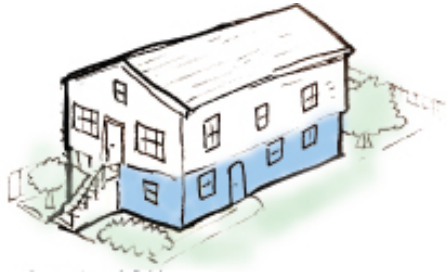


THREE TYPES OF ADUS



INTERIOR ADU: Separate unit within the envelope of the existing primary dwelling



ATTACHED ADU: Addition to the primary dwelling



DETACHED ADU: A separate building detached from the primary dwelling

ADU RESOURCES

The Building Department is the applicants' primary source of information about specific ADU plans. See Town of Winchester Building Department, Online Accessory Dwelling Unit Application Form, and FAQs.

NOTE: Materials under development as of May 11, 2023.

DEPARTMENTS

Building Department: 781-721-7115

Planning Department: 781-721-7162

Town of Winchester
71 Mt. Vernon Street
Winchester, MA 01890

www.winchester.us

ACCESSORY DWELLING UNITS



TOWN OF WINCHESTER, MA

ZONING BYLAW INFORMATION

Accessory Dwelling Units (ADUs) may be built in Winchester on single family and two-family lots to create housing for people age 62+ and for those with disabilities.

Many people wish to live near familiar systems: multigenerational family members, friends, activities, services, and medical care.

ADUs are a flexible housing option that makes this possible.

Adopted by Town Meeting Nov.10, 2022. This summary information is provided by the ADU Working Group and is accurate as of the last Town Meeting Vote on this Bylaw.

Refer to the Winchester Zoning Bylaw Section 3.2.2 for complete text.

RESIDENCY REQUIREMENTS

1. At least one person **age 62+ and/or disabled** (as defined by MA law) must reside in either the ADU or the primary dwelling. This person is considered the Qualifying Person and does not have to be a family member.
2. The property must be the **primary residence** of either the owner of the property or the beneficiary of the trust that owns the property.

OWNERSHIP AND RENTING

3. The ADU cannot be owned separately from the lot and primary dwelling.
4. A trust for the benefit of the Qualifying Person may own the property.
5. The property owner may rent out either the primary dwelling or the certified ADU as long as all Winchester Zoning Bylaws are met.

DESIGN

6. The ADU must function as a separate unit from the primary dwelling, with two independent egresses, living space, cooking facilities (refrigeration, food heating element, full sink) and full bathroom.
7. The separate doorways for the ADU must be less prominent than the front doorway for the primary dwelling and must be accessible from the outside or by means of a common entryway for both dwellings.
8. The exterior appearance of the ADU must be in a similar style to that of the primary dwelling.
9. One off-street parking space must be provided for the ADU.

DESIGN Continued

10. The maximum square footage of the ADU is limited to the smaller of one-half the size of the primary dwelling's floor area or 900 square feet, whichever is smaller.
11. The maximum number of bedrooms permitted in an ADU is two.
12. Design must be in conformance with Building Code 105 Mass. Reg. 410.400.
13. A mobile home may not be used as an ADU.

PERMITTING

14. Prior to the start of any construction, the property owner must file an application for a permit to build an ADU through the Winchester Building Department.
15. The ADU can be built on single family or duplex lots where a primary dwelling is already built or is being built at the same time as the ADU.
16. Only one ADU can be built on a lot.
17. A proposed ADU may be built by right if it meets all existing Zoning requirements and building, sanitary and safety codes.
18. Nonconforming Uses and Structures will need a special permit or variance. See **Section 3.5** of the Winchester Zoning Bylaw.
19. Construction may also trigger Site Plan Review . See **Section 9.5** of the Winchester Zoning Bylaw.

CERTIFICATION

20. An initial ADU Certification and annual recertification by the Building Department are required. The owner must attest yearly that the Bylaw's requirements are being met.
21. The owner of a previously certified ADU for which certification has lapsed may apply for recertification. The owner of a space that is currently being used as an ADU must apply for certification if they wish to continue to use it as an ADU.
22. Upon the sale of a property that includes a certified ADU, the ADU does not need to be removed.
23. A property owner who does not wish to have an ADU certified may use the uncertified space as they would any additional space in their home, such as an art studio, office, or personal gym. This space cannot be rented.

COST AND FINANCING

24. Costs vary depending on the size and amenities included in an ADU. Consult with your designer for an estimate.

For persons with a disability in a household at or below 200% of Area Median Income, the MA Home Modification Loan Program may be a source of funding: <https://www.mass.gov/home-modification-loan-program-hmlp>

Fines for noncompliance are defined in Section 9.0 of the Winchester Zoning Bylaw