

§ 125-10 Conversion for multiple residence.

[Amended 3-6-1971 ATM by Arts. 33 and 34; 3-4-1972 ATM by Art. 46; 3-3-1973 ATM by Art. 37; 4-5-1986 ATM by Art. 38]

It is the intent to provide, where suitable, for conversion for multiple residence in undivided ownership of the site, including subsidized multiple residence, of pre-existing single-family dwellings (and their accessory barns, if any) which, because of oversize or other condition, cannot reasonably be continued or adapted for the existing use or other use regularly permitted in the district, and at the same time preserve the character of the AR District as one primarily for compatible agriculture and single-family residence. As used here, the word "barn" refers to an accessory structure, having a volume of at least 15,000 cubic feet, that was built with and retains the foundations and structural integrity to support the floor, joist, column, and roof loadings required for the proposed conversion; actual antecedent agricultural use is not a ~~consideration prerequisite~~. Any such conversion shall be by special permit (see § **125-46**, Special permits) authorized by the Board of Appeals, subject to § **125-39A(1)**, and provided:

- A. The dwelling (and its accessory barn, if any) was in existence on March 6, 1965, and is not significantly enlarged from its size at that time;
- B. External character of the premises (including the barn, if any) is and will continue to be that of a customary one-family residence;
- C. ~~The lot has land area conforming to lot size standards with~~ have additional land area of at least 0.50 acres for each dwelling unit beyond the first; Conversions may occur regardless of existing lot size provided that:
 - (1) There is sufficient land area for water and wastewater facilities as per G. below
 - (2) That parking and circulation areas meet the requirements of F. below
 - (3) That any conversion have additional land area of at least 0.125 acres for each dwelling unit beyond the first;
 - (4) That no more than five (5) units may be created by conversion on any one (1) lot.
- D. The lot must remain in undivided ownership although any existing and/or newly created units may be either rental units or condominiums. These shall include units designated as "affordable" which must be units eligible for listing on the state Subsidized Housing Inventory (SHI).
- ~~E.D.~~ The lowest floor level of a dwelling unit shall be at least partly above grade;
- ~~F.E.~~ Parking provisions for conversions shall be as follows:
 - (1) Each dwelling unit shall have 300 square feet of parking area and driveway dedicated to it including at least one (1) parking space with a maximum of seven (7) surface parking spaces. Garages may include up to three (3) bays per lot.

- (2) The parking area shall be screened from view from neighboring properties and streets as provided in § **125-39D** if it will be larger than a parking area normally used by a customary single-family dwelling; [**Amended 3-29-2003 ATM by Art. 37**]

G.F. ~~Conversions must comply with 310 CMR 15.000: Septic Systems (“Title 5”) and its successors and standard Board of Health regulations for any increase in bedrooms being served by the system. The septic system, including the leaching facility and its expansion area, shall be located in land having a grade of less than 8%, be easily accessible by cleaning and repair vehicles, and be no more than the greater of 500 feet from the street or 200 feet from the building served;~~

H.G. ~~The Board of Appeals, after considering the land and soil type characteristics, including the ability of the soil to absorb expected quantities of sewage disposal effluent, the degree of filtration of effluent before entering bedrock fissures or other groundwater supply, and the characteristics of the soil with respect to surface water runoff, specifically finds that the conversion, including the parking area and septic system, will not result in substantial increase in surface water runoff to neighboring properties or streets, or substantial danger of pollution or contamination of groundwater supply, a groundwater absorption area, a well, pond, stream, watercourse, W District, or inland wetland, and specifically finds and requires that the increased surface water runoff that results from the development shall be retained within the lot in which it originates or shall be discharged into existing identifiable watercourses or stormwater systems without material impact on abutting properties;~~

I.H. Written evidence of final approval by the Board of Health as to water supply and sewage disposal for the proposed conversion is submitted with and as part of the application for special permit;

J.I. ~~The dwelling (and its accessory barn, if any) shall remain in undivided ownership.~~