

5.12 Accessory Residential Apartments*

~~Accessory apartments, where deemed permissible by the Commission, shall be designed to meet the special housing needs of resident small household groups such as the elderly, handicapped, widowed, childless couples and civil servants.~~

5.12.1 – Special Permit Required

One (1) accessory residential apartment (see Definitions, Section 8.1.11) may be permitted on a lot, subject to a Special Permit granted by the Commission.

5.12.2 – Application Format and Findings

In lieu of Section 5.1.1, application shall consist of:

- (a) application form and fee, as prescribed by Commission;
- (b) plot plan, consistent with requirements of Section 6.2, showing the proposed apartment, water supply and septic system, parking facilities and other requirements;
- (c) floor and building plan of the apartment unit, with all rooms labeled and including a calculation of total floor area;
- (d) names and addresses of all current ~~abutting property owners~~ **property owners within 100'**, and
- (e) any other data the Commission determines necessary for findings required herein.

Notice, public hearing and procedures shall be in accordance with Section 5.1.2.

Before granting any Special Permit for an apartment, the Commission shall find that all the requirements of this Section (5.12) and of Sections 5.1.3 (a) through 5.1.3 (f) are satisfied.

5.12.3 – General Requirements

An accessory residential apartment, whether attached or detached, shall comply with each of the following requirements:

- (a) The owner of the premises shall be resident in either the accessory or principal dwelling throughout the duration of the apartment use.
- (b) Gross (total) floor area of the apartment shall be not less than 300 square feet.
- (c) The apartment shall contain its own kitchen (see Definitions, Section 8.1.118), its own bathroom, its own exterior entrance, and its own parking spaces (see Section 5.6).
- (d) The apartment shall contain not more than one (1) bedroom or sleeping unit.
- ~~(e) Adequate heat, ventilation, fire exits, water supply and sanitary waste disposal shall be provided consistent with applicable Town and State Codes, as evidenced by the written approval of the Town's Building Officials and Sanitarian.~~

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5.12.4 Attached Apartments

An attached residential apartment shall meet each of the following criteria:

- ~~(a)~~ — ~~incorporated within, or structurally integrated into, a single family dwelling in existence on the date of application;~~
- ~~(b)~~(a) located on a conforming lot and in compliance with all setback, height and coverage limitations prescribed for the Zone in which it is located; and
- ~~(c)~~(b) comprising no more than 30% of the total finished floor area of the dwelling, or 800 square feet of gross (total) floor area, whichever is less.

5.12.5 Detached Apartments

A detached residential apartment - any apartment unit not incorporated into the principal dwelling on the site - shall meet each of the following criteria:

- (a) located on a conforming lot and in compliance with all setback, height and coverage limitations prescribed for the Zone in which it is located; and
- (b) gross (total) floor area of the apartment shall not exceed 800 square feet.

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