

From: [Paula Fitzsimmons](#)
To: [Matt Coogan](#); [Ross Povenmire](#)
Cc: [Peter Delaney](#); [Steve Merriam](#); [Ralph Nay](#); [Dan Paglia](#); [Amy E. Kwesell](#); [Mark R. Reich](#); [Samantha Mento](#); [Thomas Jonak](#)
Subject: Zoning Accessory Apartment bylaw proposed changes
Date: Tuesday, March 19, 2024 9:04:11 PM
Attachments: [ZBA Accessory Apartment as agreed on 3-19-2024.DOCX](#)

External Sender

Matt and Ross,

At this evening's meeting of the ZBA, the Board voted to refer the attached proposed amendment to the Accessory Apartment bylaw (196-13(C)) to the Select Board and Planning Board for consideration and action at the upcoming Town Meeting.

The ZBA requests discussion of the bylaw amendment be included in the Select Board's March 25, 2024 meeting. Members of the ZBA will be in attendance.

Paula Fitzsimmons, ZBA

3. “Gross floor area for the accessory apartment” unit shall be defined as the sum of the horizontal areas of floors of a building measured from the exterior face of exterior walls and the interior face of common walls.

4. Common walls are those shared by the primary and accessory dwelling units. Walls shared by primary or accessory dwelling units and garage spaces shall be considered exterior walls. All conditioned living spaces of either dwelling unit shall be included in the respective dwelling unit's gross floor area, except garage spaces.

b. The accessory apartment shall be connected by a common door, and separated from the main dwelling unit in a manner which maintains the appearance of the building as a single-family dwelling. Said connection shall not be maintained through a garage or unheated space.

c. There shall be no more than two (2) bedrooms in an accessory apartment.

d. The accessory apartment shall be limited to a maximum occupancy of four (4) persons.

e. 196-13(B)(4) shall not apply to this section.

f. All stairways to additional stories shall be enclosed within the exterior walls of the structure.

~~b.~~

~~(4)~~ Code compliance. The accessory apartment must be determined to comply with current safety, health and construction requirements before occupancy and at every change in occupancy. A building permit shall not issue until there is compliance with said standards.

~~(4)~~

(5) Preservation of single-family characteristics. The accessory apartment shall not change the single-family characteristic of the dwelling, except for the provision of an additional access or egress.

(6) Existing detached structures may continue to be used for the same purposes subject to special conditions imposed by the Board of Appeals.

(7) There shall be no more than one accessory apartment for a total of two dwelling units permitted per lot.

(8) Current apartment uses, effective elate this bylaw, may be continued only as long as the present occupants of the accessory apartment remain in residence.

(9) Under no circumstances shall the accessory apartment be detached from the main dwelling unit. [Added 5-10-2005 ATM, Art. 26]

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