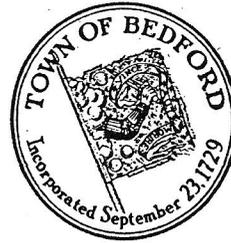


TOWN OF BEDFORD
BEDFORD, MASSACHUSETTS 01730



TTD/TTY: 781-687-6124

CODE ENFORCEMENT DEPARTMENT

Christopher R. Laskey
Inspector of Buildings
Director of Code Enforcement

Town Hall
10 Mudge Way
Bedford, MA 01730-2144
Phone 781-275-7446
Fax 781-275-1334

January 9, 2009

Dear Bedford Resident,

This packet will help you through the process of applying for a building permit to add an accessory apartment to your existing single-family dwelling. The Checklist enclosed should be filled out and included with your building permit application and building plans.

The following information is attached for your review:

Sheet 1 & 2: **Section 4.2.9** of the Bedford Zoning Bylaw as passed at Annual Town Meeting, March 1991. *Please Read Carefully* ~ This section outlines the design criteria you must follow to make sure your accessory apartment complies with the bylaw.

Sheet 3: Copy of Accessory Apartment Checklist that must be filled out and submitted with your building permit application and building plans.

Sheet 4 & 5: These sheets show one example of how a dwelling may be laid out to accommodate an accessory apartment. Sample Sheet No.1 shows how the checklist should be filled out using the information from Sample Sheet No.2.

*****IMPORTANT NOTE*****

You do *not* have to build an addition to accommodate an accessory apartment. You may be able to use a portion of your existing home if the Massachusetts Building Code allows it. Please be aware that, like your single-family dwelling, you must also have two independent ways out of your accessory apartment.

Sincerely,

Christopher R. Laskey
Inspector of Buildings
Code Enforcement Director

*Section 4.2.9 of the Bedford Zoning By-Law
As amended through Special Town Meeting of 2009*

4.2.9 Accessory Apartments

An accessory apartment is a second dwelling unit located within a structure constructed as a detached one family dwelling, subordinate in size to the principal dwelling unit and separated from it, in a manner that maintains the appearance of the structure as a one family unit.

4.2.9.1 General Objectives

The provision of accessory dwelling units in owner occupied one family dwellings is intended to: 1) increase the number of small dwelling units available for rent in town, 2) increase the range of choice of housing accommodations, 3) encourage greater diversity of population with particular attention to young adults and senior citizens, and 4) encourage a more economic and energy-efficient use of the town's housing supply while maintaining the appearance and character of the town's single family neighborhoods.

4.2.9.2 Conditions and Requirements

The Building Inspector shall issue a building permit for an accessory apartment in a detached, one family dwelling in any residential district provided that the unit meets the standards of the building code and each of the following conditions and requirements is met:

(a) General

(i) The owner of the dwelling in which the accessory apartment is created, shall occupy either of the dwelling units in the located structure in question, except for temporary absences of up to six months. For the purposes of this section, the "owner" shall be one or more individuals residing in a dwelling, who hold title and for whom the dwelling is the primary residence for voting and tax purposes.

(ii) There shall be no more than one accessory apartment within a one family dwelling.

(iii) There shall be no boarders or lodgers within

either unit of a dwelling with an accessory apartment.

(iv) The gross floor area of the dwelling, including the basement shall be at least 1,800 square feet. (Note: Gross floor area is defined as the sum of the gross horizontal areas of several floors of a building measured from the exterior face of exterior walls, or from the center line of a wall separating two (2) buildings, but not including interior parking spaces or any space where the floor to ceiling height is less than six (6) feet.)

(v) The maximum gross floor area of the accessory apartment shall not exceed 30% of the gross floor area of the dwelling.

(vi) There shall be no more than two (2) bedrooms in an accessory apartment.

(vii) No structure that is not connected to the public water and sanitary sewer systems shall have an accessory apartment.

(b) Exterior Appearance of a Dwelling with an Accessory Apartment

The accessory apartment shall be designed so that the appearance of the structure remains that of a one family dwelling, subject further to the following conditions and requirements:

(i) All stairways to second or third stories shall be enclosed within the exterior walls of the dwelling.

(ii) Any new entrance shall be located on the side or in the rear of the dwelling.

(iii) Where there are two or more existing entrances on the front facade of a dwelling, if modifications are made to any entrance, the result shall be that one appears to be the principal entrance and the other entrances appear to be secondary.

(c) Off Street Parking

There shall be provided at least two off-street parking spaces for the principal dwelling unit and at least two off-street parking spaces for the accessory unit. In order to maintain the appearance of a single family neighborhood all parking spaces on the lot shall be subject further

to the following conditions and requirements:

(i) Each parking space and the driveway leading thereto shall be paved or shall have an all weather gravel surface. No motor vehicles shall be regularly parked on the premises other than in such a parking space.

(ii) No more than two outdoor parking spaces shall be located in the required front yard. All other parking spaces shall be either: 1) outdoor parking spaces located in a side or rear yard or 2) in a garage or carport.

(iii) Parking spaces shall be located so that both the principal dwelling unit and the accessory apartment shall have at least one parking space with direct and unimpeded access to the street without passing through a parking space designated to serve the other dwelling unit.

(iv) Where there are more than two outdoor parking spaces, there shall be provided suitable screening with evergreen or dense deciduous plantings, walls, fence, or a combination thereof in the area between the parking spaces and the nearest side lot line and, if the parking space is in the front yard and parallel to the street, in the area between the parking space and front lot line.

Screening shall be sufficient to minimize the visual impact on abutters and to maintain the single family appearance of the neighborhood.

ZONING BY-LAW AMENDMENT

SECTION 4.2.9 ACCESSORY APARTMENTS - CHECKLIST

GENERAL PROVISIONS:

- Owner Occupied: Name _____
- Gross floor area of existing dwelling: _____ sq.ft.
(habitable areas & basement areas w/ 6'+ ceiling height)

+ (if applicable)
- Gross floor area of proposed addition(s) to be used by existing dwelling: _____ sq.ft.
(including basement areas w/ 6'+ ceiling height)

=
- Total gross floor area of existing dwelling: _____ sq.ft.

X .30 =
- Maximum total gross floor area allowed for accessory apartment:
_____ sq.ft.
(gross floor area includes all habitable areas & basement areas w/ 6'+ ceiling height to be used by accessory apartment)
- Total gross floor area of *proposed* accessory apartment: _____ sq.ft.
- Number of bedrooms in accessory apartment (no more than 2): _____
- Is structure connected to public sewer and water? _____

EXTERIOR APPEARANCE:

- Must maintain single-family appearance
- Are stairways enclosed within exterior walls? _____
- Are enlargements proposed for purposes other than egress? _____
If so, please explain _____
- Location of new entrances (required on side or rear) _____
If other, please explain _____

SAMPLE NO. 1

ZONING BY-LAW AMENDMENT

SECTION 4.2.9 ACCESSORY APARTMENTS - CHECKLIST

GENERAL PROVISIONS:

• Owner Occupied: Name JOHN SMITH

• Gross floor area of existing dwelling: 1,500 sq.ft.
(habitable areas & basement areas w/ 6'+ ceiling height)

+ (if applicable)

• Gross floor area of proposed addition(s) to be used by existing dwelling: 360 sq.ft.
(including basement areas w/ 6'+ ceiling height)

=

• Total gross floor area of existing dwelling: 1,860 sq.ft.

X .30 = 558 SQ.FT.

ACCESSORY APT.

CAN BE NO LARGER

THAN THIS

• Maximum total gross floor area allowed for accessory apartment:

→ 558 sq.ft.

(gross floor area includes all habitable areas & basement areas w/ 6'+ ceiling height to be used by accessory apartment)

• Total gross floor area of *proposed* accessory apartment: 450 sq.ft.

PROPOSED
ACCESSORY APT.
← MEETS CRITERIA

• Number of bedrooms in accessory apartment (no more than 2): 1

OK

• Is structure connected to public sewer and water? YES

EXTERIOR APPEARANCE:

• Must maintain single-family appearance

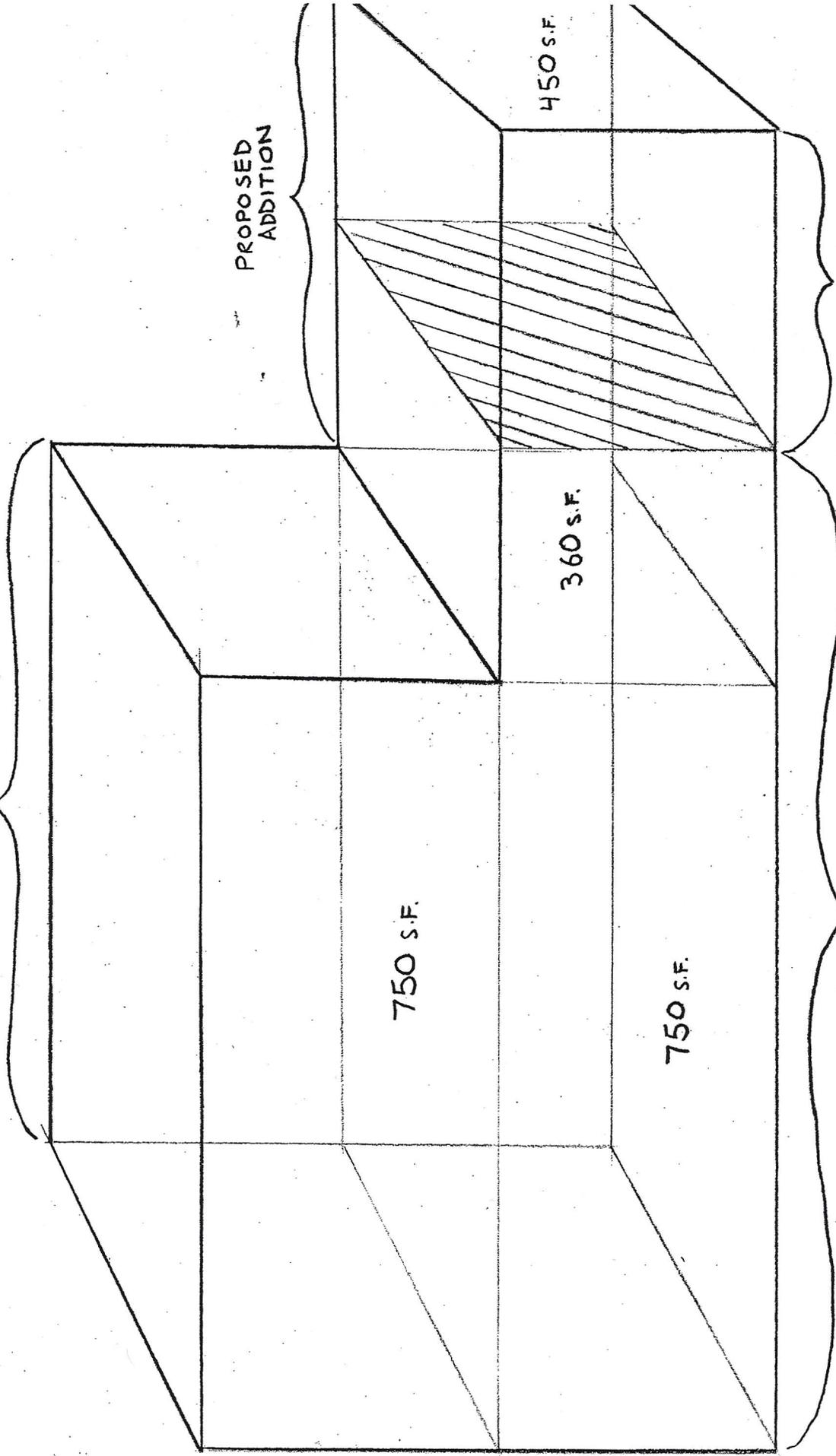
• Are stairways enclosed within exterior walls? YES

• Are enlargements proposed for purposes other than egress? YES
If so, please explain NEW ADDITION TO HOUSE ACCESSORY APT.

• Location of new entrances (required on side or rear) PRIMARY ~ SIDE SECONDARY ~ REAR
If other, please explain _____

SAMPLE 2

EXISTING DWELLING



PROPOSED ADDITION

450 s.f.

360 s.f.

750 s.f.

750 s.f.

SQUARE FOOTAGE TO BE USED BY ACCESSORY APT.

SQUARE FOOTAGE TO BE USED BY PRIMARY DWELLING