



TOWN CLERK
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BETH A. KOURAFAS
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TAKEN FROM THE MINUTES
OF THE ANNUAL TOWN MEETING
MAY 1, 2023

ARTICLE 27

VOTED:

That the Town vote to amend Section 8.1 the Zoning By-Laws of the Town of Sharon, regarding Accessory Dwelling Units, so that it reads as follows (Bold and underlined denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language):

8.1 ACCESSORY DWELLING UNITS (ADU).

8.1.1 ~~*{Purpose}*~~ **Definition of an ADU:** ~~*{The purpose of this Section is to:}*~~ A secondary residential unit, complete with its own sleeping, cooking and sanitary facilities, that is attached or a part of the primary structure of a single-family dwelling unit, or a structure accessory thereto but functions as a separate unit.

- ~~1. *{Provide small additional dwelling units to rent without adding to the number of buildings in the Town or substantially altering the appearance of the Town;}*~~
- ~~2. *{Provide alternative housing options for elder residents and small families; and}*~~
- ~~3. *{Enable owners of single family dwellings larger than required for their present needs to share space and the burdens of home ownership.}*~~

8.1.2 **Procedures.** Accessory dwelling units may be allowed ~~*as-off*~~ **by-right** in a ~~*{n}*~~ ~~*{existing}*~~ principal dwelling or in a ~~*{n}*~~ ~~*{existing}*~~ detached structure on the same lot, provided that each of the following additional conditions are met **for a building permit.**

8.1.3 **Conditions.**

1. A plot plan of the ~~*{existing}*~~ dwelling unit and proposed accessory dwelling unit shall be submitted to the Inspector of Buildings, showing the location of the building on the lot, the proposed accessory dwelling unit, location of any septic system and required parking. A ~~*{mortgage inspection survey shall be sufficient to meet this requirement}*~~ **certified plot plan, stamped by a Professional Land Surveyor registered in the State of Massachusetts, is required.**
2. An affidavit shall be provided stating that one of the two dwelling units shall be occupied by the owner of the property, except for bona fide temporary absence, ~~*{A second affidavit shall be provided stating that the other dwelling unit shall be leased or occupied by a person in the owner's family or a caretaker for the owner's family. The principal dwelling unit and the ADU shall remain forever in the same ownership}*~~

3. Not more than one accessory dwelling unit may be established on a lot. The accessory dwelling unit shall not be served by any separate utility meter.

4. The accessory dwelling unit shall not be larger in floor area than 50% of the habitable floor area of the principal dwelling, or 900 square feet, whichever is smaller.

5. The proposed ADU must meet the district's primary structure zoning dimensional requirements, except conversion to an ADU of a free-standing accessory structure existing prior to May 2, 2022 will be subject to the dimensional requirements for an accessory structure. For any Structures existing prior to May 2, 2022, demolition, addition and reconstruction will be considered new construction subject to this by-law. *[The external appearance of the structure in which the accessory apartment is to be located shall not be significantly altered from the appearance of a single-family structure or accessory structure thereto. "Significantly altered" shall mean no increase in gross floor area greater than 10% shall be allowed.]*

6. All parking to be off-street on a designated driveway. There shall be not more than one driveway or curb cut providing access to the dwelling units, except for half circular or horseshoe driveways, located in the front of the primary dwelling unit. *[Sufficient and appropriate space for at least one (1) additional parking space, when necessary and feasible, shall be constructed on-site by the owner to serve the accessory dwelling unit. Said parking space shall be constructed of materials consistent with the existing driveway and shall have vehicular access to the driveway. Pervious payment is preferred.]*

8.1.4 Decision. A building permit for an accessory dwelling unit may be granted by the Inspector of Buildings. Exterior appearance of a dwelling with an ADU shall be designed so that the appearance of the structure remains that of a single-family dwelling, subject to the following conditions and requirements:

- 1. All stairways to second or third stories shall be enclosed within the exterior walls of the dwelling**
- 2. Any new entrance shall be located on the side or in the rear of the dwelling**
- 3. Where there are two or more existing entrances on the front facade of a dwelling, if modifications are made to any entrance, the result shall be that one appears to be the principal entrance and the other entrances appear to be secondary**

8.1.5 Special Permits. Any deviation from the conditions set forth in Section 8.1.3 will require a special permit from the Zoning Board of Appeals. A special permit for an accessory dwelling unit may only be granted by the Zoning Board of Appeals upon a finding that the construction and occupancy of the accessory dwelling unit will not be detrimental to the neighborhood in which the subject property is located and after consideration of the factors set forth in Section 10.5 of this bylaw.

MAJORITY VOTE DECLARED BY MODERATOR.

A True Copy.

ATTEST:



MARK F. HOGAN
SHARON TOWN CLERK