



**TOWN OF WRENTHAM
PLANNING BOARD**

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WRENTHAM ZONING BY-LAWS

ACCESSORY DWELLING UNIT

Art. 2 – DEFINITIONS

ACCESSORY DWELLING UNIT: A self-contained housing unit incorporated within a single-family DWELLING unit that is clearly a subordinate part of the single-family DWELLING.

Art. 4 USE REGULATIONS

A. RESIDENTIAL USES	R-30 ¹	R-43 ¹	R-87 ¹	B-1	B-2 ³	C-1 ²	C-2	CRSP	VZ-A	VZ-B
8. ACCESSORY DWELLING UNIT, pursuant to 4.11	SP (ZBA)	SP (ZBA)	SP (ZBA)	N	N	N	N	N	SP (ZBA)	SP (ZBA)

Art. 4.11 ACCESSORY DWELLING UNIT (FTM 11/4/19)

ACCESSORY DWELLING UNITs shall be permitted in all DISTRICTs as noted in Section 4, Table 4.2, USE Regulation Schedule only upon issuance of a SPECIAL PERMIT from the ZONING Board of APPEALS in accordance with Article 9 of the Wrentham ZONING BY-LAWS, and in accordance with the additional requirements specified herein.

4.11.1 Purpose. This by-law has been established for the following purposes:

- a. To expand the permitted types of housing to provide an opportunity for older persons who cannot physically or financially maintain their own home to live in homes of relatives; and
- b. To protect the stability, property values and the single-family residential character of the neighborhood and at the same time accommodate so-called “in-law apartments”; and
- c. To authorize the creation of such ACCESSORY DWELLING UNITs and at the same time encourage the Town to monitor conversions for code compliance.

4.11.2 General. An ACCESSORY DWELLING UNIT shall mean a self-contained, separate housekeeping unit, complete with its own sleeping, cooking and sanitary facilities, a separate means of egress, and shares a common wall, that is substantially contained within a single-family DWELLING.

4.11.3 Conditions and Requirements; General. In addition to the criteria contained in Article 9.2 and all other applicable sections of this By-law, the following standards shall also apply:

- a. Only one (1) ACCESSORY DWELLING UNIT may be created within a single-family DWELLING.

- b. The owner(s) of the residence in which the ACCESSORY DWELLING UNIT is located shall occupy one of the DWELLING units.
- c. Either the occupants of both units shall be related by blood or marriage, or one of the units shall be occupied by an individual hired to provide medical assistance, or custodial care to one or more of the individuals in the other units.
- d. The ACCESSORY DWELLING UNIT shall be clearly secondary in nature to the principal DWELLING, and it shall not exceed 40% of the existing total residential space or nine hundred (900) gross square feet in area (including additions), whichever is less.
- e. There shall not be more than two bedrooms in the ACCESSORY DWELLING UNIT.
- f. The ACCESSORY DWELLING UNIT shall be connected and accessible to the principal DWELLING unit by an entrance through a common wall.
- g. Off-STREET PARKING SPACES should be available for use by the owner(s) and the occupant(s) and no more than one curb cut or DRIVEWAY access shall be permitted, unless the LOT already had multiple access points before the date of August 20, 2019.
- h. If the LOT is not connected by PUBLIC sewer, prior to obtaining a BUILDING permit, the Board of Health shall certify that the septic system is in compliance with Title 5 of the State Environmental Code and the Board of Health's Regulations.
- i. The utilities serving the additional unit shall not be separated from the primary home.
- j. An application for an ACCESSORY DWELLING UNIT shall include, in addition to information required for a BUILDING Permit, any information necessary to show proposed interior and exterior changes and to determine compliance with the conditions of this By-law, including a plot plan, floor plans, and exterior BUILDING ELEVATIONS for any existing façade that will be altered. To ensure compliance with the requirements of this subsection, the Board may require such plans to be prepared and stamped by qualified professionals.
- k. The ZONING Board of APPEALS may require more or other appropriate conditions in order to protect the PUBLIC health and safety, and the single-family character of the neighborhood. The Board may also allow deviation from the above conditions where necessary upon a finding that such deviation will not be detrimental to the neighborhood nor the intent of this by-law.

4.11.4 Conditions and Requirements; Exterior Appearance. The ACCESSORY DWELLING UNIT shall be designed to maintain the appearances and the essential character of a single-family DWELLING with accessory STRUCTURES, subject to further to the following conditions and requirements:

- a. The ACCESSORY DWELLING UNIT shall be designed so that the appearance of the BUILDING remains that of a single-family residence. In general, any new entrances shall be located on the side or rear of the BUILDING. Any exterior changed made must conform with the single-family character of the neighborhood.

Where two or more entrances exist on the front façade of a DWELLING, one entrance shall appear to be the principal entrance and the other entrance appear to be secondary.

- b. Where there are more than two (2) outdoor PARKING SPACES, there shall be provided suitable screening with evergreen or dense deciduous plantings, walls, FENCES, or a combination thereof in the area between the PARKING SPACES and the nearest LOT line. Screening shall be sufficient to minimize the visual impact on abutters and to maintain the single-family character of the neighborhood.

4.11.5 Expanded ACCESSORY DWELLING UNIT. In order to provide for the development of housing units for disabled and handicapped individuals and persons with limited mobility, the ZONING Board of APPEALS may allow reasonable deviate from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons in the following criteria are met:

- a. The GROSS FLOOR AREA of the apartment shall not exceed 40% of the GROSS FLOOR AREA of the DWELLING, excluding areas of the STRUCTURE used for parking.
- b. The ACCESSORY DWELLING UNIT shall be located in the principal DWELLING.
- c. The size of the DWELLING is consistent with typical nearby single-family DWELLINGS.

4.11.6 Time Limit

- a. The SPECIAL PERMIT for an ACCESSORY DWELLING UNIT shall terminate upon the transfer of title of the property, or the permanent removal of the individual(s) for whom the permit was originally obtained, unless the ZONING Board of APPEALS has approved a transfer of the SPECIAL PERMIT to the new owner.
- b. Permanent removal from the premises of the individual(s) for whom the permit has been obtained shall nullify the permit on the date of such removal.

4.11.7 Provision for ACCESSORY DWELLING UNITS in Existence Before Adoption

- a. Statement of Intent: To ensure that ACCESSORY DWELLING UNITS or conversions in existence before the adoption of this ACCESSORY DWELLING UNIT By-law are in compliance with the State BUILDING Code Regulations.
- b. Application Procedure: The ZONING Board of APPEALS may authorize, under a SPECIAL PERMIT and in conjunction with the BUILDING Inspector, a use known as an ACCESSORY DWELLING UNIT in an Owner-Occupied, Single-Family DWELLING. The Board will review each existing use on a case-by case basis to determine if the DWELLING conforms to State BUILDING Regulations. The applicant must follow the same procedure described in this Article 4.11.