

Name: \_\_\_\_\_

## ACCESSORY APARTMENT CONDITIONS

- The accessory apartment will be a complete, separate housekeeping unit that functions as a separate unit from the original unit.
- Only one apartment will be created within a single-family home.
- The owner(s) of the residence in which the accessory apartment is located shall occupy at least one of the dwelling units on the premises.
- The additional unit shall be occupied only by a family member. For purposes of this article, family member shall be defined as one of the relatives of the home owner or spouse as follows: mother, father, sister, brother, son, daughter, uncle, aunt, grandmother, grandfather and/or their spouses.
- The accessory apartment shall be designed so that the appearance of the building remains that of a one-family residence as much as feasibly possible. In general, any new entrances shall be on the side or rear of the building. Any exterior changes made must conform with the single-family character of the neighborhood.
- The accessory apartment shall be clearly a subordinate part of the single-family dwelling. It shall be no greater than eight hundred (800) square feet nor have more than (1) bedroom.
- There shall be provided at least two (2) off-street parking spaces for the principal dwelling unit, and at least one (1) off-street parking space for the accessory apartment. Parking spaces shall be located to the side or rear of the structure, and behind the front yard setback required for the zoning district.
- For dwellings to be served by on-site septic system, the owner must obtain a letter from the Board of Health that the existing sewage disposal system is adequate for the proposed accessory apartment, before a special permit can be obtained.
- There shall be no lodgers in either the original dwelling unit or the accessory apartment.
- The construction of any accessory apartment shall require a building permit.
- The temporary special permit for an accessory apartment in an owner-occupied, single-family dwelling shall terminate upon the sale of the property or transfer of the title of the dwelling, or removal from the dwelling by reason of health or death of the occupant of the accessory unit.
- The owner(s) of the altered dwelling will dismantle the cooking facilities for the accessory apartment and restore the dwelling to a single-family residence upon sale or transfer of title of the dwelling, or removal from the dwelling by reason of health or death of the occupant of the accessory unit, unless a new special permit is obtained within three (3) months after the happening of any of the above events.
- The new owner(s) must apply for re-approval of a special permit for an accessory apartment in an owner-occupied, single-family dwelling and shall submit a notarized letter of application stating that he/she will occupy one of the dwelling units and the additional unit will be occupied by a family member as defined in Section 6.6.3 d. The notarized letter shall state that the original conditions at the time of the original application remain unchanged. Minor changes may be approved without a hearing from the Planning Board.
- Upon receiving a special permit, the new owner(s) must file on the subject property, a Declaration of Covenant at the Hampden County Registry of Deeds. A time-stamped copy of the recorded Declaration of Covenant shall be provided to the Planning Board and the Building Department.

*I have read and understand the above Accessory Apartment Criteria.*

Signature: \_\_\_\_\_

## **SPECIAL PERMIT CRITERIA**

- a. The proposal is suitably located in the neighborhood in which it is proposed and/or the total town, as deemed appropriate by the Special Permit Granting Authority;
- b. The proposal is compatible with existing uses and other uses permitted by right in the same district;
- c. The proposal would not constitute a nuisance due to air and water pollution, flood, noise, dust, vibrations, lights, or visually offensive structures and accessories;
- d. The proposal would not be a substantial inconvenience or hazard to abutters, vehicles, or pedestrians;
- e. Adequate and appropriate facilities would be provided for the proper operation of the proposed use;
- f. The proposal reasonably protects the adjoining premises against any possible detrimental or offensive uses on the site, including unsightly or obnoxious appearance;
- g. The proposal ensures that it is in conformance with the sign regulations of the bylaw. (See Section 6.5)
- h. The proposal provides convenient and safe vehicular and pedestrian movement within the site, and in relation to adjacent streets, property or improvements;
- i. The proposal ensures adequate space for the off-street loading and unloading of vehicles, goods, products, materials, and equipment incidental to the normal operation of the establishment or use;
- j. The proposal provides adequate methods of disposal and/or storage for sewage, refuse, and other wastes resulting from the uses permitted or permissible on the site, and methods of drainage for surface water;
- k. The proposal ensures protection from flood hazards, considering such factors as the following: elevation of buildings; drainage, adequacy of sewage disposal; erosion and sedimentation control; equipment location; refuse disposal; storage of buoyant materials; extent of paving; effect of fill, roadways or other encroachments on flood runoff and flow;
- l. The proposal is in general harmony with the general purpose and intent of this bylaw;
- m. The proposed use complies with any and all additional Special Permit Criteria or special use regulations imposed on individual uses in Section VI of this bylaw.

*I have read and understand the above Special Permit Criteria.*

Signature: \_\_\_\_\_