

ARTICLE XX: To see if the Town will vote to amend the Zoning Bylaw, Section 50-7-1. Accessory Apartments, in its entirety, and to revise Section 50-7.1 Accessory Apartments to delete the strikethrough language and add the language in bold, as follows:

Section 50-7.1. Accessory Apartments.

A. Purpose and Intent. The purpose and intent of the Accessory Apartment bylaw is to ~~provide for a range of housing types in the Town of Groveland through the alteration and reuse of existing buildings, to enable homeowners to accommodate the needs of elderly family members or family members with disabilities, and to provide suitable housing for caregivers:~~

- 1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave,**
- 2. Increase the number of smaller, moderately priced dwelling units available for rent in town,**
- 3. Increase the range of choice of housing accommodations,**
- 4. Provide housing units for persons with disabilities, and**
- 5. Encourage a more economic and energy-efficient use of the town's housing supply while maintaining the appearance and character of the town's single-family neighborhoods.**

B. Applicability. Accessory apartments shall be authorized by the Building Inspector/Zoning Enforcement Officer through the issuance of a Certificate of Occupancy in all single-family residential dwellings provided the conditions and requirements of the following sections are met.

C. General Requirements.

- (1) A permit may be granted by the Building Inspector/Zoning Enforcement Officer to accommodate an accessory apartment by the installation of a common wall or the partitioning of or extension of existing habitable area. There shall be no more than one (1) accessory apartment for a total of two (2) dwelling units within a single-family dwelling per lot.
- (2) Use Limitation. The principal dwelling unit or accessory apartment must be occupied by the owner. For the purposes of this section "owner" shall mean one (1) or more of those individuals who hold record title to the lot on which the principal dwelling unit and the accessory apartment are located. ~~Occupancy of the unit not occupied by the owner is limited to a family member related by blood, marriage or adoption to the owner(s).~~

- (3) Floor Area Limitations. The habitable area of the principal dwelling unit shall not be less than sixteen hundred (1600) square feet. The habitable area of the accessory apartment shall be limited to a maximum of nine hundred (900) square feet. The Groveland Zoning Board of Appeals may by special permit allow an increase of up to ten (10) percent in the accessory apartment habitable area square footage limitation if the configuration of the structure makes strict compliance with this requirement difficult. The Groveland Zoning Board of Appeals, by special permit, may also allow reasonable deviation from the stated conditions and requirements where necessary to install features that facilitate access and mobility for disabled persons, provided that the Board of Appeals finds that such deviation is not contrary to the public interest and is consistent with purpose and intent of this bylaw.
- (4) There shall be no borders or lodgers within either the principal dwelling unit or the accessory apartment, or on the same lot with an accessory apartment.
- (5) The total number of bedrooms of the principal dwelling unit and accessory apartment combined may not exceed the capacity of the permitted and compliant septic system serving the units per Title V requirements. This section shall not apply to properties that are connected to the public sewer system.
- (6) Utilities such as water, electric and gas as necessary for the accessory apartment shall be extensions of the existing utilities serving the principal single-family dwelling and shall not be separately metered, unless required by the utility provider.
- (7) Parking shall be provided for as determined by the parking Table 9.1.2.
- (8) To the extent possible, exterior passage ways and access ways shall not detract from the single-family appearance of the dwelling. All stairways to additional stories ~~enclosed within the exterior walls of the structure~~ shall be located on the side or rear of the structure.
- (9) The accessory apartment will be a complete, separate dwelling unit that contains both permanent kitchen and bathroom and has its own means of egress.
- ~~(10)~~ (9) Floor plans of the proposed accessory apartment and principal dwelling unit and a site plan showing the structure(s) on the lot shall be filed with the application for a permit with the Building Inspector/Zoning Enforcement Officer. Plans shall demonstrate that exterior changes to the structure will not significantly alter the appearance of the single-family dwelling.

D. Occupancy Requirements.

- (1) Prior to issuance of a Building Permit ~~and Occupancy Certificate~~, the owner shall send a notarized letter to the Building Inspector/Zoning Enforcement Officer affirming that the owner will occupy either of the principal dwelling unit or the accessory apartment as the owner's primary residence, except for temporary absences of no more than six months in any calendar year.
- (2) Prior to issuance of a Building Permit ~~and Occupancy Certificate~~, the owner shall send a notarized letter to the Building Inspector/Zoning Enforcement Officer stating that to the best of his or her knowledge the accessory

apartment will not violate any deed restrictions applicable to the subject lot or principal dwelling unit.

- ~~(3) A letter of approval of the accessory apartment issued by the Building Inspector/Zoning Enforcement Officer or a Special Permit where applicable, shall be recorded by the owner in the Southern Essex District Registry of Deeds or Land Court, as appropriate, in the chain of title to the property, with documentation of the recording provided to the Building Inspector/Zoning Enforcement Officer within sixty (60) days of the issuance of the Occupancy Permit or Special Permit for the accessory dwelling unit.~~
- (3) ~~(4)~~ When a lot with a structure which has received a permit for an accessory apartment is sold, the new owner, if he or she wishes to continue to exercise the permit, must, within sixty (60) days of the sale, submit a notarized letter to the Building Inspector/Zoning Enforcement Officer affirming that he or she will occupy either of the principal dwelling unit or the accessory apartment on the premises as his or her primary residence, except for temporary absences of no more than six months in any calendar year and acknowledging and agreeing to abide by all conditions to the previously issued Occupancy Certificate and Special Permit, if applicable.
- (4) ~~(5)~~ Any accessory apartment lawfully in existence at the time of the adoption of this By-Law shall be allowed to continue.

(Requires a 2/3rd Majority)

Article submitted by the Building Commissioner

Note: Groveland like many towns is experiencing a shortage of affordable housing forcing residents to relocate or rent portions of their homes without proper permits and inspections. This change will allow for an owner-occupied dwelling to create a subordinate dwelling and if they so choose rent to a non-family member. Permitting these units will provide needed affordable housing options and possible supplemental income to allow residents to remain in town in their homes. This will also reduce illegal apartments that are potentially unsafe as they have not been properly inspected as there will be a path to legally permit the rental space.