

Delete section 3.3.2 and renumber the rest of the sections.

Under 3.8.1 (Accessory Uses permitted in the Residential Districts and dwellings in non-residential districts) -

Insert new section 3.8.1.6 as follows:

3.8.1.6 Accessory Apartments subject to the following standards and requirements.

- a) Any extensions or alterations shall maintain the appearance of a Single FAMILY Dwelling when viewed from a STREET.
- b) The GROSS FLOOR AREA of the Accessory Apartment shall not exceed the lesser of fifty percent of the GROSS FLOOR AREA of the Principal Unit or 800 square feet.
- c) There shall be no more than two bedrooms in the Apartment.
- d) The Apartment shall be designed and constructed to be adaptable with only minor structural changes to meet the requirements for Group 2B residences as set forth in the Massachusetts Building Code, 521 CMR (Architectural Access Board), as amended.
- e) The Apartment shall be clearly and distinctly separated from the Principal Unit by separate entrances either from the exterior of the BUILDING or from a common hallway located within the BUILDING.
- f) Any stairways to an Apartment located above the ground floor of a BUILDING shall be enclosed within the exterior walls of the BUILDING.
- g) 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 BUILDING.
- h) A minimum of one additional parking space shall be provided for the Apartment.
- i) The owner of the property shall occupy either the principal DWELLING UNIT or the Apartment. For the purposes of this section, the "owner" shall be one or more individuals residing in a dwelling who hold legal or beneficial title and for whom the dwelling is the primary residence for voting and tax purposes.
- j) The Apartment shall not be held in, or transferred into separate ownership from the Principal Unit under a condominium form of ownership, or otherwise.
- k) The apartment may be located within a detached BUILDING that is located on the same LOT as the BUILDING with the Principal DWELLING UNIT, if the detached BUILDING has been continuously in existence since before 1990 and has not been expanded or enlarged.. An apartment in such a detached BUILDING may have a GROSS FLOOR AREA of up to 2000 square feet, not including attic or basement areas, and up to three bedrooms. A LOT containing a BUILDING with a Principal Unit and an Apartment within a detached BUILDING shall not be further divided resulting in the separation of the Principal Unit and the Apartment, unless both resulting LOTS and the BUILDINGS thereon meet all minimum area, FRONTAGE, width and yard requirements of the applicable zoning district.
- l) However, in the R-2, R-4, R-8, R8/4, R-10, and R-10/8 Districts an apartment in such a detached BUILDING shall only be allowed with a Special Permit from the Board of Appeals.
- m) No Apartment permitted under this Section shall be constructed and occupied without Building and Occupancy Permits issued by the Building Commissioner.

