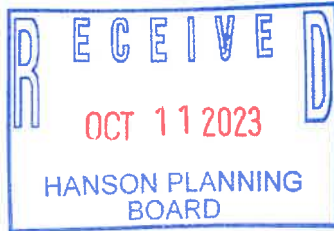




Town of Hanson

OFFICE OF TOWN CLERK
542 LIBERTY STREET
HANSON, MASSACHUSETTS 02341

Town Clerk
Elizabeth Sloan, CMC, CMMC
Assistant Town Clerk
Jean Kelly, CMC
781-293-2772 Fax 781-294-0884



TOWN OF HANSON

OFFICIAL BULLETIN

Amendments to the Town of Hanson Zoning By-laws adopted under Article 33 of the Town of Hanson Annual Town Meeting that convened on May 1, 2023 are attached with the approval of the Attorney General endorsed thereon.

ANY PERSON CLAIMING THAT THE AMENDMENTS TO THE ZONING BYLAWS ADOPTED UNDER ARTICLE 33 OF THE TOWN OF HANSON'S ANNUAL TOWN MEETING THAT CONVENED ON MAY 1, 2023 ARE INVALID BECAUSE OF A DEFECT IN THE PROCEDURE BY WHICH THE BY-LAWS WERE ADOPTED OR AMENDED MAY ONLY BE MADE WITHIN 90 DAYS OF THIS NOTICE.

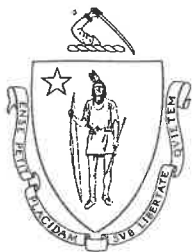
COPIES OF THE BY-LAWS MAY BE EXAMINED IN THE TOWN CLERK'S OFFICE, 542 LIBERTY STREET, HANSON, MASSACHUSETTS.

A true record, Attest:

Elizabeth Sloan
Town Clerk

Posted By:

Date:



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

October 6, 2023

Elizabeth Sloan, Town Clerk
Town of Hanson
541 Liberty Street
Hanson, MA 02341



Re: **Hanson Annual Town Meeting of May 1, 2023 -- Case #10916**
Warrant Articles # 33, 34, 35, 36, and 37 (Zoning)
Warrant Article # 14 (General)

Dear Ms. Sloan:

Article 33 - We approve Article 33 from the May 1, 2023 Hanson Annual Town Meeting.¹

Articles 14, 34, and 35 - The Attorney General's deadline for a decision on Articles 14, 34, and 35 is extended for an additional 30 days under the authority conferred by G.L. c. 40, § 32. The agreement with Town Counsel for a 30-day extension is attached. We will issue our decision on Articles 14, 34, and 35 or before **November 5, 2023**.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

¹ In a decision issued on August 2, 2023, we approved Articles 36 and 37 and by agreement with Town Counsel pursuant to G.L. c. 40, § 32 extended our deadline for Articles 14, 33, 34, and 35 for an additional 60 days until October 6, 2023.

Very truly yours,
ANDREA JOY CAMPBELL
ATTORNEY GENERAL

Kelli E. Gunagan

By: Kelli E. Gunagan
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600

cc: Town Counsel Katherine M. Feodoroff



Town of Hanson

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Annual Town Meeting
May 1, 2023

ARTICLE 33: To see if the Town will vote to approve an amendment of the Hanson Zoning Bylaws to add a new section, Section VI.1, Detached Accessory Apartment, on file with the Town Clerk, as recommended by the Hanson Planning Board on February 27, 2023; or take any other action in relation thereto.

Proposed by the Planning Board

Explanation: This section authorizing the provision of detached accessory dwelling apartments is intended to: (1) Increase the number of small dwelling units available in the Town; (2) Increase the range of choice of housing accommodations; (3) Encourage greater diversity of population with particular attention to young adults and senior citizens; and (4) Encourage a more economic and energy-efficient use of the Town's housing supply while maintaining the appearance and character of the Town's one-family neighborhoods.

Finance Committee defer to Town Meeting.

Motion: Sean Kealy
Second: Robert Hayes

Section VI.1 – Detached Accessory Apartments

This section authorizing the provision of detached accessory dwelling apartments is intended to:

- Increase the number of small dwelling units available in the Town;
- Increase the range of choice of housing accommodations;
- Encourage greater diversity of population with particular attention to young adults and senior citizens; and
- Encourage a more economic and energy-efficient use of the Town's housing supply while maintaining the appearance and character of the Town's one-family neighborhoods.

6.1. - Detached Accessory Apartments.

A. - Definitions.

1. Detached Accessory Apartment: A detached accessory apartment that is located on the same lot as a single-family dwelling and that is located in a detached accessory structure (i.e. garage, barn, carriage house). Sheds, greenhouses, chicken coops, may not be utilized for a detached accessory apartment. Detached Accessory Apartments may be allowed within Residence A, AA and B Districts only.

B. - Purpose.

The purposes of this detached accessory apartment section is to:

1. Encourage a more balanced and diverse population and income mix.
2. Provide older homeowners with a means of obtaining, through tenants in accessory apartments, rental income, companionship, security and services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
3. Make housing units available to moderate-income households that might otherwise have difficulty finding homes within the Town.
4. Protect stability, property values and the single-family residential character of a neighborhood.

C. - The Special Permit Granting Authority (SPGA) may authorize a detached accessory apartment in accordance with the provisions of Section VIII.D, provided that the following standards and criteria are also met:

- (1) The apartment will be a complete, separate dwelling unit from the primary dwelling unit, and has its own means of egress.
- (2) Only one detached accessory apartment will be created on any lot.
- (3) No more than four (4) persons shall occupy the accessory apartment.
- (4) The owner(s) of the single-family house with which the accessory apartment is associated shall occupy at least one of the dwelling units on their year-round premises. The owner must occupy the structure full time for a minimum of 18 months over a twenty-four-month period. When the owner(s) are not present, the unit they occupy may not be rented and shall remain vacant.
- (5) The accessory apartment shall be designed so that the appearance of the building remains that of a one-family residence or a component of a functioning garage.
- (6) The accessory apartment shall be clearly subordinate to the single-family dwelling. It shall be no greater than 900 total square feet and shall have no more than two bedrooms.

- (7) At least three permanent off-street parking spaces shall be available for use by the owner-occupant(s) and tenant(s). These parking spaces shall be screened from ways and adjacent or abutting properties. Screening may consist of dense, hardy evergreen plantings, earthen berms, wall or tight fence, complemented by evergreen plantings or other decorative elements.
- (8) The construction of any accessory apartment must be in conformity with State Building Code requirements. Proposed detached accessory dwelling units must meet all zoning setback requirements for single family houses in the zone in which they are to be located.
- (9) Before a special building permit can be obtained for an accessory apartment, the owner must obtain approval or confirmation from the Board of Health to ensure that the well and existing sewage disposal system are adequate for the proposed accessory apartment.
- (10) Proposed accessory apartment structures must meet MGL c. 131, s 40, the Wetlands Protection Act when applicable.
- (11) In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility, the Zoning Board of Appeals may allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons.

D. Application procedure.

- 1. The procedure for the submission and approval of a site plan and/or special permit for an accessory apartment shall be the same as prescribed in the site plan section VII (G) of this bylaw and/or the special permit section VIII.D of the bylaw. A special permit application, site plan application, or building permit application for an accessory apartment shall include a notarized letter of application from the owner(s) stating that he/she/they will occupy one of the dwelling units on the premises.
- 2. Transfer of ownership of a dwelling with an accessory apartment. When a structure which has received approval for an accessory apartment is sold, the new owner, if he/she/they wish to continue to exercise the use, must, within 30 days of the sale, submit a notarized letter to the Building Inspector stating that he/she/they will occupy one of the dwelling units in the structure as his/her/their permanent/primary residence and shall conform to all of the criteria and conditions for accessory apartments and the approved site plan and/or special permit. (The foregoing sentence shall appear as a condition on any site plan and/or special permit that is issued under this chapter.). In the event that a transferee does not submit such confirming letter, the Building Commissioner the Special permit may be deemed to have lapsed.

(05/2023)

VOTED Aye, voice declared 2/3's by Moderator to approve an amendment of the Hanson Zoning Bylaws to add a new section, Section VI.1, Detached Accessory Apartment, as recommended by the Hanson Planning Board on February 27, 2023 as printed in the informational warrant.

A true copy of the vote, Attest:

A handwritten signature in cursive script, appearing to read "Elizabeth Sloan".

**Elizabeth Sloan, CMC, CMMC
Town Clerk**