

Article 19: Accessory Dwelling Units

UPDATE TO THE EXISTING ACCESSORY APARTMENT BYLAW

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



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?

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

- 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)

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”



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

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

Safeguards:

Residential character & town infrastructure

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

Safeguards (continued...)

- 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

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

QUESTIONS AND COMMENTS

Appendix

Benchmarking

- 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

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

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