

Sandisfield Accessory Dwelling Unit Bylaw – August 23, 2022 final draft

01.1 Purpose and Intent: The intent of permitting accessory dwelling units is to:

1. Provide homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
2. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate income households who might otherwise have difficulty finding housing.
3. Develop housing units in our single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle.
4. Provide a housing unit for persons with disabilities.
5. Protect stability, property values, and the residential character of a neighborhood.

02.0 Definitions:

1. **Accessory Dwelling Unit (ADU):** A self-contained housing unit incorporated within a single-family dwelling or within another preexisting structure.
2. **Attached Building:** A building having any portion of one or more walls in common or within five (5) feet of an adjacent building.
3. **Detached Building:** A building having greater than five feet of open space on all sides
4. **Single-Family Dwelling:** A building designed or used exclusively as a residence and including only one dwelling unit.
5. **Dwelling Unit:** One or more rooms designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. Delete the following: This definition does not include a trailer, however mounted.
6. **Primary Residence:** A building in which is conducted the principal use of the lot on which it is located. Such a building would be a dwelling and occupied more than six (6) months of the year.
7. **Short Term Rental:** A rental that is not for more than thirty-one (31) consecutive calendar days.

03.0 Procedural Requirements:

1. **Review Procedure:** All ADUs shall require a building permit.
 - a. ADU plans must be inspected and approved by the Sandisfield Conservation Commission, Board of Health, Planning Board, and Fire Chief with respect to wetlands, setbacks, and 911 number.
 - b. Prior to issuance of a permit, a floor plan must be submitted showing the proposed interior and exterior changes to the building.

04.0 Use and Dimensional Regulations:

1. The issuance of a Building Permit shall follow the requirements in Section 03.0.
2. The ADU shall be a complete and separate housekeeping unit, containing a kitchen and a bath.
3. Only one ADU may be created withing a single-family house or house lot.
4. Any detached building used for the purpose of an ADU must be a pre-existing structure.
5. The gross floor area of an ADU (including additions) shall not be greater than 900 sq feet and include a kitchen, bath, and at least one bedroom with a maximum of two bedrooms.
6. An ADU must have adequate septic capacity.
7. The construction of any ADU must conform to all applicable health and building codes.
8. Sufficient off-street parking shall be available for both primary residents and ADU occupants
9. The owner must be a full time resident and occupy either the ADU or the primary residence
10. Only one unit can be rented at a time.
11. An ADU shall not be used as a short term rental.

05.0 Administration and Enforcement

1. It shall be the duty of the Building Inspector to administer and enforce the provisions of this Bylaw.
2. The Building Inspector shall issue a cease and desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this bylaw.