

Paul Whitney Rhoades  
Feb. 28 - 1936.

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TOWN OF SUDBURY

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ZONING LAW

*With*

*Proposed Amendments of 1936*

*Incorporated*

## TO THE CITIZENS OF SUDBURY

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Zoning is a means of securing order and good arrangement within the Town. Here are some of its objects:

To protect a home owner from having his investment impaired by an undesirable business or building on an adjoining lot.

To protect the Town and the home owners in it from speculative land development schemes. Such developments often result in cutting up desirable building land into lots too small to build a house and garage on, and leave no land for garden and lawn. These developments prove unsatisfactory to lot buyers and a poor investment for the Town.

To serve as a guide to proper division of unoccupied land, and to make the Town attractive to those who desire permanent homes.

To provide adequate set-backs and yard widths so that buildings cannot be built so near the street as either to cut off the view, or to prevent future street widening; or be placed so close together as to constitute a fire menace.

In order to prevent misunderstanding let us mention a few of the things which the proposed by-law does not do:

It does not change any existing building or alter the present use of any property or land. Whatever is being done now may be continued regardless of the district in which the building or property is located.

It does not impose any limit upon the cost of a house or other building whether it be large or small.

It is not a building code and does not put any restriction upon the type of construction of any building.

It does not prevent growth of business in the Town. Plenty of room has been provided in districts designated for business for many years to come.

It is not a regulation which cannot be changed. It may be amended before adoption. It may also be amended at any regular meeting of the Town by a two-thirds vote after a hearing.

Sudbury is about the last town within twenty miles of Boston without a by-law controlling the stripping of soil. This fact has already had an adverse effect upon the Town. Its results are likely to become more pronounced as time goes on. Any town without such a by-law offers an invitation to the soil racketeer.

Not all citizens will agree with the Committee on every point. Some, for instance, may think that two family houses should be provided for. The fact is, however, that none have been built in Town in recent years. Most people moreover regard them as tending to raise the Town's expenditures without an equivalent increase in taxes. Towns with many such buildings are handicapped by a drifting population. We have provided, however, that any existing dwelling may be divided to accommodate two families under a permit granted by the Board of Appeal, so as to prevent hardship to people who own large dwellings.

The Planning Board have put a great deal of study and thought into the amendments proposed for action at this town meeting and feel that with their adoption the Town will have a law sufficiently comprehensive to prevent any further exploitation of our lands.

We earnestly urge the adoption of all our proposed amendments as submitted. The law as printed in this pamphlet, embodies both the existing law and the proposed amendments. Pages twenty-nine to thirty-one of 1931 Town Report carry the law as now in force, except for the establishment of the Board of Appeals, which was added at last annual town meeting.

STEPHEN M. W. GRAY,  
CHARLES H. WAY,  
CHARLES R. CAPON,  
CHARLES E. WALLIS,  
PAUL ECKE.

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## ZONING BY-LAW ESTABLISHING CERTAIN BUILDING DISTRICTS AND CERTAIN REGULATIONS THEREFOR

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*Section 1.* Under the provision of the General Laws, the town of Sudbury is hereby divided into districts, to be known respectively as, Business Districts, General Residence Districts, and Single Residence Districts, as follows:

*Business Districts shall comprise:*

(1) All lands, which at the time that this by-law becomes effective, are used for any business or industry other than farming, truck gardening, the raising of nursery stock or plants, livestock or poultry, or the conducting of boarding or lodging houses.

(2) All lands located and fronting on any section of any street or way, which lies between two successive intersecting streets, in which section not less than one-half of the lot frontage on the same side of the street as the said intersecting streets, is at said time devoted to business or industry, or is manifestly suitable only for such use.

(3) All lands located and fronting upon any street or way within 400' 0", on the same side of the street as any business or industry existing at said time, where intersecting streets do not control.

(4) All lands adjoining any railroad right of way, manifestly fit only for business or industry.

*General Residence Districts shall comprise:*

All districts bounded by four streets or ways, or by one or more streets or ways and the town boundary line, in which, at the time this by-law becomes effective, more than one-half the area is developed, and more than one-half of

such development is used for other than single residences and their appurtenant buildings.

*Single Residence Districts shall comprise* all other lands in the town.

Nothing in the above shall prohibit the building of single residences and their appurtenant buildings in any section of the town.

The words "intersecting streets," as used in this by-law shall mean any streets or ways which join each other at an angle, whether or not they cross each other.

*Section 1A.* The use, construction, alteration, height and area of buildings and the use of premises in the aforementioned districts shall be regulated and restricted as hereinafter provided.

*Section 2.* No building for use as a habitation, for business or for industry shall be erected after this by-law becomes operative without a permit from the Selectmen, showing that the requirements of the districts affected have been substantially complied with.

*Section 3.* Except as hereinafter provided, no parcel of land in any district shall be used for any purpose other than that for which the district is established, as provided in Section 1.

*Special Permit by Board of Appeals required*

*Section 4.* A permit may be issued for the erection, in any Residence District, of a building for the use of a business or industry, or for the alteration or conversion of a building for or to such purpose, or for the conversion of a single residence into two dwelling units provided such conversion does not destroy the single residence character of the building, if the Board of Appeals shall, after public hearing so permit: PROVIDED that there be filed with the application for such permit, written consent thereto, signed and acknowledged by the owners or legal representatives of the owners, of three-fourths of the area of all lands used for the purposes for which said district is restricted, as provided in Section 1 hereof, which are within 500' 0" of the lot for which the permit is requested.



*Section 6B. Height Regulations.* The limit of height in all residence districts shall be two and one-half stories, not to exceed thirty-five feet at the ridge, except that schools and municipal buildings may contain three full stories and may be erected to the height of forty-five feet.

The limit of height in business and manufacturing districts shall be three stories, not to exceed forty-five feet at the highest point of the roof.

The limitation of height in feet shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses and other accessory features usually carried above the roofs, nor to towers or spires of churches and other buildings, if such features are in no way used for living purposes.

*Section 7. (a)* At every filling station hereinafter constructed, the building shall be located at least 60' 0" from the center line of the highway. No pump shall be nearer than 50' 0" from the center line of the highway, and no filling shall be done except in cars standing on property of the filling station.

(b) No public garage for the repair of cars and no filling station shall be located in any portion of a business district or manufacturing district which is within 300' 0" of a school.

(c) No permit for a garage, filling station or other establishment shall be granted where it would be detrimental or injurious to the neighborhood, whether of residential or business nature.

*Section 8.* Sales stands for the sale of farm products shall be permitted in any district, provided they do not, by their location violate the set back or side line restrictions.

*Section 9.* The invalidity of any section or provision of this by-law shall not invalidate any other section or division thereof.

*Section 10.* This by-law shall take effect as provided by law.

*Section 11. Enforcement.* (a) The provisions of

this by-law shall be administered by the Selectmen until such time as there shall be an Inspector of Buildings.

*Section 12. Board of Appeals.* The Selectmen shall within thirty days of the acceptance of this by-law appoint a Board of Appeals of five members, two for the term of three years, two for the term of two years, and one for a term of one year. At the expiration of the terms of these original appointees, appointments shall be made for the term of three years. Vacancies shall be filled by the Selectmen by appointment for the balance of the term in which the vacancy occurs.