

**4.3.1 General.** The Planning Board may grant a special permit for the construction of an affordable dwelling unit on a lot having not less than five thousand square feet, subject to the following conditions.

**4.3.2 Conditions.**

1. The unit shall be sold at a price affordable to a household or person in Dukes County under the applicable guidelines of the Commonwealth's Department of Housing and Community Development earning not more than 80% median income. If the unit is to be constructed and occupied by the original applicant for the special permit, such applicant shall meet the income guidelines applicable for the sale of such unit and the unit shall be deemed to have a value no greater than the limits established by the Department for resale purposes.
2. The unit shall be deed restricted for a period of not less than THIRTY (30) years as affordable for persons or families in Dukes County under the applicable guidelines of the Commonwealth's Department of Housing and Community Development earning less than 80% of the median income.
3. Prior to the sale or any subsequent sale of the unit, deed restrictions complying with the terms set forth above shall be approved as to form by the Board's legal counsel.
4. The lot shall be served by municipal water.
5. The structure shall meet the front setback requirement. The side and rear yard requirements for the district may be adjusted by special permit of the Planning Board.
6. Nothing herein shall be construed to waive otherwise applicable provisions of G.L. c. 40A, s. 6, Para. 4, governing the merger of lots.