

TEWKSBURY PLANNING BOARD

Town Hall – Lower Level
1009 Main Street
Tewksbury, MA 01876
(978) 640-4370

FAMILY SUITE SPECIAL PERMIT – CHECKLIST FOR APPLICATIONS

Petitioners applying for a Family Suite Special Permit must submit the following:

1. **APPLICATION FORM:** Provide (6) copies of a completed Family Suite Special Permit Application Form.
2. **WRITTEN STATEMENT:** Provide (6) copies of a narrative detailing the proposed use, who will be living there, and other provisions consistent with Section 7.1 of the Tewksbury Zoning Bylaw (attached).
3. **PLANS:** Submit (6) total sets of plans not to exceed 11"x17" detailing the proposed floor plan for the Family Suite showing access and connections to the main dwelling.
4. **FEES:** There is a filing fee of \$350.00 plus a postage fee of \$2.00 per abutter for each application. This is payable by cash or check made payable to the Town of Tewksbury.
5. **CERTIFIED ABUTTERS LIST:** Provide a certified abutters list to include 1) all abutters, 2) abutters to abutters, and 3) all abutters within 300 feet of the property line. The certification comes from the Assessor's Office located in the Town Hall Annex. The certified abutters list must be dated within six months of date of application. Please submit a copy of this list upon submission.
6. **ADVERTISEMENT:** Transmit the legal notice for the Public Hearing to the Town Crier for publication for (2) successive weeks. The legal notice and dates for publication will be provided by the Community Development Office once the application is submitted.
7. **PROOF OF GOOD STANDING:** Include documentation from Town of Tewksbury Tax Collector that the applicant and/or property are in good financial standing with the Town.
8. **ELECTRONIC DOCUMENTS:** The entire application including plans, drainage reports, etc must be sent electronically to the Community Development Office upon submission.

7.1 FAMILY SUITE

- A. A Family Suite is allowed as an accessory use in a single-family dwelling in R40, F, TD, MF and VR districts in accordance with the following requirements and by special permit of the Planning Board. Except as noted, these requirements are not subject to relief through a variance.
- B. A family suite may have a maximum floor area not to exceed 1000 square feet upon approval by the Planning Board through Site Plan Review.
- C. Common entries and open decks shall not be included in the square footage calculation of the family suite.
- D. A family suite can have a maximum of 2 bedrooms.
- E. The family suite shall be contiguous with the single-family dwelling with direct access or connected with a common closed entry.
- F. The family suite shall not have its own front door, however, it may have a side or rear exit with an open deck and egress.
- G. Any structural addition of a family suite must meet all front, side, and rear setbacks and lot coverage requirements for the district unless variances are granted by the ZBA in accordance with G.L. c. 40A, § 10.
- H. No more than 3 related persons shall occupy the family suite.
- I. A minimum of one additional off-street parking space shall be provided, but a separate driveway is not permitted.
- J. Annual certification by notarized affidavit shall be provided to the Town Clerk's Office that the owner of the property, except for bona fide temporary absence, occupies one of the two dwelling units as a primary residence. Failure to provide a certified affidavit on an annual basis shall be sufficient cause for the Planning Board to revoke Special Permit. Failure to provide a certified affidavit on an annual basis shall represent sufficient cause for the Building Commissioner to issue a Notice of Zoning Violation to the owner and to undertake such remedial action as the Building Commissioner may determine is necessary.
- K. The property with a family suite must comply with Title V of the State Environmental Code. Hook-up to Town sewer shall be required if the service is available and, if not, as soon as Town sewer becomes available.
- L. Only one family suite may be constructed in any dwelling.
- M. The Planning Board may impose any conditions it deems appropriate to satisfy the Town's interest in limiting the number and degree of persons who may occupy a family suite at any one time, together with such other conditions as it may deem appropriate, if any, including but limited to, provisions calling for the termination of the special permit and all rights granted thereunder in the event of a foreclosure sale of the premises for which the special permit has been granted by a mortgagee or any lien holder of record with priority over the special permit.
- N. Notwithstanding anything else contained in this Bylaw to the contrary, if the owner or a child of the owner has a disability and requires assistance with Activities of Daily Living (ADLs), the family suite may be occupied by a personal care attendant who need not be related to the owner. In such case, a letter from a licensed physician, verifying the disability and the need for assistance with ADLs shall be submitted to the Building Commissioner.
- O. The Planning Board may impose such special conditions, safeguards, and limitations on time and use as it deems appropriate.

**Town of Tewksbury
Massachusetts**

Planning Board

APPLICATION FOR HEARING

**Application is hereby made for a Family Suite Special Permit
pursuant to Section 7.1 (Use Table A.2.M) of the Tewksbury Zoning Bylaw**

Address of Application Property: _____

Lot Area _____ Present Use _____ Zoning District(s) _____

Assessor's Map(s) and Lot(s) _____ Land Court Cert. No. _____ Bk/Pg _____

Middlesex North Registry of Deeds, Bk/Pg _____

Applicant: Name: _____ Telephone: _____

Address: _____ City/State: _____

Applicant Email Address: _____

Property Owner: Name: _____ Telephone: _____

Address: _____ City/State _____

Brief Description of Proposed Use: (or Attach Written Statement) _____

History of Applications before any Town Boards/Commissions for this Property:

(Date, Board, Result, Deed References: Attach additional sheet if needed.)

Information submitted is true to the best of my knowledge:

Signature of Applicant (or Representative): _____ **Date:** _____

Owner's Signature (if other than Applicant): _____ **Date:** _____

FILING FEE MUST ACCOMPANY THIS APPLICATION

Make Checks Payable to the Town of Tewksbury