

## ARTICLE 11 - REDLINED CHANGES

pursuant to M.G.L. c. 40B. Units must be approved through the local action unit (LAU) program of the Massachusetts Department of Housing and Community Development.

~~**Animal or veterinary hospital:** A building providing for the diagnosis and treatment of ailments of animals other than human, including facilities for overnight care, but not including crematory facilities.~~

**Antenna:** A device for transmitting or receiving electromagnetic waves, which is attached to a tower or other structure. Examples include, but are not limited to, whip, panel, and dish antenna(s).

**Apartment:** An apartment (or flat) is a self-contained dwelling unit that occupies only part of a larger building that may contain one or more additional apartments, nonresidential uses, or both. Apartments may be owned (by an owner-occupier) or rented (by tenants).

**Art gallery:** A place devoted to the display and sale of objects of art. **Artist's**

**studio:** Working place of an artist or a place for the study of art.

**Basement:** A story with at least 40% of its height below finished grade. However, for purposes of determining compliance with the height limit requirements of this Bylaw, a basement shall not be considered a story unless its ceiling is five feet or more above the average finished grade abutting the building.

**Bed and breakfast facility:** The providing of room and breakfast in a dwelling to not more than three transient guests for remuneration. There shall be no more than two persons per room. There shall be adequate off-street parking for residents and guests.

**Bedroom:** Any area in a dwelling unit which is or could be used for the provision of private sleeping accommodations for residents of the premises, whether such area is designated as a bedroom, guestroom, maid's room, dressing room, den, study, library, or by another name. Any room intended for regular use by all occupants of the dwelling unit, such as a living room, dining area or kitchen, shall not be considered a bedroom, nor shall bathrooms, halls or closets having no horizontal dimension over six feet.

**Boarder:** An individual other than a family member occupying a dwelling unit who, for consideration, is furnished sleeping accommodations, meals, and may be provided personal care or other services, but excluding guests at a bed and breakfast.

**Body art establishment:** The practice of physical adornment by permitted establishments and practitioners using, but not limited to, the following techniques: body piercing, tattooing, cosmetic tattooing, branding, and scarification. This definition does not include practices that are considered medical procedures by the Board of Registration in Medicine in the Commonwealth, such as implants under the skin which shall not be performed in a body art establishment.

**Natural vegetation area:** Land having a well-established cover of thatch, mulch or leaves, characterized by a prevalence of native plants requiring minimal use of fertilizers, herbicides or pesticides and no underground piped irrigation systems allowed.

**Nonconforming structure:** A lawfully created structure the use of which, in whole or in part, does not conform to the regulations of the district in which the building is located.

**Nonconforming use:** A lawfully created use which does not conform to the use regulations of the district in which such use exists.

**Office, business or professional:** A business establishment, which does not offer a product or merchandise for sale to the public but offers a professional service to the public. However, general or personal service establishments are not to be included in the definition of business offices.

**Open space:** A portion of a lot or other area of land associated with and adjacent to a building or group of buildings in relation to which it serves to provide light and air, for scenic, recreational or similar purposes. Such space shall be available for use by the occupants of the building(s) with which it is associated, and to the general public as appropriate with respect to the location of the open space on the lot and the nature of the use. Open space shall include parks, plazas, playgrounds, lawns, landscaped areas, decorative plantings and pedestrian ways. Streets, parking lots, driveways, service roads, loading areas, and areas normally inaccessible to pedestrian circulation shall not be counted in determining required open space.

**Outdoor storage and display of goods for sale:** Whether as a principal or accessory use, but not including secondhand goods or parts, nor bulk goods such as lumber or gravel, provided all outdoor storage and display is screened from side and rear lot lines in the manner described in this **Bylaw**.

**Outside storage of materials, supplies, equipment, construction equipment, and manufactured products, in a storage yard:** Provided that the storage is appropriately screened in accordance with all applicable sections of this Bylaw.

**Parking facility:** A surface parking lot, or a structure, providing three or more parking spaces together with internal islands, dividers, walks, and landscaping, plus vehicular drives which abut those elements, but not including other portions of entrance or exit drives.

**Personal service establishment:** A facility providing personal services such as hair or nail salon, barber shop, tanning beds, dry cleaning, print shop, photography studio, and the like.

**Pet Care:** A ~~building~~ business providing for the diagnosis and treatment of ailments of animals other than human, including facilities for indoor overnight care. Indoor animal day care and grooming facilities are also allowed. Crematory facilities or outdoor enclosures for animals are prohibited. Zoning changes for Pet Care facilities existing prior to May 1, 2023 are not applicable.

**Private nonprofit club or lodge:** A social, sports or fraternal nonprofit association or organization which is used exclusively by members and their guests which may contain bar facilities. **Recreation and Residential Overlay District (RROD):** For the purposes of Section 9.5, the following definitions shall apply: **Multiuse clubhouse:** A facility in one or more buildings grouped around a common parking area that includes a golf clubhouse if the project includes an operational golf course and may include one or more private facilities as follows: a sit-down restaurant, function facility, or gymnasium/health club/fitness center.

**Primary access drive:** A vehicular and pedestrian access facility, including appurtenant utilities, providing primary access to three or more buildings containing two-family dwellings or to a building containing a multiuse clubhouse or to a parking facility for golf course users or any of the aforesaid.

**Recreation and Residential Overlay District project:** A project located on one or more contiguous lots of land within the Recreation and Residential Overlay District and developed pursuant to the requirements of Section 9.5 with two-family dwellings, a multiuse clubhouse, a golf course, and open space used for active recreation and/or conservation purposes and with uses of land and buildings or dimensional, parking, and loading requirements governed by the provisions of Section 9.5.

**Recreational use or facility, indoor:** Indoor public or private commercial sport use or facility for amusement, leisure, or recreation, theater, motion picture house, bowling alley, dance hall, pool room, and the like.

**Recreational use or facility, outdoor:** Outdoor public or private commercial sport use or facility for amusement, leisure, or recreation, including boat livery, outdoor ice-skating rink, recreation camp, ski ground, riding academy or stable, golf driving range, miniature golf course, and the like.

**Recreational vehicle:** A vehicle designed for recreational use (as in camping).

**Research and development; laboratory:** Laboratory or research establishments including biotechnology companies, but excluding laboratories categorized as Level 3 and Level 4 by the National Institutes for Health.

**Restaurant, fast food:** An establishment whose primary business is the sale of food for consumption on or off the premises which is: (1) primarily intended for immediate consumption rather than for use as an ingredient or component of meals; (2) available upon a short waiting time; and (3) packaged or presented in such a manner that it can be readily eaten, either inside or outside the premises where it is sold.

**Retail large:** A facility with more than 10,000 square feet of gross floor area selling new or used goods to an end user but not otherwise specifically listed in the Table of Use Regulations.

**3.3.2 Accessory Uses in the Residential Districts.** Accessory uses in the Residential Districts shall comply with the following standards:

1. The business or profession must be owned and operated by a person residing on the premises.
2. The business or profession shall be “subordinate” and “incidental” to the dwelling and any accessory building used in the business or profession.
3. The off-street parking requirements of Section 6.1 must be met. However, no accessory business shall be allowed which would require more than four parking spaces. Parking areas shall be separated from public ways and adjoining lots by screening as described at Section 6.1.10.
4. There shall be no building alteration resulting in a nonresidential character, or visible parking of commercial vehicles in excess of 120,000 gvw.
5. No parking and no impervious surfaces other than walks and driveways shall be located within a required front yard setback.
6. There shall be no sale of articles produced elsewhere than on the premises.
7. There shall be no evidence of the business or profession discernible off the premises through persistent or excessive sound, or through glare, vibration, heat, humidity, smell, smoke, dust or other particulates, exterior storage or display, or other discernible effects.

**ATTACHMENT G**

**TABLE 1: TABLE OF USE REGULATIONS Proposed Version**

Y = Yes

N = No

BA = Special permit, Zoning Board of Appeals

PB = Special Permit, Planning Board

SB = Special Permit, Select Board

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD	LI	Pro A	Pro B
<b>H. MOTOR VEHICLE RELATED USES</b>														
1. Motor vehicle light service station	N	N	N	N	N	N	N	N	Y	N	N	Y	N	N
2. Motor vehicle repair establishment	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
3. Motor vehicle body shop	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
4. Motor vehicle sales or rental of new vehicles only, accessory storage entirely within enclosed structure	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
5. Outdoor storage or overnight parking of vehicles exceeding 15,000 GVW 120,000lbs GVW rated in size	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
6. Paved commercial parking lot not accessory to principal use	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
7. Temporary parking lot	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
8. Motor vehicle wash within enclosed structure	N	N	N	N	N	N	N	N	BA	N	N	BA	N	N
9. Drive-through services	N	N	N	N	N	N	N	BA	BA	N	BA	BA	N	N

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD	LI	Pro A	Pro B
<b>I. MISCELLANEOUS COMMERCIAL USES</b>														
1. Store serving as drop-off or pick-up location for cleaning or laundry service, excluding laundromat or on-site processing	N	N	N	N	N	N	N	Y	Y	N	Y	N	N	N
2. Outdoor storage and display of goods for sale, whether as a principal or accessory use	N	N	N	N	N	N	N	N	BA	N	BA	Y	N	N
3. Storage building for goods to be repaired or sold at retail directly to the consumer or temporarily stored for the consumer	N	N	N	N	N	N	N	N	BA	N	BA	Y	N	N
4. Printing or publishing establishment	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
5. Medical or adult-use marijuana establishment	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
6. Commercial fuel storage and sales	N	N	N	N	N	N	N	BA	N	N	BA	N	N	N
7. Natural gas custody transfer stations (see Section 7.5)	BA	BA	BA	BA	BA	BA	BA	BA						
8. Earth removal (see Chapter 141)	SB	N	N	N	N	SB	Y	Y						
9. Solar energy system	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
10. Major Nonresidential Development	N	N	N	N	N	N	N	BA	BA	BA	BA	BA	N	N
11. Major parking facility	N	N	N	N	N	N	N	BA	BA	BA	N	N	N	N
12. Landscaping equipment, supply, and service business	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
<b>13. Pet care Facilities</b>	<b>BA</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>N</b>						