

SECTION 3: USE REGULATIONS

3.1 BASIC REQUIREMENTS

Except as provided in Section 1.4 of this by-law, no building or structure shall be constructed, and no building, structure or land or part thereof shall be used for any purpose or in any manner other than for one or more of the uses hereinafter set forth as permitted in the district in which such a building, structure or land is located, or set forth as permissible by Special Permit in said district and so authorized and in accordance with the following notation: Y – Use Permitted N – Use Prohibited SP – Use allowed by Special Permit. Except where specifically noted in Section 3.2 or elsewhere in the bylaw, the Special Permit Granting Authority for uses listed in Section 3.2 is the Zoning Board of Appeals in the SA, R1, R2, I, and BI-A districts and the Planning Board in the B, CB, HB-1, and HB-2 districts. Any use NOT listed is prohibited.

3.2 SCHEDULE OF USE

NOTE: See the following sections for permitted uses in the following districts:

District	Bylaw Section
BR-1	3.30
HB-2	3.31 & 3.32
RIB	3.32
HB-1	3.32
NB	5.6

3.2.01 AGRICULTURE¹		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
1.	Farm, part-time farm or nursery, including the display and sale of natural products raised in the town, and raising of livestock the exception of swine as regulated in Section 3.2.01.3	Y	N	N	N	N	N	N	Y
2.	Raising of livestock for domestic use (See Section 5.17)	SP	SP	SP	SP	SP	SP	SP	SP
3.	Raising of swine and fur-bearing animals	SP	N	N	N	N	N	N	N
4.	Greenhouse	SP	N	N	N	N	N	SP	Y
5.	Backyard Chickens (See Section 5.17)	Y	Y	Y	Y	Y	Y	Y	Y

¹The use of land for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture, or viticulture as described under MGL Ch 40A, Section 3, on parcels over 5 acres, is permitted (Y).

3.2.02 RESIDENTIAL		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
1.	Detached one-family dwelling	Y	Y	Y	N	N	Y	Y	N
2.	Two-family dwelling	N	N	SP	SP	SP	N	N	N
2-A.	Multi-family	N	N	N	SP	SP	N	N	N
3.	Renting of rooms or furnishing of board for not more than four persons in a dwelling regularly occupied for residential purposes.	Y	Y	Y	Y	Y	Y	Y	Y

3.2.02 RESIDENTIAL		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
4.	Accessory uses customarily incidental to a permitted main use on the same premises, including, but not limited to the following: A. Use of a room or rooms in a dwelling for customary home occupations conducted by resident occupants, such as dressmaking, candy making or for the practice by the resident of a recognized profession.	Y	Y	Y	Y	Y	Y	Y	Y
	B. Use of a premises or building thereon in connection with his trade by a resident carpenter, electrician, painter, plumber or other artisan provided that no offensive noise, vibration, smoke, dust, odor, heat or glare is produced. Not more than one person other than residents of the premises is regularly employed in connection with the use. No stock in trade is regularly maintained except for products of the occupation itself or for goods or materials which are customarily stored, used or sold incidental to its performance. From the exterior of the building so used, there is not visible any display of goods or products, storage of materials or equipment, regular parking of commercial vehicles, or any other exterior indication that the premises are being utilized for any purpose other than residential, except for an accessory sign as hereinafter permitted.	Y	Y	Y	Y	Y	Y	Y	Y
5.	Accessory buildings, customarily incidental to the uses permitted on the same premises.	Y	Y	Y	Y	Y	Y	Y	Y
6.	Conversion of a one-family dwelling existing at the time of adoption of this by-law into a two-family dwelling, provided that the lot meets in full the intensity requirements for the district as outlined in Section 4.2 of this by-law and provided further that it can be demonstrated in each instance that no public health hazard is involved through inadequate provision for water supply or sewage disposal.	N	N	SP	SP	SP	N	N	N
7.	Family Child Care Home	Y	Y	Y	Y	Y	Y	Y	Y
8.	Child Care Facility	Y	Y	Y	Y	Y	Y	Y	Y
9.	Limited Frontage Lot in accordance with Section 1.3 Also needed SP for zone BR1	SP	SP	SP	N	N	N	N	N
10.	Senior Village Development (Special Permits issued by Planning Board)	SP	SP	SP	SP	N	N	SP	N
11.	Accessory Apartment	Y	Y	Y	N	N	N	Y	N
12.	Mixed-Use Development, Vertical Mix, 1-3 Units	N	N	N	Y	Y	N	N	N
13.	Mixed-Use Development, Vertical Mix, 4 Units or more	N	N	N	SP	SP	N	N	N
14.	Mixed-Use Development, Horizontal Mix	N	N	N	SP	SP	N	N	N

3.2.03 BUSINESS		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
1.	Any wholesale or retail business, research laboratory, service or public utility not involving manufacturing on the premises except of products the major portion of which is sold on the premises by the producer to the consumer	N	N	N	Y	SP	Y	Y	Y
2.	Antique or gift shop, provided that the exterior of the building shall not be changed to look like a store, nor any new building be constructed to look like a store and provided that no merchandise shall be displayed outside the building.	Y	Y	Y	Y	SP	Y	Y	Y
3.	Place of amusement or assembly, club conducted for profit	SP	N	N	SP	SP	SP	SP	SP
4.	Office, bank, newspaper or job printing establishment.	N	N	N	Y	SP	Y	Y	Y
5.	Hotel or motel	N	N	N	Y	SP	Y	Y	Y
6.	Restaurant	SP	N	N	Y	SP	Y	Y	Y
7.	Gasoline station(prohibited in Watershed Overlay District	N	N	N	SP	N	N	N	SP
8.	Kennel, Commercial – Special Permits issued by the Planning Board.	SP	N	N	N	N	N	SP	SP
9.	Kennel, Private – Special Permits issued by Zoning Board of Appeals.	Y	SP	SP	Y	SP	Y	Y	Y
10.	Bed & Breakfast *in a pre-existing building	SP	SP	SP	Y	SP	N	N	Y*
11.	Drive-through facility (Special Permits issued by Planning Board)	N	N	N	SP	SP	SP	SP	SP
12.	Car Wash (Special Permits issued by Planning Board)	N	N	N	SP	N	SP	SP	SP
13a.	Rental Self-Storage Facility with no outdoor storage (Special Permits issued by Planning Board)	N	N	N	SP	SP	SP	SP	Y
13b.	Rental Self-Storage Facility with outdoor storage (Special Permits issued by the Planning Board)	N	N	N	SP	N	SP	SP	SP
14.	Contractor's Yard Not allowed (N) in NB, CB, and RIB. Allowed by-right (Y) in BR-1 and HB-2. (Special Permits issued by Planning Board. See also Section 3.2.08., Parking of Commercial Vehicles)	SP	N	N	SP	N	Y	Y	Y
15.	Veterinary Clinic	N	N	N	SP	SP	N	N	N
16.	Farmers' Market	Y	Y	Y	Y	Y	N	Y	Y
17.	Pet Grooming (Special Permits issued by Planning Board)	Y	SP	SP	Y	SP	Y	Y	Y
18.	Medical Marijuana Treatment Center (Planning Board Site Plan Review Required)	N	N	N	Y	N	Y	Y	Y
19.	Marijuana Retailer, Consumer Sales Only (Special Permits issued by the Planning Board)	N	N	N	SP	N	SP	SP	SP

3.2.03 BUSINESS		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
20.	Marijuana Establishment, Non-Retail (Planning Board Site Plan Review Required)	N	N	N	Y	N	Y	Y	Y
21.	Marijuana Social Consumption Facility	N	N	N	N	N	N	N	N
22.	Marijuana Outdoor Cultivator	SP	N	N	N	N	N	N	N
23.	Marijuana Delivery Operator	N	N	N	Y	SP	SP	SP	Y
23.	Vehicle Sales or Rental, up to 30 vehicles ²	N	N	N	SP	N	Y	Y	Y
24.	Vehicle Sales or Rental, up to 30 vehicles ²	N	N	N	SP	N	Y	Y	Y
25.	Vehicle Sales or Rental/Auto Dealership, 30 or more vehicles ²	N	N	N	N	N	SP	SP	SP
26.	Land and water recreational vehicle (including boats) sales, rental, service, and storage yards. ³	N	N	N	SP	N	SP	SP	SP
27.	Towing Company	N	N	N	SP	N	SP	SP	SP
28.	Vehicle Salvage Yard	N	N	N	N	N	N	N	N
29.	Brewery, Distillery, Winery	SP	N	N	SP	SP	Y	Y	Y
30.	Brew Pub	SP	N	N	Y	SP	Y	Y	Y

² Display/parking of vehicles for sale is prohibited in the right-of-way of any roadway (public or private) and in any required landscaped buffer areas for the applicable zoning district. Where the number of vehicles for sale combined with parking spaces exceeds twenty (20), Site Plan Review is required in accordance with Section 5.2 (Site Plan Review).

³ Land and water recreational vehicle storage yards shall meet the requirements for Rental Self-Storage Facility with outdoor storage.

3.2.04 INDUSTRIAL		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
1.	Any manufacturing or industrial use, including processing, fabrication and assembly, providing that no such use shall be permitted which would be detrimental or offensive or tend to reduce property values in the same or adjoining districts by reason of dirt, odor, fumes, smoke, gas, sewage, refuse, noise, excessive vibration or danger of explosion or fire.	N	N	N	N	N	Y	Y	Y
1-A	Research laboratory. (Same restrictions as above)	N	N	N	N	N	SP	SP	Y
2.	Construction headquarters or building from which construction work is directed and supplied.	N	N	N	N	N	Y	Y	Y
3.	Storage warehouse	N	N	N	SP	N	Y	Y	Y
4.	Earth Removal Operation (See Section 5.16)	SP	SP	SP	SP	N	SP	SP	N

3.2.04 INDUSTRIAL		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
5.	Earth Filling Operation (See Section 5.16)	SP	SP	SP	SP	SP	SP	SP	SP

3.2.05 TRANSPORTATION, COMMUNICATION, UTILITY		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
1.	Aviation field	SP	N	N	N	N	N	N	N
2.	Radio or TV broadcasting and re- lay station	SP	N	N	N	N	N	N	SP
3.	Trucking depot	N	N	N	SP	N	SP	SP	SP
4.	Wireless Communication Also include SP for zones BR1 and RIB	SP	SP	SP	SP	SP	SP	SP	SP
5.	Large Wind Facility	SP	N	N	N	N	N	N	SP
6.	Small Wind Facility	SP	SP	SP	SP	SP	SP	SP	SP
7.	Large-Scale Ground-Mounted Solar Energy System	SP	N	N	SP	N	Y	Y	Y
8.	Medium-Scale Ground-Mounted Solar Energy System	SP	SP	SP	Y	N	Y	Y	Y
9.	Small-Scale Ground-Mounted Solar Energy System	Y	Y	Y	Y	Y	Y	Y	Y
10.	Taxi or Limousine Service	N	N	N	SP	N	Y	Y	Y

3.2.06 PUBLIC, SEMI-PUBLIC INSTITUTIONAL		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
1.	Religious, educational or municipal use.	Y	Y	Y	Y	Y	Y	Y	Y
2.	Hospital, sanitarium, convalescent home	Y	Y	Y	Y	SP	Y	Y	SP
3.	Country club, golf course, boat livery, riding stable, or ski tow	SP	N	N	N	N	N	N	N
4.	Sporting and recreational camps	SP	SP	SP	SP	SP	SP	SP	SP
5.	Private club not conducted for profit	SP	SP	SP	SP	SP	SP	SP	SP

3.2.07 SIGNS¹

[Amended @ ATM 5-7-08]

¹All special permits for signs in all zoning districts are issued by the Zoning Board of Appeals. Signs in the HB-1 and HB-2 zoning districts shall follow the requirements of the Business (B) district.

3.2.07 SIGNS¹	USE	BR-1	RIB	SA	R1	R2	B	I	BI-A	NB
3.2.07-1	No sign shall contain any moving, flashing or animated lights or visible moving parts, indicators of time and/or temperature or automatically changing messages. *And upon recommendation by the Chief of Police	SP*	SP*	N	N	N	SP*	SP*	SP*	N

3.2.07 SIGNS¹		USE		BR-1	RIB	SA	R1	R2	B	I	BI-A	NB
A.	Real-estate sign advertising rental, lease sale of premises on which sign is located or displaying name of builder, providing the sign does not exceed twelve (12) square feet in area.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
B.	Sign incidental to permitted uses, provided that it does not exceed four (4) square feet in area.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
C.	Neon or illuminated tube type signs or marquee signs. Where allowed by Special Permit, the lighting of any advertising shall be placed or hooded as to prevent direct light from shining onto any street or adjacent property.	SP	SP	N	N	N	SP	SP	SP	SP	SP	N
3.2.07-2 One standing sign or display for advertising goods or services available on the lot, provided no sign or display shall project nearer than one (1) foot from the lot line, or shall not have a gross area exceeding thirty (30) square feet, except that in the NB district the limit shall be twelve (12) feet		Y	Y	N	N	N	Y	Y	Y	Y	Y	Y
A.	Increase up to fifty (50) square feet by Special Permit under Section 6.4.02 of this by-law.	SP	SP	N	N	N	SP	SP	SP	SP	SP	N
3.2.07-3 Wall sign (including awning signs) not to exceed 15% of the front perimeter wall, except that in the NB district the limit shall be twelve (12) square feet		Y	Y	N	N	N	Y	Y	Y	Y	Y	Y
A.	Wall signs (including awning signs) on one other wall not to exceed 10% of wall area by Special Permit under Section 6.4.02	SP	SP	N	N	N	SP	SP	SP	SP	SP	N
3.2.07-4 Advertising sign not located on principal premises shall not exceed twelve (12) square feet in area, and shall not project nearer than one (1) foot from the lot line.		N	N	N	N	N	Y	Y	Y	Y	Y	N
3.2.07-5 Commercial billboards as regulated under Section 29-33, Chapter 93 of the General Laws		N	N	N	N	N	SP	SP	SP	SP	SP	N