

## **Section 4-30**

### **ACCESSORY USES AND ACCESSORY BUILDINGS**

#### **4-30.1 - General Requirements.**

*A building or use accessory to an allowed principal use shall be permitted in any district, provided such structure or use is subordinate, incident and customarily associated with the lot's said principal use, and is not otherwise regulated by this ordinance. These may include any structure intended and used for supporting or sheltering any use or occupancy legally occurring on the lot, such as accessory dwelling units (ADUs), garages, sheds, barns, decks, gazebos, shelters, towers and ground-mounted solar panels. Fences, signs, swimming pools, and retaining walls not exceeding 4 feet in height are not regulated by this section. Accessory buildings shall:*

- a. unless attached or semi-detached, maintain at least 10 feet wall separation from a principal building or any dwelling, including those on an adjoining lot;*
- b. count toward and shall not cause to be exceeded, the maximum lot coverage for the district, nor occupy more than 25% of the rear yard area;*
- c. have a permanent foundation or an otherwise adequate tie-down system to prevent displacement;*
- d. not exceed a height of 18 feet in residential districts and 25 feet in other districts, except for (1) accessory buildings used for barns or structures related to agricultural uses and (2) ADUs conforming to the height limitations for a principal dwelling; and eligible for any district-specific special permit provision to exceed said height;*
- e. not be a mobile/manufactured home, motor vehicle, or trailer, whether resting on its wheels, jacks or other stabilization system, except where permitted on a temporary basis, but may be a modular dwelling unit as defined by 760 CMR 71.00; and*
- f. not be used for dwelling purposes, other than a permissible ADU, approved residential conversion or one seasonal unit for a caretaker on a lot used for commercial farming purposes. (4/8/25)*

#### **4-30.2 - Yard/Setback Requirements.**

- a. Minimum front yard setback for all accessory buildings shall be the same as that of a principal building or the setback of the lot's existing principal building, whichever is less.*
- b. Unless more strictly regulated elsewhere, accessory structures may be sited within the side and/or rear yards as follows:
  - i. those not requiring a permit under the Building Code nor exceeding either 200 square feet in floor area or 12 feet in height, as measured from the ground to its highest structural point/peak, may be located as close as 5 feet from the lot line;*
  - ii. those exceeding any of the foregoing limitations may be located as close as 10 feet from the side lot line and 15 feet from the rear lot line; except that*
  - iii. any detached buildings exceeding the footprint/coverage or height the lot's principal structure shall comply with the yard requirements applicable to a principal building; and*
  - iv. retaining walls shall have a lot line setback, as measured from the face, at least equal to that of their corresponding height.**
- c. All requirements stated herein shall be exclusive of roof overhangs and appurtenances extending less than 3 feet for ADUs and 1 foot for other structures.*
- d. A dimensional special permit for reduction in the side or rear yard setback requirements or for the separation distance from another structure, may be issued in accordance with 4-20.4(2). (4/8/25)*

#### **4-30.3 - Accessory Dwelling Units.**

*In addition to the foregoing requirements, the following provisions apply to Accessory Dwelling Units (as defined in Section 2-20), the development of which shall not constitute a change of the lot's principal use for the purposes of this ordinance:*

- a. one ADU shall be permitted on any lot containing, and as accessory to, a principal dwelling, subject to all use regulations otherwise applicable to a single-family dwelling and all dimensional requirements otherwise applicable to the principal dwelling or as pursuant to this Section, whichever is more permissive, provided Site Plan Approval may be required for detached ADUs where specified by district;*

- b. *the gross floor area of an ADU may not exceed the smaller of: 1/2 the gross floor area of the principal dwelling or 900 square feet. Where there are multiple principal dwellings on the lot, the gross floor area of the largest principal dwelling shall be used for determining the maximum ADU size;*
- c. *additional off-street parking must be provided in accordance with Section 7-10, notwithstanding certain district limitations on secondary driveways;*
- d. *for any lot being used for a single family dwelling, an ADU under ownership separate, or divided as a condominium, from that of such principal dwelling may be considered a non-accessory dwelling unit, thereby subjecting the lot to any use prohibition or dimensional requirements for same;*
- e. *The Superintendent of Buildings shall (1) after consultation with the Planning Board, be empowered to waive any ADU zoning requirement found to be unreasonable relative to a specific site, as articulated in the standards in 760 CMR 71.03(3), and (2) maintain an annual record of the number of ADU permit applications approved (separately tabulated for attached and detached), the number denied and the number of ADU occupancy permits issued. (4/8/25)*

#### **4-30.4 - Scientific Research.**

*Accessory uses of property and accessory buildings necessary in connection with scientific research or scientific development or related production, whether or not on the same parcel as activities permitted as a matter of right, may be allowed by a special permit issued by the Planning Board, provided it finds that the proposed accessory use does not substantially derogate from the public good.*

#### **4-30.5 - Keeping of Animals.**

- 1. *Keeping of a pet or companion animal, but not constituting a “residential kennel” (as defined in Section 2-20.1), shall be an allowed accessory use to any residential use in any district, but remains subject to any other applicable ordinance or regulation.*
- 2. *Where not otherwise regulated by this ordinance, any livestock or farm animal, including a horse, shall not be kept on a lot of less than 5 acres. (7/13/21)*