

Original



Town of Freetown

NOTICE TO FREETOWN RESIDENTS

The Attorney General's Office has submitted a decision of approval for **Article 20** that was accepted by the voters at the October 27, 2015 Special Town Meeting. The following is a description of those articles:

- **ZONING BY-LAWS:**

Warrant Article 20 – To amend, Article 11, Sec. 11.19 sections B & C of the Freetown Zoning By-laws

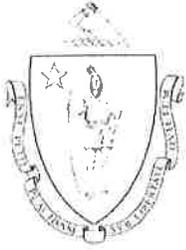
As required by MA General Law, a Constable is posting the approval in the designated areas within town. The approval can also be viewed on the town website.

To the Town Clerk, Freetown, MA

December 23, 2015

I have this day posted attested copies of this warrant thereof at the following locations: in Assonet-the Assonet Post Office, Junior's Convenience Store and the Town Hall; in East Freetown-the East Freetown Post Office, the stores of Quick Pic and the Freetown Communication Center.

[Signature], Constable



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

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

MAURA HEALEY
ATTORNEY GENERAL

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

December 21, 2015

Jacqueline A. Brown, Town Clerk
Town of Freetown
P.O. Box 438
Freetown, MA 02702

**RE: Freetown Special Town Meeting of October 27, 2015 - Case # 7777
Warrant Article # 20 (Zoning)**

Dear Ms. Brown:

Article 20 - We approve Article 20 from the Freetown October 27, 2015, Special Town Meeting.

Very truly yours,
MAURA HEALEY
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 Mark R. Reich



Town of Freetown

OFFICE OF THE TOWN CLERK

3 NORTH MAIN STREET
P. O. BOX 438
ASSONET, MA 02702

JACQUELINE A. BROWN, MMC/CMMC
TOWN CLERK

TEL. 508-644-2201, EXT. 2
FAX: 508-644-9826
TOWNCLERK@FREETOWNMA.GOV

TOWN MEETING ACTION STM 10/27/15 Article 20

ARTICLE 20: To see if the Town will vote to amend Article 11, Section 11.19 of its Protective By-laws by:

- (a) Striking in subsection B the following text: "Five years from date of issue a public hearing will be held to ensure use is the same." and inserting in place thereof the following text: "Permits issued hereunder shall renew automatically in five years with the written approval of the Building Inspector. It shall be the obligation of the property owner to request such approval of the Building Inspector. No later than ninety days before the date of renewal, the Building Inspector shall deny the renewal if he should deem the use is no longer compliant with this Bylaw and/or the terms of the original special permit. If renewed, a public hearing will be held ten years from the original date of issue to ensure use is still the same, at which time a new permit may be issued. New permits issued after a ten-year hearing are subject to the five-year and ten-year renewal requirements that the original permit was subjected to in perpetuity."
- (b) Striking in subsection C the following text: "Five years from date of issue a public hearing will be held to ensure use is the same." and inserting in place thereof the following text: "Permits issued hereunder shall renew automatically in five years with the written approval of the Building Inspector. It shall be the obligation of the property owner to request such approval of the Building Inspector. No later than ninety days before the date of renewal, the Building Inspector shall deny the renewal if he should deem the use is no longer compliant with this Bylaw and/or the terms of the original special permit. If renewed, a public hearing will be held ten years from the original date of issue to ensure use is still the same, at which time a new permit may be issued. New permits issued after a ten-year hearing are subject to the five-year and ten-year renewal requirements that the original permit was subjected to in perpetuity."

and/or take any action relative thereto.

Submitted by Zoning Board of Appeals Requires 2/3 Vote

Explanation of Article: This article would enable residents who remain compliant to avoid the costs of having a hearing every five years.

The Finance Committee has no recommendation. The Board of Selectmen recommend.

ATRUE COPY, ATTEST

Jacqueline A. Brown

Town Clerk/Freetown

STM 10/27/15
Article 20 (cont)

The Planning Board Chairman, Keven Desmarais announces that the Planning Board held a public hearing and the Planning Board approves the article.

Motion made and seconded to adopt as read.

Resident Charles Sullivan questions who responsibility it will be to notify the person.
Zoning Board of Appeals Chairman, James Frates answers that it will be up to the Building Inspector to notify the person who has the accessory apartment.

Vote: Adopted unanimously.

A TRUE COPY, ATTEST
Jaqueline A Brown
Town Clerk/Freetown





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FINAL VERSIONS STM 10/27/15 Article 20

11.19 Accessory Apartment By-Law: *ATM 5/1/99, STM 10/27/2008*

A. Purpose: It is the intent of this by-law to create additional living space to a single-family dwelling. Proposed expansion must maintain the appearance of the structure as a single-family home. It must not be detrimental to the surrounding neighborhood. The additional living space shall not be used as an apartment for rental, but only as a convenience for members of the owner's family.

B. Residential District/ Village Residential: The Zoning Board of Appeals, as a Special Permit Granting Authority, may issue a Special Permit authorizing the conversion and use of a portion of a single-family dwelling into a separate living area with cooking facilities for a family member of the owner or owners. Said permit shall be valid only for the occupancy of said premises of the person for whom it is issued. For a Residential Zone, not more than 1,000 square feet of additional living space may be added to the existing single-family dwelling, must be subordinate in size to the principal dwelling unit in a manner that maintains the appearance of the structure as a detached single-family home, must provide two off-street parking spaces per unit, only one accessory apartment shall be allowed per single-family dwelling unit, and one of the two living units shall be owner occupied. Permit, if granted, is valid for five (5) years. Permits issued hereunder shall renew automatically in five years with the written approval of the Building Inspector. It shall be the obligation of the property owner to request such approval of the Building Inspector. No later than ninety days before the date of renewal, the Building Inspector shall deny the renewal if he should deem the use is no longer compliant with this Bylaw and/or the terms of the original special permit. If renewed, a public hearing will be held ten years from the original date of issue to ensure use is still the same, at which time a new permit may be issued. New permits issued after a ten-year hearing are subject to the five-year and ten-year renewal requirements that the original permit was subjected to in perpetuity.

STM 10/27/08

C. General District: The Zoning Board of Appeals, as a Special Permit Granting Authority, may issue a Special Permit authorizing the conversion and use of a portion of a single-family dwelling into a separate living area with cooking facilities for a family member of the owner or owners. Said Permit shall be valid only for the occupancy of said premises by the person for whom it is issued. For a General Use Zone, not more than 1000 square feet of additional living space may be added to the existing single-family dwelling, must be subordinate in size to the principal dwelling unit in a manner that maintains the appearance of the structure as a detached

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Jacqueline A. Brown
Town Clerk/Freetown

(Article 20 cont.- Final Version)

Town of Freetown
STM 10/27/15

single-family home, must provide two off-street parking spaces per unit, only one accessory apartment shall be allowed per single-family dwelling unit, and one of the two living units shall be owner occupied. Permit, if granted, is good for five (5) years. Permits issued hereunder shall renew automatically in five years with the written approval of the Building Inspector. It shall be the obligation of the property owner to request such approval of the Building Inspector. No later than ninety days before the date of renewal, the Building Inspector shall deny the renewal if he should deem the use is no longer compliant with this Bylaw and/or the terms of the original special permit. If renewed, a public hearing will be held ten years from the original date of issue to ensure use is still the same, at which time a new permit may be issued. New permits issued after a ten-year hearing are subject to the five-year and ten-year renewal requirements that the original permit was subjected to in perpetuity.

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Jacqueline A Brown
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