

§ 218-9.4. Accessory apartment. [Amended 10-3-2020 by Art. No. 20 ; 5-1-2021 ATM by Art. 15]

§ 218-9.4.1. Purpose.

- a. To provide homeowners of a single-family dwelling larger than required for present needs with a means of sharing space and the burdens of home ownership, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
- b. Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle.
- c. Provide small additional housing units for rent without substantially altering the appearance of the Town
- d. Provide housing units for persons with disabilities.
- e. Protect stability, property values, and the residential character of a neighborhood

§ 218-9.4.2. Attached accessory apartment. [Adopted 4-29-2023 ATM by Art. 19]

Use of an accessory apartment, an independent dwelling unit not to exceed 800 square feet of habitable floor area contained within a single-family house. The unit shall have a separate entrance, a kitchen/living room, a bathroom and a maximum of two bedrooms. Either unit shall be occupied by the owner. The gross floor area shall include the interior finished habitable area to be used exclusively for the accessory apartment.

One accessory apartment shall be allowed by right in the RA and RB Districts providing the following criteria are met:

- a. The accessory apartment shall conform to the provisions of Title V of the State Sanitary Code, 310 CMR 15.00, and applicable regulations of the Groton Board of Health.
- b. Approval from the Fire Department.
- c. Building, plumbing, electrical and any other required permits are obtained.
- d. The accessory apartment is contained within a single-family dwelling. Attached accessory apartments shall not be permitted on lots that contain two or more dwellings.
- e. All staircases required to access an accessory apartment must not change the general appearance of a single-family house.
- f. Space may be provided by either raising the roof, or extending the dwelling, but only in accordance with current height and setback requirements.
- g. To maintain the single-family character of the neighborhood, the entrance to the accessory apartment should be on the side or rear, if possible, but may be through the front door, if there is a vestibule.
- h. The owner of the property must occupy one of the two units as a permanent residence.

- i. Accessory apartments are not permitted on lots which have two or more dwellings.
- j. Sufficient and appropriate area for at least one additional parking space shall be provided by the owner to serve the accessory apartment. Said parking space shall be constructed of materials consistent with the existing driveway and, to prevent on-street parking, and shall have vehicular access to the driveway.
- k. The footprint of the structure in which the attached accessory apartment is to be located shall not be increased by more than 800 square feet and shall retain the appearance of a single-family structure. Any such increase in the footprint shall not exacerbate an existing nonconformity nor create a new nonconformity.
- l. The provisions of MGL c. 40A, § 3 shall apply to any accessory apartments intended for occupancy by a person with a disability relative to access ramps used solely for the purpose of facilitation ingress and egress to person with physical limitations as defined in MGL c. 22, § 13A.

§ 218-9.4.3. Detached accessory apartment. [Added 10-3-2020 by Art. No. 21 ; amended 4-29-2023 by Art. No. 19]

The Planning Board acting as the special permit granting authority may issue a special permit authorizing the installation and use of a detached accessory apartment not to exceed 800 square feet of habitable floor area in a detached structure on a lot containing a single-family dwelling provided the following conditions are met:

- A. Conditions a-c, e, h, j, and l of § 218-9.4.2 are met.
- B. A plot plan of the existing dwelling unit and proposed accessory apartment shall be submitted to the special permit granting authority, showing the location of the building on the lot, the proposed accessory apartment, location of any septic system and required parking
- C. The detached accessory apartment shall be a complete, separate housekeeping unit containing a kitchen/living room, a bathroom and a maximum of two bedrooms. Detached accessory apartments shall not be permitted on lots that contain two or more dwellings.
- D. Off-street parking spaces shall meet the requirements of § 218-8.1 of these bylaws.
- E. Any new construction shall be in accordance with current height and setback requirements for the district in which it is located.
- F. No special permit shall be granted without a condition that the accessory apartment shall conform to the provisions of Title V of the State Sanitary Code, 310 CMR 15.00, and applicable regulations of the Groton Board of Health.
- G. Any property that has been granted a special permit for a detached accessory apartment shall not be further divided unless all zoning requirements can be met for the district in which it is located.
- H. Prior to approval of a special permit for a detached accessory apartment the Board shall make the following findings:

- (1) The detached accessory apartment will not impair the integrity or character of the neighborhood in which it is located.
- (2) The detached accessory apartment will provide housing opportunities in conformance with the purpose of this section.