

18. **Accessory Dwelling Unit**

- a. **Purpose:** The purpose and intent of an Accessory Dwelling Unit is to address the need and desire for more diverse, independent and affordable housing. These units will improve the inventory of smaller housing without significantly altering the rural character of the community.
- b. **Definition of ADU:** A residential living unit that is located on a lot containing a subordinate within or attached to a Single-Family Dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal Dwelling Unit it accompanies. An Accessory Dwelling unit may be constructed at the same time as the principal dwelling unit.
- ~~e. **Administration:** This section is enacted pursuant to RSA 674: 71 to 73 and the Planning Board shall have exclusive authority for the administration of this section of the ordinance, including granting of a Conditional Use Permit and the adoption of regulations implementing the provisions of this section of the ordinance.~~
- ~~d. **Creation of an Accessory Dwelling Unit** in accordance with the provisions of this section is permitted through a Conditional Use Permit administered by the Planning Board.
  - ~~i. A Conditional Use Permit Application shall contain the following:
    - ~~a. A complete application for review that addresses all requirements of this article and any article referenced within~~
    - ~~b. A written statement indicating the applicants intent and/or purpose for the creation of the Accessory Dwelling Unit~~
    - ~~c. List and mailing address of all Abutters and the applicant~~
    - ~~d. Fees for notifying Abutters and the applicant~~
    - ~~e. Written requests for waivers from any of the requirements or standards~~~~~~
- e. **Accessory Dwelling Units (ADU) shall conform** with the following:
  - i. Only one ADU per Single-Family Dwelling.
  - ii. To the fullest extent permitted by law, (i) there shall be no conveyance of an Accessory Dwelling Unit separate from the principal Dwelling unit, (ii) the Accessory Dwelling Unit shall not have ownership separate from the owner of the Lot on which the principal Dwelling unit is located, and (iii) the Lot and the Structure containing the Accessory Dwelling Unit shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the principal Dwelling unit. An ADU may not occupy rented or leased land.
  - iii. All applicable setbacks shall be met for new construction or additions subject to compliance with Article XX, B.

- iv. An ADU shall have a separate 9-1-1 address.
- v. One of the dwellings shall be the domicile of the property owner.
- vi. An ADU shall have independent sleeping, cooking and sanitation facilities (Bedroom, kitchen and bathroom).
- vii. An ADU shall have no more than two Bedrooms.
- viii. An ADU shall not exceed 1,000 square feet of total living space. The maximum square footage of an ADU that is not within or physically connected to the principal Dwelling Unit in the Shoreland Overlay District shall not exceed 750 square feet of total living space. An ADU constructed using a Manufactured Home shall be limited to a maximum of 750 square feet of total living space.
- ix. An ADU shall conform to the requirements of a Single- Family Dwelling including, but not limited to, provisions for water supply and sewage disposal meeting the requirements of this ordinance and applicable state regulations.
- x. Off Street parking shall be provided; garage space(s) meet this requirement. ~~one space per Bedroom~~
  - a. ~~Garage space(s) meet this requirement~~
  - b. ~~Off Street parking shall not be within the Front Yard setback~~
- xi. All applicable standards of the Zoning Ordinance, including overlay districts, and Town regulations, including but not limited to the Septic Health Regulation, shall apply, except accessory dwelling units may be converted from existing structures, including but not limited to detached garages, regardless of whether such structures violate current dimensional requirements for setbacks or lot coverage.  
~~Attached Accessory Dwelling Units:~~
  - a. ~~Shall have entrances/exits facing the side or rear property lines~~
  - b. ~~Shall have an interior door connecting the units~~
- xii. Multi-family uses may not have an ADU.
- xiii. An ADU Shall not be considered an additional Dwelling Unit for the purposes of determining minimum Lot size or density.