

TOWN OF BRENTWOOD ACCESSORY DWELLING UNITS (ADU)



What are ADUs?

Under state law, in all zoning districts that permit single family homes, **Accessory Dwelling Units (ADUs) must be allowed by right.** ADU's provide an important avenue for the construction of new housing that can be more affordable than other forms of housing in a community, and are often less visible. Brentwood has a history of permitting ADUs long before the state requirement. However, **detached ADUs are now allowed**, and do present a viable opportunity for some property owners to consider. ADUs could continue to be a key strategy for new housing units that blend into the community.



Proposed Regulatory Changes in Brentwood Include:

- Bringing the Zoning language into compliance with a July 2025 change in State Law that now requires:
 - Allowing the option of attached or detached ADUs by right in every residential district.
 - Updating the allowable unit size to a maximum of 1,100 square feet or 50% of the primary structure, whichever is less.

How can ADUs Help?

- Provide an age-friendly housing option as an alternative for older adults, so they can down-size while aging in place.
- Provide less expensive housing options for younger adults, single parents, and other residents.
- Accommodate multi-generational families and other household structures that are not well-served by conventional development.
- Reduce demand on assisted living facilities by providing homes to caregivers for elderly homeowners.
- Create more housing without changing the character of an existing neighborhood.
- Create more housing affordability and options without the need for additional water and sewer infrastructure.
- Generate increased tax revenue (over the long term) for municipalities.



Brentwood is not in Compliance with State Law.

Brentwood **removed** its **Workforce Housing Ordinance** through a vote in March of 2013, and is **not in compliance with state statutory requirements (New Hampshire’s Workforce Housing Law RSA 674:58-61)**. Noncompliance with these requirements can result in legal challenges, expedited appeals from developers, and court-mandated approval of projects (often referred to as the “*builders remedy*”).

Workforce Housing Regulation Adoption in Brentwood includes:

- Bringing the town back into compliance with the State of New Hampshire’s Work Force Housing Law.
- Providing a regulatory process for the creation of workforce housing units for sale or rent.
- The workforce housing units are typically a portion of a market rate development.
- Currently the purchase price for such a unit in Brentwood needs to be below \$431,000, or a maximum rent of \$1,900 per month with utilities.
- Bonus dwelling units are provided as the incentive for developers, but these units must remain affordable for 30 years.

How can Workforce Housing Help?

- Addresses the rising costs of housing.
- Provides more variety of housing options.
- Helps young people and new families secure housing.
- Aids seniors looking to stay in our community.
- Allows families to live near each other.
- Aids economic growth by providing housing for workers.
- Complies with the requirements of state law (RSA 674:58-61 and Britton v. Chester).

Brentwood needs to adopt a Workforce Housing Ordinance or provision that applies to a majority of land areas zoned for residential use to adhere to statutory requirements. Any Workforce Housing units developed will also help address rising housing cost, provide more diverse housing options, and support local businesses by creating opportunities for workers to potentially find housing nearby.



Workforce Housing Example - Plymouth, NH

TOWN OF BRENTWOOD COMMERCIAL/INDUSTRIAL DISTRICT



What's Changed in State Law?

In July 2025, House Bill 631 established new statewide requirements for how communities plan for multifamily housing. The law requires towns to permit multifamily housing in zoning districts where commercial uses are already allowed, provided that **adequate infrastructure**—such as safe road access and appropriate water or septic capacity—is available or can be provided. It also gives municipalities the ability to limit residential use in **industrial or manufacturing areas** where those uses would conflict. The intent of the law is to broaden housing options across New Hampshire while allowing towns to guide development in ways that make sense locally. You can read the full bill here: <https://gc.nh.gov/bill/status/pdf.aspx?id=14352&q=billVersion>



Commercial/Industrial District Regulation Changes Proposed for Brentwood:

- Allowing multi-family uses in all Commercial/Industrial Zoning Districts as required by the State of New Hampshire.
- Allowing multi-family uses at six units per acre, or up to eight per acre if workforce housing is included, based on NHDES site septic loading requirements.
- Allowing multi-family units to be configured as duplexes, townhouses, or garden style apartments.
- Introducing buffering and “soft” design requirements.
- Requiring that 50% of first floor gross square footage in a multi-family development must be dedicated to commercial use (“mixed-use” development).
- Ensuring multi-family development is excluded from the industrialized area of Pine Road.
- Incorporating the former Multi-family/Professional Zoning District into the Residential/Agricultural District.

TOWN OF BRENTWOOD PROPOSED ZONING DISTRICT ADJUSTMENTS



The Map below shows the proposal to adjust zoning districts. This includes the Multi-family/Professional Office Zoning District becoming part of the Residential Agricultural District. It also shows where multi-family development would be allowed in Commercial/Industrial areas.

