

PLANNING BOARD RULES & REGULATIONS

Chapter 240, ACCESSORY DWELLING UNITS

**§ 240-1. Purpose.**

The Dover Planning Board has adopted this chapter with the following objectives:

- A. To provide clear guidelines to facilitate the submission of applications pursuant to § 185-43 of Chapter 185, Zoning.
- B. To provide for the orderly administration of Accessory Dwelling Unit applications.

**§ 240-2. PROCEDURES FOR SITE PLAN REVIEW OF ATTACHED ACCESSORY DWELLING UNITS.**

Before an application is made to the Planning Board for any Accessory Dwelling Unit (ADU), plans should be discussed with the Building Department. The Building Inspector will determine which review is required.

The following procedures shall be used in connection with Site Plan Review of attached ADU's:

- A. Consultation with the Board of Health. Prior to submitting a Site Plan Review application to the Planning Board, an applicant shall consult with the Board of Health to determine that adequate provision can be made for disposal of sewage, waste and drainage generated by the occupancy of the ADU and the principal residence, and that an adequate water supply can be made available to the ADU and the principal residence. The Board of Health shall provide a written Memo to the Planning Board stating the date of their review and their determination of the adequacy of the septic system and water supply. This Memo shall be kept as part of the Planning Board's permanent file.
- B. Submission of a Site Plan Review Application to the Planning Board. As provided in Dover Zoning Bylaw (DZB) Section 185-43, Accessory Dwelling Units, Attached ADU's require Site Plan Review by the Planning Board.
  - (1) Applications for Planning Board Site Plan Review for attached and detached ADUs shall include the following:
    - (a) A completed signed application form.
    - (b) A copy of a deed or Purchase & Sale Agreement signed by the current owner(s) or Trustees, and as needed, any documents necessary to identify the applicant as the Trustee or Beneficiary of a trust.

- (c) A narrative statement explaining the proposal, including a statement of the owner's plans to reside in the primary residence or the ADU;
  - (d) A detailed Site Plan by a Registered Land Surveyor or Professional Land Surveyor showing any proposed alterations or additions to an existing house or new construction, and in addition, property lines, setbacks, parking, screening for parking if needed, means of access and location of the well and septic system;
  - (e) A detailed Floor Plan of the existing structure by a Registered Architect or a design professional including any proposed alterations for an Attached ADU, or new construction for a Detached ADU, showing:
    - (1) Ingress and egress to the accessory dwelling.
    - (2) Room layout with dimensions and all rooms clearly identified as to their proposed use.
    - (3) Finished and unfinished space shall be clearly identified.
  - (f) The floor area of the primary residence and the ADU with sufficient detail to show how they were determined. The floor area calculations require review and confirmation by the Building Inspector. The applicant should work with the Building Inspector to complete this prior to submission of the application to the Planning Board.
  - (g) When new construction or changes to the exterior of a single-family house are required, existing and proposed elevations shall be provided.
- (2) The applicant shall provide three paper copies and an electronic file of all application materials.
  - (3) The applicant shall provide the Building Inspector, Board of Health and, as needed, the Conservation Commission with copies of ADU applications in digital format for their review, comment and recommendation.
- C. Site Plan Review by the Planning Board. The Planning Board shall review a Site Plan for an Attached ADU and may impose reasonable conditions provided that the Attached ADU complies with the Site Plan Review criteria of Dover Zoning Bylaw Section 185-36 Paragraph E Review Criteria and Section 185-43 Accessory Dwelling Units including Subsection D Additional Standards for ADU's.

**§ 240-3. PROCEDURE FOR APPROVAL OF DETACHED ACCESSORY DWELLING UNITS.**

Before an application is made to the Planning Board or Zoning Board of Appeals for a detached Accessory Dwelling Unit (ADU), plans should be discussed with the Building Department. The Building Inspector will determine which review is required.

Zoning Board of Appeals approval of a Special Permit is required for a detached Accessory Dwelling Unit (ADU). According to Section 185-43 of the Dover Zoning Bylaw, Planning Board review of a Site Plan is required as part of that process. The applicant for a detached ADU shall apply for Site Plan Review by the Planning Board prior to submitting an application for a Special Permit to the Zoning Board of Appeals.

The following procedures shall be used in connection with Site Plan Review of detached ADU's:

- A. The applicant shall follow all steps as outlined in Section 240-2 in their entirety, and provide the Planning Board with all application materials as described in Section 240-2.B. above.
- B. Following its Site Plan Review of the proposed detached ADU, the Planning Board shall send its report to the Zoning Board of Appeals.
- C. Following review by the Planning Board, an application for a Special Permit shall be submitted to the Zoning Board of Appeals.