



ARLINGTON REDEVELOPMENT BOARD

TOWN HALL ARLINGTON, MASSACHUSETTS 02476

TELEPHONE 781-316-3090

Accessory Apartment Information for 2012 Town Meeting

At the 2012 Town Meeting, members will be asked to consider an amendment to the zoning bylaw to allow accessory apartments. The bylaw amendment, if adopted, would allow owners of single family homes in single family zones to construct within their home a second, smaller unit, by Special Permit. The amendment defines accessory apartments, as well as the conditions that would have to be met to receive an Accessory Apartment Special Permit.

The Redevelopment Board considered this amendment over the course of about 6 months. In December, it posted an online survey for Town Meeting Members, to gauge interest in the matter prior to moving forward. One hundred nineteen (119) Town Meeting Members responded to the survey. The results included below. The Board also held a public informational meeting on February 13, to educate the public and receive feedback on specific policy issues contained within the bylaw amendment. The amendment was also discussed as part of the Redevelopment Board's Public Hearing, held on March 12, 2012. Staff looked at other communities to see where accessory apartments are allowed, and under what conditions. Results of that research are also included along with the proposed zoning bylaw amendment and FAQ.

ARTICLE 8 ZONING BYLAW AMENDMENT/ACCESSORY APARTMENTS

To see if the Town will vote to amend the Zoning Bylaws to allow accessory apartments in single-family residences located in R0 and R1 zoning districts; or take any action related thereto. (Inserted at the request of the Redevelopment Board)

Proposed Vote: *That Section 11 of the Zoning Bylaws be and hereby is amended by inserting a new section 11.09 Accessory Apartments and by amending Section 5.04, Table of Use Regulations, of the Zoning Bylaw by adding a new use numbered 8.00 Accessory Apartments and by adding "SP" in the R0 and R1 columns.*

Proposed text changes:

Section 11.09 Accessory Apartments

- a. **DEFINITION.** An Accessory Apartment is a second dwelling unit located within a structure built as a single family dwelling, subordinate in size to the principal dwelling unit, and physically separated from it, with its own kitchen, bathroom, and two means of egress, and held under common ownership with the primary dwelling unit.

- b. **CONDITIONS AND REQUIREMENTS.** The Zoning Board of Appeals may grant a Special Permit for an Accessory Apartment in a single family dwelling in an R0 or R1 zoning district provided that all of the following conditions and requirements are met:
 - 1. There shall be no more than one Accessory Apartment on a lot.
 - 2. The lot area shall be at least the minimum required under Section 6 of the current version of the Zoning bylaw at the time the Special Permit application is filed.
 - 3. The gross floor area of an Accessory Apartment cannot exceed 33% of the gross floor area of the entire dwelling, as defined in Article 2. In no case shall the gross floor area of the Accessory Apartment exceed 700 square feet.
 - 4. There shall be provided at least three (3) off street parking spaces, two for the primary dwelling unit and one for the Accessory Apartment. Parking spaces shall comply with all criteria within this Zoning Bylaw and Town Bylaws as they exist at the time the Special permit application is filed.
 - 5. The Accessory Apartment unit and the dwelling in which it is located must comply with all of the provisions of the Zoning Bylaw and Town Bylaws as they exist at the time the Special Permit application is filed. Pre-existing non-conforming structures or lots shall not be deemed to be in compliance with the Zoning Bylaw for applications made under this Section.
 - 6. The Accessory Apartment must be contained within the gross floor area of the dwelling existing at the time of the Special Permit application, except for addition of a second means of egress or other modification to meet the state Building Code, and shall not encroach into any of the required yard setbacks, or in other ways violate the zoning bylaw.
 - 7. The owner(s) of the structure in which the Accessory Apartment is located must occupy one of the dwelling units as their primary residence, except for temporary absences of no more than 12 months in any 60 month period.

- c. **PROCEDURES**
 - 1. No Accessory Apartment shall be constructed or altered without issuance of a Special Permit by the Zoning Board of Appeals, pursuant to Section 10.11—Special Permits, and a building permit issued by the Inspector of Buildings.
 - 2. No Accessory Apartment shall be occupied prior to issuance of a Certificate of Occupancy by the Building Inspector.

3. Prior to issuance of a Certificate of Occupancy, the owner must submit to the Building Inspector a notarized affidavit signed under pains and penalties of perjury stating that the owner currently occupies one of the dwelling units on the premises as the owner's primary residence.
4. When a dwelling containing an Accessory Apartment previously permitted under this section is sold or otherwise conveyed, the special permit for that Accessory Apartment shall remain in force only if (a) all requirements of this section continue to be met; and (b) the new property owner submits to the Building Inspector a notarized affidavit, signed under the pains and penalties of perjury, stating that they intend to occupy one of the units in the structure as their primary residence, and will continue to do so, except for temporary absences of up to 12 months in any 60 month period.

Section 5.04--Table of Use Regulations

Accessory Use		R0	R1	R2	R3	R4	R5	R6	R7	B1	B2	B2A	B3	B4	B5	MU	PUD	I	T	OS
8.00	Accessory apartment	SP	SP																	
ART. 6, ATM 5/91																				
8.01	Renting of not more than three rooms to not more than three persons within a dwelling unit	SP	SP	SP	SP	SP	SP	SP	SP	Yes	Yes	Yes	Yes	Yes	Yes					Yes
ART. 5, ATM 4/00																				
8.02	Dormitory of a permitted nonprofit educational or religious institution	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP			SP

Accessory Apartment Frequently Asked Questions

What is an accessory apartment?

An accessory apartment is a small unit located within a single family house. Usually it is not visible from the street, in order to maintain the nature of the property and character of the neighborhood. An accessory apartment must have its own kitchen and bath, and two independent means of egress.

Why is the Town considering allowing accessory apartments?

A number of residents have requested that the Town consider this to increase housing options, and to help families and the elderly stay in their homes. In most cases, residents requesting this are owners of large homes, and would like to have the option of renting a portion of their home for additional income, and/or the ability to have someone to help with home upkeep or family care. Elderly residents may need help with outdoor chores such as shoveling, raking, and taking out trash and recycling.

Who can have an accessory apartment?

Only owners of single family homes in areas zoned single family can apply. In addition, you must have at least the minimum lot size for your district--6,000 square feet in the R1 zone and 9,000 square feet in the R0 zone. You must be able to provide at least one additional parking space on your lot. The applicant must also live in the property, in either of the units.

What if I have one already?

If the unit meets all the requirements of an accessory apartment, as outlined in the draft bylaw amendment, you can apply to the Zoning Board of Appeals for a Special Permit, and then the Building Inspector for an Occupancy Permit. The unit must be no more than 700 square feet, no more than 33% of the total area of the structure, and must meet the State Building and Health and Sanitary Codes.

How will the Town ensure that it doesn't change our neighborhood?

The intention is to allow it only where there is sufficient space on the lot to accommodate the additional resident(s) and cars. The units are by their nature small, and unlikely to house more than one or two residents. There will be no accessory units allowed in 2 family neighborhoods. (If you own a single family house in a 2 family zone you are already allowed to have a second unit today) All requests for accessory apartments will go before the Zoning Board of Appeals for a Special Permit. Abutters will be notified and there will be a public hearing on each request.

Could an accessory apartment go into a garage, barn or carriage house?

The proposed bylaw amendment does not allow accessory apartments in accessory buildings such as a garage or barn. Accessory apartments would only be allowed in a primary building.

What is a Special Permit?
Zoning Special Permits

Massachusetts General Law Ch. 40A Sections 9 and 11 govern special permits. An application for a special permit requires two weeks of published legal notices, notification to abutting property owners, a public hearing, the filing by the Zoning Board of Appeals of a written decision, and a 20-day appeal period. If the law changes allowing accessory apartments by special permit, a homeowner in the single-family zoning districts would be able to file an application for a hearing with the Zoning Board of Appeals for a special permit if the home is eligible based on size, owner-occupancy, and other requirements specified in the proposed zoning bylaw amendment. Note: Special Permits are not the same as variances. Variances cannot be granted for uses. Arlington, like most communities in Massachusetts, doesn't allow variances for uses.

For more information about accessory apartments, contact Laura Wiener, Director of Housing, at 781 316-3091, or lwiener@town.arlington.ma.us.

Accessory Apartments Survey for Town Meeting Members



1. The Redevelopment Board and Planning Department have received many requests over time to amend the zoning bylaw to allow accessory apartments. An accessory apartment may be defined as “a second dwelling unit located within a building constructed as a single family home, subordinate in size to the principal unit, and separated from it, with its own kitchen, bathroom, and independent means of access and egress.” The purpose of allowing accessory apartments is usually to help an older resident living in a large home to stay in their home, while getting income, companionship, and/or help with property maintenance, or to allow a family member or nanny to live with, but separate from, a family. As a Town Meeting member, we want to know your thoughts on allowing accessory apartments, and under what circumstances. Please complete the survey by noon, January 9, 2012. Please tell us your precinct number.

Total Responses = 119 (electronic + paper) ¹¹³ ⁶

	Response Percent	Response Count
Precinct 1	5.3%	6
Precinct 2	3.5%	4
Precinct 3	6.2%	7
Precinct 4	2.7%	3
Precinct 5 <input type="checkbox"/>	0.9%	1
Precinct 6 <input type="checkbox"/>	1.8%	2
Precinct 7	6.2%	7
Precinct 8	8.8%	10
Precinct 9	4.4%	5
Precinct 10	8.0%	9
Precinct 11 <input type="checkbox"/>	2.7%	3
Precinct 12	6.2%	7
Precinct 13 <input type="checkbox"/>	2.7%	3
Precinct 14 <input type="checkbox"/>	2.7%	3

Precinct 15		5.3%	6
Precinct 16		4.4%	5
Precinct 17		4.4%	5
Precinct 18		7.1%	8
Precinct 19		6.2%	7
Precinct 20		5.3%	6
Precinct 21		5.3%	6

answered question **113**

skipped question 0

2. Would you consider allowing accessory apartments in single family homes?

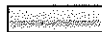
Response Percent Response Count

Yes, I would consider allowing accessory apartments in single family homes.



~~76.1%~~ 86 + 4
75.6 = 90

No, I would not consider allowing accessory apartments in single family homes. (Please elaborate under Question 6).



~~15.0%~~
16.7% + $\frac{17}{19}$

Don't know.



8.8% 10

answered question 113

skipped question 0



3. If you answered yes to the previous question, what conditions would you like to see in order to allow accessory apartments? Check as many as you would like.

		Response Percent	Response Count
One of the units in the house must be owner occupied.	<input type="checkbox"/>	83.3%	75
Owners must apply for a Special Permit.	<input type="checkbox"/>	57.8%	52
Property must have adequate parking. Two spaces for primary unit and one space for accessory unit, for a minimum number of 3 total spaces.	<input type="checkbox"/>	64.4%	58
House must have adequate lot size, as required by zoning. (6000 sf in most single family zones)	<input type="checkbox"/>	45.6%	41
Accessory unit must be considerably smaller than the primary unit. (e.g. 1/3 of total gross square footage, less than 1000 square feet, and no more than 2 bedrooms)	<input type="checkbox"/>	62.2%	56
		answered question	90
		skipped question	23

4. Would you be interested in attending a meeting to exchange information and ideas about accessory apartments?

		Response Percent	Response Count
Yes	<input type="checkbox"/>	53.2%	58
No	<input type="checkbox"/>	46.8%	51
		answered question	109
		skipped question	4

5. If you answered yes, what is your preferred method of contact?

	Response Percent	Response Count
Email 	93.5%	58
US mail 	6.5%	4
answered question		62
skipped question		51

6. Please share any additional thoughts or concerns you may have with respect to accessory apartments.

Comments start on next page.

	Response Count
<i>Comments start on next page.</i>	65
answered question	65
skipped question	48

7. For additional information, contact Laura Wiener, Senior Planner, at lwiener@town.arlington.ma.us, or 781 316-3091.

	Response Count
	12
answered question	12
skipped question	101

Q6. Please share any additional thoughts or concerns you may have with respect to accessory apartments.

- 1 Thanks for taking this on. Appreciate the work planning department does. If idea is to perhaps allow older homeowners to stay in their home and take in some income, if there is a provision to specify that the accessory unit is smaller, and that one of the units be owner occupied, the flexibility should definitely be there for the older resident/owner to live in the smaller unit. Jan 5, 2012 3:33 PM
- 2 It is important that the bylaw require that units meet building, housing and fire codes to ensure the highest level of safety to public. This would protect against building out attic and basement units which could be unsafe. Additionally, need to consider how this may/may not allow units to be built in barns/garages. Jan 5, 2012 11:14 AM
- 3 1. There should be no possibility of grandfathering for lots less than 6000sf. Pct. 12 has many sub-standard (<6K sf) lots where accessory units would help to foster a tenement district; 2. The 3 parking spaces must be within the lot lines of the residence (since owners on private ways often abuse their neighbors' rights by usurping abutters' on-street spaces for their own overflow parking -- such as houses presently with 4-6 vehicles); 3. A distinction should be made in applicable standards between (a) compassionate-use for older relatives of the owners (i.e., "in-law" apartments) and (b) supplementary-income use, wherein the former case enjoys more lenient standards (e.g. possibly no kitchen) and a renewable licensing period (say, 5 years), and the latter case requires more stringent lot size, building inspection, and neighborhood-impact conditions; 4. Any development of such "accessory" use must require an entire-dwelling inspection by code enforcement personnel -- I am aware of living space expansion made within the past decade performed without a building permit, combined with denial-of-access for reassessment purposes. The sticker-shock of the current quarterly tax bill is going to drive some residents in single-family houses to take in roomers, or otherwise motivate them to seek additional income, and this needs carefully determined regulation. Cost-sharing with other family members (whether parents or adult children) is a sensible strategy in the Great Recession, but opening the door to subversion of single-family-zoned sub-neighborhoods by creation of de facto two-family spot zoning is potentially dangerous. I have not given the matter any previous thought, and as a TMM want to hear a great deal more, both from neighbors and the Planning Department. Finally, since you are thinking new zoning thoughts, I would also be interested to hear (1) what consideration is being given to introducing an element of so-called "form-based-zoning" (such as along the Mass Ave commercial/residential corridor) contrasted with our current "use-based" zoning, and (2) what about a "hillside" zoning change to control the onslaught of small-contractor residential developments that fail to give adequate consideration to the unique problems posed to existing neighborhoods when lots on a 15-20- or even 30-percent grade are developed as though they were flatland? Jan 4, 2012 12:46 PM
- 4 I assume that this will be discussed at Town Meeting. I think that the special meeting in 4., above, would be attended by a limited number of very interested parties with their own agenda. Jan 4, 2012 11:19 AM
- 5 I don't want single family homes in R1 Zones to be-come two-familys. Jan 4, 2012 11:11 AM
- 6 This should be tightly regulated. We are already the most densely populated town in the state. This should not be seen as an endround to single family zoning. Jan 4, 2012 9:02 AM

Q6. Please share any additional thoughts or concerns you may have with respect to accessory apartments.

7	I am concerned about overnight parking problems in my neighborhood. Any movement on accessory apartments must also consider loosening overnight parking rules.	Jan 3, 2012 10:46 PM
8	I think this is a very good idea, and if those who can use this are willing to abide by acceptable regulations as well as fire and building codes. it would be a boon to many older residents, myself included some day.	Jan 3, 2012 1:15 PM
9	My major concern is that an accessory apartment may become a de-facto method of converting a single family dwelling into a multi-family dwelling with the concomitant problems following.	Jan 2, 2012 11:55 AM
10	Will likely result in changing the character of some R1 neighborhoods to R2 neighborhoods. There are already illegal 2-family houses in single-family neighborhoods. The Town does not need more.	Dec 31, 2011 5:34 PM
11	DETAILS NEED TO BE CLEARLY STATED AND ALL GUIDELINES AND REGULATIONS MUST BE RESEARCHED AND MADE CERTAIN THAT ALL CONFORM TO STATE AND FEDERAL LAWS PERTAINING TO BUILDING CODES. I WANT TO PRESERVE ARLINGTON AS A FAMILY FRIENDLY COMM NOT A PLACE WHERE ROOMING HOUSES CAN BE SET UP DISGUISED AS ACCESSORY APARTMENTS I LIVE ON BATES ROAD AND A SINGLE FAMILY HOUSE THAT IS RENTED HAS AT LEAST 5 NON RELATED PEOPLE LIVING AT THE HOUSE. THIS IS A ROOMING HOUSE NOT A FAMILY ENJOYING A SINGLE FAMILY HOME.	Dec 30, 2011 7:51 PM
12	I think this is a very good thing for us to accomodate in zoning. I also think the survey is a very good idea	Dec 23, 2011 8:36 PM
13	It's a great way to provide more affordable housing in town and to provide homeowners with help with their housing costs-great idea!	Dec 23, 2011 10:02 AM
14	There are already sufficient means for alleviating hardships deriving from housing needs related to single family homes in that the town already allows controlled rental of rooms insuch homes	Dec 22, 2011 12:56 PM
15	WHAT HAPPENS AFTER THE OWNER DIES ? IS THE PROPERTY NONCOFORMING IN A SINGLE ZONE ? THIS SEEMS TO ZERO IN ON THE OLDER PARTS OF TOWN. WHAT HAPPENS IN HISTORIC AREA? PROPERTY VALUE TO ABUTTERS ???	Dec 21, 2011 10:26 PM
16	Great idea. It is already being done here in Arlington - better to regulate it and do it right.	Dec 21, 2011 6:27 PM
17	Accessory apartments seem like a fine idea. I feel that a special permit for one is a bit unnecessary unless it is part of the building permit for new constructions or is just a no-fee registry for existing units.	Dec 21, 2011 4:16 PM
18	As long as this was not a mechanism to further sub-divide properties into smaller units to maximize rent from properties and increase the overall population density in the town.	Dec 20, 2011 9:50 PM
19	The concept appears to open possible, simple abuse. Now, there are illegal	Dec 20, 2011 11:52 AM

Q6. Please share any additional thoughts or concerns you may have with respect to accessory apartments.

apartments and the town does not have the inspection force to adequately govern legal and illegal. This new concept opens up the possibility of more abuse. As it is, the town wastes legal dollars in pursueing poorly researched situations. How in heaven's name will it do better with a more open possibility?

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| 20 | I believe this will cause zoned single family parcels to skirt the regulations and effectively become zoned multifamily. Sorry to say this would likely lead to anipulation of regs that would go further than intended. | Dec 19, 2011 8:03 PM |
| 21 | It will be open to abuse. A single family home should remain single and any changes made should be done through the permit process. | Dec 19, 2011 7:04 PM |
| 22 | Would like to hear the Pro's and Con's. | Dec 19, 2011 1:01 PM |
| 23 | As a senior citizen I realize the need for such housing. | Dec 19, 2011 11:22 AM |
| 24 | Unit would meet all code restrictions, resident a relative not a renter.Safety access for elder or disabled person. | Dec 19, 2011 10:55 AM |
| 25 | This would be another avenue to circumvent the rules. There are always those that "given an inch, take a mile". | Dec 19, 2011 8:57 AM |
| 26 | Accessory apts attached to single family homes by definition are in conflict with a structure being single family. They should not be allowed in single family zoning. | Dec 19, 2011 8:56 AM |
| 27 | Additonal stress on all Town Services. | Dec 18, 2011 8:40 PM |
| 28 | My final decision would be determined by the content of the warrant article presented at the 2012 town meeting. | Dec 18, 2011 1:20 PM |
| 29 | I think that this is an excellent way for older Arlingtonians to stay in their homes. | Dec 18, 2011 1:04 PM |
| 30 | Adequate parking is my primary concern. Here in East Arlington there is already a problem with people ignoring the overnight parking bylaw due to the lack of enforcement. Increasing tenant population has the potential for aggravating this problem. Otherwise I'm in favor of Accessory Apartments. | Dec 18, 2011 12:03 AM |
| 31 | Assessed value should increase. | Dec 17, 2011 6:58 PM |
| 32 | I think they should be allowed and they should be allowed under the same conditions as multifamily homes. The only stipulation would be that when they are constructed ie..if the homeowner remodels their house for an accessory apartment then it should not change the nature of the dwelling or the footprint of the house, make the house bigger etc. If it will..ie..if they are going to add a second floor onto the house or expand out then it should require a permit Also if the accessory apartment is going to be still considered part of the house...that is the people living in the house do not want their own address/street number etc..then there should not be any additional or special permits required other than any permits already required to remodel the house (if that is what is being done). However if the owners do want their own street number or if the apartment is to be rented out and it is basically going to be similar to becoming its own apartment similar to multifamily house then it should require a permit but nothing outrageous. | Dec 17, 2011 1:58 PM |

Q6. Please share any additional thoughts or concerns you may have with respect to accessory apartments.

- 33 These are a great idea and we should be encouraging them (and also minimizing any red tape needed to get them approved). As for parking, many elder residents don't drive anymore so I think the proposed minimum parking space requirement is too restrictive - 2 spaces is enough in many cases. Dec 17, 2011 12:37 PM
- 34 #3 - What are, if any, the existing zoning reg.s that would apply to building an accessory apt. Dec 17, 2011 11:08 AM
- 35 I'm a big fan of HGTV, and one of their programs fits the criteria for this situation. Dec 17, 2011 9:15 AM
- 36 Sounds like an idea whose time has come. Dec 16, 2011 10:06 PM
- 37 This is an interesting thought. My hesitation is in not knowing who would be allowed to reside there. I have no issue if it is a family member. Another individual, not related, and residing to give the homeowner rent, gives me pause. Dec 16, 2011 8:45 PM
- 38 We have one and two family zones, plus many pre-existing two families in the former and many tolerated but illegal "accessory" uses. We should not turn every single family zone into a two family zone except by voting to alter the zoning map. Dec 16, 2011 6:03 PM
- 39 I think it is a great idea for in-law apartments and promoting families taking care of each other. Dec 16, 2011 5:21 PM
- 40 The accessory apartment should be less than 800 sf and one bedroom otherwise you are making a two family out of one family Dec 16, 2011 3:27 PM
- 41 Keep one families one family Dec 16, 2011 12:17 PM
- 42 If you are doing this survey because you are thinking of putting this on the warrant this year, you ought to be up front about that. If you are considering it for this year, it is way to late to do so. You should have been seeking input from the entire town long ago. And you are only getting a fraction of TM members in this survey. If so many people have asked about accessory apartments, how come they haven't put it on the warrant in the past 10 years?. Why only 1 extra parking space when a 2-bedroom apartment requires 2? Looks like you are trying to push someone's political agenda (i.e., let's test the waters to see if we can push this through TM this year) rather than doing genuine outreach. Why do you care about the precinct number. It is really inappropriate for Planning Department staff to engage in this kind of politicking. Please tell this to your selectmen friends. Dec 16, 2011 10:49 AM
- 43 I would need to know more before I could vote on a bylaw, if any, at TM, but I do not bring any strong objections to the discussion. I would be concerned if this facilitated many teardowns. Q: Might this be appropriate in some residential zoning classes and not others? Dec 16, 2011 10:12 AM
- 44 Don'ty know enough about this to form a solid opinion. I would be willing to attend a meeting. Interested in hearing or reading about it - arguments pro and con. Dec 16, 2011 9:10 AM
- 45 I think that we will see more accessory apartments as our town ages, and I think it is a win-win solution in many situations. My only real concern is that an accessory apartment becomes a way to circumvent zoning and functionally Dec 16, 2011 8:51 AM

Q6. Please share any additional thoughts or concerns you may have with respect to accessory apartments.

make a single family into a 2 family.

46	Why would I want to tell anyone what they can or can't do with their property?	Dec 16, 2011 1:21 AM
47	Would it allow complete strangers to be tenants, just to earn money for the homeowners, or would that be restricted? This is being described as being for family members or companions, or an au pair/nanny, but unclear if it specifically rules out anything else.	Dec 16, 2011 12:28 AM
48	I think "to help an older resident living in a large home to stay in their home" is very important.	Dec 15, 2011 10:06 PM
49	I would like the accessory unit limited to only one bedroom.	Dec 15, 2011 9:57 PM
50	This concept is long overdue. Given the overly large number of elderly in town, accessory apartments could satisfy many folks in town.	Dec 15, 2011 9:51 PM
51	It is a nice way to accommodate extended families, eg elderly parents. I really don't feel the town should be restricting people from choosing to modify their own homes in this manner.	Dec 15, 2011 9:42 PM
52	Think this could be problematic and lead to single family homes being carved up into multiple units. Of course, I think homeowners have rights, too. Slippery stuff.	Dec 15, 2011 9:24 PM
53	Is this timely? Can't it be taken up during regular TM time?	Dec 15, 2011 8:45 PM
54	THIS MAY ALLOW SOME OF OUR "SENIORS" TO STAY LONGER AND SAFER IN THEIR HOMES THAT THEY WORKED TO GET AND KEEP	Dec 15, 2011 7:21 PM
55	Thanks for doing this.	Dec 15, 2011 6:02 PM
56	I think it's about time Arlington allowed on-street overnight parking on one side of the street except during declared snow emergencies. This would expand parking opportunities for seniors who would likely be the principal residents of accessory units.	Dec 15, 2011 5:58 PM
57	I would like to hear the pros and cons before making a decision.	Dec 15, 2011 5:38 PM
58	In my own neighborhood, I don't mind more density, but I do mind more traffic. Most of our R2 districts are well-enough served by transit so that the person in the apartment might not even need/have a car. However, I would not want to see the existence of an accessory apartment without parking being used as justification for an overnight parking waiver.	Dec 15, 2011 5:33 PM
59	I would not consider amending the Zoning By Law to allow accessory Apartments. To do so would in effect do away with the different R zones in town.. There would be no more R1 Districts.. Everything would become R2. This would increase density.. There is no way to control who and for what purpose the Accessory Apartments would be used for. May as well ditch the entire Zoning By Law.	Dec 15, 2011 5:04 PM
60	- "House must have adequate lot size, as required by zoning": we should not disqualify technically non-conforming but grandfathered houses on >6,000sf lots. - Accessory apartments should be for family members or family employees eg	Dec 15, 2011 4:26 PM

Q6. Please share any additional thoughts or concerns you may have with respect to accessory apartments.

nanny or elder-care only, not for open-market rental. (We'd need to develop a legal definition of family member.)

- | | | |
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| 61 | Question #3 does not offer me the opportunity to choose "no special conditions." | Dec 15, 2011 4:12 PM |
| 62 | Only if the DHCD allows the accessory apartments to be counted as SHI units for 40B calculation. This approval must be arranged prior to seeking town meeting approval. | Dec 15, 2011 4:01 PM |
| 63 | If allowed,there would be no meaning to "single family home" zoning, and single family zones would now be populated with multi-family homes. | Dec 15, 2011 3:48 PM |
| 64 | This should not be used to allow additional units in existing two-family houses. | Dec 15, 2011 3:45 PM |
| 65 | I would like to see a provision for additional town revenue via increased property taxes or perhaps with a permit, to mitigate the cost of added town services that may be required if such properties are added. | Dec 15, 2011 3:32 PM |

Accessory Dwelling Unit Bylaw Comparison of Towns
 Sep-11

	Min.Lot Size (sf)	Owner Occ-Occ. Req?	Size of Unit	Separate allowed?	By Right or Spec. Permit	Single Fam. Only?	Parking Requiremnts.	Max. # of Bdrms	Changes to Exterior Appearance
Acton	As required in district	Yes	lesser of 800 sf or 50% of primary unit	By special permit only	By Right, or SP if lot is less than 15,000 sf	Yes	1 additional space for accessory unit	Max 2	Separate entrance required, enclosed stairways ok
Bedford	As required in district	Yes	<30% of primary unit	No	By Right	Yes	2 per Primary Unit, 2 per Accessory Unit	Max 2	Maintain Single-Family appearance; enclosed stairways; new entrance on side or rear yard
Burlington	As required in district	Yes	30% of primary unit	No	By Right	Yes	2 per Primary Unit, 2 per Accessory Unit	Max 2	Maintain Single-Family appearance; enclosed stairways; new entrance on side or rear; minimal additions necessary to comply with building, safety, or health codes
Cambridge	3000 sf per dwelling unit	Yes	35% of primary unit	No	SP	Yes	1 additional space for accessory unit		Maintain Single-Family appearance; ZBA discretion
Concord	Min. 10,000 sf	Yes	Min 350 sf; Max of 33% of Primary	No	SP; expires upon the sale of the property	Yes	2 spaces per unit, 1.5 for affordable or elderly unit		Minimum exterior alterations; additional landscaping and fencing may be required
Lexington	By Right, 10,000; SP min. required in the district	Yes	Max. 1000 sf, not to exceed 40% of Primary unit	By special permit only	By Right	Yes	2 per Primary Unit; 1 per Accessory Unit; max. 4 spaces on lot	Max. 2	Maintain Single-Family appearance; enclosed stairways and new entrance on side or rear allowed.
Lincoln	40,000 sf	Yes	Max 1200 sf and/or 35% of total bldg area	Yes	SP	Yes	"Adequate Provisions"		
Newton	2 x min. lot area for district	Yes	Min 400 sf, Max 1200 sf or 33% of total building size		By Right	Single Family or legal non-conforming two-family	2 per Primary Unit, 1 per Accessory Unit		Alterations to meet health and safety codes only
Waltham	15,000 sf or 20,000 sf , depending on district	Not required		No	SP; occupied by max. 2 persons; renewable every 3 years; Acc. permit not transferable new owner	Yes	4 spaces		No exterior alterations
Watertown	For new units, requirements of the district; For existing units, 80% of the minimum	Not required	In 2-family, up to 75% of smaller primary unit, in single fam., up to 40% of primary unit	Yes	SP	Single and Two Family	2 per Primary Unit, 1 per Accessory Unit	Max. 2 bdrms, 4 rooms total	Must provide 2 legal means of egress and meet all fire safety standards
Haverhill	N/A	Yes	30%-- 800 sf	No	SP, for 5 year period.	Single Family	N/A	N/A	Changes w/in existing footprint, must preserve single family character of building. No separate heating or electrical service. No separate access facing the street.