



# Article 39: Zoning Bylaw Amendment Section 4.2.2.2 – Accessory Dwelling Unit

Annual Town Meeting  
*June 2, 2025*



Mr. Boardman moves that Town Meeting take affirmative action on Article #39 as printed in the Warrant.

*2/3 Vote Required*

## Reason for Each Amendment

Amendment: Section 4.2.2.2 For the purpose of providing small **additional** **accessory** dwelling units to rent in the Town that will not substantially alter the appearance of the Town or for the purpose of enabling owners of single-family dwellings larger than required for their present needs to share space and the burdens of homeownership, a building permit may be granted for one **additional accessory** dwelling unit in **an existing or proposed** single-family dwelling or **existing or proposed** detached accessory structure, provided that:

**Reason:** Make it clear the prior build and occupancy requirement prior to 2020 ADU amendment is gone.

## Reason for Each Amendment

Amendment: Section 4.2.2.2(b): The ~~additional~~ **accessory** dwelling unit shall occupy no more than ~~750~~ **1,000** square feet of gross floor area, **as defined under Section 1.3.12, but excluding space used for a garage or as defined in 760 CMR 71.02, whichever is greater,** of the single-family dwelling or detached accessory structure;

**Reason**: The new State Law requires a town to permit ADUs by-right up to 900 s.f.

## Reason for Each Amendment

Amendment: (~~fg~~) The ~~additional~~ **accessory** dwelling unit shall meet the required setbacks for the primary structure of the applicable Zoning District **and all other requirements for location on the lot applicable to the primary structure in the applicable Zoning District.** ~~and a~~ **A** site plan, at a measurable scale, shall be submitted with the application to the Building Inspector showing the location of the ~~additional~~ **accessory** dwelling unit, and the location and arrangement of parking spaces on the property;

**Reason:** ADU needs to meet all the setback requirements, not just Table III dimensional setbacks.

## Reason for Each Amendment

Amendment: Section 4.2.2.2(d) Removed: ~~(d) Either the additional dwelling unit or the single-family dwelling shall be occupied by the owner of the property except for bona fide temporary absences;~~

Amendment: Section 4.2.2.2(h) becomes 4.2.2.2(g): ~~(g)~~ One parking space shall be provided for the ~~additional~~ **accessory** dwelling unit, **except no parking space shall be required for lots within a half mile radius of a transit stop as specified in M.G.L. Chapter 40A Section 1A;**

**Reason:** Consistent with specific requirements in New Zoning Act Law

## Reason for Each Amendment

Amendment: The Board may grant a Special Permit for relief for an **additional accessory** dwelling unit located on a **legal nonconforming** lot with less than the required minimum lot **are size or less than the required frontage** for the applicable Zoning District, ~~and/or an additional dwelling unit up to 1,000 gross square feet, and/or a reduction in the required setbacks for a detached~~ **additional accessory** dwelling unit, provided that **the Board finds that** the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.

**Reason:** Allow a special permit for an ADU on a legal nonconforming lot for area and frontage.

## Reason for Each Amendment

Amendment: Change the use of the word “Additional” to “Accessory”

**Reason:** Allow a special permit for an ADU on a legal nonconforming lot for area and frontage.



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*2/3 Vote Required*