

*Paul Whitney Choate
April 2-1957*

BY-LAWS

Including

ARTICLE IX

ZONING BY-LAW

and the

Traffic Rules and Orders

of the

Town of Sudbury

MASSACHUSETTS



As Revised

MAY 1, 1956

BY - LAWS

of the

Town of Sudbury

MASSACHUSETTS

Including

ARTICLE IX ZONING BY-LAW



As Revised

MAY 1, 1956

ARTICLE I

TOWN MEETINGS

Section 1. The annual Town Election shall be held the first Monday in March at the Town Hall at such time as the Selectmen may determine, and the annual business meeting shall be held the following Wednesday at such time in the evening as the Selectmen may appoint.

Section 2. Notice of every town meeting shall be given by posting printed attested copies of the warrant therefor at the Town House, at each public meeting house, post office and railroad station in the town, at least seven days before the time appointed for such meeting. In addition to such posting, notice of each special town meeting shall also be given by leaving at each dwelling house in the town, or by mailing to each registered voter at his or her place of residence a notice of the meeting, at least seven days before the time appointed for such meeting.

ARTICLE II

GOVERNMENT OF TOWN MEETINGS

Section 1. The Moderator shall, at the time and place appointed, call the meeting to order, and forthwith proceed to read the call for the meeting, and the return of the person or persons who served it.

Section 2. The powers and duties of the presiding officer, not especially provided for by law, or by these by-laws, shall be determined by the rules and practice contained in Cushing's Manual, so far as they are adapted to the conditions and powers of the town.

Section 3. The presiding officer while occupying the chair shall not participate in any discussion before the meeting.

Section 4. Except for the election of town officers, no meeting shall be legal unless a quorum is present, and a

quorum shall consist of five percent of the registered voters at the last previous registration.

Section 5. Every person speaking shall address the chair, standing and uncovered.

Section 6. No person not a voter, shall address the meeting without first obtaining consent of the meeting.

Section 7. No person shall speak more than twice upon any question without first obtaining the consent of the meeting, except to correct an error, or make an explanation, nor until all others who have not spoken upon the question, and desire to do so, shall have an opportunity.

Section 8. All motions shall be reduced to writing before being submitted to the meeting, if required by the presiding officer or clerk.

Section 9. No vote fixing the time for closing a ballot shall be reconsidered after said ballot shall have begun; but an extension of the time may be had by vote without reconsideration.

Section 10. Deleted by Amendment.

Section 11. When a question is under debate, motions may be received to adjourn, to lay the matter on the table, the previous question, to postpone indefinitely, to postpone to a certain time, to commit, and to amend; which several motions shall have precedence in the order in which they are herein enumerated, and the first three shall be decided without debate.

Section 12. No motion to reconsider a matter already acted on shall be in order at any adjournment except by unanimous consent, unless a notice of such intention shall be given in writing to the Town Clerk on or before noon of the seventh day following the day the meeting was called for or if the adjourned meeting is called for a date which is less than seven days hence, by noon of the next date that the meeting stands adjourned to, and the Clerk shall give notice of such intention by advertisement or posting a notice at his office and at the Town Hall.

ARTICLE III TOWN AFFAIRS

Section 1. The financial year shall commence on the first day of January and end on the last day of December following.

Section 2. The town's financial affairs shall be governed by the applying sections of Chapters 41 and 44 of the General Laws, revision of 1921 and amendments and additions thereto.

Section 3. All town boards and officials, whether appointed or elected, and all committees having had any financial transactions during the preceding financial year, shall make a written report in detail, which report shall be delivered to the accountant on or before January 15th. The accountant shall audit these reports and deliver them to the Selectmen not later than February 15th.

The Selectmen shall cause all such reports and reports of any other boards or committees to be printed in pamphlet form and placed in the hands of the town clerk who shall cause them to be distributed to the citizens of the town at least five days before the annual meeting in March of each year.

Section 4. All boards and department heads shall cause records of their doings and accounts to be kept in suitable books and the persons having charge of the same shall transmit them to their successors in office. Whenever any vote affecting any town officer or officers is passed, the clerk shall transmit a copy of the same to such officer (officers), and the said copy shall be kept by said officers and be transmitted to their successors if anything therein contained shall appertain to their duties.

Section 5. Any voter shall at any reasonable time have access to the books of the Town, and have the right to examine them and take copies thereof, by applying to the officer having charge of the same.

Section 6. The income of all "Charity Funds," except as otherwise provided in deed of gift, shall be awarded and distributed by the Selectmen, and in the names of the recipients of said income shall be filed with the Town Clerk.

ARTICLE IV FINANCE COMMITTEE

Section 1. There shall be a Finance Committee consisting of five legal voters of the town, who shall be appointed by the Moderator as hereinafter provided. No elective or appointive town officer or town employee shall be eligible to serve on said committee.

Section 2. The Moderator of the Town meeting when this by-law is adopted shall, within thirty days after such by-law becomes effective, appoint three members of said committee for terms of one year, two members for terms of two years. The Moderator shall make his first appointments from the personnel of the committee in office when this by-law becomes effective. At each annual Town meeting thereafter the Moderator thereof shall appoint two members of said committee for terms of two years and one member for a term of one year. The terms of office of said members shall commence immediately upon qualification and shall expire at the close of final adjournment of the annual town meeting at which their successors are appointed. Said committee shall choose its own officers and shall serve without pay. Said committee shall cause to be kept a true record of its proceedings.

Section 3. The said committee shall fill any vacancy which may occur in its membership, by vote, attested copy of which shall be sent by the Secretary to the Town Clerk. If any member is absent from five consecutive meetings of said committee, except in case of illness, his position shall be deemed to be vacant and shall be filled as herein provided. The term of office of any person so chosen to fill a vacancy shall expire at the final adjournment of the next succeeding annual town meeting, and the Moderator thereof shall appoint his successor to complete the unexpired term of the member in whose office such vacancy originally occurred.

Section 4. It shall be the duty of this committee to consider all articles of any town meeting warrant under which appropriation of money may be made, and report in writing, to the Selectmen, their recommendations. The Selectmen shall cause the report for the annual meeting to be printed in the town report and the Finance Committee's reason for approval or dis-

approval printed directly beneath the article considered in the Town Warrant.

Section 5. Each town department shall annually submit to the Finance Committee, not later than December 21st, an estimate of its requirements for the ensuing year, and the Selectmen shall report all other requests for appropriations.

The Finance Committee shall hold a public hearing thereon. Notices of hearings to be posted not less than seven days previously in the same manner as notices for the town meetings.

The Finance Committee shall, not later than February 10th submit to the Selectmen their written report with their recommendations.

Section 6. For special town meeting the Selectmen shall immediately furnish the Finance Committee with a copy of the Warrant. The Finance Committee shall hold such hearings as may in their judgment be required, and report in writing to the Selectmen at the meeting.

ARTICLE V

PUBLIC SAFETY

Section 1. Outdoor Advertising. No person, firm, association or corporation shall erect, display or maintain a billboard, sign or other outdoor advertising device, except those exempted by Sections 30 and 32, of Chapter 93, of the General Laws:

- (a) Within fifty (50) feet of any public way.
- (b) Within three hundred (300) feet of any public park, playground or other public grounds, if within view of any portion of the same.
- (c) Nearer than fifty (50) feet to any other such billboard, sign or other advertising device, unless said billboards, signs, or other advertising devices are placed back to back.
- (d) On any location at the corner of any public ways and within a radius of one hundred and fifty (150) feet from the point where the center lines of such ways intersect.

- (e) Nearer than one hundred (100) feet to any public way, if within view of any portion of the same, if such billboard, sign or other advertising device shall exceed a length of eight (8) feet, or height of four (4) feet.
- (f) Nearer than three hundred (300) feet to any public way, if within view of any portion of the same, if such billboard, sign or other advertising device shall exceed a length of twelve and one-half (12½) feet, or a height of six (6) feet.
- (g) No billboard, sign or other advertising device shall be erected, displayed or maintained in any block in which one-half of the buildings on both sides of the street are used exclusively for residential purposes; except that this provision shall not apply if the written consent of the owners of a minority of the frontage on both sides of the street in such block is first obtained and is filed with the Division of Highways of the Department of Public Works, together with the application for a permit for such billboard, sign or other advertising device.
- (h) No billboard, sign or other advertising device shall be erected, displayed or maintained until a permit therefor has been issued by the Division of Highways of the Department of Public Works, pursuant to the following provisions:

Upon receipt from said Division of a notice that application for a permit to erect, display or maintain a billboard, sign or other advertising device within the limits of Sudbury has been received by it, the Selectmen shall hold a public hearing on said application in Sudbury, notice of which shall be given by posting the same in three or more public places in said town, at least one week before the date of such hearing.

A written statement as to the results thereof shall be forwarded to the Division, containing, in the event of a disapproval of such application, the reasons therefor, within thirty days from the date of notice to the town that an application for such a permit had been made,

This by-law shall not apply to signs or other devices which advertise or indicate either the person occupying the premises

in question or the business transacted thereon, or advertise the property itself or any part thereof, as for sale or to let; and provided further that this by-law shall not apply to billboards, signs or other advertising devices legally maintained, at the time of its approval by the Attorney-General.

If any provision of this by-law is declared unconstitutional or illegal by final judgment, order or decree, of the Supreme Judicial Court of the Commonwealth, the validity of the remaining provisions of this by-law shall not be affected thereby.

Section 2. Sale of Goods in Highways: No person shall erect or maintain a stand or otherwise display or sell any articles within the limits of any highway. Violation of this by-law shall be punished by a fine not exceeding \$20 for each offence.

Section 3. Deleted by the Attorney-General.

Section 4. No person shall tie or fasten any horse, cattle or team to any of the trees in the public ways of the town, nor drive into the same any nails, spikes, hooks or clasps, nor affix any boards or signs thereto.

Section 5. No person shall pasture or tether any animal in any street in the town, in such a manner as to obstruct the streets or sidewalks, under a penalty of not less than two nor more than twenty dollars.

Section 6. No person shall pasture any animal upon any street or way in the town, with or without a keeper, except within the limits of such way adjoining his own premises, and on the same side of the street therewith, under a penalty of not less than two nor more than twenty dollars for each offence.

Section 7. No person shall place or cause to be placed in any public way or square, any rubbish, dirt, wood, timber or other material to obstruct or mar the appearance of said way or square.

Section 8. No person shall fire or discharge any firearms or explosives of any kind within the limits of any highway, park, or other public property, or on private property, except with the written consent of the owner or legal occupant thereof; provided, however, that this by-law shall not apply to the lawful

defense of life or property, nor to any discharge of firearms in accordance with the law. Any person violating this by-law shall be punished by a fine of not more than \$20.00.

Section 9. No person under eighteen years of age shall fire a rifle within the limits of the Town without first obtaining a license to do so from the Chief of Police. This shall not apply to the use of rifles by members of the militia acting under orders from the officers thereof, or to any person shooting on any range within the limits of the Town approved by the Board of Selectmen, or to the use of firearms in the lawful defense of life or property, nor to any discharge of firearms in accordance with law. Any person violating this by-law shall be punished by a fine of not more than twenty dollars for each offense.

ARTICLE V(A)

REMOVAL OF LOAM

Section 1. No person, firm or corporation shall remove any loam from any land in the town not in public use, except on that portion of the land on which a building or other structure is to be erected in accordance with a building permit previously issued to the owner of such land, and the installation of walks and driveways appurtenant to said building or structure, without first obtaining a permit therefor from the board of selectmen as provided in the following sections.

Section 2. An application for such permit shall be in writing and, among other things as may be required by the board of selectmen, shall contain an accurate description of the portion of the land from which loam is to be removed, and shall state fully the purposes for the removal thereof. Upon the receipt of an application for a permit for the removal of loam from any land, the board of selectmen shall appoint a time and place for a public hearing, notice of which shall be given to the applicant and the owners of all lands adjoining the land of the applicant, and by publishing such notice at least seven days before such hearing in a newspaper having a circulation in the town.

Section 3. The exercise of any permit granted under the provisions of this by-law shall be subject to such conditions,

limitations and safeguards to be set forth therein as the board of selectmen shall deem to promote the best interests of the public. A permit granted by the board of selectmen as herein provided may be revoked for cause shown after a public hearing notified in the manner required under section two.

Section 4. The board of selectmen shall record all proceedings brought under this article in a book to be kept for that purpose, and shall file in the office of the town clerk all the original papers and a copy of the decision, and the said town clerk shall prepare and keep a proper index thereof.

ARTICLE VI ENFORCEMENT

Section 1. It shall be the duty of the selectmen to prosecute all parties who may cut, mark, deface, defile or in any manner damage or injure any public building belonging to the town, or any outbuilding connected with said public buildings, or who may damage or injure any fence enclosing any land belonging to the town.

Section 2. Every violation of the foregoing by-laws, not otherwise provided for herein or by the General Laws or Special Laws of the Commonwealth shall be punished by a fine of not more than twenty dollars, and all penalties recovered from such violations shall be paid into the town treasury to inure to such use as the Town shall from time to time direct.

ARTICLE VII LEGAL AFFAIRS

Section 1. The selectmen may, in their discretion, employ counsel to prosecute all violations of law, or in any matter pertaining to the business of the town.

Section 2. The selectmen shall have the authority to settle at their discretion any claim or suit to which the town is a party which does not require the payment of more than \$200.00.

ARTICLE VIII PLANNING BOARD

This article as printed in 1941 revision was abrogated upon adoption of the votes under Articles 2 and 3 of the warrant for a special town meeting held January 3, 1946.

Article 2. Voted: To accept General Laws, Chapter 41, Section 81 — B through J.

Article 3. Voted: To establish a Planning Board to consist of five members, under General Laws, Chapter 41, Section 81-A. These to be elected at the next Annual Town Meeting as follows: one for one year, one for two years, one for three years, one for four years, and one for five years, and as these original terms expire, their successors shall be elected for terms of five years each.

ARTICLE VIII (A) BOARD OF APPEALS FOR SUBDIVISIONS

That the Town amend its by-laws by establishing a Board of Appeals for Subdivisions under authority of General Laws, Chapter 41, Section 81-I. Said Board to consist of three members to be appointed by the Selectmen within thirty days of the time this by-law becomes effective as follows:—One for the Term of One Year, one for the Term of Two Years, one for the Term of Three Years. At the expiration of the terms of these original appointees, appointments shall be for terms of Three Years Each. Associate members, to fill vacancies caused by unavoidable absence, inability to act or interest on the part of a member of the Board, may be appointed by the Selectmen in a similar manner.

ARTICLE IX ZONING BY-LAW

In order to preserve and promote the health, safety, morals, convenience and welfare of the townspeople; to lessen the danger from fire, to improve and beautify the town and to sta-

bilize the value of real estate, the following regulations for the use of premises and the construction, location, and use of buildings and structures are hereby established under the General Laws relating thereto.

Section 1. The Town of Sudbury is hereby divided into four types of districts, the boundaries and designations of which are shown on a map entitled "Zoning Map of the Town of Sudbury, Mass. Prepared by E. N. Montague, C.E. dated December 1938," signed by the Planning Board and on file with the Town Clerk. Said map and all explanatory matter thereon are hereby made a part of this by-law.

RESIDENCE DISTRICTS

Residence Zones in single residence districts are shown on said map as Res. "A" 1, "A" 2, "A" 3, — — —, Res. "B" 1, "B" 2, "B" 3, — — —, and Res. "C" 1, "C" 2, — — —, and are severally described as follows:

Residential Zone "A-1"

Commencing at the intersection of the Boston-Maine Railroad track and the Marlboro-Hudson town line and extending Easterly along the Boston-Maine Railroad track to a point 1000' East of Peakham Road, thence Southerly parallel to Peakham Road and 1000' Easterly of Peakham Road to the Boston Post Road, thence Easterly along the Boston Post Road to Dudley Road, thence Southeasterly along Dudley Road to Nobscot Road, then Easterly to and at right angles to New York, New Haven and Hartford Railroad track, thence Northerly along the New York, New Haven and Hartford Railroad track to the Boston Post Road, thence easterly along the Boston Post Road to the Boston-Maine Railroad track, thence Easterly along the Boston-Maine Railroad track to the Wayland town line, thence Northerly along the Wayland town line to Old County Road, also including the small section of the town surrounded by the town of Wayland, thence Northerly around the training field so called to a point 250' North of Old County Road, thence Westerly parallel to Old County Road and 250' northerly of Old County Road to the intersection of Old County Road and the Boston Post Road, thence still Westerly 250' North of the Boston Post Road and parallel to the Boston Post Road to Hop Brook, thence

Northerly along Hop Brook to Peakham Road, thence Easterly along Peakham Road to a point 750' Westerly of Old Lancaster Road, thence Northerly parallel to Old Lancaster Road and 750' Westerly of Old Lancaster Road to Hudson Road, thence Easterly along Hudson Road to a point 750' West of its intersection with Maynard Road, thence Northerly parallel to Maynard Road and 750' Westerly of Maynard Road to the Maynard town line, thence still Westerly along the Maynard town line and Southerly along the Stow and Hudson town lines to the point of beginning, exclusive of any Business and Industrial Zones within the described boundaries.

Residential Zone "A-2"

Commencing at the Framingham-Sudbury town line at a point 250' Easterly of Woodside Road, thence Northeasterly along a line parallel to Woodside Road and 250' Southerly from Woodside Road to Landham Road, thence Southerly along Landham Road to Stock Farm Road, thence Easterly along Stock Farm Road to Victoria Road, thence still Easterly to the Wayland town line, at right angles to the Wayland town line, thence Southerly along the Wayland town line to the Sudbury River, thence Westerly along the Sudbury River and the Framingham-Sudbury town line to the point of beginning.

Residential Zone "A-3"

Commencing at the intersection of the Concord-Sudbury town line and the Sudbury River, thence Southerly along the Sudbury River to Pantry Brook, thence Westerly along Pantry Brook to Marlboro Road, thence Westerly along Marlboro Road to Mossman Road, thence Northerly along Mossman Road 1000', thence Westerly parallel to Marlboro Road and 1000' from Marlboro Road to a point 2000' from Willis Road, thence Southerly parallel to Willis Road and 2000' distance from Willis Road to Marlboro Road, thence Westerly along Marlboro Road to Willis Road, thence Northwesterly along Willis Road to the Maynard-Sudbury town line, thence Northerly along the Maynard-Sudbury town line to the intersection of the Maynard-Acton and Concord town lines, thence Easterly along the Concord-Sudbury town line to the point of beginning, exclusive of any Business or Industrial Zones within the described boundaries.

Residential Zone "B-1"

Commencing at a point 750' West of the intersection of Maynard Road and the Sudbury-Maynard town line, thence Southerly parallel to Maynard Road and 750' distance from Maynard Road to Hudson Road, thence Westerly along Hudson Road to a point 750' West of the intersection of Hudson Road and Old Lancaster Road, thence Southerly along a line parallel to Old Lancaster Road and 750' West of Old Lancaster Road to Peakham Road, thence Westerly along Peakham Road to the intersection of Peakham Road and Hop Brook, thence Southerly along Hop Brook to a point 250' North of the Boston Post Road, thence Easterly along a line parallel to the Boston Post Road and 250' North of the Boston Post Road to Goodman Hill Road, thence Northerly along Goodman Hill Road to a point 1000' East of the intersection of Goodman Hill Road and Concord Road, thence extending in a straight line in an Easterly direction to a point on Old Sudbury Road 2500' easterly from the intersection of Old Sudbury Road and Concord Road, thence Northerly in a straight line to the intersection of Plympton Road and Concord Road, thence Westerly in a straight line to the New York, New Haven & Hartford railroad track at right angles to the New York, New Haven & Hartford railroad track, thence Northerly along the New York, New Haven & Hartford railroad track to Pantry Brook, thence Westerly along Pantry Brook to Marlboro Road, thence Westerly along Marlboro Road to Mossman Road, thence Northerly along Mossman Road 1000', thence Westerly parallel to Marlboro Road and 1000' from Marlboro Road to a point 2000' from Willis Road, thence Southerly parallel to Willis Road and 2000' distance from Willis Road to Marlboro Road, thence Westerly along Marlboro Road to its intersection with Willis Road, thence Northwesterly along Willis Road to the Maynard-Sudbury town line, thence Southerly and Westerly along said Maynard-Sudbury town line to the point of beginning, exclusive of any Business and Industrial Zones within the described boundaries.

Residential Zone "B-2"

Commencing at the intersection of the Boston-Maine Railroad track and the Wayland-Sudbury town line and continuing Westerly along the Boston-Maine Railroad track to the intersection of the Boston-Maine railroad track and the Boston Post

Road, thence Westerly along the Boston Post Road to the intersection of the Boston Post Road and the New York, New Haven and Hartford railroad track, thence Southerly along the New York, New Haven and Hartford railroad track to the Framingham-Sudbury town line, thence Easterly along the Framingham-Sudbury town line to a point 250' Easterly of Woodside Road, thence Northeasterly along a line parallel to Woodside Road and 250' Southerly from Woodside Road to Landham Road, thence Southerly along Landham Road to Stock Farm Road, thence Easterly along Stock Farm Road to Victoria Road, thence still Easterly to the Wayland town line at right angles to the Wayland town line, thence Northerly along the Wayland-Sudbury town line to the point of beginning, exclusive of any Business or Industrial Zones within the described boundaries.

Residential Zone "B-3"

Commencing at the point where Pantry Brook crosses Concord Road, thence Southerly along Concord Road to New Bridge Road, thence Easterly along New Bridge Road to a point 750' West of Water Row, thence Southerly along a line parallel to Water Row and 750' Westerly from Water Row to Old Sudbury Road, thence Easterly along Old Sudbury Road to the Wayland-Sudbury town line, thence Easterly and Northerly along the Wayland-Sudbury town line and the Sudbury River to Pantry Brook, thence Westerly along Pantry Brook to the point of beginning.

Residential Zone "C-1"

Commencing at the intersection of the Boston-Maine railroad track and the Marlboro-Hudson town line and extending Easterly along the Boston-Maine railroad track to a point 1000' East of Peakham Road, thence Southerly parallel to Peakham Road and 1000' Easterly of Peakham Road to the Boston Post Road, thence Easterly along the Boston Post Road to the Dudley Road, thence Southeasterly along Dudley Road to Nobscot Road, thence Easterly and at right angles to the New York, New Haven and Hartford railroad track, thence Southerly along the New York, New Haven and Hartford railroad track to the Framingham-Sudbury town line, thence Westerly along the Framingham-Sudbury town line to the Marlboro town line, thence Northerly along the Marlboro-Sudbury town line to the point of beginning.

Residential Zone "C-2"

Commencing at a point on Goodman Hill Road 250' North of the intersection of Goodman Hill Road and the Boston Post Road, thence Northerly along Goodman Hill Road to a point 1000' East of the intersection of Goodman Hill Road and Concord Road, thence extending in a straight line in an Easterly direction to a point on Old Sudbury Road 2500' easterly from the intersection of Old Sudbury Road and Concord Road, thence Northerly in a straight line to the intersection of Plympton Road and Concord Road, thence Westerly in a straight line to the New York, New Haven & Hartford railroad track at right angles to the New York, New Haven & Hartford railroad track, thence Northerly along the New York, New Haven & Hartford railroad track to Pantry Brook, thence Easterly along Pantry Brook to the point where Pantry Brook crosses Concord Road, thence Southerly along Concord Road to the intersection of Concord Road and New Bridge Road, thence Easterly along New Bridge Road to a point 750' West of Water Row, then Southerly along a line parallel to Water Row and 750' Westerly of Water Row to Old Sudbury Road, thence Easterly along Old Sudbury Road to the Wayland-Sudbury town line, thence Southerly along the Wayland-Sudbury town line to a point 250' North of Old County Road and thence Westerly parallel to Old County Road and 250' Northerly of Old County Road to the intersection of Old County Road and the Boston Post Road, thence still Westerly 250' North of the Boston Post Road and parallel to the Boston Post Road to the point of beginning.

The Business and Industrial Districts are denoted on said map by letters and numbers as B-1 to B-14 inclusive and industrial districts I-1 to I-11 inclusive and the written descriptions of said Business and Industrial areas are as follows:

BUSINESS DISTRICTS

Business District No. 1 is bounded by a line starting at a point on the Sudbury and Wayland Town Line on the Post Road at the Northerly side of said road extending 200 feet in a northerly direction along Town Boundary, thence westerly parallel to the Post Road to Goodman Hill Road, all land which is in Sudbury, thence along Goodman Hill Road to the junction of the Post Road, thence southerly to meet the Boston

& Maine Track at right angles, thence easterly along said track to the Wayland Line thence following along the Wayland Line to point of beginning.

Business District No. 2 is bounded by a line starting at the junction point of John Whitworth's East boundary and the Post Road, thence Southerly along said Whitworth's boundary to Boston & Maine track, thence in a Westerly direction along the track to Wash Brook, thence in a Northwesterly direction along Wash Brook to Mill Lane, thence Northerly along Mill Lane to the Post Road, thence Easterly along Post Road to point of beginning.

Business District No. 3 is bounded by a line starting at a point at the junction of Massasoit Avenue and Post Road extending Northerly along Massasoit Avenue to a point 100 feet deep from Post Road, thence in a Westerly direction parallel to Post Road to Concord Road, thence Southerly along Concord Road to Post Road, thence Easterly along the Post Road to the point of beginning.

Business District No. 4 is bounded by a line starting at a point on Concord Road 100 feet south of the Library south boundary line, thence running west parallel to said line till it meets a line drawn from the proposed southwest corner of the Library lot to a point on the Post Road 150 feet east of east bound of Station Road, thence south along the latter to said point on Post Road, thence east along Post Road to Concord Road, thence north along Concord Road to point of beginning.

Business District No. 5 is bounded by a line starting at a point at the junction of Station Road and Post Road, thence westerly along Station Road to a point 100 feet deep from Post Road, thence in a westerly direction parallel to the Post Road, to the west property line of the N. Y., N. H. and H. R. R., thence southerly to Post Road, thence easterly along Post Road to point of beginning.

Business District No. 6 is bounded by a line starting at a point at the junction of an unnamed road or right of way just east of Halfway Garage on the Post Road, thence northerly 150 feet along said unnamed road, thence from that point westerly parallel to Post Road to the west property line of the

Davis Turkey Farm Inn, thence southerly to Post Road, thence easterly along Post Road to point of beginning.

Business District No. 7 is bounded by a line starting at a point at the junction of Hudson Road and the N. Y., N. H. & H. track, extending northerly along said track to a point 150 feet beyond present coal sheds, thence westerly to railroad property line, thence southerly along said property line to Hudson Road, thence easterly to point of beginning.

Business District No. 8 is bounded by a line starting at a point at Edmund Stone's west property bound on Hudson Road, thence southerly along property line 100 feet, thence westerly parallel to Hudson Road, to L. D. Stiles' west property boundary, thence northerly along same to Hudson Road, thence easterly along Hudson Road to point of beginning.

Business District No. 9 is bounded by a line starting at a point at the junction of Hudson Road and August Road, thence northerly 100 feet along latter, thence in a westerly direction parallel to Hudson Road to a point 150 feet west of Run Brook, thence southerly to Hudson Road, thence easterly along Hudson Road to point of beginning.

Business District No. 10 is bounded by a line starting at a point at the junction of Pantry and Haynes Roads extending northerly 300 feet along Pantry Road, thence southerly to a point on Haynes Road 300 feet westerly of point of beginning, thence easterly along Haynes Road to a point of beginning.

Business District No. 11. Beginning at a point on the south side of the Boston Post Road at the junction of the land of Frank Vana with that of Tulis; thence westerly along south side of said Post Road 739 feet to the New York, New Haven & Hartford Railroad property, thence southerly along said Railroad property 137 feet; thence easterly parallel to said Post Road 739 feet; thence northerly to point of beginning.

Business District No. 12. A certain parcel of land in the Westerly part of Sudbury situated on the Northerly side of Hudson Road and bounded and described as follows:—

Beginning at the South West corner of the premises at the Hudson Road and land now of the U. S. Government, thence

running Easterly along the North line of Hudson Road 75 feet, more or less, to land now of Vera, thence turning and running Northerly 110 feet more or less, to a corner, thence turning and running Easterly 115 feet, more or less, to a corner, thence turning and running Southerly 100 feet, more or less, to Hudson Road, the last three courses by land of Vera and being the Westerly boundary of Lot No. 21, the Northerly boundary of Lots 21, 20, 19, 18, and 17, and the Easterly boundary of Lot No. 17, all of Block W, as shown on Plan of Pine Lakes, Sudbury, Mass., dated April 1927, by Robert B. Bellamy, surveyor and recorded in the South Middlesex District Registry of Deeds, Cambridge, Massachusetts.

Thence turning and running Easterly along Hudson Road 50 feet, more or less, to land now of Boscom, thence turning and running Northerly 100 feet, more or less, to a corner, thence turning and running Easterly 50 feet more or less to land now of Lehr. The last two courses by land of Boscom and being the Westerly boundary of Lots No. 14 and 13, Block W, as shown on the above mentioned plan.

Thence turning and running northerly in a straight line 425 feet, more or less, by land of Lehr to a corner at Lot No. 4, Block V, the last mentioned course being the Westerly boundary of Lot No. 37, Block W, the width of Maplewood Avenue, the Westerly boundary of Lot 20, Block V and the Westerly boundary of that part of Lots 7, 6, 5, Block V that is cut by said straight line.

Thence turning and running Westerly 75 feet, more or less by Lot No. 4, Block V on the above mentioned plan to land now of the U. S. Government, thence turning and running South Westerly 500 feet, more or less to corner, thence turning and running Easterly 65 feet more or less, to a corner, thence turning and running Southwesterly 115 feet, more or less, to Hudson Road and point of beginning.

The last three courses being by land of the U. S. Government.

Business District No. 13. Starting at a point where the westerly boundary of Business District No. 5 intersects the Boston Post Road thence northerly along the westerly boundary of District No. 5 and continuing along the westerly boundary of Industrial District No. 2 to a point 300 feet from the Boston Post Road measured at right angles to the Boston Post Road; thence westerly and 300 feet parallel to the Boston Post Road a

distance of 420 feet more or less to the westerly property line of land owned by Irene Burke; thence southerly along said property line to the Boston Post Road; thence easterly along the Boston Post Road to the point of beginning.

Business District No. 14. A certain area of land situated in the Westerly part of Sudbury on the Northerly side of Hudson Road, bounded and described as follows:

Commencing at a point on the Northerly line of Hudson Road, 200 feet East of the Easterly line of Marlboro Road, thence Westerly by said Hudson Road, 400 feet, thence Northerly by a line perpendicular to said Hudson Road, 200 feet, thence Easterly by a line parallel to and 200 feet distant from said Hudson Road, 400 feet, thence Southerly to the point of beginning.

LIMITED BUSINESS DISTRICTS

A subdivision of the Business District is hereby established, designated as the "Limited Business District." Regulations and Provisions of this By-Law applicable to the Limited Business District shall hereafter apply to those Districts designated on said Zoning Map.

INDUSTRIAL DISTRICTS

Industrial District No. 1 is bounded by a line beginning at a point at the junction of Mill Lane and the Post Road, thence southerly to Wash Brook, thence southeasterly along Wash Brook to the Boston & Maine track, thence northwesterly along Boston & Maine track to Post Road, thence easterly along Post Road to point of beginning.

Industrial District No. 2 is bounded by a line beginning at a point 100 feet northerly of Post Road on Station Road, thence westerly parallel to Post Road to a point 165 feet west of N. Y., N. H. & H. track, thence northerly parallel to N. Y., N. H. & H. track to a point 300 feet north of center of Boston & Maine track, thence easterly at right angles to Union Avenue, thence southerly along Union Avenue to Station Road, thence Easterly to point of beginning.

Industrial District No. 3 is bounded by a line beginning at

a point at the junction of Union Avenue and Station Road, thence northerly along Union Avenue to Codjer Lane, thence easterly along Codjer Lane to Henry Ford's property line, thence southerly along same to south boundary of Library property, thence southerly to a point on the Post Road 150 feet east of east bound of Station Road, thence westerly along Post Road to Station Road, thence westerly along Station Road to point of beginning.

Industrial District No. 4. A certain area of land in the easterly part of Sudbury, situated on the southerly side of the Boston Post Road, bounded and described as follows: Beginning at the Northeast corner of the area concerned at the intersection of the Sudbury-Wayland town line and southerly boundary of the Boston Post Road, thence running westerly along said Boston Post Road a distance of 1600.70 feet to a stone bound; thence turning in a southeasterly direction along the land now or late of Edwin J. Lee, a distance of 490.50 feet to a stone bound thence continuing in a southeasterly direction along land now or late of Edwin J. Lee a distance of 211.98 feet to a stone bound and land of the Boston and Maine Railroad; thence turning easterly 1160 feet along the boundary line of the Boston and Maine Railroad land and to the intersection of the Sudbury-Wayland Town Line; thence turning northerly along said Sudbury-Wayland Town Line to the Boston Post Road and point of beginning.

Industrial District No. 5. A certain parcel of land in the Easterly part of Sudbury, situated on the northerly side of the Boston Post Road, bounded and described as follows:

Beginning at the South Easterly corner of the premises at the intersection of the Sudbury-Wayland Town Line and northerly boundary of the Boston Post Road, thence running along said road N-78-30-00-W, 179.0 feet to a bound, thence running along said road N-73-45-00-W, 516.0 feet to land now of Lester Smith, thence turning and running N-16-15-00-E, 390.0 feet along land of said Smith to a corner, thence turning and running N-73-45-00-W, 409.0 feet along said Smith land to a corner at land now of Paul H. C. Ecke, thence turning and running N-16-15-00-E, 438 feet to a stake and stones, thence turning and running N-73-45-00-W, 34.5 feet to a stake on line between the Sudbury-Wayland Town bound No. 19 and No. 20, thence turning and running N-59-08-00-E, 102.0 feet along said Town line to Town

Bound No. 20, thence turning and running S-84-20-00-E, 828 feet along said Town Line to Town Bound No. 21, thence turning and running S-36-08-00-E, 41.0 feet along said Town Line to Town Bound No. 22, thence turning and running S-5-38-00-W, 1024.7 feet along said Town Line to point of beginning. Said parcel containing in all about 18.6 acres.

The following restrictions are placed upon this property:—

1. The use of this property is restricted to processing sand, gravel and stones from the property which is described in this petition, and a ridge owned by Mr. Wheeler as described in the Planning Board report of Feb. 3, 1953 (Document No. 53008).
2. The operation of the crushing plant and pit shall be developed without causing floating dust to carry more than 200 feet from the plant and in no case onto abutting or adjacent property.
3. The operation of the crusher and pit shall be confined to the hours of 6:00 A. M. to 9:00 P. M.
4. The crushing plant shall not be erected within 200 feet of any property line.

Industrial District No. 6. Northerly by the Boston Post Road; southeasterly by the Sudbury-Wayland town line; and southwesterly by the Sudbury-Wayland town line.

No premises situated in the district as herein established shall be used for crushing stone or the processing of sand and gravel or the mixing and distribution of cement concrete, and the manufacture of cement blocks; and the processing and distribution of any material in which sand, gravel and stone are combined with cement, tar, oil, asphalt or any bituminous substance; nor shall any premises in said district be used for any industrial purpose which requires the continuous operation of heavy vehicles for the trucking of raw materials and finished products to and from such premises.

Industrial District No. 7. A certain parcel of land in the southerly part of Sudbury, situated on the westerly side of Union Avenue, bounded and described as follows: Beginning at a point on the center line of the New York, New Haven, and Hartford Railroad track, 300 feet north of the intersection of the

N. Y., N. H. and H. track and the center line of the Boston and Maine tracks, thence, easterly along the northern boundary of the present industrial district to the center line of Union Avenue, thence northerly along the center line of Union Avenue, a distance of 275 feet to a point, thence turning and running westerly to a point on the center line of the N. Y., N. H. and H. tracks, thence turning and running southerly along the center line of said tracks a distance of 277.18 feet to the point of beginning.

Industrial District No. 8. A certain parcel of land in the southerly part of Sudbury situated at the junction of the State Highway and Nobscot Road, south of said State Highway and west of said Nobscot Road and bounded and described as follows: Beginning at the northeast corner of the premises and running westerly along said Highway 567 feet to a point 20 feet east of the brook; thence running southerly along a line parallel to said brook and 20 feet east of said brook to the Nobscot Road; thence running northerly along said Nobscot Road 830 feet to the point of beginning. Said parcel containing in all about 4.46 acres.

Industrial District No. 9. A certain area of land situated in the southerly part of Sudbury, bounded and described as follows:

Commencing at a point on the Southerly side of Codjer Lane at the New York, New Haven and Hartford Railroad track, thence Westerly by said Codjer Lane to a point 1,000 feet distant from the Easterly line of Horse Pond Road, thence Southerly by a line parallel to and 1,000 feet distant from said Horse Pond Road to a point located 900 feet South of the Boston and Maine Railroad track, thence Easterly by a line parallel to and 900 feet South of said Boston and Maine Railroad track to the Westerly line of the present Industrial District, thence Northerly by the Westerly line of said Industrial District to the Boston and Maine Railroad track, thence Easterly by said Boston and Maine Railroad track to the New York, New Haven and Hartford Railroad track, thence Northerly by said New York, New Haven and Hartford Railroad track to the point of beginning.

Industrial District No. 10. A certain area of land situated in the Southerly part of Sudbury, bounded and described as follows:

Beginning at the junction of Codjer Lane and Union Avenue and running Southerly along Union Avenue to the present Industrial Area; thence Westerly along the present Industrial Area to the New York, New Haven & Hartford Railroad; and thence Northerly along the existing Industrial Area to said Codjer Lane; thence Easterly along said Codjer Lane to the point first mentioned.

Industrial District No. 11. Bounded as follows: Beginning at the Southwesterly corner of Old County Road at land of Aubrey W. Borden; thence N. 24° 47' 59" W. five hundred (500) feet to an angle; thence N. 66° 44' 28" E. five hundred thirty (530) feet to an angle; thence S. 24° 47' 15" E. five hundred (500) feet to an angle at Old County Road; thence S. 66° 17' 05" W. one hundred ninety-two and nineteen hundredths (192.19) feet to an angle; thence S. 68° 00' 34" W. two hundred twenty and ninety-eight hundredths (220.98) feet to an angle; thence S. 65° 05' 38" W. one hundred sixteen and eighty-three hundredths (116.83) feet to the point of beginning, the last three courses being along Old County Road.

A. The following uses shall be permitted in Single Residence Districts:

(1) Agriculture, truckgardening, the raising of nursery stock or plants, or the conducting of boarding or lodging houses.

(2) (a) Customary home occupation, or a light industrial activity, conducted in a dwelling or building accessory thereto by a person living and maintaining a home on the premises provided that:

(1) Such use is clearly incidental and secondary to the use of the premises for residential purposes.

(2) Not more than one person other than residents of the premises is regularly employed thereon in connection with such use.

(3) No offensive noise, vibration, smoke, dust, odors, heat or glare is produced.

(4) There is no exterior display and no exterior sign pertaining to such use, except for a name plate, not exceeding one square foot in area, indicating the occupation. The

Board of Appeals may, if circumstances warrant, allow deviations from the provisions of this paragraph (4).

(5) There is no exterior storage of material or equipment (including the parking of commercial vehicles) and no other exterior indication of such use or variation from the residential character of the premises.

(6) A permit for such use is granted by the Board of Appeals.

(b) Any such permit shall be subject to all requirements as to set backs, off street parking and all requirements and restrictions pertaining to a business area.

B. The following uses shall be permitted in limited business and business districts:

(1) Any uses permitted in single residence districts.

(2) Stores, salesrooms or showrooms for the conduct of a retail business.

(3) Personal service shops of a barber, hairdresser, manicurist, or shoe shiner.

(4) Shops for custom work by a dressmaker, furrier, interior decorator, milliner, or tailor.

(5) Shops for custom work by a cabinetmaker, job printer, repairer of household appliances or furnishings, shoemaker, upholsterer, or woodworker; provided, that all work and repair operations shall be confined to week-days between the hours of 6:00 A.M. and 9:00 P.M., unless a permit is granted for operations during specified additional hours by the Board of Appeals.

(6) Any of the following service establishments dealing directly with the consumer: Collection station for laundry or dry cleaning, frozen food locker, hand or self-service laundry, funeral home, photographic studio, or repair shop for wearing apparel or accessories.

(7) Business or professional offices or agencies, banks or other financial institutions.

(8) Restaurants or other eating places serving food only to persons seated at tables or counters, if no mechanical or live entertainment is regularly furnished.

(9) Such similar uses as the Board of Appeals may approve and grant permits therefor.

(10) Exterior signs of a non-flashing, non-fluorescent type, pertaining only to permitted uses on the same premises.

(11) Such storage of materials, equipment and merchandise as is incidental to and usual in connection with any permitted uses on the same premises.

(12) Such light manufacturing as is incidental to and usual in connection with any permitted uses on the same premises, provided that the major portion of the products are sold at retail on the premises and that not more than 1000 square feet of floor area per establishment are used for such manufacturing.

The following additional uses shall be permitted in Business Districts:

(13) Drive-in retail establishments regularly serving food or dispensing merchandise from inside a building to persons standing outside or seated in their automobiles on the premises.

(14) Restaurants or other eating places serving food only to persons seated at tables or counters, and regularly furnishing mechanical or live entertainment.

(15) Indoor theatres, if a permit is granted therefor by the Board of Appeals.

(16) Automobile filling stations for the dispensing and sale of fuels, lubricants, radiator fluids and accessories, and the performance of incidental services, including tire changing, tube repairing, lubrication and washing.

(17) Hotels, motels, overnight cabins, trailer camps or parks, if a permit is granted therefor by the Board of Appeals.

(18) Exterior signs of a non-flashing fluorescent type pertaining only to permitted uses on the same premises.

C. The following uses shall be permitted in industrial districts:

(1) Any uses permitted in Single Residence, Limited Business, or Business Districts.

(2) Any retail business or service, and any wholesale, storage, industrial or manufacturing use, including processing, fabrication and assembly: provided, however, that no use shall be permitted which would be seriously detrimental or offensive

to adjoining districts or tend to reduce property values by reason of dirt, odor, fumes, smoke, gas, sewage, refuse and other waste matter, noise or excessive vibration or danger of explosion or fire, and provided further, that no theatres or other commercial amusements and no hotels, motels, overnight cabins, trailer camps or parks shall be permitted unless a permit is granted therefor by the Board of Appeals.

D. No single or multiple residence shall be built in any area of the Town zoned as an Industrial District; provided, however, that any dwelling or building accessory thereto hereafter erected, moved or relocated in Limited Business, Business or Industrial Districts shall conform to the lot area and lot width requirements applicable to the said building if located in the single residence district.

E. The following special provisions shall apply in Limited Business, Business, and Industrial Districts.

(1) Exterior Lights. Any exterior light shall be so arranged as to reflect the light away from streets and single residence districts.

(2) Exterior Signs. No exterior signs shall exceed in total area one square foot for each lineal foot of principal street frontage occupied by the business or industrial use to which it pertains, and not more than two such signs, other than those which are attached to and are a part of the architectural design of a building, shall be permitted for each separate and distinct enterprise on the premises.

(3) Screening of Open Uses. Any open storage or display of junk, (including wrecked automobiles, scrap iron, used paper, or rags) or of other low-value or used material whose open storage or display is deemed by the Planning Board as creating a substantial visual nuisance, shall be completely screened from view at normal eye level from any public or private street or any premises, other than that on which located. Any other business or industrial use conducted outside a completely enclosed building (including open displays, signs, service operations, storage, parking, and manufacturing) shall, if normally visible at eye level from any point within a Single Residence District and less than 150 feet distant, be completely screened from such view, except where the business or indus-

trial use is separated from the Single Residence District by a public street having a width of 40 feet or more. Screening required under this paragraph shall be by an evergreen planting, fence or other suitable visual barrier.

(4) Off-Street Parking. No business or industrial building shall hereafter be erected or externally enlarged, and no business or industrial use shall hereafter be established or expanded in ground area, unless there is provided on the lot or land associated therewith, within 300 feet of such building or use, off-street automobile parking space on the basis of the following minimum requirements:

- (a) Retail stores, shops for custom work, consumer service establishments, offices and banks — at least one off-street parking space for each 180 square feet of ground floor area of the building plus one additional space for each 900 square feet of floor area in all stories above the first story.
- (b) Restaurants and other eating places, theatres and other places of assembly — at least one off-street parking space for each three seats that are provided for patron use.
- (c) Hotels, motels and other places offering overnight accommodations — at least one space for each guest room.
- (d) Wholesale, storage, industrial and manufacturing uses, including business service establishments, such as printing, engraving and blueprinting, warehouses and material storage and sales yards, contractor equipment and lumber yards, research laboratories, and processing, fabricating and assembly plants — at least one off-street parking space for each two persons employed or anticipated being employed, on the largest shift.
- (e) Drive-in business and any non-residential uses not otherwise covered by the provisions of this paragraph — at least such off-street parking space as the Planning Board shall deem adequate to serve the public (whether as customers, patrons or visitors), and the employees of the business or use.

For the purposes of this By-Law, a space of 180 square feet of appropriate dimensions for the parking of an automobile,

exclusive of access drives or aisles, shall be considered as one (1) off-street parking space.

In the case of mixed uses in the same building or on the same lot, or the joint use of spaces by two or more separate buildings or uses, the total requirements for off-street parking space shall be the sum of the requirements of the various buildings and uses computed separately. Required parking spaces shall be located, graded, drained and otherwise constructed in accordance with the site plan hereafter required, and shall be provided with a dust-free surface, and shall be permanently maintained and available for use by the customers and employees of the business or industry with which it is connected.

(5) Vehicular access. All vehicular access to and from any lot used for business or industrial purposes shall be through designated driveway openings at the street line having a width of not more than 20 feet, and not more than one opening for entrance and one opening for exit (which may be contiguous with a total width of 40 feet) shall be permitted at any street line for each 100 feet of lot frontage along said line, if in a limited business district, or for each 200 feet of lot frontage along said line, if in a business or industrial district. In the case of a lot having less than the specified frontage along a street line, a total of not more than two designated driveway openings shall be permitted, one of which shall be for entrance and the other for exit, and provided:

- (a) said lot was shown on a plan duly recorded by deed or plan at the time this amendment is adopted, or
- (b) said openings are used or to be used in common by two or more lots having a total continuous frontage along a street line of at least the amount specified for a single lot, or
- (c) said openings are at the street line of a private way whose primary function, in the opinion of the Planning Board, is to provide access to premises located in non-residential districts.

(6) Site plan approval. No business or industrial building shall hereafter be erected or externally enlarged, and no business or industrial use shall hereafter be established or

expanded in ground area except in conformity with a site plan bearing an endorsement of approval by the Planning Board.

Said site plan shall show among other things, all existing and proposed buildings, structures, parking spaces, driveway openings, driveways, service areas, and other open uses, all facilities for sewage, refuse and other waste disposal, and for surface water drainage, and all landscape features (such as fences, walls, planting areas and walks) on the lot.

Any person desiring approval of a site plan under this paragraph shall submit said plan to the selectmen, who shall transmit it forthwith to the Planning Board, and no building permit shall be issued until said Board has approved the plan or has allowed thirty days to elapse after receipt thereof without acting thereon. The Board shall have power to modify or amend its approval of a site plan on application of the person owning or leasing the premises, or upon its own motion in the event of changes in physical conditions sufficient to justify such action within the intent of this paragraph. All of the provisions of this paragraph applicable to approval shall, where apt, be applicable to such modification or amendment. In considering a site plan under this paragraph the Planning Board shall assure, to a degree consistent with a reasonable use of the site for the purposes permitted by the regulations of the district in which located:

- (a) protection of adjoining districts against seriously detrimental or offensive uses on the site.
- (b) convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets and land.
- (c) adequacy of the methods of disposal for sewage, refuse and other wastes resulting from the uses permitted on the site, and the methods of drainage for surface water from its parking spaces and driveways.

The following additional provisions shall apply in Limited Business and Business Districts:

(7) Enclosure of uses. All business and service, including incidental storage and light manufacturing and the regular parking of commercial vehicles, shall be conducted wholly within a completely enclosed building except for:

- (a) the growing of plants in the soil
- (b) open-air dining areas where patrons are seated at tables
- (c) parking areas for customer and employee automobiles
- (d) exterior signs as permitted herein
- (e) open-air displays of sample merchandise on the same premises as a completely enclosed building in which such merchandise is regularly sold, provided that the portion of the lot used for such displays has a ground area of less than ten percent of the area covered by said building
- (f) in business districts only, the dispensing of fuels, lubricants or fluids at filling stations, and the serving of food or dispensing of merchandise from a completely enclosed building to persons outside at drive-in establishments.

Section 2. In the event that a non-conforming building or structure existing at the time of passage of the zoning by-law is destroyed or damaged, it may be reconstructed and used as before said destruction or damage, provided that the reconstruction is commenced within two years from the date of destruction or damage and the building or structure completed and the use resumed within one year thereafter. Nothing in this by-law shall be construed to permit the reconstruction or resumption of use of a building or structure destroyed or damaged except substantially as it existed prior to said destruction or damage, and in compliance with any existing laws.

In the event that a non-conforming use of premises is abandoned for a period of three years such non-conforming use shall be considered to have been extinguished and the premises be subject to the regulations of the District in which said premises are located.

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.

Section 4. 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 5. No building for use as a habitation, for business, for industry or accessory buildings shall be erected, altered or moved 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. Said permit shall be posted conspicuously on the premises to which it applies during the time of construction. No lot, nor the building or structure, shall be changed in size, or use so as to violate the provisions of this by-law.

"B" Permits will not be granted for the construction or alteration of any structure that will cause a change in existing grades and contours which interfere with drainage of water from the public highways unless provision is made at the owner's expense for the proper disposal of such water by gutters, ditches, pipes or other necessary drainage structures. The owner will be required to grant the Town any necessary drainage easements.

"C" A permit issued by the Planning Board and approved by the Highway Surveyor shall be required for any private road or driveway which enters a public right-of-way. The Town Highway Surveyor shall have the authority to determine the grading and construction of that part of such roads and drives which lies within the public right-of-way in order that they may meet the requirements of public safety and proper drainage. The owner of the road or drive shall pay any cost incidental to the construction thereof including the cost of any necessary drainage structures.

Section 6. BOARD OF APPEALS. The Selectmen shall within thirty days of the acceptance of this by-law appoint a Board of Appeals of five members, one for the term of five years, one for the term of four years, one for the term of three years, one for the term of two years, and one for the term of one year. At the expiration of the terms of these original appointees, appointments shall be for the term of five years. Vacancies shall be filled by the Selectmen by appointment for the balance of the term in which the vacancy occurs.

Associate members, to fill vacancies caused by unavoidable absence, inability to act or interest on the part of a member, shall be appointed by the Board of Selectmen annually for a term of one year.

APPEALS

An appeal may be taken to the Board of Appeals by any person aggrieved by reason of his inability to obtain a permit from any administrative official under the provisions of this By-Law or The Zoning Enabling Act (G. L. [Ter. Ed.] c 40A), or by any officer or board of the town, or by any person aggrieved by any order or decision of the inspector of buildings or other administrative official in violation of any provision of The Zoning Enabling Act or the Zoning By-Law; provided, that such appeal, in the case of an application for a permit, is filed with the clerk of the board of appeals within fifteen days after the date on which written notice of the action of the administrative official, officer or board or the inspector of buildings shall have been given to an applicant by mail, postage pre-paid. A copy of such notice shall forthwith be filed in the office of the Town Clerk. A person aggrieved by any order or decision of the inspector of buildings or other administrative official in violation of any provision of the Zoning Enabling Act or the Zoning By-Law, who was not a party to the original proceedings before such officer or administrative official may take such appeal within twenty days after the filing of such written notice with the Town Clerk.

Section 7. DWELLING CONVERSION. In Single Residence Districts, the Board of Appeals may permit the conversion of a single family dwelling into a dwelling accommodating two families, provided such dwelling was in existence at the time of the adoption of this By-Law and that such conversion will not destroy the single residence character of the building.

Section 8. The removal of sod, loam, sand, gravel and ledge for sale, except when incidental to and in connection with the construction of a building for which a permit has been issued by the Selectmen, or the use of land for a cemetery, playground, picnic ground, for educational purposes or recreation field, shall be allowed only if the Board of Appeals shall rule that such removal or use is not detrimental to the neighborhood.

Section 9. NOTICE, HEARING AND DECISION. No permit shall be granted by the Board of Appeals except after a public hearing before said Board. The Board of Appeals shall fix a reasonable time for the hearing of any appeal, petition, or other

matter referred to it, and shall give public notice of the time, place and purpose of the hearing in a local newspaper at least fourteen days before said hearing. At least seven days before said hearing, the Board of Appeals shall post a copy of said notice in each of at least three public places in the town, and mail a copy of said notice to the petitioner and to the owners of all property deemed by said Board to be affected thereby. A permit shall be granted only by a vote of not less than four members of the Board, and said Board shall grant or deny a permit within a reasonable time after the public hearing thereon, which time shall not exceed forty-five days unless extended in writing by the petitioner.

The Board of Appeals may impose appropriate conditions and safeguards in all its decisions and may impose limitations both of time and of user and a continuance of the use permitted may be conditional upon compliance therewith.

Section 10. No excavation lower than the grade of any road upon which such excavation abuts shall be made nearer than 50 feet from such road boundary, and that the slope of any side of the excavation abutting on a road or on adjoining property shall not be steeper than the angle of repose of that particular soil, except as may be authorized by the board of appeals.

Section 11. The Board of Appeals may grant permits for the raising of swine, poultry, fur bearing animals, and the operation of kennels in any district; and such Board may impose such restrictions and provide such regulations with respect to the conduct thereof as in its judgment may seem necessary for the general welfare of the Town.

Section 12. HOTELS, CABINS, AND CAMPS. Hotels, Motels, overnight cabins, trailer camps or parks may be established only in a Business or Industrial District, provided a permit therefore is granted by the Board of Appeals. Said Board shall attach to each permit issued such conditions as it deems advisable for the disposal of sewage, refuse and other waste matter as are not inconsistent with any regulations of the Board of Health.

Section 13. CONTINUATION AND EXTENSION OF NON-CONFORMING USES.

A. Any lawful building or structure, or use of a building, structure or premises existing at the time this By-Law is adopted which does not conform to the regulations of the district in which located may be continued, subject to the provisions of Section 2.

B. The Board of Appeals may authorize a non-conforming use to be extended or a non-conforming building to be structurally altered or enlarged; provided that such extension, alteration or enlargement will alleviate a clearly demonstrable hardship and will not be detrimental or objectionable to the neighborhood.

Section 14. SET BACK AND YARDS

A. Requirements. In all districts except as herein provided, no building hereafter erected, moved or relocated shall be (a) nearer to the center line of any street or way than the "Required Set Back Distance from Street Center Line," or (b) nearer to the exterior line of any street or way than the "Required Front Yard Depth," or (c) nearer to the side lines of its lot than the "Required Side Yard Width," or (d) nearer to any boundary of a Single Residence District outside of a street line than the "Required Clear Distance from Residence Zone Boundary," or (e) nearer to the rear line of its lot than the "Required Rear Yard Depth," specified in the following table for the District in which located:

District	Space Between Building and Street		Space at Sides and Rear of Building		
	(a) Required Set Back Distance From Street	(b) Required Front Yard	(c) Required Side Yard	(d) Required Clear Distance from Residence Zone Boundary (whether at side or rear)	(e) Required Rear Yard
	Center Line	Depth	Width		Depth
Single Residence	65 ft.	35 ft.	20 ft.	None	5 ft. for one-story detached accessory bldgs.; 30 ft. for all other buildings.
Limited Business	65 ft.	35 ft.	20 ft. for dwellings; 5 ft. for all other bldgs. unless having a party wall on the side lot line	20 ft.	20 ft. for dwellings; none for all other buildings
Business	70 ft.	50 ft.	20 ft. for dwellings; 5 ft. for all other bldgs. unless having a party wall on the side lot line or unless abutting a railroad right-of-way.	20 ft.	20 ft. for dwellings; none for all other buildings
Industry	50 ft.	50 ft. from line of the Post Road, so-called; 20 ft. from the line of all other streets.	30 ft., unless abutting railroad right-of-way	30 ft.	30 ft., unless abutting railroad right-of-way.

NOTE: Where two or more of the above requirements are applicable to the same open space, that which imposes the greatest restriction on the placement of the building will control.

B. MODIFICATIONS AND EXCEPTIONS. 1. In all districts, no building need be further from either the exterior or the center line of any street or way than the average distance from each such line, respectively, of the dwellings or other principal buildings located on the adjoining side lots. In determining such average, a vacant side lot shall be considered as though occupied by a building having the required set back and front yard.

2. In Limited Business, Business, and Industrial Districts, no open display, except growing plants, no sign, no gasoline pump, and no structure, hedge, or landscape feature having a height in excess of three feet, except a utility or light pole, shall be nearer to the center or exterior line of any street or way than seventy-five percent of the required setback and front yard distance, respectively, specified herein for a building in the district in which located.

3. Nothing herein shall prevent the projection of cornices or eaves not exceeding eighteen inches in width, or of steps, unroofed porches or window sills into any required yard or other open space.

Section 15. No building used for habitation shall be built, extended or otherwise enlarged so that, with its accessory buildings it covers more than 40% of the lot upon which it is situated.

No building used for Business or Industry shall cover more than 75% of the area of the lot if on a corner lot, or 60% if on an interior lot. The open space required shall be so located as to properly light and ventilate the building, and give free access in case of fire.

Section 16. HEIGHT REGULATIONS. The limit of height in all Single Residence Districts shall be two and one-half stories, not to exceed thirty-five feet to the ridge, except that schools and municipal buildings may contain three full stories and may be erected to a height of forty-five feet.

The limit of height in Limited Business Districts shall be the same as in a Single Residence District. The limit of height in Business and Industrial Districts shall be two stories, not to exceed twenty-five feet at the highest point of the roof.

The limitations 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 17. Except as hereinafter provided, no dwelling house and accessory building shall be erected in a single residence district unless the area and street frontage of the lot on which it is to be situated shall conform to the following requirements:

In Residence Zones "A" 1, "A" 2, and "A" 3, the minimum area of the lot shall be 30,000 square feet, and the minimum frontage of the lot on any street or way shall be 150 feet;

In Residence Zones "B" 1, "B" 2, and "B" 3, the minimum area of the lot shall be 40,000 square feet, and the minimum frontage of the lot on any street or way shall be 180 feet;

In Residence Zones "C" 1 and "C" 2, the minimum area of the lot shall be 60,000 square feet, and the minimum frontage of the lot on any street or way shall be 210 feet.

A dwelling house and any accessory building may be erected on a lot in any residence district, the area and street frontage of which is less than that prescribed in the first paragraph of this section; provided, that such lot is shown on a plan or deed recorded with Middlesex South District Registry of Deeds and that the minimum area and street frontages of said lot are at least equal to those which were required by the provisions of this section in force on the date of the recordation of said plan; and that there shall be a full compliance with all the provisions of these zoning by-laws relative to setbacks and yards.

Section 18. LOCATION OF AUTOMOBILE SERVICES. No driveway opening serving a garage for motor vehicle repairs, an automobile filling station, a drive-in business establishment, or an automobile parking area with more than ten (10) spaces, shall be located in any district on either side of the same street between two intersecting streets as, and within 300 feet from any entrance to or exit from a public or private school, public library, church, public park or playground, or public or private institution for the sick or dependent, or for children under sixteen years of age.

Section 19. Sales stands for the sale of farm products shall be permitted in any district, provided they do not, by their location violate set back or side line restrictions.

Section 20. Any person violating any provision of this by-law shall be subject to a fine not exceeding \$20.00 for each violation. Each day during which any violation exists shall be deemed a separate offence.

Section 21. ENFORCEMENT. The provisions of this Article shall be enforced by the Board of Selectmen.

Section 22. The invalidity of any section or provision of this by-law shall not invalidate any other section or division thereof.

Section 23. This by-law shall take effect as provided by law.

ARTICLE X AMENDMENTS

Section 1. These by-laws may be amended at any annual town meeting.

Section 2. These by-laws shall supersede all previous by-laws.

CIVIL DEFENSE

SECTION 1. Department of Civil Defense

There is hereby established a Department of Civil Defense (hereinafter called the "Department"). It shall be the function of the department to have charge of Civil Defense as defined in Section 1, Chapter 639, Acts of 1950 and to perform civil defense functions as authorized or directed by said chapter or by any and all executive orders or general regulations promulgated thereunder, and to exercise any authority delegated to it by the Governor under said Chapter 639.

Section 2. Director of Civil Defense

The Department shall be under the direction of a Director

of Civil Defense (hereinafter called the "Director"), who shall be appointed by the Selectmen. The Director shall have direct responsibility for the organization, and for the administration of the department, subject to the direction and control of the Selectmen. The Director may, within the limits of the amount appropriated therefor, and subject to the approval of the Selectmen, appoint such experts, clerks and other assistants as the work of the department may require and may remove them, and may make such expenditures as may be necessary to execute effectively the purpose of Chapter 639 of the Acts of 1950.

The Director shall also have authority, subject to the approval of the Selectmen, to appoint District Co-ordinators and may accept and may receive on behalf of the Town, services, equipment, supplies, materials or funds by way of gifts, grant or loan, for any agency or officer thereof or any person, firm or corporation subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer. The Director shall cause appropriate records to be kept of all matters relating to such gifts, grants or loans.

Section 3. Police Aid To Other Cities And Towns In Event Of Riots Or Other Violence Therein.

The Police Department is hereby authorized to go to aid another city or town at the request of said city or town in suppression of riots or other forms of violence therein.

Section 4. Termination Of By-Law

This By-Law shall remain in force during the effective period of Chapter 639, Acts of 1950 and any act in amendment or continuation thereof or substitution therefor.

Section 5. Definitions

All references to Chapter 639, Acts of 1950, as now in force shall be applicable to any act or acts in amendment or continuation of or substitution for said Chapter 639.

As a basis of this revision, there was used the attested copy of the Town By-Laws, as revised March 1926, approved by the Attorney-General, and published by the Town Clerk in the News-Enterprise, December 24, 1926; plus subsequent additions and revisions similarly approved and published from time to time.

Traffic Rules and Orders

of the

Town of Sudbury MASSACHUSETTS



As Revised
MAY 1, 1956

Traffic Rules and Orders

The following rules and orders regulating traffic upon the streets and highways of the Town of Sudbury are hereby enacted by the Selectmen of the Town of Sudbury.

ARTICLE I

DEFINITIONS

For the purpose of these rules and orders, the words and phrases used herein shall have the following meanings except in those instances where the context clearly indicates a different meaning.

- (a) "Street or Highway." The entire width between property lines of every way open to the use of the public for purposes of travel.
- (b) "Roadway." That portion of a street or highway between the regularly established curb lines or that part, exclusive of shoulders, improved and intended to be used for vehicular traffic.
- (c) "Lane." A longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles.
- (d) "Vehicle." Every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, except devices moved by human power or used exclusively upon stationary rails or tracks.
- (e) "Emergency Vehicle." Vehicles of the Fire Department or Fire Patrol, police vehicles, ambulances and emergency vehicles of federal, state and municipal departments or public service corporations when the latter are responding to an emergency.
- (f) "Parking." The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to an officer or traffic signs or signals, or while making emergency

repairs or, if disabled, while arrangements are being made to move such vehicle.

(g) "Pedestrian." Any person afoot or riding on a conveyance moved by human power, except bicycles or tricycles.

(h) "Sidewalk." That portion of a street or highway set aside for pedestrian travel.

(i) "Crosswalk." That portion of a roadway ordinarily included within the prolongation or connection of curb lines and property lines at intersections, or at any portion of a roadway clearly indicated for pedestrian crossing by lines on the road surface or by other markings or signs.

(j) "Railroad Crossing." Any intersection of ways with a railroad right-of-way.

(k) "Traffic Island." Any area or space set aside, within a roadway, which is not intended for use by vehicular traffic.

(l) "Traffic." Pedestrians, ridden or herded animals, vehicles, street cars or other conveyances either single or together while using any street or highway for the purpose of travel.

(m) "Official Traffic Signs." All signs, markings and devices, other than signals, not inconsistent with these rules and orders, and which conform to the standards prescribed by the Department of Public Works of the Commonwealth of Massachusetts and placed or erected by authority of a public body or official having jurisdiction, for the purpose of guiding, directing, warning, or regulating traffic.

(n) "Officer." For the purpose of this ordinance an officer shall be construed to mean any officer, any investigator, examiner or inspector of the Registry of Motor Vehicles, any constable or special officer, provided he has his badge of office displayed over his left breast and upon his outer garment.

(o) "Bus Stop." An area in the roadway set aside for the boarding of or alighting from the parking of busses.

(p) "Funeral." Any procession of mourners properly identified as such accompanying the remains of a human body.

(q) "Official Curb Marking." That portion of a curbing, the painting of which has been authorized by the Board of Selectmen, and which complies with the standards of the Department of Public Works of the Commonwealth of Massachusetts and has the written approval of said Department.

(r) "Official Street Marking." Any painted line, marking or marker placed in or upon any way by authority of the Board of Selectmen and which complies with the standards of the Department of Public Works and has the written approval of said Department.

ARTICLE II

AUTHORITY AND DUTIES OF POLICE

Section 1. OFFICERS TO DIRECT TRAFFIC. It shall be the duty of officers designated by the Chief of Police to enforce the provisions of these rules and orders. Such officers are hereby authorized to direct all traffic either in person or by means of visible or audible signals in conformance with the provisions of these rules and orders, provided that in the event of a fire or other emergency to expedite traffic or safeguard pedestrians, officers of the Police or Fire Departments may direct traffic, as conditions may require, notwithstanding the provisions of these rules and orders.

Section 2. POLICE MAY CLOSE STREETS TEMPORARILY. The Chief of Police is hereby authorized to close temporarily, any street or highway in an impending or existing emergency, or for any lawful assemblage, demonstration or procession provided there is reasonable justification for the closing of such street.

Section 3. POLICE MAY PROHIBIT PARKING TEMPORARILY. The Chief of Police is hereby authorized to prohibit, temporarily, parking on any street or highway or part thereof in an impending or existing emergency, or for a lawful assemblage, demonstration or procession provided there is reasonable justification for such prohibition. Vehicles parked in places where parking is prohibited temporarily may be moved by or under the direction of an officer.

Section 4. EXEMPTIONS. The provisions of these rules and orders shall not apply to operators actually engaged in work upon a street or highway closed to travel or under construction or repair, to officers when engaged in the performance of public duties nor to drivers of emergency vehicles while operating in an emergency and in performance of public duties when

the nature of the work of any of these necessitates a departure from any part of these rules and orders. These exemptions shall not, however, protect the driver of any vehicle from the consequences of a reckless disregard of the safety of others.

ARTICLE III

TRAFFIC SIGNS, SIGNALS, MARKINGS AND ZONES

Section 1. TRAFFIC SIGNS AND SIGNALS.

(a) The Highway Surveyor is hereby authorized and as to those signs and signals required hereunder it shall be his duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones. All signs, signals, markings and safety zones shall conform to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts.

(b) Section 2 and 3 of Article II and Section 2 of Article V relating to parking shall be effective only during such time as a sufficient number of official signs are erected and maintained in each block designating the provisions of such sections and located so as to be easily visible to approaching drivers.

(c) Sections relating to one-way streets shall be effective only during such time as a sufficient number of official signs are erected and maintained at each of the exits for each one-way street, so that at least one sign will be clearly visible for a distance of at least seventy-five (75) feet to drivers approaching such an exit.

Section 2. DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS AND MARKINGS PROHIBITED. It shall be unlawful for any person to place or maintain or to display upon or in view of any street any unofficial sign, signal, marking or device which purports to be or is an imitation of, or resembles an official traffic sign, signal, marking or device or which attempts to direct the movement of traffic or which hides from view any official sign or signal. The Chief of Police is hereby empowered to remove every such prohibited sign, signal, marking or device or cause it to be removed, without notice.

Section 3. INTERFERENCE WITH SIGNS, SIGNALS AND MARKINGS PROHIBITED. Any person who wilfully defaces,

injures, moves, obstructs or interferes with any official traffic sign, signal or marking shall be liable to a penalty not exceeding twenty (20) dollars for each and every offence.

Section 4. OBEDIENCE TO TRAFFIC SIGNS AND SIGNALS. No driver of any vehicle or of any street car shall disobey the instructions of any official traffic control signal, sign, marking, marker or legend, unless otherwise directed by a police officer.

ARTICLE IV

ZONES OF QUIET

Section 1. ZONES OF QUIET.

(a) All of the territory within two hundred feet of the premises of each hospital in this town is hereby created and established as a Zone of Quiet. The Chief of Police is hereby authorized to erect and maintain in a conspicuous manner within this area such signs and markings as are necessary to designate it as a zone of quiet.

(b) The Chief of Police may temporarily establish a zone of quiet upon any street where a person is seriously ill, if requested to do so. Said temporary zone of quiet shall embrace all territory within a radius of two hundred (200) feet of the building occupied by the person named in the request. Said temporary zones of quiet shall be designated by the police by placing at a conspicuous place in the street a sign or marker bearing the words "Zone of Quiet."

(c) No person operating a motor vehicle within any designated and signed zone of quiet shall sound the horn or other warning device of said vehicle except in an emergency.

ARTICLE V

PARKING

Section 1. GENERAL PROHIBITIONS. No person shall park a vehicle in any of the following places and vehicles found parked in violation of the provisions of this section may

be moved by or under the direction of an officer and at the expense of the owner to a place where parking is permitted.

(a) Within an intersection.

(b) Upon any sidewalk.

(c) Upon any crosswalk.

(d) Upon the roadway in a rural or sparsely settled district.

(e) Upon a roadway where parking is permitted unless both wheels on the right side of the vehicle are within 12 inches of the curb or edge of the roadway, except upon those streets which are designated as one-way streets. On such one-way streets vehicles shall be parked in the direction in which said vehicle is moving and with both wheels within twelve (12) inches of the curb. This shall not apply to streets or parts of streets where angle parking is required by these regulations.

(f) Upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.

(g) Upon any street or highway within ten (10) feet of a fire hydrant.

(h) Upon or in front of any private road or driveway.

(i) Upon any street or highway within twenty (20) feet of any intersecting way, except alleys.

(j) Within fifteen (15) feet of the wall of a fire station or directly across the street from such station provided signs are erected acquainting the driver of such restriction.

(k) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.

Section 2. PROHIBITED ON CERTAIN STREETS. Upon the following streets or highways or parts thereof parking is hereby prohibited.

Concord Road, west side, from a point 225' south of Hudson Road southerly for a distance of 235'.

Hudson Road, northerly side, from the easterly side of the N. Y., N. H. & H. R. R. easterly for a distance of 400'.

Concord Road, westerly side from station 77x30 (Post Road) northerly to station 74x25, approximately 305 feet.

Concord Road, easterly side from station 76x25 northerly to station 74x25 approximately 200 feet.

Section 3. NO ALL NIGHT PARKING. It shall be unlawful for the driver of any vehicle, other than one acting in an emergency, to park said vehicle on any street for a period of time longer than one (1) hour between the hours of 11 p.m. and 7 a.m. of any day.

ARTICLE VI

ADVERTISING SIGNS, AND DISPLAY AND STORAGE OF MATERIALS IN STREETS

Section 1. ADVERTISING SIGNS ON SIDEWALKS OR STREETS MUST HAVE PERMITS. No person shall erect or cause to be erected upon or above any town sidewalk, street or highway any advertising sign or device which projects into or over the sidewalk, street or highway more than six (6) inches unless a permit authorizing the erection of such sign or device has been issued by the Board of Selectmen and is in effect. After five days' notice illegal advertising signs or devices may be removed by or under the direction of a police officer and at the expense of the owner. Any person violating the provisions of this section shall be subject to a fine not exceeding five dollars for each day such sign or device has remained after the expiration of the five days of notice.

Section 2. PLACING OF STRUCTURES OR PROPERTY IN STREETS PROHIBITED.

(a) No person shall place, erect or cause to be placed or erected within any sidewalk, street or highway any fixture or structure unless a permit, issued by the Board of Selectmen, in the case of town ways or by the Department of Public Works, Commonwealth of Massachusetts, in the case of state highways, authorizing such placing or erection has been granted and is in effect.

(b) No person, other than one employed directly or indirectly by this town or by the Commonwealth of Massachusetts and while in the performance of necessary public duties, shall at any time place or leave in any sidewalk, street or highway any article, material or merchandise, or park a vehicle or cart in any sidewalk, street or highway for the purpose of displaying merchandise unless a permit issued by the Selectmen in the case of town ways or by the Department of Public Works in

the case of state highways, authorizing the use of the sidewalk, street or highway has been granted and is in effect, except as may be necessary for the reasonable and expeditious loading or unloading of any such article, material, merchandise, cart or vehicle, provided, however, that such property shall never be left so as to obstruct the free passage of pedestrians or vehicular travel.

(c) Any such fixture, structure or property as referred to in this section which has been erected, placed or left illegally in any street, highway or sidewalk may be moved by or under the direction of an officer and at the owner's expense.

Section 3. DEPOSIT, BOND OR INSURANCE POLICY MAY BE REQUIRED FOR PRIVILEGE OF USING STREET FOR SPECIAL PURPOSES.

The board or officer issuing permits for such use of sidewalks, streets or highways as are described in the two previous sections may in its or his discretion when occasion justifies demand a suitable cash deposit, surety bond or insurance indemnity policy to save the town or the Commonwealth of Massachusetts harmless from all liability of any nature whatsoever caused directly or indirectly by such use of the sidewalk, street or highway.

ARTICLE VII

OPERATION OF VEHICLES

Section 1. DRIVE WITHIN MARKED LANES. When any roadway has been divided into lanes, a driver of a vehicle shall drive so as to be entirely within a single lane and shall not move from the lane in which he is driving until he has first ascertained if such movement can be made with safety.

Section 2. USE RIGHT LANE. Upon all roadways the driver of a vehicle shall drive in the lane nearest the right side of the roadway when said lane is available for travel except when overtaking another vehicle or when preparing for a left turn.

Section 3. OVERTAKE ONLY WHEN THERE IS A SPACE AHEAD. The driver of a vehicle shall not overtake and pass a

vehicle proceeding in the same direction unless there is sufficient clear space ahead on the right side of the roadway to permit the overtaking to be completed without impeding the safe operation of any vehicle ahead.

Section 4. DRIVER TO GIVE WAY TO OVERTAKING VEHICLE. The driver of a vehicle when about to be overtaken and passed by another vehicle approaching from the rear shall give way to the right in favor of the overtaking vehicle, on suitable and audible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Section 5. OBSTRUCTING TRAFFIC.

(a) No person shall drive in such a manner as to obstruct unnecessarily the normal movement of traffic upon any street or highway. Officers are hereby authorized to require any driver who fails to comply with this section to drive to the side of the roadway and wait until such traffic as has been delayed has passed.

(b) No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk and on the right half of the roadway to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians notwithstanding any traffic control signal indication to proceed.

Section 6. FOLLOWING TOO CLOSELY. The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the street or highway.

Section 7. SLOW VEHICLES TO STAY 200 FEET APART. Upon roadways less than twenty-seven (27) feet wide and upon which vehicular traffic is permitted to operate in both directions the driver of any slow moving vehicle when traveling outside of a business or residential district shall not follow another slow moving vehicle within two hundred (200) feet, but this shall not be construed to prevent such slow moving vehicle from overtaking and passing another slow moving vehicle. This section shall not apply to funerals or other lawful processions.

Section 8. OBEDIENCE TO ISOLATED STOP SIGNS. Every driver of a vehicle, railway car or other conveyance, approaching an intersection of ways where there exists facing him an official sign, bearing the word "stop" and authorized by this section, said sign having apart from this regulation, the written approval of the Department of Public Works, Commonwealth of Massachusetts, and such approval being in effect, shall before proceeding through the intersection, bring such vehicle, railway car or other conveyance to a complete stop at such point as may be clearly marked by a sign or line, or if a point is not so marked, then at a place between the said "stop" sign and the nearer line of the street intersection. In the case of a line of two or more vehicles approaching such "stop" sign, the drivers of the second and third vehicles in line in any group shall not be required to stop more than once before proceeding through the intersection. This section shall not apply when the traffic is otherwise directed by an officer or by a lawful traffic regulating sign, signal or device, except as provided in Section 2 (c) of this Article.

In accordance with the foregoing the erection and maintenance of an official "stop" sign or signs are authorized so as to face:

Westbound drivers on Old Sudbury Road at Concord Road Route 27.

Eastbound drivers on Old Lancaster Road at Route 27.

Southbound drivers on Maynard Road at Hudson Road.

North and southbound drivers on Old Lancaster Road at Peckham Road.

Section 9. KEEP TO THE RIGHT OF ROADWAY DIVISION. Upon such roadways as are divided by a parkway grass plot, reservation, viaduct, subway or by any structure or area, drivers shall keep to the right of such a division except when otherwise directed by an officer, signs, signals or markings.

Section 10. DRIVING ON ROAD SURFACES UNDER CONSTRUCTION OR REPAIR. No operator shall enter upon the road surface of any street or highway or section thereof, when, by reasons of construction, surface treatment, maintenance or the like, or because of some unprotected hazard, such road

surface is closed to travel, and one or more signs, lights or signals have been erected to indicate that all or part of the road surface of the street or highway is not to be used, or when so advised by an officer, watchman, member of a street or highway crew or employee of the town, either audibly or by signals.

Section 11. DROPPING OR LEAKING LOADS. No vehicle shall be driven or moved on any street or highway nor shall any owner of any vehicle knowingly permit such vehicle to be driven or moved on any street or highway unless such vehicle is so constructed or so loaded as to prevent its contents from spilling, dropping, sifting, leaking or otherwise escaping therefrom. Vehicles loaded with any material which may be blown about by the wind shall be suitably covered to prevent the contents from being blown upon the street or highways.

ARTICLE VIII

ACCIDENT REPORTS, RESPONSIBILITY, PENALTIES AND REPEALS

Section 1. DRIVERS MUST REPORT ACCIDENTS.

The driver of any vehicle involved in an accident resulting in the injury or death of any person or property damage to an apparent total extent of twenty-five (\$25) dollars or more shall within twenty-four hours make a full and complete report in writing of such accident to the police headquarters in this town. A driver who has been incapacitated as a result of such accident, and to such extent as to make reporting impossible or unfavorable to his recovery, shall not be required to report such accident until he has recovered sufficiently to be able to do so. The report shall be made on a form furnished by the police department, copies of which shall be available at the police station. Compliance with this section, however, shall not relieve such driver from the additional responsibility of reporting to the Registrar of Motor Vehicles any accident in which a person is killed or injured.

Section 2. OWNER PRIMA FACIE RESPONSIBLE FOR VIOLATIONS. If any vehicle is found upon any street or highway in violation of any provisions of these rules and orders and the identity of the driver cannot be determined, the owner or the

person in whose name such vehicle is registered, shall be held prima facie responsible for such violations.

Section 3. PENALTIES. Any person violating any provision of any rule, regulating the parking of motor vehicles made by anybody authorized to make same shall be dealt with as provided in Chapter 176 of the Legislative Acts of 1935, amending Section 20 A of Chapter 90 of the General Laws, and any person violating any of the rules and regulations applicable to State Highways made by the Department of Public Works, Commonwealth of Massachusetts, under authority of Chapter 85, Section 2 of the General Laws, shall be subject to the penalty provided in said rules and regulations.

Any person convicted of a violation of any rule, regulation or order made hereunder, except as otherwise provided, shall be punished by a fine not exceeding twenty (\$20) dollars for each offence.

Section 4. REPEAL. These rules are adopted with the intent that each of them shall have force and effect separately and independently of every other except insofar as by express reference or necessary implication any rule or any part of a rule is made dependent upon another rule or part thereof.

The provisions of these rules so far as they are the same in effect as those of any existing valid rules, orders or regulations heretofore made by the Selectmen of Sudbury relative to or in connection with official signs, lights, markings, signal systems or devices shall be construed as a continuation thereof, but all other existing rules, orders and regulations so made for the regulation of vehicles are hereby expressly repealed. This repeal, however, shall not affect any punishment or penalty imposed or any complaint or prosecution pending at the time of the passage hereof for an offense committed under any of the said valid rules, orders or regulations hereby repealed.
Passed by the Selectmen, September 12, 1941

LAWRENCE B. TIGHE
JOHN C. HALL
EVERETT D. HAYNES

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The Commonwealth of Massachusetts
 Department of Public Works
 100 Nashua Street, Boston

City or town: Sudbury
 Date October 28, 1941
 Permit No. 1837

TRAFFIC REGULATION PERMIT

Under authority of Chapter 85, Section 2 of the General Laws, Tercentenary Edition, the Department of Public Works, hereby approves the Rules and Orders made by the Selectmen of Sudbury on September 12, 1941 with such stipulations and exceptions, if any, as are noted herein.

The validity of this permit is contingent upon the conformance of the signs, erected or used in connection with these Rules and Orders with the standards prescribed by the Department of Public Works.

DEPARTMENT OF PUBLIC WORKS

By

/s/ Herman A. MacDonald
 Commissioner.

/s/ Paul C. Ryan

/s/ George W. Schryver
 Associate Commissioners.

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