



ADU 101

LEARN, PLAN, BUILD

JANUARY 16, 2026

Agenda

- What is an ADU?
- Recent Changes to State Law
- What has Westford done in Response?
- What Does This Mean For You?
- Questions

What is an ADU?



An accessory dwelling unit (ADU) is a small, self-contained residential living space located on the same lot as another home that maintains a separate entrance.

- ADUs can be inside an existing home, ex. converting a basement into an apartment, attached to a primary residence as an addition, or completely detached, like a cottage or converted garage in a backyard.
- The recent ADU law changes allow property owners to build an ADU by-right under certain circumstances.

What Changes were made to State Law? And Why?



In the past, many MA municipalities had ADU zoning in place with various types of restrictions, but saw limited new units.



On August 6, 2024, Governor Healey signed the Affordable Homes Act (AHA) into law, furthering the Commonwealth's efforts to create more housing at more affordable price points throughout Massachusetts.



Housing affordability has been an ongoing challenge, resulting in fewer homes being constructed than needed and housing prices to rise to unprecedented levels



Part of the AHA included ADU provisions in the Zoning Act, which became effective February 2, 2025.



1 "Protected Use ADU" per lot by right in single-family Zoning districts.

Changes to State Law

Terms to know



Single-Family Zoning District- Includes any district where single-family homes are allowed *by right* or *by special permit*, regardless of how it is named.



Principal Dwelling- This includes any structure with a dwelling unit in a single-family zoning district (Single family homes, duplexes, triple-deckers, and other multi-family homes.)



Protected Use ADU- to qualify, it must include:

- Separate entrance
- Not larger than 900 square feet or 50% of the gross square footage of the existing principal dwelling
- Subject to additional reasonable restrictions imposed by the municipality

Changes to State Law

Terms to know



Dimensional Standards- Cannot be more restrictive than for the principal Dwelling, or Accessory Structure, whichever is more permissive.



Pre-existing ADUs- if a pre-existing ADU meets the standards of a Protected Use ADU, prior conditions may not be enforced.



Prohibited ADU Regulations: Several standards cannot be applied to a Protected Use ADU e.g., owner-occupancy, parking restrictions, use and occupancy restrictions, etc.



What is Westford Is Doing?



Once State regulations were finalized, the Town worked with the Planning Board, Zoning Board of Appeals, and NMCOG, our regional planning agency, to propose revisions to the Town's zoning bylaws to bring Westford into compliance with the State's changes.



This included proposing zoning changes at the Special October Town Meeting (Article 4). These bylaw changes were approved by Town Meeting. Final approval from the Attorney General's Office is expected by mid-February.



The Town now has two categories of ADUs – a Protected Use ADU and a Local ADU.

Protected ADU

- ④ Contain either up to 50% of the total Gross Floor Area of the Principal Dwelling, or 900 Square Feet, whichever is smaller
- ④ Are allowed by right anywhere that a single-family dwelling is allowed by right or by Special Permit
- ④ Has no requirement for owner occupancy

VS.

Local ADU

- ④ May be up to 1,250 square feet
- ④ Are allowed by Special Permit from the Zoning Board of Appeals in districts where single-family dwellings are allowed by right or by Special Permit
- ④ Special Permits require a public hearing, and provides the Zoning Board with discretion to say no, or impose conditions of approval
- ④ Requires a dedicated parking space on the property

While Different, both Protected Use ADUs and Local ADUs:

- **Must meet Title V requirements, State Building Code requirements, State and Local Wetlands Requirements, and zoning dimensional requirements**
- **It's possible to have one of each type of ADU, so long as the requirements above are met, and the Zoning Board of Appeals decides to issue a Special Permit for a Local ADU**
 - **ZBA has discretion to say No to Special Permit Requests**

Health Department



Public Health
Prevent. Promote. Protect.

Each property is unique, and you should consult the Health Department for specific information about your property.

Handouts

<https://www.mass.gov/doc/frequently-asked-questions-faq-related-to-guidance-on-title-5-310-cmr-15000-compliance-for-accessory-dwelling-units/download>

<https://www.mass.gov/doc/guidance-on-title-5-310-cmr-15000-compliance-for-accessory-dwelling-units/download>



Building Department

760 CMR 71.00

-Accessory Dwelling Unit (ADU). A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that:

(a) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the Building Code for safe egress;

(b) is not larger in Gross Floor Area than $\frac{1}{2}$ the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller; and

(c) is subject to such additional restrictions as may be imposed by a municipality including, but not limited to, additional size restrictions, and restrictions or prohibitions on Short-term Rental as defined in M.G.L. c. 64G, § 1; provided, however, that no Municipality shall unreasonably restrict the creation or rental of an ADU that is not a Short-term Rental.



Building Department

760 CMR 71.00

-Gross Floor Area (GFA). The sum of the areas of all stories of the building of compliant ceiling height pursuant to the Building Code, including basements, lofts, and intermediate floored tiers, measured from the interior faces of exterior walls or from the centerline of walls separating buildings or dwelling units but excluding crawl spaces, garage parking areas, attics, enclosed porches and similar spaces. Where there are multiple Principal Dwellings on the Lot, the GFA of the largest Principal Dwelling shall be used for determining the maximum size of a Protected Use ADU.



Questions



Get in touch:

Jeff Morrissette - Assistant Town Manager - Land Use & Economic Development jmorrissette@westfordma.gov

Joseph Giniewicz - Town Planner jginiewicz@westfordma.gov

Rae Dick - Health Director rdick@westfordma.gov

Erik Tardif - Building Commissioner & Zoning Enforcement Officer etardif@westfordma.gov