

	Current Village law	Draft Amendment	County Model Law	Planning Board Comments	Ethan Lewis Comments
Location	Accessory apartments permitted in single-family detached dwellings in residential districts	Accessory apartments and cottages permitted in single-family detached dwellings and in accessory structures in residential districts	Accessory apartments and cottages permitted in any residentially zoned lot	Accessory apartments permitted in single-family detached dwellings in residential districts. Accessory cottages permitted in existing conforming structures in all residential districts except RA-5. New accessory cottage units permitted in RA-25, RA-40 and RA-60 districts	Accessory apartments and cottages permitted in single-family detached dwelling and in accessory structures in single-family and two-family residential districts
Accessory Cottage Regulations	Not permitted	Must comply with all accessory structure regulations. Any such structure must have a minimum setback of 10 feet except those conforming structures in existence at the date of adoption may have setbacks less than 10 feet	ADUs exempt from density standards. Maximum height permitted shall be 20/25 feet or the height of the primary dwelling. Must be located at least six feet behind the primary dwelling unless cottage is in an existing structure. ADU may not encroach within existing yard setbacks.	Must comply with all accessory structure regulations. New cottages permitted on lots with a minimum size of 25,000 sqft. Non-conforming (do not meet setbacks) accessory structures on lots larger than 25,000 sqft can be used as accessory cottages.	Must comply with all accessory structure regulations. Any such structure must have a minimum setback of 5 feet except those conforming structures in existence at the date of adoption may have setbacks less than 5 feet. Planning Board can approve a greater building height on a case-by-case basis
Owner-occupied	Yes	Yes	Yes	Yes	Yes
Planning Board approval	Yes, for new units; approval become void upon change of ownership, death of owner or change of residence for owner. If new owners wish to continue use, must apply to Planning Board again.	Yes, for new units; if ownership changes, and the new owners wish to use accessory apartment, the Building Department shall be notified within 90 days to confirm compliance with law.	No, approved by Building Inspector	Yes, for new units; approval become void upon change of ownership, death of owner or change of residence for owner. If new owners wish to continue use, must apply to Planning Board again.	Yes, for new units.
Multiple Accessory Dwelling	No	No	No	No	No

Units permitted on One Lot					
Accessory Dwelling Unit permitted on lot with professional office	No	Yes	Yes	No	Yes
Planning Board Factors to Consider	Character, degree and extent of any additions to dwelling unit	Character, degree and extent of any additions to dwelling unit or new accessory structure	N/A	Character, degree and extent of any additions to dwelling unit or new accessory structure	Character, degree and extent of any additions to dwelling unit or new accessory structure
Visibility from Street	Separate access shall not be viewable from the street. Building must maintain character and appearance of single-family dwelling	Separate access shall not be viewable from the street. Building must maintain character and appearance of single-family dwelling	Separate access shall not be viewable from the street unless additional entrances were visible before ADU creation.	Separate access shall not be viewable from the street. Building must maintain character and appearance of single-family dwelling	Separate access; may be viewable from the street
Building Permit fees	Regular fees apply for any additions	Accessory dwelling unit fees shall be reduced by 50%	Shall be no greater than 30% of building permit fees	Accessory dwelling unit fees shall be reduced by 50%	Accessory dwelling unit fees shall be reduced by 50%
Habitable floor area for ADU in dwelling unit	No less than 400 sqft and no more than 750 sqft or 33.3% of habitable floor area of the dwelling	No less than 300 sqft and no more than 800 sqft or 40% of habitable floor area of the dwelling	No greater than 800 sqft or the size of the primary dwelling unit.	No less than 300 sqft and no more than 800 sqft or 40% of habitable floor area of the dwelling	No greater than 1000 sqft. Planning Board has authority to approve larger units on case-by-case basis
Habitable floor area for ADU in accessory structure	N/A	No less than 400 sqft and no more than 800 sqft or larger than the primary dwelling. Planning Board has authority to approve smaller or larger units on case-by-case basis	No greater than 800 sqft or the size of the primary dwelling unit.	No less than 400 sqft and no more than 800 sqft or larger than the primary dwelling. Planning Board has authority to approve smaller or larger units on case-by-case basis	No greater than 1000 sqft. Planning Board has authority to approve larger units on case-by-case basis

Off-street parking	Must have a minimum of three off-street parking spaces; dwellings in the RA-5 district cannot expand existing parking to meet requirements	No additional parking is required; but Planning Board shall assess parking on a case-by-case basis and may require additional parking. All existing parking for primary dwelling must be maintained. No seasonal parking permits shall be granted to a property with an ADU unless issued prior to adoption date.	No additional parking is required. Existing parking must be maintained or replaced off-street.	To be determined	No additional parking is required. If parking is removed, off-street space must be provided for 2 vehicles on a lot with single-family dwelling and 3 vehicles on a lot with a two-family dwelling. No seasonal parking permits shall be granted to a property with an ADU unless issued prior to adoption date.
Septic service	If not on Village sewer system, health department approval is required before Planning Board approval.	If not on Village sewer system, health department approval is required before Planning Board approval.	If not on Village sewer system, health department approval is required before Planning Board approval.	If not on Village sewer system, health department approval is required before Planning Board approval.	If not on Village sewer system, health department approval is required before Planning Board approval.