



TOWN OF BELLINGHAM

OFFICE OF
TOWN CLERK

Bellingham Municipal Center
10 Mechanic Street
Bellingham, MA 02019

Interim Town Clerk
Amy Bartelloni

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June 10, 2025

To Whom It May Concern:

I hereby certify that the text on the following page one, is a true and accurate representation of the votes taken on Article 26 presented at the May 28, 2025 Annual Town Meeting held at the Bellingham High School Auditorium beginning at 7:30 pm. The Meeting was attended by 199 voters of the town.

I further attest that no Articles were amended or brought up for reconsideration.

A true copy.

A TRUE COPY
ATTEST:

JUN 10 2025

BELLINGHAM TOWN CLERK

ATTEST

Amy Bartelloni
Interim Town Clerk



ARTICLE 26. AMEND ZONING BYLAW CHAPTER 240 ARTICLE XII

To see if the Town will vote to amend its Zoning Bylaws, Article XII, Accessory Uses, by deleting the text and title of Section 240-74, and inserting in its place a new Section 240-74 entitled "Accessory Dwelling Units", all set forth in the similarly titled documents on file with the Town Clerk, or act or do anything related thereto.

(By: Planning Board)

*The Finance Committee took No Action on this Article
RECOMMENDED by the Planning Board 4/0*

Motion: I move the Town vote to amend its Zoning Bylaws, Article XII, accessory Uses, by deleting the text and title of Section 240-74, and inserting in its place a new Section 240-74 entitled "Accessory Dwelling Units", all set forth in the similarly titled documents on file with the Town Clerk, or act or do anything related hereto.

Motion made by Robert Lussier and seconded. Motion passed by required majority vote.

Vote: 116 Yes/23 No

ARTICLE 26

§240-74 Accessory Dwelling Units

A Protected Use Accessory Dwelling Unit shall be allowed in the Residential, Suburban, and Agricultural Zoning Districts if consistent with the following.

A. Definitions

- 1) Accessory Dwelling Unit (ADU). A self-contained housing unit consisting of one or more rooms with separate kitchen and bathroom facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that (i) maintains a 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 egress; (ii) is not larger in Gross Floor Area than $\frac{1}{2}$ the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller; and (iii) is subject to such restrictions as noted in §240-74.B, Development Requirements.
- 2) Gross Floor Area. The sum of the areas of all floors of the building, including basements, cellars, mezzanine and intermediate floored tiers and penthouses of headroom height, measured from the exterior faces of exterior walls or from the centerline of walls separating buildings, but excluding: (i) covered walkways, open roofed-over areas, porches and similar spaces; and (ii) pipe trenches, exterior terraces or steps, chimneys, roof overhangs and similar features.
- 3) Principal Dwelling. A structure, regardless of whether it conforms to Zoning, including use requirements and dimensional requirements, such as setbacks, bulk, and height, that contains exactly one Dwelling Unit and is located on the same Lot as a Protected Use ADU.
- 4) Protected Use ADU. An attached or detached Accessory Dwelling Unit that is located, or is proposed to be located, on a Lot in an applicable Zoning District and no other Accessory Dwelling Unit is located on said Lot and which is protected from Prohibited Regulations and Unreasonable Regulations pursuant to M.G.L. c. 40A, s. 3, para. 11 and 760 CMR 71.00.
- 5) Short-term Rental. Short-term rental, as defined in M.G.L. c. 64G, s. 1.

B. Development Requirements

- 1) A total of one (1) Protected Use ADU is allowed by right per lot in the Residential, Suburban, or Agricultural Zoning Districts in addition to a Principal Dwelling located on the same lot.

- 2) A Protected Use ADU cannot consist of a Temporary Structure or Trailer, as defined in Article VI: Definitions, including but not limited to, recreational trailers or tents.
- 3) The Protected Use ADU shall meet the setback and building height requirements for "other uses" as set forth in Article VII Intensity of Use Regulations.
- 4) The applicant must acquire Board of Health approval that the proposed Protected Use ADU will have adequate sewerage disposal in compliance with local regulations and 310 CMR 15.00.
- 5) One off-street parking space shall be required per ADU in addition to the required parking spaces for the principal structure.
- 6) Short-term rentals, as defined in M.G.L. c. 40A, s.3, para. 11 and 760 CMR 71.00, are prohibited for a Protected Use ADU and/or Principal Dwelling Structure.
- 7) A business use shall not be permitted in a Protected Use ADU in any zoning district.
- 8) An ADU is not permitted in areas of common ownership, such as, but not limited to, Condominiums, Townhouses, or Multifamily Dwellings.
- 9) For properties with a Principal Dwelling and ADU, both structures' addresses shall be clearly marked and adequately illuminated. The proposed lighting shall not create glare or spillover that would cause harm to the good and welfare of the general public or cause detriment to an abutting property.
- 10) An ADU shall provide adequate access for emergency response as deemed adequate by the Bellingham Public Safety Officials and be in compliance with all applicable state and local fire codes.
- 11) Prior to the issuance of a building permit, where the Lot or Principal Dwelling is nonconforming, G.L. c. 40A, §6 and Section 240-30 of this Bylaw shall apply and a finding by the Zoning Board of Appeals, acting on a majority vote, that the Protected Use ADU will not be substantially more detrimental than the existing nonconformity to the neighborhood shall be required but shall not be subject to a special permit.