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October 27, 2014

Dear Town Meeting Members,

Enclosed is a fourth document to be included with the Report on the Warrant to assist with the understanding of the changes to the Zoning Bylaw under Article 8 of the Town Meeting Warrant.

Changes were made to the Draft Zoning Bylaw at the CPDC Public Hearing on October 23, 2014 and the enclosed documents identify those changes. Specifically, the CPDC made changes to Section 2 – Definitions, Section 4 – Administration, Section 5.3 – Tables of Uses, and Section 5.5 – Accessory Structures or Buildings. Also included in this document is a comparison of the Current Table of Uses to the Proposed Tables of Uses.

Note: The changes described in this fourth document are NOT reflected in the Draft Zoning Bylaw or Translation Guides that are part of this Warrant Packet.

Sincerely,

Laura Gemme, CMMC

Document List:
Report on the Warrant
Zoning Bylaw
Translation Guide
CPDC Public Hearing Changes

Section 2 – Definitions per CPDC Meeting October 23, 2014

Below you will find the changes to the Definitions based on the CPDC Public Hearing. These changes are NOT reflected in the printed Draft Bylaw as part of the Town Meeting Handouts. Following those changes (beginning on page 2) is a Bold and Strikeout version of Section 2 of the Current Bylaw to the Final Recommend Section 2 as voted unanimously by the CPDC as of October 23, 2014.

Bar or Tavern: An establishment serving alcoholic beverages for onsite consumption as the principal use, including cocktail lounges, pubs, and saloons.

Community Center: A multipurpose family center, community facility or social service establishment ~~where providing~~ a variety of recreational, education, social, health care or counseling services ~~are provided by a non-profit agency.~~

Restaurant, Fast Food: ~~Any~~ restaurant serving food that is available upon a short waiting time and is packaged or presented in such a manner that it can readily be eaten outside the premises where it is served, but excluding restaurants that derive at least eighty percent (80%) of their food sales revenue from food consumed on the premises.

Retail Services: A commercial use where services ~~–or entertainment, but no products,~~ are provided for a fee directly to the general public for personal, business or household utilization ~~with only incidental sale or lease of products-~~

Senior Independent Living Facility: An extended or intermediate care facility that provides dwelling units for residents over the age of fifty-five (55), ~~with no permanent residents under the age of eighteen (18),~~ in single or multiple buildings or in separate townhouses or cottages, and may include common areas for the use of residents.

Service Station Minimart: A service station ~~and convenience store~~ located on ~~the same premises also containing a convenience store.~~

~~**Yard:** An area on a lot required to be unoccupied by structures above grade except for specified uses or structures~~

Yard, Front: The area extending away from the ~~lot street~~ line on which a lot has frontage and across the full width of the lot.

Yard, Required: The minimum applicable front, rear or side yard as specified in Sections 6.2.3, 6.3 and 6.4 of the Zoning Bylaw ~~that is required to be unoccupied by structures above grade except for specified uses or structures.~~

Yard, Side: The area extending away from any side line of a lot between the ~~lot line on which the lot has frontage and the rear line of the lot. front yard to the rear yard.~~

2.0

DEFINITIONS

~~2.1~~ Words used in the present tense include the future; the singular number includes the plural and the plural the singular; the word "lot" includes the word "plot".

As used in the Zoning Bylaw, the following terms shall have the following meanings, except where the context clearly indicates otherwise or a term is specially defined for the purposes of a single Section or group of Sections:

~~2.2~~ The following terms in this Bylaw shall have meanings hereby assigned to them.

Abandonment: The intentional cessation of a particular use of property. The abandonment of a nonconforming use occurs when the owner of a property forms an intent to abandon and voluntarily engages in conduct that carries the implication of abandonment.

~~2.2.1~~ Accessory Use

~~The use of a building or premises for purposes customarily incidental to a permitted principal use.~~

~~2.2.1.1~~ Accessory Apartment

~~A self-contained housing unit consisting of one or more rooms with separate kitchen and bathroom facilities incorporated within an existing building that was originally designed as a one family dwelling.~~

Accessory Apartment: A self-contained dwelling unit that is clearly subordinate to a primary dwelling unit on the same lot. An accessory apartment may be all or part of an accessory building or incorporated within a building that was originally used as a single family dwelling.

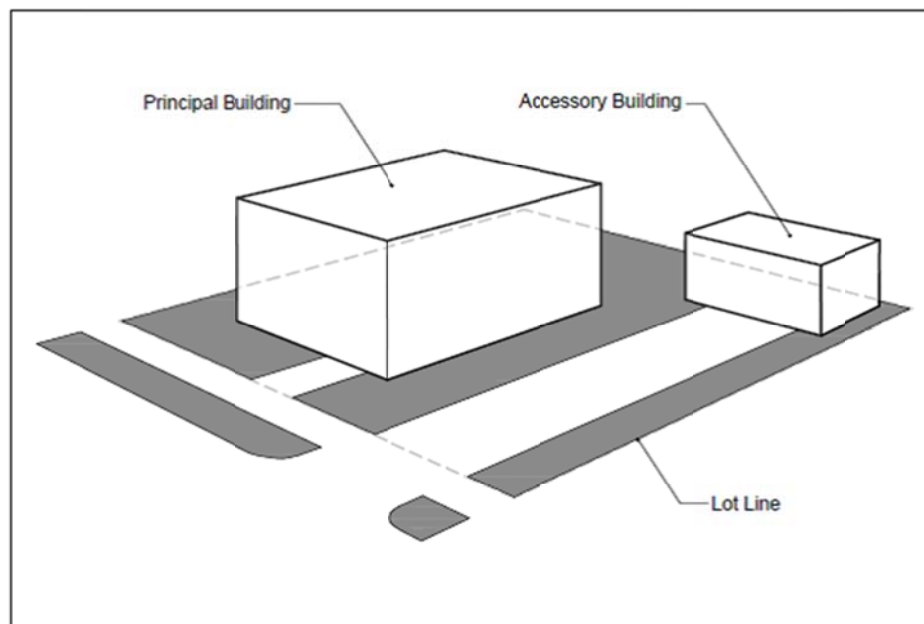
~~2.2.1.2~~ Adult Uses

~~The uses defined in Section 4.3.4 of this Bylaw.~~

~~2.2.2~~ Apartment

~~A dwelling arranged, intended or designed to be occupied by more than two (2) families.~~

Accessory Building: A building that is customarily incidental and subordinate to, and located on the same lot as, a lawful principal building or principal use.



Adult Day Care: A facility where care for the elderly or functionally impaired adults is provided in a protective setting for a portion of a twenty-four (24)-hour day.

Agriculture: The production, keeping or maintenance, for sale or lease, of plants or animals for commercial purposes. Agriculture includes:

- Farming in all of its branches;
- The cultivation and tillage of the soil;
- Dairying;
- The production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural or horticultural commodities;
- The growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- The raising of livestock including horses;
- The keeping of horses as a commercial enterprise; and
- The keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), other domesticated animals used for food or agricultural purposes, bees or fur-bearing animals.

Alteration: Any construction, reconstruction or other similar action that results in a change in the structural parts, height, number of stories, exits, size, use, or location of a building or other structure.

Animal Hospital: A facility where animals are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to such treatment.

Animal Kennel: A facility, other than an animal hospital, that is used for the boarding, breeding, raising, grooming or training of two (2) or more dogs, cats, or other household pets of any age, but excluding premises where all of the pets are owned by the owner or occupant and no boarding, breeding, raising, grooming or training is conducted for a fee or other commercial gain.

~~2.2.2.1~~ **Aquifer**

~~Geologic formation composed of rock, sand or gravel, from which significant quantities of potable water may be obtained from wells.~~

Aquifer: A geologic formation composed of rock, sand or gravel that is capable of yielding a significant amount of water to a well or spring. The land directly overlaying an aquifer shall be deemed to be a part of such aquifer.

Assisted Living Facility: A facility where room and board, personal care services, and assistance with activities of daily living are provided to three (3) or more adults who are not related by blood, marriage, or legal adoption to their care provider.

Automotive Repair: A facility for the general repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, or providing collision services, including body, frame, or fender repair, and overall painting.

~~2.2.3~~ **Automobile Graveyard**

~~The storage of three (3) or more unregistered automobiles other than in connection with an automobile sales room or office.~~

Auto Graveyard: A facility that is maintained, used, or operated for storing, processing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles, trailers or motor vehicle parts.

Bar or Tavern: An establishment serving alcoholic beverages for onsite consumption as the principal use, including cocktail lounges, pubs, and saloons.

Bed and Breakfast: An accessory use within an owner-occupied single family dwelling that contains rooming units available for rent for transient occupancy (without individual kitchen facilities and with an individual or shared bath/toilet facility, separate from those required for the single family dwelling), and that shares a common entrance with the single family dwelling.

2.2.4 Boarding House

~~Any building or portion thereof used for supplying shelter or food to a guest and containing more than three (3) sleeping rooms for commercial purposes; each sleeping room shall be intended for occupancy by not more than two (2) adults.~~

Boarding House: Any building or portion thereof used for supplying shelter or food to guests, other than on a transient basis, for compensation.

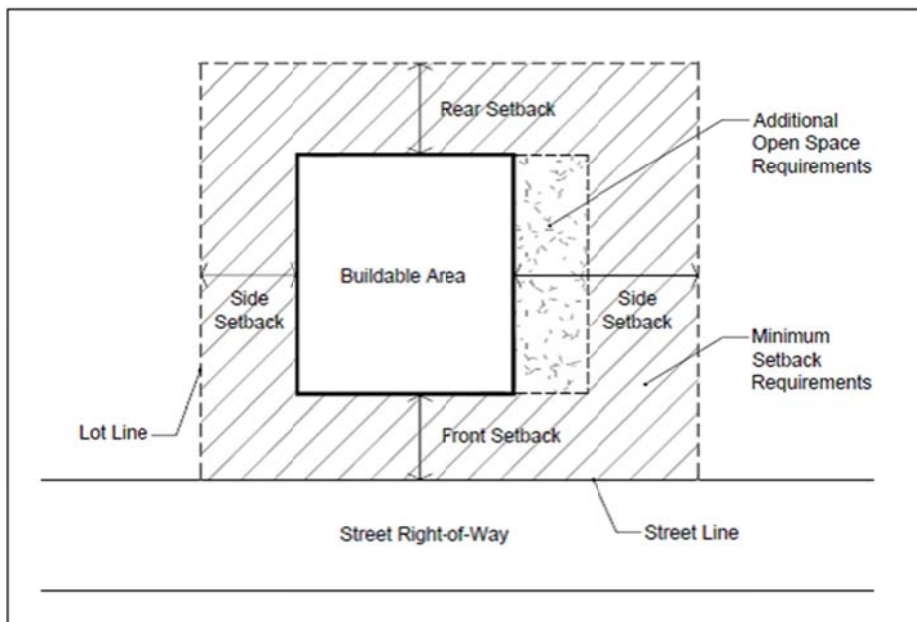
Buffer: A landscaped or natural area intended to separate one land use or lot visually from another.

2.2.5 Building

~~A structure enclosed within exterior walls whether portable or fixed, having a roof or other coverings for the shelter of persons, animals or property.~~

Building: A structure enclosed within exterior walls, whether portable or fixed, having a roof or other coverings for the shelter of persons, animals or property.

Buildable Area: The area of a lot available for development in conformance with the minimum yard and open space requirements of the Zoning Bylaw.



~~2.2.5.1 Building Inspector~~

~~The Inspector of Buildings or Building Commissioner and local Inspectors appointed pursuant to Section 3 of Chapter 143 of the General Laws, or any enabling authority, including such as may be appointed in combination with other cities or towns.~~

Building Inspector: The building official appointed pursuant to Section 3 of Chapter 143 of the Massachusetts General Laws, or any enabling authority, including any such official appointed in combination with other cities or towns.

~~2.2.5.2 Carriage House-Stable-Barn~~

~~A building that was constructed prior to 1910 for the stabling of horses and/or garaging of non-mechanized carriages or wagons.~~

Carriage House-Stable-Barn: A structure, constructed prior to 1910, that was originally intended or used to garage carriages or stable horses.

Change of Use: Any change in a principal or accessory use that results in its reclassification to a different line on either of the Table of Uses set forth in Sections 5.3.1 or 5.3.2.

Child Care Facility: A facility operated on a regular basis, whether known as a child nursery, nursery school, kindergarten, child play school, progressive school, child development center, or preschool, or known under any other name, that receives children not of common parentage under seven (7) years of age, or under sixteen (16) years of age if those children have special needs, for nonresidential custody and care during part or all of the day separate from their parents. A child care facility shall not include any part of a public school system; any part of a private, organized educational system, unless the services of that system are primarily limited to kindergarten, nursery or related preschool services; a Sunday school conducted by a religious institution; a facility operated by a religious organization in which children are cared for during short periods of time while persons responsible for the children are attending religious services; a family child care home; an informal cooperative arrangement among neighbors or relatives; or the occasional care of children with or without compensation.

~~2.2.6 Combined Service Use~~

~~A facility owned and operated by a non-profit organization which provides recreational, educational and social service but not including the sale of alcoholic beverages or operation of games of chance.~~

Civic or Private Club: A facility, owned and operated by a non-profit organization, that provides accommodation, which may include food, drink, or refreshments, prepared either on or off the premises, for the gathering of members and guests for civic, recreational or social purposes.

~~2.2.7 Communication Facility~~

~~A building whose principal use is to contain telephone, telegraphic or electronic exchanges for the purpose of connecting or networking communications systems, similar facilities and ancillary offices.~~

Communication Facility: A facility used primarily to contain telephone, telegraphic or electronic exchanges for the purpose of connecting or networking communications systems, similar facilities and ancillary offices.

Community Center: A multipurpose family center, community facility or social service establishment providing a variety of recreational, education, social, health care or counseling services.

~~2.2.7.1 Commercial Communications Structure~~

~~A tower, antenna, dish or other free-standing structure as defined in the State Building Code, together with any related ancillary building, used for the transmission and/or reception of radio, television, telecommunications or other electronic communication signals for commercial purposes.~~

Commercial Communications Structure: A tower, antenna, dish or other freestanding structure, together with any ancillary building, used for the transmission or reception of radio, television, telecommunications or other electronic communication signals for commercial purposes.

~~2.2.7.2 Computer Services~~

~~The development of computer and related components for purposes of software, hardware and electronic commercial businesses, with assembly and distribution restricted to support said development as an accessory use.~~

Computer Services Facility: A facility where computers, related components, software, hardware or associated programming or support services are provided, but excluding assembly or distribution activities except as an accessory use.

Consultant Fee: A fee required by the Community Planning and Development Commission to pay the costs and expenses of any civil engineer, traffic engineer, land use expert or other expert consultant deemed necessary to evaluate a Site Plan Review application.

Consumer Service Retail Establishment: A retail establishment where the principal use is the provision of individual services related to personal needs.

~~2.2.8 Consumer Service~~

~~A barber shop, beauty parlor, dry cleaning establishment where dry cleaning is done on the premises as a direct service, lunchroom, restaurant and photographer's shop or studio.~~

~~2.2.9 Dwelling~~

~~Any building or structure used in whole or in part for human habitation.~~

Convenience Store: A retail store, containing less than two thousand five hundred (2,500) square feet of gross floor area, that is designed and stocked to sell a limited range of food, beverages, and other household supplies to customers.

Dwelling Unit: A structure or portion of a structure containing, in a self-contained and exclusive manner, facilities for sleeping, bathing and cooking, including one full kitchen and full bathroom facilities.

Dwelling, Multi Family: A building or portion thereof containing three (3) or more dwelling units.

~~2.2.9.1 One Family Dwelling~~

~~A detached dwelling arranged, intended or designed to be occupied by a single family.~~

Dwelling, Single Family: A detached dwelling unit arranged, intended or designed to be occupied by only one family.

~~2.2.9.2 Two Family Dwelling~~

~~A detached dwelling arranged, intended or designed to be occupied by two (2) families.~~

Dwelling, Two Family: A detached dwelling arranged, intended or designed to be occupied by two (2) families.

~~2.2.9.3 Dwelling Unit~~

~~A structure or a portion of a structure containing in a self-sufficient and exclusive manner facilities for sleeping, bathing and cooking, including one full kitchen and full bathroom facilities as defined by the Massachusetts State Building Code.~~

~~2.2.10 Earth Removal~~

~~The removal of sand, loam, sod or gravel unrelated to landscaping or authorized construction on the lot.~~

Earth Removal: The removal of sand, loam, sod or gravel unrelated to landscaping or authorized construction on the lot.

Facade: The face of a building as seen from a public way or other public space, typically the principal or front elevation of a building.

~~2.2.11 Family~~

~~One (1) or more persons living together in one (1) dwelling unit as a single housekeeping unit, but not including fraternities, sororities or other fraternal or communal living arrangements.~~

Family: One or more persons living together in one dwelling unit as a single housekeeping unit; provided, however, that a group of more than four individuals who are not related by blood, marriage, or legal adoption shall not be deemed to constitute a family.

Family Child Care Home: A private residence that, on a regular basis, receives children not of common parentage under seven (7) years of age, or children under sixteen (16)

years of age if those children have special needs, for nonresidential custody and care during part or all of the day separate from their parents. A family child care home shall not include a private residence used for an informal cooperative arrangement among neighbors or relatives, or for the occasional care of children with or without compensation.

2.2.12 Floor Area Gross

~~The sum of the areas on the several floors of a building or buildings measured from the outside surfaces of the exterior walls so as to include the full thickness thereof.~~

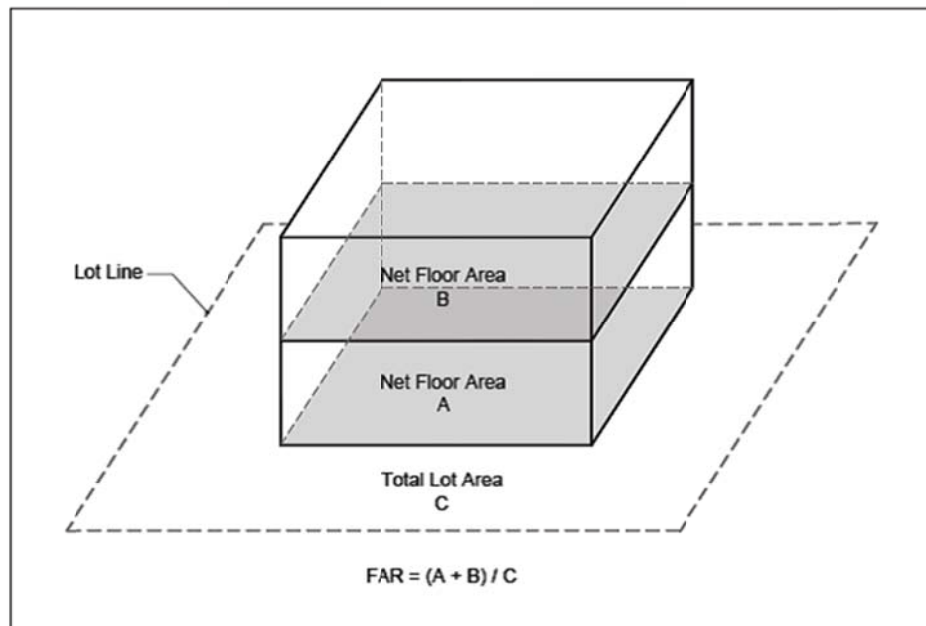
Floor Area, Gross: The sum of the areas on the several floors of a building or buildings measured from the outside surfaces of the exterior walls at each level intended for occupancy or storage.

2.2.12.1 Floor Area Net

~~The actual occupied area of a building or buildings not including hallways, stairs, mechanical spaces and other non-habitable spaces, and not including thickness of exterior or interior walls.~~

Floor Area, Net: The sum of the actual occupied areas on the several floors of a building or buildings, not including common hallways, common stairs, mechanical spaces and other non-habitable spaces, and not including the thickness of exterior or interior walls.

Floor Area Ratio: The ratio of the sum of the net floor area of all buildings on a lot to the total area of the lot.

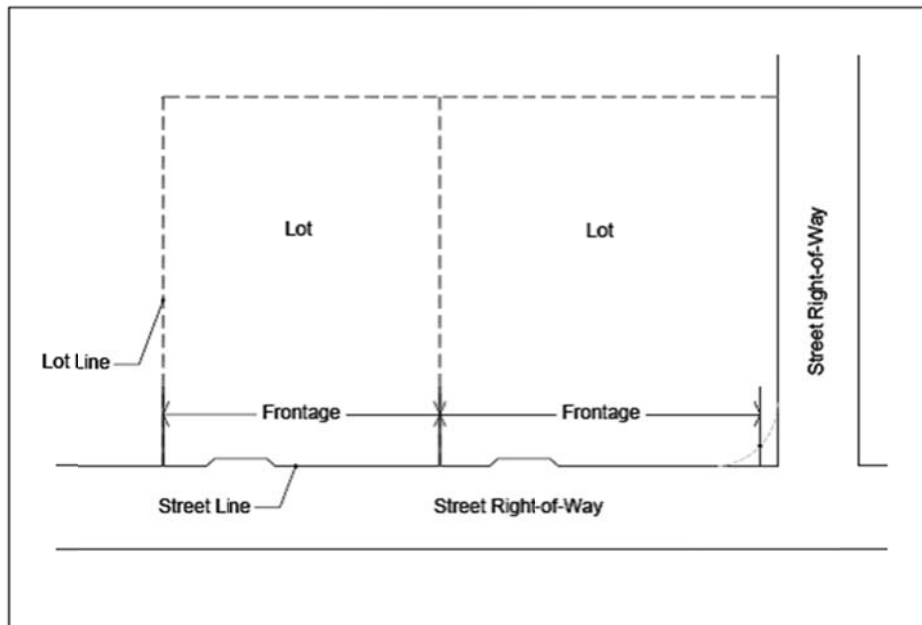


Footprint: The land area occupied by a building or structure at the surface of the ground.

2.2.13 Lot Frontage

The continuous uninterrupted length of a lot boundary line along a street line having a depth into the lot of not less than twenty (20) feet, said depth measured at an angle to said street line of not less than 65 degrees, over and through which, actual legal and physical access to the potential building site by both pedestrian and vehicles shall be required. The existence of an access easement shall not satisfy the requirement for actual legal and physical access. The end of a street without a cul-de-sac shall not be considered frontage.

Frontage: The continuous portion of the line separating a lot from a public way or way shown on a plan approved in accordance with the subdivision control law, to which the owner of the lot has a legal right of access. The measurement of lot frontage shall not include jogs in street width, back-up strips or other irregularities in street line. In the case of a corner lot, the measurement of lot frontage may, at the owner's option, extend to the midpoint of the curve connecting street lines, instead of to their intersection.



2.2.14 Grade Established

The elevation of the street grade as established or approved by the Town.

2.2.15 Grade Natural

The elevation of the undisturbed natural surface of the ground adjoining a building.

2.2.15.1 Groundwater

All water found beneath the ground surface. The slowly moving sub-surface water present in aquifers and recharge areas.

2.2.15.2 Hazardous and Toxic

Any solid or liquid substance or combination of substances, including any liquid petroleum products, that because of quantity, concentration or physical, chemical or infectious characteristic poses a significant present or potential hazard to water supplies or to human health if disposed of into or on any land or water in this Town. Any substance deemed a "hazardous waste" in Massachusetts General Law, Chapter 21C, or deemed as toxic or hazardous substance in

~~Massachusetts General Law, Chapter 94B, shall also be deemed a hazardous material for purposes of this Bylaw.~~

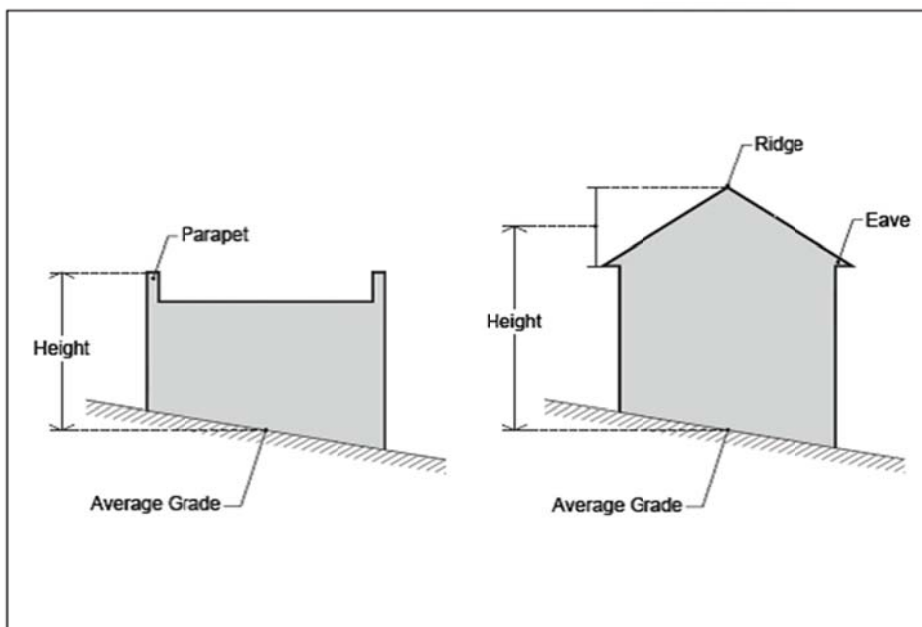
Hazardous Material: Any solid or liquid substance or combination of substances, including any liquid petroleum products that, because of quantity, concentration or physical, chemical or infectious characteristics, poses a significant present or potential hazard to water supplies or to human health if disposed of into or on any land or water. Any substance deemed to be a "hazardous waste" pursuant to Chapter 21C of the Massachusetts General Laws, or deemed to be a toxic or hazardous substance pursuant to Chapter 94B of the Massachusetts General Laws shall be deemed to be a hazardous material.

Health, Exercise or Fitness Club: A building designed and equipped for the purpose of physical fitness, weight reduction, conduct of sports, or other active recreational activities.

2.2.16 Height of a Building

~~The vertical distance measured at the center line of its principal front from the established grade or from the natural grade if higher than the established grade, or from the natural grade if no grade has been established to the level of the highest point of the roof beams in the case of flat roof or roofs inclining not more than one inch to the foot, and to the mean height level between the top of the main plate and the highest ridge in the case of other roofs. For buildings with more than one principal front, said vertical distance shall be measured from the average of the established grade or the natural grade, as applicable, measured at the centerline of each principal front.~~

Height: The vertical distance from the average grade around the perimeter of a building to the top of a flat roof, including any parapet, or to a point halfway between the bottom of an eave and the top of a ridge of a sloped roof.



2.2.17 Home Occupation

~~The use of room or rooms in a dwelling as an office, studio or working room by a person resident in the house where no goods are publicly displayed or offered for sale.~~

Home Occupation: A business use conducted within a dwelling unit that is accessory to the primary residential use and carried on by a resident of the dwelling unit.

Hotel or Motel: A building in which lodging is offered to guests on a transient basis for compensation.

~~2.2.17.1 **Impermeable Surface**~~

~~Natural or manmade material on the ground that does not allow surface water to penetrate into the soil.~~

Junkyard: A facility that is maintained, operated, or used, in whole or in part, for storing, processing, keeping, buying, or selling junk or discarded materials.

~~2.2.18 **Kindergarten Private**~~

~~A private school for children of pre-primary school age having an enrollment of three (3) or more children of different parentage.~~

~~2.2.19 **Landscaped Area**~~

~~Land area not covered by building, parking spaces and driveways.~~

Landscaped Area: An area set aside from structures and parking that is developed with lawns, trees, shrubs, vines, hedges, bedding plants, rock or other natural features, and may include paving materials, walls, fences, street furniture or other decorative features.

~~2.2.19.1 **Leachable Wastes**~~

~~Waste materials, including solid waste and sludge, that are capable of releasing water-borne contaminants to penetrating water derived from rain or snowmelt.~~

Life Science Facility: A facility devoted to advanced and applied sciences that expand the understanding of human physiology, including biomedical engineering, biotechnology, medical devices, nanotechnology, natural product pharmaceuticals, stem cell research, veterinary science and other technologies relating to potential medical or therapeutic applications.

Light Manufacturing: the processing, fabrication, production or assembly of materials or products that involves no use of heat, noise, or odor-producing processes on the premises that are detectable off-site.

Live/Work Facility: A commercial use, with a residential use that is incidental and secondary to the commercial use, and does not alter the commercial character of the property.

~~2.2.20 **Lot**~~

~~A parcel of land occupied or designed to be occupied by principal and accessory buildings or uses, including such open spaces as are arranged and designed to be used in connection with such buildings.~~

Lot: A single tract of land that is either shown on the most recent applicable plan of record or otherwise evidenced to be held in identical ownership throughout by a deed conveyance to the owner thereof

2.2.21 Lot Coverage

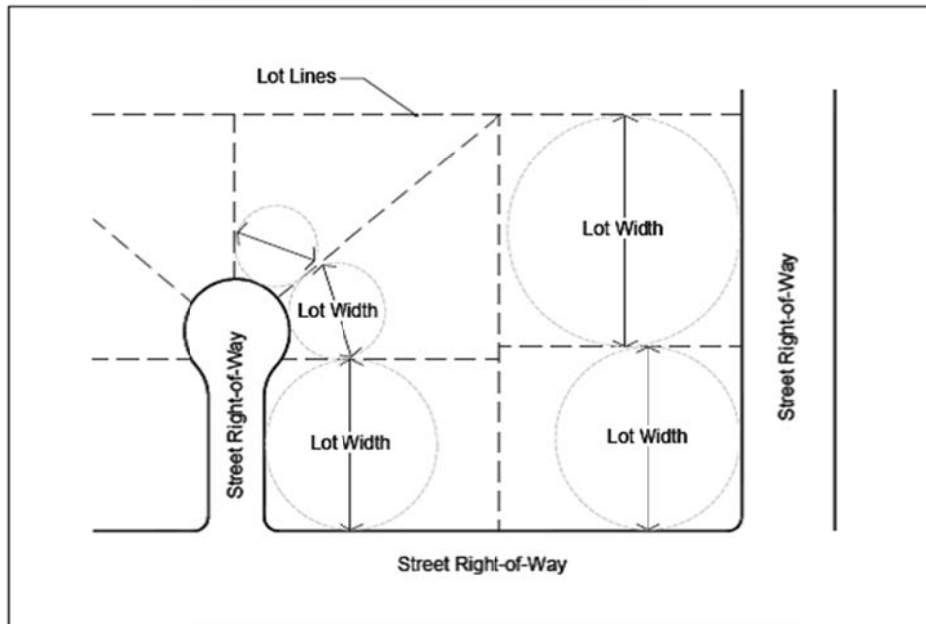
~~That proportion expressed as a percent of the total lot area covered by principle buildings.~~

Lot Coverage: The portion of a lot, expressed as a percent of the total lot area, that is covered by principal and accessory buildings and structures.

2.2.21.1 Lot Width

~~The width of a lot governed by the diameter of a circle, said circle fitting entirely within the lot and being tangent with the front lot line.~~

Lot Width: The width of a lot measured as the diameter of a circle that fits entirely within the lot and is tangent to the front lot line.



Major Street: A street used for through access and carrying average daily volumes of traffic of ten thousand (10,000) or more vehicle trips per day.

Manufacturing: The processing, fabrication, production or assembly of materials or products, not including light manufacturing.

Medical Facility: A facility containing uses related to the diagnosis, treatment, and care of individuals, including hospitals, dental services, medical services or health clinics, but excluding nursing homes and medical and dental offices.

Minor Street: A street used primarily for access to abutting properties or carrying average daily volumes of traffic of less than ten thousand (10,000) vehicle trips per day.

~~2.2.21.2 Mixed Use~~

~~The combining of retail/commercial and/or service uses with residential or office use in the same building or on the same site.~~

~~2.2.22 Nonconforming~~

~~A lawful pre-existing building, structure, vacant lot, or use of buildings or land that does not conform to the zoning regulations for the district in which it is located, but did conform at the time it was built or established.~~

Nonconforming Building or Structure: A building or structure that does not conform to the currently applicable use regulations or to one (1) or more currently applicable dimensional regulations contained in the Zoning Bylaw.

Nonconforming Lot: A lot that does not conform to one or more currently applicable dimensional regulations contained in the Zoning Bylaw.

Nonconforming Use: A use that does not conform to the currently applicable use regulations contained in the Zoning Bylaw.

~~2.2.23 Nursing Home~~

~~A convalescent or rest home, or an assisted living residence as defined in 651 CMR 12.02.~~

Nursing Home: Any licensed facility where nursing care is provided to residents, including convalescent homes, rest homes, sanitariums and infirmaries.

Office: A facility used for the regular performance of business transactions or professional services, including related administrative and clerical activities, but excluding a medical facility.

Open Space: Public or privately owned land areas unobstructed to the sky that are not occupied by buildings, structures, parking areas, streets, or alleys. Open space shall be permitted to be devoted to landscaping, preservation of natural features, patios and recreational areas and facilities.

~~2.2.24 Open Storage~~

~~The storing of retail goods outside of a structure on a lot for the purpose of display and/or sales.~~

Open Storage: An accessory use involving the outdoor storage or display of retail goods for sale.

~~2.2.25 Overlay District~~

~~A district super-imposed on one (1) or more districts which may establish restrictions in addition to the regulations of the district or districts super-imposed.~~

Overlay District: A zoning district, superimposed on one or more underlying zoning districts, that may be subject to restrictions in addition to those applicable in the underlying district or districts.

2.2.26 Place of Assembly

~~A theater, cinema, bowling alley or other similar enclosed place.~~

Place of Assembly: A facility providing accommodation for groups of people to gather, either regularly or occasionally, in an enclosed place, including theaters, cinemas, bowling alleys, lecture halls and banquet facilities.

Professional Services: Work undertaken for others, predominately on the premises of an office, by doctors, dentists or financial, legal or similar professionals.

2.2.26.1 Public Off-Street Parking Facility

~~Parking areas which are owned and maintained by the Town that are open to the general public for the use of public parking. This does not include parking facilities which are owned by the Town with the primary use of providing parking for municipal employees or customers doing business with the Town during normal hours of operation.~~

Public Off-Street Parking Facility: A facility that is owned and maintained by the Town and provides parking for the general public, but excluding parking facilities that primarily provide parking for municipal employees or individuals doing business with the Town.

2.2.26.2 Remote Parking Facility

~~Parking areas which are not located on the same lot for the use the parking facility serves.~~

Remote Parking Facility: A parking facility that is not located on the same lot as the use for which it provides parking.

Repair Garage: A facility used for the general repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, or providing collision services, including body, frame, or fender repair, and overall painting.

Research and Development Facility: A laboratory or similar facility used for the primary purpose of research, investigation, experimentation, and testing activities related to the fields of electronics, engineering, geology, physics, or other scientific area, but excluding life science facilities.

Residential Use: Any use of a building or part of a building for dwelling units, together with parking that is accessory to the dwelling units.

Restaurant: Any business establishment principally engaged in serving food, drink, or refreshments, prepared either on or off the premises, for consumption by members of the public, which may include indoor or outdoor seating.

Restaurant, Drive-through Window: Any restaurant where food and beverages are served by order from, and service to, vehicular passengers, whether or not the restaurant includes indoor.

Restaurant, Fast Food: Any restaurant serving food that is available upon a short waiting time and is packaged or presented in such a manner that it can readily be eaten outside

the premises where it is served, but excluding restaurants that derive at least eighty percent (80%) of their food sales revenue from food consumed on the premises.

Retail Services: A commercial use where services are provided for a fee directly to the general public for personal, business or household utilization with only incidental sale or lease of products

Retail Store: A commercial use where consumer products are sold directly to the general public for personal, business or household consumption.

~~2.2.27 Roadside Stand~~

~~The sale of natural products raised on the premises and articles manufactured on the premises from such products.~~

Roadside Stand: An accessory retail store for the sale of agricultural products raised on the premises and articles manufactured from such products on the premises.

~~2.2.28 School~~

~~The use for educational purposes of structures on land owned or leased by the Commonwealth, any of its agencies, subdivisions or bodies politic, a religious sect or denomination, a non-profit educational corporation or any other public or private school giving regular instruction at least five (5) days a week for eight (8) months or more each year; but not including a school giving special or limited instruction such as a business, trade, art, music, dancing or riding school.~~

Self-Service Storage Facility: A facility containing individual storage compartments separately leased to individuals, households, businesses or organizations.

~~2.2.28.1 Senior Independent Living~~

~~A facility that provides dwelling units for residents over the age of 55, with no permanent residents under the age of 18, in a single or multiple buildings or in separate townhouses or cottages, and may include common areas for the use of residents.~~

Senior Independent Living Facility: An extended or intermediate care facility that provides dwelling units for residents over the age of fifty-five (55), in single or multiple buildings or in separate townhouses or cottages, and may include common areas for the use of residents.

Service Station: Any facility used primarily for the sale of gasoline, motor oil, lubricants or other minor automobile accessories and for the replacement or installation of parts and accessories.

Service Station Minimart: A service station and convenience store located on the same premises.

Setback: The actual distance of a structure from a property line or other specified reference point, line or area.

Shared Parking Facilities: Parking facilities intended to serve more than a single user.

~~2.2.29 Sign~~

~~Any word or combination of number, emblem, picture, design, trademark or other device including the support structure of freestanding signs. Signage is the collection of signs. Signage does not include temporary holiday decorations, historical date markers or plaques, or artwork that contains no commercial messages.~~

~~2.2.29.1 Solid Wastes~~

~~Any discarded solid material, putrescible or nonputrescible, consisting of all combustible and noncombustible solid material including, but not limited to garbage and rubbish.~~

Solid Wastes: Any garbage, refuse, rubbish, or other discarded materials that may be in solid, liquid, or gaseous form.

Special Permit: A permit issued in accordance with the provisions of Section 9 of Chapter 40A of the Massachusetts General Laws.

Special Permit Granting Authority (SPGA): The Board or Commission designated as having authority to issue a particular Special Permit.

Story: That portion of a building, other than a basement, included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between the floor and the ceiling above the floor of such story.

~~2.2.30 Structure~~

~~Materials assembled at a fixed location to give support or shelter, such as a building, framework, wall, tent, reviewing stand, platform or the like.~~

Structure: Any combination of parts or materials assembled and joined or mixed together in some definite manner or pattern at a certain location for any purpose or use, whether or not affixed to the land. Structures include swimming pools, tennis courts, sports courts and courts for athletic and recreational activity and the equipment and paraphernalia associated with any such court, but shall not include fences, garden walls and paved areas used solely for vehicular or pedestrian access.

~~2.2.30.1 Townhouse~~

~~A dwelling unit arranged, intended or designed to be occupied by a single family which is attached to one or more other single family dwelling units by one or more common walls, with each dwelling unit having its own exterior entrance. Each dwelling unit may be owned by a separate owner.~~

Townhouse: A dwelling unit that is arranged, intended or designed to be occupied by a single family and that is attached to one or more other dwelling units by one or more common walls, with each dwelling unit having its own exterior entrance.

~~2.2.30.2 Townhouse Development~~

~~A development of land with townhouses located in a Residence S-10 District and which is governed by the provisions of Paragraph 4.6. A townhouse development shall not be limited to one principal structure per lot. A swimming pool, club house, tennis courts and other usual single family accessory uses and facilities~~

may be allowed as part of the Special Permit issued by the Board of Appeals in a townhouse development, subject to conditions imposed by the Board.

~~2.2.30.3~~ Townhouse Parcel

~~A parcel of land upon which a townhouse development is located.~~

~~2.2.31~~ Trailer

~~A structure originally designed as a vehicle to be used in whole or in part for human habitation having no motive power of its own.~~

~~2.2.32~~ Trailer Camp

~~An area of land on which is located one or more trailers used for human habitation.~~

Trucking Terminal: A facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck.

~~2.2.33~~ Use

~~An activity or purpose to which a lot or structure is, or is proposed to be, devoted; for purposes of these Bylaw, each use listed on any line in Section 4.2.2, Table of Uses, is to be considered different from any other use listed on any other line in said Section.~~

Use, Accessory: A use that is customarily incidental and subordinate to, and located on the same lot as, a lawful principal use and that does not alter the character of the principal use.

Use, Principal: An activity or purpose to which a lot or structure is, or is proposed to be, principally intended.

Variance: Relief, issued in accordance with the provisions of Section 10 of Chapter 40A of the Massachusetts General Laws, from the literal enforcement of the provisions of the Zoning Bylaw.

Warehouse: A building used for the storage or distribution of manufactured products, supplies, and equipment.

~~2.2.34~~ Watershed

~~An area drained by a stream or stream system.~~

Watershed: A land area, also known as a drainage area, that collects precipitation and contributes runoff to a receiving body of water or point along a watercourse.

~~2.2.34.1~~ Wetlands Resource Area

~~An area as defined in the regulations adopted pursuant to Section 40 of Chapter 131 of the General Laws and pursuant to Section 5.7 of the Reading General Bylaw.~~

Wetlands Resource Area: A bank, freshwater wetland, marsh, meadow, bog, swamp, creek, river, stream, pond, lake, land under a water body, land within one hundred (100) feet of any of the foregoing wetlands resource areas; land subject to flooding or riverfront area, as defined in the regulations adopted pursuant to Section 40 of Chapter 131 of the Massachusetts General Laws or pursuant to Section 7.1 of the Reading General Bylaw.

Wholesale Business: A commercial use where merchandise is sold to retailers; to industrial, commercial, institutional, or professional business users; or to other wholesalers; or where agents or brokers buy merchandise for, or sell merchandise to, such retailers, business users or wholesalers.

~~2.2.35 Yard~~

~~An open space on the same lot with a building.~~

~~2.2.35.1 Yard Front~~

~~The yard extending between the building and the street line and extending across the full width of the lot.~~

Yard, Front: The area extending away from the lot line on which a lot has frontage and across the full width of the lot.

~~2.2.35.2 Yard Rear~~

~~The yard extending between the building and the rear line of the lot and extending across the full width of the lot.~~

Yard, Rear: The area extending away from the rear line of a lot and across the full width of the lot.

Yard, Required: The minimum applicable front, rear or side yard as specified in Sections 6.2.3, 6.3 and 6.4 of the Zoning Bylaw that is required to be unoccupied by structures above grade except for specified uses or structures.

~~2.2.35.3 Yard Side~~

~~The yard extending between the building and the side line of the lot and extending from the front yard to the rear yard.~~

Yard, Side: The area extending away from any side line of a lot between the lot line on which the lot has frontage and the rear line of the lot.

4.0

ADMINISTRATION

Section 4.0 sets forth the duties and responsibilities for the Building Inspector, the Community Planning and Development Commission, the Zoning Board of Appeals, and other officials with respect to the administration of the Zoning Bylaw

4.1 Permits

4.1.1 The Building Inspector shall require of every applicant for a license or permit for any construction, alteration or use of any building, structure or premises, for which a permit or license is by law required, such written information, plans, specifications and other data deemed necessary for the full and accurate exposition of the proposed construction, alteration or use. Such material, so required, shall be kept on file in the records of the Building Inspector.

4.1.1.1 Whenever an application is made for a building permit to authorize construction on premises that the Building Inspector believes may be within an Overlay District boundary, the Building Inspector shall require the applicant to provide, as part of such application, a plan, certified by a registered land surveyor, of the lot on which such building is intended to be built showing the exact location of the district boundary; provided, however, that such a plan shall not be required where a building permit is applied for solely for interior work.

4.1.2 No building that has been erected, materially altered or relocated shall be occupied or used without an occupancy permit issued by the Building Inspector; and no such building permit shall be issued until the building and its use and accessory uses comply in all respects with the Zoning Bylaw.

4.1.3 The Building Inspector shall not grant a building permit for the construction or alteration of any structure that would violate any provision of the Zoning Bylaw.

4.2 Enforcement

4.2.1 The Building Inspector or his/her designee is hereby authorized as the officer responsible for the enforcement of the Zoning Bylaw.

4.2.2 Whoever violates any provision of the Zoning Bylaw shall be punished by a fine not exceeding three hundred (\$300.00) dollars for each offense. Each day that such a violation continues shall constitute a separate offense. Upon any well-founded information that the Zoning Bylaw is being violated, or upon his own initiative, the Building Inspector shall take immediate steps to enforce the Zoning Bylaw, which may include filing a civil complaint for injunctive relief, an application for noncriminal disposition in accordance with the provisions of Section 1.8 of the General Bylaws and Section 21D of Chapter 40 of the Massachusetts General Laws, or by any other manner authorized by law. The provisions of Section 4.2 shall apply to both the record owner and any lessee of the real property upon which a violation of the Zoning Bylaw occurs regardless of who caused or committed such violation.

4.2.3 If the Building Inspector is requested in writing to enforce the provisions of the Zoning Bylaw against any person allegedly in violation of the Zoning Bylaw and the Building Inspector declines so to act, s/he shall notify the party requesting such enforcement of his/her action or refusal to act, and the reasons therefore, in writing, within fourteen (14) days of receipt of such request.

4.3 Community Planning and Development Commission

4.3.1 Powers

The Community Planning and Development Commission (CPDC) shall act on all matters within its jurisdiction under the Zoning Bylaw in the manner prescribed in Chapter 40A of the Massachusetts General Laws. It shall have the power:

- 4.3.1.1** To hear and decide applications for Special Permits in accordance with Section 9 of Chapter 40A of the Massachusetts General Laws and Section 4.3 of the Zoning Bylaw.
- 4.3.2.2** To conduct Site Plan Reviews in accordance with Section 4.6 of the Zoning Bylaw.
- 4.3.2.3** To propose, review, hold hearings and make recommendations on text or map changes to the Zoning Bylaw in accordance with Section 5 of Chapter 40A of the Massachusetts General Laws.
- 4.3.2.4** To review and act on preliminary and definitive subdivision plans in accordance with Sections 81K-81GG of Chapter 41 of the Massachusetts General Laws.
- 4.3.2.5** To review applications for endorsement of plans as “Approval Not Required” in accordance with Section 81P of Chapter 41 of the Massachusetts General Laws.
- 4.3.2.6** To prepare a comprehensive/master plan in accordance with Section 81D of Chapter 41 of the Massachusetts General Laws..

4.4 Special Permit Granting Authority

- 4.4.1** The Special Permit Granting Authority (SPGA) shall issue special permits in accordance with the procedure and provisions of Section 9 of Chapter 40A of the Massachusetts General Laws.
- 4.4.2** Unless otherwise specified in the Zoning Bylaw, the SPGA is the Community Planning and Development Commission (CPDC).
- 4.4.3** Any Special Permit shall lapse within two (2) years from the issuance thereof, if a substantial use thereof has not sooner commenced except for good cause.
- 4.4.4** In issuing Special Permits, the SPGA shall act in accordance with the provisions of Sections 11 and 16 of Chapter 40A of the Massachusetts General Laws, and shall consider the effects of the proposed use upon the neighborhood in particular and the Town at large in general.
- 4.4.5** The SPGA may grant a Special Permit if it finds that:
 - 4.4.5.1** The proposed use will be suitably located in the neighborhood in which it is proposed and in relation to the entire Town.
 - 4.4.5.2** The proposed use will be compatible with existing uses and other uses permitted by right in the same district.
 - 4.4.5.3** The proposed use will not constitute a nuisance due to air and water pollution, flood, noise, dust, vibration, lights, or visually offensive structures and accessories.

- 4.4.5.4** The proposed use will not be a substantial inconvenience or hazard to abutters, vehicles, or pedestrians.
- 4.4.5.5** Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- 4.4.5.6** Adjoining premises will be reasonably protected against any possible detrimental or offensive uses on the site, including unsightly or obnoxious appearance.
- 4.4.5.7** The proposed use will be in conformance with the sign regulations of Section 8 of the Zoning Bylaw.
- 4.4.5.8** The proposed use will provide convenient and safe vehicular and pedestrian movement within the site in relation to adjacent streets, property or improvements.
- 4.4.5.9** Adequate space will be provided for the off-street loading and unloading of vehicles, goods, products, materials, and equipment incidental to the normal operation of the proposed use.
- 4.4.5.10** Adequate methods of disposal and storage will be provided for sewage, refuse and other wastes resulting from the proposed uses, and adequate methods of drainage will be provided for surface water.
- 4.4.5.11** The proposed uses will ensure protection from flood hazards, considering such factors as elevation of buildings, drainage, adequacy of sewage disposal, erosion and sedimentation control, equipment location, refuse disposal, storage of buoyant materials, extent of paving, effect of fill, roadways, or other encroachments on flood runoff and flow.
- 4.4.5.12** The proposed use will ensure protection of water quality in both public and private supplies.
- 4.4.6** A Special Permit shall be issued only following a public hearing, which shall be held within sixty-five (65) days after the filing of an application therefor with the SPGA.
- 4.4.7** The SPGA may adopt and, from time to time, amend rules relative to the issuance of Special Permits, and shall file a copy of said rules in the Office of the Town Clerk. Such rules may prescribe the size, form, contents, style, and number of copies of required plans and specifications, as well as the procedure for application submittal and Special Permit approval.
- 4.4.8** The SPGA shall take final action on a Special Permit application within ninety (90) days following the close of the public hearing thereon. Failure by the SPGA to take final action on a Special Permit application within said ninety (90) days shall be deemed to be a grant of the Special Permit.
- 4.4.9** Special Permits shall require a vote of at least four (4) members of the SPGA.

4.5 Zoning Board of Appeals

4.5.1 Powers

The Zoning Board of Appeals shall act on all matters within its jurisdiction under the Zoning Bylaw in the manner prescribed in Chapter 40A of the Massachusetts General Laws. It shall have the power:

- 4.5.1.1** To hear and decide appeals taken, in accordance with Section 8 of Chapter 40A of the Massachusetts General Laws, by any person aggrieved by an order or decision of the Building Inspector or by an inability to obtain a permit or an enforcement action from the Building Inspector
- 4.5.1.2** To hear and decide petitions for variances, including for use, in accordance with Section 10 of Chapter 40A of the Massachusetts General Laws.
- 4.5.1.3** To hear and decide applications for Special Permits for those uses for which approval of the Zoning Board of Appeals is required in accordance with the provisions of Section 4.3.
- 4.5.1.4** To hear and decide applications for extension or alteration, of nonconforming uses in accordance with Section 7.0 of the Zoning Bylaw.

4.5.2 Variances

- 4.5.2.1** No variance shall be issued pursuant to Section 4.4.1.2, unless the Zoning Board of Appeals finds that:
 - a** There are unique circumstances relating to the soil conditions, shape or topography that specifically affect the land or structure in question, but do not affecting generally the Zoning District in which the land or structure is located;
 - b** Literal enforcement of the Zoning Bylaw would involve substantial financial or other hardship to the petitioner;
 - c** Desirable relief may be granted without nullifying or substantially derogating from the intent and purpose of the Zoning Bylaw, as set forth in Section 1.0; and
 - d** Desirable relief may be granted without substantial detriment to the public good.
- 4.5.2.2** In issuing a variance, the Zoning Board of Appeals may impose conditions, safeguards, and limitations of time and use; provided, however, that such conditions cannot require continued ownership of the land or structure to which the variance pertains.
- 4.5.2.3** If the rights authorized by a variance are not exercised within one (1) year of the date of its issuance, they shall lapse and may be reestablished only after a new application and hearing.

4.6 Site Plan Review

4.6.1 Purpose and Authority

4.6.1.1 Site Plan Review is a means of protecting the public interest through evaluating impacts of new development and redevelopment of land and structures within the Town of Reading. Site plan review is designed to manage aesthetics, minimize the potential for conflicts among uses and limit the impacts, through imposition of reasonable conditions, of uses that are otherwise permitted in the applicable district.

The CPDC administers the Site Plan Review process for the following purposes:

- A. To protect and promote the health, safety, convenience, and general welfare of the inhabitants of the Town of Reading, and to ensure the integrity of its neighborhoods;
- B. To oversee acceptable site planning practices and to promote desirable architectural design within the Town of Reading;
- C. To address development issues comprehensively while ensuring a streamlined and efficient development review process;
- D. To provide for appropriate mitigation measures as a result of increased impacts to municipal services and infrastructure;
- E. To ensure consistency in the application of development standards and guidelines, and;
- F. To ensure proper monitoring and enforcement of Reading zoning and development regulations.

4.6.1.2 Guidelines, Regulations and Standards

- A. The CPDC may adopt reasonable Guidelines, Regulations and Standards governing procedures to be used for the administration of Site Plan Review.
- B. The proposed Guidelines, Regulations and Standards shall be submitted to all CPDC members at least 48 hours prior to any vote on their adoption, provided, however, that the CPDC may make such amendments to the proposed Guidelines or Regulations as it deems appropriate at said meeting.
- C. Upon adoption of any Guidelines, Regulations and Standards by the CPDC, a copy thereof shall be filed with the Town Clerk

4.6.2 Applicability

4.6.2.1 Single Family and Two Family dwellings, structures and routine maintenance or in-kind replacement of buildings are exempt from Site Plan Review.

4.6.2.2 Except as otherwise specified in Section 4.6.2.1, Site Plan Review is required if the proposed construction or site alteration involves any of the following:

- A. Exterior Alteration of 500 square feet of horizontal or vertical area or more;
- B. Construction or expansion of a Parking Lot involving 15 spaces or more; or
- C. New construction or a change of use requiring the creation or addition of 15 or more parking spaces.

4.6.2.3 Except as otherwise specified in Section 4.6.2.1 or Section 4.6.2.1, Minor Site Plan Review is required if the proposed construction or site alteration involves any of the following:

- A. Interior Alteration of 2,000 square feet of floor area or more;

- B. Minor Exterior Alteration of 500 square feet of horizontal or vertical area or more that is limited to doors, paint, awnings, railings, step replacement, handicapped ramps or building code compliance measures;
- C. New construction or a change of use requiring the creation or addition of fewer than 15 parking spaces; or
- D. New construction or a change of use to an existing institutional, commercial, or multi-family structure.

4.6.2.4. Coordination with Special Permit

- A. Where proposed construction or site alterations require both site plan review and one or more Special Permits, the CPDC shall be the SPGA.
- B. Where both a Special Permit and Site Plan Review are required, the applicant shall seek both forms of relief simultaneously, and the CPDC shall generally conduct its review of both applications contemporaneously.

4.6.3 Minor Site Plan Review

4.6.3.1 The CPDC, through regulation, may authorize the Town Planner to grant administrative approval for a Minor Site Plan Review with or without conditions provided the proposed construction, expansion or alteration will not result in any adverse impact on surrounding areas.

4.6.3.2 Minor Site Plan Review Procedures

The Applicant shall submit to the CPDC through the Town Planner's office, one electronic copy and eight (8) sets of plans showing the following:

- 1. A written narrative explaining the proposed changes;
- 2. Photographs of the existing site or area to be altered; and
- 3. A rendering, site plan, plot plan or sketch.

For Minor Site Plan Review by the CPDC, the Applicant shall also submit stamped addressed envelopes for the abutter notification. The Application and abutter envelopes are due at least two (2) weeks prior to the scheduled meeting.

The Minor Site Plan Review shall not be considered complete, and a building permit shall not be issued, until a written approval is issued by the CPDC.

Projects subject to a Minor Site Plan Review may be eligible for administrative approval and may bypass CPDC review if the Town Planner in accordance with Sections 4.6 determines, pursuant to regulations issued in accordance with Section 4.6.3.1, that the proposed construction, expansion or alteration will not result in any adverse impact on surrounding areas.

4.6.3.3 Waiver of Loading Zone Space Requirements

Upon the applicant's request and submission of supporting documentation, the Community Planning and Development Commission may waive the requirements of Section 9.1 of the Zoning Bylaw as to the number of loading zone spaces upon a finding that there will be no adverse impact on surrounding areas.

4.6.3.4 Waiver of Parking, Loading Space and Related Design Requirements in the Business C District

Upon the applicant's request and submission of supporting documentation, the Community Planning and Development Commission may waive or reduce the requirements of Section 9.1 for a site located in the Business C District upon a finding that there will be no adverse impact on surrounding areas.

4.6.4 Site Plan Review

4.6.4.1 Procedure

- A. An application for Site Plan Review shall be submitted to the CPDC through the Town Planner's office, for review and decision in accordance with the provisions of Section 4.6. The contents of the application shall be as specified in the CPDC Site Plan Review Guidelines, Regulations and Standards. All such applications shall include twelve (12) copies and one (1) electronic copy of the required materials; provided, however, that the CPDC may, at its discretion, waive the requirement to submit any required materials that it determines are not needed.
- B. Within ten (10) business days of submitting an application for a Site Plan Review, the Applicant shall initiate discussions with the Town Planner concerning any issues related to the completeness of the application. If this review discloses that all required materials have been submitted, the application shall be date stamped by the Town Planner. If this review discloses that all required materials have not been submitted, the Applicant shall be issued a written notice identifying which specific items are outstanding. No hearing date shall be scheduled until the Town Planner deems the application to be complete.
- C. Within five (5) days of the date stamp, the CPDC shall transmit one (1) copy of the application and plan to the Building Inspector, Director of Public Works, Fire Chief, Police Chief, and any other Town official whose review is requested. Such officials may, at their discretion, investigate the application and report their recommendations in writing to the CPDC. The CPDC shall not take final action on such application until it has received reports from such officials, or until thirty (30) days from the date of the transmittal, whichever is sooner.
- D. The CPDC shall schedule a public hearing for all Site Plan Review applications to be held within forty-five (45) days of the date stamp. This public hearing shall be advertised in the local newspaper once in each of two successive weeks prior to the meeting and a notice will be sent to property owners within 300 feet of the affected lot. Within forty-five (45) days after conclusion of the public hearing, the CPDC shall, approve, approve with conditions, or deny the Site Plan Review application and file a written decision with the Town Clerk.
- E. The applicant may request, and the CPDC may grant an extension of the time limits set forth herein.
- F. The Applicant shall satisfy or comply with all of the conditions of a Site Plan Approval prior to the issuance of a building permit except for those conditions that, by their terms, are intended to be satisfied during construction or later. The building permit application shall be accompanied by one (1) paper copy and one (1) electronic copy, in a format acceptable to the Building Inspector, of the plan that received Site Plan Approval, as well as a letter issued by a registered professional engineer, registered architect or registered landscape architect certifying, under pains and penalties of perjury, that such plan is consistent in all respects with the plan approved by the CPDC, and that all required conditions of Site Plan Approval have been satisfied.
- G. The Applicant shall satisfy or comply with all of the conditions of a Site Plan Approval prior to the issuance of a final certificate of occupancy unless otherwise specifically stated in the Site Plan Approval.

4.6.5 Review Criteria

- 4.6.5.1** All construction and site alterations subject to Site Plan Review shall be designed, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the proposed construction and/or alteration, so as to:

- A. Minimize the volume of cut and fill, the number of removed trees six inch (6") caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and threat of air and water pollution;
- B. Maximize pedestrian, bicycle and vehicular access and safety, both on the site and entering and exiting the site;
- C. Minimize obstruction of scenic views from publicly accessible locations;
- D. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or from residential properties;
- E. Minimize glare from headlights and light pollution emitted from on-site lighting fixtures;
- F. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places;
- G. Ensure compliance with applicable regulations governing on-site waste-water disposal systems;
- H. Minimize contamination of groundwater from operations on the premises involving the use, storage, handling, or containment of hazardous substances;
- I. Provide appropriate landscaping and other site amenities so as to enhance the visual character of the property;□
- J. Minimize environmental and other impacts to adjacent properties through appropriate restrictions of hours of operation, deliveries, noise, rubbish removal and storage or by other appropriate means.

- K. Provide adequate access to each structure for fire, public safety and service equipment;
- L. Provide adequate utilities and water and sewer service;
- M. Provide stormwater drainage and roadway and driveway layouts consistent with the functional requirements of the Town of Reading's Subdivision Rules and Regulations, any applicable federal, state and local regulations, and the standards of the Department of Public Works;
- N. Minimize impacts to abutting residential development; and
- O. Otherwise demonstrate compliance with the Zoning Bylaw.

4.6.5.2 The CPDC shall apply the criteria set forth in Section 4.6.5.1 to determine whether an application for Site Plan Review should be approved, approved with conditions or denied.

4.6.6 Lapse

A Site Plan Approval shall lapse two (2) years after its issuance if construction pursuant thereto has not begun; provided however, that the CPDC may grant an extension of the two (2) year period, for a maximum of one (1) year, upon a finding of good cause, including the need to obtain other local, state, and federal permits duly applied for, at the written request of the applicant if submitted to the CPDC at least thirty (30) days prior to the expiration of the two (2) year period.

4.6.7 Approval, Conditions, & Continuation of Site Plan Review

The CPDC shall file a written decision with the Town Clerk stating that the application is approved as submitted, approved with conditions, or denied. The CPDC may impose conditions on any Site Plan Approval that it deems necessary or desirable.

4.6.8 Advertising, Consultant Fees and Reports

In addition to any application or advertisement fees required by the CPDC's Guidelines,

Regulations and Standards, the CPDC is authorized, at any point during the hearing or deliberations prior to a final decision., to require an Applicant to pay a consultant fee upon a finding that additional information, available only through an expert consultant is necessary prior to making a decision.

Any applicant aggrieved by the CPDC's selection of an outside consultant may appeal such selection to the Board of Selectmen; provided, however, that the grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess either an educational degree in or related to the field at issue or three or more years of practice in the field at issue or a related field.

Any unused portion of the consultant fee shall be returned to the applicant unless the CPDC decides at a public meeting that additional services will be required.

The CPDC may, at its own discretion, waive any application or filing fee or consultant fee if the application is submitted by a government agency, including the Town and all its departments.

4.6.9 Modifications to Approved Site Plan

4.6.9.1 If, at any time before or during development, it becomes necessary or desirable to make modifications to a Site Plan, the Applicant shall appear at a regular meeting of the CPDC and submit, if required by the CPDC, plans showing the modification. Modification requests shall be processed in accordance with the rules governing Site Plan Review unless, upon review and determination by the Town Planner that the proposed changes qualify as a Minor Modification pursuant to Section 4.6.9.2 may be granted administrative approval; provided, however, that the following changes shall not be deemed to qualify as a Minor Modification:

- A. Any relocation or shifting of structures or parking areas;
- B. Any increase in the gross floor area of structures or any changes to the building envelope;
- C. Any change that requires additional water or sewer usage or the relocation of water and sewer utilities;
- D. Any increase in impervious areas, either by changes to structures or paved parking areas;
- E. Substantial changes to the approved architectural drawings, including changes in building materials and color.

A meeting with the Town Planner prior to filing a modification request is recommended.

4.6.9.2 A proposed change may qualify for administrative approval as a Minor Modification if it would not substantially alter the concept of the approved Plan in terms of the qualities of the specific location, the proposed land use, the design of building form and approved building details and materials, site grading or egress points, and minor changes in site layout, topography, architectural plans, landscaping plan, traffic circulation, parking, lighting plan, signage or open space.

4.6.9.3 Upon approval of a Site Plan Modification, the applicant shall submit one (1) paper copy and one (1) electronic copy, in a format acceptable to the Building Inspector, of the modified plan, as well as a letter issued by a registered professional engineer, registered architect or registered landscape architect certifying, under pains and penalties of perjury, that the modified plan is consistent in all aspects with the approved modification and that all conditions of approval have been satisfied.

4.6.10 Appeal

Any person aggrieved by a decision of the CPDC pursuant to Section 4.6 may appeal such decision to the Zoning Board of Appeals within twenty (20) days of the date filed with the Town Clerk.

5.3 Table of Uses

5.3.1 Table of Uses for Business and Industrial Districts

PRINCIPAL USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay
Residential Uses						
Single Family Dwelling	Yes ¹	No	No	No	No	No
Two Family Dwelling	Yes	No	No	No	No	No
Multi-Family Dwelling	Yes	No	Yes ²	No	No	No
Age restricted Multi-Family Dwelling	No	No	Yes	No	No	No
Boarding House	No	No	No	No	No	No
Public and Institutional Uses						
Child Care Facility	Yes	Yes	Yes	Yes	Yes	Yes
Adult Day Care	Yes	Yes	Yes	Yes	Yes	Yes
Religious or Educational Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Yes
Other Religious or Educational Use	Yes	Yes	Yes	Yes	Yes	Yes
Medical Facility	SPP	SPP	No	SPP	SPP	SPP
Nursing Home	SPP	SPP	Yes ³	No	No	No
Assisted Living Facility or Senior Independent Living Facility	SPP	SPP	Yes ³	No	No	No
Non-Profit Philanthropic Institution or Cultural Facility	SPP	SPP	SPP	SPP	SPP	SPP
Civic or Private Club	Yes	Yes	No	No	No	No
Community Center	Yes	Yes	Yes	No	SPP	No
Business and Service Uses						
Restaurant	Yes	Yes	SPP	Yes	SPP	Yes
Fast Food Restaurant	Yes	Yes	No	SPP	SPP	No
Restaurant with Drive-through Window	SPP	No	No	SPP	No	No
Bar or Tavern	No	No	No	No	No	No
Retail Store, up to 35,000 square feet	Yes	Yes	Yes	Yes	Yes	Yes
Retail Store, more than 35,000 square feet	No	No	No	No	SPP	SPP
Retail Store with Drive-through Window	SPP	No	No	SPP	SPP	No
Convenience Store	Yes	Yes	Yes	Yes	Yes	SPP
Office	Yes	Yes	Yes	Yes	SPP	No
Health, Exercise or Fitness Club	Yes	Yes	Yes	Yes	Yes	Yes
Place of Assembly	SPP	SPP	SPP	SPP	SPP	SPP
Retail Services	Yes	Yes	Yes	Yes	Yes	Yes
Consumer Service Retail Establishment	Yes	Yes	Yes	Yes	Yes	Yes
Professional Services	Yes	Yes	Yes	Yes	SPP	No
Facility for skilled trades	Yes ⁴	Yes ⁴	Yes ⁴	Yes ⁴	SPP	Yes
Financial Institution	Yes	Yes	Yes	Yes	SPP	Yes
Computer Services Facility	Yes	Yes	Yes	Yes	SPP	Yes
Hotel or Motel	SPP	Yes	Yes	Yes	Yes	Yes
Tourist or Trailer Camp	No	No	No	No	No	No
Funeral Establishment	Yes	Yes	No	Yes	SPP	No
Animal Hospital	Yes	Yes	No	Yes	SPP	No
Animal Kennel	SPP	No	No	SPP	SPP	SPP
Self-Service Storage Facility	No	No	No	Yes	No	SPP
Wholesale Business with No Warehouse	Yes	SPP	Yes	Yes	Yes	SPP
Wholesale Business with Warehouse	No	No	No	Yes	No	SPP
Junkyard	No	No	No	SPP	No	SPP
Automotive Uses						
Sale or Lease of New or Used Motor Vehicles	Yes	No Yes	No	Yes	No	Yes

PRINCIPAL USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay
Short-Term Rental of Motor Vehicles or Mobile Equipment	Yes	No	No	Yes	No	Yes
Service Station	Yes	Yes	No	Yes	No	Yes
Service Gas Station Minimart	Yes	No	No	Yes	No	Yes
Automotive Repair	Yes	Yes	No	Yes	No	Yes
Car Wash, Self-Service	SPP	No	No	No	No	No
Car Wash with mechanical equipment for cleaning automobiles &/or other vehicles	SPP	No	No	SPP	No	No
Commercial Parking Facility	Yes	Yes	No	Yes	No	No
Auto Graveyard	No	No	No	No	No	No
Industrial Uses						
Computer Services	No	No	Yes	Yes	SPP	Yes
Life Science Facility	No	No	Yes	Yes	Yes	Yes
Research and Development Facility	No	Yes	Yes	Yes	Yes	Yes
Publishing and Printing	No	Yes	Yes	Yes	Yes	Yes
Communication Facilities	SPP	SPP	Yes	Yes	SPP	SPP
Commercial Communications Structure	SPA	SPA	SPA	SPA	SPA	SPA
Service Facility or Accessory Building Providing Enclosed Storage	No	No	No	Yes	No	Yes
Trucking Terminal	No	No	No	No	No	No
Light Manufacturing	No	No	No	Yes	No	Yes
Manufacturing	No	No	No	Yes	No	Yes
Energy Production, Renewable sources	No	No	No	SPP	No	SPP
Energy Production, Conventional sources	No	No	No	SPP	No	SPP
Wholesale Bakery or Food Production	No	No	No	SPP	No	SPP
Recreational Uses						
Commercial Amusements	SPS	SPS	No	SPS	SPS	SPS
Indoor Recreation	No	No	No	SPS	No	SPS
Place of Assembly	Yes	SPP Yes	No	Yes	Yes	Yes
Other Uses						
Public Utilities	Yes	SPP	Yes	Yes	SPP	Yes
Registered Medical Marijuana Dispensary	No	No	No	SPP	No	No
Adult Uses	No	No	No	SPP	No	No
Live/Work Facility	SPP	SPP	SPP	No	No	No
Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Yes
Other Agriculture Use	SPP	SPP	SPP	SPP	SPP	SPP
Structures Accessory to Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Yes
Commercial Earth Removal	SPA	No	No	SPA	No	SPA
Mining	No	No	No	No	No	No
Uses Substantially Similar to a By-Right Use	SPA	SPA	SPA	SPA	SPA	SPA
ACCESSORY USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay
Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Yes
Other Agriculture Use	Yes	Yes	Yes	Yes	Yes	Yes
Structures Accessory to Permitted Agriculture Use	Yes	Yes	Yes	Yes	Yes	Yes
Structures Accessory to Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Yes
Attached Accessory Apartment Contained Within an Existing Single-family Dwelling	Yes	Yes	No	No	No	No

ACCESSORY USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay
Detached Accessory Apartment Associated with an Existing Single-Family Dwelling	SPA	SPA	No	No	No	No
Recreational Accessory Use						
Home Occupation	SPP	SPP	No	SPP	No	No
Bed and Breakfast	Yes	Yes	Yes	No	No	No
Family Child Care Home ⁵	SPP	SPP	SPP	No	No	No
Animal Kennel	No	No	No	No	No	No
Retail &/or Personal Services solely for employee use, within manufacturing or office	Yes	Yes	Yes	Yes	Yes	Yes
Manufacturing and Industrial Operations	Yes	Yes	Yes	Yes	Yes	Yes
Storage of commercial building materials, equipment, or vehicles over 10,000 pounds ⁶	No	No	No	No	No	No
Storage of commercial landscaping equipment, materials, supplies, and/or commercial vehicles over 10,000 pounds	No	No	No	No	No	No
Short-Term Rental of Motor Vehicles or Mobile Equipment	Yes	No	No	Yes	No	Yes
Open Storage	SPP	No	No	SPP	SPP	SPP
Service Facility or Accessory Building Providing Enclosed Storage	Yes	Yes	Yes	Yes	Yes	Yes
Commercial Automotive Repair or Service Station	No	No	No	No	No	No
Preservation of a Carriage House, Stable, or Barn for Use as a Detached Accessory Apartment	Yes	No	No	No	SPP	No
Beacon	No	No	No	No	No	No

Notes:

- ¹ In a Business A District a single family dwelling existing prior to April 1942, which at that time had at least eight (8) finished and habitable principal rooms may be altered into a two family dwelling, provided that the external appearance of a single family dwelling is retained.
- ² Townhouse style Multi-Family Dwelling only in Business C Planning Subdistrict A.
- ³ Permitted only in Business C Planning Subdistricts B and D.
- ⁴ Requires on-site garage for all vehicles and enclosed storage for all materials.
- ⁵ The total number of children under age sixteen (16) in a family child care home shall not exceed ~~six (6)~~ **ten (10)**, including participating children living in the residence.
- ⁶ Except by a contractor performing construction work on the premises.

5.3.2 Table of Uses for Residence Districts

PRINCIPAL USES	RES S-15 S-20 S-40	RES A-40	RES A-80	PRD-G PRD-M	PUD-R
Residential Uses					
Single Family Dwelling	Yes ¹	Yes	No	SPP	SPP
Two Family Dwelling	No	Yes	No	SPP	SPP
Multi-family Dwelling	No	Yes	Yes	SPP	SPP
Age Restricted Multi-family Dwelling	No	SPP	SPP	SPP	SPP
Boarding House	No	Yes	No	No	No
Public and Institutional Uses					
Child Care Facility	Yes	Yes	Yes	Yes	Yes
Religious or Educational Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes
Other Religious or Educational Use	SPP	No	No	SPP	No
Medical Facility	No	SPP	No	No	No
Nursing Home	SPP	SPP	No	No	SPP

PRINCIPAL USES	RES S-15 S-20 S-40	RES A-40	RES A-80	PRD-G PRD-M	PUD-R
Assisted Living Facility or Senior Independent Living Facility	SPP	SPP	No	SPP	SPP
Non-Profit Philanthropic Institution or Cultural Facility	SPP	SPP	SPP	No	SPP
Civic or Private Club	SPA	SPA	SPA	No	No
Community Center	No	SPP	SPP	SPP	SPP
Other Uses					
Public Utilities	Yes	Yes	Yes	Yes	Yes
Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes
Other Agriculture Use	SPP	SPP	SPP	SPP	SPP
Structures Accessory to Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes
Commercial Communications Structure within an Interstate Highway right-of-way	SPA	No	SPA	No	No

ACCESSORY USES	RES S-15 S-20 S-40	RES A-40	RES A-80	PRD-G PRD-M	PUD-R
Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes
Other Agriculture Use	SPP	SPP	SPP	SPP	SPP
Structures Accessory to Permitted Agriculture Use	Yes	Yes	Yes	Yes	Yes
Roadside Stand	Yes	Yes	Yes	Yes	Yes
Attached Accessory Apartment Contained Within an Existing Single family Dwelling	Yes	No	No	No	No
Detached Accessory Apartment Associated with an Existing Single Family Dwelling	SPA	No	No	No	No
Preservation of a Carriage House, Stable, or Barn for Use as a Detached Accessory Apartment	SPA	SPA	SPA	No	No
Detached Accessory Apartment Associated with New Construction of a Single family Dwelling	SPA	No	No	No	No
Attached Accessory Apartment Contained Within New Construction of a Single family Dwelling	SPA	No	No	No	No
Recreational Accessory Use					
Home Occupation	Yes	Yes	Yes	Yes	Yes
Bed and Breakfast	SPP	SPP	SPP	SPP	SPP
Family Child Care Home ²	Yes	Yes	Yes	Yes	Yes
Service Facility or Accessory Building Providing Enclosed Storage	Yes	Yes	Yes	Yes	Yes
Storage of commercial building materials, equipment, or vehicles over 10,000 pounds ³	No	No	No	No	No
Storage of commercial landscaping equipment, materials, supplies, and/or commercial vehicles over 10,000 pounds	No	No	No	No	No
Accessory Convenience Store	No	No	No	No	SPP
Commercial Automotive Repair or Service Station	No	No	No	No	No
Accessory Retail Services or Retail Store	No	No	No	No	SPP
Animal Kennel	No	No	No	No	No

Notes:

¹ In a Residence District a single family dwelling existing prior to April, 1942, which at that time had at least eight (8) finished and habitable principal rooms may be altered into a two family dwelling, provided that the external appearance of a single family dwelling is retained.

- ² The total number of children under age sixteen (16) in a family child care home shall not exceed ~~six (6)~~ **ten (10)**, including participating children living in the residence.
- ³ Except by a contractor performing construction work on the premises.

Current Table of Uses (Proposed Tables of Uses Begin on Page5)

Moved into New Table of Uses

Deleted

New

SPP = Special Permit with the CPDC

SPA = Special Permit with the ZBA

SPS= Special Permit with Board of Selectmen

Table of Uses							
PRINCIPAL USES	RES S-15	RES A-40	RES A-80	BUS A	BUS B	BUS C	IND
	S-20						
	S-40						
Residential Uses							
One Family Dwelling	Yes	Yes	No	Yes	No	No	No
Two Family Dwelling	No	Yes	No	Yes	No	No	No
Apartment	No	Yes	Yes	Yes	No	No ^A	No
Boarding House	No	Yes	No	Yes	No	No	No
Planned Residential Development	SPP**	No	SPP**	No	No	No	No
PUD-R	SPP*	No	No	No	No	No	No
Public and Quasi-Public Uses							
Private Kindergartens	SPA	SPA	SPA	No	No	Yes	No
School	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Church	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Hospital	No	SPA	No	SPA	SPA	No	No
Nursing Home	SPA	SPA	No	SPA	SPA	Yes ^B	No
Club or Lodge	No	No	No	Yes	Yes	No	No
Combined Service Use	SPA	SPA	SPA	No	No	No	No
Business and Service Uses							
Retail Sales	No	No	No	Yes	Yes	No	Yes
Consumer Services	No	No	No	Yes	Yes	No	Yes
Office	No	No	No	Yes	Yes	Yes	Yes
Financial Institution	No	No	No	Yes	Yes	Yes	Yes

Table of Uses							
PRINCIPAL USES	RES	RES	RES	BUS	BUS	BUS	IND
	S-15	A-40	A-80	A	B	C	
	S-20						
	S-40						
Wholesale Business	No	No	No	Yes	Yes	Yes	Yes
Hotel or Motel	No	No	No	Yes	Yes	Yes	Yes
Tourist or Trailer Camp	No	No	No	No	No	No	No
Place of Assembly	No	No	No	Yes	Yes	No	Yes
Funeral Establishment	No	No	No	Yes	Yes	No	Yes
Veterinary Establishment	No	No	No	Yes	Yes	No	Yes
PUD-B	SPP*	No	No	SPP*	No	No	No
PUD-I	No	No	No	No	No	No	SPP*
Adult Uses	No	No	No	No	No	No	SPP*
Automotive Uses							
Sale of New or Used	No	No	No	Yes	Yes	No	Yes
Service Station	No	No	No	Yes	Yes	No	Yes
Repair Garage	No	No	No	Yes	Yes	No	Yes
Car Wash	No	No	No	No	No	No	No
Commercial Parking Lot	No	No	No	Yes	Yes	No	Yes
Auto Grave Yard	No	No	No	No	No	No	No
Industrial Uses							
Computer Services	No	No	No	No	No	Yes	Yes
Laboratories	No	No	No	No	No	Yes	Yes
Research and Development	No	No	No	No	No	Yes	Yes
Publishing and Printing	No	No	No	No	No	Yes	Yes
Communication Facilities	No	No	No	No	No	Yes	Yes
Commercial Communications Structures	SPA ****	No	SPA ****	SPA	SPA	SPA	SPA
Public Utilities	Yes	Yes	Yes	Yes	No	Yes	Yes
Enclosed Storage	No	No	No	Yes	Yes	No	Yes
Open Storage	No	No	No	No	No	No	No
Dry Cleaning Plant	No	No	No	No	No	No	No
Recreational Uses							
Commercial Amusements	No	No	No	SPS	SPS	No	SPS

Table of Uses							
PRINCIPAL USES	RES	RES	RES	BUS	BUS	BUS	IND
	S-15	A-40	A-80	A	B	C	
	S-20						
	S-40						
Commercial Race Track	No	No	No	No	No	No	No
Other Uses							
Agriculture, Horticulture, Floriculture, Viticulture on 5+ acres	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Structures Accessory to Agriculture, Horticulture, Floriculture, Viticulture on 5+ acres	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Agriculture, Horticulture, Floriculture, Viticulture for Domestic Use Only	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Agriculture, Horticulture, Floriculture	SPA	SPA	SPA	SPA	SPA	SPA	SPA
Viticulture not for Domestic Use on Less than 5 acres							
Commercial Earth Removal	SPA	SPA	SPA	SPA	SPA	SPA	SPA
Substantially Similar to Permitted	No	No	No	SPA	SPA	SPA	SPA
Municipal Building Reuse	SPA	SPA	SPA	SPA	SPA	SPA	SPA
Mixed Use	No	No	No	No	SPP *****	No	No
Accessory Uses							
Accessory Apartment	SPA	SPA	No	SPA	No	No	No
Home Occupation	Yes	Yes	Yes	Yes	No	No	No
Roadside Stand	Yes	Yes	Yes	Yes	No	No	No
Other Retail Stores	No	No	No	Yes	Yes	Yes	Yes
Manufacturing and Industrial	No	No	No	Yes	Yes	Yes	Yes
Open Storage	No	No	No	SPP	No	No	SPP
Enclosed Storage	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Consumer Service	No	No	No	Yes	Yes	Yes	Yes
Carriage House-Stable-Barn	SPA	SPA	SPA	Yes	No	No	No

Table of Uses

PRINCIPAL USES	RES	RES	RES	BUS	BUS	BUS	IND
	S-15	A-40	A-80	A	B	C	
	S-20						
	S-40						

* Planned Unit Development may be permitted only within a PUD Overlay District on the Zoning Map

** Planned Residential Development may be permitted only within a PRD Overlay District which may exist only in an S-15, S-20, S-40 or A-40 or A-80 underlying Zoning District on the Zoning Map

*** Adult Uses may be permitted only in the Industrial District by Special Permit granted by the Board of Appeals according to the requirements of Section 4.3.4

**** May be permitted only within a State-owned Interstate highway right-of-way

***** Mixed Use Overlay may be permitted only in the Downtown Business B District, principally traversed by Main and Haven Streets

A Townhouses shall be permitted in the Business C District

B Nursing Home and Senior Independent Living shall be permitted in the Business C District

Proposed Tables of Uses (Changes Described on far Right Column)

Section 5.3.1 Table of Uses for Business and Industrial Districts

PRINCIPAL USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay	Change
Residential Uses							
Single Family Dwelling	Yes ¹	No	No	No	No	No	No change
Two Family Dwelling	Yes	No	No	No	No	No	No change
Multi-Family Dwelling	Yes	No	Yes ²	No	No	No	Formerly titled Three-Family
Age restricted Multi-Family Dwelling	No	No	Yes	No	No	No	New
Boarding House	No	No	No	No	No	No	Formerly allowed in BUS A.
Public and Institutional Uses							
Child Care Facility	Yes	Yes	Yes	Yes	Yes	Yes	New
Adult Day Care	Yes	Yes	Yes	Yes	Yes	Yes	New
Religious or Educational Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Yes	No change.
Other Religious or Educational Use	Yes	Yes	Yes	Yes	Yes	Yes	New
Medical Facility	SPP	SPP	No	SPP	SPP	SPP	Formerly Hospital and was SPA, now allowed in IND
Nursing Home	SPP	SPP	Yes ³	No	No	No	Formerly SPA
Assisted Living Facility or Senior Independent Living Facility	SPP	SPP	Yes ³	No	No	No	New
Non-Profit Philanthropic Institution or Cultural Facility	SPP	SPP	SPP	SPP	SPP	SPP	New
Civic or Private Club	Yes	Yes	No	No	No	No	Formerly Club or Lodge.
Community Center	Yes	Yes	Yes	No	SPP	No	New
Business and Service Uses							
Restaurant	Yes	Yes	SPP	Yes	SPP	Yes	Formerly categorized with Consumer Services
Fast Food Restaurant	Yes	Yes	No	SPP	SPP	No	Formerly categorized with Consumer Services
Restaurant with Drive-through Window	SPP	No	No	SPP	No	No	Formerly categorized with Consumer Services
Bar or Tavern	No	No	No	No	No	No	Formerly categorized with Consumer Services
Retail Store, up to 35,000 square feet	Yes	Yes	Yes	Yes	Yes	Yes	Formerly categorized with Retail Sales. New to differentiate between size.
Retail Store, more than 35,000 square feet	No	No	No	No	SPP	SPP	Formerly categorized with Retail Sales. New to differentiate between size.
Retail Store with Drive-through Window	SPP	No	No	SPP	SPP	No	Formerly categorized with Retail Sales. New to differentiate between use.

PRINCIPAL USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay	Change
Convenience Store	Yes	Yes	Yes	Yes	Yes	SPP	Formerly categorized with Retail Sales. New to differentiate between use.
Office	Yes	Yes	Yes	Yes	SPP	No	New
Health, Exercise or Fitness Club	Yes	Yes	Yes	Yes	Yes	Yes	New
Place of Assembly	SPP	SPP	SPP	SPP	SPP	SPP	Previously allowed by-right in BUS A, BUS B and IND. Now SPP for all districts.
Retail Services	Yes	Yes	Yes	Yes	Yes	Yes	Formerly Retail Sales.
Consumer Service Retail Establishment	Yes	Yes	Yes	Yes	Yes	Yes	Formerly called Consumer Services
Professional Services	Yes	Yes	Yes	Yes	SPP	No	New
Facility for skilled trades	Yes ⁴	Yes ⁴	Yes ⁴	Yes ⁴	SPP	Yes	New
Financial Institution	Yes	Yes	Yes	Yes	SPP	Yes	No change.
Computer Services Facility	Yes	Yes	Yes	Yes	SPP	Yes	Formerly Computer Services. Previously not allowed in BUS A or BUS B. Now allowed in all Districts and SPP in PUD-B.
Hotel or Motel	SPP	Yes	Yes	Yes	Yes	Yes	Now SPP in BUS A
Tourist or Trailer Camp	No	No	No	No	No	No	No change.
Funeral Establishment	Yes	Yes	No	Yes	SPP	No	No change.
Animal Hospital	Yes	Yes	No	Yes	SPP	No	No change.
Animal Kennel	SPP	No	No	SPP	SPP	SPP	New
Self-Service Storage Facility	No	No	No	Yes	No	SPP	New
Wholesale Business with No Warehouse	Yes	SPP	Yes	Yes	Yes	SPP	Formerly called Wholesale Business. Now SPP in Business B.
Wholesale Business with Warehouse	No	No	No	Yes	No	SPP	Formerly called Wholesale Business. With warehouse only allowed in Industrial or SPP in PUD-I Overlay
Junkyard	No	No	No	SPP	No	SPP	New
Automotive Uses							
Sale or Lease of Motor Vehicles	Yes	No	No	Yes	No	Yes	No change. Formerly called Sale of New of Used Motor Vehicles. Was previously allowed in the BUS B District.
Short Term Rental or Motor Vehicles or Mobile Equipment	Yes	No	No	Yes	No	Yes	New Use to accommodate rental facilities.
Service Station	Yes	Yes	No	Yes	No	Yes	No change.
Service Station Minimart	Yes	No	No	Yes	No	Yes	New
Automotive Repair	Yes	Yes	No	Yes	No	Yes	New
Car Wash, Self-Service	SPP	No	No	No	No	No	Formerly called car wash. No differentiate between self-service and automatic. Was prohibited everywhere. Now SPP in BUS A.

PRINCIPAL USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay	Change
Car Wash with mechanical equipment for cleaning automobiles &/or other vehicles	SPP	No	No	SPP	No	No	See above comment. Now SPP in BUS A and Industrial.
Commercial Parking Facility	Yes	Yes	No	Yes	No	No	No change.
Auto Graveyard	No	No	No	No	No	No	No change.
Industrial Uses							
Computer Services	No	No	Yes	Yes	SPP	Yes	No change.
Life Science Facility	No	No	Yes	Yes	Yes	Yes	New. Replaced Laboratory
Research and Development Facility	No	Yes	Yes	Yes	Yes	Yes	No change.
Publishing and Printing	No	Yes	Yes	Yes	Yes	Yes	Now allowed in BUS B.
Communication Facilities	SPP	SPP	Yes	Yes	SPP	SPP	Now allowed by SPP in BUS A and B.
Commercial Communications Structure	SPA	SPA	SPA	SPA	SPA	SPA	No change.
Service Facility or Accessory Building Providing Enclosed Storage	No	No	No	Yes	No	Yes	Formerly Enclosed Storage. No longer allowed in BUS A, B or C.
Trucking Terminal	No	No	No	No	No	No	New
Light Manufacturing	No	No	No	Yes	No	Yes	New. Manufacturing previously only allowed as accessory use.
Manufacturing	No	No	No	Yes	No	Yes	New. Manufacturing previously only allowed as accessory use in BUS A, B, C and Industrial.
Energy Production, Renewable sources	No	No	No	SPP	No	SPP	New
Energy Production, Conventional sources	No	No	No	SPP	No	SPP	New
Wholesale Bakery or Food Production	No	No	No	SPP	No	SPP	New
Recreational Uses							
Commercial Amusements	SPS	SPS	No	SPS	SPS	SPS	No change.
Indoor Recreation	No	No	No	SPS	No	SPS	New.
Place of Assembly	Yes	SPP	No	Yes	Yes	Yes	Place of Assembly as a Recreational Use allowed in BUS A, B, IND, PUD B and PUD-I.
Other Uses							
Public Utilities	Yes	SPP	Yes	Yes	SPP	Yes	Now SPP for BUS B.
Registered Medical Marijuana Dispensary	No	No	No	SPP	No	No	New. Only allowed in IND.
Adult Uses	No	No	No	SPP	No	No	Not previously included in Table. Still only allowed in IND.
Live/Work Facility	SPP	SPP	SPP	No	No	No	New.
Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Yes	No change.
Other Agriculture Use	SPP	SPP	SPP	SPP	SPP	SPP	Previously SPA.

PRINCIPAL USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay	Change
Structures Accessory to Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Yes	No change.
Commercial Earth Removal	SPA	No	No	SPA	No	SPA	Formerly allowed by SPA in BUS B, C. Not allowed in PUD-B.
Mining	No	No	No	No	No	No	New
Uses Substantially Similar to a By-Right Use	SPA	SPA	SPA	SPA	SPA	SPA	No change.

ACCESSORY USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay	Change
Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Yes	Previously allowed under protected status. Now included in Table.
Other Agriculture Use	Yes	Yes	Yes	Yes	Yes	Yes	New as an accessory use.
Structures Accessory to Permitted Agriculture Use	Yes	Yes	Yes	Yes	Yes	Yes	New as an accessory use.
Structures Accessory to Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Yes	Previously allowed under protected status. Now included in Table.
Attached Accessory Apartment Contained Within an Existing Single-family Dwelling	Yes	Yes	No	No	No	No	Previously Allowed by SPA in BUS A. Now allowed by right in BUS A and B to nonconforming Single-Family Structures.
Detached Accessory Apartment Associated with an Existing Single-Family Dwelling	SPA	SPA	No	No	No	No	New. Allowed by SPA in BUS A and BUS C to nonconforming Single-Family Structures.
Home Occupation	SPP	SPP	No	SPP	No	No	Previously not allowed in BUS C or Industrial. Now allowed by SPP in BUS A, BUS B and Industrial.
Bed and Breakfast	Yes	Yes	Yes	No	No	No	New
Family Child Care Home ⁵	SPP	SPP	SPP	No	No	No	New. Follows state regulations.
Animal Kennel	No	No	No	No	No	No	New
Retail &/or Personal Services solely for employee use, within manufacturing or office	Yes	Yes	Yes	Yes	Yes	Yes	No change.
Manufacturing and Industrial Operations	Yes	Yes	Yes	Yes	Yes	Yes	No change.
Storage of commercial building materials, equipment, or vehicles over 10,000 pounds ⁶	No	No	No	No	No	No	New
Storage of commercial landscaping equipment, materials, supplies, and/or commercial vehicles over 10,000 pounds	No	No	No	No	No	No	New
Short-Term Rental of Motor Vehicles or Mobile Equipment	Yes	No	No	Yes	No	Yes	New
Open Storage	SPP	No	No	SPP	SPP	SPP	Previously was SPA.

ACCESSORY USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay	Change
Service Facility or Accessory Building Providing Enclosed Storage	Yes	Yes	Yes	Yes	Yes	Yes	No change.
Commercial Automotive Repair or Service Station	No	No	No	No	No	No	New
Preservation of a Carriage House, Stable, or Barn for Use as a Detached Accessory Apartment	Yes	No	No	No	SPP	No	No change.
Beacon	No	No	No	No	No	No	New

Notes:

- ¹ In a Business A District a single family dwelling existing prior to April 1942, which at that time had at least eight (8) finished and habitable principal rooms may be altered into a two family dwelling, provided that the external appearance of a single family dwelling is retained.
- ² Townhouse style Multi-Family Dwelling only in Business C Planning Subdistrict A.
- ³ Permitted only in Business C Planning Subdistricts B and D.
- ⁴ Requires on-site garage for all vehicles and enclosed storage for all materials.
- ⁵ The total number of children under age sixteen (16) in a family child care home shall not exceed ten (10), including participating children living in the residence.
- ⁶ Except by a contractor performing construction work on the premises.

5.3.2 Table of Uses for Residence Districts

PRINCIPAL USES	RES S-15 S-20 S-40	RES A-40	RES A-80	PRD-G PRD-M	PUD- R	Change
Residential Uses						
Single Family Dwelling	Yes ¹	Yes	No	SPP	SPP	No change.
Two Family Dwelling	No	Yes	No	SPP	SPP	No change.
Multi-family Dwelling	No	Yes	Yes	SPP	SPP	No change.
Age Restricted Multi-family Dwelling	No	SPP	SPP	SPP	SPP	New.
Boarding House	No	Yes	No	No	No	No change.
Public and Institutional Uses						
Child Care Facility	Yes	Yes	Yes	Yes	Yes	New
Religious or Educational Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	No change.
Other Religious or Educational Use	SPP	No	No	SPP	No	New
Medical Facility	No	SPP	No	No	No	Formerly Hospital. SPP was formerly SPA.
Nursing Home	SPP	SPP	No	No	SPP	SPP was formerly SPA.
Assisted Living Facility or Senior Independent Living Facility	SPP	SPP	No	SPP	SPP	New
Non-Profit Philanthropic Institution or Cultural Facility	SPP	SPP	SPP	No	SPP	New
Civic or Private Club	SPA	SPA	SPA	No	No	Formerly not allowed in S-15, S-20, S-40, A-40 or A-80. Now allowed by SPA.
Community Center	No	SPP	SPP	SPP	SPP	New
Other Uses						
Public Utilities	Yes	Yes	Yes	Yes	Yes	No change.
Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	No change.
Other Agriculture Use	SPP	SPP	SPP	SPP	SPP	Formerly SPA.
Structures Accessory to Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	No change.
Commercial Communications Structure within an Interstate Highway right-of-way	SPA	No	SPA	No	No	No change.

ACCESSORY USES	RES S-15 S-20 S-40	RES A-40	RES A-80	PRD-G PRD-M	PUD- R	Change
Agriculture Use Eligible for the Protection of M.G.L. c.40A, §3	Yes	Yes	Yes	Yes	Yes	Previously allowed under protected status. Now included in Table.
Other Agriculture Use	SPP	SPP	SPP	SPP	SPP	New as an accessory use.
Structures Accessory to Permitted Agriculture Use	Yes	Yes	Yes	Yes	Yes	New as an accessory use.
Roadside Stand	Yes	Yes	Yes	Yes	Yes	No change.
Attached Accessory Apartment Contained Within an Existing Single family Dwelling	Yes	No	No	No	No	Now allowed by-right as in S-15, S-20, S-40 districts. Previously allowed by SPA.
Detached Accessory Apartment Associated with an Existing Single Family Dwelling	SPA	No	No	No	No	New
Preservation of a Carriage House, Stable, or Barn for Use as a Detached Accessory Apartment	SPA	SPA	SPA	No	No	No change.
Detached Accessory Apartment Associated with New Construction of a Single family Dwelling	SPA	No	No	No	No	New
Attached Accessory Apartment Contained Within New Construction of a Single family Dwelling	SPA	No	No	No	No	New
Home Occupation	Yes	Yes	Yes	Yes	Yes	No change.
Bed and Breakfast	SPP	SPP	SPP	SPP	SPP	New
Family Child Care Home ²	Yes	Yes	Yes	Yes	Yes	New.
Service Facility or Accessory Building Providing Enclosed Storage	Yes	Yes	Yes	Yes	Yes	Formerly Enclosed Storage. No change.
Storage of commercial building materials, equipment, or vehicles over 10,000 pounds ³	No	No	No	No	No	New
Storage of commercial landscaping equipment, materials, supplies, and/or commercial vehicles over 10,000 pounds	No	No	No	No	No	New
Accessory Convenience Store	No	No	No	No	SPP	New
Commercial Automotive Repair or Service Station	No	No	No	No	No	New
Accessory Retail Services or Retail Store	No	No	No	No	SPP	No change.
Animal Kennel	No	No	No	No	No	New

Notes:

- ¹ In a Residence District a single family dwelling existing prior to April, 1942, which at that time had at least eight (8) finished and habitable principal rooms may be altered into a two family dwelling, provided that the external appearance of a single family dwelling is retained.
- ² The total number of children under age sixteen (16) in a family child care home shall not exceed ten (10), including participating children living in the residence.
- ³ Except by a contractor performing construction work on the premises.

5.5 Accessory Buildings or Structures

5.5.1 Permitted Accessory Buildings or Structures

The following requirements shall apply to any accessory buildings or structures permitted in accordance with the Tables of Uses (Sections 5.3.1 and 5.3.2).

- a** Accessory buildings or structures located within a required yard shall be limited to one story. Accessory buildings may be used for Accessory Apartments only as may be permitted pursuant to Section 5.4.7 of the Zoning Bylaw.
- b** In any Residence District, no accessory structure or building may have a footprint larger than either 600 square feet or twenty-five percent (25%) of the gross floor area of the principal structure, whichever is greater.
- c** No accessory building or structure may be located within a required front yard.
- d** An accessory building or structure located less than 10 feet from the principal building on the lot shall be subject to the same dimensional requirements applicable to the principal building.
- e** No accessory building or structure may be located within a required side yard except for a garage accessory to a single or two family dwelling, or a garage accessory to any permitted principal use located in a Residence District; provided, however, that such accessory garage shall be located at least ten (10) feet from the principal building and from the nearest side lot line.
- f** No accessory building or structure may be located within a required rear yard except for a building accessory to a one or two family dwelling, or accessory to any permitted principal use located in a Residence District; provided, however, that such accessory building or structure shall not occupy more than twenty-five (25) percent of the required rear yard and shall be located at least ten (10) feet from the principal building and five (5) feet from the nearest rear lot line.
- g** ~~Fences of a height not to exceed six (6) feet and Flagpoles of a height not to exceed twenty (20) feet~~ **and fences** shall be exempt from the yard requirements set forth in Section 6.0 of the Zoning Bylaw. ~~Fences that serve as a buffer between abutting residential and industrial/commercial uses and between industrial and commercial uses may exceed six (6) feet.~~ A building permit is required for a fence exceeding six (6) **feet in height.**
- h** Nonresidential accessory structures, including vending machines and video and electronic game kiosks, shall be required to meet the yard requirements for the principal structure on the lot, except as may otherwise be authorized by Special Permit from the Zoning Board of Appeals.
- i** The following accessory structures may be allowed by Special Permit by the Community Planning and Development Commission (CPDC) in all districts provided that such accessory structures meet all yard requirements:
 - 1) A truck trailer used for storage or advertising.
 - 2) A stand-alone shipping or storage container.

3) A steel storage unit.

j Temporary Storage units may be allowed by Special Permit by the CPDC in Residence Districts for a period not to exceed ninety (90) days, subject to all applicable yard requirements: