



TOWN OF BREWSTER  
2198 MAIN STREET  
BREWSTER, MA 02631  
PHONE: (508) 896-3701 EXT 1125  
EMAIL: BUILDING@BREWSTER-MA.GOV

COMMUNITY PLANNING AND LAND USE  
DEPARTMENT  
OFFICE OF BUILDING & INSPECTORIAL  
SERVICES

## **GUIDANCE ACCESSORY DWELLING UNITS (ADUs) Brewster Zoning Bylaw Section 179-42.2**

### **General Information**

- Accessory Dwelling Units are intended to provide additional year-round rental housing options for Brewster residents.
- An ADU is a secondary dwelling within the same ownership and accessory to the principal residential use of a property.
- An ADU may be located within or attached to the principal dwelling or in an accessory building on the same property.

### **Summary of Requirements**

- An ADU on a lot less than 15,000 square feet requires a Planning Board Special Permit.
- An ADU shall have no more than 2 bedrooms, shall have at least one dedicated parking space and shall not exceed 1000 square feet of net floor area (excludes porches, etc.).
- Setbacks, building coverage and other dimensional requirements for the lot apply to the ADU.
- Normal wetlands protection, historic district and building code rules apply.
- For new construction, an ADU may also require a stormwater permit under Brewster Code Ch. 272.
- The septic system must be sized for the total proposed bedrooms on the property, including in the ADU.
- An ADU shall be located on the same lot as the principal dwelling
- Only one ADU is allowed per lot.

### **Special Considerations**

- The property owner must occupy either the principal dwelling or the ADU on a 12-month, year-round basis, except that the Planning Board by Special Permit may allow a non-year-round resident/owner an ADU.
- In either case, the rental unit (either the ADU or main house) must be leased or occupied on a 12-month, year-round basis.
- No short-term rentals are allowed on a property with an ADU. Similarly, an ADU cannot be used for short-term rentals, commercial accommodations or for renting rooms or boarding of lodgers.
- A property owner with an ADU may be required to file an annual, notarized affidavit in a form provided by the Building Department, certifying compliance with the ADU provisions in the zoning bylaw.
- NOTE: the State zoning law regarding ADUs has been amended and will be effective in February 2025. In the interim, draft guidance from relevant State agencies is pending to assist communities in understanding the amendments. Application of the ADU provisions in the Town's zoning bylaw may need to be modified to account for the changes in State law. Please feel free to consult further with the Planning Office.



TOWN OF BREWSTER  
2198 MAIN STREET  
BREWSTER, MA 02631  
PHONE: (508) 896-3701 EXT 1125  
EMAIL: BUILDING@BREWSTER-MA.GOV

COMMUNITY PLANNING AND LAND USE  
DEPARTMENT  
OFFICE OF BUILDING & INSPECTORIAL  
SERVICES

## **BUILDING PERMIT APPLICATIONS REQUIRED SUBMISSION MATERIALS FOR ACCESSORY DWELLING UNITS\*\***

- Provide completed forms “Building Department Minimum Requirements to Accompany All Building Permit Applications” along with “ADU Addendum to Building Permit Application”
- Submit proposed scaled, dimensioned, elevation and floor plans labeling/ indicating rooms, egress components, fire-rated assembly specifications (if attached to or within principal dwelling), fire alarm locations, and energy conservation information
- Submit stamped site plan indicating existing and proposed building and parking areas, including required zoning information such as setback distances
- Submit the proposed floor plans to Health Department for review and approval, including capacity in the existing septic system or new/ upgraded septic system approval
- Submit copies of corresponding special permit, stormwater, wetlands and historic approvals, as applicable

\*\*Please be aware that the State Building Code will need to be satisfied in creating an ADU. It is suggested that an applicant consult with a construction supervisor or licensed design professional regarding building code standards and compliance prior to submitting a building permit application.