

Housing costs must be less than 30% of a tenant's monthly gross income. All utilities are included in the rent. If utilities are separately metered, they may be paid by the tenant. Additionally, Section 8 utility allowances are deducted from the maximum allowable rent.

Why should I apply to create an Affordable Accessory Dwelling Unit?

- Apartments that do not have a permit are illegal.
- Illegal apartments are subject to Town enforcement at anytime.
- Fines and penalties may be assessed.

How do I get started?

1. Apply to the Zoning Board of Appeals at Town Hall.
2. Execute and record the Regulatory Agreement at the Salem Registry of Deeds.
3. Provide a copy of the recorded Regulatory Agreement to the Zoning Board of Appeals.
4. Apply for a Building Permit at Town Hall.
5. Construct the unit.
6. Select an income-qualified tenant and sign a one-year lease.

Does the Town offer loans or incentives to Owners for creating affordable units?

The Town is working on a program that will provide low-interest loans to income-eligible owners for upgrades and renovations of affordable accessory dwelling units.

Additional Questions?

For further information about this program, please contact the Clerk to the Board of Appeals at (781)231-4113.

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**Town of Saugus
Affordable Accessory Dwelling Unit Program:
A Homeowner's Guide**

February 2010



"Working together to create safe and decent affordable housing in Saugus."

Prepared by:
Saugus Affordable Housing Committee with Jennifer Raitt, Chief Housing Planner, Metropolitan Area Planning Council

Funding for this project provided by:
Citizens' Housing and Planning Association's Affordable Housing Outreach Initiative

What is an Affordable Accessory Dwelling Unit?

An affordable accessory dwelling unit is a self-contained housing unit within a single-family dwelling in R1 or R2 Districts rented to households earning at or below 80% of the area median income for the Boston Metropolitan Statistical Area. Affordable units cannot be rented to a family member. For Family Accessory Dwelling Units see Article 12.4, Section I of the Zoning By-law.

What is the purpose of the Affordable Accessory Dwelling Unit By-law?

The purpose of the bylaw is to provide the following:

- Safe, decent, and affordable housing
- Financial stability to homeowners at risk of displacement
- Companionship and security for elderly homeowners and people with disabilities;
- Housing for persons with disabilities
- A use for accessory apartments previously used by family members
- An additional means for the Town to reach its affordable housing requirement (M.G.L. Chap. 40B).

What are the requirements for creating an Affordable Accessory Dwelling Unit?

- The property owner must reside in the home. Absentee landlords are not allowed.
- The rental unit must be a complete, separate housing unit containing both a kitchen and a bathroom.
- Only one accessory dwelling unit may be created within a dwelling.
- The accessory unit shall contain no more than two bedrooms and may not be occupied by more than three occupants.
- The single-family dwelling must have a minimum lot area of 10,000 square feet.

- The accessory dwelling unit must be designed so that the appearance of the building remains that of a single-family residence.
- Two off-street parking spaces must be provided for the accessory dwelling unit. Adequate off-street parking for the owner occupants must also be provided.
- The maximum size of the accessory dwelling unit cannot exceed 900 square feet or 33% of the total square footage of the primary dwelling unit, whichever is greater.
- The accessory dwelling unit must meet the State Building Code, Title V of the State Sanitary Code, and local, state, and federal fire codes.

How are tenants selected to live in the Affordable Accessory Dwelling Units?

The selection pool is narrowed based on a list of interested and income-qualified tenants that will be maintained by the Town. Homeowners are responsible for providing at least a one-year lease. Federal and State Fair Housing Laws prohibit the discrimination of tenants on the basis of race, creed, color, sex, age, disability, marital status, familial status, veteran status, sexual orientation, national origin or any other basis.

What are the income limits and maximum rents for eligible tenants?

To be eligible for the affordable accessory apartment program, the household income of tenants must be at or below 80% of the area median income in the Boston Metropolitan Statistical Area as defined by HUD. The area median income may change from year to year; presently, the maximum levels for tenants are:

Household Size	80% AMI	Affordable Rent Range	50% AMI	Rent Amount	30% AMI	Rent Amount
1	\$46,300	\$1,013 - \$1,158	\$28,950	\$724	\$17,350	\$434
2	\$52,950	\$1,158 - \$1,324	\$33,100	\$828	\$19,850	\$496
3	\$59,550	\$1,303 - \$1,489	\$37,200	\$930	\$22,350	\$559

Additional requirement as of 5/19/2016

All tenants proof of income

Most recent pay stubs reflecting 30 days earnings.

Most recent year's Federal tax returns (If not required to file than written statement stating such).

Recent social security and pension award letters

All applicants for an Accessory Dwelling Unit will be vetted for a Deed-Restricted unit at or below 80% median income, whether family member or not. If it is found a family member exceeds the allowable income they will then be vetted for a Family unit.

Benefits to residents and community of a Deed-Restricted unit over a family unit.

- The tenant does not have to be a family member.
- When family members move out they can be replaced by a non-family member.
- Saugus can reach its affordable housing goals.
- Affordable housing stock will increase for residents.
- Homeowners are able to collect considerable rent to supplement household income.

TOWN OF SAUGUS
Article XII Section 12.4 I
Affordable/Accessory Dwelling Unit Checklist

REQUIREMENTS	YES	NO	COMMENTS
Is property located in a single family residential zone?			
Certified plot Plan (minimum of 10,000 s.f. lot)			
Floor plan of primary residence w/dimensions			
Floor plan of accessory unit w/room dimensions			
Parking plan (w/4 off street parking spaces)			
Pictures of property			
Inspection of property by Saugus Building Inspector?			Date:
Does home/accessory unit comply w/ all state building codes?			
Signature of inspector:			
Inspection of property by Saugus Fire Department?			Date:
Does home/accessory unit comply w/ all state safety codes?			
Signature of inspector:			
Zoning Board of Appeals			
Completed application requesting 12.4 I special permit?			
Certified plot plan submitted?			
Minimum lot size of 10,000 square feet?			
Floor plans of both primary dwelling and accessory unit?			
Is accessory unit a maximum of 900 s.f. (or 33% of total s.f. of primary dwelling)?			
Parking Plan (showing a minimum of 4 off street spaces)?			
Pictures of property?			
Signed & notarized affidavit by owner with status of occupant?			
Name and relationship of occupant:			
Is this property occupied by the owner?			
Is there any change in existing building footprint?			
Is there any change in front façade of dwelling?			
Are new exterior stairs located on side or rear of dwelling?			
Are there 2 bedrooms or less in accessory unit?			
Has property owner read Article XII Section 12.4 I of the by-laws for the Town of Saugus and do they agree to all the terms and conditions of that by-law?			
Assessor's office notified?			Date:
Special permit registered with the Essex Registry of Deeds?			Date:
Regulatory Agreement read, completed, & recorded at Registry?			Date:
Recorded Regulatory Agreement delivered to the ZBA Clerk?			Date:
Building permit issued?			Date:
Final inspection and occupancy permit issued?			Date:

Accessory Dwelling

In order to have an Accessory Dwelling after approval from the Board of Appeals all of the Requirements of the 7th Edition of the State Building Code for one and two family homes must be met including the Town of Saugus Zoning By Laws. Also heat, smoke and carbon monoxide detectors mandated by the Fire Dept.

Four off street parking spaces. No more than two in tandem.

Each dwelling unit must have two exit doors as remote as possible one door must be 36" wide and 6'8" high the second door can be 32" wide by 6'8" high.

Windows used for emergency escape from habitable rooms must have a minimum clear opening dimension 24" x 20" in either direction. Escape window shall not have a sill height higher than 44" measured from the floor.

Means of egress is not allowed through a utility room (boiler room).

A one hour fire rating will be required between dwelling units.

The minimum width of interior stairways and hallway shall be 36".

The minimum ceiling height shall be no lower than seven feet.

Each dwelling unit must be provided with a water closet, lavatory and a bathtub or shower.

All habitable rooms must have a glazing area of not less than 8% of the floor area of such rooms.

Minimum room areas – every dwelling unit shall have at least one room not less than 150 sq. ft. Other rooms shall have a floor area or not less than 70".



James L. Blanchard
Chief of Department

Saugus Fire Department

27 Hamilton Street
Saugus, Massachusetts 01906
Phone: (781) 941-1170 • Fax (781) 231-4158



Captain Daniel McNeil
Fire Prevention Bureau
Captain Thomas Nolan

ACCESSORY DWELLING UNIT

Each home seeking accessory dwelling status must submit plans to include each floor and room in the home.

The home in which the accessory dwelling is located will have hard wired smoke and carbon monoxide detectors (with battery backup) installed in such a way that whenever one sounds they all will sound.

1. Smoke detectors will be installed inside and outside each bedroom/sleeping area.
2. Any home with an attached garage will need a heat detector installed in the garage.
3. Smoke detectors will be of the Photoelectric Type.
4. Combination Smoke and Carbon Monoxide detectors may be used only if the smoke detector is of the Photoelectric Type.
5. A home that has previously installed hard wired smoke detectors and Carbon Monoxide detectors must bring them up to code. Smoke detectors have a 10 year life and Carbon Monoxide Detectors have a 10 year life span. Any detectors 10 years old or older must be replaced.
6. Doors used as an exit cannot have a keyed dead bolt whose key is on the inside of the door.
7. The home must have the address number of the property in letters at least 4 inches high installed on the right or left of the front door.
8. Inspections are by appointment only. Fee for inspection is \$100. Check to be made out to the Town of Saugus. (\$50. Per unit). Appointment must be made in person at the Fire Department Administrative Office. Fee is collected at time of scheduling appointment. In the event the home does not pass the inspection a second inspection must be scheduled and another \$100 fee is charged.



Town of Saugus

BOARD OF APPEALS
SAUGUS, MASSACHUSETTS 01906

AFFIDAVIT

I, _____ of Saugus, Massachusetts 01906

After first being duly sworn, do depose and say that:

1. I am:

Executed under the pains and penalties of perjury this ____ day of _____, 2010

COMMONWEALTH OF MASSACHUSETTS

Essex County

On this ____ day of _____, 2010, before me, the undersigned notary public, personally appeared and proved to me through satisfactory evidence of identification which was a _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he or she signed it voluntarily for its stated purpose.

Notary Public

Commission Expires _____



James L. Blanchard
Chief of Department

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Accessory Dwelling Site File/911 Information 06/16/11

Please Print

1. Name of Resident Homeowner _____
2. Address of Home _____
3. Resident Homeowners Phone Number _____
4. Resident Homeowners Cell Number _____
5. Location of Accessory Unit. Examples, first floor, "B" side of building. Entire first floor

6. Name of Accessory Dwelling Resident _____
7. Phone number for Accessory Dwelling Resident. _____
Cell Phone of Accessory Dwelling Resident _____
8. Nearest Hydrant Location _____
9. Emergency Contact for Homeowner _____
Phone Number of Emergency Contact _____
Cell Phone Of Emergency Contact _____
10. Name of Emergency Contact Person for Accessory Dwelling Unit Resident

Phone Number of Emergency Contact Person for Accessory Dwelling unit
Resident, Home # _____ Cell _____

Resident Home Owners Signature _____

Date _____

Memo

To: Catherine A. Galenius, Chairperson
From: Ronald J. Keohan Jr., MAA, Deputy Assessor *RSK*
CC: Saugus Board of Assessors
Saugus Board of Appeals
Date: 5/19/2011
Re: Special Permits for 12.41 Accessory Dwelling Unit

The Board of Assessors has asked me to inform you that we will be requiring a complete inspection of all properties that fall into this category. This inspection must be done prior to you granting this Special Permit.

You are currently informing us of these permits for our records, but it is imperative that we do an inspection prior to being issued a Special Permit for 12.41 Accessory Dwelling Unit.

Thank you for your attention to this matter, and if I can be of any further assistance please let me know.



Town of Saugus
Zoning Board of Appeals
Application for Public Hearing
Saugus, Massachusetts 01906
 617/231-4113

Owner/Business name: _____ Assessors: old Lot # _____
 Address: _____ Plan # _____
 City, State, Zip _____ Phone # _____

Number of Families: _____ # of Stories: _____ Height: _____ # of rooms: 1st floor _____ 2nd floor _____ 3rd _____
 Zoning District: _____ Is property located within 100 feet of wetlands? _____ Within _____ feet.
 Square footage of Lot _____ Frontage: _____ Rear Yard _____ Left _____ Right _____
 Do existing structures on lot cover more than 25% _____ If yes, what % _____

Photograph and certified plot plan drawn to scale must accompany application showing existing and proposed

Hearing requested for: Variance _____ Special Permit _____ Appeal _____ 40B-Comp Permit _____
Ch. 40A Sec. 10 Ch. 40A Sec 9 Ch. 40A Sec. 8

Nature of Request:

All proposed structures and/or additions must be clearly staked out on lot at time of filing petition.

Date permit was refused _____ Applicable section of zoning by-law: _____ Section & Page # _____

Appeal must be filed within 30 days from date of refusal

List all prior Board of Appeals actions relating to this property, if any.

**Must have signature of property owner or legal representative.
 I, the undersigned owner/representative affirm that the foregoing
 statements are true of fact to the best of my knowledge & belief.**

 Please print name and date

 Signature of Applicant

Building Inspector's declination and/or comments:

Town of Saugus Zoning Board of Appeals Instructions for filing for public hearing

1. The petition for a variance, special permit, or appeal, as applicable, must be filed in the name of the record owner of the property for which approval is being sought.
2. It is imperative that the proper lot numbers and map numbers be inserted in the blanks provided, and that these agree with the plans on file in the Accessors' office where this information may be verified.
3. Under "nature of request" on the petition, state briefly what you propose to do with your property and/or home which would come into conflict with the requirements of the Saugus Zoning by-laws; or that requires a special permit allowed in those by-laws; or that otherwise does not agree with the decision of the Saugus Building Inspector. (If petitioner is in doubt about which applies, he/she should consult with the Building Inspector.
4. To request a relief from the Board of Appeals, it is necessary that a permit be denied by the Building Inspector, he will confirm his declination in writing to the B.O.A. (see declination at bottom of application).
5. To substantiate the granting of a variance under Massachusetts General Law Chapter 40A, the petitioner must prove all of the following conditions:
 - A) There must be circumstances relating to soil conditions OR shape OR topography of the land or structure.
 - B) Such circumstances must be found to be especially affecting such land or structures but not affecting generally the zoning district in which the property is located;
 - C) That a literal enforcement of the zoning by-law would involved substantial hardship, financial or otherwise to the petitioner.
 - D) That desirable relief may be granted without substantial detriment to the public good and/or without nullifying or substantially derogating from the intent and purpose of the zoning by-laws
6. To substantiate the granting of a special permit under Massachusetts General Law chapter 40A, the petitioner must show that he meets all applicable guidelines given in the Saugus zoning by-laws for the change, extension, or use proposed.
7. To substantiate an appeal of an order or decision of the Building Inspector under MGL Chapter 40A, attach a copy of that decision and show how it violates the zoning by-laws of the town of Saugus.
8. The petition must be accompanied by (8) eight copies of a certified plot plan of the lot, drawn to scale, showing dimensions of the lot and location and size of any building or structures already on the lot, or to be erected there. Certified Plot Plan must be unaltered and be no more than 5 years old.
9. The proposed structure and/or addition(s) must be staked out on the lot before the boards site visit. We also require that at least one photograph showing lot or structure accompany this petition.
10. The petition form in duplicate, together with plot plans, photographs and Building Inspector's declination, (if applicable) must be filed with the appropriate fees (Zone R1, R2, & R3 \$75.00 all other zoning districts \$300.00) to cover expenses of the public hearing process, all of which must be filed in the Board of Appeals Clerks office. The public hearings will be advertised in the Saugus Advertiser for two consecutive weeks prior to the meeting which is normally held on the fourth Thursday of each month at the Saugus Public Library, 295 Central St., (Taylor Street Entrance) at 7:00 p.m.

Questions should be directed to the Board of Appeals Clerk, Ms. Jackie Howard at 231-4113.

**FAILURE TO COMPLY WITH THE ABOVE REQUIREMENTS WILL
CONSIDERABLY DELAY THE THE PROCESSING OF YOUR PETITION.**