

Conversion

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Issue Overview Development of multifamily housing through conversion of existing structures falls into two general types: single-family or two-family houses may be reconfigured to contain three or more units, or reuse of non-residential structures, particularly mills and other former industrial buildings or schools and municipal buildings. Conversion of the latter type is often done through overlay districts (Mill Conversion Overlay Districts are common) or in industrial districts, while the former type is generally allowed in residential or business districts.

Many municipalities explicitly allow and regulate conversion. Other municipalities will permit conversion to uses and intensities allowed in the given district - without explicitly stating that conversion is allowed. A few municipalities only allow multi-family housing through conversion.

Research Coding Conversion can be listed in the table of uses or established in the use regulations or through overlay districts. Some municipalities list in a footnote to the table of uses that conversion is allowed. Conversion could be allowed even if not explicitly addressed, given that the end use is allowed in the district. For example, Ipswich has a municipal building reuse committee and has recently completed conversion of a building to dwelling units. However, Ipswich's bylaw contains no reference to conversion or reuse. In such cases, the answer is coded as No. An answer Yes indicates that the municipality explicitly allows conversion. Researcher searched the zoning document for the words "convert," "conversion," "reuse" and "rehabilitation."

Many zoning bylaws/ordinances include provisions for conversion of single family to two family; these provisions are not counted here.

The answers to this question were not confirmed with the municipalities through the survey mailed to planners.

Abington *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Abington Zoning Bylaw, from ordinance.com, Table of Use Regulations (Section 175-21) -

Conversion of an existing dwelling to accommodate not more than three families, provided that the exterior design of structure is not changed from the character of a single family unit and further provided that each dwelling unit resulting from such conversion shall comply with section 175-28." - By special permit in R-20, FW. By right in CBD, TOD, TC.

Acton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to the table of principal uses, "dwelling conversions" are allowed by special permit from the board of appeals in R2, R-4, R-8, R-8/4, R-10, R-10/8, R-A, R-AA, VR, EAV, EAV-2, NAV, SAV, WAV, KC, LB.

3.3.4 Dwelling Conversions - A single FAMILY dwelling or other residential BUILDING in existence prior to April 1, 1971 with less than four DWELLING UNITS. may be altered and used for not more than four DWELLING UNITS if the LOT on which the BUILDING is located contains not less than 10,000 square feet per DWELLING UNIT and if one of the units occupied by the owner of the property. In the R-A, R-AA, VR., SAV, WAV, NAV, EAV and KC Districts the preceding requirement that the LOT on which the BUILDING is located shall contain not less than 10,000 square feet per DWELLING UNIT shall not apply.

Amesbury *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes "K.1. Residential Conversions:
In the R-8 and R-20 Zoning Districts a special permit may be granted by the Board of Appeals for the conversion of one-family dwellings into two-family dwellings and of two-family into three-family dwellings in accordance with the following provisions:
1. In no instance shall the lot be less than 12,000 square feet.
2. The minimum lot frontage be at least 80 feet in the R-8 zone, and not less than the required minimum in all other zones.
3. There be at least a minimum off-street parking for three (3) vehicles.
4. All other dimensional requirements of the zoning district on which the conversion is proposed are met.
5. The maximum number of dwelling units allowed in any previously existing one-family dwelling shall be two, and two-family dwelling shall be three.
6. In instances where the Board of Appeals is requested to permit three (3) dwelling units in a residential structure the Board of Appeals shall require a Site Plan that indicates off-street parking for at least five (5) vehicles; and said plan shall indicate that no designated off-street parking spaces are located in the required front yard setback of the zoning district in question.
7. For all conversions, all health and safety regulations of the Town and Commonwealth shall be met, and a report to that effect shall be obtained by the applicant from the Building Inspector.
8. No applicant for a residential conversion special permit shall apply to the Building Inspector for a building permit or occupancy permit, unless and until a special permit for conversions is approved by the Board of Appeals. Further, all building permits and occupancy permits issued by the Building Inspector shall be in conformance with the conditions, if any, stipulated in the special permit approval.
9. All proposals for conversions are subject to the special permit requirements and procedures set forth in Section X.J of this Bylaw."

Amesbury Zoning Bylaw and Map, Adopted April 12, 1971 with Revisions Through October 14, 2003.

Andover *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to the table of use regulations, the following multifamily uses are allowed by special permit:

Conversion of a one-family to a two- or more family dwelling (see Section 7.6.2) by special permit by the board of appeals in SRA, SRB, MU.

Conversion of existing structure of 50,000 square feet gross floor area or more to multifamily use (See section 7.5) by special permit from the board of appeals in SRA and SRB.

7.6. MULTIPLE DWELLINGS

7.6.2. Conversions. For the conversion of a structure with one dwelling unit or a structure with two or more dwelling units, the following eligibility criteria apply;

1. The building must have existed prior to March 10, 1941,
2. There shall be twenty-five hundred square feet of lot area for each family.
3. Parking shall be provided as required by Appendix A, Table 3.
4. The building may not be increased in area, footprint, height or otherwise enlarged beyond the existing framework, except as may be necessary for secondary egress in the form of an outside stairway.

**Webmasters Note: The previous subsection has been added as per an ordinance approved at a town meeting held on 4/22/02.

According to the table of use regulations, such conversions are allowed by special permit in SRA and SRB.

Arlington *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Town of Arlington Zoning Bylaw

R4 - Town House Districts

The Town House District is composed of all those areas so designated on the official zoning map. It is located along arterials or in the Center area. The predominant uses are one- and two-family dwellings in large, older houses. Conversions of these old homes to apartments or offices is allowed to encourage their preservation. Town house construction is permitted at the same density as the apartment conversions, and at a scale in keeping with the older houses. Uses which would detract from the desired residential character, or otherwise interfere with the intent of this bylaw, are discouraged.

Listed in the table of uses:

Conversion to apartments at a maximum density of 18 dwelling units per acre with no alteration to the exterior of the building... by special permit in R4, R5, B1.

Ashland *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes A. Permitted uses. In Residential Districts, only the following uses are allowed:
(b) In Residential B and Multifamily Dwelling Districts only, two-family dwelling or conversion of one-family to two-family dwelling.

Section 282-22. Commercial districts.

A. Permitted uses - Highway Commerce (CA), Downtown Commerce (CB) and Village Commerce (CC): In Highway Commerce, Downtown Commerce and Villa(Commerce Districts, only the following uses are allowed:

(1) Permitted residential uses:

(5) Editor's Note: This Article also renumbered former Subsection B(9) as B(10).

(b) In Commercial B only, two-family dwelling or conversion of one-family to two-family dwelling.

E. Neighborhood Commerce.

[3] Conversion of single-family to two-family.

Section 282-42. Dwelling conversion.

A. special permit may be granted for conversion of an existing structure to accommodate additional families in districts where allowed under Article II, provided that the following are complied with:

A. No extension to the principal structure shall be made or additional exterior entrances created within sight from a street.

B. Lot area shall be not less than the minimum required for a single-family dwelling at that location by Article II, plus fifty percent (50%) of the required area for each dwelling unit in excess of one (1).

C. The added dwelling units shall be served by the town sewerage system or by new on-site disposal system meeting the requirements of Title V of the State Environmental Code.

D. No parking space provided to meet the requirements of Section 282-26 shall be located within a required front yard or block egress from another parking space.

E. Floor area shall equal at least seven hundred (700) square feet per dwelling unit.

Attleboro *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to table of uses:

"Conversion of existing dwellings to two family dwellings"... by right in GR, by special permit from board of appeals in SR, CB, GB, PHB, I.

"Conversion of existing dwellings to multifamily dwellings"... by special permit from the board of appeals in GR, GB.

§17-10.8 REUSE OF PUBLIC BUILDINGS

A. In order to permit greater flexibility in the reuse of surplus municipal buildings while maintaining the integrity of the single residential districts, all uses allowed by right or special permit in the General Residence use districts shall be allowed by in the Single Residence use districts by special permit from the Board of Appeals. Further, in order to maximize reuse potential in mixed use areas, all uses allowed by right or special permit in the Business and Industrial/Business Park use districts shall be allowed in the General Residence use districts by special permit from the Municipal Council. Public buildings located in "General Residence", "Central Business", "Planned Highway Business" and "Industrial" zoning districts shall be developed in accordance with §17-3.4 TABLE OF USE REGULATIONS.

B. For the purpose of this ordinance, public buildings shall be defined as municipally owned properties for including but not limited to schools, libraries and fire stations.

C. The Board of Appeals or Municipal Council may grant said special permit after public hearing and in accordance with the provisions of §17-9.0 SPECIAL PERMITS only when it is satisfied that the proposed reuse is in the best interests of the residents of the area as well as the City of Attleboro. Said special permit shall be for the reuse of existing buildings only. All dimensional and density regulations required in the underlying use district shall be enforced notwithstanding the granting of any such special permit.

§17-10.9 REUSE OF INDUSTRIAL BUILDINGS

A. In order to permit greater flexibility in the reuse of industrial buildings, this section allows, by special permit, the conversion of such buildings for multi-family residential use with a higher density than permitted in "General Residence" zoning districts. This provision applies only to those buildings in "General Residence" zoning districts that contain a minimum of 30,000 square feet.

B. For the purpose of this ordinance, industrial buildings shall be defined as: factories, warehouses, mills, and plants.

C. The Board of Appeals may grant said special permit after public hearing and in accordance with the provisions of §17-9.0 SPECIAL PERMITS. Said special permit shall be for the reuse of the existing building and may, at the discretion of the Board of Appeals, allow new construction provided that the applicant has shown that the existing building is used to its capacity.

D. The dimensional, density, and parking regulations for this provision are as follows:

1. The dimensional regulations for this section shall be those required in the underlying use district (see §17-4.0 DIMENSIONAL AND DENSITY REGULATIONS).

2. The minimum lot size for this section shall be 10,000 square feet plus 2,000 feet for each unit more than two.

3. The minimum number of off-street parking spaces shall be established in the special permit.

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§17-10.10 DOWNTOWN RESIDENTIAL CLUSTER DWELLINGS

A. In order to permit greater flexibility for the development of high-density multi-family residential buildings in the "Central Business" use district while maintaining the integrity of the business zone, residential dwelling units on the first floor level may be allowed by special permit in the "Central Business" use district from the Board of Appeals.

B. The Board of Appeals may grant said special permit after public hearing and in accordance with the provisions of §17-9.0 SPECIAL PERMITS only when it is satisfied that the proposed development of residential dwelling units on the first floor level is in the best interests of the "Central Business" use district as well as the City of Attleboro. Said special permit shall apply only to the first floor level residential dwelling units.

C. All dimensional and density regulations required in the underlying use district pursuant to §17-4.0 DIMENSIONAL AND DENSITY REGULATIONS shall prevail notwithstanding the granting of any such special permit. All off-street parking regulations required in the underlying use district pursuant to §17-5.10 TABLE OF OFF-STREET PARKING REGULATIONS shall prevail notwithstanding the granting of any such special permit unless otherwise specified by the Board of Appeals. First floor level façades of such residential buildings, as well as the style of related architectural and landscape features, shall consist of a design and quality so as to complement and enhance the integrity of the adjoining uses and the character of the downtown.

Auburn *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes "3.2.2.4 Converted Dwelling – A building which is transformed from a non-residential use to a residential use."

According to the table of uses:

3.2.2.4 Converted dwelling... The building shall be connected with the public sewer system. All lot area and area and yard requirements and parking regulations shall be met... allowed by special permit in RA, RB, RC, RR, RO, LB, OS.

- Auburn Zoning By-law. As amended through August, 2004.

Avon *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No According to the Table of Use Regulations, "Conversion of an existing dwelling to accommodate not more than two families, provided that each dwelling unit resulting from such conversion shall have not less than 900 square feet of habitable floor space" is allowed by special permit in R-25, R-40.

Ayer *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Through cluster development:

"6.132 Allowed Housing Types

a. General: the following types of residential buildings shall be allowed in a cluster development: one-family detached; semi-attached dwelling; (two units separated by a common wall; two-family or duplex (over and under units); townhouse with a limit of six units in one building; (units in) a converted municipal, institutional or industrial building. "

Single to two-family conversion permitted by Special Permit in A-1 and A-2 districts and by RIGHT in General Residence, Downtown Business, and General Business.

According to Zoning Enforcement Officer Gabriel Vallente, the residence must be in existence prior to 1972 when the bylaws first went into effect, and must have adequate square footage: 10,000 for the first unit, and 3,000 for each additional unit.

- Land Use Ordinance of Ayer, 3/13/73 (as amended). Table IV-1, Residential Uses.

- Personal Communication with Gabriel Vallente

- Personal communication with Shaun Suhoski

Bedford *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No 4. CLASSIFICATION OF PRINCIPAL USES
4.2 Residential Uses
4.2.2 Two Family Dwelling

4.2.2.1 Conversion

A single family dwelling in existence on March 1, 1945 may be converted to accommodate no more than two families, provided that:

- (a) Each dwelling unit shall have a minimum gross floor area of 800 square feet;
- (b) No exterior changes are made which, in the judgment of the Board, do not conform to the single-family character of the neighborhood.

4.2.2.2 Lot existing on January 1, 1992

A two family dwelling may be built on a lot in existence on January 1, 1992, provided such lot was not held in common ownership with any adjoining land and has one and one half times the minimum lot area for the Zoning District and provided the following conditions are met:

- (a) The two family dwelling shall be new construction, it cannot be conversion of an existing building.
- (b) Two off-street parking spaces shall be provided for each dwelling unit.
- (c) No more than two outdoor parking spaces shall be located in the required front yard. All other parking spaces shall be either: (1) outdoor parking spaces located in a side or rear yard, or (2) in a garage or carport.
- (d) Parking spaces shall be located so that both dwelling units shall have at least one parking space with direct and unimpeded access to the street without passing through a parking space designated to serve the other dwelling unit.
- (e) Where there are more than two outdoor parking spaces, there shall be provided suitable screening with evergreen or dense deciduous plantings, walls, fence, or a combination thereof in the area between the parking spaces and the nearest side lot line and, if the parking space is in the front yard and parallel to the street, in the area between the parking space and front lot line. Screening shall be sufficient to minimize the visual impact on abutters and to maintain the single family appearance of the neighborhood.
- (f) Only one exterior entrance shall be located on the front facade of the dwelling.

According to Table 1 Use Regulations, conversion to two family dwellings is allowed by special permit in all of the residential districts, and the LB district.

Bellingham *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes

4440. Other Multifamily Dwellings.

As provided in Section 2400 Use Regulation Schedule, multifamily dwellings other than townhouse dwellings, assisted multifamily housing, or public housing are allowed only:

- (a) in the Multifamily District, or
- (b) through conversion of an existing dwelling in any other district, upon determination by the Board of Appeals that the structure could not reasonably be used or altered for any other use (see Section 2400 footnote 10).

2310. Change, Extension or Alteration. As provided in Section 6, Ch.40A, G.L., a nonconforming single or two-family dwelling may be altered or extended provided that doing so does not increase the nonconforming nature of said structure. Other preexisting nonconforming structures or uses may be extended, altered, or changed in use on Special Permit from the Board of Appeals if the Board of Appeals finds that such extension, alteration, or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.

Section 2400

10. Except that an existing dwelling may, on Special Permit from the Board of Appeals, be altered to house up to four families or for boarding or lodging, provided that the Board of Appeals shall find that the structure could not reasonably be used or altered and used for any permitted purpose.

Code of By-Laws, Division II Zoning
<http://www.bellingham.org/townclerkbylzo.htm>
(Revised by Town Clerk 09/2002)

Belmont *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Conversions from single family to two family are not allowed in the single family districts.
According to the Table of Use Regulations on ordinance.com:
Conversion of large public buildings or public or private school buildings... allowed by special permit in SR-A,B,C,D, GR, AH, LBI, LBII, LBIII, GB.

Berkley *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Berlin *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No Planning Board Chairman Timothy Wheeler answered "No" to this question. Wheeler stated that conversion has been a topic of discussion both within the Housing Survey Report and subsequently at Town Meeting. (1/4/05)

[Town of Berlin Zoning Bylaws - revised through 2004] bylaws obtained from ordinance.com

Beverly *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes E. Residential Reuse of Existing Public Buildings

1. Purpose - To provide for the residential reuse of existing public buildings.
2. Use Regulation - In any zoning district, the Board of Aldermen may permit by Special Permit the reuse of an existing public building, as hereinafter defined, for residential purposes, provided that twenty-five percent (25%) of such allowed units are set aside for low or moderate income tenants or owners as hereinafter defined. In the case of units to be owned by low or moderate income individuals, such units shall contain deed restrictions indicating that units shall sell for 75% of the average fair market value of units in the Beverly area acceptable to the City of Beverly Planning Department to insure low or moderate income use in perpetuity.
3. Public Building Defined - For purposes of this section, public building shall be defined as any building owned and occupied or formally occupied by the City of Beverly Commonwealth of Massachusetts or the United States of America or any of their departments, authorities, or agencies.
4. Low or Moderate Income Person - For purposes of this section, low or moderate income persons shall be defined as those persons falling within the guidelines of low or moderate income determined by the United States Department of Housing and Urban Development and the Commonwealth of Massachusetts Executive Office of Communities and Development as certified by the Beverly Housing Authority, which shall be responsible for providing lists of those eligible for purchase or renting of the units involved.
5. Parking - Parking shall be provided on-site for a minimum of one and one-half spaces per unit.
6. Traffic - The applicant shall be responsible for providing an independent professional traffic study showing the impact of the proposed project on the surrounding neighborhood.

7. The Board of Aldermen shall determine that there exist adequate public services for the proposed project including, but not limited to, adequate water pressure and supply, adequate sewer availability, and adequate school capacity in the area.

8. Procedure - An application shall be filed and processed in accordance with Section 29-27 of this Ordinance, unless otherwise provided herein. Three (3) copies of a site plan prepared in accordance with the specifications of the City of Beverly (Planning Board Rules and Regulations) shall be submitted showing the proposed lot layout, grading, drainage, buildings, uses, off-street parking areas, open space, the handling of water supply and sewerage, and all such other information as the Board may require. The Board of Aldermen shall transmit a copy thereof to the Planning Board and the Design Review Board for their review and recommendation. The Board of Aldermen shall not take final action on such application until it has received a report thereon from the Planning Board and the Design Review Board within thirty-five (35) days or until said Planning Board and Design Review Board have allowed thirty-five (35) days to elapse without submission of a report.

9. The provisions of this Section are optional, and nothing herein shall require the Board of Aldermen to allow a Special Permit where it finds that the general area would be adversely affected by such use.

Billerica *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Blackstone *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Conversion of a municipal building - by special permit from Board of Appeals in R1, R2, R3, C, I.

Section 123-22. Conversion of a municipal building.
[Added by 9-20-82 STM, Art. 5]

A building or portion of a building then or formerly in municipal use may be converted from that use to multifamily dwellings, business or professional office, or other business use not involving retail sales, provided that if the use is not allowed outright at that location, the following shall apply. A special permit must be obtained from the Board of Appeals, subject to the criteria of Section 123-4C and subject to the following..

A. Any building additions shall not increase lot coverage by more than five percent (5%) of lot area.

B. Offstreet parking must be provided to meet the requirements of Section 123-15.

C. In the case of multifamily dwellings, lot area plus contiguous land dedicated to public recreation or conservation use must equal at least five thousand (5,000) square feet per dwelling unit.

Section 123-23. Multifamily dwellings.

[Added by 9-24-84 STM, Art.1; amended by 11-19-84 STM, Art. 1; 4-28-86 ATM, Art. 10; 4-28-86 ATM, Art. 40]

A. Submittals. Applicants for a special permit for multifamily dwellings shall simultaneously file for site plan review, as provided at Section 123-2C. In addition to the information required there, the following shall also be submitted:

(1) Ground floor plan, sections, and elevations of all proposed buildings.

(2) Materials indicating the proposed number of dwelling units, distinguishing units by number of bedrooms and any special occupancies (elderly or handicapped); form of tenure; any subsidies anticipated; rent or sales prices including any commitments for price ceilings; methods of water supply and sewage disposal; time schedule for construction of units and improvements; service improvements proposed at the developer's and those anticipated at the Town's expense; and means, if any, of providing for design control.

(3) Analysis of the consequences of the proposed development, evaluating the following impacts at a level of detail appropriate to the number of units proposed.

(a) Natural Environment: groundwater and surface water quality, groundwater level, stream flows, erosion and siltation, vegetation removal (especially unusual species and mature trees), and wildlife habitats.

(b) Public Services: traffic safety and congestion, need for water or sewer system improvements, need for additional public recreation facilities, need for additional school facilities.

(c) Economics: municipal costs and revenues, local business activity, local jobs.

(d) Social Environment: rate of town population growth, range of available housing choice.

(e) Visual Environment: visibility of buildings and parking, visual compatibility with existing development in the area.

(4) In the case of proposals for thirty (30) or more dwelling units, a site analysis shall also be submitted, consisting of a series of site analysis drawings at the same scale as the site plan, each on a separate sheet, indicating analysis of hydrologic considerations, vegetative cover, slope and land form, soils and geology, and such other characteristics as the applicant deems advisable.

B. Locational requirements.

(1) Multifamily dwellings must be so located as to allow connection to the municipal sewerage system at the time of construction.

(2) Multifamily dwellings must be so located that the traffic they are projected to generate will not increase average daily traffic by more than ten percent (10%) on any existing street.

(3) Egress from multifamily developments of twenty-four (24) or more dwelling units must be so located that there is at least two hundred fifty (250) feet visibility in each travel direction at the curb line.

C. Intensity of use requirement. The following shall apply to multifamily dwellings instead of the requirements of Section 123-13.

(1) Minimum lot area per dwelling unit shall equal thirty percent (30%) of the required lot area for a single-family dwelling at that location plus ten percent (10%) of that required lot area per bedroom (e.g. a two-bedroom dwelling unit requires thirty percent (30%) + ten percent (10%) + ten percent (10%) or fifty percent (50%) of the lot area required for a single-family dwelling).

(2) Minimum lot frontage and maximum lot coverage shall be as required at Section 123-13.

(3) Front, side, and rear yards shall be as required at Section 123-13, except that front yard shall be not less than twice building height and side and rear yards shall be not less than building height, if more restrictive than the underlying requirement. No parking area for more than two (2) cars shall be located within a required yard unless that yard abuts a lot committed to multifamily use.

D. Site design requirements.

(1) Requirements of Section 123-2C(3) shall apply.

(2) Light intrusion shall be controlled by having no building floodlighting, and by having lighting for drives and parking areas employ shielded fixtures mounted not more than fifteen (15) feet high.

E. Building design requirements.

(1) No structure shall contain more than twelve (12) dwelling units.

(2) Not more than four (4) dwelling units shall be served from a single building entrance.

(3) No building shall exceed two hundred (200) feet in length, thirty-two (32) feet in height, or have an unbroken roof area of more than two thousand (2,000) square feet.

(4) No occupied floor shall be below grade at its entire perimeter.

F. Decision. In deciding on a special permit for multifamily dwellings, the following more detailed criteria shall be used rather than those of Section 123-4C. Such special permit shall be granted only if the Planning Board determines that the proposal would have beneficial effects which overbalance any adverse impacts on the neighborhood or the Town, considering the following:

(1) Municipal costs and revenues.

(2) Effect on the range of available housing choice.

(3) Service to identified housing needs.

(4) Support for local business activity and jobs.

- (5) Impact on the natural environment, especially on ground and surface water quality and level.
 - (6) Impacts on traffic safety and congestion, adequacy of water service, and need for school facilities.
 - (7) Impacts on the visual environment through preservation or displacement of visual assets., and consistency with existing development in area.
 - (8) Architectural design compatible with the local area and the nature of the Town.
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Bolton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Boxborough *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No Boxborough Zoning Bylaw (Adopted 1965, Amended 2004)

2231. RESIDENTIAL USES
Conversion to two-family dwelling
of dwelling in existence on 5/3/65
AR R1 B B1 OP TC IC
SP (see note 14) SP Y Y N Y SP

note 14 The conversion shall not be allowed where the proposed lot is less than 40,000 square feet in area, or where less than 600 square feet of floor space would be provided for each dwelling unit therein.
No mention of conversion to MF.

Article 5, Administration
5360. Special Permits for Conversions.
In making its determination with respect to a special permit for the conversion of dwellings in any Agricultural-Residential District, the Special Permit Granting Authority shall, in addition to other requirements specified in Section 5340 of this By-Law, deny any permit therefor where the conversion would substantially alter the external appearance of the structure from that of a single family dwelling.

Boxford *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Boylston *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Braintree *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No Definition from ordinance.com:

TWO-FAMILY CONVERSION The change in use from single-family to two-family of any dwelling existing on June 18, 1940, which contains more than six rooms, exclusive of halls and bathrooms, provided that the living space of such building has not been enlarged during the ten year period prior to application and will not be enlarged for a ten-year period subsequent to permitting a two-family use.

**Webmasters Note: The previous definition has been amended as per an update approved at a town meeting held on 5/3/04.

Researcher found in Article VI Permitted Uses in Districts, Section 135-601, Table of Principal Uses that 2-family conversion is allowed by special permit in RB and GB, and by right in RC and C123.

Bridgewater *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No Bridgewater Zoning Bylaws, Revised 2000

Section 6.30

According to the table of use regulations, conversion of an existing dwelling to accommodate not more than two (2) families is allowed by right in Residential Districts C and D, and Business District B (provided that each resulting dwelling unit shall have not less than 500 square feet of habitable floor space). A special permit can be obtained in the Central Business District for this type of conversion.

It appears that conversion of a single-family unit to MF is not allowed in any district.

According to the table, two-family houses are allowed by right in Residential Districts C and D. They are also allowed by special permit in the Central Business District, Business District B, and Industrial Districts A and B.

Brockton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes From definitions on ordinance.com:

CONVERSION . The reconstruction of all or parts of a structure resulting in an additional number of dwelling units therein.

From ordinance.com:

Sec. 27-36. Miscellaneous uses; conversions.

CONVERSIONS.

In R-I Districts.

a. No conversions are permitted.

In R-2, R-3 Districts.

b. Conversions are permitted provided that:

1. There shall be not more than the maximum number of dwelling units than are permitted in the respective districts.

2. At least one off-street parking space shall be provided for each dwelling unit in the building.
3. There shall be at least four hundred (400) square feet of habitable dwelling space in each dwelling unit.
4. There shall be at least one bathroom including bathing, lavatory and toilet facilities in each dwelling unit.

Brookline *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to Section 4.3 Table of Use Regulations, "Detached dwelling on a separate lot originally constructed for single family occupancy prior to the effective date of this By-law and containing a minimum gross floor area of 2,400 square feet and converted for occupancy by not more than two families, provided there is no external evidence of occupancy by more than one family" is allowed by right in SC, T and M residence districts and L and O business districts.

"Detached dwelling converted for two-family occupancy conforming to the requirements of the preceding item except that external evidence of conversion is required to conform to other codes" is allowed by special permit in SC and by right in T, M, L and O.

§5.05 - CONVERSIONS ARTICLE V, DIMENSIONAL REQUIREMENTS 5-3
ZONING BY-LAW TOWN OF BROOKLINE, MA

In the case of the conversion of a single-family detached dwelling to a two-family dwelling in an SC or T District, or the conversion of a dwelling to create additional dwelling units in an M District, the structure shall conform to all dimensional requirements specified in §5.01. However, the Board of Appeals by special permit may waive any of said dimensional requirements except minimum lot size, provided that no previously existing nonconformity to such requirements is increased and provided that all other requirements of this By-law for such conversions are met.

Under the cluster provisions:

SECTION 5.11 CLUSTER SUBDIVISIONS, DESIGNED GROUPS OF SINGLE-FAMILY DWELLINGS, AND ESTATE CONVERSIONS

(c) The Board of Appeals may by special permit authorize the conversion of an existing structure or structures in S or SC Districts, constructed prior to the effective date of this By-law (July 27, 1962), to two or more dwelling units provided the following conditions are met:

- (1) the lot upon which the existing structure or structures are located is 5 acres or more in S-40 Districts, 3 acres or more in S-25 Districts, 2 acres or more in S-15, S-10 and S-7 Districts, and 1 or more acres in SC-10 and SC-7 Districts. Lot area shall be defined in accordance with Section 2.18, and contiguous lots may be combined to satisfy the acreage requirements of this paragraph;
- (2) one or more of the existing structure or structures to be converted contain at least 5,000 square feet of floor area either as defined in Section 2.11 or potentially habitable area that could be converted without any exterior construction that adds floor area;
- (3) except as increased under Section 5.11(c)(4), the total number of dwelling units does not exceed the number that would result if the area of the lot were divided by the minimum lot size in the district for single-family detached dwellings (the "base density") or, if:
 - (i) more than 50% of the total number of dwelling units are contained in existing structure or structures; and
 - (ii) more than 50% of the total floor area of the existing structure or structures are preserved, restored, renovated and rehabilitated as dwelling units or ancillary structures; the total number of dwelling units does not exceed 125% of the base density. The number of dwelling units permitted by the Board of Appeals under this Section 5.11(c)(3) in excess of the base density shall reflect the historic, architectural and community significance of the existing structure or structures once converted to dwelling units, including, without limitation, their design, location, facades, building materials and compatibility with the predominant architecture of the surrounding neighborhood. The Board of Appeals may limit the total number of dwelling units to less than the base density if in its judgment substantially adverse lot conditions, such as soil, topography, shape, significant landscape features or abutting uses, so require, or if the preservation or restoration of the historical or other architecturally significant features of the building(s) would be prevented or materially impaired.

Burlington *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Cambridge *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes 5.26 Conversion of Dwellings. No new dwelling unit created by the conversion of an existing dwelling into a greater number of units or by addition or enlargement of an existing dwelling shall be permitted unless the requirements of minimum lot area for each dwelling unit, maximum ratio of floor area to lot area, usable open space and off street parking are satisfied for all dwelling units (in existence and proposed) in the dwelling after the conversion or enlargement.

5.28.2 Conversion of Non Residential Structures to Residential Use. Where it is proposed to convert an existing principal use structure, designed and built for non residential use, to residential use (excluding Transient Accommodations, Section i (1) and (2)), the dimensional standards generally applicable in the district as set forth in the Tables of Dimensional Requirements in Section 5.30 and other applicable regulations in this Ordinance shall apply. However, where some or all of those requirements cannot be met, the following provisions shall apply after issuance of a special permit by the Planning Board.

Canton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No From ordinance.com:

2.12.2 Certain Residential Uses by Special Permit Only

In a Single Residence District, the Board of Appeals may, in a specific case, issue a special permit for any of the following residential uses:

In a Residence AA, Residence A, Residence B, and Residence C District, the Board of Appeals may, in a specific case, issue a special permit for any of the following residential uses:

A. The conversion and/or use of a one-family house existing on March 8, 1937, as a dwelling for not more than two families, or as a convalescent or nursing home, boarding or lodging house, or tourist home provided that:

A.1 such dwelling is located on a lot having an area at least twenty-five (25) per cent larger than the minimum hereafter required for the construction of a building in the same district;

A.2 no exterior enlargement is made which, together with any changes made during the preceding five years, increases by (35)2.12.2 Amended ATM 1963, Article 33 (Section III-B.2) more than twenty-five (25) per cent of the area of the dwelling; and

A.3 no change is made in the external appearance and general aspect of such dwelling which alters its one-family character.

B. The use of a portion of a dwelling or of a building accessory thereto in connection with the conduct of a profession or customary home occupation by a resident of the premises for regular class instruction, regular sale of products of the occupation, or regular employment of not more than three (3) persons other than residents of the premises; or, the use of a portion of a dwelling accessory thereto for incidental work and storage in connection with his trade by a resident builder, carpenter, electrician, painter, plumber, or other artisan who performs the major portion of his work off the premises; provided that:

B.1 such use does not produce noise or other effects observable at the lot lines in amounts exceeding those normal to residential property;

B.2 no external change is made which alters the residential appearance of the buildings on the premises;

B.3 there is no outside display of goods or products, storage of materials or equipment, or regular outside parking of commercial vehicles.

Carlisle *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

or non residential buildings)?

No

Carver Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Chelmsfor Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No Section 195-13. Conversion of dwelling units.

Alteration of a single-family dwelling existing at the time of adoption of this chapter in 1938 for occupancy by not more than two families is permitted, in accordance with Article In of this chapter, provided that the lot contains not less than 15,000 square feet and the exterior design of the structure is not changed from the character of a single-family dwelling, and provided further that at least 600 square feet of living space shall be provided for each resulting dwelling unit.

According to the use regulation schedule, conversion of dwelling is allowed by special permit from the board of appeals in RB and RM.

Chelsea Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes From ordinance.com

7.0 SPECIAL RESIDENTIAL REGULATIONS
7.1 CONVERSION OF DWELLING

7.1.1. General. No new dwelling unit created by the conversion of an existing dwelling into a greater number of units or by addition or enlargement of an existing dwelling shall be permitted unless the requirements of minimum lot area for each dwelling unit, maximum ratio of floor area to lot area, usable open space and off-street parking are satisfied for all dwelling units in existence and proposed in the dwelling after the conversion or enlargement.

7.1.2 Open Space. The requirements for usable open space may be .waived to provide areas for off-street parking provided that such a waiver is requested in writing and approved by the Inspector of Buildings and provided that all other requirements of this Section are met.

According to the Table of Principal Use Regualtions, "conversion of a dwelling" is allowed by right in R1, R2.

Clinton Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes Town of Clinton Zoning Bylaws (Amended 2001)

7200. MILL CONVERSION/PLANNED DEVELOPMENT

7210. General. Existing mill structures of more than twenty thousand (20,000) square feet of floor area can be converted to a Planned Development which may include the following uses dwelling units, retail offices, artist's lofts and hand crafts, and any other uses authorized as of right or by special permit in any zoning district

7220. Uses. Within a Mill Conversion/Planned Development, dwelling units, retail offices, artist's lofts and hand crafts, and the like may be allowed by special permit from the Planning Board

7221 Accessory uses and recreation facilities for the use of the residents and/or employees of the area only to include golf course, tennis courts, jogging trails, swimming pools and similar outdoor facilities, a community building not to exceed five (5) percent of the total floor area of the residential units, parking area and garages, storage sheds, cabanas, detached fireplaces and similar facilities for use by the residents of the Planned Development, but not including home occupations, taking of boarders or lodgers, renting of rooms or professional offices, incidental retail sales and services

7222 If there is more than one type of major land use (e g , residential, institutional, office building, or research establishment), no one type shall constitute less than ten (10) percent or more than seventy (70) percent of the total dwelling units or gross floor area

7223 If the conversion is to dwelling units, at least ten (10) percent of the units shall beset aside for low and moderate income housing as defined by the Commonwealth of Massachusetts and the Clinton Housing Authority

7230. Structures

7231 Buildings shall be an architectural style which is compatible with the prevailing style in the area in which the Planned Development is located and shall be compatible with other buildings in the Planned Development

7232 Each dwelling unit shall have at least one (1) side with full exposures, and shall meet all fire codes

7233 No floor, except unfinished basement, of a dwelling unit shall be located beneath the average finished grade of the ground adjoining the building

7234 Any exterior change made to the original structure is in keeping with the architecture of the original structure and is subject to approval by the Planning Board

7235 Any new buildings must comply with Section 7240

7236 Except for an existing null building being adapted to a permitted use, no building or structure shall be located closer than one hundred (100) feet from the center line of any public way or other way utilized to meet the frontage requirements of this section, or within seventy-five (75) feet from the center line of any interior street, way, or driveway

7237 No building or structure shall be located within or closer than twenty-five (25) feet of an area which is required to be maintained in a natural state

7238 No building or structure shall be located within fifty (50) feet of a property or a lot line

7239 If there is more than one building containing dwelling units on a single lot, there shall be a minimum of twenty-five (25) feet between such buildings

7240. Site Development

7241 Buildings, open spaces, driveways, parking areas and other development features shall be located and designed in a manner which conforms to the existing natural terrain of the site

7242 Building placement which makes maximum use of solar energy should be encouraged

7243 All existing or proposed utilities shall be installed underground at the time of initial construction When required, each structure or dwelling unit shall be equipped with fire protection systems approved by the Clinton Fire Department

7244 Lighting facilities, whether placed along service drives, in parking areas or on the exterior of buildings, shall be so arranged and shielded that they do not unreasonably distract the occupants of the buildings or shine directly upon abutting properties and/or public ways In no case shall illumination upon the window surface of any buildings used for dwelling purposes exceed five-tenths (0.5) foot candles

7245 Provisions shall be made for the storage, collection and removal of garbage and trash All necessary facilities shall be appropriately screened from view

7246 There shall be at least one (1) entrance road and one (1) exit road to each Planned Development, unless a divided entrance-exit road is approved by the Planning Board

7247 All interior roads, drives and parking areas shall be constructed to the roadway standards of the Planning Board as contained in the Subdivision

Rules and Regulations of the Town of Clinton

7248 All areas not covered by pavement, curbing, buildings and/or structures including such facilities as playing area for court games, swimming pools, and plazas, shall be landscaped with grass, shrubbery, trees, flowers, or ground covers indigenous to the area Along the length of each exterior wall of each principal building there shall be landscaped area

7249 All areas not required for parking and landscaping shall be kept in an open and natural state Such natural area shall be subject to permanent restrictions

7250. Parking. Off street parking shall be provided in accordance with the provisions -of Section 5100 All parking spaces, including any which may be in excess of those requirements, shall be subject to site plan reviews Unless in an accessory garage within the structure, no parking space shall be located closer than twenty five (25) feet from a building used for dwelling purposes All required parking spaces shall be provided within three hundred (300) feet of the dwelling units which they are required to serve

7260. Agreements Any specified open area left substantially in its natural state shall be placed in an ownership which shall provide for its permanent retention and maintenance The manner of ownership, use and maintenance of such permanent natural area shall be determined by the agreement of the applicant, the owner, and the Planning Board The agreement, duly executed in a form suitable for recording by the owner or owners of such natural area, shall provide that, in the event the Planning Board shall grant a Special Permit under this Section, such permanent area shall be owned by a non-profit organization the principal purpose of which is the preservation of natural areas, or a corporation or trust owned or to be owned in common by the owners of the dwelling units within the development in which the ownership of the natural area runs with that title to the dwelling units and is not separably alienable

7261 An organization, corporation or trust owned or to be owned in common by the owners of the dwelling units within the development in a form approved by the Planning Board shall be responsible for the maintenance of all common areas, not otherwise provided in accord with section including, but not limited to lighting, plowing, roadway, sidewalks, recreation facilities and accessory structures

Cohasset *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to the table of use regulations:

"The conversion and/or use of a one-family dwelling existing on 1/5/55 as a dwelling for not more than two families subject to Table 5.3.1 (Table of Area Regulations)" is allowed by right in R-A, R-B and R-C and by special permit in DB and HB.

"The conversion and/or use of a one-family dwelling existing on 1/5/55 as a dwelling for more than two families subject to Table 5.3.1" is allowed by special permit in R-A, R-B, R-C, DB and HB.

Concord *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No 4.2 Residential Uses
4.2.2 Two-family or additional dwelling unit:

4.2.2.1 The Board may grant a special permit for the alteration and use of a building existing at the time its lot is placed in a single residence district for not more than two (2) families, provided the volume of any additions shall not exceed in all one-fifth of the volume of the existing building.

Danvers *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to the Schedule of Uses, "Dwelling - Conversion" is allowed by special permit in R-I, R-II, R-III, R-III A, V.

Section 10 RESIDENCE I DISTRICT

10.1 Uses Permitted by Right

10.2 Uses Subject to a Special Permit

5. Conversion of a dwelling that existed on July 1, 1980 in a Residence I District into additional dwelling units, provided that:

- a. No dwelling shall be altered to accommodate more than one (1) family for each twenty-five hundred (2500) square feet of area of the lot.
- b. The Special Permit Granting Authority (SPGA) finds that such remodeling would not be detrimental to the neighborhood by increasing congestion.
- c. Except for the creation of additional exits if required by law, the exterior appearance of the structure is not substantially changed.
- d. An off-street parking space for each bedroom to a maximum of two (2) spaces per dwelling unit is provided on the lot and behind the setback line.
- e. No conversion shall be allowed if a dwelling would contain more than four (4) dwelling units.
- f. Parking areas where four (4) or more spaces are required by the by-law shall be screened from any adjacent residential use which screening, in the opinion of the SPGA, provides adequate protection to the adjacent residence.
- g. No front yard shall be utilized for the establishment of parking spaces. The front yard shall be defined as a yard area extending between lot side lines across the front of a lot adjacent to the street it adjoins for a depth equal to the front setback required in the district.

Section 12 RESIDENCE II DISTRICT

12.2 Uses Subject to a Special Permit and Site Plan Approval

9. The conversion of a single-family dwelling that existed on July 1, 1980, into two dwelling units, provided that the following conditions are met:

- a. For the additional unit there are ten thousand (10,000) square feet of land not lying in the Flood Plain or Inland Flood Plain/Watershed Protection Districts in addition to the minimum requirement of twenty thousand (20,000) square feet for the principal dwelling.
- b. That the Board of Health certifies to the Board of Appeals that the lot is acceptable for the additional unit and usage.
- c. At least two (2) off-street parking spaces per unit are provided.
- d. one (1) unit is regularly occupied by the owner of the premises.
- e. The additional unit does not exceed forty percent (40%) of the total floor area of the structure.
- f. The exterior appearance of the building is not altered.

Section 14 RESIDENCE III DISTRICT

14.2 Uses Subject to a Special Permit

5. The conversion of a single-family dwelling existing on July 1, 1980 into two (2) dwelling units, provided that the following conditions are met:

- a. For the additional unit there are fifteen thousand (15,000) square feet of land not lying in the Flood Plain or Inland Flood Plain/Watershed Protection Districts, in addition to the minimum requirement of thirty thousand (30,000) square feet for the principal dwelling.
- b. That the Board of Health certifies to the Board of Appeals that the lot is acceptable for the additional unit and usage.
- c. At least two (2) off-street parking spaces per unit are provided.
- d. one unit is regularly occupied by the owner of the premises.
- e. The additional unit does not exceed forty percent (40%) of the total floor area of the structure.
- f. The exterior appearance of the building is not altered.

or non residential buildings)?

Yes 7.3 MULTIFAMILY RESIDENTIAL COMPLEX

7.3.1 General. A Multifamily Residential Complex shall be allowed only in a Single Residence B (SRB) Zoning District and only by Special Permit issued by the Zoning Board of Appeals upon a determination that the following conditions and criteria have been satisfied:

1. Conversion of Existing Buildings/Structures: Except as provided in Paragraph 2 below, all dwelling units in a Multi-Family Residential Complex must be located within buildings or structures in existence as of the effective date of this By-Law (April 12, 1999). The floor area of such existing buildings or structures may be expanded provided that such expansion does not increase the floor area by more than 50% of such building or structure being so expanded and provided further that with respect to any abutting lots not included within the Multi-Family Residential Complex any such expansion shall conform to the minimum front, side or rear yard requirements for SRB Zoning District.

Dedham Zoning Bylaw from www.ordinance.com:

7.2 CONVERSION OF SINGLE FAMILY TO TWO FAMILY DWELLING

7.2.1 General. In the SRA and SRB Districts such conversion shall be subject to the following conditions:

1. Such house is located on a lot which has an area at least 50 percent larger than required for the construction of a single family home in that district.
2. No exterior enlargement is made which together with any changes made during the preceding five years increase the cubic content of the house by 20 percent or more.
3. No exterior change is made which, in the opinion of the Board of Appeals, alters the single family character of the dwelling.

According to the table of use regulations, "Alteration and use of existing single-family house as a dwelling for not more than two families" is allowed by special permit in the SRA, SRB, PC19, LB18, and CB districts by SPECIAL PERMIT, and in the GR, PR, and GB districts by RIGHT.

Dighton Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No According to the Regulation of Use Schedule in Appendix A, Conversion from single family to two-family dwellings is allowed by Special Permit in Districts R & B.

Douglas Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes Town of Douglas Zoning Bylaw (Adopted 2004)

From table of uses, appendix A:

"Conversion of a structure existing at the enactment of these bylaws into a two family or multifamily dwelling subject to section 7.1" - by special permit from the planning board in VR, CB, Comm.

SECTION 7.0 SPECIAL RESIDENTIAL REGULATIONS

7.1 CONVERSION TO TWO-FAMILY OR MULTIFAMILY DWELLING

The conversion of a structure existing at the time of the enactment of these by-laws may be so converted provided that (a) the exterior of the structure be designed in a manner that will not derogate from the general appearance of the neighborhood in which it is located, (b) that such conversion is in no way detrimental to the neighborhood and (c) that all regulations otherwise set forth herein shall apply.

Dover *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Dracut *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes MILL CONVERSION PROJECT : (MCP) shall mean the conversion of existing mill buildings and structures in a Mill Conversion Overlay District as specified herein to multifamily dwelling(s), assisted living facility, single-family dwelling(s), and/or nonresidential uses.

2. OVERLAY DISTRICT. The Mill Conversion Overlay District (MCO) is hereby established and shall be construed as an overlay district. Within the MCO all regulations of the underlying district shall continue to be in full force and effect, except where these regulations supersede such underlying requirements or provide an alternative to such requirements. The MCO shall consist exclusively of the following properties:

4. SPECIAL PERMIT REQUIRED. Within the MCO, a MCP may be constructed upon the issuance of a special permit by the Planning Board, and upon site plan approval pursuant to the requirements set forth herein.

5. SPECIAL PERMIT GRANTING AUTHORITY. The Planning Board shall serve as the special permit granting authority pursuant to this section. An application for a special permit shall be governed by the following rules.

6. APPLICATION. Planning Board on forms furnished by the Planning Board in accordance with its regulations. Each such application shall be accompanied, if applicable, by a definitive plan of land pursuant to the provisions of G.L. c.41, ss.810 and 81T as the same may be from time to time amended and the Regulations of the Planning Board and a filing fee determined in accordance with said Regulations. In addition the applicants shall submit:

a. The following plans:

1. a site plan and all supporting documents as set forth in Section 1.16.20

2. a plan at a scale of 1"=40' showing the topography of the site at a minimum of two foot intervals, as well as vegetation and special features including wetlands, perennial streams and ponds, waterways, waterfalls, canals and dams, trees of more than 9=8" caliper, rock outcroppings, slopes in excess of 15% existing and proposed trails and paths, open vistas, structures of historical importance and biological or wildlife habitats, and proposed conservation and recreation easement areas;

3. a plan illustrating preliminary landscaping and architectural design, showing types location and layout of buildings, and typical elevations, as well as the general height, bulk and appearance of structures. Perspective drawings may be subsequently required by the Planning Board;

4. a floor plan to scale for each floor of each building indicating, if applicable,

a. number of units;

b. number of bedrooms;

c. proposed use of the floor space; and

d. location of affordable dwelling units

5. a plan describing the care, custody and control of all dams and water rights;

6. a plan for any wastewater treatment facility.

b. The following narrative reports or data:

1. a proposed development schedule showing the beginning of construction, the rate of construction and development, including stages, if applicable, and the estimated date of completion;

2. a development impact statement prepared by qualified professionals detailing the impact of the development, at all phases including construction and operation, on

- a. the Town's capacity to furnish services including, but not limited to, roads, police, fire emergency services, schools and water;
- b. vehicular and pedestrian traffic, water and air quality, noise and light pollution and other environmental concerns.

3. information pertaining to any organization which the Applicant proposes to form where the development is to be a condominium or other ownership organization, including forms and plans to be used to organize and manage the same, for approval as to form by Town Counsel;

4. copies of all proposed covenants, easements, and other restrictions which the Applicant proposes to grant to the Town, the Conservation Commission, utility companies, any condominium or other ownership organization and the owners thereof, including plans of land to which they are intended to apply, for approval as to form by Town Counsel;

5. a concise narrative prepared by a preservation consultant including any and all historical information to be submitted to the Dracut Historical Commission and Planning Board. The narrative will include:

- a. architectural history of all structures on the site, including period, style, method of building construction, and association with any particular architect or builder.
- b. any important association with one or more historic persons or events.
- c. any cultural, political, economic or social history of the site or any structures to the Town, Commonwealth of Massachusetts or the United States of America.

6. evidence that the proposed MCP is consistent with applicable standards of the National Park service or the Dracut Historic Commission; and any and all other information that the Planning Board may reasonably require in a form acceptable to it to assist in determining whether the Applicant's proposed development plan meets the objectives of this Section.

d. the following fees:

- 1. Technical Review Fee. The applicant shall pay a technical review fee pursuant to G.L. c.44, s. 53G and the rules of the Planning Board.
- 2. Administrative Fee. The applicant shall pay an administrative fee pursuant to the rules of the Planning Board.

The Planning Board may waive the submittal of technical information or documents otherwise required hereunder where the applicant demonstrates that, due to the simplicity of the proposal, such information is not necessary for or applicable to the Planning Board's decision pursuant to this section.

7. REVIEW BY OTHER BOARDS. Whenever an application for a Special Permit for a MCP is filed with the Planning Board, the applicant shall also file within five (5) working days of the filing of the completed application, copies of the application, accompanying site plan, and other documentation, to the Board of Health, Conservation Commission, Building Inspector, Highway Superintendent, Police Chief, Fire Chief, and the Town Engineer for their consideration, review, and report. The copies necessary to fulfill this requirement shall be furnished by the applicant. Reports from other boards and officials shall be submitted to the Planning Board by the date of the public hearing, but in any case within thirty-five (35) days of receipt of the reviewing party of all of the required materials; failure of these reviewing parties to make recommendations after having received copies of all such required materials shall be deemed a lack of opposition thereto. In the event that the public hearing by the Planning Board is held prior to the expiration of the 35 day period, the Planning Board shall continue the public hearing to permit the formal submission of reports and recommendations within that 35 day period. The Decision/Findings of the Planning Board shall contain, in writing, an explanation for any departures from the recommendations of any reviewing party.

8. STANDARDS. In order to be eligible for consideration for a special permit pursuant to this Section, the proposed development shall meet all of the following standards:

a. Buffer. A buffer area of one hundred (100) feet shall be provided at the perimeter of the property where it abuts residentially zoned or occupied properties, except for driveways necessary for access and egress to and from the site provided, however, that existing structures and existing structures and existing access roadways are exempt from the requirements set forth herein. However, existing structures and parking areas shall not be made more non-conforming except for ADA compliance. No vegetation in this buffer area will be disturbed, destroyed or removed except for normal maintenance. The Planning Board may waive the buffer requirements:

- 1. where the Planning Board determines that a smaller buffer will suffice to accomplish the objectives set forth herein; or
- 2. where the construction of a wastewater treatment plant necessitates such relief.

b. Removal and Replacement of Vegetation. Within the site, no clear cutting shall be permitted, except as authorized by special permit and incidental to construction of buildings, roads, trails and parking areas. The Planning Board may require suitable landscaping or replacement of vegetation.

c. Roadways. The principal roadway(s) within the site shall be adequate for the intended use and vehicular traffic and shall be maintained by an

association of unit owners or by the Applicant.

d. Parking. The applicant shall provide adequate parking to serve all anticipated uses on the property, with information detailing the method of computation of parking spaces. The minimum number of parking spaces shall be computed using the requirements of Section or other applicable provision herein. The Planning Board may increase the required parking by up to 10% to serve the needs of residents, employees, visitors and service vehicles. The Planning Board may reduce the otherwise required number of parking spaces where the applicant demonstrates that an adequate number of spaces will be provided.

e. Screening of Parking Areas. All parking areas shall be screened from view from adjacent residentially zoned or occupied premises located outside the site, including public ways, by a landscaped border at least ten (10) feet in width. Parking lots shall be located to the rear or side of all buildings and shall not be located in the front set backs or in buffer areas; provided, however, that the Planning Board may waive these provisions for existing parking lots and/or existing buildings. Parking lot layout shall be planned to permit landscaping, buffers, or screening to prevent direct views of parked vehicles from adjacent streets. The use of traditional picket fencing hedges, walls, or landscaped berms to define parking areas is encouraged. In parking areas of eleven or more parking stalls, at least one tree of three-inch or greater caliper shall be planted for every six parking places. Adequate tree wells and irrigation shall be provided for all parking lot landscaping. Pedestrian access is to be taken into consideration in parking lot design. The use of separate walkways is encouraged. Textured paving or grade separated (elevated) walkways are desired on all pedestrian access ways.

f. Paving. Paving should be textured or of different materials at pedestrian crossings and walkways. The use of stone, brick or cultured stone pavers for entrance walkway borders is encouraged. The use of textured materials for walkway borders is encouraged.

g. Paths. The Planning Board may require paths which shall be attractively designed with proper regard for convenience, separation of vehicular, bicycle and pedestrian traffic, adequate connectivity, completeness of access to the various amenities and facilities on the site and to pathways or sidewalks to adjacent sites.

h. Loading. Loading areas may be required by the Planning Board where deemed necessary for the efficient operation of the MCP. Loading areas must be at least 20 x 9 feet, and have a minimum overhead clearance of 10 feet. Screening and landscaping shall be provided to block views of loading areas (except those specifically designated for emergency vehicles) from the public right-of-way and adjacent properties.

i. Stormwater Management. The stormwater management system shall be designed in accordance with the Regulations of the Planning Board.

j. Utilities. All electric, gas, telecommunications, and water distribution lines shall be placed underground, except upon a demonstration of exceptional circumstances.

k. Number of Dwelling Units. The maximum number of dwelling units shall be established by the Planning Board after reviewing the following criteria:

1. Existing structures;
2. Proposed method and efficient of wastewater disposal;
3. Availability of public water;
4. Trip generation, traffic safety and internal site traffic;
5. Character of the proposed MCP and its relation to the surrounding neighborhood(s);
6. Character of the existing buildings and the potential for reuse thereof;
7. Number of affordable units, beyond the minimum required, proposed by the applicant;
8. Development Impact Statement;
9. Applicability of the Water Resource Protection District;
10. Reports of the technical consultants of the Planning Board and all other reviewing boards.

l. Number of Bedrooms. The Planning Board may ensure the diversification of dwelling units within a MCP by establishing the number of dwelling units with one, two or three bedrooms; but not more than 10% shall be three bedrooms.

m. Expansion of Existing Buildings, existing buildings within a MCOB may be expanded, provided that such expansions;

1. is consistent with the existing buildings historic character and scale; and
2. does not cause substantial detriment after considering the factors set forth in Section 10.b.

n. New Buildings. Within the MCP, new buildings may be constructed in accordance with the following requirements:

1. The number, type, scale, architectural style, and uses within such new buildings shall be subject to Planning Board approval.

o. Emergency Systems. The MCP shall have an integrated emergency call, and/or telephone and/or other communications system for its residents and/or other tenants. There shall be sufficient site access for public safety vehicles. A plan shall be approved by the Dracut Fire Department for the emergency evacuation of the residents with emphasis on ensuring the safety of residents with physical impairments.

p. Lighting. Illuminated signs, parking lot lighting, building floodlighting, or other exterior lighting shall be so designed and arranged that the collective result does not create so much light overspill onto adjacent premises that it casts observable shadows, and so that it does not create glare from unshielded light sources.

Dunstable *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Duxbury *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

East Bridge *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Easton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No According to the Table of Use Regulations, "Conversion of existing dwelling to accommodate not more than two families" is allowed by special permit in R, R1 and F, and by right in B.

Essex *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes 6-6.9 SPECIAL PERMITS.
Upon approval of the planning board the following may be allowed

- j. Conversion of an existing dwelling into three-family unit provided that:
1. No dwelling shall be altered to accommodate more than one family for each ten thousand square feet of area of the lot.
 2. The planning board finds that such conversion would not be substantially more detrimental to the neighborhood than the existing use.
 3. Except for creation of additional exits if required by law, the structure is not substantially changed or enlarged.
 4. Parking as required in section 6-5.8b. is provided on the lot and behind the setback line.

Everett

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

Developers have been rehabbing the old textile mills. Everett is in the process gaining approval for building a new high school. The former high school would then be turned into senior housing.

From ordinance.com:

Section 4. Dwelling districts.

(a) Uses. Within any dwelling district as indicated on the zoning map, no building, structure or premises shall be used and no building or structure shall be erected which is intended or designed to be used in whole or in part for any industry; trade, manufacturing, or commercial purposes, or for other than the following specified purposes:

(1) A single or a double semi-detached dwelling existing at the time of the first enactment of the Zoning Ordinance may be converted to provide not more than a total of three (3) dwelling units providing that the following standards are met:

Any addition shall comply with front, side and rear yard requirements and height limitations of the Zoning Ordinance.

Where the existing building is already non-conforming, any alteration shall not increase the existing non-conformity. Parking in accordance with this Zoning Ordinance shall be provided for any additional dwelling units. (Ord. of 4-29-91)

Foxboroug

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

SECTION 9.14 CHESTNUT-PAYSON OVERLAY DISTRICT (CPOD)

B. Purpose

It is the purpose of this Section 9.14 to supplement existing zoning regulations to provide for the following:

1. Permit the implementation of the Reuse Consensus Plan for Foxborough State Hospital Property dated April 20, 1994, Amended September 5, 2002, a copy of which is on file with the Town Clerk. This will permit the total construction of 152 total residential units in the CPOD.

Framingha

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

III. USE AND DIMENSIONAL REGULATIONS

A. Single Residence

3. The following uses shall require a special permit from the Planning Board:

a. Conversion of a single-family detached dwelling to multifamily use, subject to the following provisions:

(1) The structure must have been in existence as a residential structure on March 15, 1939.

(2) The total number of dwelling units after conversion shall not exceed the maximum number of single-family lots which could be attained on the parcel in conformance with the use and dimensional regulations of the underlying zoning district, as determined by the Planning Board.

(3) In connection with an application for a special permit under this section, an applicant shall submit a plan conforming to the requirements for a preliminary subdivision plan under the Planning Board's rules and regulations for the subdivision of land, or an "approval not required plan" if applicable, indicating the number and layout of single-family dwelling lots attainable under the Zoning By-Law without any variance or other special permit, and without any waiver of said rules and regulations.

(4) An application under this section shall be subject to the Site Plan Review provisions of Section IV.I. of this By-Law, regardless of the gross floor area

of the structure to be converted.

(5) Any special permit issued under this section shall include the following conditions:

- (a) the parcel for which the special permit has been granted shall not be further subdivided;
- (b) the structure for which the special permit has been granted shall not be enlarged by any change to the exterior walls or roof;
- (c) no variance of any sort shall be issued in conjunction with the use for which the special permit has been granted.

E. Planned Reuse

1. Purpose and Intent

It is the intent of this district to permit and encourage the appropriate reuse of land and buildings that are no longer needed or suitable for their original use, and to permit reuses which are compatible with the character of the neighborhood and which take into consideration the interests of abutters, neighbors and the public, especially where the site abuts a residential area or the building(s) merit preservation. The provisions of this section shall apply only to land and buildings in municipal ownership on the date of Town Meeting action placing land in this district.

2. Use Regulations

No building or structure shall be used or arranged or designed to be used in any part and no change shall be made in the use of land or premises except for one or more of the following purposes:

- a. All uses permissible by right or by special permit in a Single Residence District subject to the same lot size, frontage, and setback regulations as residences in the R-3 Single Residence District.
- b. Multi-family or single-family residences at a density greater than that permitted by Section III.E.2.a., subject to the Special Reuse Permit provisions of Section III.E.3.

Franklin

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

According to the table of use regulations, two family by conversion is allowed by special permit from the board of appeals in RRI, RRII, RVI, SFRIII, SFRIV.

Freetown

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

From single to duplex, by right (see below) and from any type to multifamily, by special permit, as long as meets the lot size and frontage requirements (see below).

"F. Additional Dwelling Units-Minimum Requirements:

No single family dwelling shall hereafter be constructed or placed upon a lot having less than 175 feet frontage and 70,000 square feet, a minimum of 52,000 square feet of which must be of non-wetland area as defined by M.G.L. Chapter 131, Section 40. An additional attached dwelling unit is allowed to create a duplex unit providing there is a minimum of an additional 50 feet of frontage and 40,000 square feet of non-wetland area."

-Section 3.F Additional Dwelling Units-Minimum Requirements

"B. Special Permit:

Except as provided otherwise in this By-Law no multi-family structure shall be USED, CONVERTED, CONSTRUCTED OR RECONSTRUCTED without the issuance of a Special Permit from the Planning Board as the Special Permit Granting Authority."

-Section 6 - SPECIAL PERMIT USE-MULTI-UNIT DWELLINGS OF THREE UNITS OR MORE INCLUDING APARTMENTS, TOWNHOUSES, CONDOMINIUMS, ETC.

"c.) Expansion, Alteration or Change of Use of One or Two Family Residential Non-Conforming Uses: Existing one or two family residential structures which are nonconforming uses, may expand or be altered without a Special Permit from the Planning Board if the expansion or alteration meets the setback, height, and lot coverage standards of the zoning district in which the residential use is located."

Georgetown *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Georgetown Zoning Bylaw, Chapter 165, last revised 2002

According to the use regulation schedule, conversion of single-family dwelling to multiple dwelling is allowed by special permit from the Board of Appeals in the following districts: RA, RB, RC, CA, & IA.

Gloucester *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No City of Gloucester Zoning Ordinance (Adopted 1950, Amended 2002)

Section 2.3 Use Regulations Schedule

2.3.1 Residential Uses: Conversion of one-family dwelling to two family dwelling is allowed by right in R-RB, R-4, and CCD; allowed by special permit (board of appeals) in CB, NB AND VB.

In R-RA, R-2A, R-2, R-3, it is allowed by right, except it requires special permit from ZBA when exterior dimensions of the existing dwelling must be changed.

Grafton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Town of Grafton Zoning Bylaw, Amended 2003

3.2.3.1 Conversion of any existing building to residential use, conforming with the applicable zoning requirements for the district which it is located:

Permitted by special permit in the following districts: Agriculture

Low Density Residential

Medium Density Residential

Multi-Family Residential

Flood Plain

Groton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Town of Groton Zoning Bylaw, Chapter 218 (Adopted and Amended 1987)

According to ~218.13 Schedule of Use Regulations, conversion of a single-family dwelling into a two-family dwelling (provided that its external appearance is not significantly different) is allowed by right in districts R-A, R-B, and B-1.

Multifamily dwelling conversion is allowed by special permit (by the Board of Appeals) in districts R-A, R-B and B-1.

218-27. Multifamily use.

Multifamily use may be authorized by the special permit granting authority only in districts as indicated in ~ 218-13, Schedule of Use Regulations, and as

specified below.

A. Dwelling conversion. Conversion of an existing dwelling or structure accessory thereto so as to result in not more than three dwelling units on the premises may be authorized on special permit from the Board of Appeals but only if in compliance with the following:

- (1) The dwelling must have been in existence as of the date of adoption of this provision and not expanded within the 24 months previous to application for a special permit.
- (2) Conversion must not result in more than three dwelling units on the premises, including any in an accessory structure.
- (3) Habitable floor area must equal not less than 500 square feet times the number of dwelling units in the building.
- (4) There shall be no more than a 10% increase in the habitable floor area of the existing structure.

Groveland *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Groveland Zoning Bylaw (Adopted 1996)

Definitions

CONVERSION OF A DWELLING UNIT. An alteration of a dwelling, or a change in its use, so as to accommodate a family or families in addition to or less than the number of families for which it was designed.

SECTION 100. GENERAL

109.3.1. Building permits shall not be issued authorizing construction of (or conversion to) more than 36 dwelling units town-wide in single-family and two-family dwellings in any fiscal year of the town.

SECTION 400. CONVERSION TO APARTMENTS AND CONDOMINIUMS

Any building, dwelling, or structure to be converted to apartments or condominiums must have the following minimum square feet of land area:

In Zone RA:

Two (2) living units: Sixty thousand (60,000) square feet of land area.

Three (3) living units: Ninety thousand (90,000) square feet of land area.

Four (4) living units: One hundred twenty thousand (120,000) square feet of land area.

Each additional unit of living space above four (4) units will require an additional 30,000 square feet of land area.

In Zone RB:

Two (2) living units: Forty thousand (40,000) square feet of land area.

Three (3) living units: Sixty thousand (60,000) square feet of land area.

Four (4) living units: Eighty thousand (80,000) square feet of land area.

Each additional unit of living space above four (4) units will require an additional 20,000 square feet of land area.

In Business Zone:

Requirements will be the same as in Zone RB.

In Zone RC:

Requirements will be the same as in Zone RB.

Industrial Zone:

No conversions to condominiums or apartments are allowed.

These requirements are in addition to any other zoning by-law requirements that are in effect and do not delete from other requirements.

All conversions are subject to all state and local building codes and all state statutes.

Halifax *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Hamilton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Hanover *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

- No**
- 6.000 Residence A District:
 - 6.020 Uses Permitted by Special Permit from the Zoning Board of Appeals.
 - C. Conversion of a dwelling that has existed for ten (10) years or more to allow for the inclusion of a second dwelling unit provided that:
 - 1. the use is clearly incidental to and secondary to the primary use as a residence;
 - 2. the external appearance of the structure shall not be changed;
 - 3. there shall be sufficient floor area as specified in Section 7.610 of this Bylaw;
 - 4. septic disposal systems shall meet with the approval of the Hanover Board of Health; and
 - 5. no detached accessory buildings, including, but not limited to, garages or barns, shall be utilized for this purpose.
-

Hanson *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

- No**
- B. Residence A and Residence AA Districts:
 - 2. Uses permitted by special permit granted by the Board of Appeals as provided in Section VIII.D.
 - d. Conversion of a single-family dwelling existing at the time of the adoption of Zoning by Town of Hanson to a two-family structure provided that:
 - 1. the exterior appearance of the structure is not altered;
 - 2. the lot on which the structure is located contains at least 40,000 sq. ft.
 - C. Residence B District:
 - 2. Uses permitted by special permit granted by the Board of Appeals as provided in Section VIII.D.
 - a. All uses permitted in Residence A District, Section B-2.

Harvard *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

- Yes**
- CODE OF THE TOWN OF HARVARD v2 (Updated 2004)
- § 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, including subsidized multiple residence, of pre-existing 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. 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 additional land area of at least 0.50 acre for each dwelling unit beyond the first;
- D.The lowest floor level of a dwelling unit shall be at least partly above grade;
- E.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]
- F.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;
- 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 without material impact on abutting properties;
- 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;
- I.The dwelling (and its accessory barn, if any) shall remain in undivided ownership. EN

§ 125-3. Existing structures and uses. [Amended 3-6-1971 ATM by Arts. 33 and 34; 3-3-1973 ATM by Art. 37; 3-26-1977 ATM by Art. 31; 3-25-1978 ATM by Art. 23; 2-29-1980 ATM by Art. 24; 3-28-1987 ATM by Art. 69; 3-27-1993 ATM by Art. 10; 4-30-1994 ATM by Art. 36]

At adoption of this Bylaw as amended, any lawful existing structure (except an off-site sign), or use of a structure or use of land, even if not in conformity with the Bylaw, may continue as such structure existed or in the manner and to the extent such structure or land was used at the time of first publication of notice of the public hearing for such adoption, subject to § 125-3D. A building or special permit issued before such first publication of notice of hearing may continue in effect or be made effective except as otherwise provided (see § 125-49, Enforcement, and § 125-46, Special permits). However, any other building or special permit shall conform to such Bylaw (change), and a structure or use may be extended or otherwise changed only as provided in this Bylaw.

A.Existing structures.

(1)For the purposes of this Bylaw a lawful nonconforming existing structure is one that conformed to the Bylaw at some past time or predates the Bylaw; and became nonconforming solely as the result of the adoption of the Bylaw or amendments thereto. If a structure conformed at more than one time, only the most recent instance of conformity shall be considered.

(2)Subject to § 125-3D, a lawful nonconforming existing structure may be repaired (see "erect," § 125-2, Definitions) and, subject to Subsection A(3), may be moved or enlarged or otherwise altered for a use permitted by the Bylaw provided that such changes conform to the Bylaw as amended.

(3)By special permit granted by the Board of Appeals a lawful nonconforming existing structure may be moved or enlarged or otherwise altered for a use permitted by the Bylaw, but not unless the Board finds, in addition to the requirements of § 125-46, Special permits, the alterations:

- (a)Conform to the Bylaw as amended, or, if a one- or two-family dwelling would have been permitted before the structure became nonconforming; and
 - (b)Will not be substantially more detrimental to the neighborhood than the existing nonconformity (see Zoning Act Section 6).
- (4)If the use is for a one- or two- family dwelling, Subsection A(3)(b) is not required if the Board finds that the alterations will not produce or increase the degree or extent of any nonconformity with the (current) Bylaw.

Haverhill *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No Economic Development and Planning Director Bill Pillsbury said that conversions to multifamily housing are allowed in any zone that allows multifamily housing. (11/23/04)

Hingham *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No According to Section III-A Schedule of Uses in the Hingham zoning bylaw on ordinance.com, "Alteration and conversion of single-family dwelling containing at least 6 rooms exclusive of hall and bathroom existing prior ro March 10, 1941, to accommodate not more than two families, provided that the exterior design of the structure is not changed from the character of a single-family dwelling" is allowed under a Special Permit by the Board of Appeals in Res A, Res B, Res C, Res D, Res E (all residential districts) and Bus A and Bus B.

Holbrook

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Holden

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

Zoning Bylaws of the Town of Holden (Adopted 1954, Amended 2004)

"Conversion of existing dwelling to 2, 3 and 4 family dwelling provided that the exterior appearance is not altered with exception of additional entrance, fire escape or the like"... by special permit in R-10, V and by right in RM.

"Conversion of existing dwelling to publicly sponsored multifamily dwelling for elderly as defined in Chapter 121B of the General Laws of Massachusetts or to housing sponsored by a non-profit organization and designed specifically for elderly persons under recognized government assisted programs that the exterior appearance is not altered with exception of additional entrance, fire escape or the like" ... by special permit in R2, R10, V.

Holliston

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

According to the table of use regulations:

"Alteration & conversion of single-family dwelling existing prior to the effective date of this by-law to accommodate two or more families, provided that all intensity, off-street parking & additional residential floor area requirements are met, and exterior design of this structure is not changed from the character of a single family dwelling excepting that the exterior of the building may be reconstructed to accommodate an exit from the second floor" is allowed by right in Ag-Res Dist A, Ag-Res Dist B, Res Dist, and Village Center Commercial District and by special permit in the Commercial District.

Hopedale

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

According to Carol Whyte, the HMF development is conversion of large single families to multifamily use. (1/6/05)

Hopedale Zoning Bylaw

2.23a HISTORIC MULTIPLE FAMILY DEVELOPMENT: A parcel or parcels of land containing existing structure or structures which were originally constructed forty (40) or more years ago, which are to be converted, reconditioned or built upon, but in no event shall additions exceed twenty (20%) percent of existing structures in area and no additions to be made to the footprint (existing foundation) of said structure or structures. Said parcels to be developed under single ownership within a Historic Multiple Family District, and to be subject to the Site Plan Approval provisions of the Zoning By-Laws of the Town of Hopedale, Sections 15.5 through 15.12 inclusively.

4.1 EXTENSIONS AND ALTERATIONS OF ONE, TWO AND THREE FAMILY DWELLINGS:

A non-conforming one, two or three family dwelling may be extended or altered as a matter of right within the existing footprint and of the structure or within a height and setback which conform with the dimensional requirements of this By-Law upon a determination that such extension or alteration does not increase the nonconforming nature of the structure. An extension or alteration of a one, two or three family dwelling which increases the non-conforming nature of the structure may be permitted by grant of a special permit of the Board of Appeals upon a finding by the Board that the proposed extension or alteration shall not be substantially more detrimental than the existing non-conforming use to the neighborhood.

Hopkinton

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Hudson

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

Town of Hudson Protective Zoning Bylaw (Amended 2003)

5.2.3 Residential Uses Allowed by Special Permit

5.2.3.1 The following uses when specifically approved as special exceptions by the Board of Appeals, which shall have found that the proposed use will not have an adverse effect on present and future dwellings in the vicinity, or create traffic hazards or volume greater than the capacity of the streets affected;

e) A hospital, convalescent home, funeral home, or philanthropic institutions.

i) Conversion of a one (1) family dwelling existing at the time of the original adoption of the Protective Zoning Bylaws of the Town of Hudson into a two (2) family dwelling, provided that the exterior appearance is not changed from the character of a single family dwelling, excepting that the exterior of the building may be reconstructed to accommodate an exit from the second floor, when authorized by the Board of Appeals, subject to appropriate conditions where such are deemed necessary.

1) Under no condition shall the alteration, rebuilding or expansion of existing structure be allowed beyond the applicable setback requirements.

2) One of the dwelling units shall be occupied by the owner of the property excepting for bona fide temporary absences.

j) Multiple Dwelling or Office building as the adaptive reuse of former municipal buildings in existence at the time of the adoption of this section of the Protective Bylaws of the Town of Hudson.

Hull

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Ipswich

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

According to Town Planner Glenn Gibbs (11/1/04), Ipswich has been very proactive in re-using town buildings. There was a grand opening last Friday for such a building and another is planned for next year.

Researcher did not find specific provisions in the bylaw for conversion.

Researcher did find on the Ipswich website that there is a municipal building re-use committee:

Municipal Building Reuse Committee

Pat McNally, Chair

Assisted by: Kate Day &

Glenn Gibbs, DP&D

Town of Ipswich

January 14, 2005

Kingston

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

Conversion is addressed in the flexible/cluster provisions:

7. in section 5.2.7.1. relative to the subdivision of land in relation to lots or buildings that are nonconforming or would not comply with this By-Law as a result of the proposed development; all as they may apply to individual dwellings or lots within Residential Development Encouraging Open Space (RDEOS) subdivision or a Planned Residential Development (PRD):

b. permit the types of buildings identified in 5.3.4.c as allowed by special permit;

c. allow an existing structure, that was constructed at least 10 years prior to the date of application for approval of the special permit to be converted to a three-, or four-family dwelling, a multi-family dwelling, an independent living residence, an assisted living residence, or a congregate living facility, provided the Planning Board determines that:

Lakeville

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Lancaster

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Lawrence

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

CONVERSION OF EXISTING DWELLINGS . The alteration of an existing dwelling to a larger number of dwelling units.

"Conversion of existing dwelling" is allowed by "special permit and site plan approval by Planning Board" in R-1, R-1A, R-2, R-2A, R-3, R-4.

Sec. 29-23. General or specific provisions.

(b) Conversion of existing dwelling.

- (1) The dwelling to be converted and the entire lot upon which it is located existed before 1950, and said lot has not been subdivided since 1950.
- (2) The dwelling is not suitable for single or two family residential use due to its size.
- (3) The density is no greater than two times the density permitted if the land on which the dwelling is located was subdivided.
- (4) The conversion of the dwelling is in character with the neighborhood and will not unduly change the exterior of the dwelling.
- (5) Each dwelling unit meets the parking requirements for a single family dwelling.

(6) The changes to the exterior design are compatible with dwellings in the neighborhood and with similar dwellings.

(7) Emergency access is interior and not by way of windows or exterior stairways, except that exterior stairways are permitted as required by the building code.

(8) The conversion of the dwelling results in the preservation of open spaces and yards.

(9) The use is subject to a condition that the property may not be further subdivided, and such condition is incorporated into the decision to be recorded at the registry of deeds or registered at the land court.

Leicester *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No "Conversion of a 1 family dwelling existing at the time of adoption of this by-law into a 2 family dwelling, provided that the lot meets in full the intensity requirements for the district as outlined in Section 4.2 of this by-law"... is allowed by SP in RB and B districts.

Leominster *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes City of Leominster Zoning Ordinance (Adopted 2001, Amended 2003)

Section 22-4 Definitions

Alteration. Any construction, reconstruction or other similar action resulting in a change in the structural parts, height, number of stories, exits, size, use or location of a building or other structure.

Section 22-4 Definitions

Conversions. External and internal changes to a structure that increase the number of dwelling units in the structure, not to exceed the number of units per structure allowed in the district.

Section 22-19 Residence B Districts

...

19.2.2 When converting a single family residence building to accommodate two or more dwelling units: 19.2.2.1 The exterior single-family character of the building shall not be altered other than by a second exit.

19.2.2.2 There shall be at least six hundred square feet of floor area for each dwelling unit and each dwelling unit shall have separate toilet and cooking facilities.

Section 22-26 Table of Uses

Districts Uses RRA RAA RB RC BA BB C I References

Conversion of
single family
residences to
five or more
dwelling units N N Y Y * SPA N N 21.2.2

Conversion of
single family
residences to
three or four
dwelling units N N Y Y * SPA N N 22.2.2 Conversion of

single family
residences to
two dwelling
units N N Y Y * SPBA N N 21.2.2

Lexington

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

Section 4.1, Table 1 Permitted Uses and Development Standards:

Conversion of one-family dwelling to two-family dwelling - allowed in RT, RM, CN by right, and in RO and RS by special permit.

Conversion of a municipal building to residential use - allowed by special permit in RO, RS, RT, RD.

5.3 CONVERSION OF ONE FAMILY DWELLINGS

5.3.1 OBJECTIVES

The conversion of existing single-family detached dwellings into dwellings containing two dwelling units is intended to:

- 1) encourage an increase in the number of dwelling units which are larger than those permitted as accessory apartments (see 5.2) while smaller than most one-family dwellings in the town,
- 2) encourage high standards of maintenance for large one family dwellings which might fall into disrepair, and
- 3) encourage more economic, energy-efficient use of the town's housing supply while maintaining the appearance and character of the town's single family neighborhoods.

5.3.2 CONDITIONS AND REQUIREMENTS

In accordance with Section 3.3, and where consistent with the objectives set forth in 5.3.1, the Board of Appeals may grant a special permit for a second dwelling unit in a detached one-family dwelling in an RO or RS district provided that each of the following conditions and requirements is met:

a. GENERAL

1. There shall be not more than two dwelling units in the dwelling.
 2. There shall be no roomers or boarders within either of the dwelling units.
 3. The lot area shall be at least 15,500 square feet in the RS district and 30,000 in the RO district.
 4. The gross floor area, excluding areas in the structure used for parking, of the dwelling used for residential purposes shall have been at least 2,500 square feet as of January 1, 1983, which amount shall be verified in the records of the Building/Inspection Department or on a document, "Total Living Area of Dwellings as of January 1, 1983," prepared by the Board of Assessors.
 5. The smaller of the dwelling units shall have at least 700 square feet of gross floor area, excluding areas in the structure used for parking.
 6. The dwelling shall be connected to public water and sanitary sewer system.
- b. The dwelling to be converted shall be designed so that the appearance of the structure remains that of a detached one-family dwelling, subject further to the following conditions and requirements:
1. All stairways to second and third stories shall be enclosed within the exterior walls of the dwelling. There shall be no exterior fire escapes.
 2. An enlargement or addition to the structure is permitted provided the SPGA makes a determination that:
 - a. the architectural character of a detached one-family dwelling is maintained, and
 - b. any enlargement or addition to the structure is minor, is consistent, in general, with the size of nearby one-family detached dwellings and does not increase either:
 - 1) the site coverage of the existing structure by more than 25 percent, or
 - 2) the total gross floor area of the existing structure by more than 40 percent above the total gross floor area of the existing structure as of January 1, 1983. (See subparagraph 5.3.2.a.4. above.) Any increase in the gross floor area constructed since January 1, 1983 shall be included in the calculation of the percentage increases above.

The additional floor space created shall not be counted toward the requirement of minimum net floor area as of January 1, 1983, set forth in a.4., above.

3. Any new entrance shall be located on the side or the rear of the dwelling.

4. Where there are two or more existing entrances on the front facade of a dwelling, if modifications are made to any entrance, the result should be that one appears to be the principal entrance and any other entrance appears to be secondary.

c. OFF-STREET PARKING

In order to maintain the appearance of a single-family neighborhood, all parking spaces on the lot shall be subject further to the following conditions and requirements.

1. Parking spaces shall be located so that each dwelling unit shall have at least one parking space with direct and unimpeded access to the street without passing through a parking space designated to serve the other dwelling unit.

2. The provisions of subsection 5.2.2 c 1, 2, 3 and 6.

5.3.3 PROCEDURES

Each application for a special permit shall be accompanied by:

1. Floor plans, drawn to scale, of the dwelling showing each of the dwelling units to be created;

2. Where exterior changes are proposed, an elevation, or other visual representation, of the facade to be changed sufficient to show the architectural character of the dwelling; and

3. An off-street parking plan as described in 11.2.1.

5.3.4 EXPANSION OF PRE-EXISTING, NONCONFORMING TWO-FAMILY DWELLING

In accordance with Section 3.3, and where consistent with the objectives set forth in 5.3.1, the Board of Appeals may grant a special permit to allow the expansion of a pre-existing, nonconforming two-family dwelling in an RS or an RO district provided the proposed expansion complies with the conditions and requirements set forth in subsection 5.3.2. to the maximum extent practicable.

Lincoln *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Littleton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No According to the table of uses "2 family dwelling (conversion)" is allowed by special permit from the board of appeals in Districts R and B. New 2-family dwellings are not allowed in any districts.

ARTICLE XV Conversion of Buildings
Section 173-68. Conversion of dwellings.

The Board of Appeals may grant a special permit for the alteration and conversion of any dwelling located in a residence district into a dwelling designed and intended for occupancy by not more than two (2) families; provided, however, that such building or structure was in existence prior to March 5, 1951; and provided, further, that such building or structure so altered and converted, in the opinion of the Board of Appeals, will be in harmony with and conform to the character and type of residences generally prevalent in the immediate neighborhood.

Lowell *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to Article XII Table of Uses:

"Existing single family detached dwelling converted for not more than two families, where all dimensional and other requirements are met, including all applicable provisions of Section 8.1" is allowed by right in SMF, TTF, TMF, UMF, and by special permit from the board of appeals in SMU, TMU, NB, USF, UMU, DMU, INST.

"Other dwellings converted for more than two families; where all dimensional and other requirements are met, including all applicable provisions of Section 8.1" is allowed by special permit from the board of appeals in SMF, SMU, TMF, TMU, NB, UMF, UMU, DMU, INST.

ARTICLE VIII SPECIAL RESIDENTIAL REGULATIONS
SECTION 8.1 CONVERSION OF LARGER BUILDINGS

8.1.1 Applicability. In SM2, UM2, M3, B 1, B2, and B2A Districts, any large resident structure having been constructed more than sixty years ago, may, together, be with the original attached accessory structures, be altered as to contain two (2) or more dwelling units provided any required special use permits are obtained and the following requirements are met

8.1.2 Conditions.

1. Minimum lot area per dwelling unit as required for district building located in is provided.
2. Parking spaces as required for district building is located as provided on lot All parking shall be located in side or rear yard in SM2 and UM2 zones.
3. The exterior design of the structure is not altered.
4. The minimum floor areas shall be six hundred thirty (630) square feet for studio or one-bedroom units, and eight hundred (800) square feet for two-bedroom units.
5. The original building area is not increased more than ten (10) percent of the gross floor area.
6. Open space and yard requirements are met

8.1.3 Variance Required. In the event that conversion is proposed and the conditions set forth above cannot be met, a variance is required from the Board of Appeals. Such variance shall be in addition to any special permit required by the Table of Principal Uses.

Lunenburg *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Lynn *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Lynnfield *Is multi-family housing listed as allowed through conversion (of either single family houses*

or non residential buildings)?

No From ordinance.com:

4. USE REGULATIONS

No building or structure, and no alteration, enlargement or extension of an existing building or structure shall be designed, arranged or constructed, and no land, building, structure or part thereof shall be used for any purpose or in any manner other than for one or more of the uses specifically permitted herein.

4.1 Single Residence District Uses

In a Single Residence A, B, C, and D District, the following uses are permitted:

4.1.1 Uses Authorized by Board of Appeals

Any of the following additional uses, if authorized by the Board of Appeals.

1. The alteration of a single family dwelling existing on the effective date of this bylaw to accommodate two families if located on a lot having an area not less than twice that required for the erection of a single family dwelling in the same district, provided that no exterior change is made which alters the single family character of the dwelling.

Malden Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No 300.26 Residential Incentive Overlay (RIO).

.5 Historic Structures. If the RIO is used at a site where a building or buildings have been designated as historic structures by local, state, or federal historic designation statutes, the historic facade or facades of the building or buildings shall be incorporated into-the design for-the reuse of the building or buildings in question.

Mancheste Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes Town of Manchester-By-The-Sea, Zoning Bylaw, Section 4.3.10 and 4.3.11 (Adopted 1978, Last Amended 2003).

"4.3.10 An existing dwelling which is altered or reconstructed so as to contain not more than 3 dwelling units. Such alteration or reconstruction shall not include an increase in floor area or volume. Except for shed dormers, individual dormers are not considered to be an increase in volume.

4.3.11 A new or enlarged existing dwelling containing not more than 4 dwelling units if authorized by a special permit issued by the Planning Board in accordance with the provisions of Section 7.5 (Special Permits); in addition, the following stated provisions shall also apply. After the required public hearing, the Planning Board shall find and determine that such dwelling and use, including the site, plans and designs of the dwelling and any accessory buildings, constitute a desirable development in and will not be detrimental to the neighborhood, and subject further to the following conditions:

4.3.11.1 Each unit shall have independent cooking facilities.

4.3.11.2 Not more than 25% of the lot area shall be occupied by the dwelling and any accessory building;

4.3.11.3 No living quarters shall be located so that the floor elevation is more than 36 inches below the finished exterior grade nor above the second story;

4.3.11.4 The dwelling and to the extent appropriate any accessory building shall connect with a municipal sanitary sewer;

4.3.11.5 The density shall not exceed the rate of 15 dwelling units per acre of lot

except for a dwelling constructed or enlarged on a lot of less than 12,000 square feet existing on January 25, 1974;
4.3.11.6 Such other conditions and restrictions as the Planning Board may prescribe in the interest of the Town in carrying out the purposes of this By-Law."

The only residential use allowed in the "Single Residential Districts" is "A dwelling having not more than one dwelling unit."

In Residence District D, two family dwellings, by construction or conversion, are allowed by special permit from the board of appeals. Single family residences are allowed by right.

In the General District, conversion to three dwelling units is allowed (by right?) and conversion to four dwelling units is allowed by special permit from the planning board.

4.2 Residence District D

4.2.1 The uses and accessory uses permitted in Residence District D shall be the same as those specified and defined in Section 4.1 for Single Residence Districts. In addition a dwelling having not more than two dwellings units is permitted, except as is provided in Sections 4.2.2 and 4.2.3.

4.2.2 Purpose:

To allow for a diversity in dwelling unit construction, and to continue an historic pattern of settlement within the downtown portion of town, this By-Law allows for the construction and/or conversion of structures into two dwelling units, provided the new or converted structures are appropriate in terms of bulk, shape and location on the lot and relationship to abutting properties.

4.2.3 Applicability:

Within that portion of Residence District D included within a line running one hundred (100') feet from, and parallel to, the easterly and westerly sidelines of Pine Street, the northerly and southerly sidelines of Pleasant Street, the westerly sideline of School Street, the northerly sideline of Pleasant Street Extension, the easterly sideline of Arbella Street, and the northerly sidelines of Lincoln Street, specifically defined as the area depicted in Article 21 of the 1985 Annual Town Meeting, the conversion of a single-family residence in existence on the lot as of May 6, 1991 to a two-dwelling unit structure and the construction of a two-dwelling unit are permitted, if authorized by a special permit issued by the Zoning Board of Appeals in accordance with Section 7.5 (Special Permits) and M.G.L. Chapter 40A, Section 9, provided the conditions listed below are met. As a condition of a grant of a special permit, the Zoning Board of Appeals may impose reasonable conditions on the construction or conversion of a two-dwelling structure, if in the Board's opinion, said conditions will ensure that the development is suitable and in compliance with the purpose of this By-Law. The conversion of a structure existing on the lot as of May 6, 1991, that does not involve any increase in the size, height or volume of the structure, including the construction of exterior stairways, porches, patios or decks, shall not require a special permit.

- (a) The units within the structure shall connect with the municipal sanitary sewer;
- (b) The new or expanded structure is appropriate in terms of bulk, shape, location on the lot and relationship to abutting properties and existing structures within the immediate and general neighborhood;
- (c) Off-street parking regulations of Section 6.2 of this By-Law are met;
- (d) The converted two-unit structure may not be substantially different in character from the existing building, except in a case where changes in building facade or design would better reflect the overall character of the surrounding neighborhood;
- (e) The resulting structure will be in harmony with the surrounding neighborhood.

4.3 General District

In a General District no building or land shall be used and no building shall be erected or altered except for the following uses:

4.3.1 Uses and accessory uses permitted in Residence Districts.

4.3.10 An existing dwelling which is altered or reconstructed so as to contain not more than 3 dwelling units. Such alteration or reconstruction shall not include an increase in floor area or volume. Except for shed dormers, individual dormers are not considered to be an increase in volume.

4.3.11 A new or enlarged existing dwelling containing not more than 4 dwelling units if authorized by a special permit issued by the Planning Board in accordance with the provisions of Section 7.5 (Special Permits); in addition, the following stated provisions shall also apply. After the required public hearing, the Planning Board shall find and determine that such dwelling and use, including the site, plans and designs of the dwelling and any accessory

buildings, constitute a desirable development in and will not be detrimental to the neighborhood, and subject further to the following conditions:

4.3.11.1 Each unit shall have independent cooking facilities.

4.3.11.2 Not more than 25 % of the lot area shall be occupied by the dwelling and any accessory building;

4.3.11.3 No living quarters shall be located so that the floor elevation is more than 36 inches below the finished exterior grade nor above the second story;

4.3.11.4 The dwelling and to the extent appropriate any accessory building shall connect with a municipal sanitary sewer;

4.3.11.5 The density shall not exceed the rate of 15 dwelling units per acre of lot except for a dwelling constructed or enlarged on a lot of less than 12,000 square feet existing on January 25, 1974;

4.3.11.6 Such other conditions and restrictions as the Planning Board may prescribe in the interest of the Town in carrying out the purposes of this By-Law.

Mansfield *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to the table of uses, the following are also listed under "classification of other uses":

-"Older building reuse", by special permit of the planning board in most districts.

3.7 CLASSIFICATION OF OTHER USES

3.7.1 Older Building Reuse: The Planning Board may grant a special permit to convert any building containing more than two thousand (2,000) square feet of floor area and built prior to February, 1953, a public school building, or other municipal building in its entirety for uses allowed in the district in which it is located regardless of development density provided (1) there is sufficient parking in accordance with Section 4.4 of this by-law, (2) the Planning Board finds that the site, architectural and landscape plans and conditions of approval are sufficiently advantageous to the Town to grant a special permit, and 3) no additions to the building are allowed, except for minimal additions necessary to comply with building, safety and health codes. or for the reasonable use of the building.

Marblehead *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to Table 1 Land Use Regulations, the following multifamily use is allowed:

Converted dwelling... by special permit in each district.

§ 200-11. Classification of uses.

A. Explanation of allowed uses.

(1) Residence uses.

(d) Converted dwelling: the alteration of a dwelling or other type building, existing at the time this Bylaw is adopted, and wherever located, to consist of from two to four dwelling units, provided that the exterior lines of such dwelling or other type building are not materially altered.

Marlborough *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes

City of Marlborough Zoning Ordinance

Article V, Section 200-12: Table of Uses, conversion of single-family to two-family is allowed As-of-Right in RB & RC; allowed by Special Permit in RR, A-1, A-2, & A-3.

(2) Conversion of a single family house to a two family house.

Conversion of a single-family house existing at the time of the passage of the original Zoning Ordinance in 1956 to accommodate two (2) families, provided that:

(a) The house contains at least one thousand eight hundred (1,800) square feet of gross floor area, not including basement rooms or open attic space.

(b) The lot contains at least fifteen thousand (15,000) square feet in Rural Residence Districts and ten thousand (10,000) square feet in Residence A-1, Residence A-2 and residence A-3 Districts.

(c) The appearance and character of a single-family house is preserved.

(d) Stairways, unless on the rear of the building, shall be located within the walls of the building and, on corner lots, shall be within the walls of the building.

(3) Conversion of a two family to a three.

The conversion of a one or two-family residence building to accommodate not more than three (3) dwelling units, provided that:

(a) The exterior one-or two-family character of the building is not altered and no

major structural change is made in the exterior other than is necessary to provide means of egress from each unit as required by the Building Code. Stairways, unless in the rear of the building, shall be located within the walls of the building and, on corner lots, shall be within the walls of the building.

(b) There is at least six hundred (600) square feet of floor area for each dwelling unit and provided further that each dwelling unit has separate toilet and cooking facilities.

Marshfield

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Maynard

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Medfield

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Medford *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Medway *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No F. AGRICULTURAL AND RESIDENTIAL DISTRICT II

6. Alteration and conversion of a single-family dwelling to accommodate two families may be permitted when authorized by the Zoning Board of Appeals provided that the exterior design of the structure is not changed from the character of a single-family dwelling. For all such converted or altered dwellings, there shall be provided on each lot an off-street parking area or areas, indoor or outdoor, of sufficient size to allow two parking spaces for each dwelling unit. No parking area shall be located nearer than 10 ft. to the line of an adjoining lot. No space shall be considered available for parking which reduces the effective width of a driveway providing access to this or any other dwelling.

W. ADAPTIVE USE OVERLAY DISTRICT

1. Purpose: The purpose of the Adaptive Use Overlay District is to promote economic development while maintaining community character by streamlining the permitting process for conversion of existing buildings within the district to commercial or commercial and two-family residential uses while maintaining the architectural integrity of the buildings and preserving the character of the district. The specific purposes of the Adaptive Use Overlay District are:

- a) To provide for limited business uses within certain portions of residential districts subject to standards designed to preserve community character.
 - b) To encourage the preservation of historic buildings by providing economic uses for buildings that may no longer function well as single-family residences.
 - c) To implement certain goals of the Master Plan including encouraging economic development, protecting small town character, preserving historic sites, and updating zoning to maintain consistency.
-

Melrose *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Mendon *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Merrimac *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

ARTICLE 5. SUBURBAN RESIDENTIAL DISTRICT (SR)

5.4. Uses and Structures Permitted by Special Permit.

In the Suburban-Residential District, the Planning Board may grant a special permit for the following uses:

5.4.3. The conversion of a single-family dwelling in existence for at least ten years prior to the application for a SPECIAL PERMIT to a two-family dwelling, subject to the regulations for "Accessory Dwelling Units and Conversion of Existing Single Family Dwellings" in Article 17 of this Bylaw.

ARTICLE 6. AGRICULTURAL RESIDENTIAL DISTRICT (AR)

6.4. Uses and Structures Permitted by Special Permit

In the Agricultural Residential District, the Planning Board may issue a SPECIAL PERMIT for the following uses:

6.4.3. The conversion of a single-family dwelling in existence for at least ten years prior to the application for a SPECIAL PERMIT to a two-family dwelling, subject to "Accessory Dwelling Units and Conversion of Existing Single-Family Dwellings" in Article 17 of this Bylaw.

17.4. Conversion to Two-Family or Multi-Family Dwellings.

17.4.1. The intent and purpose of this section is to allow for conversions of older single-family dwellings to TWO-FAMILY DWELLINGS of MULTI-FAMILY dwellings of no more than four units, in the zoning districts where these uses are allowed by SPECIAL PERMIT, subject to the standards and procedures set forth herein, in order that a range of housing options be available in the Town. It is also the intent to assure that the single-family character of the neighborhood will be maintained and that the two-family or MULTI-FAMILY building will enhance and not detract from the appearance and amenities in the surrounding neighborhood.

17.4.2. Restrictions. The following restrictions apply to conversions of single-family dwellings under this Bylaw:

17.4.2.1. Except for egress alterations required to comply with the State Building Code, there shall be no alteration or expansion of the single-family dwelling to be converted, and no change to the exterior. A SPECIAL PERMIT shall not be granted to convert a single-family dwelling that has been expanded by more than 25% of its preexisting floor area within five years of the date of the SPECIAL PERMIT application.

17.4.2.2. The BOARD OF APPEALS shall grant no more than four SPECIAL PERMITS in any single calendar year for conversion of a single-family dwelling to two-family or MULTI-FAMILY dwellings under this Bylaw.

17.4.2.3. There shall be no more than one two-family dwelling or MULTIFAMILY building per LOT.

17.4.2.4. At least one MULTI-FAMILY unit on a LOT shall be restricted for occupancy by a low- and moderate-income household and meet the requirements of the Local Initiative Program (LIP), 760 CMR 45.00, for inclusion on the Chapter 40B SUBSIDIZED HOUSING INVENTORY, as set forth in "Provision for Affordable Housing" in Section 17.4.11 of this Bylaw.

17.4.2.5. Use limitations. There shall be no other living units on the LOT upon which the two-family or MULTI-FAMILY dwelling is located.

17.4.2.6. Disposal of sewage. Adequate provision shall be made for the disposal of sewage, waste and drainage generated by the occupancy of such accessory unit in accordance with the requirements of the Board of Health. Connection to the to the municipal sewer system is required for property located in a designated sewer service area unless such connection imposes an undue economic hardship on the applicant, as determined by the Sewer Commission.. Such determination shall be made prior to the application for a SPECIAL PERMIT, and evidence of same shall be included with such application.

17.4.3. Stormwater management. Adequate provision shall be made for the proper management of stormwater runoff from the LOT. Evidence of same shall be included with the above application.

17.4.4. Dimensional requirements. Each LOT on which a single-family dwelling will be converted to a TWO-FAMILY DWELLING or MULTI-FAMILY dwelling shall meet the minimum LOT size for a single-family dwelling in the district in which it is located.

17.4.5. Ingress, egress, access. Adequate provision, as determined by the BUILDING COMMISSIONER, shall be provided for separate ingress from and egress to the outside of each unit..

17.4.6. Documentation. The BOARD OF APPEALS must determine that each conversion of a single-family to a two-family or MULTI-FAMILY dwelling shall meet the SPECIAL PERMIT standards of Article 26 of this Bylaw.

17.4.7. Area limitation. Each unit in a TWO-FAMILY DWELLING shall not exceed a maximum of 1,800 square feet in floor area. Each MULTI-FAMILY dwelling shall not exceed 900 square feet in floor area. Such area shall not include attached or detached garages, attics, or BASEMENTS.

17.4.8. Parking. Provisions for off-street parking of residents and guests of both units shall be provided in such a manner as is consistent with the character of the neighborhood, as determined by the BOARD OF APPEALS.

17.4.9. SPECIAL PERMIT. No building permit shall be issued in accordance with the SPECIAL PERMIT issued under this section until the SPECIAL PERMIT has been recorded in the Registry of Deeds by the applicant and evidence of such recording has been submitted to the BUILDING COMMISSIONER

17.4.10. Separate conveyance. The ownership of each two-family or MULTI-FAMILY dwelling unit may be conveyed or otherwise transferred separately from the other unit. The LOT on which the units are located shall be held in common ownership. Documents describing the proposed form of ownership and maintenance agreements shall be submitted to the Zoning BOARD OF APPEALS for its review and approval with the application.

17.4.11. Provision for Affordable Housing.

17.4.11.1. A SPECIAL PERMIT to convert a single-family dwelling to a MULTI-FAMILY dwelling shall require the inclusion of dwelling units affordable to low- or moderate-income households.

17.4.11.2. At least one unit in a single-family dwelling converted to a MULTI-FAMILY FAMILY dwelling shall be restricted for occupancy by a low- or moderate-income household.

17.4.11.3. As a condition of the SPECIAL PERMIT, the BOARD OF APPEALS shall require the applicant to prepare a "Local Initiative Program Units

Only" Application for the Board of Selectmen to submit to the Massachusetts Department of Housing and Community Development (DHCD) so that the affordable low- or moderate-income housing unit(s) will be added to the Chapter 40B SUBSIDIZED HOUSING INVENTORY. The affordable units shall be protected by a USE RESTRICTION or regulatory agreement which requires that the unit(s) remain affordable in perpetuity or for the maximum period allowed by law.

17.4.11.4. No building permit shall be issued until the Town of Merrimac receives written notice from DHCD that the affordable units meet the requirements for inclusion in the SUBSIDIZED HOUSING INVENTORY as low- or moderate-income housing.

17.4.11.5. The BUILDING COMMISSIONER shall not issue an occupancy permit without evidence that an affordable housing USE RESTRICTION or regulatory agreement approved by the Planning Board has been properly completed and recorded at the Registry of Deeds.

17.4.11.6. The conversion of a single-family to a two-family dwelling is exempt from the affordable housing provisions of this section.

Methuen *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Middlebor *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Middleborough Zoning Bylaw

A. RESIDENCE DISTRICTS

2. Uses Allowed By Special Permit (Effective 4-25-78)

i. Conversion of a residential building in existence as of January 1, 1987, to include a total of three dwelling units, including the owner-occupied unit in the dwelling without any increase in floor area. As a condition of the special permit, the owner must occupy one dwelling unit.

Middleton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes SECTION 4. USE REGULATIONS
4.1 R-1a and R1b Residence Districts

4.1.2 Allowed by special permit:

By the Board of Appeals as provided in Section 11.4 below, the following:

B. Conversion of a single-family dwelling existing at the time of the adoption of the By-laws on a non-conforming lot into a two-family dwelling, provided its external appearance be not significantly altered, and provided further that the lot appurtenant to said dwelling has an area more than herein required for a new single family dwelling.

4.3 R-2 Village Residential Districts

4.3.2 Allowed by Special Permit:

(By the Planning Board as provided for in Section 11.8, the following)

A. Multi-family or Attached Dwelling in accordance with the requirements of Sub-Section 5.2

B. Conversion of a single-family dwelling existing at the time of adoption of this district into a dwelling with more than one dwelling unit or rooming house subject to the following conditions:

1. Its external appearance is not significantly changed,

2. The maximum number of dwelling units on each lot does not exceed that allowed in the R-2 Village Residential District, or the number of paying guests does not exceed that allowed in a rooming house as defined in Section 2.
3. That sufficient parking be provided in accordance with the Table of Minimum Requirements for such uses,
4. The Board of Health shall be satisfied with the adequacy of the methods of waste disposal.
5. Area requirements are in conformance with Sub-Section 5.

Milford

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Millbury

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

From ordinance.com, in a section added in 2004:

Section 27. Adaptive Reuse Overlay District

27.1 Purpose

The purposes of the Adaptive Reuse Overlay District are to encourage adaptive reuse of abandoned, vacant or underutilized mill buildings; to encourage flexibility in site and architectural design; and to allow for a mix of new land uses that are appropriate to both the needs of the community and the scale of surrounding neighborhoods.

27.2 Establishment of Adaptive Reuse Districts

The Adaptive Reuse Overlay District is hereby established as an overlay district. The boundaries of the Adaptive Reuse Overlay District may be applied to any property containing two (2) or more acres of land, and containing a building of at least 5,000 square feet of gross floor area that was originally constructed before 1940, and originally used for manufacturing or an associated use.

27.3 Master Plan Required

Any proposal for development or redevelopment of property under this section shall require the submittal of an Adaptive Reuse Master Plan. The Master Plan shall include the following elements:

1) A narrative and graphic description of existing conditions including, at a minimum:

- a) Buildings and their uses.
- b) Natural and man-made site features.
- c) Utilities.
- d) Traffic and circulation patterns.
- e) Underground features such as tanks and soil conditions.

2) A narrative and graphic description of the proposed development that meets the requirements set forth in Section 12.44 of this bylaw including, at a minimum:

- a) Buildings to be restored, rehabilitated, or constructed.
- b) Buildings to be removed.

- c) Proposed uses including the density or intensity of the proposed use.
 - d) Proposed internal and external traffic and circulation patterns.
 - e) Proposed parking needs, including provisions for shared parking between uses, if applicable.
 - f) Proposed utilities including water, sewer, electrical and communications service, stormwater, and solid waste containment and disposal.
 - g). Proposed landscaping and signage features.
- 3) An analysis of impacts associated with the proposed development, including, at a minimum:
- a) A traffic study showing the impact of the proposed development on the surrounding area. The traffic study shall include existing and expected volumes at build-out, the expected directional distribution of vehicles to and from the site, and existing and expected levels of service at all intersections located within 3,000 feet of the site.
 - b) A wetlands and flood analysis showing the disposition of on-site stormwater and its impacts on properties located downstream of the site.
 - c) Impacts upon the delivery of public services, including schools, if any.
 - d) Impacts upon historic properties or districts, if any.
 - e) Potential property taxes and other revenues that may be generated by the project.

27.4 Review Criteria

The Planning Board shall review and act upon a Master Plan proposal as a special permit, in accordance with the following criteria:

- 1) The provisions set forth in Section 14.3 of this bylaw;
- 2) The relation of the proposed land use(s) to the surrounding area;
- 3) The capacity of local infrastructure to accommodate the proposed development;
- 4) The impacts identified in the Master Plan, and the ability of the developer to mitigate those impacts.
- 5) The extent to which existing buildings are preserved.

27.5 Permitted Uses

The following uses are permitted by Special Permit from the Planning Board in the Adaptive Reuse Overlay District:

- 1) All uses permitted in the underlying zone(s);
- 2) Multi-family dwellings;
- 3) Professional offices;
- 4) Retail uses;
- 5) Personal services;
- 6) Restaurants, except the use of drive-up windows;
- 7) Recreation and open space;
- 8) Accessory uses; and
- 9) Uses similar in nature and impact to those listed above, subject to such determination by the Planning Board; or
- 10) Any combination of the uses shown above.

27.6 Non-Conforming Buildings and Structures

Within the Adaptive Reuse Overlay District, no existing building or structure that is shown on an Adaptive Reuse Master Plan shall be deemed non-conforming. Any addition to or expansion of an existing building or structure shall meet the height, bulk, and setback requirements of the underlying

zone, except that the increased buffer provisions set forth in sections 24.3 and 25.3 shall not apply. The Planning Board shall waive setback requirements upon a showing that such waiver is necessary to comply with applicable building codes for health or safety purposes, or to comply with the requirements of the Massachusetts Architectural Barriers Board.

27.7 Use, Dimensional, and Parking Requirements

1. For reuse or substantial restoration of existing buildings or structures within the Adaptive Reuse Overlay District, the proposed residential density or non-residential intensity of proposed uses shall be based upon the demonstrated ability of the site to accommodate such density or intensity of use. The applicant shall demonstrate that the proposed off-street parking associated with the development is sufficient to accommodate the proposed uses. Parking area design shall comply with the provisions set forth in Section 33.3 of this bylaw.

2. For all new buildings and structures, the parking and loading requirements set forth in Section 33 of this bylaw shall apply.

3. For all new buildings and structures, the dimensional requirements of the underlying zoning district shall apply. For all new buildings and structures, the following use densities or intensities shall apply:

a) Multi-family dwellings: four (4) dwelling units per acre.

b) All other permitted uses: no building or structure shall be larger than the largest existing building on the site, and the total lot coverage shall not exceed fifty (50%) percent.

4. The Planning Board may waive or modify dimensional requirements if it finds that such waiver or modification would result in a superior design that would result in an improvement or benefit to the site or its surrounding area.

**Webmasters Note: The previous section, Section 27., has been added as per an update approved at a town meeting held on 6/8/04.

Millis *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Millville *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No Conversion of single family to two-family is allowed by right in all districts.

Milton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Zoning Bylaws Town of Milton, Section VI (L)(Current Electronic Draft as of July 1, 2004)

L. Condominium Conversion Special Permit

The purpose of this subsection L is to permit existing buildings on large tracts of land in Residence Districts AA, A, B and C to be converted to single family condominium dwelling units compatible with such Residence Districts, to create new housing involving relatively little new construction, to generate tax revenue to the Town, to preserve existing buildings, to preserve the residential character of the Town and to preserve open space in the Town. In order to provide for development that is compatible with Residence Districts AA, A, E, and C, which Districts are primarily for single family residences, the conversions to dwelling units under this subsection L are to condominium dwelling units, which can be separately owned, and are therefore a type of development similar in character to other development in such Districts. Properties meeting the following requirements shall be eligible for consideration for a condominium conversion special permit:

(1) Parcels of not less than 10 acres and with not less than 150 feet of frontage on a public way, with one or more existing buildings in a Residence AA, A, B, or C District.

(2) Any building on the parcel built prior to January 1, 1980 may be converted to condominium dwelling units.

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(3) The total number of dwelling units that can be created under a condominium conversion special permit shall not exceed (n-2) where "n" is the number of acres in the parcel.

(4) Each condominium dwelling unit shall be an independent dwelling unit intended for use by a single family, with its own bath and toilet facilities and its own kitchen. The average square footage of the interior living space of the units shall be not less than 1,200 square feet per unit.

(5) No building (including both buildings converted to condominium dwelling units and other buildings not converted to condominium dwelling units) shall be externally enlarged except with the approval of the Planning Board, and in no event shall such enlargements add to any one building more floor area than a number equal to 5% of the above grade floor area of such building, the floor area of porches and decks to be included in the calculations of floor area.

(6) No new building for dwelling purposes may be built on the parcel. New structures may be built pursuant to paragraphs 8 (b) and 12 (e) below.

(7) There shall be at least one off-street automobile parking space for each condominium dwelling unit.

(8) For the purposes of this subsection L, "open space" shall mean all of the land on the parcel except that land occupied by buildings to be converted to condominium dwelling units and existing buildings to be used for parking purposes. To insure the preservation of open space, the following requirements shall be met:

a. Open space may be used for the following purposes: flower gardens, gardens, landscaping, required parking, roadways and driveways reasonably necessary for this development, underground utilities, recreation not requiring any facility or structure, and land left in its natural state. The open space may be used for other purposes permitted in the Residence District if approved by the Planning Board as consistent with the condominium development and character of the neighborhood.

b. On open land all facilities and structures for accessory purposes (such as swimming pools, tennis courts, garages, carports, parking areas, lamp posts, small sheds for tools or sports equipment, fences, including the kind enclosing a tennis court or swimming pool, bath houses and other accessory structures for accessory purposes) shall be subject to the approval of the Planning Board as to their number, design, locations, uses and sizes, provided however, that all such facilities and structures, including roadways and driveways, shall not involve the use of more than 20% of all of the open land on the parcel.

c. All new utilities, including wiring for lights on open spaces, paths and driveways, shall be placed underground.

(9) An application for a condominium conversion special permit shall include the following:

a. Proposed Master Deed and proposed plans to be recorded therewith, including floor plans, at least one elevation for each building being converted to dwelling units and site plan for the parcel locating at least each building, roadways, and driveways, parking, recreation facilities, utilities and accessory facilities and structures.

b. Proposed Bylaws.

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c. A sample proposed Unit Deed.

d. A copy of an assessor's plan showing the parcel and all land immediately adjacent thereto, including nearby buildings and structures.

e. Such other plans, photographs, models or elevations as the Planning Board shall reasonably deem necessary or appropriate to help understand the proposal.

(10) In case of a natural disaster or casualty, the damaged building or buildings may be rebuilt or restored to its or their condition prior to the natural disaster or casualty as near as possible or practicable. The Planning Board shall oversee such rebuilding or restoration under paragraph 13 below.

(11) No special permit pursuant to this subsection L shall be granted until a public hearing has been held as provided in M.G.L.c.40A. The Planning Board shall be the special permit granting authority for condominium special permits.

(12) The Planning Board shall not grant a condominium conversion special permit unless it makes the following findings:

a. That the proposal presented for approval is financially practical and will in reasonable probability be completed. The Board may set time limits for completion of parts of and the whole of a condominium development, determine the order of construction, and set other conditions and limitations on the special permit as are consistent with the subsection L.

b. That any external enlargement of any existing building is compatible with the architecture

of the existing building.

c. That appropriate provision has been made for the preservation and restoration of significant architectural and landscaping features, particularly those visible from a public way.

d. That the purposes for which the open space is to be used is consistent with the condominium development and character of the neighborhood.

e. That the facilities and structures permitted on the open space are necessary for parking and access and egress or are for permitted accessory purposes and that the number, design, location, use and size of such facilities and structures are consistent with the condominium development and character of the neighborhood.

f. That the provisions of the proposed Master Deed and Bylaws will insure the preservation and maintenance of the open space on the parcel.

g. That the roads within the parcel are adequate for the condominium development.

(13) After a condominium conversion special permit has been granted, any change in the location or use of a building, any enlargement of a building, any material exterior restoration or rebuilding of a building following a natural disaster or casualty or any material change in the use of the open space or in the facilities or structures thereon, shall not be permitted except upon an amendment to the special permit which shall be upon petition to the Planning Board and after a public hearing (with the provisions of paragraph 11 applying) and upon a finding by the

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Planning Board that the proposed change or changes do not substantially derogate from the intent and purpose of this subsection L.

(14) A special permit or amendment thereto granted under this subsection L shall lapse two years from the grant thereof unless such construction has commenced, or if no construction is required, unless a Master Deed has been filed.

(15) A special permit granted under this section shall be subject to the review by the Planning Board of the final plans, and of the Master Deed, and plans to be recorded therewith, and Bylaws, as they are to be initially recorded, which final plans, Master Deed, plans and bylaws shall all be substantially the same as those approved with the special permit in all respects material to considerations relevant to the special permit, in which case the Chairman of the Planning Board shall endorse copies of such final plans and such Master Deed, plans and bylaws as having received final review and approval under this subsection L, which endorsement shall be conclusive evidence thereof. Thereafter the Master Deed, and plans recorded therewith, and Bylaws may be amended without Planning Board approval, provided however, that an amendment to the special permit shall be required for those matters specified in paragraph 13 hereof. Any amendment to the Master Deed, and plans recorded therewith, and Bylaws related to an amendment to the special permit shall be endorsed by the Chairman of the Planning Board as provided herein for such documents as initially recorded.

(16) Provisions of this subsection L shall be construed as superseding subsections A, B, C, D and E of Section VI and shall be in addition to subsections F and G of said Section VI. The provisions of paragraph 7 above shall supersede the provisions of A.1. of Section VII. The limitation in subsection B.1.(a) of Section III with respect to garaging or maintaining more than three registered automobiles shall apply with respect to each unit owner rather than with respect to the entire parcel. Otherwise condominium conversions under this subsection L shall be subject to all other provisions of this bylaw where the intent and context permits.

(17) All references herein to the Massachusetts General Laws shall be to those provisions in effect on the date hereof.

SECTION III. Use Regulations.

A. Residence AA, A, B and C District Uses.

In a Residence AA, A, B, C district, except as herein otherwise provided, no building or land shall be used and no building shall be erected or altered which is intended or designed to be used for a store or shop, or for manufacturing or commercial purposes, or for other purposes except one or more of the following:

8. The following use, if authorized by permit issued by the Planning Board and subject to appropriate conditions, limitation, and safeguards stated in writing by the Planning Board and made a part of the permit:

Condominium units converted from existing estate buildings, as provided in subsection L of Section VI.

Nahant Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Natick Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Needham Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No Table of Use Regulations: "Conversion of single family dwelling to two family dwelling" is allowed by right only in GR and A-1,2&3.

Newbury Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Newburypo Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Newton Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes DIVISION 2. RESIDENTIAL DISTRICTS
Sec. 30-8. Use Regulations for Single Residence Districts.
(b) Special Permits in Single Residence Districts.
(10) The conversion of a structure in existence on December 2, 1974, to occupancy by more than one (1) family, provided that there shall be no exterior alterations of the structure, other than those necessary to comply with applicable health, building and fire codes, subject to the following conditions: a) There shall be provided for each Family the minimum lot area required for a single dwelling unit as follows:
Sec. 30-9. Use Regulations for Multi-Residence Districts.
(c) Special Permits in Multi-Residence 1 Districts.
(1) The conversion of a structure in existence on May 7, 1979, to occupancy by more than two (2) families, provided that there shall be no exterior alterations of the structure, other than those necessary to comply with applicable health, building and fire codes, subject to the following conditions:
a) There shall be provided for each family the minimum lot area of five thousand (5,000) square feet per dwelling unit;
b) There shall be provided for each family two (2) off-street parking spaces.

Norfolk

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

According to the table of use regulations, the following is allowed:

D.2.c.2 Conversion of a single family dwelling in existence at the time of bylaw adoption to a two family dwelling... allowed by special permit in R and B2-B4.

D.2.c.9 Conversion of single family dwellings... allowed by special permit in R, B2-B4, and C2/C3/C5.

E. INTENSITY REGULATIONS

E.2. Modifications

E.2.f. Conversion of Single Family Dwelling

The Board of Appeals may authorize the conversion of a SINGLE FAMILY DWELLING, in existence at the time of the adoption of this bylaw, to accommodate no more than two families, provided that

(1) each resulting DWELLING unit shall contain no less than 800 square feet not included in any basement space or area below ground level, and shall have complete lavatory and sanitary facilities; and

(2) no exterior changes are made which, in the judgment of the Board, do not conform to the SINGLE FAMILY character of the neighborhood.

North And

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

SECTION 12 LARGE ESTATE CONDOMINIUM CONVERSION

12.1 Purpose

The purpose of this subsection is to permit existing buildings or large tracts of land in Residence Districts 1, 2, and 3 to be converted to single family condominium dwelling unit compatible with such residence districts, to create new housing involving relatively little new construction, to generate tax revenue to the Town, to preserve existing buildings, to preserve the residential character of the Town and to preserve open space in the Town. In order to provide for development that is compatible with Residence Districts 1, 2, and 3, which districts are primarily for single family residences, the conversions to dwelling units under this subsection are to condominium dwelling units, which can be separately owned, and are therefore a type of development similar in character to other development in such districts.

12.2 Requirements

Properties meeting the following requirements shall be eligible for consideration for a condominium conversion Special Permit:

1. Parcels with one (1) or more existing buildings in a Residence 1, 2, or 3 District of not less than ten (10) acres and with not less than one hundred and fifty (150) feet of frontage on the public way.
2. Any dwelling located on a lot of record as of April 24, 1982 may be converted to condominium dwelling units.
3. The total number of dwelling units that can be created under a condominium conversion Special Permit shall not exceed n-2, where n is the number of acres in the parcel.
4. Each condominium dwelling unit shall be an independent dwelling unit intended for use by a single family, with its own bath and toilet facilities and its own kitchen. The average square footage of the interior living space of the units shall be not less than eight hundred and fifty (850) square feet per unit.
5. No building (including both buildings converted to condominium dwelling units and other buildings not converted to condominium dwelling units) shall be externally enlarged except with the approval of the Planning Board, and in no event shall such enlargement add to any one building more floor area than a number equal to five percent (5%) of the above grade floor area of such building, the floor area of porches and decks to be included in the calculations of floor area.

6. No new building for dwelling purposes may be built on the parcel. New structures may be built pursuant to paragraph 8 (b) below.

7. Parking requirements are subject to Section 8 of the Zoning Bylaw.

8. For the purposes of this subsection, open space shall mean all the land on the parcel except that land occupied by buildings to be converted to condominium dwelling units and existing buildings to be used for parking purposes. To insure that preservation of open space, the following requirements shall be met:

a. Open space may be used for the following purposes: flower gardens, gardens, landscaping, required parking, roadways and driveways reasonably necessary for the development, underground utilities, recreation not requiring any facility or structure, and land left in its natural state. The open space may be used for other purposes permitted in the residence district if approved by the Planning Board as consistent with the condominium development and character of the neighborhood.

b. On open land all facilities and structures for accessory purposes (such as swimming pools, tennis courts, garages, carports, parking areas, lamp posts, small sheds for tools or sports equipment, fences, including the kind enclosing a tennis court or swimming pool, bath houses, and other accessory structures for accessory purposes) shall be subject to the approval of the planning Board as to their number, design, locations, uses, and sizes; provided, however, that all such facilities and structures, including roadways and driveways, shall not involve the use of more than twenty percent (20%) of all of the open land on the parcel.

c. All new utilities, including wiring for lights on open space, paths, and driveways, shall be placed underground.

4.122 Residence 4 District

14. One or two-family dwellings, including the right to convert any existing dwelling to accommodate not more than five (5) family units by Special Permit from the Zoning Board of Appeals after a public hearing with due notice given, provided:

a. No major exterior structural changes shall be made which alter the character of the existing neighborhood. The right to convert shall apply to any dwelling under the ownership of one single person, partnership or corporation to be converted for use as a dwelling of not more than five (5) family units, and meeting all requirements of the State and Town Statutes and Bylaws, including the Health Codes, Building Codes, Zoning Laws, and Zoning Bylaws.

b. Stairways leading to the second or any higher floor shall be enclosed. (1987/24)

Such conversions are also allowed in other districts.

North Attle *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Multifamily dwelling - Rehabilitation of existing structures to multifamily dwellings... is allowed by special permit in R-10S and IC-30.

Conversion of existing dwelling structure to two or multifamily dwelling... allowed by special permit in R-10 and by right in R-10S.

Town of North Attleborough Zoning Bylaw (Adopted 1974, Amended 2001)

North Read *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Northboro

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

The only mention of conversions that could be found in the by-laws is the following which suggests that they are allowed in the business districts.

Town of Northborough Zoning Bylaw

7-20-040 Site Plan Approval

In business districts A, B, C

D (2) Conversions of single- or two-family dwellings to more units or to nonresidential use shall not be exempt [from obtaining site plan approval]. [Amended 5-15-1989 ATM, Art. 57; 4-22-1996 ATM, Art. 67]

Recommendation in the Northborough Community Development Plan (2004):

"2. Amend the Zoning Bylaw to provide for single-family to multi-family conversions, up to four units per conversion project, as follows:

Allow single-family to multi-family conversions by right, subject to administrative site plan review, in the General Residence and Transitional Use Districts provided that a conversion project includes at least one affordable dwelling unit.

Allow single-family to multi-family conversions by special permit in the General Residence and Transitional Use Districts for projects that do not include affordable units.

Allow single-family to multi-family conversions by special permit, subject to site plan review and the inclusion of at least one affordable unit, in the Residence C District."

Northbridg

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

From ordinance.com, section adopted 2004:

ARTICLE XIX Historic Mill Adaptive Reuse Overlay District
Section 173-XXX Purpose.

The intent of this section is to create an overlay district that allows for the adaptive reuse of historic mills in the Town of Northbridge that are underutilized. The primary purposes for Historic Mill Adaptive Reuse Overly District are:

To promote the economic health and vitality of the Town by encouraging the preservation, reuse and renovation of underutilized or abandoned historic mill properties;

To allow for the conversion of Northbridge's historic mills in a way that preserves the character of nearby residential and commercial neighborhoods; and

To encourage mixed-use development that includes, but is not limited to, offices, retail and/or service establishments, community facilities, and multi-family housing.

Section 173-XXX Overlay District.

The Historic Mill Adaptive Reuse Overlay District is hereby established as an overlay district. All requirements pertaining to the underlying district(s) shall continue to be in full force and effect, except where these regulations supersede such underlying requirements or provide an alternate to such requirements.

Section 173-XXX Location.

A. The Linwood Mill on Linwood Avenue, consisting of Assessors Map 5, Parcel(s) 39 & 47.

B. The John Whitin Mill on Douglas Road, consisting of Assessors Map 2, Parcel 7.

Section 173-XXX Permitted Uses.

A. All uses permitted in the underlying zoning districts are permitted uses in the Historic Mill Adaptive Reuse Overlay District;

B. All applications for a special permit under this section must provide an area within the mill for education of the history of the property.

C. Multi-family dwelling units shall only be permitted in conjunction with one or more of the nonresidential uses permitted under this section;

- (1) Office for administrative, executive, professional, sales and other similar uses;
- (2) Retail, service, and restaurant;
- (3) Institutional (museum, educational use, charitable or philanthropic institution, municipal use, club or lodge);
- (4) Recreational (indoor commercial recreation); and
- (5) Appropriate accessory uses.

Section 173-XXX Special Permit Required.

The proposed adaptive reuse of a historic mill within the Historic Mill Adaptive Reuse Overlay District may be conducted upon the issuance of a special permit by the Planning Board, in accordance with § 173-47, Special Permits, and upon site plan approval pursuant to § 173-49, Site Plan Review, subject to the requirements set forth, herein. No other use or structures shall be permitted in conjunction with the conversion of a historic mill, except as specifically provided herein.

Section 173-XXX Special Permit Granting Authority.

The Planning Board shall serve as the Special Permit Granting Authority (SPGA) pursuant to this Article.

Section 173-XXX Application.

A. Pre-application review. The applicant is strongly encouraged to request a pre-application review at a regular business meeting of the Planning Board prior to submitting a formal application. The purpose of a preapplication review is to minimize the applicant's costs of engineering and to commence discussions with the Planning Board at the earliest possible stage in the development. At the preapplication review, the applicant may outline the proposed project for adaptive reuse, seek preliminary feedback from the Planning Board and/or its technical experts, and set a timetable for submittal of a formal application. No formal filings are required for the pre-application review; however, the applicant is encouraged to prepare sufficient preliminary architectural and/or engineering drawings to inform the Planning Board of the scale and overall design of the proposed project.

B. Special Permit/Site Plan Review. An application for a special permit for the adaptive reuse of a historic mill shall be submitted to the Planning Board on forms furnished by the Planning Board in accordance with § 173-47, Special Permits. Each such special permit application shall be accompanied by a site plan conforming to the requirements of § 173-49.1, as well as the following:

- (1) A floor plan to scale for each building indicating, if applicable:
 - (a) Proposed use of floor space;
 - (b) Number of units;
 - (c) Number of bedrooms;
 - (d) Square footage for each unit or space;
- (2) A plan describing the care, custody and control of all dams and water rights;
- (3) A plan, for any waste water treatment facility, if applicable;
- (4) Narrative reports describing the following:
 - (a) A proposed development schedule (including start date, rate of development, phases, estimated completion date);
 - (b) Information pertaining to any organization which the applicant proposes to form where the development is to be a condominium or other ownership organization, including forms and plans to be used to organize and manage the same, for approval as to form by Town Counsel;
 - (c) Copies of all proposed covenants, easements, and other restrictions which the Applicant proposes to grant to the Town, the Conservation Commission, utility companies, any condominium or other ownership organization and the owners thereof, including plans of land to which they are intended to apply, for approval as to form by Town Counsel;
 - (d) A concise narrative prepared by a preservation consultant including any and all historical information shall be submitted to the Northbridge Planning Board and the Northbridge Historical Commission for comment.

Section 173-XXX Development Standards.

In order to be eligible for consideration for a special permit pursuant to this Article, the proposed development shall meet all of the following standards:

A. Density. For the conversion of a historic mill that proposes multi-family dwelling units, the maximum number of dwelling units shall not exceed ten (10) units per gross acre of the combined parcels of the development. The Planning Board may grant a density bonus under the following provision:

(1) Affordability: For each affordable dwelling unit provided above the minimum required 10%, two (2) additional dwelling units may be permitted.

B. Parking. Number of Parking Spaces. The Applicant shall provide adequate parking to serve all anticipated uses on the property, with information detailing the method of computation of parking spaces. The minimum number of parking spaces shall be computed using the requirements of § 173-27. The Planning Board may allow a reduction of the required number of spaces by up to twenty-five percent (25%) if it can be demonstrated that two (2) or more uses within the development can share parking spaces. In determining the appropriate reduction, if any, the Planning Board may give consideration to the hours of operation and/or usage of the proposed uses within the development, the opinions of merchants, residents and municipal officials as to the adequacy or inadequacy of parking spaces within the surrounding area, as well as other relevant information.

C. Expansion of Existing Buildings. Existing buildings, through a special permit under this section, may be expanded provided that such expansion is consistent with the existing building's historic character and scale and does not cause substantial detriment after considering the factors set forth herein.

D. New Buildings. New buildings, through a special permit under this section, may be constructed provided that the number, type, scale, architectural style, and uses within such new buildings shall be subject to Planning Board approval.

E. Affordable Dwelling Units. As a condition of any special permit for the conversion of a historic mill that proposes multi-family dwelling units, a minimum of ten (10%) of the total number of dwelling units shall be required, in perpetuity, to be restricted to persons qualifying as moderate income in accordance with the Massachusetts Department of Housing and Community Development definitions of low and moderate incomes.

Affordable units shall be dispersed throughout the development and shall be indistinguishable from market rate units. The Town of Northbridge, through its Housing Authority and/or Office of Community Development, shall be responsible for selecting purchasers or tenants, and monitoring and insuring the long-term affordability of the units.

Section 173-XXX Action by the Planning Board.

The Planning Board, after considering reports from consultants and other Boards and/or Commissions, may grant a special permit for the conversion of a historic mill where it makes the following findings:

A. The proposed adaptive reuse constitutes an appropriate renovation as defined above; and

B. The proposed conversion does not cause substantial detriment to the neighborhood or Town after considering the traffic, environmental, fiscal, and community impacts.

**Webmasters Note: The previous Article has been added as per an update approved at a town meeting held on 6/8/04.

Norton

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Norwell

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

Conversion to 2- or 3-family housing is allowed by right in the residential districts, business A, and business B.

2300. District Use Regulations

2310. Residential Districts.

2311. Permitted Residential Uses.

b) Conversion of a dwelling existing on April 10, 1952 to a two- or three-family dwelling, provided that such conversion does not substantially change the character or size of the structure, and provided further that the lot appurtenant to said dwelling has an area per family unit for at least half that required for a single-family unit.

2320. Business District A.

2321. Permitted Residential Uses.

b) Conversion of a dwelling existing at the time of the passage of this Bylaw to a two or three family dwelling, provided that such conversion does not substantially change the character or size of the structure, and provided further that the lot appurtenant to said dwelling has an area per family unit of at least half that required for a single-family unit.

2330. Business District B

2331. Permitted Residential Uses

Conversion of a dwelling existing on March 14, 1963 to a two-or three-family dwelling, provided that such conversion does not substantially change the character or size of the structure, and provided further that the lot appurtenant to said dwelling has an area per family unit of at least half that required for a single-family unit.

Norwood *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No Section 3310. Principal Uses - Norwood zoning bylaw on ordinance.com:

Two family dwellings by conversion of existing single-family dwelling, as provided at Section 3310(footnote 1) is allowed by right in the Resident G and Resident A districts (not S2, S1, S) and Business CB, GB, HB, and LB.

Footnote:

1. Provided that the dwelling existed on July 21, 1927 and is located on a lot meeting current lot area requirements for a single-family dwelling at that location.

Paxton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Peabody *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes 4.5 MUNICIPAL PROPERTIES REUSE DEVELOPMENT DISTRICT

4.5.1 Purposes.

The municipal properties reuse development districts and uses created herein are intended to facilitate development proposals responsive to the city's comprehensive plan for the reuse of its properties that no longer serve a public purpose, to provide for a mixture of land usage at greater density and intensity than would normally be allowed provided that said land usage shall satisfy one or more of the following:

- (a) Does not detract from the livability and aesthetic qualities of the environment;
- (b) Is consistent with the objectives of the zoning ordinance;
- (c) Provides more efficient use of land while protecting natural resources, such as water resources, wet

lands, flood plains and wildlife;
(d) Provides diverse, energy-efficient housing at a variety of costs.

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4.5.7 Permitted uses.

In a municipal properties reuse development district the following uses are permitted by special permit:

(a) Residential:

- (1) Detached one-, two-or three-family residential structures;
- (2) Apartment houses;
- (3) Town houses.

(b) Business:

- (1) Banks and financial services;
- (2) Business and professional offices.

(c) Light industrial use:

- (1) Any uses which the special permit granting authority determines are not injurious to the safety or general welfare of the area, including but not limited to: laboratories and establishments devoted to research and development activities; optical and scientific instruments; jewelry manufacturers; material testing and research; light assembly, fabrication, molding, provided there are no noxious fumes or other nuisance characteristics; book binding; and small machine shops. (Ord. of 9-16-82, § 4)

4.5.8 Area regulations.

(a) MPRD site area. No MPRD shall be permitted on a site of less than sixty thousand (60,000) square feet.

(b) Usable open space. In all MPRD's at least ten (10) percent of the land shall be set aside as permanent usable open space, provided that the special permit granting authority may give permission for a lesser percentage if circumstances warrant, but in no case less than five (5) percent.

(c) Setback requirements. All structures and facilities within the MPRD shall be subject to the following setback requirements:

- Front yard--75 feet
- Side yard--20 feet
- Rear yard--50 feet

(d) Floor area ratio. The floor area in all buildings in a municipal properties reuse development shall not exceed a ratio of 1.0 excluding parking structures, malls and plazas.

(e) Height. No building in the MPRD shall exceed fifty (50) feet in height. (Ord. of 9-16-82, § 4)

Pembroke *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Pepperell *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Plainville *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to the table of uses, "conversion" is allowed by right in RC, RD, CB. It is not clear what can be converted to what.

Town of Plainville Zoning Bylaw

"DWELLING CONVERSION - Change in construction or occupancy of a dwelling to accommodate families in addition to the number by which it was previously occupied."

Plymouth *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Town of Plymouth Zoning Bylaw 2004

§ 205-53. Light Industrial/Waterfront (LI/WF). [Added 4-10-1980 ATM by Art. 64]
A. Intent. [Amended 4-4-1988 ATM by Art. 52]

(1) This district is intended to encourage the development of certain waterfront-related uses and to allow for a mix of uses, including commercial uses of a light intensity and clean operational nature, residential uses and compatible industrial uses. The special permit mechanism is provided to allow for a broader range of retail, service and other commercial uses. The special permit mechanism will also allow for establishment of heavier industries which would not be detrimental to waterfront activities or other uses in the zone or to adjoining zones by reason of their location within the district, special site characteristics and safeguards or for other reasons which can best be determined on a case-by-case basis.

D. Special permit subject to environmental design conditions. [Amended 4-4-1988 ATM by Art. 52]

(6) Multifamily and single-family attached residential, provided complexes are designed not to preclude public access to and along the shoreline.

F. Dimensional and other requirements. [Amended 4-4-1988 ATM by Art. 52]

(4) In the case of multifamily and single-family attached residential uses, the dimensional and intensity requirements contained in § 205-45 shall be applicable, provided that the special permit granting authority may waive or modify any such requirements in connection with the reuse of existing structures in a manner that is not incompatible with adjacent uses.

Plympton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Princeton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Town of Princeton Zoning Bylaws (Adopted 1957, Amended 2002)

SECTION III. RESIDENTIAL - AGRICULTURAL DISTRICT:

1. In a Residential-Agricultural District no lot shall be used and no structure shall be erected, maintained, altered, or used for any purpose other than the following:

(B) Conversion, alteration or extension of the use of a dwelling, existing at the time this by-law was originally adopted, into a dwelling containing units for not more than three (3) families, upon

permission from the Board of Appeals as provided for in Section VIII.2.(D) of this by-law. (Amended June 8, 1999)

(1) No such conversion shall be permitted under this subparagraph 1 (B) unless:

(a) The premises to be converted into a dwelling containing units for two (2) families shall include at least 130,600 square feet, (3 acres) of land and for conversion to three (3) units the premises shall include at least 217,720 square feet (5 acres) of land; and

(b) The conversion involves no substantial external enlargement of the pre-existing dwelling.

(2) There shall be submitted to the Board of Appeals in duplicate with application for permission for the conversion, a site plan of the proposed conversion drawn to scale showing the land area and all existing buildings, and any proposed external changes therein, and all existing and proposed structures, parking facilities, driveways and service areas, facilities for sewage, refuse and waste disposal and surface water drainage. (Amended June 25, 1968, May 9, 1989)

SECTION IV. BUSINESS DISTRICT:

1. Uses permitted in a Business District shall be the following and no others:

(A) Any use permitted in a Residential-Agricultural District.

SECTION V. BUSINESS-INDUSTRIAL DISTRICT:

1. Uses permitted in a Business-Industrial District shall be the following and no others:

(A) Any use permitted and as regulated in a Residential-Agricultural District or a Business District.

Quincy

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Randolph

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Although the researcher found the following reference to conversions, conversions are not listed as an allowed use, nor are two-family houses.

Mary McNeil, Building Commissioner, said that conversions to two family are allowed by special permit. In order to do a conversion to multifamily, it would have to go to town meeting for rezoning.

ARTICLE VI Area Regulations

Section 200-27 MINIMUM LOT AREA

C. For two-family dwellings, whether new or by conversion of an existing one-family dwelling, each lot must have, as a minimum, twenty thousand (20,000) square feet, consisting of a frontage of not less than one hundred thirty (130) feet and a depth and a width of not less than one hundred (100) feet. Two-family dwellings must be first approved by the Planning Board by special permit as, required by Article VIII of this chapter.

Section 200-46 SPECIFIC REQUIREMENTS FOR PARTICULAR USES

F. Construction of or conversion to a two-family dwelling.

(1) The Planning Board, as the special-permit-granting authority, may issue a special permit for the construction of or conversion to a two-family dwelling, provided that all of the following conditions are met:

(a) The lot on which the dwelling is to be constructed or convened meets all of the area regulations specified in Section 200-27 of this chapter.

(b) Six copies of the building and site plans are to be submitted for review at least 14 days prior to the public hearing.

(c) Two parking spaces are to be provided for each dwelling unit.

(d) An existing, conforming two-family or multifamily dwelling must be within 500 feet or five contiguous single-family house lots (as defined in Section 200-27A of this chapter), whichever is less, of the proposed two-family lot(s) and must share frontage on the same street.

(e) The proposed two-family dwelling must be in an area where existing, conforming two-family or multifamily dwellings constitute a minimum of 207, of the abutting dwellings.

(f) The shared frontage requirement in Subsection F(1)(d) may be waived when the proposed two-family dwelling fronts on a new road (as with a new subdivision) and would otherwise not qualify for approval of a permit.

(g) Of every 10 permits granted to a petitioner, one permit must be used to provide a two-family home selling at an average price not greater than 75% of the other nine. The sale of that targeted two-family unit must be accomplished within 12 months of the granting of the permit, or the remaining permits shall be deemed null and void. The sale of the targeted two-family unit must be handled with the oversight of the Randolph Housing Officer (Form SP-4), to assure the public that no exclusionary practices are involved.

(h) A notarized letter of identification of principals if the applicant or owner, or both, is a corporation, realty trust or an entity, rather than an individual. In the case of a company or corporation, the principals shall be listed, including and identifying those persons who are authorized to act on its behalf. In the case of realty trusts, all trustees shall be listed, and those who are authorized to set on behalf of the trust shall be identified. Any change in those persons identified, prior to the granting of a special Permit, are to be noted to the Randolph Planning Board via a new notarized letter.

(i) The application fee for the special permit shall be \$200 for each lot and shall be in the form of a check or money order made payable to the Town of Randolph.

(j) A special permit may be granted to (re)build when an existing, conforming two-family home, by design not conversion, has been or will be destroyed or is otherwise no longer occupying a lot. Subsection F(1)(c) and (d) will not apply.

(2) Conditions may be waived if there is a demonstrated, overwhelming need for this type of housing within the Town of Randolph. The conditions as previously set forth do not take the place of any other zoning bylaw but are meant as an addendum to them.

Raynham

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Reading

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

4.7. MUNICIPAL BUILDING REUSE DISTRICT

4.7.1. Uses Permitted in Municipal Building Reuse District: The Municipal Building Reuse District shall be considered as overlying other districts established by this By-Law. Any uses permitted in that portion of the districts so overlaid shall be permitted. In addition, any one and only one of the use categories specified in Section 4.7.2.1., 4.7.2.2. or 4.7.2.3. may be permitted in such an overlay district under a Municipal Building Reuse Special Permit issued pursuant to Section 4.7.3.

4.7.2. Dimensional Controls in Municipal Building Reuse District: Subject to the provisions of Section 4.7.3. buildings in a Municipal Building Reuse District previously owned or controlled by the Town of Reading and existing at the time of the issuance of a Municipal Building Reuse Special Permit may remain and may be rehabilitated and rebuilt in their then location. The dimensional controls and intensity regulations as contained elsewhere in this By-Law shall not apply to such a building and the lot on which it is situated, but changes to the size of the lot or exterior dimensions of such building shall be subject to such dimensional controls and intensity regulations as the same may be modified herein.

4.7.2.1. For any residential use, the following provisions shall apply:

a. Enlargement of existing building: The existing building may be enlarged in a manner harmonious with the external character and appearance of the building; however, any such enlargement shall not exceed a size equivalent to 25% of the gross square footage of the existing building;

b. New construction: An additional building or additional buildings which contain the same use or uses as contained in the existing building may be

constructed on the site in a manner harmonious with the external character and appearance of the existing building. No such additional building may be located closer than forty feet from any portion of the existing building;

c. Perimeter Setback: No portion of any additional building or any enlargement of the existing building may be located closer than fifty feet from any boundary of the site;

d. Density: Maximum density of development on the site shall not exceed eighteen dwelling units per acre. Moreover, the aggregate gross floor area of any enlargement and any additional buildings shall not exceed the gross floor area of the existing building;

e. Height: The height of any enlargement or additional building shall not exceed that allowed in the underlying zoning district;

f. Open Space: A minimum of 30% of the area of the site exclusive of the area occupied by the existing building, the area in the required forty foot setback therefrom, and the area in the required fifty-foot perimeter setback shall be devoted to open space completely devoid of any structure, parking space, loading space, accessway, and private yards, patios, and gardens for the exclusive or principal use by residents of individual dwelling units. To the greatest extent possible such open space shall be left in its existing condition or developed so as to be appropriate in size, shape, dimension, location and character to assure its use as a park, recreation area, and visual amenity for the site and its residents. In no case shall any dimension of qualified open space be less than twenty feet;

g. Accessory Structures: No accessory structure shall be located within twenty feet Of a rear or side property line, nor within the required fifty-foot front perimeter setback;

h. Required Low- and Moderate-Income Housing: There shall be provided in perpetuity on-site or off-site in a manner acceptable to the Reading Housing Authority, a minimum of ten percent of the total units (both on- site and off-site) relative to the development which units shall be affordable to very-low-income, low-income and moderate-income families and/or elderly households as determined by the most recent calculations of the U.S. Department of Housing and Urban Development for the Boston Metropolitan Area.

4.7.2.2. For non-residential use, the following provisions shall apply:

a. Allowed Non-Residential Uses:

(1) Professional or administrative offices;

(2) Research and development uses including ancillary office use and electronic and computer laboratories, but not ancillary manufacturing or activities which possess, use, or transfer licensed nuclear material (including source materials, special nuclear materials, or by-product materials as defined in Title 10, Chapter 1, of the Code of Federal Regulations, Part 20, "Standards for Protection Against Radiation"), genetically engineered or biohazard materials, or other toxic or hazardous materials;

(3) Child care facility and/or elder care facility;

(4) Any other use allowed by right or permitted by Special Permit in the underlying zoning district.

b. No use involving manufacturing, assembly, or sale or resale or storage for sale or resale of any goods, items, or material shall be allowed.

c. No enlargements of any type to the existing building, no additional building or buildings of any type, and no enclosed storage of any kind outside the existing building shall be allowed on the site.

d. Except for the existing building, accessways, walkways, required parking and loading spaces, and reasonably necessary other impervious surfaces, the entire site shall be kept as open space. To the greatest extent possible such open space shall be left in its existing condition or improved so as to be appropriate in size, shape, dimension, location, and character to assure its proper functioning as an amenity for both the site and the surrounding area.

4.7.2.3. For mixed use development, the following provisions shall apply:

a. The density and dimensional standards of Section 4.7.2.1. shall apply;

b. Allowed mixed uses may consist of any of the following uses, singly or in combination:

(1) Residential,

(2) Housing for the elderly;

(3) Child care facility;

(4) Elder care facility;

(5) Medical clinic and ancillary offices and facilities;

(6) Public and Quasi-Public Uses as set forth in Section 4.2.2., Table of Uses.

4.7.3. Municipal Building Reuse Special Permit: The Board of Appeals as the Special Permit Granting Authority may grant a Municipal Building Reuse Special Permit for the rehabilitation and utilization of buildings and the lot on which they are situated in a Municipal Building Reuse District, consistent with the uses permitted in Paragraph 4.7.1., provided that as a result of the Special Permit process the following criteria are met:

a. Access: There shall be adequate provisions for safe access for pedestrians and motor vehicles and for emergency services to the building and the land on which situated.

b. Parking- There shall be adequate numbers of off-street parking spaces and loading and unloading spaces to conform to the provisions of Section 6.0. and its sub-sections. Exceptions may be granted by the Special Permit Granting Authority to allow for up to 20 percent of the parking spaces to be lesser in size (8' in width and 12' in length) for compact automobiles. Parking may be located in any yard area approved by the Special Permit Granting Authority.

c. Utilities: The building shall be tied into municipal water and sewer services. All utilities must be adequate to serve the intended use.

d. Site Plan Approval: The Community Planning and Development Commission grants Site Plan Approval (with or without conditions) pursuant to Section 4.7.5.

e. Signs: All proposed signs shall comply with Section 6.2 and its subsections, excepting that if the building and land on which situated are located in a single family (S-10, S-20 or S-40) district, the Special Permit Granting Authority may permit a sign of no larger than 15 square feet which identifies only the building and occupants.

f. Uses: The proposed use is not detrimental to the public good.

4.7.4. Special Permit Application Process: A person may make application to the Board of Appeals as the Special Permit Granting Authority for a Municipal Building Reuse Special Permit in compliance with all of the conditions contained in Section 4.7.3. Site plan, approval must be obtained from the Community Planning and Development Commission under Section 4.7.5. prior to the time when application is made to the Special Permit Granting Authority under this Section. Submitted with the application shall be one or more site plans and specifications, prepared, signed and sealed by a registered land surveyor, registered professional engineer or registered architect which shall indicate the following:

a. Size: Dimensions and boundaries of the lot and existing building on that lot.

b. The proposed location and nature of all exterior structural changes intended for the existing buildings on the lot and any accessory buildings.

c. The distance between each structure on the lot and all buildings located within three hundred feet.

d. The proposed parking and driveway layout, including curb-cut locations, profiles and drainage design.

e. Any proposed grade changes to the lot and any retaining wall design.

f. The location of any zoning boundaries and zoning overlay districts on the parcel.

g. The existing and proposed interior layout of all buildings on the lot.

h. A table showing the number of proposed residential units, square feet of floor areas; the number of off-street parking spaces and loading and unloading spaces proposed on the plan.

i. Proposed plantings and landscaping and buffer areas proposed.

j. The drainage design of the proposal, including appropriate calculations.

k. The sewer, water, hydrant and other utilities systems layout designs.

l. The location, size and design of any proposed signs.

m. The proposed exterior lighting.

n. A locus plan showing the location of the lot in relation to the surrounding area. At the time of filing, the applicant shall submit copies of all such plans also to the Community Planning and Development Commission, Board of Health, Board of Selectmen, Department of Public Works, Conservation Commission, Historical Commission, Reading Municipal Light Board, Reading Housing Authority, Fire Chief, Police Chief, and other appropriate authorities in order to allow such Boards, Commissions, Committees, Authorities and persons to make appropriate recommendations to the Board of Appeals.

4.7.5. Municipal Building Reuse Site Plan Review: In order to provide also for a detailed design review as to any reuse of municipal buildings located within a Municipal Building Reuse District and for which a Municipal Building Reuse Special Permit is being sought, there shall be a Site Plan Review

by the Community Planning and Development Commission. Eight copies of the plans as described in Section 4.7.4. shall be submitted to the Community Planning and Development Commission when application is made for Site Plan Review. The Community Planning and Development Commission shall, as a minimum, take into consideration the following matters:

- a. Arrangement, design, appearance and dimensions of proposed building changes, existing and new structures, all exterior lighting, and all screening and landscaping features, including, but not limited to, fences, walls, plantings, drives and walks;
- b. The driveway layout, having in mind public safety and convenience and safety of vehicular and pedestrian movement within the site and the relationship to adjacent ways and lands;
- c. The configuration of parking spaces in relation to proposed use of the premises;
- d. Adequate waste disposal and surface and subsurface water drainage.

The Community Planning and Development Commission shall invite the Building Inspector, Conservation Commission, Historical Commission, Department of Public Works, Board of Health, Police Department, Fire Department and other appropriate authorities to review the proposal and make recommendations to the Community Planning and Development Commission. The Community Planning and Development Commission shall have the power to approve, disapprove, approve with conditions or suggest modifications or recommendations to the plan or to any subsequent reviews to the plan. Any disapproval shall indicate what modifications to the plan would make it acceptable to the Community Planning and Development Commission. This power shall in no way eliminate, decrease or abrogate the powers of any other board, committee, commission or other authority having legal jurisdiction. It shall be the duty and responsibility of the applicant to secure any and all permits, licenses and approvals necessary to the project. Copies of the detailed decision of the Community Planning and Development Commission shall be transmitted to both the applicant and the Zoning Board of Appeals within thirty days after said Commission closes the public hearing for Site Plan Review.

4.7.5.1. Upon submission for site plan review, the Community Planning and Development Commission shall hold a public hearing thereon, within thirty days after the date of submission, advertised in the same manner as public hearings for Special Permits.

Rehoboth *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Revere *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Rockland *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes SECTION V. BUILDING, LOT AND GENERAL DISTRICT REGULATIONS
A. Building And Lot Regulations

6. Multi-Family Developments.

Multi-Family Developments shall be subject to the Site Plan Review Requirements of Section V (J) of this By-Law.

a) Minimum Area. A Multi-Family Development shall include no less than one (1) acre of contiguous land.

b) Open Space. A minimum of twenty (20) percent of site area shall be developed as public open space. Parking areas and vehicle access facilities shall not be considered in calculating open space.

c) Building Relationships. The arrangement of buildings and distance required between buildings shall be as set forth in Section V (H) of this By-Law.

d) Off-Street Parking. Off-street parking facilities shall be as set forth in Section V (C) of this By-Law.

e) Conversions of Buildings From Current Use to the Use of Dwellings

1) The conversion of a single family dwelling existing at the time of this By-Law into a two or three family dwelling may be allowed by the Zoning Board of Appeals under the Special Permit process provided that the conversion outcome will be properly zoned, the exterior design of the structure will not be changed from the character of a single family dwelling, nor shall the floor area provided for the resulting conversion unit or units be less than 650 square feet for each unit, and adequate off street parking will be provided. The new dwelling unit/units will adhere to and meet or exceed all current building, safety, health, fire codes and any other applicable codes, by-laws, regulations and ordinances.

2) The conversion of a two, three, or multi-family dwelling existing at the time of this By-Law into a three-family dwelling or multi-family dwelling beyond its current dwelling status may be allowed by the Zoning Board of Appeals under the Special Permit process provided that the proposed conversion will be properly zoned, and the exterior design of the structure will not be changed from the buildings original character, nor shall the floor area provided for the resulting conversion unit or units be less than 650 square feet for each unit, adequate off street parking will be provided. The dwelling unit/units will adhere to and meet or exceed all current building, safety, health, fire, and any other applicable codes, by-laws, regulations and ordinances.

3) Conversions of Non-Dwellings into Dwellings - The conversion of a non-dwelling, which is any building which has principal use as that other than a dwelling, into a dwelling shall adhere to all the conversion requirements of a single family dwelling provided that the non-dwelling is an accessory use of a residence zoned building. The conversions of schools, retail/wholesale establishments, and other industrial, or commercial buildings into dwelling will be allowed by the Zoning Board of Appeals under the Special Permit process provided that:

- a. the conversion will be properly zoned;
- b. exterior design shall be in harmony with neighborhood and general character of the Town;
- c. landscaping will be included in the conversion to enhance conversion;
- d. dwelling units floor area will not be less than 650 square feet.

Rockport *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes By special permit in R, SMR, and G districts.

Rockport Zoning Bylaw (Amended 2002)

"III.C. 3. The following uses, when authorize by a Special Permit issued by the Board of Appeals:

- a. The conversion of any existing building into a two-family dwelling or an apartment house, with not more than (4) dwelling units, or an inn, provided, that the size of the building not increased by more than ten percent (10%) of the area which was originally used for habitation."

Rowley *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Town of Rowley Zoning Bylaw

6.3 Conversion of Existing Buildings

6.3.1 A building in existence on May 1, 1981, may be converted into one (1) or more dwelling units than it originally contained in compliance with the following:

6.3.1.1 Minimum Lot Area.

6.3.1.1.1 In addition to the lot area required in Section 6.1.1. there shall be five thousand (5000) square feet for the second dwelling unit contained in a structure. For each additional unit the requirements of 6.2.1.1 shall be met.

6.3.1.2 No existing building shall be divided to contain more than two (2) dwelling units unless the applicant complies with the requirements of Section

6.2.

6.3.1.3 The Board of Appeals may grant a permit for less than the required lot area for an existing building being converted to more than one (1) dwelling unit or for a multi-family dwelling provided that:

6.3.1.3.1 The Board of Health has approved the sewage disposal system in writing;

6.3.1.3.2 No more than twenty-five percent (25%) of the lot area is covered by structures;

6.3.1.3.3 There is at least one (1) off-street parking space for each bedroom and efficiency apartment contained in the structure;

6.3.1.3.4 There is a provision for screening by fencing or landscaping of outside storage areas;

6.3.1.3.5 The building is served by municipal water

6.3.1.4 Minimum Floor Area

6.3.1.4.1 The structure to be converted shall contain at least eleven hundred (1100) square feet and no unit shall have a floor area of less than three hundred fifty (350) square feet plus one hundred (100) square feet for each bedroom over one (1).

Salem *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes (1) The conversion of an existing building or structure previously or presently used for rental housing of any type, kind or character into a cooperative or condominium will be allowed if permission of the board of appeals is obtained in accordance with the procedures and conditions set forth in section 9-4 hereof, provided, however, that all other provisions of this zoning ordinance shall apply relating to use regulations, density regulations and supplemental regulations, and further provided that there shall be compliance with all applicable provisions of Massachusetts General Laws, Chapter 183A, as it may be from time to time amended. Nothing herein shall be construed to prevent the conversion of existing buildings or structures not previously or presently used for rental housing into a condominium or cooperative, and nothing herein shall be construed to prevent cooperative or condominium conversions that take place as part of the Urban Development Action Grant program administered by the City of Salem.

(2) In addition to the notice requirements set forth in this zoning ordinance and in the provisions of Massachusetts General Laws, Chapter 40A, as amended, prior to the filing of a petition for a condominium or cooperative conversion, notice in writing along with a copy of the ordinance must be given to the present tenants of the building of the intent to file the petition, and proof that such notice has been given must be filed with the board of appeals together with the petition. Notice of the filing shall also be given to the Housing Authority of the City of Salem. All documentation required by Massachusetts General Laws, Chapter 183A, shall also be filed together with such petition, and tenants shall receive notice of the public hearing before the board of appeals.

(3) In determining whether or not to grant the petition for special permit, the board of appeals shall consider, in addition to the matters set forth in section 9-1 hereof and Massachusetts General Laws, Chapter 40A, the following matters:

- a. The relationship of the condominium or cooperative conversion to the master plan of the City of Salem;
- b. The impact of the cooperative or condominium conversion on the neighborhood and its impact on the existing stock of rental units in the City of Salem for families of low and moderate income and elderly people on fixed incomes;
- c. The degree of hardship caused by the conversion on existing tenants in the building and the steps taken by the petitioner to alleviate such hardship, in particular, steps taken which allow the tenant to purchase the condominium or cooperative unit and steps taken to provide adequate time within which the tenant may find adequate housing;
- d. Furthermore, in granting any special permit under this subsection, the board of appeals shall provide for a minimum of six (6) months to elapse from the time of its action before the issuance of the permit and the commencement of any work in furtherance of the condominium or cooperative conversion, unless the building is vacant at the time of the filing of such petition or becomes vacant thereafter; provided, however, that if the board of appeals determines that the vacancy has been purposely caused in order to prepare the project for conversion, the issuance of the special permit shall be denied.

Salisbury *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Saugus

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Scituate

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Two-family dwellings are allowed in A-1, A-2, and A-3 by right, but they require two times the lot area of a single family house. There is no mention in the Use Regulations of conversions.

Seekonk

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Seekonk Zoning Bylaw

SECTION 6. RESIDENCE DISTRICTS

...

6.2 USES PERMITTED AFTER APPROVAL BY THE ZONING BOARD OF APPEALS

1. Trailer or mobile home, as a temporary office incidental to continuous construction on the site on which the trailer or mobile home is located.u

2. Conversion of a single-family structure to contain no more than two dwelling units provided that each resulting dwelling unit shall contain a minimum floor area of 800 square feet and provided further that the lot area is at least double the lot area required in the district. ..

Sharon

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

4220. Municipal Building Conversion.

In Single Residence, Rural and Suburban Districts, and Business District "C", a Special Permit from the Board of Selectmen may authorize conversion to multifamily dwelling use of a building then or formerly in municipal use provided that additions or extensions increase lot coverage by not more than ten (10%) percent of lot area. Lot area plus contiguous land dedicated to public recreation or conservation use shall equal at least two thousand (2,000) square feet per dwelling unit; the provisions of this section shall prevail over the provisions and/or limitations of Section 2320, including without limitation 2321(a) and 2326.

2300. DISTRICT USE REGULATIONS

2310. General Residence, Single Residence, Suburban, Rural and Housing Authority Districts.

2315. Uses allowed on Special Permit (from the Board of Appeals except as indicated).

a. Residential Uses:

(1) Conversion to create one or more dwelling units, as specified at Section 4210.

(2) In Single Residence, Suburban and Rural Districts, municipal building conversion as specified at Section 4220 if authorized by the Board of Selectmen.

(3) Flexible Development under Section 4300, including (in Suburban Districts only) multifamily developments.

(4) Nursing homes.

ARTICLE IV. SPECIAL REGULATIONS

4200. Special Residential Uses.

4210. Dwelling Conversion.

Within Single Residence, Suburban and Rural Districts, the following uses may be authorized on Special Permit from the Board of Appeals:

4211. One additional dwelling unit within a building or structure, provided:

- a. That the building or structure in which the additional unit is located is occupied by the owner;
- b. That the additional unit is occupied only by a person or persons related to the owner;
- c. That the additional unit share a common entrance in the existing structure.

4212. Conversion of a single residence which was in existence on the date this Zoning By-Law became effective, March 13, 1933, into a residence for two families.

4213. Conversion of a dwelling or building accessory thereto or both into a building or buildings containing in the aggregate as many dwelling units as could be obtained if the dwelling and building accessory thereto, if any, were to be razed, the lot subdivided into as many lots as the Zoning By-Law permits and as many dwelling units as permitted by the Zoning By-Law were then constructed; provided that the dwelling and the building accessory thereto, if any, were in existence on the date this Zoning By-Law became effective (March 13, 1933) and that a permanent Preservation Restriction under G.L., Ch. 184, Sect. 31-33, is provided, assuring the future integrity of the building exterior and the grounds.

Sherborn

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Shirley

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

Shirley Zoning Bylaw

According to the Table of Use Regulations, the following is allowed:

Conversion of a single-family dwelling existing at the time of the original adoption of this Bylaw into a multifamily dwelling... allowed by special permit from the board of appeals in R-R, R-1, R-2, R-3.

Shrewsbur

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Somerset

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Somerville

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

From ordinance.com:

2.2.137. RESIDENTIAL CONVERSION . Conversion within an existing dwelling which increases the number of dwelling units but does not increase the Gross Floor Area of the dwelling. Residential conversions shall not change the footprint of the existing dwelling and shall not extend the dwelling upward or outward. NOTE: §2.2.137 was added by Ordinance 2002-4 on April 25, 2002.

Section 7.11 Table of Permitted Uses

2. Special Residential Conversions

- a. Existing dwelling converted for up to 2 dwelling units... allowed by right in RA, RB, RC, NB, CBD, BA, BB, UN.
- b. Existing dwelling converted for up to 3 dwelling units... allowed by special permit in RA, UN, and by right in RB, RC, NB, CBD, BA, BB.
- c. Existing dwelling converted for 4-6 dwelling units... allowed by special permit in NB, CBD, and by right in RC, BA, BB.
- d. Existing dwelling converted for 7 or more dwelling units... allowed by special permit with site review in RC, NB, CBD, BA, BB.

Southboro

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Section 174-9. Special permit requirements.

G. [Added 4-8-1991 ATM, Art. 491 Two-family dwelling. The conversion of a one-family house which has been in existence for two (2) years or longer to a two-family dwelling is allowed by special permit from the Board of Appeals. The application will be considered after receipt of a report, or after thirty-five (35) days elapse without such a report, from the Board of Health certifying that adequate provisions have been made in accordance with the requirements of the Board of Health for drainage and the disposal of sewage and waste generated by the occupancy of the two-family dwelling. There shall also be a report from the Planning Board describing the lot on which the dwelling is located, the neighborhood where it is located and the effects of the proposed two-family dwelling thereon, the adequacy of ingress and egress provisions, any recommendations by the Planning Board as to the advisability of granting the special permit and any restrictions that should be imposed as conditions thereof and the provisions for off-street parking in a manner consistent with the character of the premises. If the decision of the Board of Appeals differs from the recommendations of the Planning Board, the reasons therefor shall be stated in the decision. The two-family dwelling shall comply with the following conditions and requirements:

- (1) The lot on which a one-family residence is to be converted to a two-family dwelling must be a minimum of fifteen thousand (15,000) square feet.
- (2) There must be no other apartment on the lot on which the two-family residence is proposed.
- (3) Not more than the required minimum exterior alterations have been or will be made to the one-family house and to any accessory buildings, and the site plan of the lot and floor plans of the dwelling thereon must be filed with the Building Inspector prior to the application to the Board of Appeals.

Sterling

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Stoneham

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Conversion in Residence A is allowed by variance.

Defintions on ordinance.com:

2.1.16 CONVERSION : A transformation of all or a portion of a building which results in a greater number of units of each use. Also, a transformation which changes the types of use of a building from one to another.

4.2 Residence A Districts:

4.2.3 Uses Permitted with Variances Granted by the Board of Appeals:

4.2.3.1 Conversion of an existing dwelling to accommodate more than one (1) dwelling unit, provided that:

- (a) The building was in existence at the time of adoption of this Section.
- (b) In addition to the requirements of Section 5.0, there shall be a lot area equivalent to the minimum lot area required within the District for each dwelling unit.
- (c) In addition to the requirements in Section 6.0, there shall be at least one (1) off-street parking space for each bedroom or efficiency unit in the converted portion of the structure.
- (d) Each unit shall be a complete and independent dwelling unit.
- (e) The exterior appearance of the structure shall not be altered except for:
 1. Stairways and exits required by law.
 2. Restoration consistent with the original architecture of the structure.
 3. Additions in the rear or side yards which are not visible from the street and which are not more than ten (10) percent of the original floor area.

4.3 Residence B District:

4.3.2 Uses Permitted:

4.1.2.1 All of the uses and accessory uses permitted in Residence A District.

4.3.2.2 A dwelling containing one (1) or two (2) dwelling units.

4.3.4 Uses Permitted on a Special Permit Granted by the Planning Board:

4.3.4.4 Conversion of an existing dwelling to accommodate one (1) additional unit over that otherwise permitted, provided that:

- (a) The building was in existence at the time of adoption of this Section.
- (b) In addition to the requirements of Section 5.0, there shall be a minimum additional lot area of two thousand five hundred (2500) square feet for each newly created unit.
- (c) In addition to the requirements in Section 6.0, there is at least one (1) off-street parking space for each bedroom and efficiency apartment in the converted portion of the structure, which space shall not be provided in the front or side yard.
- (d) There is provision for screening by fencing or landscaping of outside storage areas.

- (e) No unit shall have a floor area of less than five hundred (500) square feet plus, one hundred (100) square feet for each bedroom over one (1).
 - (f) The floor area of the newly created unit(s) shall be less than fifty (50) percent of the total floor area of the principal dwelling unit, after conversion.
 - (g) Each unit shall be a complete and independent dwelling Unit.
 - (h) The exterior appearance of the structure shall not be altered except for:
 1. Stairways and exits required by law, which shall be in the rear of the building.
 2. Restoration consistent with the original architecture of the structure.
 3. Additions in the rear or side yard which are not more than ten (10) percent of the original floor area.
- Cross reference - Unlawfully parking large vehicles on street, Sec. 8-8.

4.4 Neighborhood Business District:

4.4.3 Uses Permitted on a Special Permit Granted by the Planning Board and Site Plan Approval by the Board of Selectmen: (10-21-85, Art. 15; 5-4-87 - See editor's note below)

4.4.3.3 Conversion of a residence existing at the time of adoption of this Section to combined business and residence use or to multiple dwelling units, provided that in either case no more than two (2) dwelling units shall be allowed in a building.

Stoughton

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

According to the Table of Use Regulations in Section V, "Conversion of existing (as of September 8, 1970) dwelling structure to multifamily dwelling provided the total number of units in the converted dwelling structure shall not exceed four dwelling units" is allowed by right in R-M and by special permit in R-U, CBD, and GB.

J. Conversion of Nonresidential Structures to Residential.

For residential use development within existing nonresidential structures not subject to the table of dimensional and density regulations, the following conditions shall apply:

1. A site plan shall be presented, for the entire development. This shall include parcels of land intended for use but separated from the main parcel by a public or private way.
2. The site plan shall be submitted to the Planning Board for advice and recommendation.
3. The following uses shall be permitted: residential, community facilities for exclusive use of the residents, and commercial (retail or service establishment). The gross floor area devoted to commercial uses shall not exceed 6 percent of the total residential gross floor area and shall not be located above the first floor.
4. The proposed conversion shall comply with the dimensional and density regulations for the R-M district (Section VI.B) and to the provisions of Section VI.G.3, except that the minimum yard dimensions and maximum building area may be adjusted as deemed appropriate by the Board of Appeals.
5. At any one time, not more than 10 percent of the total dwelling units shall contain three or more bedrooms.
6. For multifamily units of two or more bedrooms, there shall be constructed and equipped an outdoor recreation area containing 100 square feet for each dwelling unit within the development with a minimum requirement of 2,000 square feet. Specifically exempt from this requirement are one-bedroom units and housing for the elderly.
7. The development shall be served by public water and sewerage.
8. Parking facilities shall meet the requirement of Section VIII except the required number of spaces shall be one additional for each five units for visitor parking. In housing for the elderly projects, the parking requirements shall be reduced by 50 percent.

9. Such other conditions as the Board may find appropriate in accordance Section XX may be imposed.

Stow *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No According to the Table of Principal Uses, conversion to 2 family dwelling is allowed by special permit from the board of appeals in the residential district. Site plan approval required.

Stow defines multifamily housing as "MULTI-FAMILY DWELLING : A BUILDING for residential USE, other than a DWELLING conversion, containing more than two DWELLING UNITS but not more than 4 DWELLING UNITS." (Town of Stow Zoning Bylaw, Section 1.3 (Last Amended 2003)).

Sudbury *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Sutton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Swampscot *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Swansea *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Swansea Zoning Bylaw (Adopted 1953, Amended 2002)

Taunton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes "Dwelling conversions" ... by right in URD, BD, OD, HBD and by special permit from board of appeals in CBD.

City of Taunton Zoning Ordinance

7.8 DWELLING CONVERSIONS

In Urban Residential, Office, Business and Highway Business districts, any dwelling structure on not less than fifteen thousand (15,000) square feet lot area may as-of-right be converted to accommodate no more than three (3) families provided the application for a building permit for such conversion shall show that there will be not more than three dwelling units, and that:

7.8.1 Each dwelling unit resulting from such conversion will have not less than three hundred and sixty (360) s.f habitable floor space, exclusive of stairways. Further, the conversion shall be subject to the requirements of Article II of the State Sanitary Code, before any occupancy permit is granted.

7.8.2 Stairways leading to any floor above the first floor will be enclosed within the exterior walls of the dwelling, and any other stairways or fire escape required shall not be in any way facing a street.

7.8.3 The minimum off-street parking requirements shall be two (2) parking spaces per dwelling unit and no parking shall be allowed in the required front yards. All parking should be restricted to the rear yard and the side yard where the driveway is located. No more than sixty (60) percent of this side yard and the rear yard shall be used for parking and access. Further, no rear yard parking area shall be less than five (5) feet from an adjoining property line and said five (5) foot area shall be planted with evergreen materials comprising at least a 90% screen to a height of not less than four and one-half (4.5) feet; given natural conditions prevalent on a particular site. The applicant may substitute a six (6) foot wooden fence in lieu of the planted buffer area.

7.8.4 "No conversion of a residential structure or an addition to a residential structure for additional units shall be allowed for five years from the receipt of a building permit to construct the addition or new residential structure."

Tewksbury *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Topsfield *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Townsend *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Town of Townsend Zoning Bylaw (Amended 2004)

§145-27. Downtown Commercial District (DCD).

C. DCD uses allowed by special permit from the Board of Appeals (see Article XI):

(2) One to six dwelling units within a structure existing on the lot or for which a building permit has been issued as of January 1989, provided sufficient off-street parking is available on site.

(3) Mixed use (residential/commercial).

§145-28. Neighborhood Commercial District (NCD).

C. NCD uses allowed by special permit from the Board of Appeals (see Article XI):

(1) One to six dwelling units within a structure existing on the lot or for which a building permit has been issued as of January 1989, provided sufficient off-street parking is available on site.

(2) Mixed use (residential and commercial).

Tyngsboro *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Upton *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Uxbridge *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Town of Uxbridge Zoning Bylaws (Revised 2004)

Any of the following uses, provided that they are not injurious or offensive to the neighborhood, and subject to appropriate conditions and safeguards, and only if approved by the Board of Appeals:

1. Conversion of a single family dwelling for occupancy by not more than three (3) families provided that the exterior design of the structure is not changed from the character of a single family dwelling and further provided that the particular dwelling and premises meet the lot and interior area requirements as set forth in this zoning by-law.

Wakefield *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes According to Section 190-23. Table of Use Regulations, conversion of a pre-1935 dwelling to 2-family use (on a lot of at least 12,000 square feet) is allowed by right in districts GR, MR(1), NB and B, and by special permit in the SR district. Conversion of a dwelling to a 3 or 4-family (on a lot of at least 13,000 square feet) is allowed by special permit in the GR and B districts.

Section 190-32. Multifamily dwellings.

G. Conversions to apartments.

(1) A single-family dwelling in the Single Residence District may be converted to a two-family dwelling, provided that the dwelling contains nine (9) or more rooms, was originally constructed prior to 1935 and is located on a lot of twelve thousand (12,000) square feet or more. In the Single Residence District, a special permit shall be required from the Board of Appeals. [Amended 5-23-1994 ATM by Art. 39]

(2) A single- or two-family dwelling in the General Residence District or Business District may be converted to a three- or four-family dwelling, provided that:

(a) The dwelling is located on a lot of thirteen thousand (13,000) square feet or more.

(b) There shall be a minimum lot area of three thousand five hundred (3,500), square feet for each dwelling unit provided.

(c) There shall be a minimum floor area of six hundred fifty (650) square feet for each dwelling unit provided.

(d) A special permit shall be obtained from the Board of Appeals. Conversions in the Business District shall be granted only if the Board of Appeals determines that the proposed residential use will not be detrimental to the economic health of the Business District and that the proposed location is a suitable residential environment.

(e) The conversion shall meet all building codes, fire, safety and health regulations and other sections of this chapter.

LAND DEVELOPMENT ORDINANCE

Walpole *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No According to the schedule of use regulations:

"The conversion and/or use of a one-family dwelling existing on January 1, 1956 as a dwelling for not more than two families provided that: (i) such dwelling is located on a lot having an area at least fifty percent larger than the minimum hereafter specified for the construction of a building in the same district. (ii) no exterior enlargement is made, which, together with any changes made during the preceding five years, increases by more than twenty percent the area of the dwelling. (iii) no change is made in the external appearance and general aspect of such dwelling which alters its one family character, and (iv) the lot is able to support two septic disposal systems if not connected to the public sewer system"... allowed by special permit in RA, RB, GR, R, B, CBD.

"The conversion and or use of a one-family dwelling existing on January 1, 1956 as a dwelling for two families on a lot of not less than twenty thousand square feet; provided that such dwelling is connected with the public sewer system."... allowed by special permit in GR, B, and CBD.

Waltham *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes 3.731.Nursing homes or rest homes licensed by the state as of January 1, 1982, but prior to January 1, 1996, and located in an RA-2, RA-3, RA-4 or RB Zoning District may be converted to a multifamily dwelling by special permit of the Board of Appeals in accordance with Subsections 3.531, 3.732, 3.733 and 3.734 of this chapter.

8.445.Rehabilitation of existing structures. For the purpose of the Riverfront Overlay District, "existing structures" shall mean structures in existence as of the date of adoption of this Riverfront Overlay District. Owners of existing structures may apply for a special permit to rehabilitate said structures as either mixed-use or residential projects consistent with Sections 8.443 and 8.444 above.

ARTICLE II. Word Usage; Intent; Definitions
Sec 2.3. Definitions.

2.3361.REHABILITATION -- The complete restoration or reconstruction of at least 80% of all interior spaces and utilities within a structure. This definition shall not apply to structures contained on any local, state or federal list or register of historic structures. [Added 6-25-1990 by Ord. No. 26935]

3.72251.Existing nonconforming structures used for commercial and industrial purposes may be altered or rehabilitated as a matter of right if said alteration or rehabilitation does not exceed the floor area ratio (FAR) of the existing structure, if said rehabilitation does not include removal of any exterior walls and if such alteration, reconstruction or structural change does not increase the nonconforming nature of said structure. If rehabilitation does include removal of exterior walls, the criteria of Section 3.72241 shall apply.

Watertown *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes Defintion from ordinance.com:

SECTION 2.14 CONVERSION : Any building containing one or more dwelling units that is altered by interior and/or exterior changes so as to increase the number of dwelling units in the building to some number greater than

- (i) the existing number of dwelling units or
- (ii) the number of dwelling units the building was originally designed for.

Ordinance.com, Watertown zoning bylaw, Section 5.01, Table of Use Regulations

- b. Existing single family detached house converted for two families without exterior change... by right in CR, T, R.75, R1.2, NB, LB, and by special permit in SC.
- c. Existing single family detached house converted for two families with exterior change... by right in CR, T, R.75, R1.2, NB, LB, and by special permit in SC.
- f. Existing dwellings converted for three families without exterior change... by right in CR, R.75, R1.2, NB, LB
- g. Existing dwelling converted for three families with exterior change... by right in CR, and by special permit in R.75, R1.2, NB, LB
- i. Existing dwelling converted for four families... by right in CR, and by special permit in R.75, R1.2, NB, LB, I-3.

Wayland *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Wellesley *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes SECTION II. SINGLE RESIDENCE DISTRICTS.

11. Conversion of a building and site previously used for a municipal purpose to a use permitted in residential districts provided, such use shall have been recommended to the Town Meeting by the Board of Selectmen as being in the Town's best interest; and provided, further, such use shall be approved by a two-thirds vote of a Town Meeting and be subject to a special permit as hereinafter provided.

In addition to said recommendation of the Board of Selectmen, the Planning Board shall hold a public hearing and make a report to the Town Meeting as to whether there is a need for the use in the Town and whether the use is consistent with the Town's Comprehensive Plan and compatible with surrounding uses. Failure of the Planning Board to make such a report shall not invalidate Town Meeting approval. Plans of the proposed use shall be made available for public review in the offices of the Board of Selectmen and the Planning Board for at least two weeks prior to the public hearing. Said plans shall conform to the specifications for preliminary plans contained in the adopted Design Review Procedures and any additional procedures that may be adopted by the Board of Selectmen.

Following the dissolution of the Town Meeting, the Zoning

Board of Appeals may grant a special permit in accordance with SECTION XXV, which shall include the plans and conditions approved by said Town Meeting vote and any further conditions which the Planning Board shall deem consistent with said Town Meeting approval and the public safety and convenience.

SECTION VI. LIMITED RESIDENCE DISTRICTS.

g. CONVERSION: No conversion of an existing building shall be made without a special permit as provided in SECTION XXV.

SECTION XIVF. RESIDENTIAL INCENTIVE OVERLAY (RIO)

E. Minimum Lot or Building Site Area: No building or group of buildings shall be constructed on a lot or development site containing less than two acres. No building conversion shall be approved on a lot or development site containing less than 25,000 square feet.

M. Building Conversion: An existing building may be converted to uses allowed in the RIO subject to the terms of a special permit granted by the Planning Board. In no instance shall the building be expanded to exceed the height limitations specified below or the current height of the building if said height is greater than 45 feet. There shall be no maximum residential density. However, if the building proposed for conversion presently does not conform to the requirements of the underlying zoning district the provisions of Section XVII shall apply to the conversion project. In this instance application shall not be made to the Zoning Board of Appeals under Section XVII, prior to the issuance of a special permit by the Planning Board under this Section.

O. Project Approval/Special Permits: The provisions of Section XVIA, shall apply in all respects to projects in the RIO. Application shall not be made under Section XVIA, prior to the issuance of a special use permit by the Planning Board under this section. A special use permit shall be required from the Planning Board in conjunction with all projects employing RIO development options for building conversion or new construction and the Planning Board may waive specific dimensional requirements in accordance with the following:

Wenham *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

West Boyls *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

West Bridg *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

West Newb *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Westborou *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes "Conversion of existing structure to more than two-family dwellings" is allowed by special permit from the ZBA in AA, AB, BB, IB and from the planning board in BA, AE, DPOD.
Westborough Zoning Bylaw (2004)

Westford *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes From definitions:
CONVERSION OF A DWELLING The conversion of a single-family dwelling in existence prior to the adoption of the Westford Zoning Bylaw to accommodate up to four (4) dwelling units, provided that a special permit is issued by the Board of Appeals Applicants for such conversions shall first obtain approval of the conversion from the Board of Health before making application to the Board of Appeals [amended ATM 5/5/90, STM 7/17/00]

According to the Table of Principal Use Regulations, Conversion of Dwelling is allowed by special permit from the Board of Appeals in RA, RB, B, IA, IB, IC.

Mills can also be converted to multifamily housing:
8.5 MILL CONVERSION OVERLAY DISTRICT (MCO)
8.5.1 Purpose. The purpose of this Section is to create an overlay district
1 to allow-for conversion of Westford's historic mills while preserving the character of nearby residential and commercial neighborhoods,
2 to encourage the preservation, reuse and renovation of historic mill properties, and
3 to promote diversified housing opportunities and uses such as commercial, retail or office use, or a combination of such uses
8.5.4 Special Permit Required. Within the MCO, a MCP may be constructed upon the issuance of a special permit by the Planning Board, and upon site plan approval pursuant to Section 9 4, subject to the requirements set forth herein No other use or structures shall be permitted in conjunction with an MCP, except as specifically provided herein

Weston

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

Westwood

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No

From ordinance.com:

According to Section 5.2.2 of the Westwood zoning bylaw on ordinance.com, in the table of Principal Use Regulations - Conversion of one-family dwellings to two-family dwellings is allowed per section 7.1 by special permit from the Board of Appeals in the SRA, SRB, SRC, SRD, SRE, GR, SR districts.

SECTION 7.0 SPECIAL CONDITIONS REFERENCED IN TABLE OF PRINCIPAL USES

7.1 Conversion of One-Family Dwelling.

Upon the grant of a special permit by the Board of Appeals, the conversion and/or use of a one- family dwelling to a dwelling for not more than two (2) families may be authorized, provided that such one-family dwelling has been in existence for not less than seventy-five (75) years.

Weymouth

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

ARTICLE IVA Resident District R-2
[Added May 1990 STM by Art. 1, approved 8-29-1990]
Section 120-13.1. Purpose.

The purpose of the R-2 District, mixed residential, is to:

C. Alteration, but not the expansion, of a dwelling existing 7 at the time of adoption of this bylaw for up to four dwelling units.

Section 120-13.3. Special permit uses by Board of Zoning Appeals.

Any of the following uses, or uses customarily accessory thereto, on approval of the Board of Zoning Appeals, subject to the conditions and requirements, of Article XXV:

A. Alteration and/or the expansion, not to exceed 10% of the existing gross floor area, of a dwelling or structure existing at the time of the adoption of this bylaw for up to 10 dwelling units.

Section 120-13.4. Special permit uses by Planning Board.

Any of the following uses, or uses customarily accessory thereto, on approval of the Planning Board, subject to the conditions and requirements of Article XXV:

A. Alteration and/or the expansion, not to exceed 10% of the existing gross floor area, of a dwelling or structure existing at the time of the adoption of this bylaw for office space, not to exceed 2,000 square feet of gross floor area(1).

ARTICLE VIB Highway Transition District HT

Section 120-22.7. Special permit uses by Board of Zoning Appeals.

Any of the following uses, or uses customarily accessory thereto, on approval of the Board of Zoning Appeals, subject to the conditions and requirements of Article XXV:

B. Conversion of an existing dwelling for up to four dwelling units.

Whitman *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No According to the table of use regulations, "Conversion of an existing dwelling to accommodate not more than two families, provided that the exterior design of structure is not changed from the character of a single family unit and further provided that each dwelling unit resulting from such conversion shall comply with Section VI 6-4 and have a lot size of a minimum of 18,000 square feet before conversion" is allowed by special permit in every district but I. Allowed in A-1, A-2, GR, HB, GB, LI, FP.

Wilmington *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

Yes 3.3 Classification of Residential Uses
3.3.4 Municipal Building Reuse - A public school building or other municipal building may be converted and used for multiple dwelling units provided (1) the maximum number of dwelling units permitted within any such conversion shall not exceed six units per acre and (2) the Board of Appeals finds that the site, architectural and landscape plans and conditions of approval are sufficiently advantageous to the Town to grant a special permit.

Winchester *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Winthrop *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Woburn *Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?*

No

Worcester

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

Yes

City of Worcester Zoning Ordinance (Adopted 1991, Amended 2004)

"Section 9 - Residential Conversions

1. In RL and RG districts, residential structures in existence on the effective date of this ordinance may be converted to provide additional dwelling units if the following are met:

- A. Limited in RL districts, provided the structure as converted contains no more than two (2) units.
- B. External appearance of the structure remains unchanged except for new doors and windows, fire escapes and stairways. Fire escapes and stairways must be in the rear of the structure where practical.
- C. The structure, as converted, satisfies the dimensional standards and parking requirements of this Ordinance.
- D. The dimensional standards in 1.C above, may be altered by special permit of the Zoning Board of Appeals."

-Article IV Use Regulations.

AN ORDINANCE AMENDING THE CITY OF WORCESTER ZONING ORDINANCE AND THE CITY OF WORCESTER ZONING MAP RELATIVE TO THE CREATION OF AN ADAPTIVE REUSE OVERLAY DISTRICT

Be it ordained by the City Council of the City of Worcester:

I. The City of Worcester Zoning Ordinance is hereby amended by adding the following article thereto:

ARTICLE XVII
ADAPTIVE REUSE OVERLAY DISTRICT

Section 1 - Purpose

The purposes of the Adaptive Reuse Overlay District (AROD) are:

- 1. Provide for the coordinated and mixed development of residential, business, industrial, manufacturing and institutional uses;
- 2. Encourage adaptive reuse of abandoned, vacant or underutilized business or manufacturing buildings or structures;
- 3. Create major new mixed used areas in planned locations at appropriate densities, heights and mixtures of use; and
- 4. Encourage flexibility in architectural design, restoration and building bulk.

Section 2 - Establishment of Adaptive Reuse Zones

The Adaptive Reuse Overlay District is hereby established as an overlay district. The boundaries of the Adaptive Reuse Overlay District are shown on the official Zoning Map.

Section 3 - Permitted Uses in the Adaptive Reuse Overlay District

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The following uses are permitted in the Adaptive Reuse Overlay District:

- a) All uses permitted in the underlying zones whether in Manufacturing (MG, ML), Residential, General - 5.0 (RG-5.0), Business (BO, BL, BG), or Institutional (IN) zones, as provided in Article IV (Table 4.1) are permitted uses in the Adaptive Reuse Overlay Zone;
- b) Multi-family dwelling, high rise;
- c) Multi-family dwelling, low rise;
- d) Dormitories; and
- e) Single family semi-detached dwelling.

Adaptive Reuse Developments which utilize the provisions of this Article relative to use, parking or dimensional controls shall require a special permit from the Planning Board.

Section 4 - Non-Conforming Structures

Within the Adaptive Reuse Overlay District, interior and

structural alterations and repairs may be made to existing buildings or structures even though at the time of the application for the building permit for the alteration or repair, the lot, building or structure does not conform to one or more of the dimensional requirements in this Ordinance; provided, however, that the alteration does not amount to an extension or expansion of the exterior of the structure except for alterations to conform to the building code for health and safety purposes.

For all new structures or buildings, the dimensional requirements of the underlying zoning district shall apply and, if applicable, to the extent that the dimensional requirements vary dependent upon the use of the building, the predominant use based upon gross floor area utilized shall govern.

Section 5 - Parking Requirements

a. For all new buildings and structures, the parking requirements of Table 4.4 of this Ordinance shall apply;
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b. For reuse or substantial restoration of existing buildings or structures within the Adaptive Reuse Overlay District, the parking requirement of Table 4.4 of this Ordinance shall apply with the following exceptions:

- (i) All residential parking shall require 1.5 parking spaces for each dwelling unit; and
- (ii) Office, professional/general shall require one (1) parking space for every 500 square feet of gross floor area.

In addition, notwithstanding anything to the contrary contained in Article IV, Section 7, the Planning Board shall be authorized to grant a special permit to modify parking, loading requirements, dimensional requirements for off-street parking and loading areas; layout requirements and the number of required spaces in conjunction with the grant of a special permit pursuant to Section 3 of this Article. This provision shall only apply to uses in the Adaptive Reuse Overlay District which are located in buildings or structures in existence as of the date of the adoption of this provision of the Worcester Zoning Ordinance.

II. Section 2 of Article III of the Worcester Zoning Ordinance, adopted April 2, 1991, is hereby amended by designating the area within the boundaries hereinafter described as the Adaptive Reuse Overlay District:

Beginning at a point at the easterly side of Gardner Street and the southerly side of the land now or formerly owned by the Boston and Albany Railroad,

Thence, southwesterly by the land now or formerly of the Boston and Albany Railroad to a point at the intersection of said Boston and Albany Railroad property and the westerly side of Gates Street;

Thence, northwesterly by the westerly side of Gates Street to the southerly side of Illinois Street;

Thence, easterly by the southerly side of Illinois Street to a point;

Thence, northerly, perpendicular to Illinois Street and along the land now or formerly of Ninety Three Grand Street Realty Trust and perpendicular to Hollis Street to a point on the northerly side of Hollis Street;

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Thence, northeasterly along the northerly side of Hollis Street to the easterly side of Gardner Street;

Thence, southerly along the easterly side of Gardner Street to the point of beginning.

In City Council October 22, 2002

Passed to be ordained by a ye and nay vote of Eleven Yeas and No Nays.

A Copy. Attest: David J. Rushford

City Clerk

According to the 2004 City of Worcester Community Development Plan, Housing Policy, an estimated 561 units will result from the Adaptive Reuse Overlay.

Wrentham

Is multi-family housing listed as allowed through conversion (of either single family houses or non residential buildings)?

No
