

# Article 19: Accessory Dwelling Units

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**UPDATE TO THE EXISTING ACCESSORY APARTMENT BYLAW**

# Dover already allows for “Accessory Apartments” (\*in some circumstances)

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## Section 185-43:

- Approved, Town Meeting May, 1986
- Permitted under certain circumstances (and in certain districts)
- Oversight, ZBA Special Permit process
- Limited to houses legally occupied on Jan 1, 1985
- Caps total # ADUs at 10% of total housing stock

# Why update the existing Bylaw?

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Resident concerns about housing challenges in town are driving this effort:

- **Older adults**
- **Families with caregivers**
- **Young adults**
- **Intergenerational families of all types**



# Goals of this effort

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- 1.) Build upon Dover's existing framework for Accessory Apartments
- 2.) Create a flexible housing option for more residents and families
- 3.) Streamline approval processes
- 4.) Safeguard residential character
- 5.) Limit impacts on town infrastructure

# Accessory Dwelling Unit (ADU)

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A **residential living unit** that is **subordinate** to the principal residence on a single-family lot:

- **Self-contained** - accessory unit with its own sleeping, cooking, and sanitary facilities
- **Separate entrance**
- **Subordinate to the principal dwelling** on the same lot
- Can be **attached to or detached from** the primary residence





# Dover already has a zoning framework for “Accessory Apartments”

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## **Section 185-43: Accessory Apartment Section**

- Limited to homes built before 1985
- Cap on the total number of ADUs allowed
- Requires Special Permit in all cases

# Goals for this update:

1. Build upon Dover's existing approach to ADUs
2. Create a flexible housing option for more residents and families
3. Streamline approval processes
4. Safeguard residential character
5. Limit impacts on town infrastructure

	<b>Existing Bylaw</b>	<b>Updated Bylaw (Proposed)</b>
Allowed in homes built after 1985?	No	<b>Yes</b>
Limitation on # of ADUs allowed in town?	Yes	<b>No</b>
Site Plan Review Req'd?	Yes, in all cases	<b>No change</b>
Special permit Req'd?	Yes, in all cases	<b>Yes, for detached ADUs, but not for attached ADUs</b>

# Safeguards: Residential character & town infrastructure

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	Existing Bylaw	New Proposed Bylaw
<b>Allowed Districts</b>	Residential Districts only	<b>No change</b>
<b>Site Plan Review?</b>	Yes, in all cases	<b>No change</b>
<b>Special Permit?</b>	Yes, in all cases	<b>Yes, in Detached ADUs</b>
<b>Size limitation?</b>	900 sqft	<b>No change</b>
<b>Owner Occupancy Required?</b>	Not specifically addressed	<b>Yes</b>
<b># ADUs allowed/single family lot</b>	One	<b>No change</b>
<b>Short Term Rentals? (30 days or less)</b>	Not specifically prohibited	<b>Not allowed</b>

# Safeguards (continued...)

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- Every current building code and zoning bylaw that impacts home renovations and new buildings in Dover applies to ADUs, for example:
  - lot coverage
  - septic and well
  - setbacks
- Oversight from relevant boards and departments as with all renovation or new building in town



# Voting Implications

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## Passes by a Simple Majority at Town Meeting (50% + 1)

The updated Accessory Dwelling Unit Bylaw will replace the existing Accessory Apartments Bylaw

## Fails to Pass by a Simple Majority

The existing Accessory Apartments Bylaw will remain in effect in the Town Bylaw  
ADUs will continue to be allowed in Dover, but only in houses built before 1985

# Thank you

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QUESTIONS AND COMMENTS

# Appendix

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# Benchmarking

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- 40+ communities around Boston (including Dover) now allow ADUs, including
  - Needham (2020)
  - Dover (1986)
  - Wellesley (2022)
  - Weston
  - Carlisle
  - Lexington
  - Westwood
  - Newton

# Reporting on ADUs in other towns

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Needham Study (2017)\*

- Carlisle: 18 since 1989 (<1 per year over 28 years)
- Lexington: 200 since 1983 (5-6 per year over 34 years)
- Newton: 73 over 20 years (3.65 per year)
- Scituate: 88 since 1989 (3.14 per year over 28 years)
- Westwood: 45 since 1992 (

Needham (new bylaw 2020): less than 10 (<5/year) as of 2022

Arlington (similar bylaw passed in 2021): No applications as of spring 2022

\*Accessory Dwelling Units: A Report for Needham Public Health Division, 10-11-17

# Dover's careful and collaborative process

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## Background:

- 1986: Section 185-43 (Accessory Apartments) passed at Town Meeting
- 2012: The Town's Master Plan indicates the need to increase the types of housing options and increase housing overall in Dover
- 2020: Update to Section 185-43 was prepared for Town Meeting but withdrawn (COVID)
- 2021: The Town's Housing Production Plan indicates the need to increase the types of housing available in Dover
- 2021: Update to Section 185-43 was prepared for Town Meeting but withdrawn (COVID)
- 2021: State legislation prioritizes ADUs to help towns across the Commonwealth meet housing goals (Housing Choice)
- 2022: Update to Section 185-43 prepared for Town Meeting but withdrawn for ongoing improvements with input from residents and Town leadership
- 2020, 2021, 2022, 2023: Public Meetings and Open Hearings, feedback from BOH, COA, Building Inspector, Town Health Agent and others inside and outside of Town Hall
- Ongoing: feedback from residents concerned about the availability of housing options in town for households of all incomes, ages, and sizes

## Result:

- A bylaw update tailored for Dover
- Meets a growing need of residents
- Consistent with Zoning Bylaws