

5.1.1 Accessory Apartments

Accessory apartments shall adhere to the following standards.

It shall be the responsibility of the property owner to demonstrate to the Planning Board or Code Enforcement Officer, as applicable, that the standards have been met.

- A. The owner of the principal structure must reside in either the principal structure or the accessory unit.
- B. One of the occupants of the accessory unit must be a member of the extended family of the owner of the principal structure. Extended family shall include father, mother, son, daughter, sister, brother, grandparent, aunt and uncle.
- C. The number of occupants of the accessory unit is limited to two.
- D. The accessory unit shall contain up to a maximum of 540 square feet of living space, and shall be limited to no more than (2) two bedrooms.
- E. The septic system on the property in question shall be functioning properly at the time of application for site plan review. In addition, the applicant shall submit a new HHE-200 form as documentation that another area of suitable soils exists on the property to be used for replacement subsurface wastewater disposal system in the event of failure of the original system. A copy of the HHE-200 form shall be recorded at the Cumberland County Registry of Deeds.
- F. The parking requirements of the performance standards contained herein or those of the applicable zoning district apply.
- G. Proper ingress and egress shall be provided to the accessory unit.
- H. Upon approval of the addition of an accessory unit by the Planning Board, or the CEO as applicable, a deed restriction shall be placed on the property in question, and recorded at the Cumberland County Registry of Deeds. The deed restriction shall limit the approval of the accessory unit as a non-market rental subject to the standards of Section 5.1.1.
- I. Should the owners of the principal structure be found in non-compliance with the standards contained in this section, the accessory unit shall be discontinued and the structure shall revert to single-family use.