

Carlisle Town Meeting

Article 26

Accessory Dwelling Unit (ADU) Bylaw

ZONING BYLAW AMENDMENT

Article 26: Planning Board Report

Pursuant to M.G.L. Chapter 40A, Section 5, the Planning Board held a public hearing for the proposed Zoning Bylaw Amendment under Article 26.

The hearing opened on March 24, 2025, continued April 14, 2025, and closed April 28, 2025.

At their meeting of May 12, 2025, the Planning Board voted 5-0-0 to recommend Article 26 to Town Meeting.

Article 26: Overview of Proposal

Remove existing Accessory Apartment bylaw and replace it with a new Accessory Dwelling Unit (ADU) Bylaw that provides for:

- Alignment with State ADU Law & Regulations
- Protected Use ADUs
 - Up to 900 square feet
 - Site Plan Review by Planning Board
- Applicability: Town-wide on any single-family zoned lot with a principal dwelling (a structure with at least 1 housing unit), in attached or detached structures

Article 26: A YES vote means...

- There is a local public process (Site Plan Review) for by-right ADUs up to 900 SF
 - Legal notice to abutters
 - Public hearing with Planning Board
 - Planning Board can reasonably regulate ADU, but not deny a compliant proposal
- Requirements are clearly spelled out in zoning
 - Beneficial to property owners, volunteer board members, and staff
- It will no longer be possible for property owners to obtain a permit for a new ADU larger than 900 square feet
- Compliance with other State and local regulations is still required

Article 26: A NO vote means...

- The existing Accessory Apartment (AA) bylaw remains in effect for AAs between 901 and 1200 square feet by special permit
- Protected Use ADUs up to 900 square feet are allowed by-right and applicants can apply for a building permit
- There will NOT be a local public process for by-right ADUs up to 900 SF
 - NO Legal notice to abutters
 - NO Public hearing with Planning Board
- If septic capacity allows, it will be possible for a property owner to obtain permits for both a Protected Use ADU and an AA on the same lot

Article 26: Bylaw Provisions (aligned with State) - 1

- **Definitions:** same as State definitions
- **Attached or Detached Structures:** can be in either
- **New or Existing Structures:** can be in either
- **Size:** up to $\frac{1}{2}$ the Gross Floor Area of the Principal Dwelling or 900 SF, whichever is smaller
- **Parking:** cannot require more than 1 space
- **Setbacks / Dimensions:** allowed to comply with most permissive setbacks and dimensions in zoning district

Article 26: Bylaw Provisions (aligned with State) - 2

- **Non-Conforming:** allowed on pre-existing non-conforming lots and within pre-existing non-conforming structures
 - In some cases, Planning Board may need to make a 40A s. 6 finding
- **Owner-Occupancy:** not required

Planning Board is also proposing to include the following:

- **Common-Ownership:** required
- **Short-Term Rental:** allowed for ADUs where property owner is on-site
- **Design Standards:** architectural and environmental considerations are encouraged but not required

Background Info on AAs in Carlisle

36 PERMITS ISSUED in 36 YEARS, as follows:

1989-2016: 18 Permits

2017-2024: 17 Permits

2025: 1 Permit (3 pending approval)

36 Permits: 4 never built, 9 detached

[9-11 AAs now qualify as Protected Use ADUs]