



TOWN OF HINGHAM

Planning Board

To: Chairman Ellis and Members of the Planning Board

From: Christine Stickney, Interim Town Planner

Date: February 25, 2021

Re: Accessory Dwelling Units Proposed Amendment

I am fairly new to your Zoning Bylaw, the following are some cursory comments I would like to offer the Planning Board for consideration in your review of the proposed amendment.

Proposed amendment for Accessory Dwelling Units

V-K (1-a) the use of “structure” in reviewing the definition of structure under ZBL Section VI – there is an exclusion of one accessory building less than 64 SF and 9’ in height. Second part of the structure definition speaks to platform and foundation – does this then mean that existing structure can then be modified with new construction (up to 750 SF) upon it to meet the ADU because the platform/foundation is existing?

Perhaps the word structure needs to be replaced with building

Structure is a broad term that is used in both residential and commercial circumstances and not always under consideration for residential habitable space.

Question to be considered how homes that have been converted to condominiums are they still considered single families since it is a form of ownership fall under this existing bylaw and does the Town want condos to have ADU from density standpoint?

V-K (3-c) No change to this language should be added it speaks to the lot size – 5,000 SF or any other district relative to new construction.

Recommend no change here with the language of existing bylaw –opens too many loop holes with new construction and detached buildings.

V-K (3-e) *“per lot in accordance with 3-c*

Recommend reference back to 3-C and the use of building not structure – the new amended language appears to make clear only one ADU on the site.

V-K (4-b) this makes sense for overall character and aesthetic reasons however it appears to conflict with the proposed amendment of 4-e if the new entrance will need stairs.

V-K (4-c) the existing bylaw design requirement speaks ***“be the lesser of 750 SF less or 30% of the GFA of the principal dwelling”***

A typical 2500 GFA home – 750 is 30% going to 35% only increases it for smaller homes or detached buildings. The question becomes as to a detached structure and if the proposed 35% is the detached structure GFA or “primary residence” GFA this leaves some ambiguity and should be clear for applicants how it is determined.

V-K (4-e) Defining “*new entrance*” (i.e.: presume intent was a doorway) should specify first floor of the building so that the staircase if needed is within the building proposed for the ADU and only a door would be visible from the side or rear. One could argue new entrance could incorporate the stairways as part of access and be allowed externally.

V-K (4-f) usually zoning doesn’t get into the details of metering of utilities other than from an aesthetic appearance – more concerning would be the appearance of detached unit and overhead wires or the ability to have satellite dishes for cable etc. Recommend underground electric if detached building is allowed and only other things like dishes on the main structure or shared as is commonly done with condos.

Section V-K 2 (b) notes a family member as does the purpose – then why separate meters. The existing bylaw is not encouraging general public renting. The detached ADU could have the owner living in accessory building and renting the primary residence in its entirety. Within the primary residence tends to be self-regulating.

Overall comments:

The idea of additional housing opportunities for family members is one needed these days. Originally zoning provided setbacks for residences/homes with spacing between each through zoning. The accessory uses of a garage, shed, barn or pool house were historically allowed to be closer to the lot lines than the primary residences because of the fact there was no habitable space. If amended the ZBA as the Special Permit Granting Authority will have to consider the close proximity to abutting uses of a potential ADU and its impact within denser neighborhoods.