unit will be a complete dwelling unit with a separate entry and contain a kitchen and bathroom and no more than two bedrooms.
 2. The gross floor area of the accessory dwelling unit shall not be greater than 900 square feet, or one-half of the floor area of the single family dwelling, whichever is less. Floor area means finished living space, but does not include unfinished attic space, unfinished basement space, unfinished garage or barn space, porch, or patio. An accessory dwelling unit cannot be enlarged by future additions.
 3. Only one accessory dwelling unit may be created within a single-family home or house lot.
 4. An accessory dwelling unit may be located within or attached to the principal dwelling, within an existing accessory structure such as a garage or barn, or within a new accessory structure located on the same lot as the principal single-family dwelling. The accessory dwelling unit must meet all front, side, and rear yard setbacks for the zoning district in which it is located according to Section V Intensity Regulations, unless a Special Permit is issued by the Zoning Board of Appeals in accordance with Section V 5-3 Exception to Dimensional Requirements for Yards.
 5. Prior to issuance of a permit, the owner(s) must submit a notarized letter to the Zoning Board of Appeals stating that they will occupy one of the dwelling units as their permanent or primary residence, except for bona fide temporary absences. Upon sale or transfer of the property to a new owner, if they wish to continue to use the accessory dwelling unit, the new owner must submit, within thirty (30) days of the sale, a substantially identical notarized letter to the Zoning Board of Appeals. Notarized letters must be recorded in the Franklin County Registry of Deeds, with documentation of the recording provided to the Building Inspector, prior to occupancy of the accessory dwelling unit.
 6. Any new outside entrance to serve the accessory dwelling unit shall be located on the side or rear of the building, unless the Zoning Board of Appeals determines that a front entrance will not detract from the character of the surrounding neighborhood.
 7. The accessory dwelling unit must have a minimum of one (1) off-street parking space provided in addition to the off-street parking spaces required for the single-family dwelling. No more than one

curb cut or driveway access shall be permitted, unless the Zoning Board of Appeals determines that a second driveway will improve public safety and not detract from the rural character of the road.

8. The design and room sizes of the accessory dwelling unit must conform to all applicable standards in the health, building, and other codes. A permit for an accessory dwelling unit may only be approved subject to obtaining any required approvals from the Board of Health, including compliance with the State Sanitary Code 310 CMR 15 ("Title 5") for septic systems, where applicable.
 9. An application for building permit or Special Permit for an accessory dwelling unit shall include any information necessary to show proposed interior and exterior changes and to determine compliance with the conditions of this subsection, including a plot plan and floor plans with proposed interior and exterior changes to the building.
- e) Modification or Waiver – No provision of this section may be modified or waived.

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