

## **ARTICLE 20: ACCESSORY DWELLING UNITS ABOVE COMMERCIAL:**

To see if the Town will vote to amend the Carver Zoning Bylaw, Section 2270, by inserting the following language as shown in bold type below or take any action relative thereto:

2272. Procedure:

Commercial buildings may be permitted a base density of two accessory dwelling units to be located on the second floor. Additional accessory dwelling units may be permitted in the special permit application by the transferring of development rights. **If there are no Transfer of Development Rights (TDR) credits or certificates available to a developer at the time a project is being proposed then the Planning Board may consider, at its sole discretion, alternate measures that will further the purpose and intent of Section 2700. The Applicant must provide to the Board a valuation report that includes the value of the TDR along with the value of the proposed alternate measure. The Planning Board may, at the Applicant's expense, request additional valuation information. The Planning Board must determine that the value of the alternate is at least 100% of the TDR value.** The number of accessory dwelling units that may be permitted shall be determined by using the total gross square feet of first floor commercial space multiplied by .001. The maximum number of accessory dwelling units allowed for any commercial building shall be 15.

PLANNING BOARD

*INFORMATIONAL SUMMARY: Property owners who desire to use this provision of the zoning by-law need a special permit using the transfer of development rights (TDR). Currently, there are not any TDR credits or certificates available. The proposed amendment provides a process for the Planning Board to consider alternative measures that further the purpose and intent of Section 2700 so long as they are of equal value to TDRs.*

**PROPOSED MOTION:** I move that the Town approve Article 20 as set forth in the Warrant.  
**(2/3rds Vote Required)**

*Recommendation: Select Board 0-0; Planning Board 4-0*