



TOWN OF BREWSTER  
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OFFICE OF  
BUILDING DEPARTMENT

## ACCESSORY DWELLING UNITS (ADU) & ACCESSORY COMMERCIAL DWELLING UNITS (ACDU)

### General Information

The Accessory Dwelling Unit Bylaw is intended to provide additional year round housing options for Brewster residents. Both ADU's and ACDU's may be located within the principle structure or in an accessory building on the same property. While an Accessory Dwelling Unit is limited in size, there are no restrictions on who can occupy it.

### Size & Location

- ACDU allowed only in the CH (Commercial High Density) and VB (Village Business) Zoning Districts upon Board of Appeals Special Permit.
- ADU located in a Zone II and/or Pleasant Bay and Herring River watersheds allowed upon Board of Appeals Special Permit.
- ADU on lots less than 30,000 square feet allowed upon Board of Appeals Special Permit.
- ADU on lots of 30,000 square feet or greater allowed by building permit.

\*ADU's shall have no more than 2 bedrooms and shall not exceed 900 square feet or 40% of the habitable area of the principle structure, whichever is less.

\*\*One parking space per ADU bedroom will be required.

### Preliminary Steps for Property Owner

1. Verify property location relative to Zone II District, Pleasant Bay and Herring River Watershed regions.
2. Verify that existing septic system is sized appropriately for additional bedrooms for the property.
3. Check on setbacks to property lines and wetlands if constructing a new building.
4. Review full Bylaw language found in Brewster Zoning Bylaws Section 2, Definitions and Section 42.2 and 42.3.

### Restrictions and Special Considerations

- Owner of ADU must be a permanent resident on the property.
- ADU's and ACDU's shall not be used for short term rentals nor for renting of rooms or boarding of lodgers.
- No more than two dwelling units on one property containing an ADU.
- ADU property owner must file a notarized **affidavit** with the Building Department annually attesting that either the principle dwelling or the ADU is the principle residence of the owner and that the remaining dwelling is leased for periods not less than 12 months.
- ACDU property owner to file annual notarized affidavit attesting that the ACDU is leased for periods of not less than 12 months.



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## BUILDING PERMIT APPLICATIONS

### MATERIALS FOR ATTACHED OR DETACHED ACCESSORY DWELLING UNITS (ADU), ACCESSORY COMMERCIAL DWELLING UNITS (ACDU) OR ACCESSORY APARTMENTS

- Information identified on Building Department Minimum Requirements to accompany all Building Permit Applications for ADU's, ACDU's and Accessory Apartments.
- Submit proposed floor plans to Health Department.
- Submit scaled plans indicating labeled rooms, egress components, fire rated assembly specifications (if attached to principle structure), fire alarm locations, energy conservation information and interior room dimensions.
- For ADU's and ACDU's submit scaled floor plans of existing principle structure habitable space.
- Submit site plan indicating existing building and parking areas with each vehicle space measuring a minimum of 10 feet by 20 feet.
- Brewster Building Department ADU/ACDU Addendum

**\*\*Please be aware that the State Building Code will need to be satisfied in creating an ADU, ACDU or Accessory Apartment. It is suggested that an applicant consult with a construction supervisor or licensed design professional prior to submitting an application to the Building Department.**