

## **LEGAL AD FOR THE RECORDER:**

### **Public Hearing Notice**

The Town of Heath Planning Board will hold a Public Hearing on March 24, 2021 regarding changes to the following Town Zoning Bylaws: Accessory Apartments, including the addition of detached Accessory Apartments; Public and Private Ways; Stick Built homes in Mohawk Estates; the elimination specifying the fee for a Special Permit in Section 1.4. The above changes, together with Zoning Board Bylaws ([ZbylawsV3-2.pdf](#)), are available on the Town Website, <https://townofheath.org/g/43/Planning-Board>. Zoom info: <https://zoom.us/j/98720123409?pwd=TjhvcnIwQlAza1U1V0ZZMnR3K2lkUT09> or dial 929-205-6099, Meeting ID: 987 2012 3409, Passcode: 367691.

### **BYLAW CHANGES** *Deletions in existing bylaws crossed out, additions in bold*

Section 1.4 Filing Fees. Any application for a Special Permit, variance and/or appeal shall be accompanied by a filing fee of ~~\$60~~, plus any additional expenses as specified in Section 6.1.4. This fee may be waived by the board to which the application is addressed.

### **ACCESSORY APARTMENTS**

Table of Contents, 4.7 Standards for Multi-Family Dwellings *shall be* Standards for Multi-Family Dwellings **and Accessory Apartments**

Use Regulation, Section 4.2 Residential, Accessory apartment-limited to no more than four rooms, no more than 800 square feet of living area and to be occupied by no more than two people *shall be* Accessory apartment **attached-limited to no more than 4 rooms** no more than 800 square feet of living area and to be occupied by no more than two people **AND Accessory apartment detached -no more than 800 square feet of living area and to be occupied by no more than two people - SP N SP SP**

Section 4.7 Standards for Multi-Family Dwellings. *shall be* Standards for Multi-Family Dwellings **and Accessory Use Apartments.**

The creation of **4.7.E Accessory Apartments are subject to the following rules. a. Only one apartment per 2-acre or greater building lot. b. Size of apartment is limited to 800 square feet. c. Property owner must reside in one of the two residences. d. Occupancy of apartment is limited to two persons.**

Section 9 DEFINITIONS Accessory Apartment- The alteration or new construction of a single-family home to create one additional dwelling unit, one of which is permanently occupied by the property owner. *shall be-* ~~The Alteration or new construction of a single family home to create one additional dwelling unit one of which is permanently occupied by the property owner~~ **attached or detached from the primary residence.**

**PUBLIC AND PRIVATE WAYS:**

Table of Contents 6.1.2.1, *shall be Private Ways*

Section 4.2 Use Regulations, Residential, One-family dwelling – Y,Y,Y,Y *shall be-* One-family dwelling **on public way** - Y, Y, Y, Y and **One-family dwelling on a private way in compliance with MGLA c 47 s 81L** (see section 6.1.2.1) – SP, SP, SP, SP

Section 4.10.2 Definitions *shall be* Mohawk Estates Lots: Lots within the ~~subdivision~~ **development** known as “Mohawk Estates” which have been assigned Unit, Block and Lot numbers.

Section 5.1 Dimensional Requirements **Residential/Recreational Mohawk Estates District B - 4 contiguous lots, 125’, 25’, 25’, 25’, 20’ \*\*\***

Residential/Recreational Mohawk Estates District B

Single Family	87,120’ 2 acres	250’	50’	25’	25’	40’
<b>Single Family***</b>	<b>4 contiguous lots</b>	<b>125’</b>	<b>25’</b>	<b>25’</b>	<b>25’</b>	<b>20’</b>

\*\*\* -For Stick Built homes, all of which are limited to 1,000 sq. ft., see Section 6.5.5.G

Single family	87,120’ 2 acres	Frontage 250	Front 50	Side 25	Rear 25	Height 40
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Mobile homes Stick built homes under 1000 sq. ft.	<b>4 contiguous lots</b>	Frontage 125	Front 25	Side 25	Rear 25	Height 20
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Section 6.1.2.1 *shall be Private Ways*. Special permits will only be issued by the Planning Board if conditions of Massachusetts General Laws Chapter 41 Section 81L are met. Specifically, a way in existence when the subdivision control law became effective in Heath having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby. Such frontage shall be of at least such distance as is then required by Heath’s Protective Zoning Bylaw.

**6.5 MOBILE HOMES, ALSO KNOWN AS MANUFACTURED HOUSING, AND STICK BUILT HOMES LIMITED TO 1000 SQUARE FEET**

Section 6.5.2 *shall be* Mohawk Estates Building Lot - A building lot as indicated on the original ~~subdivision~~ **development** plan creating Mohawk Estates. Any subsequent subdivision of an original lot does not constitute a Mohawk Estates Building Lot.

**6.5.5.G in District B, also known as Mohawk Estates, Stick Built homes are limited to 1,000 sq. ft. on a minimum of four contiguous lots and must meet frontage, front, side and back setbacks from the property lines (see section 5.1).**

Section 9 DEFINITIONS Private Way -- A road or driveway on privately owned property, limited to the use of the owner or a group of owners who share the use and maintain the road without help from the town, city, county, or state.