

SPECIAL TOWN MEETING

JANUARY 28, 2025

ARTICLE 17

To see if the Town will vote to amend its Zoning Bylaw, being Chapter 145 of the Town Code, Article II, entitled “Definitions,” and Article IX, entitled “Special Provisions,” as follows:

- (i) by replacing “ACCESSORY APARTMENT” with “ACCESSORY APARTMENT OR ACCESSORY DWELLING UNIT (ADU)” in Section 145-5, entitled “Word usage and definitions,” being Item “A” following the definition of “ACCESSORY USE OR BUILDING”; and
- (ii) by deleting in its entirety Section 36, entitled “Accessory apartments in residential district,” and substituting therefor a new Section 36, as follows:

§ 145-36 Accessory Dwelling Units in Residential Districts

- A. Purpose. Recognizing the need to provide alternative housing options for family members and residents of the Town, the following regulations are established for accessory dwelling units (ADUs), also known as and referred to herein as accessory apartments, in a residential district. It is expressly understood that this section does not provide for “two-family” or “duplex” type housing.
- B. The owner or owners of a single-family dwelling or of a single-family dwelling in an RA or RB District may by right construct an accessory dwelling unit within the primary single-family dwelling, within an existing outbuilding, within an addition to the single-family dwelling or outbuilding, or in a new outbuilding.
 - 1. The creation of an accessory dwelling unit involving the construction of a new primary or accessory structure, or an increase in the height or footprint of an existing structure, shall require Site Plan Approval under § 145-42.1 of this bylaw.
 - 2. The creation of an accessory apartment that does not include the construction of a new building or an addition on an existing building shall not require Site Plan Approval.
 - 3. In no case shall there be more than one accessory apartment established on a lot.
- C. Requirements for Accessory Dwelling Units
 - 1. An accessory apartment, whether attached to the primary residence or located in a secondary structure, is accessory to the principal residence.

2. The gross floor area of an accessory apartment shall be the lesser of (1) 900 square feet or (2) 50% of the gross floor area of the principal residence.
 3. Adequate provisions shall be made for off-street parking of motor vehicles in such a fashion as is consistent with the character of a single-family residence. One parking space must be provided for the use of the accessory apartment.
 4. Adequate provision must be provided for the disposal of sewage, waste and drainage of such accessory dwelling unit in accordance with the requirements of the Board of Health. The applicant shall obtain and submit to the Building Commissioner a written report of the Board of Health explaining that the changes, if any, to the existing septic system necessary for the existing and proposed units to conform to the requirements of the state sanitary code have been agreed to by the applicant.
 5. An accessory apartment shall have its own 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.
 6. Any accessory apartment intended for occupancy by a person with a disability shall be subject to the provisions of MGL c. 40A, § 3.
- D. The Planning Board shall hold a public meeting on the application, in accordance with the procedures specified in § 145-42.1 of this bylaw;

or take any other action in relation thereto.

SUBMITTED BY: Planning Board

MOTION: I move that the Town amend Townsend's Zoning Bylaw, being Chapter 145 of the Town Code, Article II, entitled "Definitions," and Article IX, entitled "Special Provisions," as printed in the warrant.

READ BY: Laura Shifrin

VOTED: Passed unanimously.