

BY-LAW ESTABLISHING CERTAIN BUILDING DISTRICTS AND CERTAIN REGULATIONS THEREFOR

*

Section 1. Under the provision of General Laws, (Chapter 143, Section 3,) the Town of Sudbury is hereby divided into districts, to be known respectively as: Business Districts, General Residence Districts, and Single Residence Districts, as follows:

Business Districts shall comprise:

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

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

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

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

General Residence Districts shall comprise: All districts bounded by four streets or ways, or by one or more streets or ways and the town boundary line, in which, at the time this by-law becomes effective, more than one-half the area is developed and more than one-half such development is used for other than single residences and their appurtenant buildings.

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

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

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

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

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

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Section 4. A permit may be issued for the erection, in any Residence District, of a building for the use of a business or industry or for the alteration or conversion of a building for or to such purposes, if the board of selectmen shall, after public hearing, so permit; provided that there be filed with the application for such permit, written consent thereto, signed and acknowledged by the owners or legal representatives of the owners, of three-fourth of the area of all lands used for the purposes for which said district is restricted, as provided in Section 1 hereof, which are within five hundred feet of the lot for which a permit is requested.

Section 5. No permit shall be granted under the foregoing section except after a public hearing before the board of selectmen. Notice of said hearing shall be given by posting notices thereof in the locations required for town warrants, not less than one week before said hearing.

Section 6. In all Residence Districts, no building hereafter erected, shall be nearer than 50' 0" from the center line of the street or way upon which it fronts, or nearer than 10' 0" from the side lines of the lot upon which it is situated.

In Business Districts, no building hereafter erected shall be nearer than 40' 0" from the center line of the street or way upon which it fronts.

Except that, if permitted buildings exist on each of the adjoining side lots, the front line of the proposed building may conform to the front lines of the existing building. Projecting eaves and uncovered steps may project into the restricted space.

Section 7. Filling Stations:

(a) At every filling station hereafter constructed, the building shall be located at least sixty feet from the center line of the highway on which it faces; no pumps shall be nearer than fifty feet from the center line of the highway, and no filling shall be done except in cars standing on property of the filling station.

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

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

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

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

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

Voted: Annual Town Meeting March 2, 1931

The amendment to the town by-laws voted under Article 31, and the zoning by-laws, have both received the approval of the Attorney-General, with the words in the zoning by-laws: "Chapter 143, section 3" deleted, and both have been duly published in the "Sudbury News" in obedience to the statute.

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TOWN OF SUDBURY
ANNOTATED ZONING BYLAW

August, 1970

Betsey M. Powers
Town Clerk

Revised: June 16, 1971
January 10, 1972
June 26, 1972
September 19, 1973
July 12, 1974
July 24, 1975
June 17, 1976
July 13, 1977
July, 1978
July, 1980
September 1981
December 1982
Oct. 1984
July 22, 1985
October 1987

April, 1983

Jean M. MacKenzie
Town Clerk

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TOWN OF SUDBURY
ANNOTATED ZONING BY-LAW

INTRODUCTION

The Annotated Zoning By-law was prepared during 1969 and 1970 to assist the Town Clerk's Office in answering the many questions relative to the By-law and its history posed by various Town Board, Committees and Officers, lawyers and the general public. It is hoped that the Annotation will also be of particular assistance to those boards, committees and officers which regularly deal with by-law application and enforcement such as the Planning Board, the Board of Appeals, the Board of Selectmen, the Zoning Enforcement Officer, Building Inspector and Town Counsel.

The Annotation has been prepared as a technical reference work rather than as a work having general and popular appeal. However, an attempt was made to produce notes in a form and language easily understood by all those who may use the reference material, bearing in mind that few are lawyers. The Town Clerk's Office would greatly appreciate knowing if anyone has difficulty with the notes so that the appropriate revisions may be made.

Regular up-dating will be done as new amendments are voted and approved.

ORIGIN OF SUDBURY'S PLANNING BOARD: ARTICLE VII, SUDBURY TOWN BY-LAWS

Planning boards were made mandatory in cities and towns of over 10,000 people by Chapter 494 of the Acts of 1913. Chapter 283 of the Acts of 1914 inserted a permissive phrase allowing towns having populations of less than 10,000 to establish planning boards if they wished.

Under Article 29 of the March 4, 1929 Annual Town Meeting, the Town of Sudbury established its first Planning Board in accordance with Chapter 41, sections 70, 71 and 72 of the General Laws which incorporated the provisions of Chapter 494 of 1913 and Chapter 283 of 1914. Under Article 30 of that Town Meeting, the By-laws of the Town were amended by adding the following sections:

PLANNING BOARD

Section 1. A board of five members is hereby created and established, to be known as the Planning Board. At the annual meeting to be held March 4, 1929, there shall be elected one member to serve for one year, two members to serve for two years, and two members to serve for three years, and thereafter there shall be elected on the official ballot each year, such members as are required to fill the vacancies. Vacancies otherwise occurring in the board shall be filled as provided in General Laws, Chapter 41, Section 11.

Section 2. The duties of the board shall be such as are provided by law, and further to consider and advise upon municipal improvements, either at the request of other officials of the town or upon its own initiative. It shall consider and develop a town plan, with special attention to main ways, land improvements, zoning, playgrounds and parks,

and sites for permanent school plants. The board shall meet at regular intervals. It may hold public meetings. It shall at all times have access to public documents or information in the possession of any town official or department. It shall examine the plans for the exterior of any public building, monument, or similar feature, and for the development and treatment of the grounds about the same before the adoption thereof, and may make such recommendations thereon, as it may deem needful. It may provide for public lectures and other educational work in connection with its recommendations. It may incur expenses necessary to the carrying on of its work, within the amount of its annual or special appropriations.

(or) → minutes

Section 3. All plans for laying out, extending, discontinuing or changing the limits of any way, street, public park, or square, and every purchase of land for the site of any public building, and all plans for the location, erection, or alteration of public buildings, shall be submitted to said board for its opinion, at least two weeks in advance of action by the board of selectmen or the town.

Section 4. Such board shall make a report to the town annually giving information regarding the condition of the town, and any plans or proposals for the development of the town, and estimates of the cost thereof. Such report shall be sent to the selectmen not later than such time in January in each year as the selectmen may prescribe, or as may be prescribed by law in force relative to reports, and a copy thereof shall be filed with the Massachusetts Department of Public Welfare.

Under Article 30, it was also

Voted: That a planning board of five members, two elected for three years, two elected for two years, and one for one year to be elected by acclamation, with nominations from the floor. Whereupon the Moderator declared the following persons so elected: Charles H. Way, Howard C. Burr, for three years; Ralph H. Barton, Paul Whitney Rhoades, for two years; and Stephen M. W. Gray, for one year. (See pages 40-42, 1929 Annual Town Report.)

There was evidently some disagreement in the Town as to the wisdom of creating a Planning Board since an article (#29) to rescind the action of the previous year appeared in the warrant for the Annual Town Meeting of March 3, 1930. This article was indefinitely postponed.

The 1930 Annual Town Meeting under Article 33 amended the Planning Board By-law to correct a deficiency in the earlier vote relative to the terms of office. Article 33 created the procedure to elect 5 members for 3 year staggered terms beginning with the Annual Town Election of 1931.

Chapter 211 of the Acts of 1936 inserted into Chapter 41 of the General

Laws Sections 81 A through 81 J entitled "IMPROVED METHOD OF MUNICIPAL PLANNING".

It was not until some ten years later that the Town, upon recommendation of the Planning Board, took advantage of the "improved method". In 1945, the Board had hired a Consulting Engineer, Mr. Draveaux Bender, Planning Director of the City of Cambridge, to study zoning in the Town and to prepare a long range plan covering 25 years or more.

Mr. Bender reported that "... Immediately following the war extensive residential development will undoubtedly take place throughout the entire Metropolitan Region". He suggested that in order to protect it from "... cheap and sporadic subdivisions so detrimental to the small community...", the Town adopt the provisions of Chapter 41, Sections 81 A - J and "... create a new type of board" which would be able to "... exercise greater authority in the control of subdivisions and undertake more extensive planning studies". (See page 75, 1945 Annual Town Report.)

Under Article 2 and 3 of the Special Town Meeting of January 3, 1946, the Town accepted the recommendations of the consultant and the Planning Board by adopting Article VIII, Planning Board, as it appears at present in the Town By-laws below.

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.

(Page 19, Sudbury Town By-laws of September 17, 1969)

ORIGIN OF SUDBURY'S ZONING BY-LAW: ARTICLE IX

The Authority for towns to establish zoning by-laws was granted by Chapter 601 of the Acts of 1920 entitled "AN ACT TO AUTHORIZE CITIES AND TOWNS TO LIMIT BUILDINGS ACCORDING TO THEIR USE OR CONSTRUCTION TO SPECIFIED DISTRICTS". The provisions of Chapter 610 and its subsequent amendments appeared under Chapter 40, sections 25 - 30 A of the Tercentenary Edition of the General Laws.

Chapter 368 of the Acts of 1954 inserted a new Chapter 40 A into the General Laws which incorporated the provisions relative to zoning formerly in Chapter 40 and was entitled "THE ZONING ENABLING ACT". Chapter 40 A is the present authority under which the Town acts.

The Planning Board named in the vote under Article 30 of the 1929 Annual Town Meeting submitted to the Warrant for the 1930 Annual Town Meeting a "Zoning Law" under Article 34. It was that Board's opinion that the establishment of zones, definition of lot areas and the relation of buildings to lot lines, etc. would "... sufficiently safeguard the best interest of the town for some years to come". (See page 84, 1929 Annual Town Report.)

The proposed Zoning Law outlined the boundaries of 15 Business Districts and 4 Light Manufacturing Districts, included provisions for non-conforming uses and specific permitted uses in the various zones. (For complete text of proposed Zoning Law, see Appendix A.)

This proposal was indefinitely postponed by the 1930 Town Meeting and the Planning Board took it back for further study. In its annual report to the Town for 1930 (page 92), the Planning Board stated that it had considered the reaction of the townspeople to the proposal and, after careful study of the matter, had decided that "...a much simpler set of zoning regulations would be effective".

Under Article 36 of the Warrant for the March 2, 1931 Annual Town Meeting, the Town adopted the second proposal of the Planning Board and thereby created Sudbury's original Zoning By-law.

The 1931 By-law was indeed "much simpler" than the proposal of 1930. Business Districts, General Residence and Single Residence Districts were established on the basis of the then existing uses. The By-law contained 10 sections compared to the 23 sections of the 1930 proposal and did not specify building height or area regulations. (For complete text of original Zoning By-law, see Appendix B.) This By-law became effective on October 31, 1931. (See page 71, 1932 Annual Town Report.)

The Zoning By-law of the Town of Sudbury has been amended many times since it was first adopted in 1931.

A major revision was necessitated in 1939 by the decision of a court case which had "... a far reaching effect on our zoning by-law. Certain sections were invalidated, and there was general criticism made of the lack of a zoning map, or of any description of restricted areas by metes and bounds in the existing by-law." (See page 99, 1938 Annual Town Report & 300 Mass 41, Selectmen, Sudbury vs. Garden City Gravel Corp.)

Five months of intensive study by the Planning Board resulted in the 1939 version of the By-law and in the creation of the first Zoning Map, dated December 1938, which indicated the restricted areas of the Town.

A second major revision was made at the September 16, 1953 Special Town Meeting under Article 10. This was primarily the result of a study done at the request of the Planning Board by Allen Benjamin, Municipal Planning Consultant. (For complete text of "The Benjamin Report" see Document #53073, Town Clerk's Office.)

The third and most recent major revision occurred at the Annual Town Meeting of 1967 under Article 47 which recodified the entire Zoning By-law. In the "Master Plan of Sudbury, May 1962 (page 165) Mr. Charles E. Downe, Planning Consultant stated that "...Sudbury's zoning by-law, like many others, had

grown like 'Topsy' and it was exceedingly difficult for the administrators, let alone the layman, to conveniently find pertinent requirements".

While the 1967 recodification completely rearranged the sections and paragraphs of the then existing By-law, no substantive changes were made in its provisions. Substantive changes have since been made, but the form remains the same as that approved in 1967.

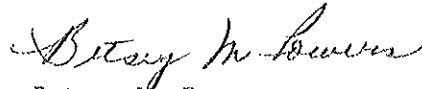
The Zoning By-laws have been published by the Town in pamphlet form on the following dates: 1937; June, 1939; February 2, 1941; May 1, 1956; October 1, 1959; March 7, 1962; July 28, 1966; February 2, 1967 (recodification); September 17, 1969 (loose-leaf). Copies of these publications are on file in the Town Clerk's Office under Document #68011.

ACKNOWLEDGMENTS

While the preparation of the Annotated Zoning By-laws has taken considerable time and effort, it has given me a great deal of pleasure and satisfaction.

I would like to express appreciation for the assistance received from the work of former Town Clerk, Lawrence B. Tighe, and his Assistant, Mrs. Vera S. Presby, whose by-law workbooks provided a wealth of information.

Special thanks should be given to my clerk, Mrs. Barbara B. Stevens, who did the difficult and extensive preliminary research without which the Annotation would have been impossible.


Betsey M. Powers
Town Clerk

HOW TO USE THE ANNOTATION

The evolution of the Sudbury Zoning By-law from its origin to the present is shown section by section and paragraph by paragraph. Each section or paragraph as it is presently in effect, including those amendments passed at the 1970 Annual Town Meeting, is given first and outlined in black.

Immediately following each current section or paragraph are listed, in order by dates, the town meetings and article numbers under which the section or paragraph originated or was amended. Unless otherwise stated, the first date and article number in the list indicates the origin.

Sample List: ATM 1939:19
 STM 6/21/58:16
 ATM 1967:47, 53

The first item indicates that the section or paragraph originated under Article 19 of the Annual Town Meeting of 1939.

The second item indicates an amendment to the section or paragraph voted at the Special Town Meeting of June 21, 1958 under Article 16.

The third item indicates that both Article 47 and Article 53 of the Annual Town Meeting of 1967 amended the section or paragraph.

Following the list of town meetings and article numbers, under "Notes:" are the explanations of the effect of each amendment, in order by years.

Using the Sample List above, the Notes appear in the following form:

"The 1939 amendment incorporated into the Zoning By-law a new Section ..."

"The 1958 amendment changed (deleted, inserted)..."

"The 1967:47 amendment recodified the Zoning By-law and..."

"The 1967:53 amendment ..."

Whenever necessary for clarity the entire wording of the section or paragraph as incorporated or amended is given. Otherwise, the notes indicate words or sentences inserted or deleted.

Following the description of each district in Section II C a map has been included showing the location of the district. The area in acres of each district has been estimated and the present property owners have been listed using the 1970 Assessors' Plates.

For those districts which have changed during the years both the original and present boundaries are shown. In addition, the various changes have been indicated on the maps and keyed. The acreage given is that included within the 1970 boundaries only as is the list of property owners.

Included in Appendix D is a list of the town meetings, article numbers, dates of Attorney General Approval and the publication or posting dates. Also included are the Town Clerk's Document file number indicating where the information on Attorney General approval or publication may be found.

From the information in Appendix D, the date upon which each amendment became effective may be determined. Prior to 1967 by-law amendments were published in the local newspapers and the last date of publication is the effective date. Since 1967 by-law "bulletins" have been posted in five public places in the Town and the amendments have become effective on the posting date. (See Chapter 40, Section 32, G.L.)

TOWN OF SUDBURY
ARTICLE IX
ANNOTATED ZONING BY-LAW

I. GENERAL

A. PURPOSE.

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 stabilize 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.

ATM 1939:19
ATM 1967:47

Notes:

The 1939 amendment incorporated into the Zoning By-law a preamble which read as at present above.

The 1967 amendment recodified the Zoning By-law and the preamble was placed in Section I A: PURPOSE.

I. GENERALB. BASIC REQUIREMENTS

No parcel of land in any district shall be used for any purpose other than that for which the district is established by this bylaw and the uses shall be subject to the other restrictions required by this bylaw except for any municipal purposes or exemption from other restrictions when and as authorized by a vote of the Town. The use of land in any district by the Sudbury Housing Authority for housing for elderly persons of low income shall be exempt from all of the provisions of this zoning bylaw when and as authorized by a two-thirds vote of the Town. 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. No lot, nor the building or structure, shall be changed in size, or use so as to violate the provisions of this bylaw.

ATM 1931:36
 ATM 1936:18
 ATM 1937:20
 ATM 1939:19
 ATM 1940:24
 STM 10/21/58:16
 ATM 1967:47,54
 ATM 1973:26

Notes:

This section as it reads at present above, with the exception of the second sentence, is a compilation of several sections in earlier versions of the Zoning Bylaw. Notes are arranged separately for each sentence.

1st sentence:

The 1931 original Zoning Bylaw contained as Section 3 the following:

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.

The 1958 amendment deleted the words, "Except as hereinafter provided", and added after "Section 1" the words, "except for any municipal purpose when it shall be authorized by a vote of the Town, and as hereinafter provided."

The 1967:47 amendment recodified the Zoning Bylaw and Section 3 was placed in Section I B: BASIC REQUIREMENTS. The wording became:

No parcel of land in any district shall be used for any purpose other than that for which the district is established by this bylaw except for any municipal purpose when it shall be authorized by a vote of the town, and as hereinafter provided.

The 1967:54 amendment changed the wording to read as at present above by adding the words, "and the uses shall be subject to the other restrictions required by the bylaw", before the word "except" and by adding the words "or exemption from other restrictions" before the word "when". The words "and as" were substituted for "it shall be" before the words "authorized by a vote of the town".

2nd sentence:

The 1973 amendment incorporated into the Zoning Bylaw a new sentence in Section I, B which read as at present above.

3rd sentence:

The 1936 amendment incorporated into the Zoning Bylaw a new Section 1A which read as at present above.

The 1939 amendment changed the section number from 1A to 4.

The 1967:47 amendment recodified the Zoning Bylaw and placed Section 4 in Section I B: BASIC REQUIREMENTS as the second sentence. (Became the third sentence upon adoption of 1973 municipal exemption provision.)

4th sentence:

The 1937 amendment incorporated into the Zoning Bylaw a new Section 2A, the second sentence of which read as follows:

No lot, nor the building or structure, shall be changed in size so as to violate the provisions of this bylaw.

The 1939 amendment placed the second sentence of Section 2A in Section 5 as the third sentence.

The 1940 amendment changed the wording to read as at present above by adding the words "or use" after the word "size".

The 1967:47 amendment recodified the Zoning Bylaw and placed the third sentence of Section 5 in Section I B: BASIC REQUIREMENTS as the third sentence. (Became the fourth sentence upon adoption of 1973 municipal exemption provision.)

I. GENERAL

C. DEFINITIONS -- The following words and terms used in this bylaw are defined or explained as follows:

ACCESSORY USE OR ACCESSORY BUILDING: AN ACCESSORY BUILDING IS ONE LOCATED ON THE SAME LOT WITH THE MAIN BUILDING, DETACHED OR ATTACHED, AND IS SUBORDINATE AND CUSTOMARILY INCIDENTAL TO THE USE OF THE MAIN BUILDING. AND ACCESSORY USE IS ONE LOCATED ON THE SAME LOT WITH (OR IN) THE MAIN BUILDING OR USE AND WHICH IS SUBORDINATE AND CUSTOMARILY INCIDENTAL TO THE USE OF THE MAIN BUILDING OR THE LAND.

NOTE: USES ACCESSORY TO PERMITTED USES FOR SCIENTIFIC RESEARCH, DEVELOPMENT OR RELATED PRODUCTION DO NOT HAVE TO BE LOCATED ON THE SAME PARCEL OF LAND AS THE PRINCIPAL ACTIVITY. (M.G.L. c40A, §9)

BUILDING: A STRUCTURE ENCLOSED WITHIN EXTERIOR WALLS, BUILT, ERECTED AND FRAMED OF A COMBINATION OF ANY MATERIALS, WHETHER PORTABLE OR FIXED, HAVING A ROOF, TO FORM A STRUCTURE FOR THE SHELTER OF PERSONS, ANIMALS OR PROPERTY.

BUILDINGS, COVERAGE: BUILDING COVERAGE SHALL BE DETERMINED BY DIVIDING THE TOTAL AREA OF ALL BUILDINGS ON A LOT, INCLUDING CARPORTS AND CANOPIES, WHETHER OR NOT SUCH CARPORTS OR CANOPIES ARE PART OF A BUILDING, BY THE TOTAL LOT AREA.

BUILDINGS, HEIGHT IN FEET: HEIGHT IN FEET SHALL BE THE VERTICAL DISTANCE MEASURED FROM THE MEAN OF THE FINISHED GROUND LEVEL ADJOINING THE ENTIRE BUILDING AT EACH EXTERIOR WALL TO THE RIDGE OR HIGHEST POINT OF THE ROOF.

DWELLING: A BUILDING FOR HUMAN HABITATION, WHICH SHALL NOT INCLUDE A TRAILER OR OTHER MOBILE LIVING UNIT.

DWELLING UNIT: A ROOM OR GROUP OF ROOMS FORMING A HABITABLE UNIT FOR ONE FAMILY, WITH FACILITIES USED, OR INTENDED TO BE USED, FOR LIVING, SLEEPING, COOKING, EATING, AND SANITATION.

ERECTED: THE WORD 'ERECTED' SHALL INCLUDE THE WORDS 'BUILT,' 'CONSTRUCTED,' 'RECONSTRUCTED,' 'ALTERED,' 'ENLARGED,' AND 'MOVED.'

FAMILY: A PERSON OR NUMBER OF PERSONS OCCUPYING A DWELLING UNIT AND LIVING AS A SINGLE HOUSEKEEPING UNIT, PROVIDED THAT A GROUP OF SIX OR MORE PERSONS SHALL NOT BE DEEMED A FAMILY UNLESS AT LEAST HALF OF THEM ARE RELATED BY BLOOD, MARRIAGE OR ADOPTION, INCLUDING WARDS OF THE STATE.

FLOOR AREA, GROSS: THE SUM OF THE GROSS HORIZONTAL AREAS OF THE SEVERAL FLOORS OF A BUILDING MEASURED FROM THE EXTERIOR FACE OF EXTERIOR WALLS, OR FROM THE CENTERLINE OF A WALL SEPARATING TWO BUILDINGS, BUT NOT INCLUDING INTERIOR PARKING SPACES.

FRONTAGE, LOT: THE UNINTERRUPTED LINEAR EXTENT OF A LOT MEASURED ALONG THE STREET RIGHT-OF-WAY FROM THE INTERSECTION OF ONE SIDE LOT LINE TO THE INTERSECTION OF THE OTHER SIDE LOT LINE. THE MEASUREMENT OF LOT FRONTAGE SHALL NOT INCLUDE JOGS IN STREET WIDTH, BACK-UP STRIPS AND OTHER IRREGULARITIES IN STREET LINE, AND IN THE CASE OF A CORNER LOT SHALL EXTEND TO THE POINT OF INTERSECTION OF THE SIDELINE OF THE RIGHTS-OF-WAY. THE LEGAL RIGHT AND PHYSICAL ABILITY TO CROSS THIS LINE MUST EXIST.

FRONTAGE, STREET: A STREET WHICH PROVIDES THE REQUIRED FRONTAGE FOR A BUILDING. WHEN A LOT IS BOUNDED BY MORE THAN ONE STREET, ANY ONE OF THEM,

BUT ONLY ONE, MAY BE DESIGNATED AS THE FRONTAGE STREET BY THE OWNER, PROVIDED THAT THE STREET MEETS THE FRONTAGE REQUIREMENT AND THAT THE PRINCIPAL PERMITTED BUILDING ON THE LOT IS NUMBERED ON SUCH FRONTAGE STREET.

LOT: AN AREA OF LAND, UNDIVIDED BY ANY STREET, IN ONE OWNERSHIP WITH DEFINITIVE BOUNDARIES ASCERTAINABLE FROM THE MOST RECENTLY RECORDED DEED OR PLAN WHICH IS 1) A DEED RECORDED IN MIDDLESEX COUNTY SOUTH DISTRICT REGISTRY OF DEEDS, OR 2) A CERTIFICATE OF TITLE ISSUED BY THE LAND COURT AND REGISTERED IN THE LAND COURT SECTION OF SUCH REGISTRY, OR 3) TITLE OF RECORD DISCLOSED BY ANY AND ALL PERTINENT PUBLIC DOCUMENTS.

LOT AREA: AREA WITHIN A LOT, INCLUDING LAND OVER WHICH EASEMENTS HAVE BEEN GRANTED, BUT NOT INCLUDING ANY LAND WITHIN THE LIMITS OF A STREET UPON WHICH LOT ABUTS, EVEN IF FEE TO SUCH STREET IS IN THE OWNER OF THE LOT.

LOT LINE: A LINE DIVIDING ONE LOT FROM ANOTHER, OR FROM A STREET OR ANY PUBLIC PLACE.

NONCONFORMING USE OR STRUCTURE: ANY USE OR STRUCTURE WHICH IS LAWFULLY IN EXISTENCE OR LAWFULLY BEGUN, BUT WHICH DOES NOT CONFORM TO THE MOST RECENT, EFFECTIVE ZONING REGULATIONS FOR THE DISTRICT IN WHICH SUCH USE OR STRUCTURE EXISTS.

OPEN SPACE: OPEN SPACE AREAS SHALL BE THOSE AREAS OF A LOT WHICH, EXCEPT AS PROVIDED BY THIS BYLAW, ARE TO REMAIN UNBUILT AND WHICH SHALL NOT BE USED FOR PARKING, STORAGE OR DISPLAY.

REAR LINE OF A LOT: A LINE SEPARATING A LOT FROM OTHER LOTS OR FROM LAND IN A DIFFERENT OWNERSHIP, BEING THE BOUNDARY OF A LOT WHICH IS OPPOSITE OR APPROXIMATELY OPPOSITE THE FRONTAGE STREET. WHERE, BECAUSE OF IRREGULAR LOT SHAPE, THE BUILDING INSPECTOR AND THE LOT OWNER CANNOT AGREE AS TO WHETHER A LOT LINE IS A SIDE OR A REAR LINE, IT SHALL BE CONSIDERED A REAR LINE.

SALES STANDS: THE LAND AND THE STRUCTURES THEREON FOR THE SALE OF EDIBLE FARM PRODUCTS, FLOWERS, FIREPLACE WOOD, PRESERVES AND SIMILAR PRODUCTS.

STREET: A STREET SHALL BE 1) AN IMPROVED PUBLIC WAY LAID OUT BY THE TOWN OF SUDBURY, OR THE MIDDLESEX COUNTY COMMISSIONERS OR THE COMMONWEALTH OF MASSACHUSETTS; OR 2) A WAY WHICH THE SUDBURY TOWN CLERK CERTIFIES IS MAINTAINED BY PUBLIC AUTHORITY AND USED AS A PUBLIC WAY; OR 3) A WAY SHOWN ON A PLAN THERETOFORE APPROVED AND ENDORSED IN ACCORDANCE WITH THE SUBDIVISION CONTROL LAW; OR 4) A WAY IN EXISTENCE AS OF JANUARY 1, 1954 HAVING IN THE OPINION OF THE PLANNING BOARD SUFFICIENT WIDTH, SUITABLE GRADES AND ADEQUATE CONSTRUCTION TO ACCOMMODATE THE VEHICULAR TRAFFIC ANTICIPATED BY REASON OF THE PROPOSED USE OF THE LAND ABUTTING THEREON OR SERVED THEREBY AND FOR THE INSTALLATION OF MUNICIPAL SERVICES TO SERVE SUCH LAND AND THE BUILDINGS ERECTED OR TO BE ERECTED THEREON. A PUBLIC OR PRIVATE WAY SHALL NOT BE DEEMED TO BE A STREET AS TO ANY LOT OF LAND THAT DOES NOT HAVE RIGHTS OF ACCESS TO AND PASSAGE OVER SAID WAY.

STREET LINE: THE BOUNDARY OF A STREET RIGHT-OF-WAY OR LAYOUT.

STORY: THAT PORTION OF A BUILDING CONTAINED BETWEEN ANY FLOOR AND THE FLOOR OR ROOF NEXT ABOVE IT, BUT NOT INCLUDING EITHER THE LOWEST PORTION SO CONTAINED IF MORE THAN ONE-HALF OF SUCH PORTION VERTICALLY IS BELOW THE MEAN FINISHED GRADE OF THE GROUND ADJOINING SUCH BUILDING, OR THE UPPERMOST PORTION SO CONTAINED IF UNDER A SLOPING ROOF AND NOT DESIGNED OR INTENDED TO BE USED FOR HUMAN OCCUPANCY.

STORY, HALF: A STORY DIRECTLY UNDER A SLOPING ROOF IN WHICH THE POINTS OF INTERSECTION OF THE BOTTOM OF THE RAFTERS AND THE INTERIOR FACES OF THE WALLS ARE LESS THAN THREE FEET ABOVE THE FLOOR LEVEL ON AT LEAST TWO EXTERIOR WALLS.

STRUCTURE: A COMBINATION OF MATERIALS ASSEMBLED TO GIVE SUPPORT OR SHELTER, SUCH AS BUILDINGS, TOWERS, MASTS, SHEDS, ROOFED STORAGE AREAS, MECHANICAL EQUIPMENT, SWIMMING POOLS, SIGNS, FENCES; BUT NOT INCLUDING SEPTIC TANKS AND SEPTIC SYSTEMS, AND ACCESSORY FACILITIES ASSOCIATED WITH THE PROVISION OF UTILITIES SUCH AS DRAINS, WELLS, TRANSFORMERS AND TELEPHONE POLES.

STRUCTURES, HEIGHT IN FEET: HEIGHT IN FEET SHALL BE THE VERTICAL DISTANCE MEASURED FROM THE MEAN OF THE FINISHED GROUND LEVEL ADJOINING THE ENTIRE STRUCTURE TO THE HIGHEST EXTENSION OF ANY PART OF THE STRUCTURE.

YARD: AN OPEN SPACE ON A LOT UNOCCUPIED BY A BUILDING OR STRUCTURE OR SUCH PARTS THEREOF; PROVIDED, HOWEVER, THAT CORNICES, OR EAVES NOT EXCEEDING EIGHTEEN INCHES IN WIDTH, STEPS, UNROOFED PORCHES, WINDOW SILLS, SLANTED BULKHEADS, FENCES, GATES OR SECURITY STATIONS, YARD ACCESSORIES, ORNAMENTS AND FURNITURE, AND CUSTOMARY SUMMER AWNINGS ARE PERMITTED IN ANY YARD BUT SHALL BE SUBJECT TO HEIGHT LIMITATIONS. YARD DEPTH SHALL BE MEASURED FROM THE STREET OR LOT LINE TO THE NEAREST POINT ON A BUILDING IN A LINE PERPENDICULAR OR NORMAL TO SUCH LOT OR STREET LINE. THE MINIMUM REQUIRED YARD SHALL BE A STRIP OF LAND OF UNIFORM DEPTH REQUIRED BY THIS BYLAW MEASURED FROM THE LOT OR STREET LINE AND ADJACENT THERETO.

YARD, FRONT: A YARD EXTENDING ACROSS THE FULL WIDTH OF THE LOT AND LYING BETWEEN THE STREET LINE OF THE LOT AND THE NEAREST LINE OF THE BUILDING. THE DEPTH OF A FRONT YARD SHALL BE THE MINIMUM DISTANCE BETWEEN THE BUILDING AND FRONT LOT LINE.

YARD, REAR: A YARD EXTENDING ACROSS THE FULL WIDTH OF THE LOT AND LYING BETWEEN THE REAR LOT LINE OF THE LOT AND THE NEAREST LINE OF THE BUILDING. THE DEPTH OF A REAR YARD SHALL BE THE MINIMUM DISTANCE BETWEEN THE BUILDING AND THE REAR LOT LINE.

YARD, SIDE: A YARD BETWEEN THE SIDE LOT LINE OF THE LOT AND THE NEAREST LINE OF THE BUILDING, AND EXTENDING FROM THE FRONT YARD TO THE REAR YARD, OR, IN THE ABSENCE OF EITHER OF SUCH YARDS, TO THE FRONT OR REAR LOT LINES, AS MAY BE. THE WIDTH OF A SIDE YARD SHALL BE THE MINIMUM DISTANCE BETWEEN THE BUILDING AND SIDE LOT LINE.";

STM 9/25/86:16

I C

Notes:

The 1986 amendment incorporated into the bylaw a new section C, DEFINITIONS, (and re-lettered the following sub-sections C-G to D-H) which read as at present above.

I. GENERALD. NON-CONFORMING BUILDINGS AND USES

1. Continuation. 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.

ATM 1939:19
 STM 9/16/53:10"1"
 ATM 1967:47
 STM 9/25/86:16

Notes:

The 1939 amendment incorporated into the Zoning By-law a new Section 13, the first sentence of which read as follows:

Any lawful use being made of any building, structure or premises at the time this by-law takes effect, may be continued even though such use does not conform to the regulations of the district.

The 1953 amendment changed the section number from 13 to 13A and changed the wording to read as follows:

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.

The 1967 amendment recodified the Zoning By-law and Section 13A was placed in Section I C 1: NON-CONFORMING BUILDINGS AND USES (Continuation). This amendment also deleted the words "subject to the provisions of Section 2" at the end of the sentence so that it read as at present above.

The 1986 amendment changed the lettering of sub-section "C" to sub-section letter "D".

I. GENERAL

~~NEA CERTAIN OPEN SPACE AND EDUCATIONAL USES~~

~~The use of land and buildings thereon for a playground, picnic ground, for educational purposes or recreation field, or for private nursery school, kindergarten or specialty school, shall be allowed in any zone of the Town, provided that a site plan submitted in accordance with Article IX, Section V, A has first been approved by the Board of Selectmen and then a permit has been issued for such use by the Board of Appeals. A permit may be issued provided the Board of Appeals shall find that:~~

- ~~1) The proposed use is not detrimental to the neighborhood, and~~
- ~~2) The use will not significantly alter the character of the zoning district. and~~

ATM 1937:20
ATM 1939:19
ATM 1965:39
ATM 1967:47

Notes:

The 1937 amendment incorporated into the Zoning By-law a new Section 6D. The wording was substantially the same as at present above except the words "or of any amendment thereof applicable to said building or structure" after the words "zoning bylaw" in the first sentence did not appear. The time limit within which reconstruction had to commence was one year, and the use had to be resumed within a "reasonable time thereafter".

The 1939 amendment changed the section number from 6D to 2 (first paragraph) and changed the time limit for commencement of reconstruction to two years and the time limit for resumption of use to one year.

The 1965 amendment added the words "or of any amendment thereof applicable to said building or structure" after the words "zoning bylaw" so that the paragraph read as at present above.

The 1967 amendment recodified the Zoning By-law and placed Section 2, first paragraph, in Section I C 2: NON-CONFORMING BUILDINGS AND USES (Restoration).

I. GENERAL

D. NON-CONFORMING BUILDINGS AND USES

3. Extension and Enlargement. The Board of Appeals by special permit 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 meets all the following requirements:

- 1) All the special permit guidelines of Article IX, VI, C, 5;
- 2) That it will alleviate a clearly demonstrable hardship; and
- 3) That it will not be substantially more detrimental or objectionable to the neighborhood than the existing non-conforming use.

SIM 9/16/53:10"1"

ATM 1967:47

ATM 1978:36

Notes:

The 1953 amendment incorporated into the Zoning Bylaw a new Section 13: CONTINUATION AND EXTENSION OF NON-CONFORMING USES, paragraph B of which read as follows:

3. Extension and Enlargement. 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.

The 1967 amendment recodified the Zoning Bylaw and Section 13B was placed in Section I C 3: NON-CONFORMING BUILDINGS AND USES (Extension and Enlargement).

The 1978 amendment deleted Section I C 3 and substituted a new Section I C 3 which read as at present above.

I. GENERAL

D. NON-CONFORMING BUILDINGS AND USES

4. Abandonment. 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.

ATM 1939:19
ATM 1967:47

Notes:

The 1939 amendment incorporated into the Zoning By-law a new Section 2, the second paragraph of which read as at present above.

The 1967 amendment recodified the Zoning By-law, and the second paragraph of Section 2 was placed in I C 4: NON-CONFORMING BUILDINGS AND USES (Abandonment).

I E

I. GENERALE. SALE OF FARM PRODUCTS

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.

ATM 1931:36
ATM 1939:19
ATM 1967:47
STM 9/25/86:16

Notes:

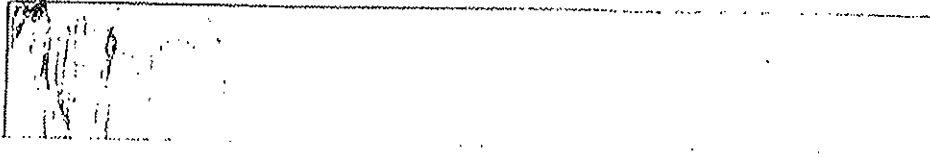
The 1931 original Zoning By-law contained Section 8 which read as at present above.

The 1939 amendment changed the section number from 8 to 19.

The 1967 amendment recodified the Zoning By-law and Section 19 was placed in Section I D: SALE OF FARM PRODUCTS.

The 1986 amendment changed the lettering of sub-section "D" to sub-section letter "E".

I. GENERAL



F. CERTAIN OPEN SPACE AND EDUCATIONAL USES

The use of land and buildings thereon for a playground, picnic ground, for educational purposes or recreation field or for private nursery school/kindergarten or specialty school, shall be allowed in any zone of the town, provided that a permit has been issued for such use by the Board of Appeals and a site plan submitted in accordance with Article IX, Section V,A has been approved by the Board of Selectmen.



- ATM 1936:18
- ATM 1939:19
- ATM 1953:39
- STM 5/26/59:35C
- ATM 1960:38
- ATM 1967:47
- ATM 1969:29
- ATM 1985:28

STM 9/25/86:16

Notes:

The 1936 amendment incorporated into the Zoning By-law a new Section 4A as follows:

The removal of sod, loam 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 is not detrimental to the neighborhood.

The 1939 amendment changed the section number from 4A to 8. No change in wording.

(Note: Under the 1939 version of the Zoning By-law, the removal of sod and loam was covered under Section 8 and the removal of sand and gravel was covered under Section 10. See page 201.) (Also see Article V(A), REMOVAL OF EARTH, in Annotated By-laws, page 72)

The 1953 amendment added the words "sand, gravel and ledge" after the word "loam".

The 1959 amendment deleted the words "for sale". (See pp. 80-83 Annual Town Report of 1959 for establishment of committee to study earth removal and Planning Board report re this amendment.)

The 1960 amendment deleted the provisions and regulations concerning earth removal so that Section 8 read as follows:

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 use is not detrimental to the neighborhood. The provisions of this section shall not apply to the use of land by the Town for municipal purposes.

The Planning Board Report under Article 38 (p. 39 of Annual Town Report of 1960) states as follows: "At the special town meeting of December 1959 the town voted to establish an Earth Removal Committee to control the removal of earth materials within the town. ARTICLE IX Section 8 of the By-laws (Zoning) previously pertained to controls of removal of sod, loam, sand, gravel and ledge. It was allowed to remain in the By-laws at the time the Earth Removal Committee was established in order to protect the town in case the Attorney General should find some problem with the "Earth Removal" By-law. The Attorney General has approved the "Earth Removal" By-law and the Planning Board therefore approves this zoning change". (Earth Removal By-law: ARTICLE V(A)).

The 1967 amendment recodified the Zoning By-law and Section 8 was placed in Section I E: CERTAIN OPEN SPACE AND EDUCATIONAL USES.

The 1969 amendment changed the wording of Section I E to read as follows:

E. CERTAIN OPEN SPACE AND EDUCATIONAL USES

The use of land and buildings thereon for a playground, picnic ground, for educational purposes or recreation field, or for private nursery school/kindergarten or specialty school, shall be allowed in any zone of the Town, provided that a site plan submitted in accordance with Article IX, Section V, A has first been approved by the Board of Selectmen and then a permit has been issued for such use by the Board of Appeals. A permit may be issued provided the Board of Appeals shall find that:

- 1) The proposed use is not detrimental to the neighborhood, and
- 2) The use will not significantly alter the character of the zoning district, and
- 3) Such use does not nullify or substantially derogate from the intent or purpose of any other section of this by-law.

Permits issued under this paragraph shall be for a period not exceeding two years and may be renewed. The provisions of this section shall not apply to the use of land by the Town for municipal purposes.

The 1985 amendment changed the wording of Section I E to read as at present above.

The 1986 amendment changed the lettering of sub-section "E" to sub-section letter "F".

I. GENERAL

G. SINGLE DWELLING PER LOT

No lot within a subdivision or within the town shall have more than one building to be used for dwelling purposes.

STM 3/9/60:28 (adjourned from 12/8/59 and 12/15/59),
ATM 1967:47
STM 9/25/86:16

Notes:

The 1960 amendment incorporated into the Zoning By-law Section 17, the last paragraph of which read as at present above in Section I F.

The 1967 amendment recodified the Zoning By-law and the last paragraph of Section 17 was placed in Section I F: SINGLE DWELLING PER LOT.

The 1986 amendment changed the lettering of sub-section "F" to sub-section letter "G".

I. GENERALH. FLOOD PLAINS

The several areas shown as flood plains on the following described maps:

1. "Map of Flood Plains in Sudbury, Massachusetts", dated: January, 1962, by George D. White, Town Engineer, a copy of which is on file in the Town Clerk's office and which is incorporated herein by reference;

2. "Topographic Plan of Hop Brook Area Prepared for the Town of Sudbury Conservation Commission", dated: August 20, 1970, by Everett M. Brooks Co., Civil Engineers, consisting of three sheets, copies of which are on file in the Town Clerk's office and which are incorporated herein by reference;

3. "Map of Flood Plains in the Hop Brook Area of the Town of Sudbury, Massachusetts, Prepared for the Conservation Commission", dated: January 25, 1973, by Town of Sudbury Engineering Department, a copy of which is on file in the Town Clerk's office and which map is incorporated herein by reference;

4. Those areas of 100-year flood level (A Zones) on the Flood Insurance Rate Map (FIRM) for the Town of Sudbury, Community No. 250217, dated June 1, 1982 prepared by the Federal Emergency Management Agency under the National Flood Insurance Program, consisting of six panels, a copy of which map is on file in the Town Clerk's office and which is incorporated herein by reference;

and all areas in the Town of Sudbury the elevation of which is lower than 125 feet above mean sea level as established by the United States Geodetic Survey level datum as of 1929; are hereby deemed to be subject to seasonal or periodic flooding, and the use of any land in any such area is hereby declared to be dangerous to the health and safety of the occupants thereof, and each said area shall be known as a Flood Plain.

When this by-law, or amendments thereto, shall become effective, and an appropriation has been made therefor, the Board of Selectmen shall cause to be installed at or near the perimeter of each such flood plain, monuments in such numbers and at such intervals as they shall deem necessary, and on the top of which shall be permanently affixed disks of copper or bronze on which shall be inscribed the elevation above mean sea level as established by the United States Geodetic Survey level datum as of 1929, at the point of installation. Such monuments shall be of stone or other material of equal durability and shall be so installed that the tops thereof shall be at least one and one-half inches above the surface of the ground and, thereafter, the Board of Selectmen shall cause the location of each monument to be shown on the aforesaid map of Flood Plains in Sudbury, Massachusetts.

ATM 1962:18	ATM 1971:14
ATM 1967:47	ATM 1973:42
ATM 1970:44	ATM 1982:22
	STM 9/25/86:16

I H

Notes:

The 1962 amendment incorporated into the Zoning Bylaw a new Section 19A which read as follows:

The several areas shown on the map prepared by the Town Engineer entitled: "Map of Flood Plains in Sudbury, Massachusetts", dated January, 1962, on file in the office of the Town Clerk and the Planning Board, are hereby deemed to be subject to seasonal or periodic flooding, and the use of land in any such area the elevation of which shall be lower than 125 feet above mean sea level, as established by the United States Geodetic Survey level datum as of 1929, except land owned by the town and which lies within any such area is hereby declared to be dangerous to the health and safety of the occupants thereof, and each such area shall be known as a flood plain.

No building or structure of any nature shall be erected in or upon any flood plain, notwithstanding any other provision of the zoning by-laws to the contrary; and the Inspector of Buildings shall not issue permits for the erection of buildings on any land contiguous to a flood plain if the driveways or other approaches to such land shall cross over any flood plain until the applicant shall have furnished him and the Town Engineer with a statement which shall contain the results of accurate borings tests made by a registered engineer, and all other engineering data relating to the soil and sub-soil on which such driveways or approaches shall cross any part of a flood plain, and the manner in which, and the material with which, said driveways or approaches shall be constructed; and the Town Engineer shall have certified to him that the said driveways and approaches if constructed as proposed shall not endanger the health or safety of the occupants and their invitees.

When this by-law shall become effective, and an appropriation has been made therefor, the Board of Selectmen shall cause to be installed, at or near the perimeter of each such flood plain, monuments in such numbers and at such intervals as they shall deem necessary, and on the top of which shall be permanently affixed disks of copper or bronze on which shall be inscribed the elevation above mean sea level as established by the United States Geodetic Survey level datum as of 1929, at the point of installation. Such monuments shall be of stone or other material of equal durability and shall be so installed that the tops thereof shall be at least one and one-half inches above the surface of the ground and, thereafter, the Board of Selectmen shall cause the location of each monument to be shown on the aforesaid Map of Flood Plains in Sudbury, Massachusetts.

I H

The 1967 amendment recodified the Zoning Bylaw, and paragraphs 1 and 3 of Section 19A were placed in Section I G: FLOOD PLAINS, and paragraph 2 of Section 19A was placed in Section III E: FLOOD PLAIN DISTRICT USE PROVISIONS.

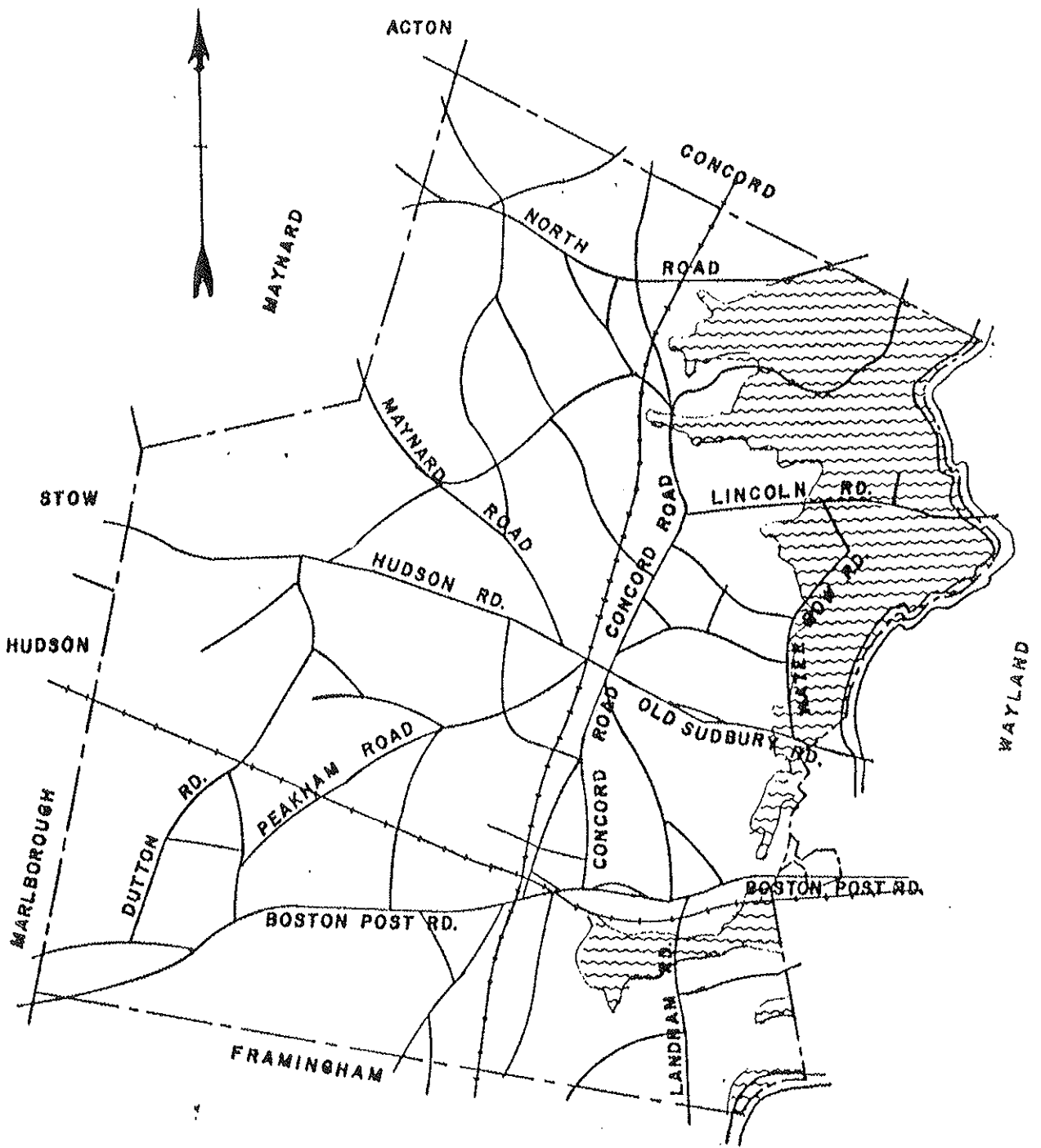
The 1970 amendment changed Section I G by adding in the first paragraph the words, "and as from time to time amended", after "January, 1962:", adding the words "or land" after the words "any such area" and substituting the word "is" for the words "shall be" before "lower than 125 feet". This amendment also added in the second paragraph the words "or amendments thereto" after the word "bylaw" so that the second paragraph read as at present above.

The 1971 amendment changed the first paragraph of Section I G to read as at present above through the words, "...area shall be known as a Flood Plain", except that subparagraph 3. did not appear. No change in the second paragraph.

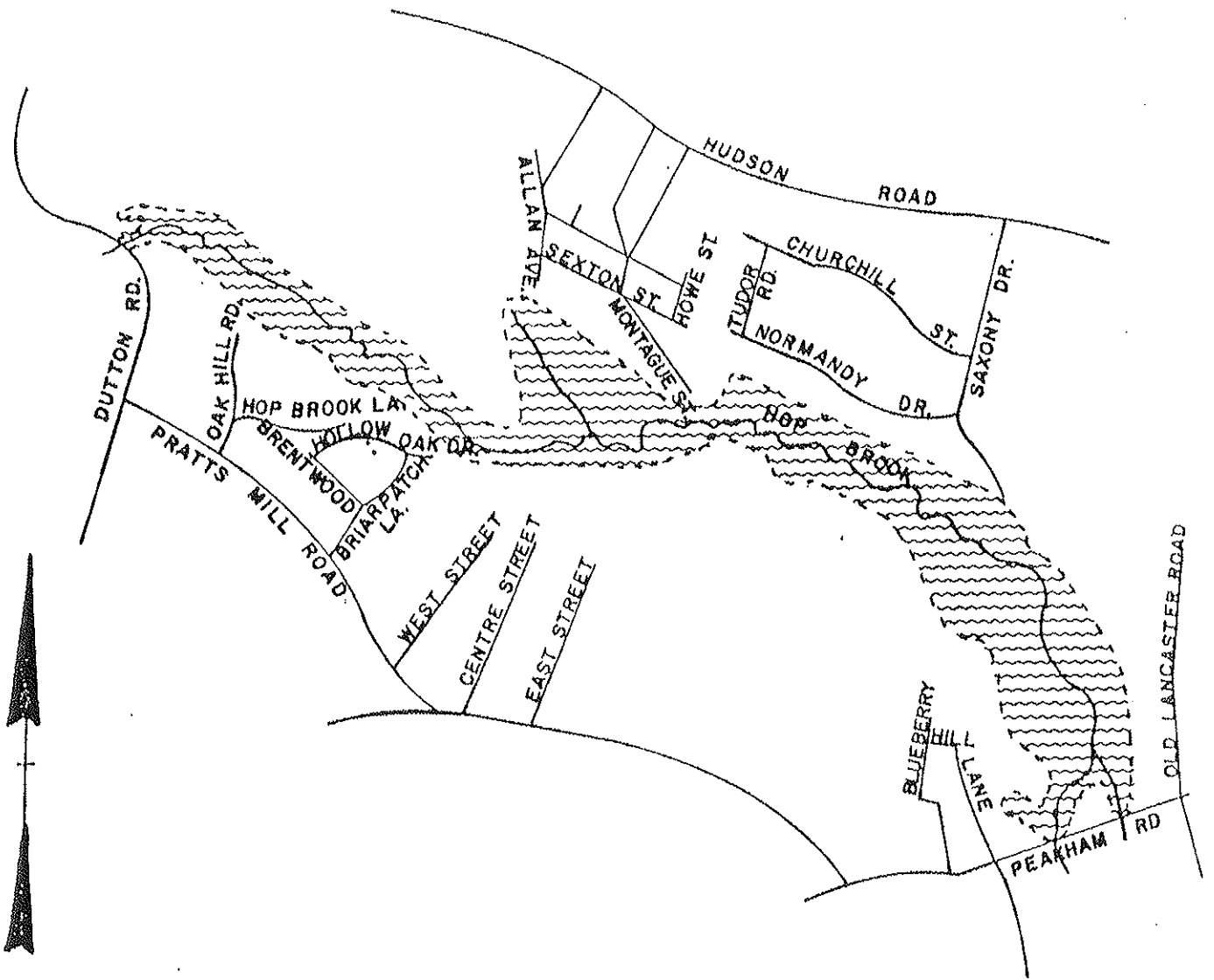
The 1973 amendment changed the first paragraph of Section I G by adding a new subparagraph 3.

The 1982 amendment changed the first paragraph of Section I G by adding a new subparagraph 4, so that the entire section read as at present above.

The 1986 amendment changed the lettering of sub-section "G" to sub-section letter "H".

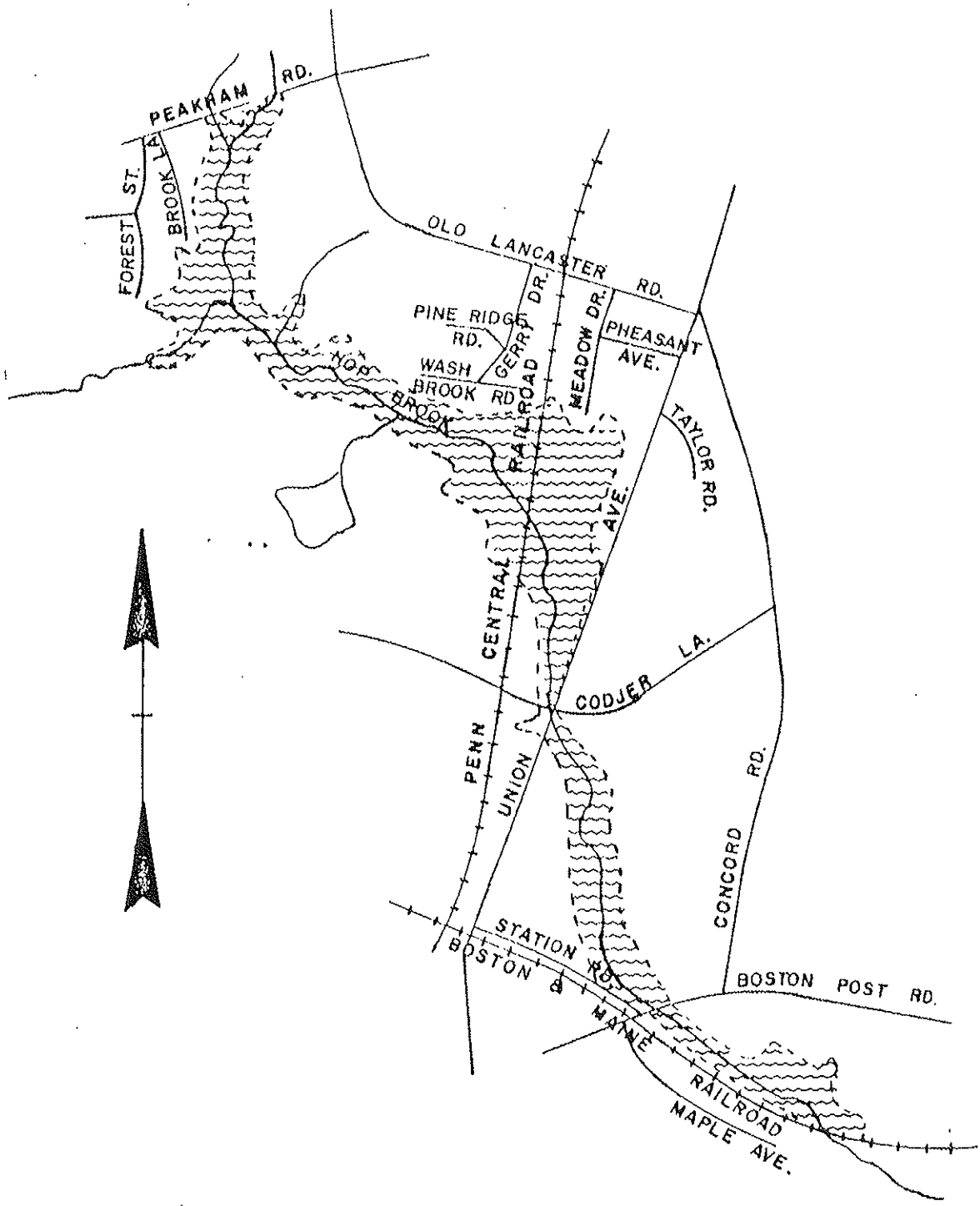


SUDBURY RIVER FLOOD PLAIN — ELEVATION 125.00

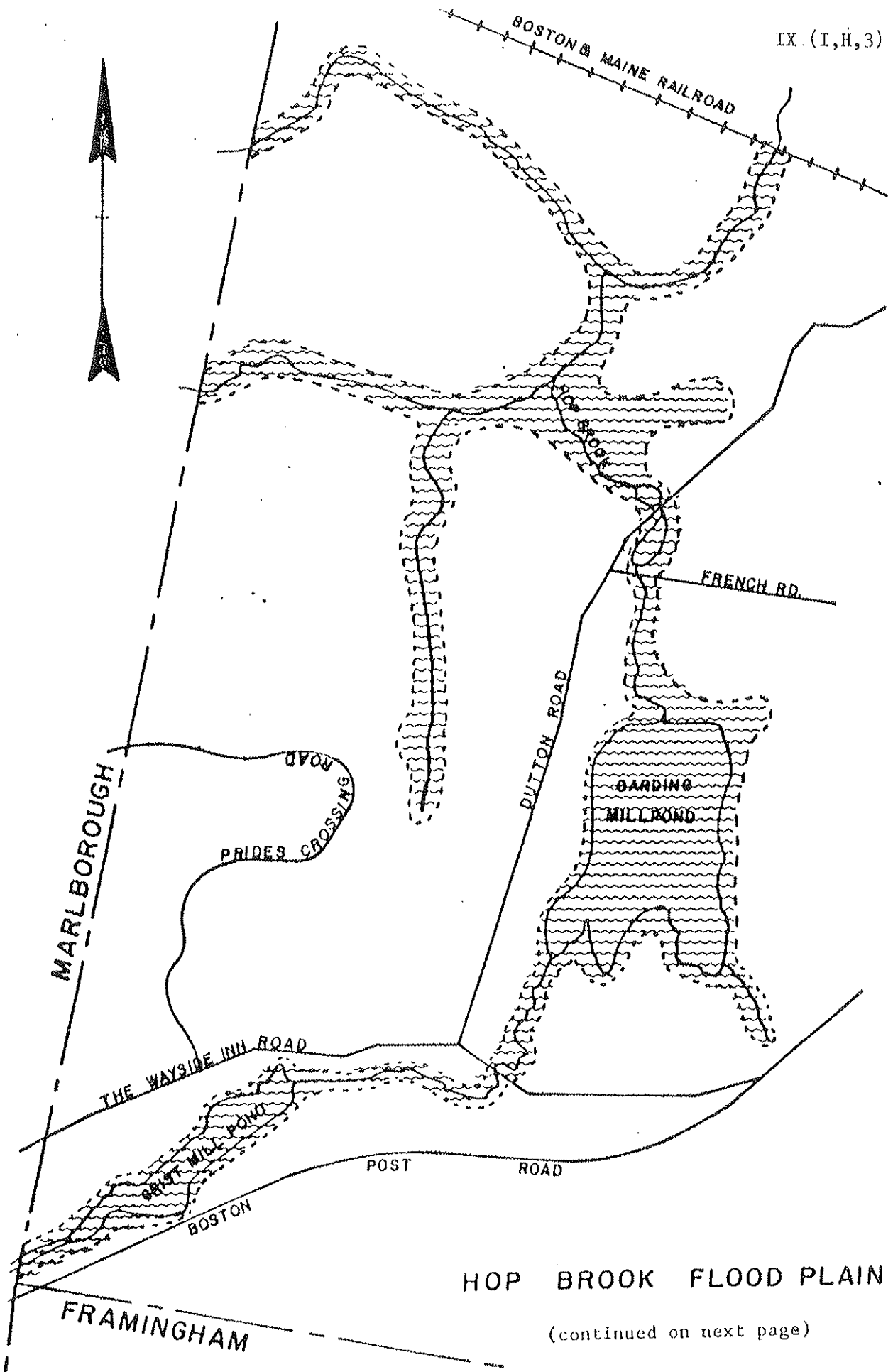


HOP BROOK. FLOOD PLAIN

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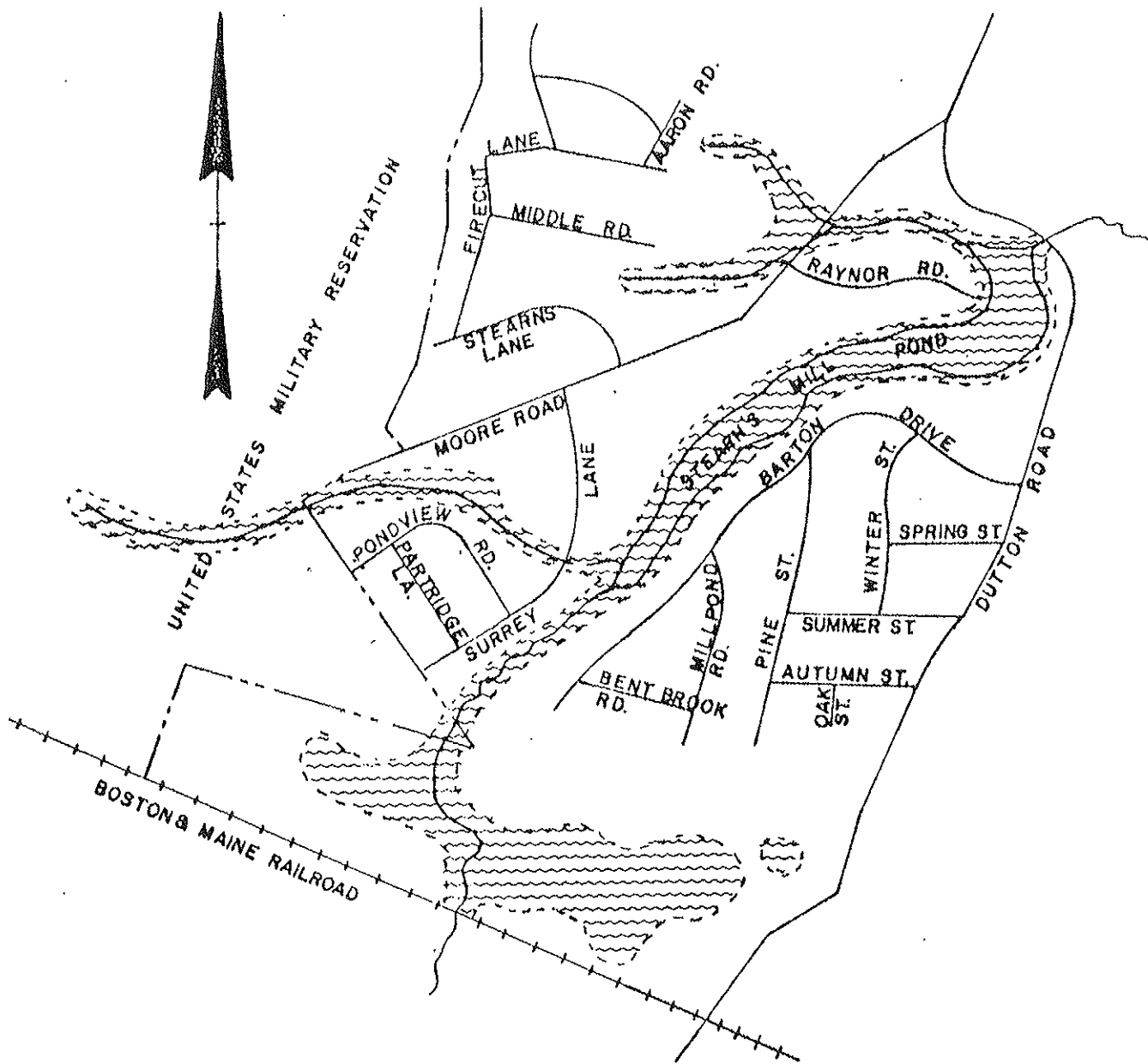


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HOP BROOK FLOOD PLAIN

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HOP BROOK FLOOD PLAIN

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II. ESTABLISHMENT OF DISTRICTS

A. TYPES OF DISTRICTS

The Town of Sudbury is hereby divided into the following types of districts:

- | | |
|---------------------------------|------|
| 1. Single Residence Districts | |
| a. Residential Zone | "A" |
| b. Residential Zone | "C" |
| 2. Business Districts | BD- |
| 3. Limited Business Districts | LBD- |
| 4. Deleted ATM 1980:41 | |
| 5. Industiral Districts | ID- |
| 6. Limited Industrial Districts | LID- |
| 7. Research Districts | RD- |
| 8. Industrial Park Districts | IPD- |
| 9. Open Space Districts | OSD- |

(NOTE: The several Districts shall be denoted on the "Zoning Map" by the appropriate letters as indicated and each such District as now established or as may hereafter be established shall be numbered consecutively.)

ATM 1931:36
 ATM 1939:19
 STM 6/24/53:10"a"
 STM 6/24/55:3
 STM 12/3/56:67
 ATM 1957:49
 STM 12/15/59:1
 ATM 1967:47
 ATM 1968:43
 ATM 1969:33
 STM 6/13/73:11(3)
 ATM 1980:41
 ATM 1985:35

ATM 1931:36	ATM 1967:47
ATM 1939:19	ATM 1968:43
STM 6/24/53:10"a"	ATM 1969:33
STM 6/24/55:3	STM 6/13/73:11(3)
STM 12/3/56:67	ATM 1980:41
ATM 1957:49	ATM 1985:35
STM 12/15/59:1	

Notes:

The 1931 original Zoning Bylaw contained as the first paragraph of Section 1 the following:

Under the provision of General Laws, Chapter 143, Section 3, / * the town of Sudbury is hereby divided into districts, to be known respectively as: Business Districts, General Residence Districts and Single Residence Districts, as follows: ...

* Deleted by Attorney General

(Business and General Residence Districts were generally described in Section 1. Single Residence District comprised "all other lands in the town". See Appendix B.)

The 1939 amendment changed the first paragraph of Section 1 to read as follows:

Section 1. The Town of Sudbury is hereby divided into three types of districts, the boundaries and designations of which are as 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. The Business and Industrial Districts are denoted on said map by letters and numbers as B 1, B 2, B 3, etc., I 1, I 2, I 3, etc. All other areas of the Town are Single Residence. Said map and all explanatory matter thereon are hereby made a part of this By-law.

The 1953 amendment substituted "four" for "three" in the first sentence of Section 1 and added as second paragraph to Section 1 as follows:

A subdivision of the Business District is hereby established, designated as "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.

The 1955 amendment added after the first sentence of the first paragraph of Section 1 the following:

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, - - - Res. "C" 1, "C" 2, - - - and are severally described as follows:... (descriptions of the Zones followed. See page

The 1956 amendment changed the first paragraph of Section I to read as follows:

The Town of Sudbury is hereby divided into 5 types of districts as follows: Residence District, Business District, Limited Business District, Industrial District and Limited Industrial District, and 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 made part of this By-law.

The 1957 amendment changed the number 5 to 6 in the first sentence of Section I and added the words "Shopping Center District" after the words "Limited Business District".

The 1959 amendment changed the number 6 to 7, deleted the word "and" before "Limited Industrial District", and added thereafter the words "and Research Districts". Also deleted were the words "and the boundaries...of this By-law".

The 1967 amendment recodified the Zoning By-law, and the first paragraph of Section I was placed in Section II A: TYPES OF DISTRICTS in the present format as above except that there were seven districts and the introductory sentence read as follows:

The Town of Sudbury is hereby divided into seven types of districts as follows:...

The 1968 amendment added at the end of the list under Section II A the following: "8. Industrial Park Districts IPD-."

The 1969 amendment changed the introductory sentence of Section II A to read as at present above.

The 1973 amendment deleted "b. Residential Zone 'B'" from subparagraph 1.

The 1980 amendment deleted the words "Shopping Center Districts SCD-" from Section II A 4,

The 1985 amendment added at the end of the list under Section II A the following: "9. Open Space Districts OSD-" so that the entire Section II A: Types of Districts read as at present above.

II. ESTABLISHMENT OF DISTRICTS

B. LOCATION OF RESIDENCE DISTRICTS OR ZONES

Residence Districts

Residence Zones in single residence districts are shown on said map as Residence "A"1,---, and Residence "C"1, "C"2,--- and are severally described as follows:

ATM 1931:36
 ATM 1939:19
 STM 6/24/55:3
 ATM 1967:47
 STM 6/13/73:11

Notes:

The 1931 original Zoning By-law contained as part of Section 1 the following paragraphs:

General Residence Districts shall comprise: All districts bounded by four streets or ways, or by one or more streets or ways and the town boundary line, in which, at the time this bylaw becomes effective, more than one-half the area is developed and more than one-half such development is used for other than single residences and their appurtenant buildings.

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

The 1939 amendment changed Section 1 to read as follows:

The Town of Sudbury is hereby divided into three 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. The Business and Industrial Districts are denoted on said map by letters and numbers as B 1, B 2, B 3, etc., I 1, I 2, I 3, etc. All other areas of the Town are Single Residence. Said map and all explanatory material are hereby made a part of this By-law.

The 1955 amendment added after the first sentence of Section 1 the following:

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:...

The 1967 amendment recodified the Zoning By-law, and that part of Section 1 added by the 1955 amendment was placed in Section II B: LOCATION OF RESIDENCE DISTRICTS OR ZONES as follows:

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:

The 1973 amendment substituted a new paragraph, deleting reference to "A" 2, "A" 3, "B" 1, "B" 2, and "B" 3, so that Section II B: LOCATION OF RESIDENCE DISTRICTS OR ZONES read as at present above.

II. ESTABLISHMENT OF DISTRICTS

B. LOCATION OF RESIDENCE DISTRICTS OR ZONES

Residence Zone "A-1"

Beginning at the point of intersection of the town lines of Acton, Concord, Maynard and Sudbury, thence Southeasterly along the Concord-Sudbury town lines to the Sudbury River; thence Southerly by the Sudbury River and the Wayland-Sudbury town line to the point of intersection of the town lines of Sudbury, Wayland and Framingham; thence Westerly along the Sudbury-Framingham town line to the point of intersection of the Marlboro, Sudbury and Framingham town lines; thence Northerly along the Sudbury-Marlboro, Sudbury-Hudson, and Sudbury-Stow town lines to the point of intersection of the Sudbury, Stow and Maynard town lines, thence by the Sudbury-Maynard town line to the point of beginning, meaning and intending to describe the Town of Sudbury, but, excluding therefrom Residential Zones "C" 1 and "C" 2 and all the zones described in Section II, Paragraph C, "Location of All Other Districts".

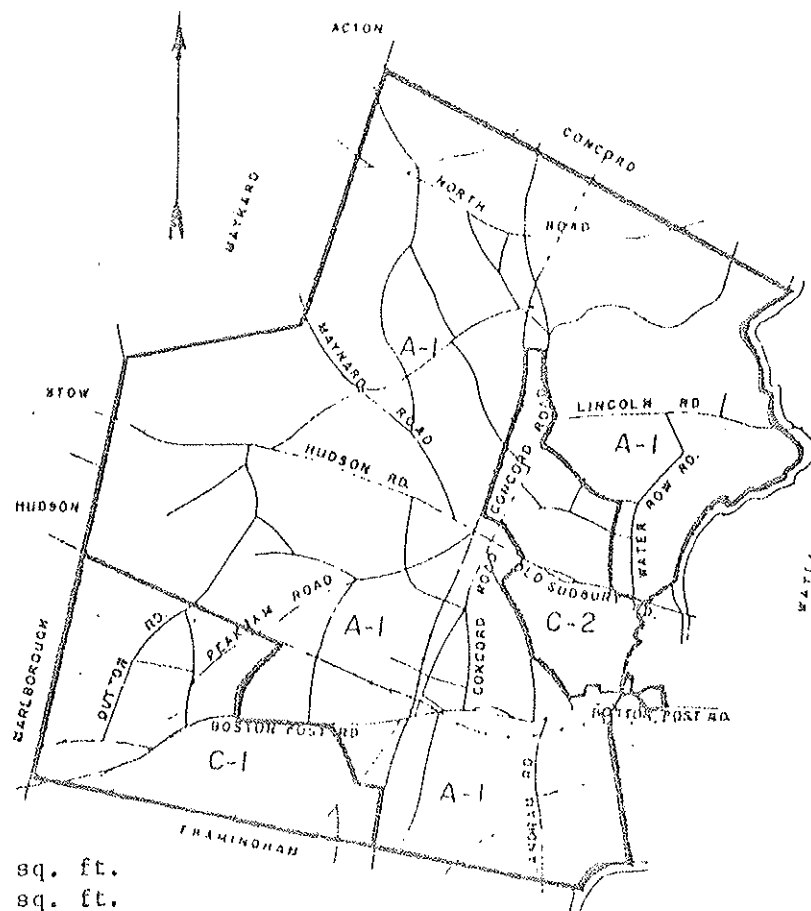
Residential Zone "C-1"

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 Dudley Road, thence Southeasterly along Dudley Road to Nobscoot Road, thence Easterly and at right angles to the Penn Central Railroad track, thence Southerly along the Penn Central 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, exclusive of any Business, Limited Business, Industrial, Limited Industrial, and Research Districts within the above-described boundaries.

Residential Zone "C-2"

Commencing at a point on Goodman's Hill Road 250' North of the intersection of Goodman's Hill Road and the Boston Post Road, thence Northerly along Goodman's Hill Road to a point 1000' East of the intersection of Goodman's 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 Candy Hill Road and Concord Road, thence Westerly in a straight line to the Penn Central Railroad track at right angles to the Penn Central Railroad track, thence Northerly along the Penn Central Railroad track to Pantry Brook, thence Easterly along Pantry Brook to

the point where Pinery 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, thence 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, exclusive of any Business, Limited Business, Industrial, Limited Industrial, and Research Districts within the above described boundaries.



STM 6/24/55:3
 ATM 1960:41
 ATM 1967:47
 STM 6/13/73:11(2)
 ATM 1975:19,21
 ATM 1980:41

STM 6/24/55:3 ATM 1975:19,21
 ATM 1960:41 ATM 1980:41
 ATM 1967:47
 STM 6/13/73:11(2)

Notes:

The 1955 amendment incorporated into the Zoning Bylaw under Section 1 written descriptions of the Residence Zones 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, thence 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 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, exclusive of any Business and Industrial Zones within the described boundaries.

Notes:

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 and 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's Hill Road, thence Northerly along Goodman's Hill Road to a point 1000' East of the intersection of Goodman's 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 and Hartford Railroad track at right angles to the New York, New Haven and Hartford Railroad track, thence Northerly along the New York, New Haven and 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.

Notes:

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 and 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, exclusive of any Business and Industrial Zones within the described boundaries.

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 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, exclusive of any Business and Industrial Zones within the described boundaries.

Notes:

11 B

Residential Zone "C-2"

Commencing at a point on Goodman's Hill Road 250' North of the intersection of Goodman's Hill Road and the Boston Post Road, thence Northerly along Goodman's Hill Road to a point 1000' East of the intersection of Goodman's 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 and Hartford Railroad track at right angles to the New York, New Haven and Hartford Railroad track, thence Northerly along the New York, New Haven and 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, thence 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, exclusive of any Business and Industrial Zones within the described boundaries.

The 1960 amendment changed the wording of the last clause in each description to read "...exclusive of any Business, Limited Business, Industrial, Limited Industrial, Shopping Center and Research Districts within the above described boundaries."

The 1967 amendment recodified the Zoning Bylaw, and the descriptions were placed in Section 11 B: LOCATION OF RESIDENCE DISTRICTS OR ZONES.

The 1973 amendment redefined Residential Zone "A" 1 so that the description read as at present above. It eliminated the written descriptions of Residential Zones "A" 2, "A" 3, "B" 1, "B" 2, and "B" 3. No change in the descriptions of Residential Zones "C" 1 and "C" 2.

The 1975:19 amendment deleted in the description of Residential Zone C-2 the reference to "Plympton Road" and substituted in its place "Candy Hill Road" to conform with the present street name.

The 1975:21 amendment deleted in the descriptions of Residential Zones C-1 and C-2 the references to "The New York, New Haven and Hartford Railroad" and substituted in their places "The Penn Central Railroad" to conform with the present name of the railroad. (Clarification of description only. No change in size of zone.)

The 1980 amendment deleted the words "Shopping Center" in the descriptions of Residential Zones "C" 1 and "C" 2.

II. ESTABLISHMENT OF DISTRICTS

C. LOCATION OF ALL OTHER DISTRICTS

The Business Districts, Limited Business Districts, Industrial Districts, Limited Industrial Districts, Industrial Park Districts, Research Districts, and Open Space Districts shall be denoted on said Zoning Map by letters as follows: Business Districts, BD-; Limited Business Districts, LBD-; Industrial Districts, ID-; Limited Industrial Districts, LID-; Industrial Park Districts, IPD-; Research Districts, RD-; Open Space Districts, OSD-; and each such district as now established or as may hereafter be established with a description of the boundaries thereof shall be numbered consecutively in the order in which they were established or may hereafter be established; and written descriptions of the several districts as now constituted are as follows:

ATM 1931:36
 ATM 1939:19
 ATM 1960:40
 ATM 1967:47
 ATM 1969:30
 ATM 1980:41
 ATM 1985:35
Notes:

The 1931 original Zoning By-law contained as part of Section 1 the following paragraphs:

...Business Districts shall comprise:

- 1) All lands which at the time of this bylaw becomes effective, are used for any business or industry other than farming, truck gardening, the raising of nursery stock or plants, livestock or poultry, or the conducting of boarding or lodging houses.
- 2) All lands located and fronting upon any section of any street or way, which lies between two successive intersecting streets, in which section not less than one-half the lot frontage on the same side of the street as the said intersecting streets, is at said time devoted to business or industry or is manifestly suitable only for such use.
- 3) All lands located and fronting upon any street or way, within 400' 0" on the same side of the street, as any business or industry existing at said time, where intersecting streets do not control.

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

....

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

The 1939 amendment changed the wording of Section 1 to read as follows:

The Town of Sudbury is hereby divided into three types of districts, the boundaries of which are as 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. The Business and Industrial Districts are denoted on said map by letters and numbers as B 1, B 2, B 3, etc., I 1, I 2, I 3, etc. All other areas of the Town are Single Residence. Said map and all explanatory matter thereon are hereby made a part of this By-law.

The May 1, 1956 printing of the By-laws, page 16, contains the following paragraph immediately following the description of Residential Zone "C" 2 just before the written descriptions of Business Districts:

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:...

(Find no record of a vote specifically changing the wording of this paragraph under Section 1 to that found in the May, 1956 printed By-law. Under ATM 1953:70, written descriptions of Business District No. 1 through No. 10 were incorporated into the By-law. Under STM 10/25/56:55 the Town ratified and confirmed the action of the Town Clerk whereby he inserted in the printed copy of the By-laws of the Town, issued as of May 1, 1956, Article IX (Zoning By-laws) the numerals 11, 12 and 14 before the business districts, and the numerals 5, 7, 8, 9, 10 and 11 before industrial districts, the numbering of which was omitted at the time of the adoption of the amendments to the Zoning By-laws establishing such districts.)

The 1960 amendment changed the paragraph in Section 1 immediately following the description of Residential Zone C-2 and just before the written descriptions of the Business Districts to read as follows:

The Business Districts, Limited Business Districts, Industrial Districts, Limited Industrial Districts, Shopping Center Districts and Research Districts shall be denoted on said zoning map by letters as follows: Business Districts, BD-, Limited Business Districts, LBD-, Industrial Districts, ID-, Limited Industrial Districts, LID-, Shopping Center Districts, SCD-,

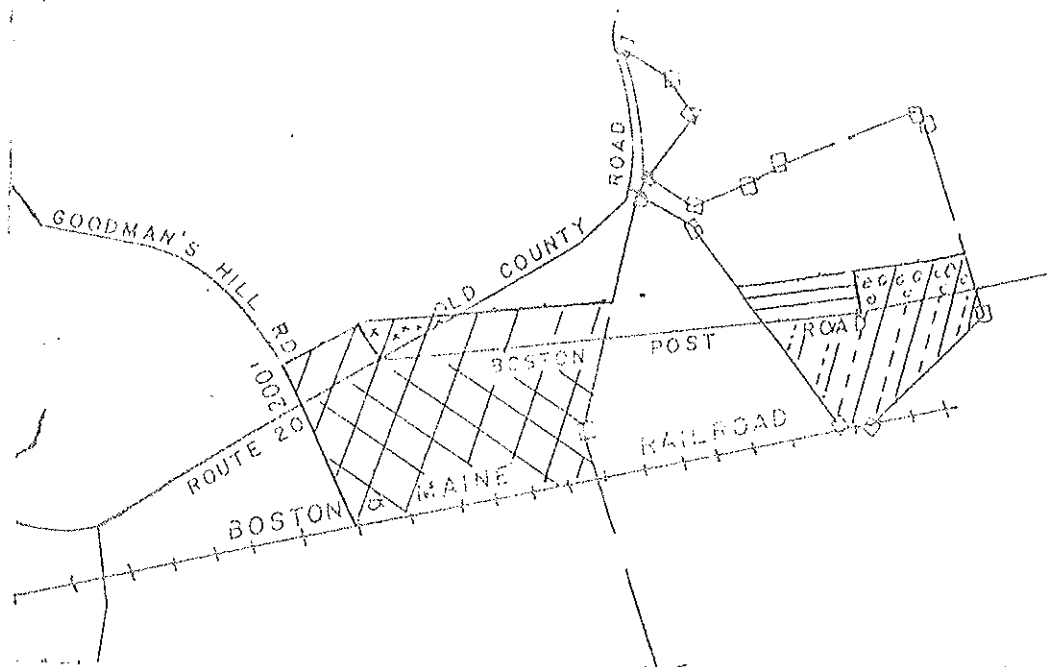
Research Districts, RD-, and each such district as now established or as may hereinafter be established with a description of the boundaries thereof shall be numbered consecutively in the order in which they were established or may hereafter be established; and written descriptions of the several districts as now constituted are as follows:...

The 1967 amendment recodified the Zoning By-law, and this introductory paragraph of Section 1 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1969 amendment added the words "Industrial Park Districts" before the words "Shopping Center Districts", and the words "Industrial Park Districts, IPD-," before the words "Shopping Center Districts, SCD-".

The 1980 amendment deleted the words "Shopping Center Districts" and "Shopping Center Districts, SCD-" from Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1985 amendment added the words "and Open Space Districts" before the words "shall be denoted" and added the words "Open Space Districts, OSD-" before the words "and each such district as now established..."

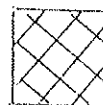


Business District No. 1

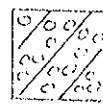
Area: 6.01 A (1970 boundaries)

Property Owners: (1970)

- Lester Smith
- Philbob Realty Trust
- W.G. & Alice Genna
- Angclina Genna
- Stafac Inc.
- Roy F. Staugaard
- Joseph A. Deluco
- Sudbury Management Assoc. Inc.
- Robert B. Harmon et als
- Ellen J. Siegars



ATM 1951:48: ID-4 super-imposed over part of BD-1



ATM 1953:41: ID-5 super-imposed over part of BD-1 (STM 6/28/65:1 became LID-5)

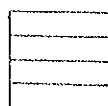


STM 9/6/55:13: ID-6 super-imposed over part of BD-1

(see Limited Industrial District No. 5 pages 118-120)



ATM 1956:38: ID-11 super-imposed over part of BD-1



ATM 1971:13: LID-5 super-imposed over part of BD-1

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

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's Hill Road, all land which is in Sudbury, thence along Goodman's 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.

ATM 1939:19

ATM 1953:70

ATM 1967:47

Notes:

The 1939 amendment designated the boundaries of Business District No. 1 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section 1 the written description of Business District No. 1 which read as at present above.

The 1967 amendment recodified the Zoning By-law and the description of Business District No. 1 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

See map on next page for other districts superimposed over parts of Business District No. 1.

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

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.

ATM 1939:19
ATM 1953:70
STM 6/24/55:8
ATM 1967:47

Notes:

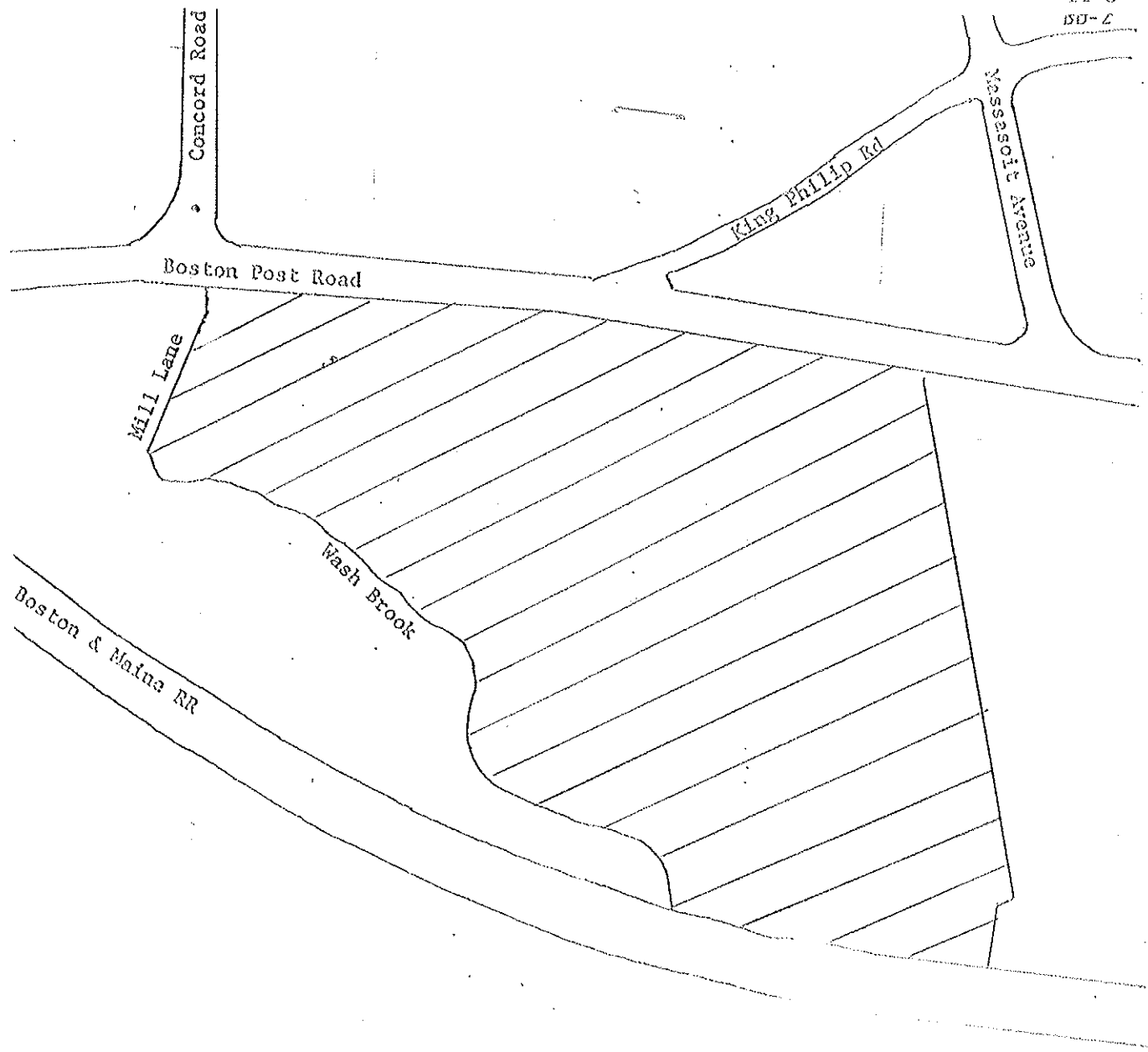
The 1939 amendment designated the boundaries of Business District No. 2 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section 1 the written description of Business District No. 2 which read as at present above. It was numbered Business District No. 3 in error.

The 1955 amendment corrected the transposition of the written descriptions for Business District No. 2 and Business District No. 3.

The 1967 amendment recodified the Zoning By-law and the description of Business District No. 2 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

11 C
BD-2



Area: 14.4 A

Business District No. 2

- Property Owners:
- Donald M. Fellows
 - Curtis E. Harding
 - Hugo Sephton
 - N. E. Tel. & Tel.
 - D. D. Tooker
 - Robert Phelps
 - William L. Hall

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

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

ATM 1939:19
 ATM 1953:70
 STM 6/24/55:8
 ATM 1965:45
 ATM 1967:47

Notes:

The 1939 amendment designated the boundaries of Business District No. 3 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section 1 the written description of Business District No. 3 as follows:

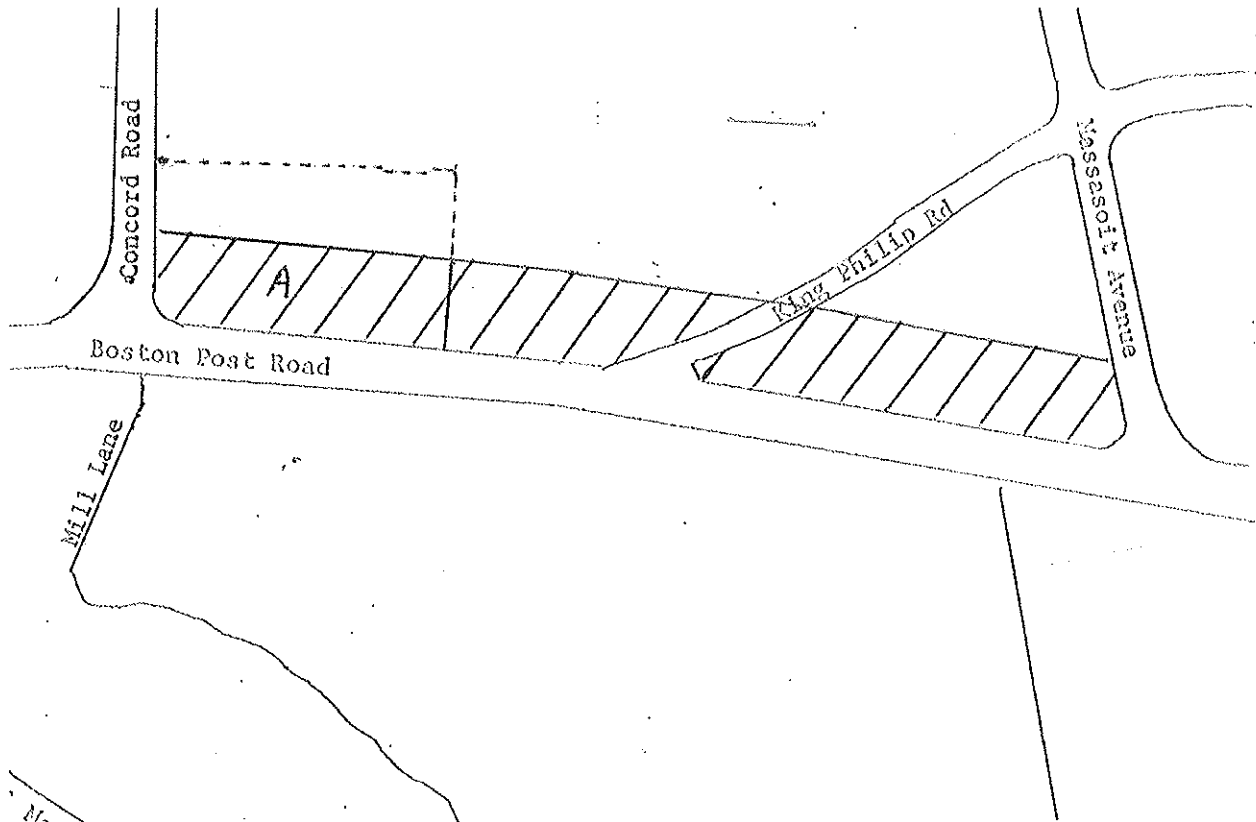
Business District No. 2 is bounded by a line starting at a point at the junction of Massasoit Road and Post Road extending northerly along Massasoit Road to a point 100 feet deep from the Post Road, thence in a westerly direction parallel to Post Road to Concord Road, thence southerly along Concord Road to Post Road, thence easterly along the Post Road to the point of beginning.

The district was numbered 2 in error.

The 1955 amendment corrected the transposition of the written descriptions of Business District No. 2 and Business District No. 3.

The 1965 amendment changed the description and boundaries of Business District No. 3 by striking out that portion which lies between Concord Road and the east property line of Davison. The description then read as at present above. (The portion struck out was voted as Limited Business District No. 3 under the same article. (See page 74)

The 1967 amendment recodified the Zoning By-law and the description of Business District No. 3 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.



Business District No. 3

Area: 1.7 A (1970 boundaries)

ATM 1965:45: Section "A" of original BD-3 changed to LBD-3 (dotted outline)

Property Owners (1970)

Algy Alexander
 Alan Alford & Jerome Tuck
 Estate of Lillian Goodnow
 Waldo L. Chamberlain
 Hilda M. Ogilvie
 Leslie C. Hall

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

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 South-west 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.

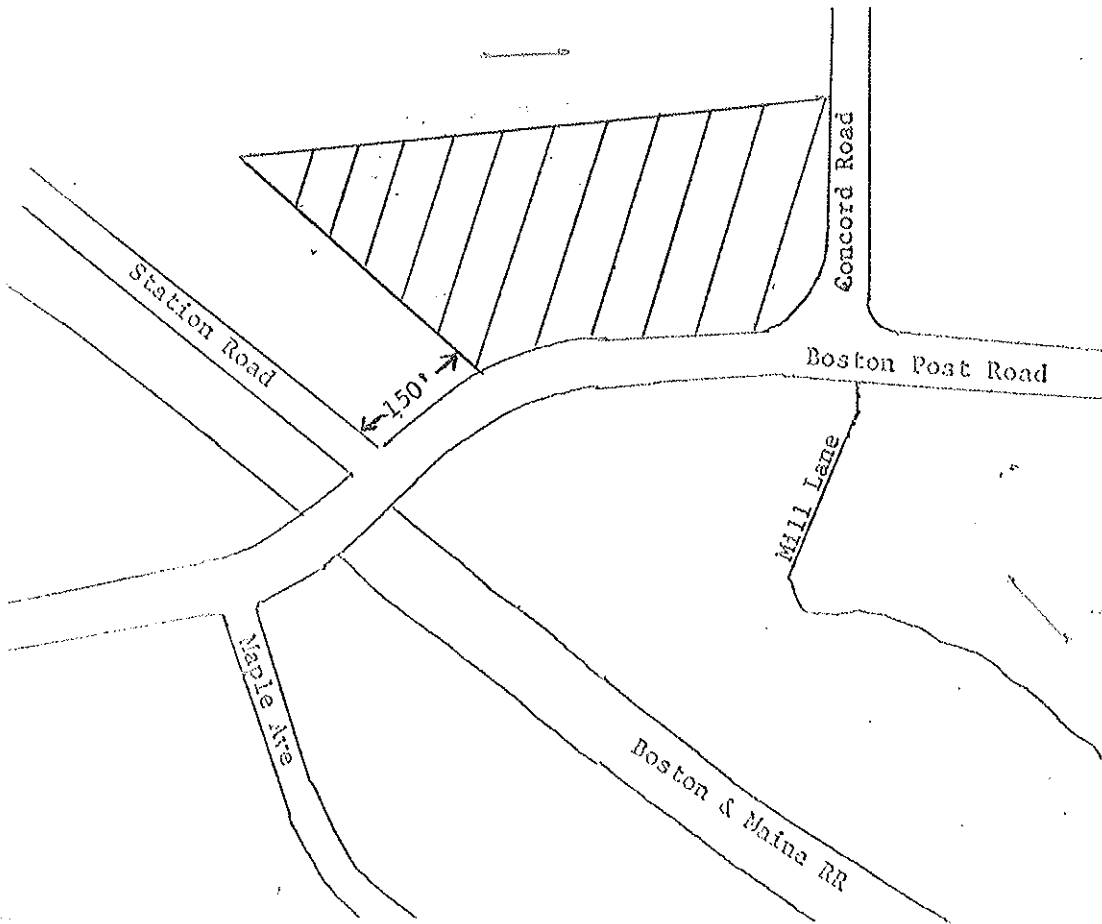
ATM 1939:19
ATM 1953:70
ATM 1967:47

Notes:

The 1939 amendment designated the boundaries of Business District No. 4 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section 1 the written description of Business District No. 4 which read as at present above.

The 1967 amendment recodified the Zoning By-law and the description of Business District No. 4 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.



Business District No. 4

Area: 2.7 A

Property Owners

Sudbury Super Market, Inc.
F. Daniel Buttner & John D. Nicholson
Edward H. & Evelyn Hill

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

Business District No. 5 is bounded by a line starting at the intersection of the Northerly property line of the Boston and Maine Railroad right-of-way and the Westerly side of the Boston Post Road; thence Westerly by the Northern boundary of the Boston Post Road to the Westerly property line n/e Trene Burke; thence Northerly by such property line to a point which is 300 feet from the Boston Post Road, measured perpendicularly; thence Easterly and 300 feet parallel to the Boston Post Road to the East boundary line of the Penn Central Railroad; thence Northerly along the East property line of the Penn Central Railroad to its intersection with the Northerly property line of the Boston and Maine Railroad; thence Easterly to the point of beginning.

ATM 1939:19
 ATM 1953:70
 STM 6/27/60:20
 ATM 1967:47
 ATM 1973:29
 STM 6/13/73:20(2)

Notes:

The 1939 amendment designated the boundaries of Business District No. 5 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section 1 the written description of Business District No. 5 which read as follows:

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. & H. R. R., thence southerly to Post Road, thence easterly along Post Road to point of beginning.

The 1960 amendment enlarged Business District No. 5 to include that part of Industrial District No. 2 bounded as follows:

Beginning at a point of Station Road 100 feet northerly of Boston Post Road; thence Westerly by a line parallel to the Boston Post Road by Business District No. 5 to Union Avenue; thence northerly by Union Avenue to Station Road; thence Southeasterly on Station Road to the point of beginning.

The 1967 amendment recodified the Zoning Bylaw and the description of Business District No. 5 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS, with the following wording:

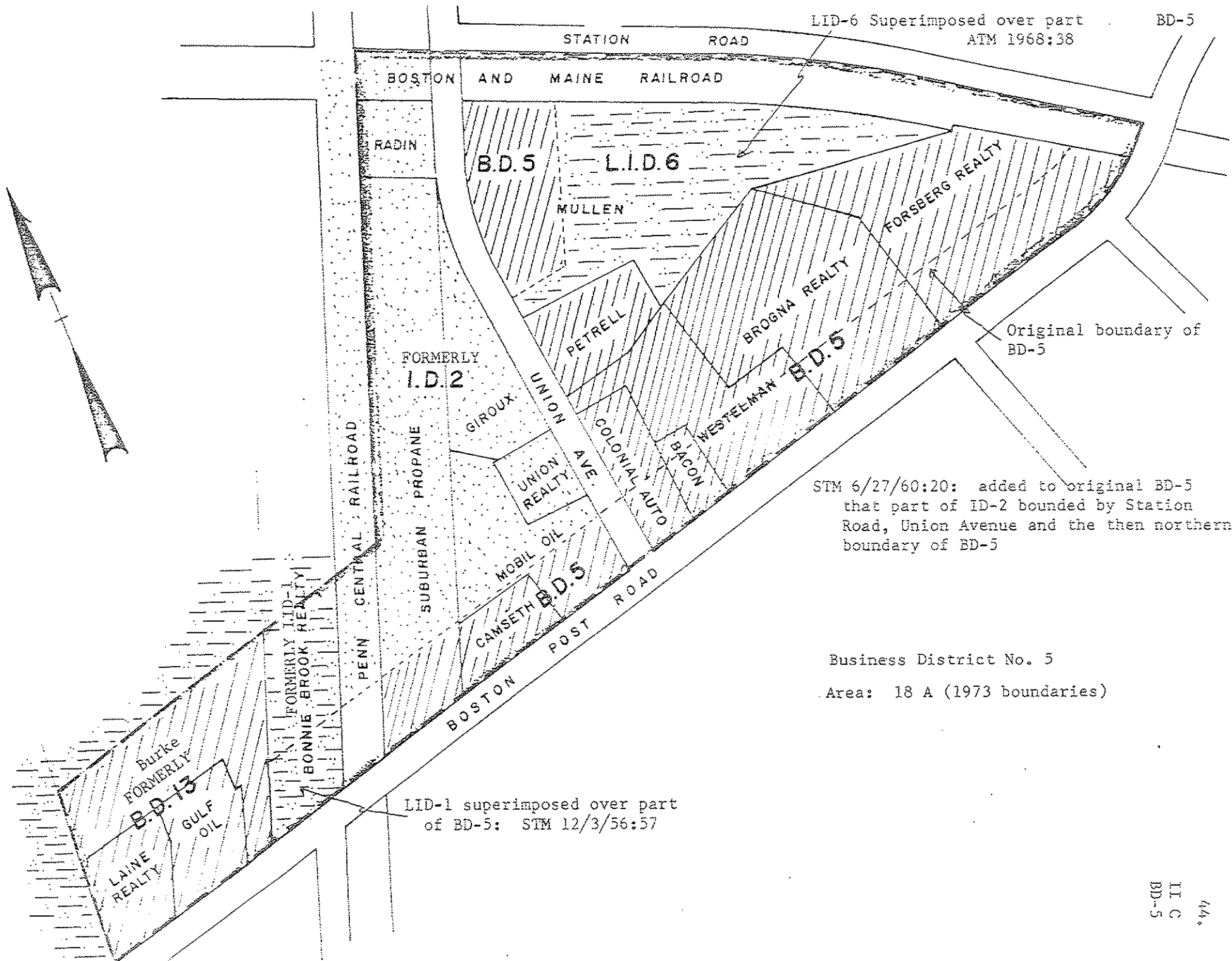
Business District No. 5 is bounded by a line starting at a point at the junction of Station Road and Boston Post Road; thence Westerly by the Boston Post Road to the West property line of the New York, New Haven and Hartford Railroad; thence in a Northerly direction by said property line to a point 100 feet Northerly of Boston Post Road; thence Easterly by a line 100 feet deep and parallel to the Boston Post Road to Union Avenue; thence Northerly on Union Avenue to the junction of Union Avenue and Station Road; thence Southeasterly on Station Road to point of beginning.

The 1973:29 amendment redefined Business District No. 5, enlarging the district to include Business District 13 and parts of Industrial District 2 and Limited Industrial District 1. The description read as follows:

Business District No. 5 is bounded by a line starting at the intersection of the southerly side of Station Road and the Boston Post Road; thence westerly by the Northern boundary of the Boston Post Road to the Westerly property line N/F owned by Irene Burke; thence northerly by such property line to a point which is 300 feet from the Boston Post Road, measured perpendicularly; thence Easterly and 300 feet parallel to the Boston Post Road to the East boundary line of the Penn Central Railroad; thence northerly along the East boundary of the Penn Central Railroad to its intersection with the Northerly boundary of the Boston and Maine Railroad; thence Easterly by the Northerly boundary of the Boston and Maine Railroad and also Station Road to point of beginning.

The 1973:10(2) amendment again redefined Business District No. 5 to clarify the boundary lines, and the description of the District read as at present above. No change in the area included in the district. 1973:10(2) also established that the amendment does not affect Limited Industrial District No. 6 which is superimposed over Business District No. 5.

(See map on next page for districts superimposed over parts of Business District No. 5.)



LID-6 Superimposed over part
ATM 1968:38

BD-5

FORMERLY
I.D.2

STM 6/27/60:20: added to original BD-5
that part of ID-2 bounded by Station
Road, Union Avenue and the then northern
boundary of BD-5

Business District No. 5
Area: 18 A (1973 boundaries)

LID-1 superimposed over part
of BD-5: STM 12/3/56:57

II C
BD-5
44*

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

Business District No. 6. Beginning at a point on the Northerly side line of Boston Post Road at the Westerly boundary of an existing right of way; thence Westerly along the Northerly side line of Boston Post Road 2148[±] feet to the Easterly property line of the land now or formerly of John and Mary O'Brien; thence Northerly along said property line 154[±] feet; thence Easterly and 150 feet parallel to the Northerly side line of Boston Post Road 2070[±] feet to the Westerly boundary of the previously mentioned right of way; thence Southerly along the right of way 156[±] feet to the point of beginning, which is 150[±] feet from the intersection of Stone Road and Boston Post Road.

ATM 1939:19
 ATM 1953:70
 ATM 1967:47
 ATM 1975:17

Notes:

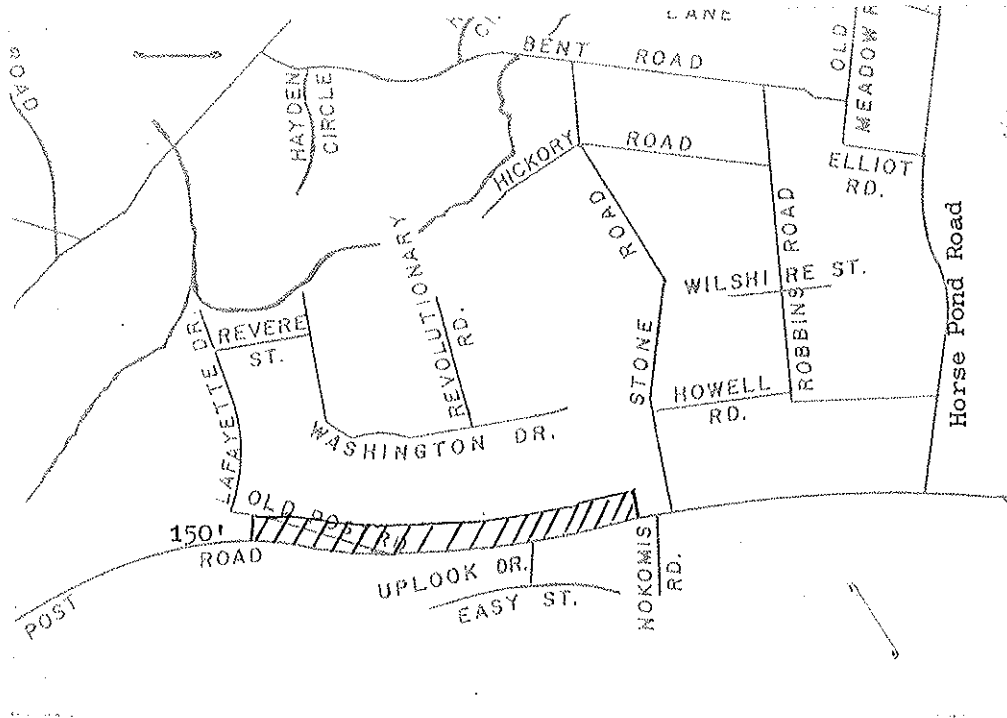
The 1939 amendment designated the boundaries of Business District No. 6 on the Zoning Map.

The 1953 amendment incorporated into the Zoning Bylaw under Section 1 the written description of Business District No. 6 which read as follows:

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.

The 1967 amendment recodified the Zoning Bylaw and the description of Business District No. 6 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1975 amendment changed the description of Business District No. 6 to read as at present above. (Clarification of description only. No change in size of zone.)



Business District No. 6

Area: 7.93 A

Property Owners:

- Aubrey B. Dingley
- Porter's Restaurant Inc.
- Leslie J. & Barbara W. Caulfield
- Milton H. & Blanche M. Shaw
- Robert K & Elizabeth Peterson &
Alfred B. & Ellen M. Edmunds
- Bay Path Nursery
- Village Arms Trust
- Framingham Trust Co.

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

Business District No. 7. Beginning at the intersection of the Northerly line of Hudson Road and the center line of the Penn Central Railroad layout, thence Westerly 100± feet to the Westerly property line of the Penn Central Railroad, thence Northerly 290± feet; thence Northwesterly 80± feet; thence Northerly 200± feet; thence Easterly 165± feet to the center line of the Penn Central Railroad; thence Southerly along the center line of the Penn Central Railroad 560± feet to the point of beginning.

ATM 1939:19
ATM 1953:70
ATM 1967:47
ATM 1975:18,21

Notes:

The 1939 amendment designated the boundaries of Business District No. 7 on the Zoning Map.

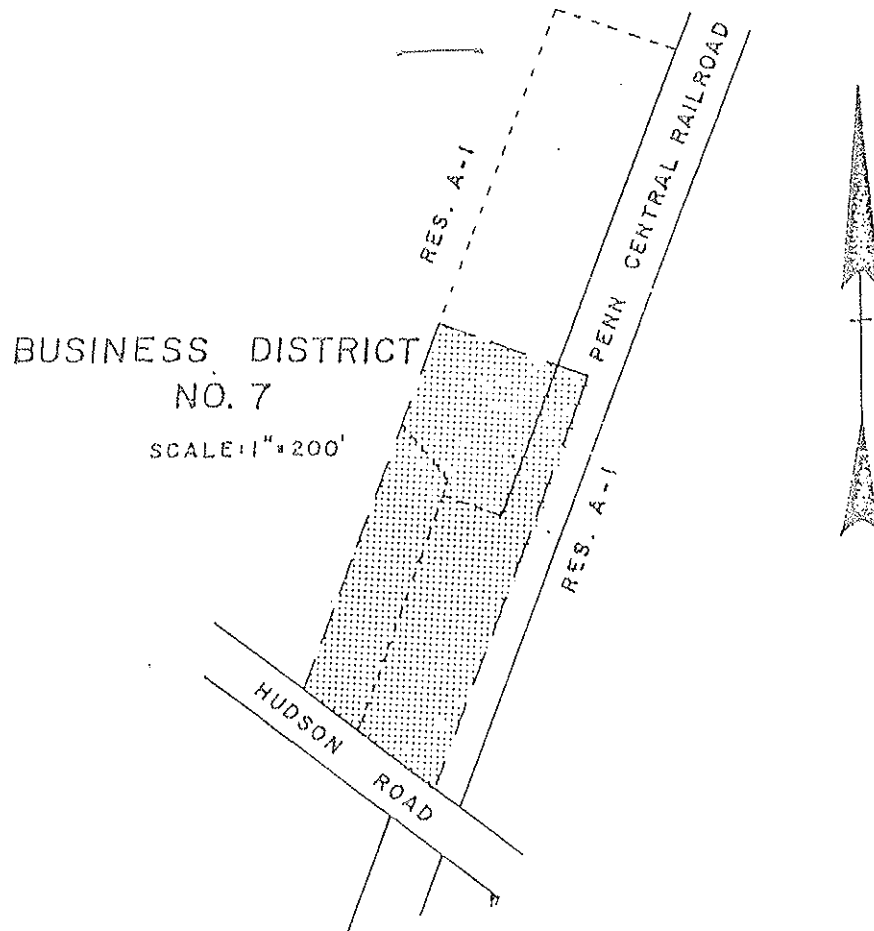
The 1953 amendment incorporated into the Zoning Bylaw under Section 1 the written description of Business District No. 7 which read as follows:

Business District No. 7 is bounded by a line starting at a point at the junction of Hudson Road and the New York, New Haven and Hartford 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.

The 1975:18 amendment changed the description of Business District No. 7 to read as at present above. (Clarification of description only. No change in size of zone.)

The 1975:21 amendment deleted in the description of Business District No. 7 the reference to "The New York, New Haven and Hartford Railroad" and substituted "The Penn Central Railroad". (Note: This amendment was not needed since the new description voted under 1975:18 had already corrected the reference.)

II C
BD-7



Area: .85 A

Property Owners:

Lawrence W. & Edna S. Tighe
Penn Central RR (Formerly New York, New Haven & Hartford RR)

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

Business District No. 8 Deleted by vote of
Special Town Meeting, June 17, 1969, Art. 6.

ATM 1939:19
ATM 1953:70
ATM 1967:47
STM 6/17/69:6

Notes:

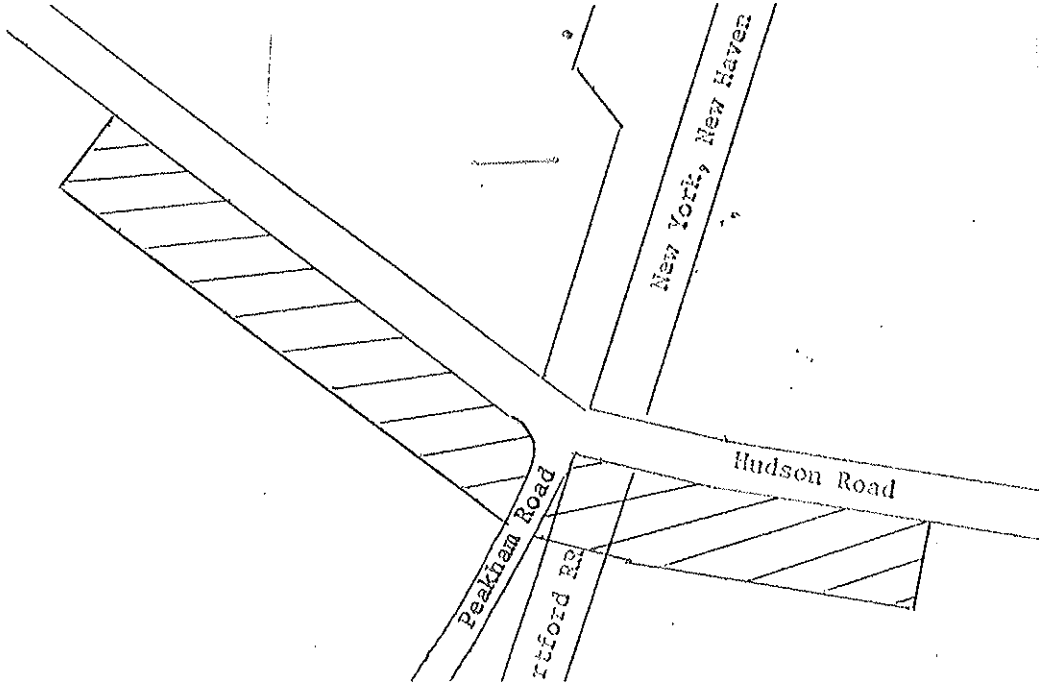
The 1939 amendment designated the boundaries of Business District No. 8 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section I the written description of Business District No. 8 which read as follows:

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.

The 1967 amendment recodified the Zoning By-law and the description of Business District No. 8 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1969 amendment struck out Business District No. 8 in its entirety, incorporating it into a new Limited Business District No. 5. (See page 78)



Business District No. 8
(Deleted: 6/17/69:6)

Area: 2.4 A

Property Owners:

- Robert D. & Norma L. Quirk
- Elise Oliver
- William E. & Judith S. Mack
- Penn Central RR (Formerly New York, New Haven & Hartford RR)

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

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 a point of beginning.

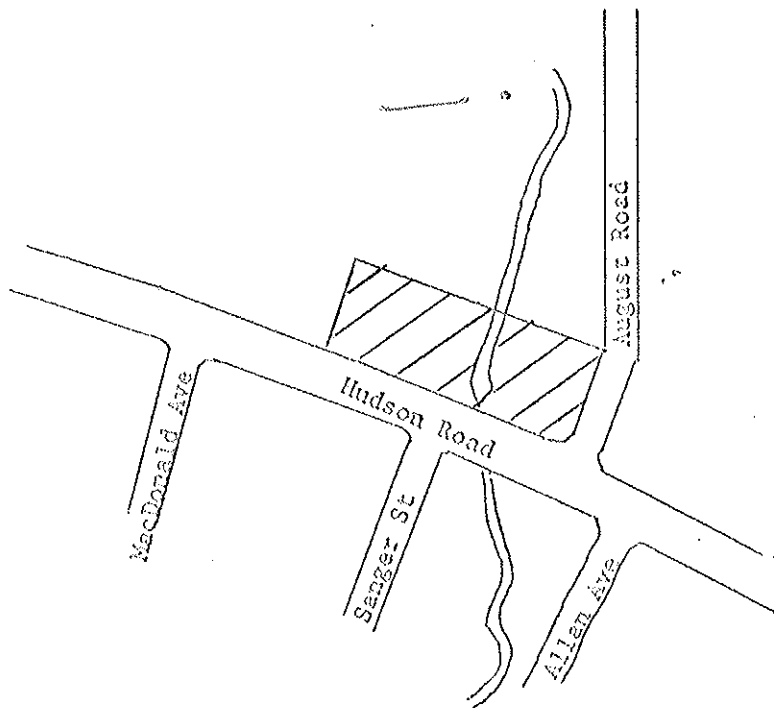
ATM 1939:19
ATM 1953:70
ATM 1967:47

Notes:

The 1939 amendment designated the boundaries of Business District No. 9 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section 1 the written description of Business District No. 9 which read as at present above.

The 1967 amendment recodified the Zoning By-law and the description of Business District No. 9 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.



Business District No. 9

Area: 30,000 sq. ft

Property Owners:

Joseph H. & Marjorie L. Nugent

Walter F. & Eleanor M. Eastman

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

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.

ATM 1939:19

ATM 1953:70

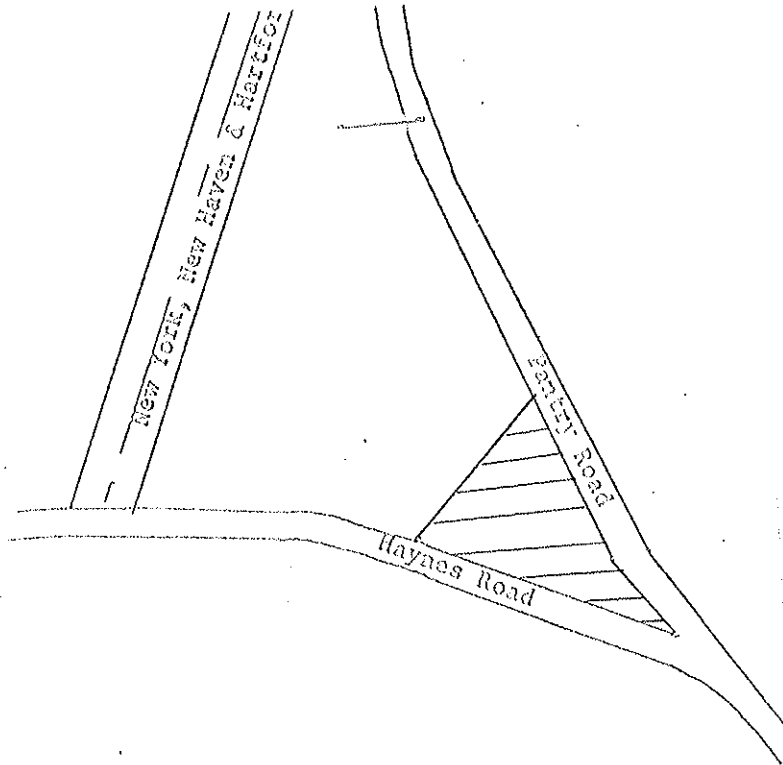
ATM 1967:47

Notes:

The 1939 amendment designated the boundaries of Business District No. 10 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section 1 the written description of Business District No. 10 which read as at present above.

The 1967 amendment recodified the Zoning By-law and the description of Business District No. 10 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.



Business District No. 10

Area: 30,000 sq. ft.

Property Owner:

George R. & Mary M. Sharkey (Formerly Bowker's Store Area)

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

Business District No. 11 Deleted by vote of the 1972 Annual Town Meeting, Article 22.

ATM 1948:26
STM 10/25/56:55
ATM 1967:47
ATM 1972:22

Notes:

The 1948 amendment established a new business district under Section 1 and incorporated the boundaries into the Zoning Map of the Town of Sudbury. The description of Business District No. 11 in Article 26 read as follows:

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 157 feet; thence Easterly parallel to said Post Road 739 feet, thence Northerly to point of beginning.

The 1956 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 11 before the description of this business district in the printed copy of the By-laws issued May 1, 1956.

The 1967 amendment recodified the Zoning By-law and the description of Business District No. 11 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1972 amendment struck out Business District No. 11 in its entirety, incorporating it into a new Limited Business District No. 6. (See page 79A)

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

Business District No. 11 Deleted by vote of the 1972
Annual Town Meeting, Article 22.

ATM 1948:26
STM 10/25/56:55
ATM 1967:47
ATM 1972:22

Notes:

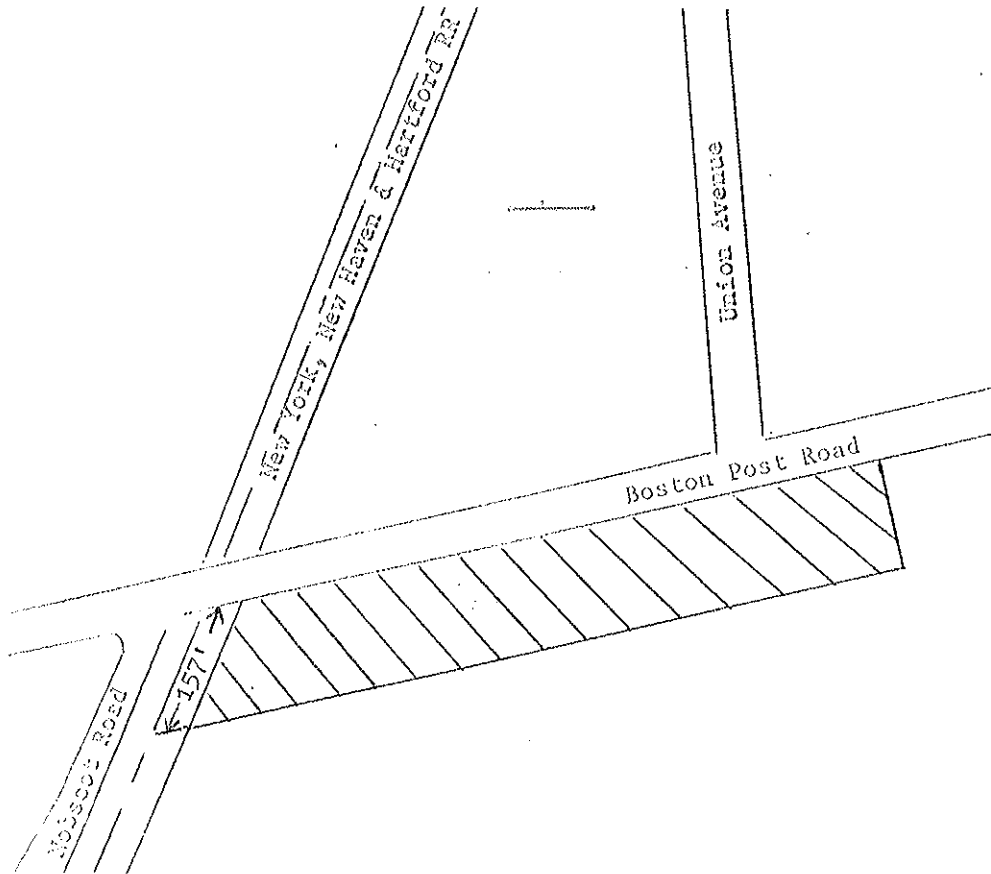
The 1948 amendment established a new business district under Section 1 and incorporated the boundaries into the Zoning Map of the Town of Sudbury. The description of Business District No. 11 in Article 26 read as follows:

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 157 feet; thence Easterly parallel to said Post Road 739 feet, thence Northerly to point of beginning.

The 1956 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 11 before the description of this business district in the printed copy of the By-laws issued May 1, 1956.

The 1967 amendment recodified the Zoning By-law and the description of Business District No. 11 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1972 amendment struck out Business District No. 11 in its entirety, incorporating it into a new Limited Business District No. 6. (See page 79A)



Business District No. 11

(Deleted ATM 1972:22)

Area: 2.1 A

Property Owner:
Vana Trust

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

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 Southwest 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 No. 20, Block V, and the Westerly boundary of that part of Lots No. 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 Southwesterly 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.

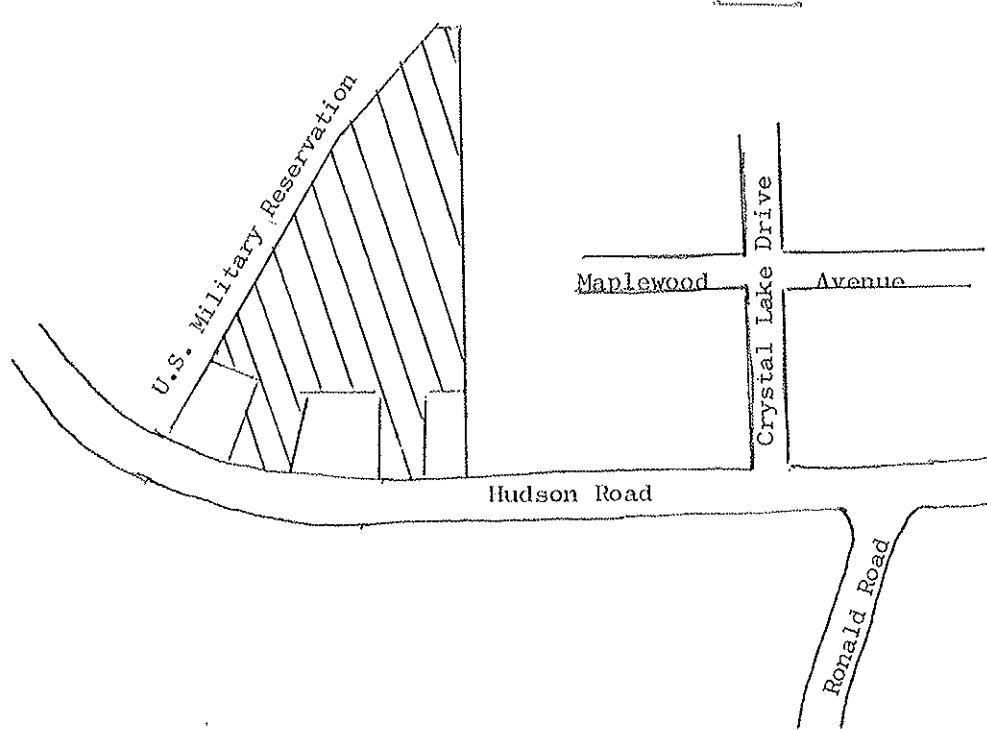
The last three courses being by land of the U.S. Government.

Notes:

The 1949 amendment established under Section 1 a new business district and incorporated the boundaries into the Zoning Map of the Town of Sudbury. The description of Business District No. 12 in Article 26 read as at present above.

The 1956 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 12 before the description of this business district in the printed copy of the By-laws issued May 1, 1956.

The 1967 amendment recodified the Zoning By-law and the written description of Business District No. 12 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.



Business District No. 12

Area: 1.7 A

Property Owner:

Robert E. Devlin

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

Business District No. 13. Deleted by vote of 1973
Annual Town Meeting, Article 29.

STM 9/6/55:15

ATM 1967:47

ATM 1973:29

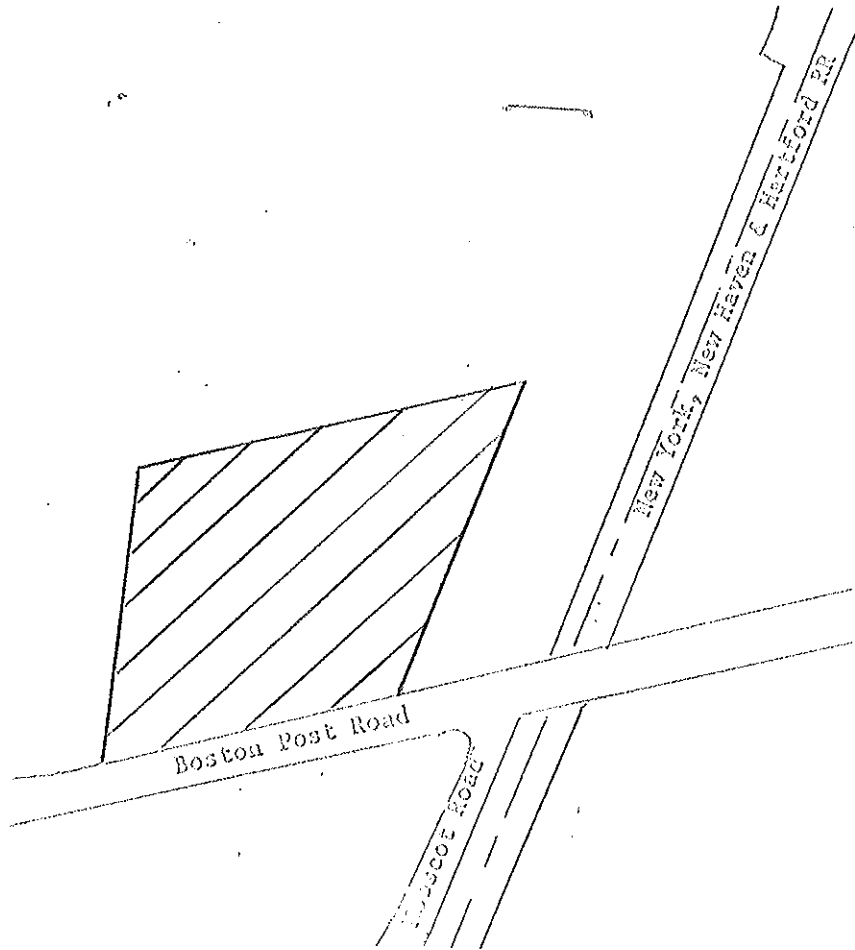
Notes:

The 1955 amendment established under Section 1 of the Zoning Bylaw a new Business District No. 13, the written description of which read as follows:

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.

The 1967 amendment recodified the Zoning Bylaw and the description of Business District No. 13 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1973 amendment eliminated Business District No. 13 and included all of Business District No. 13 in the enlarged Business District No. 5. (See pages 43, 43A, and 44).



Business District No. 13
(Deleted: ATM 1973:29)

Area: 2.8 A

Property Owners:
Irene E. Burke
Jacob Furman
Gulf Oil Corp.

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

<p>Business District No. 14. Deleted by vote of 1965 Annual Town Meeting, Article 41.</p>

ATM 1955:64
 STM 10/25/56:55
 ATM 1965:41
 ATM 1967:47

Notes:

The 1955 amendment established under Section 1 of the Zoning By-law a new business district, the written description of which read as follows:

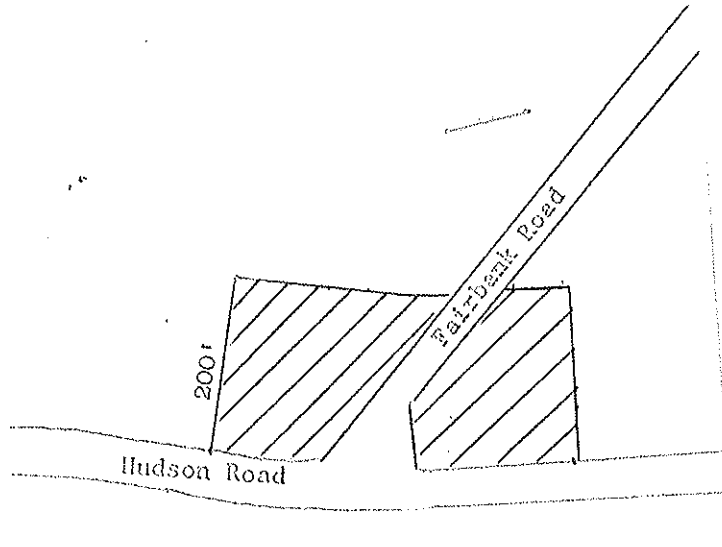
A certain area of land situated in the Westerly part of Sudbury on the Northerly side of Hudson Road, bounded and described as follows:

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.

The 1956 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 14 before the description of this business district in the printed copy of the By-laws issued May 1, 1956.

The 1965 amendment deleted Business District No. 14, and the area was added to Residential Zone "A-1".

The 1967 amendment recodified the Zoning By-law and placed Business District No. 14 with the statement "Deleted by amendment" under Section II C: LOCATION OF ALL OTHER DISTRICTS. (Wording changed in 1973 reprinting of Bylaws for more specific reference.)



Business District No. 14
(Deleted: ATM 1965:41)

Area: 1.8 A

Property Owners
Town of Sudbury
Merton Haskell

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

Business District No. 15. A certain parcel of land, situated on the Southerly side of the State Highway known as Boston Post Road, bounded and described as follows:

Beginning at the intersection of the Westerly side line of Dudley Road with the Southerly side line of the Boston Post Road; thence in a Westerly direction along said Boston Post Road 600 feet, more or less, thence Southerly, a distance of 133 feet, more or less, thence Easterly by a line parallel to and 133 feet distant from the Southerly line of Boston Post Road to the Westerly side line of Dudley Road; thence in a Northwesterly direction along Dudley Road to the point of beginning.

STM 10/21/58:9

ATM 1967:47

ATM 1975:21

Notes:

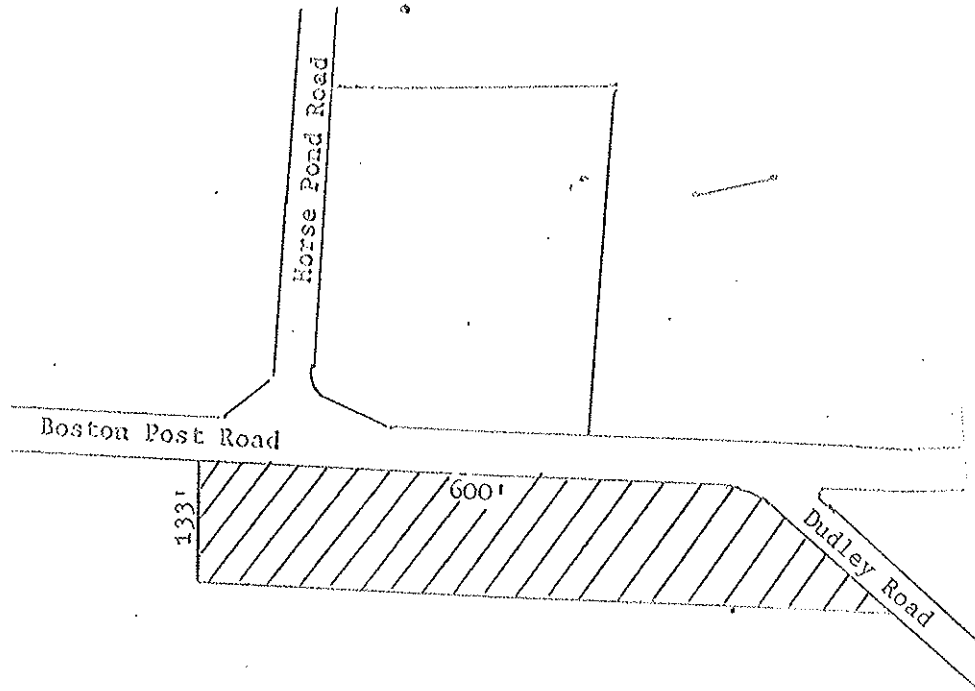
The 1958 amendment established under Section 1 of the Zoning Bylaw a new Business District No. 15, the written description of which read as follows:

Business District No. 15. A certain parcel of land, situated on the Southerly side of the State Highway known as Boston Post Road, bounded and described as follows:

Beginning at the intersection of the Westerly side line of Dudley Road with the Southerly side line of the Boston Post Road; thence in a Westerly direction along said Boston Post Road 600 feet, more or less, to the Westerly line of land owned by the Commander Beverage Inc., thence Southerly along the Westerly line of Commander Beverage Inc., 133 feet, more or less, thence Easterly by a line parallel to and 133 feet distant from the Southerly line of Boston Post Road to the Westerly side line of Dudley Road; thence in a Northwesterly direction along Dudley Road to the point of beginning.

The 1967 amendment recodified the Zoning Bylaw and the description of Business District No. 15 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1975 amendment changed the description of Business District No. 15 to read as at present above. (Clarification of description only. No change in size of zone.)



Business District No. 15

Area: 2.2A

Property Owners:
Mary A. Scholz
Mary Elise Zarrilli

II C. LOCATION OF ALL OTHER DISTRICTS - Business Districts

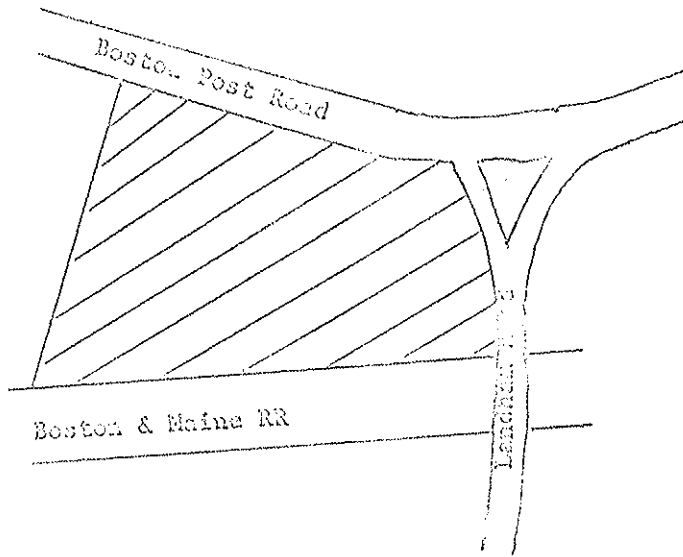
Business District No. 16. Beginning at the intersection of the Southerly line of the Boston Post Road with the Westerly line of Landham Road; thence Southerly by said Landham Road, 210 feet, more or less, to the land of the Boston & Maine Railroad Co.; thence Westerly by land of said Railroad Co., 490 feet, more or less, to land of Georgia George, now or formerly; thence Northerly by land of said George, 357 feet, more or less, to the Boston Post Road; thence Easterly by said Boston Post Road, 390 feet, more or less, to the point of beginning.

STM 12/8/59:25
ATM 1967:47

Notes:

The 1959 amendment established under Section 1 of the Zoning By-law a new Business District No. 16, the written description of which read as at present above.

The 1967 amendment recodified the Zoning By-law and the description of Business District No. 16 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.



Business District No. 16

Area: 2.3 A

Property Owners:

John, Joseph & James Mercury

1.37

1.42

II C

LBD

II C. LOCATION OF ALL OTHER DISTRICTS - 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.

STM 6/24/53:10a

ATM 1967:47

Notes:

The 1953 amendment incorporated into the Zoning By-law under Section I, before sub-section A, a paragraph which read as at present above.

The 1967 amendment recodified the Zoning By-law and this paragraph was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Business Districts

Limited Business No. 1. Beginning at a stake on the Southerly boundary line between the land of Fred Stone and the road variously known as State Road and Boston Post Road; thence Westerly two hundred fifteen feet (215') more or less to the Northeasterly corner of the intersection of Boston Post Road and Horse Pond Road; thence continuing Westerly across Horse Pond Road fifty and $03/100$ feet (50.03') more or less to a stake and stones at the Northwesterly corner of the intersection of Boston Post Road and Horse Pond Road; thence continuing Westerly five hundred fifty (550') more or less to a stake and stone at the Southwesterly corner of land now or formerly of Wilfred Allen; thence Northerly by land now or formerly of Aiken and Lewis five hundred and ten feet (510') more or less; thence Easterly by land now or formerly of Lewis one hundred feet (100') more or less; thence Northerly nine and $01/100$ feet (9.01') to Robbins Road, so-called now or formerly owned by Livoli; thence Easterly by said Robbins Road six hundred twenty-one and $91/100$ feet (621.91') more or less to a pipe and stones at Horse Pond Road; thence Southerly by Horse Pond Road two hundred forty-five and $37/100$ feet (245.37') more or less; thence Easterly, perpendicularly across Horse Pond Road, to a stone bound on the boundary line between land of Stone and Meader, at the Northwesterly corner of land of said Stone; thence continuing Easterly by land of Meader and by other land of Stone two hundred thirteen feet (213') more or less to a cement bound; thence Southerly by other land of Fred Stone four hundred seventeen and $61/100$ feet (417.61') more or less to the point of beginning.

STM 4/22/57:22

ATM 1962:17

ATM 1967:47

ATM 1975:21

STM 4/22/57:22
ATM 1962:17
ATM 1967:47

Notes:

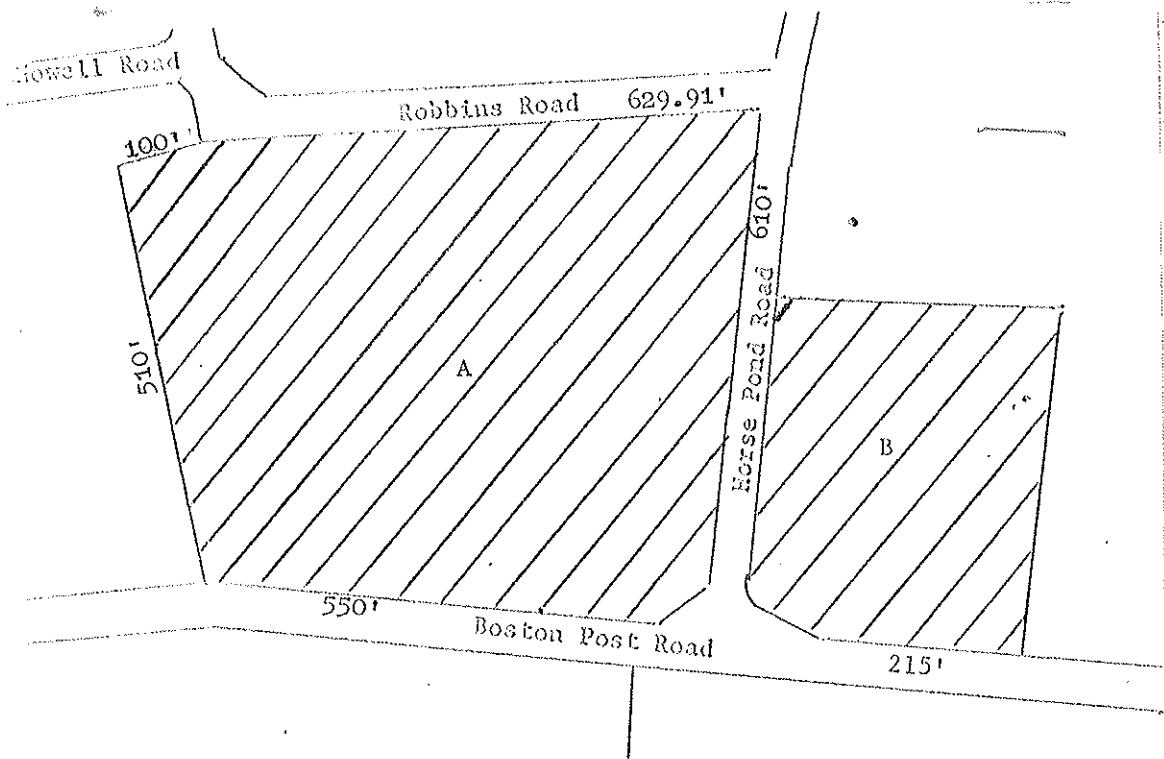
The 1957 amendment established under Section 1 of the Zoning By-law a new Limited Business District No. 1, the written description of which read as follows:

A certain parcel of land beginning at the southwesterly corner of land of Wilfred Allen on the State Road at a stake and stone; thence running easterly by the State Road so called, 550 feet more or less to a stake and stones at Horse Pond Road; thence northerly by said Horse Pond Road on the westerly side thereof about 610 feet more or less to a pipe and stones at Old Farm Road, so called, now owned by Lavoli; thence by said road westerly 629.91 feet more or less; thence turning and running southerly 9.01 feet; thence turning and running westerly 100 feet more or less to land of Arthur Lewis; thence turning and running southerly by land of Lewis and Aiken 510 feet more or less to the point of beginning at the State Road.

The 1962 amendment enlarged Limited Business District No. 1 by adding the area on the easterly side of Horse Pond Road. The new description voted read as at present above, except that "Robbins Road" read "Old Farm Road".

The 1967 amendment recodified the Zoning By-law and the description of Limited Business District No. 1 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1975 amendment changed the name "Old Farm Road" to "Robbins Road" to conform with the present street name.



Limited Business District No. 1

Area: 9.74 A

Property Owners:

Sudbury Pines Realty Trust
Monroe S. Glick

William J. Adelson, Stanley Barron, Z. Stanley Taub & Michael P. Tristan
Robert E. & Mary Phelps

Section "A": the original LBD-1

ATM 1962:17: LBD-1 enlarged by adding Section "B"

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Business Districts

Limited Business No. 2. Beginning at a point where the Westerly line of Industrial District No. 8 intersects Boston Post Road, thence Southwesterly along the border of Industrial District No. 8 to Nobscot Road; thence Westerly by Nobscot Road 400 feet more or less to land now or formerly of Ralph Hawes; thence Northerly by land of said Hawes in two courses, N 40° 31' 20" W 460 feet more or less and N 69° 22' 50" W 555 feet more or less; thence N 32° 49' 12" E 518 feet more or less to Boston Post Road; thence Easterly along said Boston Post Road to the point of beginning.

ATM 1960:39

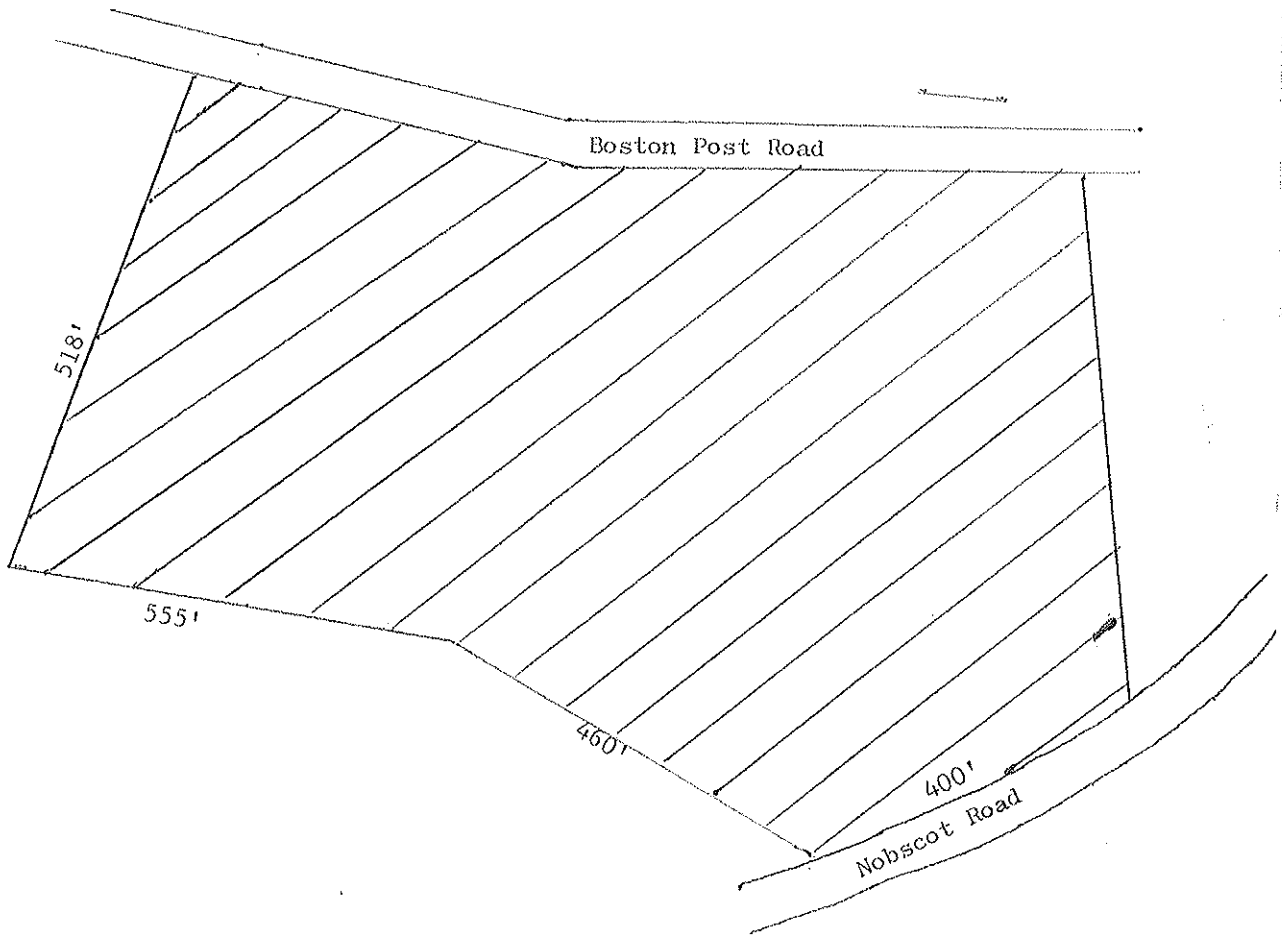
ATM 1967:47

Notes:

The 1960 amendment established under Section 1 of the Zoning By-law a new Limited Business District No. 2, the written description of which read as at present above. *

The 1967 amendment recodified the Zoning By-law and the description of Limited Business District No. 2 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

*N.B. Article 39, ATM 1960, asked the Town to amend Article IX, Section 1 of the Zoning By-Law by inserting a new business district to be known as business district number 17, with the same description as in Limited Business No. 2 above. A motion in the words of the article was defeated (190-199) on March 9, 1960. Article 39 was reconsidered on March 16, 1960, and a motion to amend Article IX, Section 1 of the Zoning By-law by inserting a new Limited Business District with the same description was voted (343-158). Town Counsel reported that he was "constrained to withdraw the opinion which I submitted when the article was first considered. The motion now under consideration is beyond the scope of the article...and if adopted the amendment will not be a valid by-law of the town."



Limited Business District No. 2

Area: 15.17 A

Property Owners:

Raytheon Co.

Marian G. Mugar (Star Market)

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Business Districts

Limited Business District No. 3. Beginning at the East side of the intersection of Concord Road and the Post Road, thence running Northerly along Concord Road to the North property line of McMurtry, thence Easterly along property line of McMurtry and continuing along with property line of Davison, to East property line of Davison, thence Southerly along property line of Davison to Post Road, thence Westerly along Post Road to point of beginning.

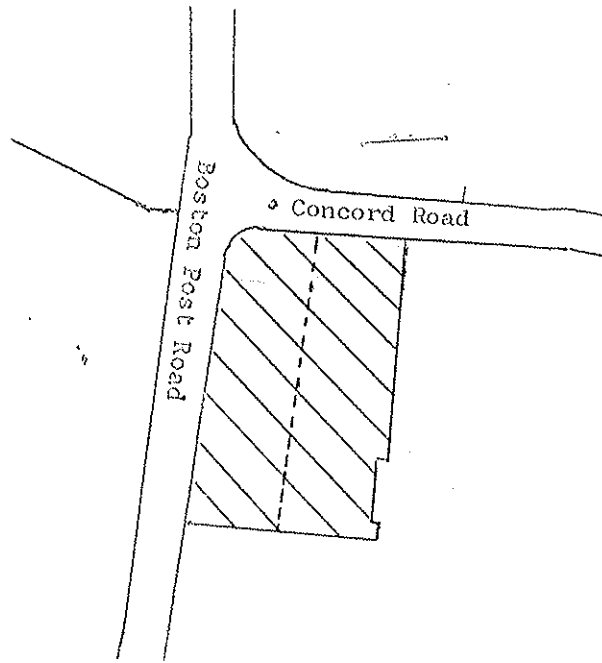
ATM 1965:45

ATM 1967:47

Notes:

The 1965 amendment established under Section 1 of the Zoning By-law a new Limited Business District No. 3, the written description of which read as at present above. (The section of this Limited Business District 100 feet deep along the Boston Post Road was formerly part of Business District No. 3. See page 39)

The 1967 amendment recodified the Zoning By-law and the description of Limited Business District No. 3 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.



Limited Business District No. 3

Area: 2.0 A

Property Owners:

Harold E. & E. Marie McMurtry
A.F. & K.V. Murphy
Theodore & Alice Davison

Area below dotted line formerly
BD-3

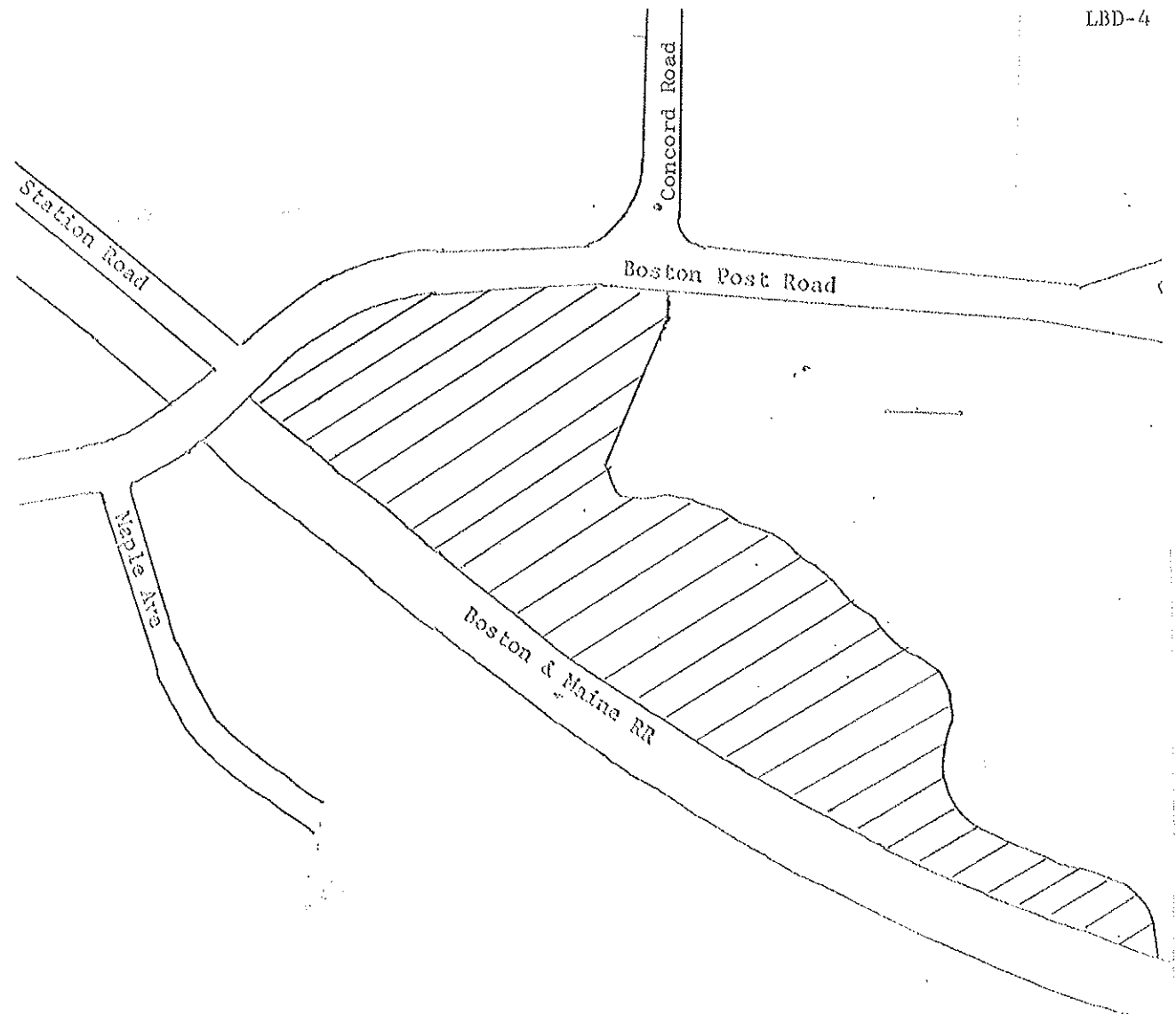
II C. LOCATION OF ALL OTHER DISTRICTS - Limited Business Districts

Limited Business District No. 4. 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 and Maine track, thence Northwesterly along Boston and Maine track to Post Road, thence Easterly along Post Road to point of beginning.

STM 6/17/69:4

Notes:

The 1969 amendment established under Section II C of the Recodified Zoning By-law a new Limited Business District No. 4 by striking out Industrial District No. 1 in its entirety and rezoning the area to Limited Business. (See page 83)



Limited Business District No. 4
(Formerly ID-1)

Area: 11.22 A

Property Owners:
William L. & Jessie W. Hall
William L. Hall
Donald Neelon

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Business Districts

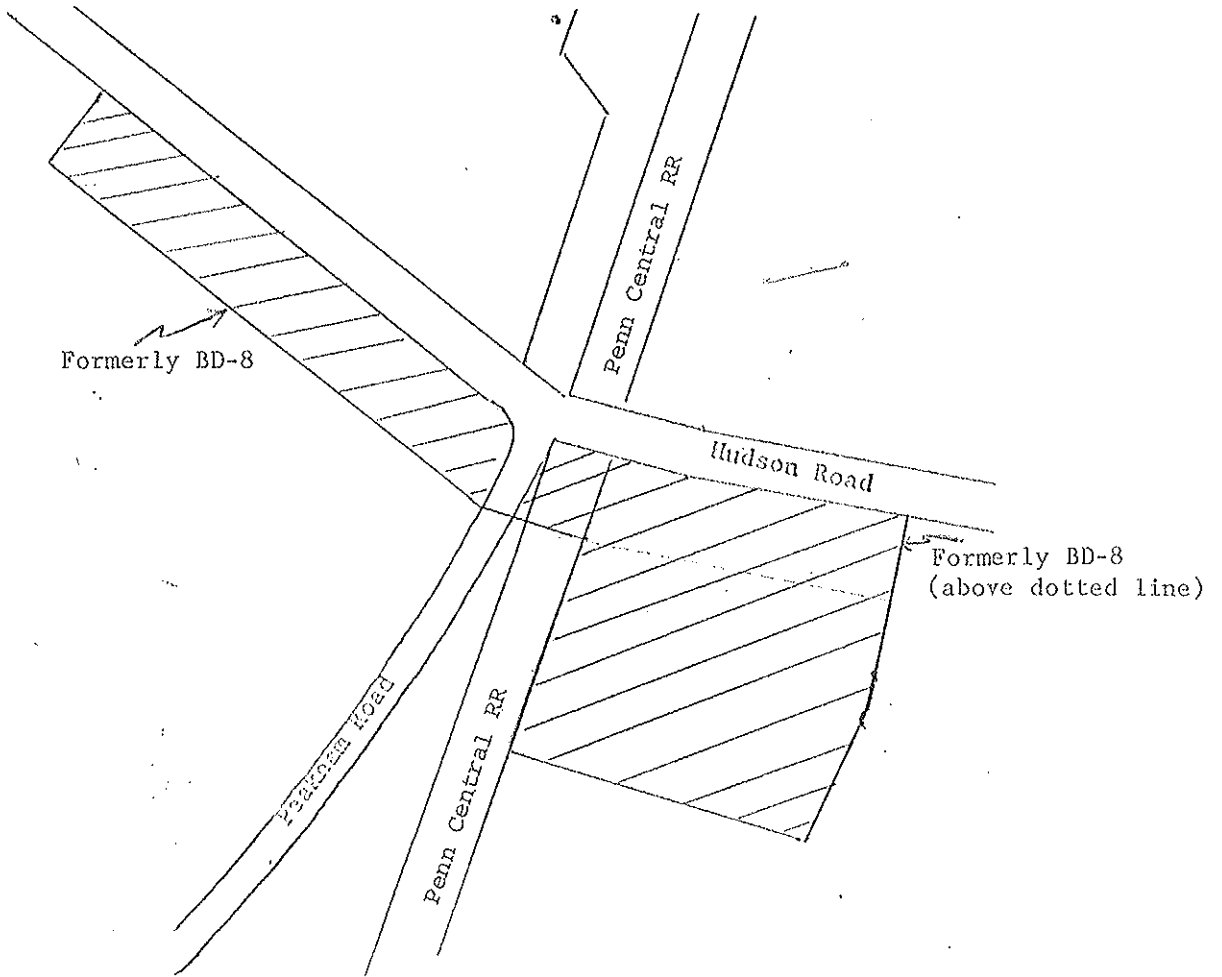
Limited Business District No. 5. Beginning at a point at Edmund Stone's West property bound on Hudson Road, thence Southerly along property line 327 feet to property of Griswold; thence Westerly along property line of Griswold to the Penn Central Railroad right-of-way; thence Northerly along said railroad right-of-way to a point 100 feet Southerly of Hudson Road; thence Westerly parallel to Hudson Road and 100 feet distance therefrom to L. D. Stiles, now or formerly, West property boundary; thence Northerly along same to Hudson Road; thence Easterly along Hudson Road to point of beginning.

STM 6/17/69:6
ATM 1975:21

Notes:

The 1969 amendment established under Section II C of the Recodified Zoning Bylaw a new Limited Business District No. 5 by striking out Business District No. 8 in its entirety, rezoning it to Limited Business District No. 5, and increasing the depth of the zone east of Peakham Road so that the description read as at present above, except that the reference to "The Penn Central Railroad" read "The New York, New Haven and Hartford Railroad". (See page 49.)

The 1975 amendment deleted in the description of Limited Business District No. 5 the reference to "The New York, New Haven and Hartford Railroad" and substituted "The Penn Central Railroad".



Limited Business District No. 5

Area: 4.6 A

Property Owners:

- Robert D. & Norma L. Quirk
- Penn Central RR (Formerly New York, New Haven & Hartford RR)
- Elsie Oliver
- William E. & Judith A. Mack

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Business Districts

Limited Business District No. 6. Beginning at a point on the Southerly side line of Boston Post Road at the Easterly boundary of the Penn Central Railroad; thence Easterly along the Southerly side line of Boston Post Road 1016± feet to the Easterly property corner of the Sudbury Police station; thence Southerly by land n/f of Murphy 216± feet; thence Easterly 86± feet; thence Southerly by land n/f of Presby 198± feet; thence Southwesterly 411± feet to a point approximately 50 feet from the Westerly side line of Raymond Road; thence Westerly by land of the Sudbury Water District 1357± feet to the Easterly boundary of the Penn Central Railroad; thence Northeasterly along said Railroad 672± feet to the point of beginning.

ATM 1972:22
ATM 1974:25
ATM 1975:15

Notes:

The 1972 amendment established under Section II C of the Recodified Zoning Bylaw a new Limited Business District No. 6 by striking out Business District No. 11 in its entirety, rezoning it to Limited Business District No. 6 and increasing the depth of the zone south of the Boston Post Road. The description read as follows:

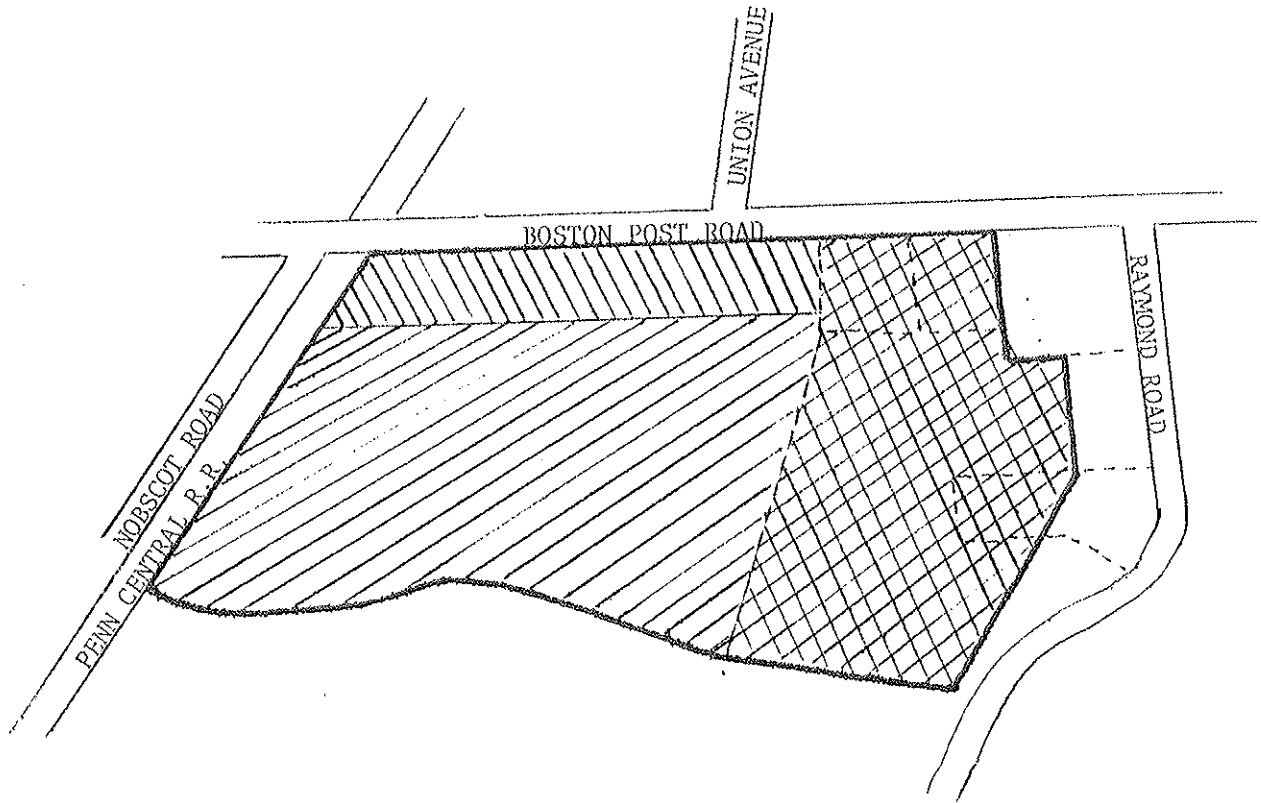
Limited Business District No. 6. Beginning on the Southerly side of the Boston Post Road at land now or formerly of Filomena Vana and Vana Trust, approximately 727 feet to land of the Sudbury Water District of Sudbury; thence Westerly by land of the Sudbury Water District of Sudbury, approximately 981 feet to land now or formerly of the Penn Central Railroad; thence Northerly by said Railroad property, approximately 672 feet to the Boston Post Road; thence Easterly by the Southerly side of the Boston Post Road, approximately 743 feet to the point of beginning.

(See pages 55 and 56 for description of Business District No. 11)

The 1974 amendment enlarged Limited Business District No. 6 to include additional property, and the description was amended to read as follows:

Limited Business District No. 6. Beginning on the Southerly side of the Boston Post Road at land now or formerly of Filomena Vana and Vana Trust, approximately 727 feet to land of the Sudbury Water District of Sudbury; thence Westerly by land of the Sudbury Water District of Sudbury, approximately 981 feet to land now or formerly of the Penn Central Railroad; thence Northerly by said Railroad property, approximately 672 feet to the Boston Post Road; thence Easterly by the Southerly side of the Boston Post Road, approximately 743 feet to the point of beginning; beginning on the Southerly side of the Boston Post Road at the junction of the land of the Town of Sudbury with that now or formerly belonging to Murphy; thence Southerly approximately 213 feet, more or less, to junction of land of Filomena Vana Trust, thence Easterly approximately 86 feet, more or less, to land belonging to Presby, thence Southerly 198 feet, more or less, to junction of land belonging to Vana and Presby, thence Southwesterly 403 feet, more or less, to Westerly portion of Raymond Road and to land belonging to Sudbury Water District, thence Westerly along land of Sudbury Water District 400 feet, more or less, thence Northerly 727 feet, more or less, to Boston Post Road, thence Easterly by Southerly side of the Boston Post Road, approximately 297 feet, more or less, to point of beginning.




The 1975 amendment changed the description of Limited Business District No. 6 to read as at present above. (Clarification of description only. No change in size of zone.)



Limited Business District No. 6

Area: 19.5 A

Property Owner:
 Vana Trust
 Filomena Vana
 Frank M. & Filomena Vana
 Town of Sudbury

-  Original BD-11 (established ATM 1948:26; deleted ATM 1972:22)
-  ATM 1972:22 Area added to BD-11 to create new LBD-6
-  ATM 1974:25 Area added to LBD-6

II C. LOCATION OF ALL OTHER DISTRICTS - Shopping Center Districts

Deleted by vote of 1980 Annual Town Meeting, Article 41.

ATM 1957:49

ATM 1967:47

ATM 1980:41

Notes:

The 1957 amendment incorporated into the Zoning Bylaw under Section I, following the descriptions of Limited Business Districts, the following sentence:

Shopping Center Districts are hereby established, and the provisions of this by-law applicable to Shopping Center Districts shall apply to the districts so designated on the zoning map.

The 1967 amendment recodified the Zoning Bylaw and this introductory sentence was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1980 amendment deleted Shopping Center Districts from the zoning bylaw.

II C. LOCATION OF ALL OTHER DISTRICTS - Shopping Center Districts

Shopping Center District No. 1. Deleted by vote of 1978 Annual Town Meeting, Article 38.

ATM 1964:32
 ATM 1967:47
 ATM 1978:38

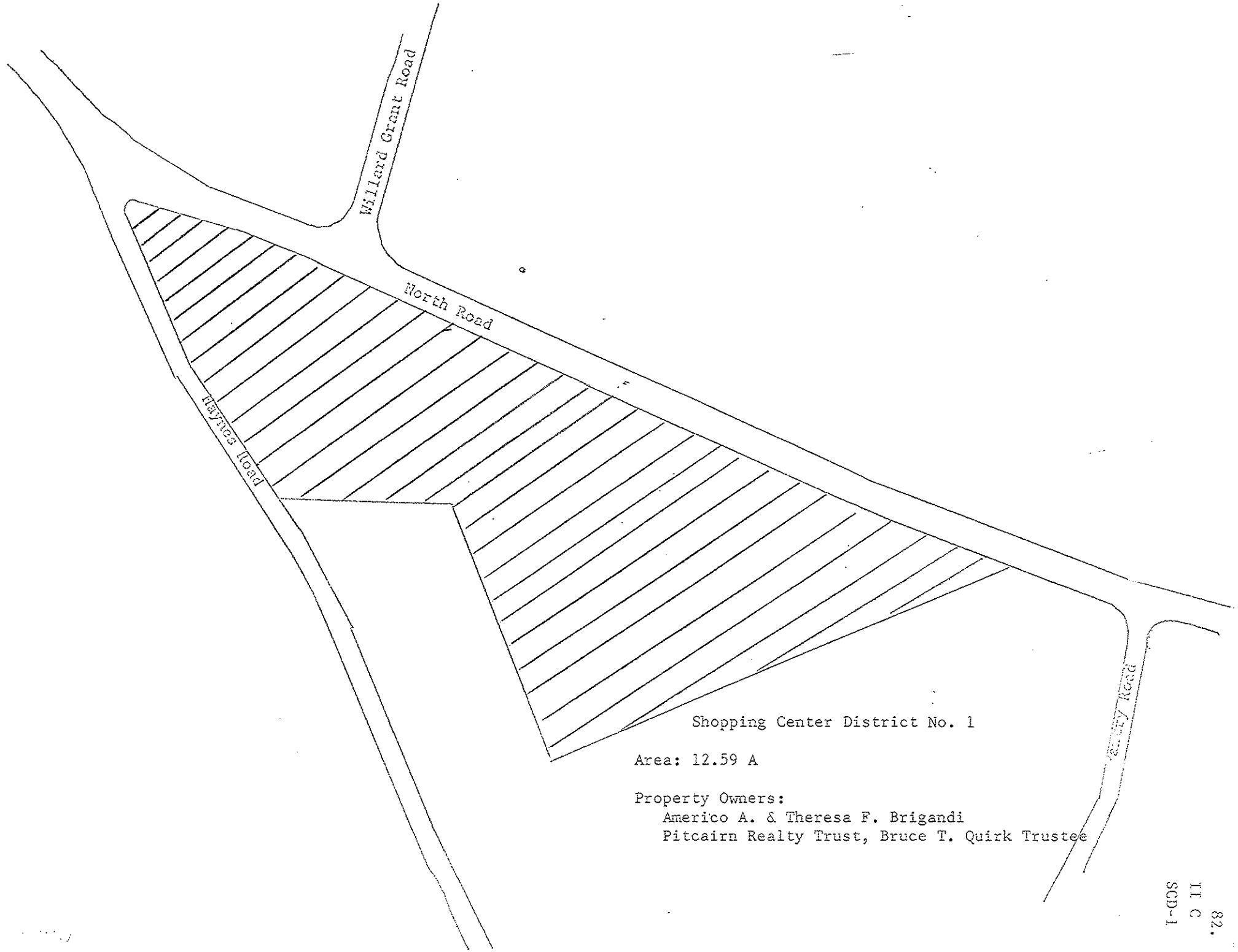
Notes:

The 1964 amendment established under Section 1 of the Zoning Bylaw the first Shopping Center District, the written description of which read as follows:

Shopping Center District No. 1. Beginning at the corner of Haynes Road and North Road, thence proceeding Southeasterly along North Road for a distance of one thousand six hundred eighty-eight (1,688) feet to the land now or formerly of DaPrato; thence Westerly eight hundred seventy-five point two (875.2) feet; thence Northerly four hundred fifty-four (454) feet; thence Northwesterly two hundred ninety-two (292) feet to said Haynes Road; thence Northerly in four courses along Haynes Road six hundred forty point sixty-five (640.65) feet to the point of beginning.

The 1967 amendment recodified the Zoning Bylaw and the description of Shopping Center District No. 1 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS. No change in wording.

The 1978 amendment deleted Shopping Center District #1 in its entirety and placed it in Residential District A-1.



Shopping Center District No. 1

Area: 12.59 A

Property Owners:
Americo A. & Theresa F. Brigandi
Pitcairn Realty Trust, Bruce T. Quirk Trustee

II C

ID-1

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

Industrial District No. 1. Deleted by vote of
Special Town Meeting, June 17, 1969, Art. 4.

ATM 1939:19
ATM 1953:70
ATM 1967:47
STM 6/17/69:4

Notes:

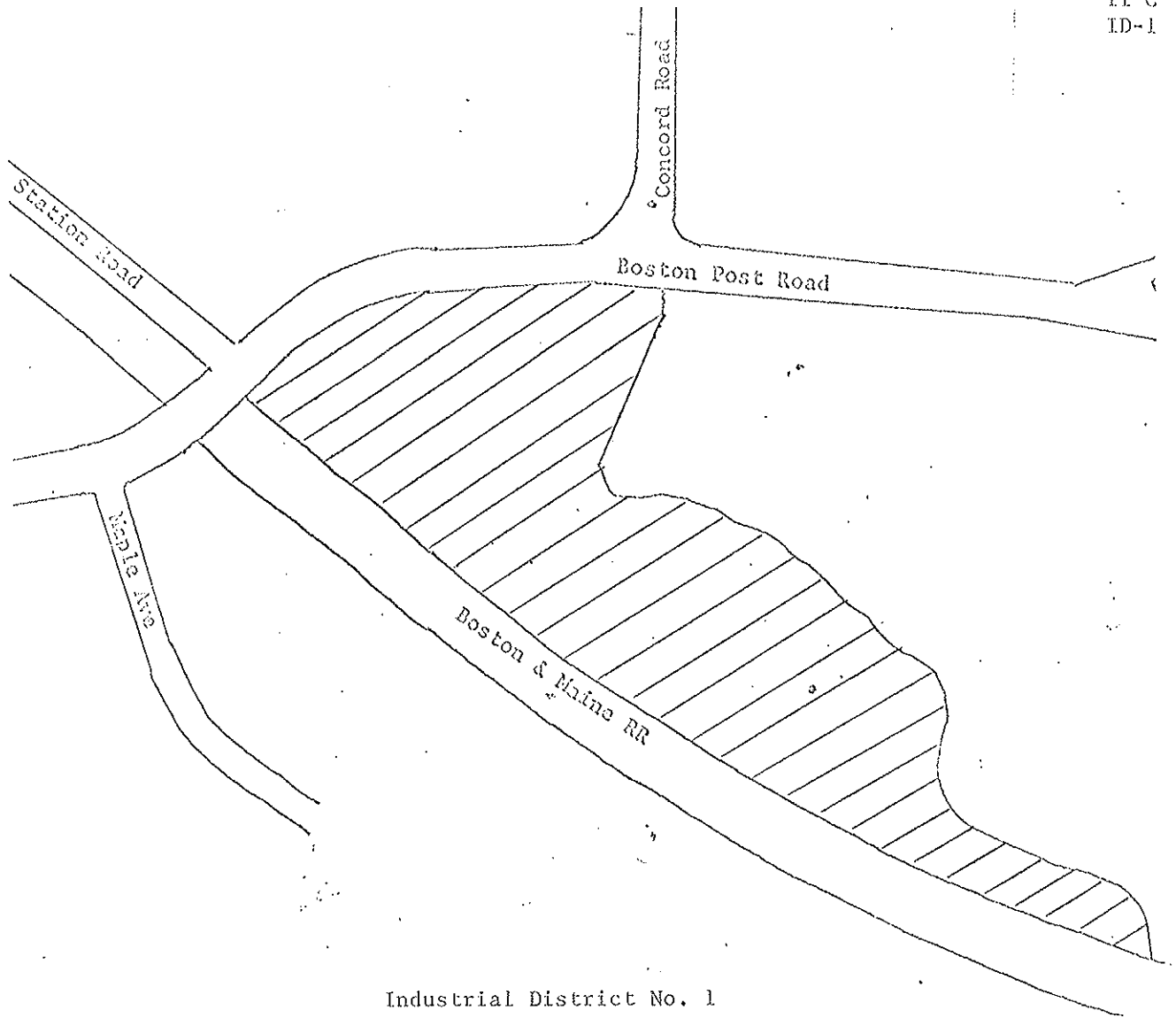
The 1939 amendment designated the boundaries of Industrial District No. 1 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section 1 the written description of Industrial District No. 1 which read as follows:

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 and Maine track, thence Northwesterly along Boston and Maine track to Post Road, thence Easterly along Post Road to point of beginning.

The 1967 amendment recodified the Zoning By-law and the description of Industrial District No. 1 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1969 amendment struck out ID-1 and rezoned the area to Limited Business District No. 4. (See page 76)



Industrial District No. 1

Became Limited Business District No. 4 STM 6/17/69:4

Area: 11.22 A

Property Owners:

- William L. & Jessie W. Hall
- William L. Hall
- Donald Neelon

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

Industrial District No. 2. Beginning at a point on the Northerly property line of the Boston and Maine Railroad right-of-way and the Westerly property line of the Penn Central Railroad right-of-way; thence Northerly by said Penn Central Railroad to the Southerly side line of Codjer Lane; thence Easterly by said Codjer Lane, crossing Union Avenue, to a point on the Southerly side line of Codjer Lane, said point being 215 feet, more or less, Easterly of the Easterly side line of Union Avenue; thence Southerly by several courses, 587.97 feet and 348.55 feet; thence Northwesterly 8.24 feet; thence Southeasterly by several courses 87.06 feet, 97.01 feet, 134.74 feet, 232.45 feet and 155.87 feet to a point on the Southerly property line of land of the Town of Sudbury (Goodnow Library) said point being 661.46 feet Westerly of the Westerly side line of Concord Road, all of the aforementioned distances being shown on several plans of land formerly owned by Henry Ford and/or the Wayside Inn; thence Southeasterly to a point on the Northwesterly side line of the Boston Post Road, said point being 150 feet Northeasterly of the Northeasterly side line of Station Road; thence Southwesterly by said Boston Post Road, across Station Road to the Northerly property line of the Boston and Maine Railroad right-of-way; thence Westerly by said Boston and Maine Railroad to the point of beginning.

ATM 1939:19
 ATM 1953:70
 ATM 1955:62
 STM 12/3/56:57
 STM 6/27/60:20
 ATM 1965:48
 1966 printed copy of the Bylaws issued 7/28/66
 ATM 1967:47
 ATM 1973:29
 STM 6/13/73:10(4)

Notes:

The 1939 amendment designated the boundaries of Industrial District No. 2 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section 1 the written description of Industrial District No. 2 which read as follows:

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.

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

Industrial District No. 2. Beginning at a point on the Northerly property line of the Boston and Maine Railroad right-of-way and the Westerly property line of the Penn Central Railroad right-of-way; thence Northerly by said Penn Central Railroad to the Southerly side line of Codjer Lane; thence Easterly by said Codjer Lane, crossing Union Avenue, to a point on the Southerly side line of Codjer Lane, said point being 215 feet, more or less, Easterly of the Easterly side line of Union Avenue; thence Southerly by several courses, 587.97 feet and 348.55 feet; thence Northwesterly 8.24 feet; thence Southeasterly by several courses 87.06 feet, 97.01 feet, 134.74 feet, 232.45 feet and 155.87 feet to a point on the Southerly property line of land of the Town of Sudbury (Goodnow Library) said point being 661.46 feet Westerly of the Westerly side line of Concord Road, all of the aforementioned distances being shown on several plans of land formerly owned by Henry Ford and/or the Wayside Inn; thence Southeasterly to a point on the Northwesterly side line of the Boston Post Road, said point being 150 feet Northeasterly of the Northeasterly side line of Station Road; thence Southwesterly by said Boston Post Road, across Station Road to the Northerly property line of the Boston and Maine Railroad right-of-way; thence Westerly by said Boston and Maine Railroad to the point of beginning.

ATM 1939:19
 ATM 1953:70
 ATM 1955:62
 STM 12/3/56:57
 STM 6/27/60:20
 ATM 1965:48
 1966 printed copy of the Bylaws issued 7/28/66
 ATM 1967:47
 ATM 1973:29
 STM 6/13/73:10(4)

Notes:

The 1939 amendment designated the boundaries of Industrial District No. 2 on the Zoning Map.

The 1953 amendment incorporated into the Zoning By-law under Section 1 the written description of Industrial District No. 2 which read as follows:

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.

The 1955 amendment superimposed part of Industrial District No. 9 over that part of Industrial District No. 2 lying northerly of the Boston and Maine track and westerly of the N. Y., N. H. & H. track.

The 1956 amendment superimposed Limited Industrial District No. 1 on that part of Industrial District No. 2 lying westerly of the N. Y., N. H. & H. track and southerly of the Boston and Maine track.

The 1960 amendment extended the area of Business District No. 5 to include that part of Industrial District No. 2 bounded as follows:

Beginning at a point on Station Road 100 feet northerly of Boston Post Road; thence Westerly by a line parallel to the Boston Post Road by Business District No. 5 to Union Avenue; thence northerly by Union Avenue to Station Road; thence Southeasterly on Station Road to the point of beginning.

The 1965 amendment struck out that portion of Industrial District No. 2 lying westerly of the N. Y., N. H. & H. track (northerly of the Boston and Maine track) and incorporated it into Limited Industrial District No. 4.

The 1966 printed copy of the Bylaws, page 27, contained a written description of Industrial District No. 2 as follows:

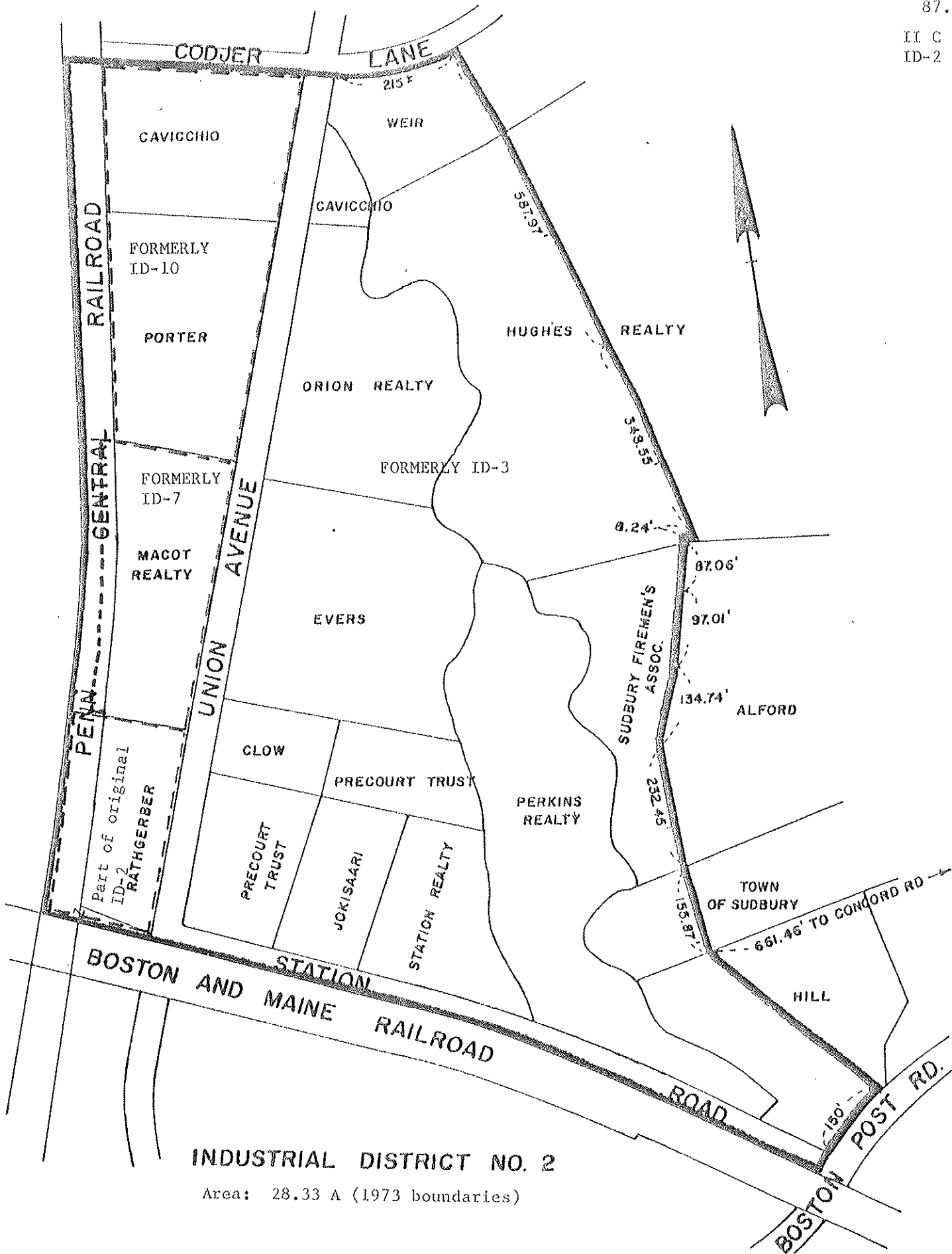
Industrial District No. 2. Beginning at the intersection of Business District No. 5 with land of the New York, New Haven and Hartford Railroad Co., thence Northerly by said New York, New Haven and Hartford Railroad Co. to Industrial District No. 7, thence Easterly by said District No. 7 to the Westerly side of Union Ave., thence Southerly by said Union Ave. to Business District No. 5, thence Westerly by said District No. 5 to the point of beginning.

(No Town Meeting vote specifically wording the description as was printed.)

The 1967 amendment recodified the Zoning Bylaw and the description of Industrial District No. 2, as it appeared in the 1966 Bylaw Booklet, was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1973:29 amendment eliminated that section of Industrial District No. 2 located within the enlarged Business District No. 5. No change in wording of description.

The 1973:10(4) amendment redefined Industrial District No. 2 to read as at present above, enlarging it to include Industrial Districts No. 3, No. 7, and No. 10.



INDUSTRIAL DISTRICT NO. 2






Area: 28.33 A (1973 boundaries)

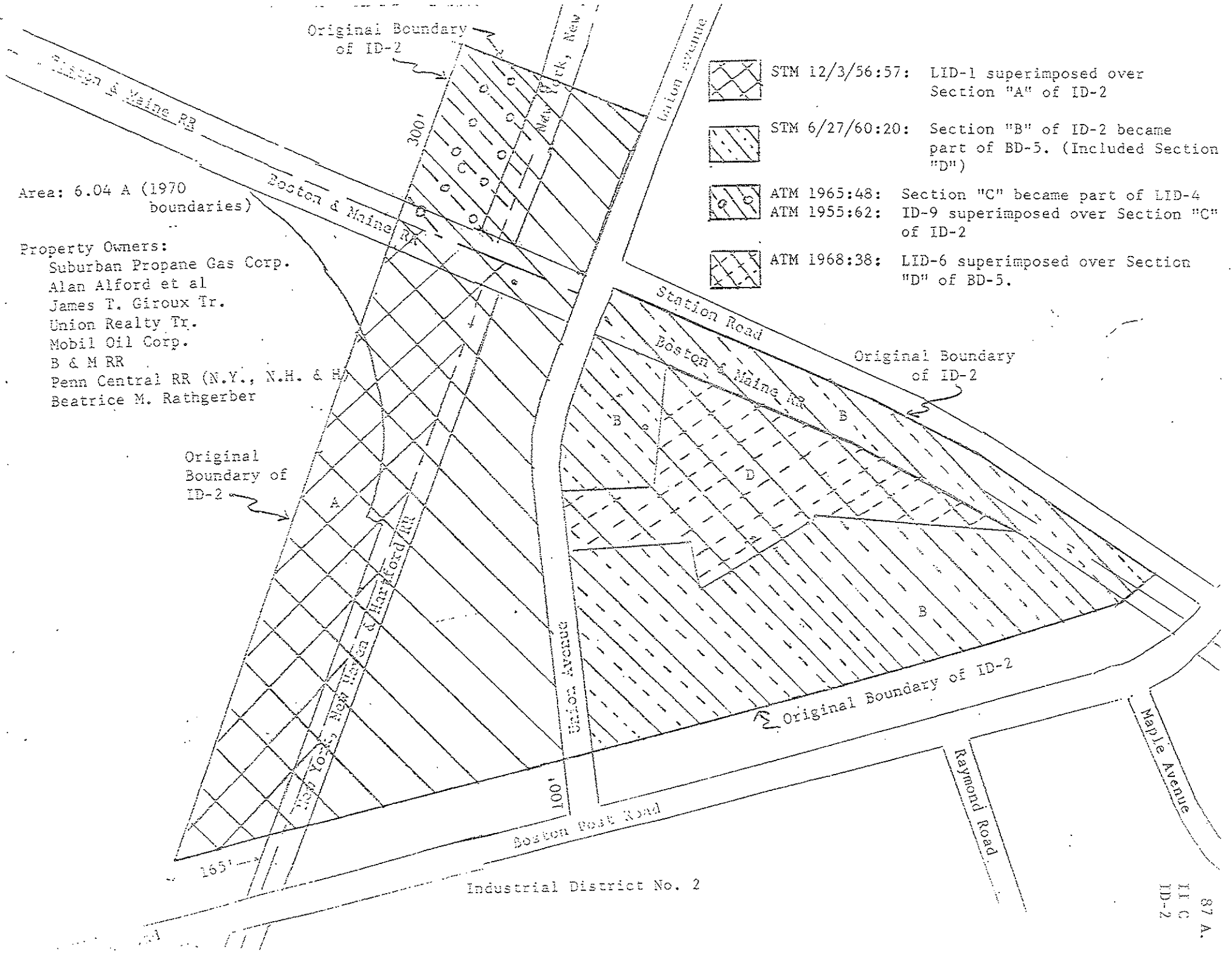
Original Boundary
of ID-2

Area: 6.04 A (1970
boundaries)

Property Owners:
Suburban Propane Gas Corp.
Alan Alford et al
James T. Giroux Tr.
Union Realty Tr.
Mobil Oil Corp.
B & M RR
Penn Central RR (N.Y., N.H. & H)
Beatrice M. Rathgerber

Original
Boundary of
ID-2

-  STM 12/3/56:57: LID-1 superimposed over Section "A" of ID-2
-  STM 6/27/60:20: Section "B" of ID-2 became part of BD-5. (Included Section "D")
-  ATM 1965:48: Section "C" became part of LID-4
-  ATM 1955:62: ID-9 superimposed over Section "C" of ID-2
-  ATM 1968:38: LID-6 superimposed over Section "D" of BD-5.



Industrial District No. 2

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

<p>Industrial District No. 3. Deleted by vote of Special Town Meeting, June 13, 1973, Art. 10.</p>
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ATM 1939:19
 ATM 1953:70
 ATM 1967:47
 STM 6/13/73:10(5)

Notes:

The 1939 amendment designated the boundaries of Industrial District No. 3 on the Zoning Map.

The 1953 amendment incorporated into the Zoning Bylaw under Section 1 the written description of Industrial District No. 3 as follows:

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.

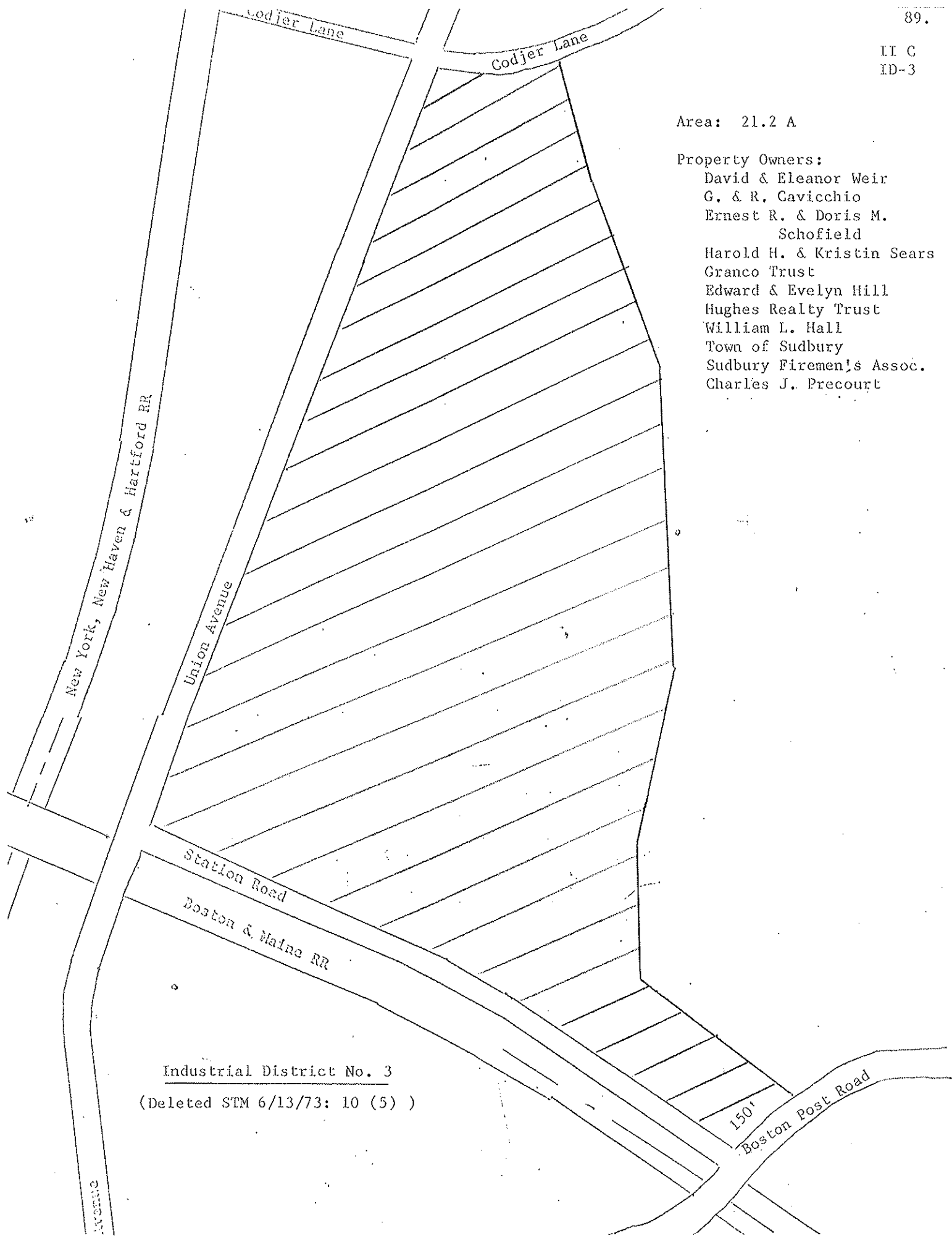
The 1967 amendment recodified the Zoning Bylaw and the description of Industrial District No. 3 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1973 amendment deleted all reference to Industrial District No. 3, and the area formerly included in this district became part of redefined Industrial District No. 2. (See pages 85-87.)

Area: 21.2 A

Property Owners:

- David & Eleanor Weir
- G. & R. Cavicchio
- Ernest R. & Doris M. Schofield
- Harold H. & Kristin Sears
- Granco Trust
- Edward & Evelyn Hill
- Hughes Realty Trust
- William L. Hall
- Town of Sudbury
- Sudbury Firemen's Assoc.
- Charles J. Precourt



Industrial District No. 3

(Deleted STM 6/13/73: 10 (5))

150'

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

Industrial District No. 4. A certain are of land in the Easterly part of Sudbury, situated on the Southerly side of Boston Post Road, bounded and described as follows:

Beginning at the Northeastly corner thereof on the Southerly side of Boston Post Road at the intersection of the Sudbury-Wayland town line, thence Northwesterly by Boston Post Road 2139.14 feet; thence Southwesterly by land now or formerly of George F. Lettery et al., 431.36 feet to land of Boston & Maine Railroad Company; thence Southeasterly by land of said railroad 1842.42 feet to the intersection of the Sudbury-Wayland town line; thence Northerly by said Sudbury-Wayland town line to Boston Post Road and the point of beginning.

ATM 1951:48
STM 5/28/59:30
ATM 1967:47

Notes:

The 1951 amendment established under Section 1 of the Zoning By-law a new Industrial District, the written description of which read as follows:

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 1,600.70 feet to a stone bound; thence turning in a southeasterly direction along 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 1,160 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.

The 1959 amendment enlarged Industrial District No. 4 to include that part of Residential District "A-1" bounded and described as follows:

Northwesterly by the Boston Post Road 539.14 feet
Northeasterly by land of Union Carbide Corporation in
said Industrial District No. 4 by two lines measuring
respectively, 490.50 feet and 211.98 feet
Southerly by land of the Boston and Maine Railroad
661.42 feet
Southwesterly by land now or formerly of George F. Lettery
et al, 431.36 feet

The "Edison Land" was thus added to "Union Carbide Land" in Industrial District No. 4. The wording of the written description of ID-4 appeared in the October 1, 1959 printed By-laws as at present above. Found no vote specifically establishing this wording.

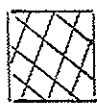
The 1967 amendment recodified the Zoning By-law and the description of Industrial District No. 4 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

(See map on next page for that part of Industrial District No. 4 superimposed over part of Business District No. 1.)

II C
ID-4



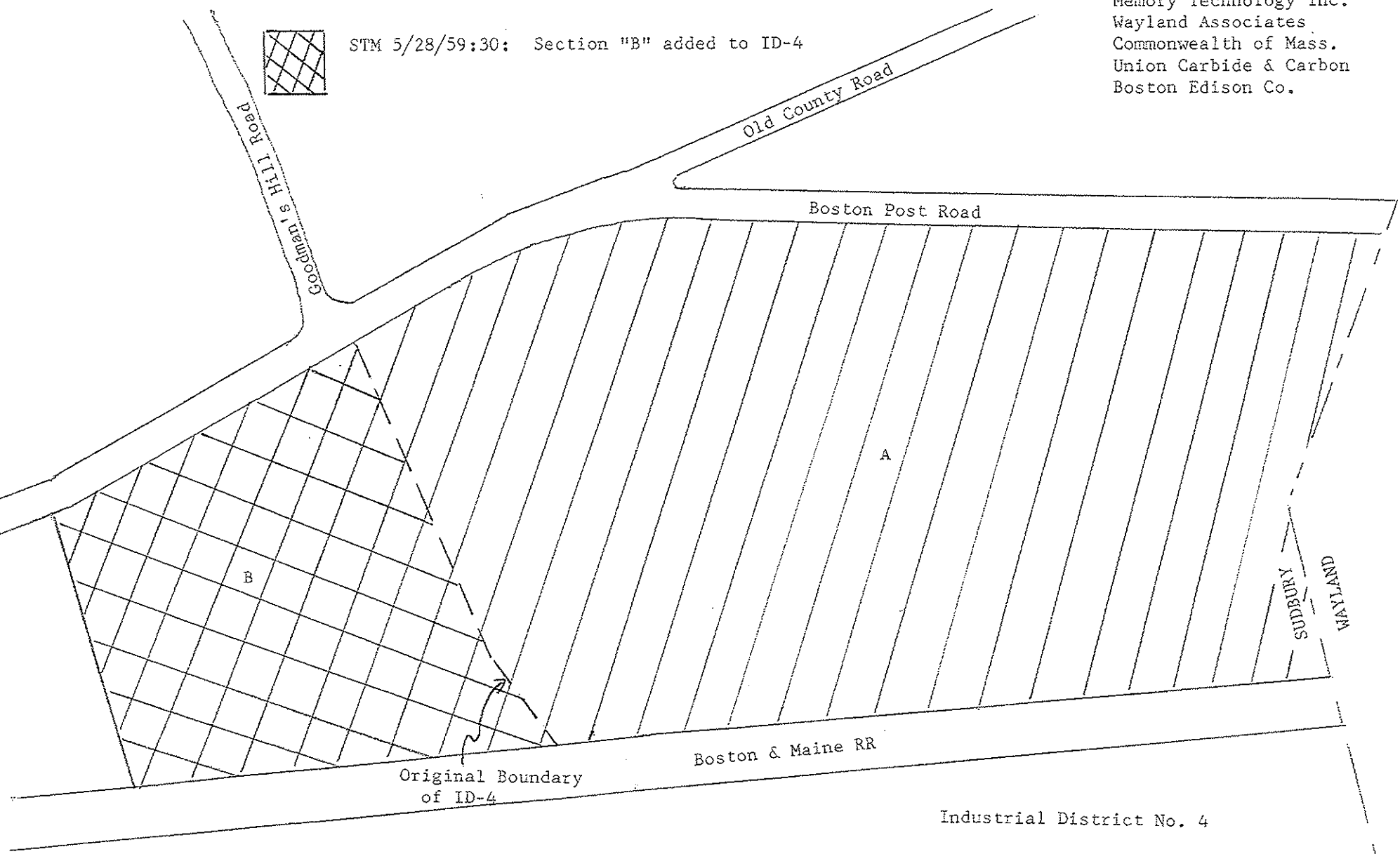
ATM 1951:48: ID-4 created. Superimposed over part of BD-1



STM 5/28/59:30: Section "B" added to ID-4

Area: 30.97 A (19

Property Owners:
Memory Technology Inc.
Wayland Associates
Commonwealth of Mass.
Union Carbide & Carbon
Boston Edison Co.



II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

Industrial District No. 5. Deleted by vote of Special Town Meeting, June 28, 1965, Art. 1.
--

ATM 1953:41
 STM 10/25/56:55
 STM 6/28/65:1
 ATM 1967:47
 ATM 1969:44

Notes:

The 1953 amendment established under Section 1 of the Zoning By-law a new industrial district, a written description of which read as at present under Limited Industrial District No. 5. (See page 118.) The following appeared immediately after the written description:

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. (See 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.

(See map on next page for that part of Industrial District No. 5 superimposed over part of Business District No. 1.)

The 1956 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 5 before the description of this industrial district in the printed copy of the By-laws issued May 1, 1956.

The 1965 amendment struck out Industrial District No. 5 and its restrictions and rezoned the district to Limited Industrial District No. 5. There was no change in the wording of the description.

The 1967 amendment recodified the Zoning By-law and placed Industrial District No. 5 with the statement "Deleted by amendment" as at present above under Section II C: LOCATION OF ALL OTHER DISTRICTS. (Wording changed in 1973 reprinting of Bylaws for more specific reference.)

In 1969 the Town voted to purchase this parcel of land for "use by the Town as a location for a sewage treatment plant, sludge disposal area, sanitary landfill, and other waste disposal purposes". (For deed, see Doc. #70011A.)

(See 1971 amendment note re LID-5 page 119A)

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

<p>Industrial District No. 5. Deleted by vote of Special Town Meeting, June 28, 1965, Art. 1.</p>

ATM 1953:41
 STM 10/25/56:55
 STM 6/28/65:1
 ATM 1967:47
 ATM 1969:44

Notes:

The 1953 amendment established under Section 1 of the Zoning By-law a new industrial district, a written description of which read as at present under Limited Industrial District No. 5. (See page 118.) The following appeared immediately after the written description:

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. (See 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.

(See map on next page for that part of Industrial District No. 5 superimposed over part of Business District No. 1.)

The 1956 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 5 before the description of this industrial district in the printed copy of the By-laws issued May 1, 1956.

The 1965 amendment struck out Industrial District No. 5 and its restrictions and rezoned the district to Limited Industrial District No. 5. There was no change in the wording of the description.

The 1967 amendment recodified the Zoning By-law and placed Industrial District No. 5 with the statement "Deleted by amendment" as at present above under Section II C: LOCATION OF ALL OTHER DISTRICTS. (Wording changed in 1973 reprinting of Bylaws for more specific reference.)

In 1969 the Town voted to purchase this parcel of land for "use by the Town as a location for a sewage treatment plant, sludge disposal area, sanitary landfill, and other waste disposal purposes". (For deed, see Doc. #70011A.)

(See 1971 amendment note re LID-5 page 119A)

II C
ID-5

Area: 18.6 A

Property Owner:
Town of Sudbury



ATM 1953:41: Part of
ID-5 superimposed over
part of BD-1

STM 6/28/65:1: Rezoned to LID-5
ATM 1969:44: Purchased by Town

Boston Post Road

SUDBURY

WAYLAND

Industrial District No. 5
Deleted STM 6/28/65:1

II C

ID-6

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

Industrial District No. 6. Beginning at a point on the Southerly side line of Boston Post Road at the Wayland/Sudbury town line; thence Easterly along the Southerly side line of Boston Post Road 1181± feet to the Sudbury/Wayland town line; thence Southeasterly along the town line 24± feet to Town Bound S/W 23; thence Southwesterly along the town line 899± feet to Town Bound S/W 24; thence Northwesterly along the town line 173± feet to Town Bound S/W 25; thence Northerwesterly along the town line 628± feet to the point of beginning.

STM 9/6/55:13

ATM 1967:47

ATM 1975:16

Notes:

The 1955 amendment established under Section 1 of the Zoning By-law a new Industrial District No. 6, the written description of which read as at present above. This amendment also incorporated into the Zoning By-law immediately following the written description of Industrial District No. 6 a paragraph which read as follows:

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.

(Entire Industrial District No. 6 was superimposed over part of Business District No. 1.)

The 1967 amendment recodified the Zoning Bylaw and the description of Industrial District No. 6 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS. It read as follows:

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.

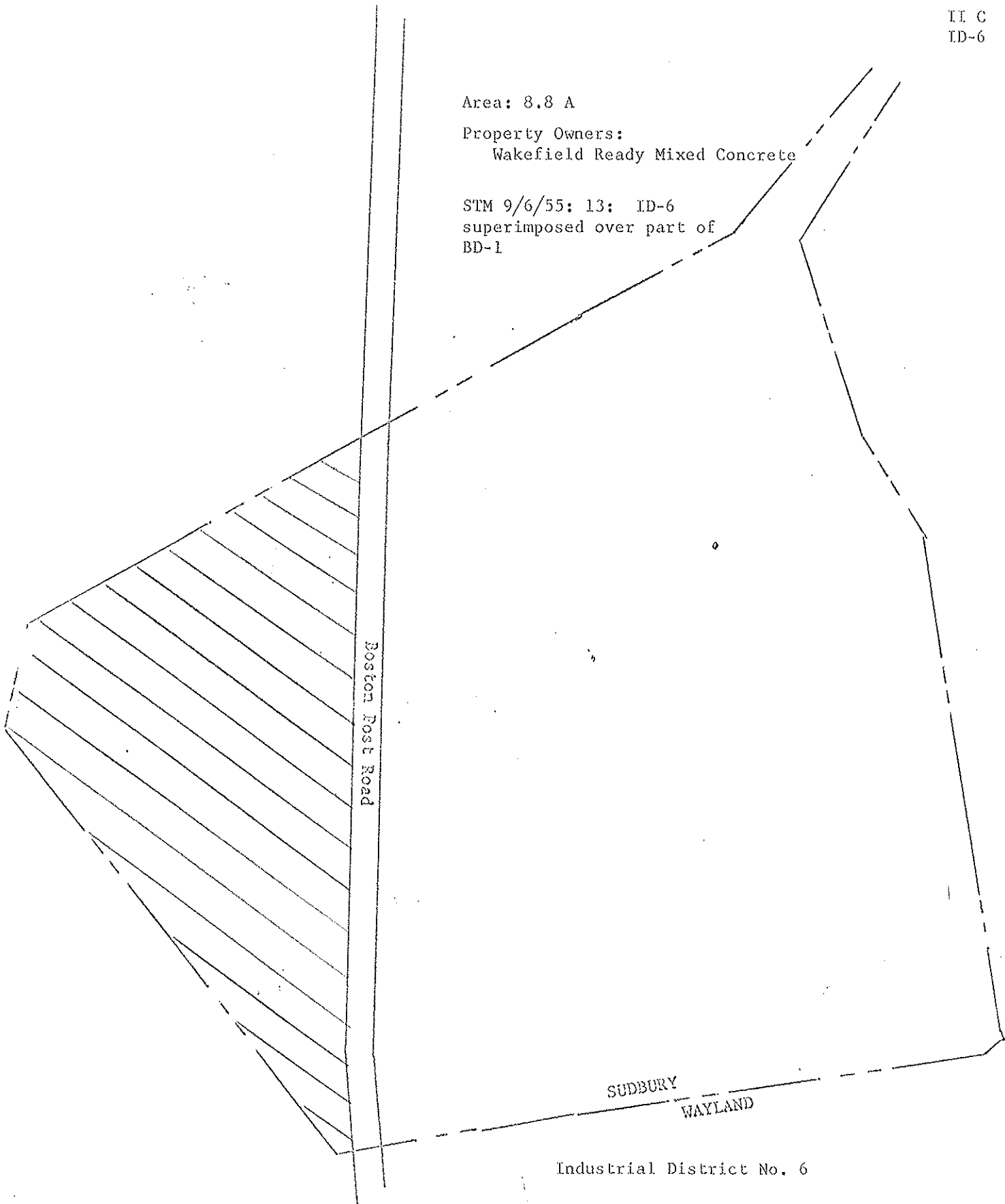
The paragraph relative to use restrictions was placed in Section III C 2 "Special Provisions", paragraph b. (See page 134.)

The 1975 amendment changed the description of Industrial District No. 6 to read as at present above. (Change in location of description only. No change in size of zone.)

Area: 8.8 A

Property Owners:
Wakefield Ready Mixed Concrete

STM 9/6/55: 13: ID-6
superimposed over part of
BD-1



Industrial District No. 6

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

Industrial District No. 7. Deleted by vote of Special Town Meeting, June 13, 1973, Art. 10.

STM 12/6/54:9
 STM 10/25/56:55
 ATM 1967:47
 STM 6/13/73:10(5)

Notes:

The 1954 amendment established under Section I of the Zoning Bylaw a new industrial district, the written description of which read as follows:

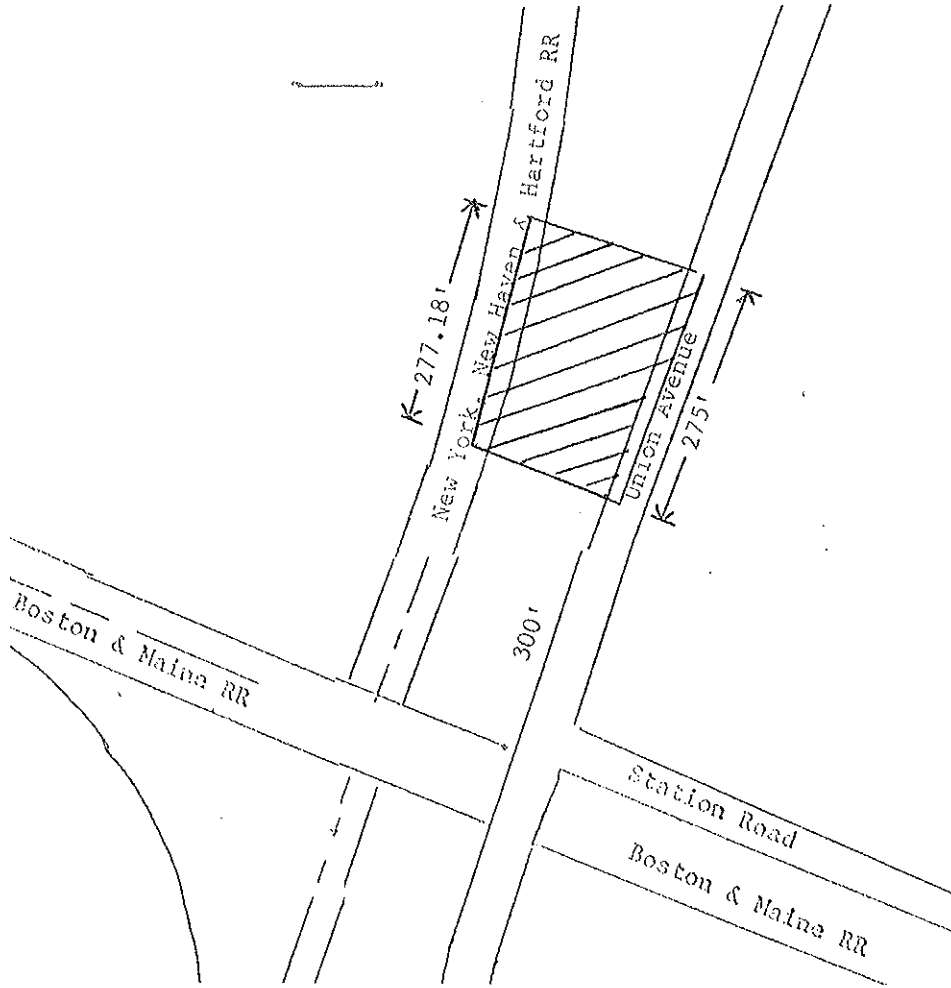
Industrial District No. 7. A certain parcel of land in the Southerly part of Sudbury, situated on the Westerly side of Union Avenue, bounded and described as follows:

Beginning at a point on the center line of the New York, New Haven & Hartford Railroad track, 300 feet North of the intersection of the New York, New Haven & Hartford track and the center line of the Boston & 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 New York, New Haven & Hartford tracks, thence turning and running Southerly along the center line of said tracks a distance of 277.18 feet to the point of beginning.

The 1956 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 7 before the description of this industrial district in the printed copy of the Bylaws issued May 1, 1956.

The 1967 amendment recodified the Zoning Bylaw and the description of Industrial District No. 7 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1973 amendment deleted all reference to Industrial District No. 7, and the area formerly included in this district became part of redefined Industrial District No. 2. (See pages 85-87.)



Industrial District No. 7
(Deleted STM 6/13/73:10(5))

Area: .92 A

Property Owner:
Macot Realty Trust

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

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.

ATM 1949:28
 ATM 1953:70
 STM 12/6/54:10
 STM 10/25/56:55
 ATM 1967:47

Notes:

The 1949 amendment established under Section 1 of the Zoning By-law a new business district with a written description as follows:

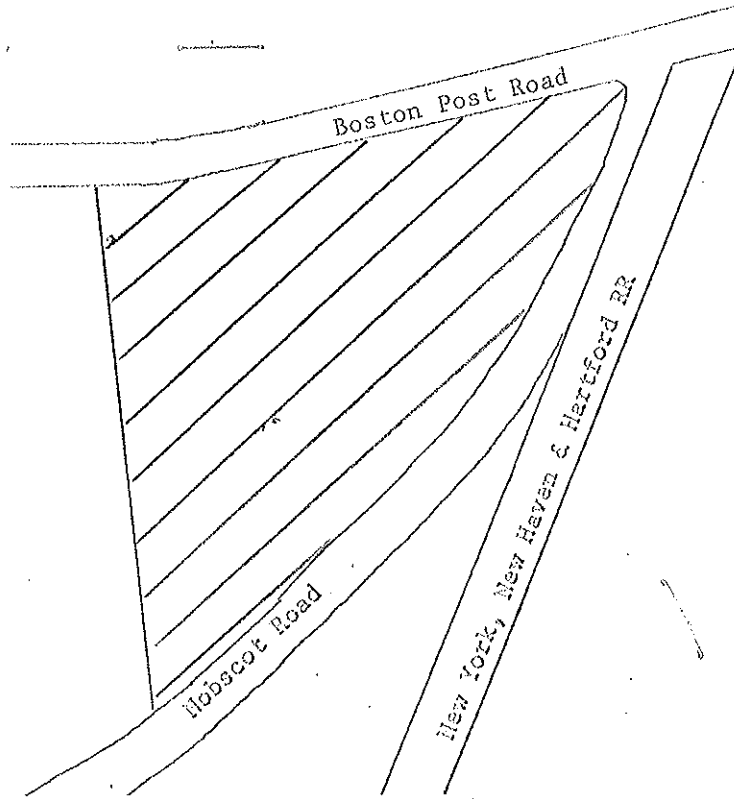
A triangular area beginning at the point of Liebman's property on the west side of the junction of Nobscot Road with the Boston Post Road; thence westerly along said Boston Post Road, 200 feet; thence southeasterly to a point on the westerly side of Nobscot Road, 200 feet southerly of the point of beginning; thence northerly to point of beginning.

The 1953 amendment, which incorporated into the Zoning By-law the written descriptions of the then existing business districts, neglected to include the description of this business district, and it was evidently "lost".

The 1954 amendment established under Section 1 a new industrial district, the written description of which read as at present above.

The 1956 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 8 before the description of this industrial district in the printed copy of the By-laws issued May 1, 1956.

The 1967 amendment recodified the Zoning By-law and the description of Industrial District No. 8 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.



Industrial District No. 8

Area: 4.46 A

Property Owners:
Leonard E. & Vera L. Pike
Charles Liebman
Interstate Gas & Oil Corp.

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

Industrial District No. 9. Deleted by vote of 1965 Annual Town Meeting, Art. 48.
--

ATM 1955:62
 STM 10/25/56:55
 ATM 1965:48
 ATM 1967:47

Notes:

The 1955 amendment established under Section 1 of the Zoning By-law a new industrial district, the written description of which read as follows:

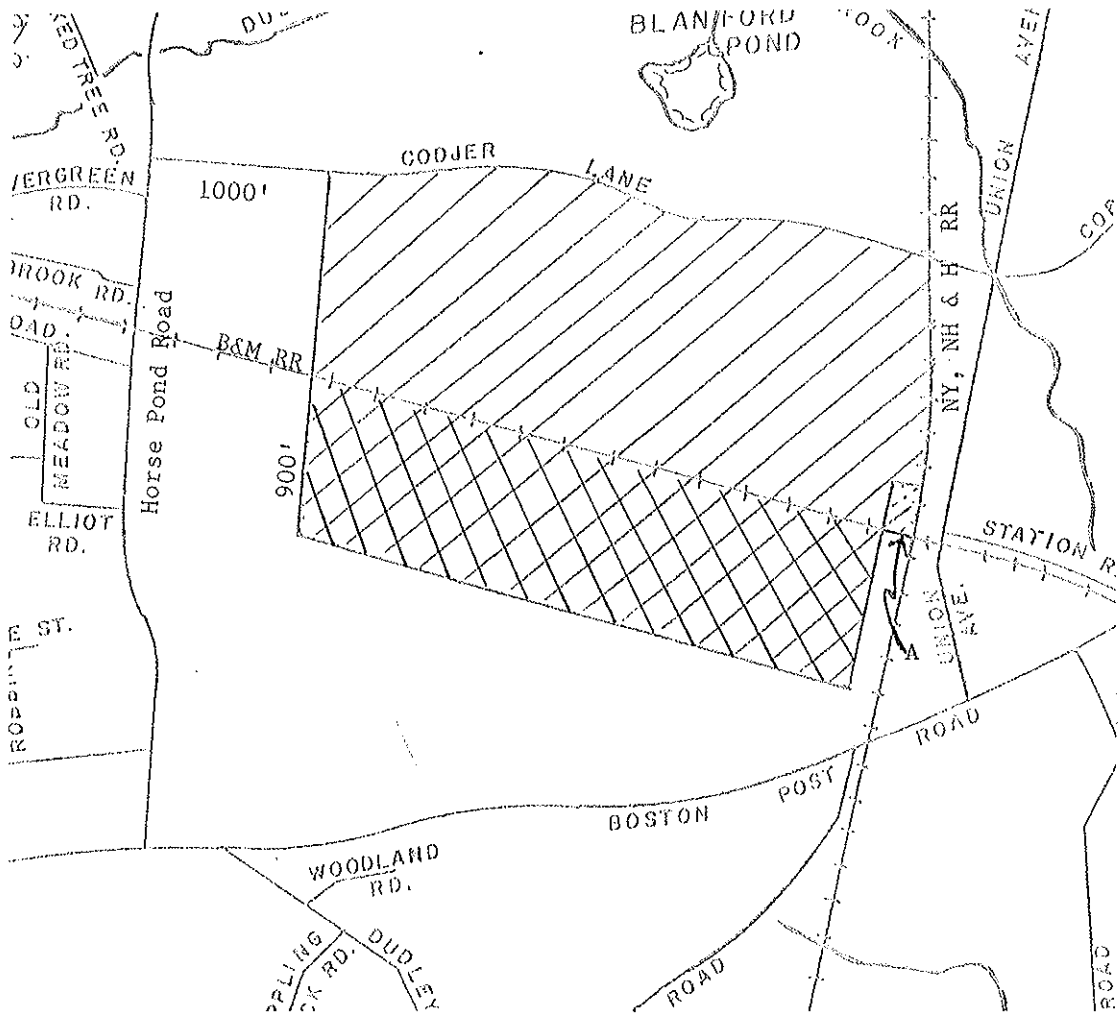
Commencing at a point on the Southerly side of Codger Lane at the New York, New Haven and Hartford Railroad track, thence Westerly by said Codger Lane to a point 1,000 feet distant from the Easterly line of Horse Pond Road, thence Southerly by a line parallel to and 1,000 feet distant from said Horse 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 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.

(See map on next page for that part of Industrial District No. 9 superimposed over part of Industrial District No. 2 and part of Limited Industrial District No. 1 superimposed over part of Industrial District No. 9.)

The 1956 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 9 before the description of this industrial district in the printed copy of the By-laws issued May 1, 1956.

The 1965 amendment struck out Industrial District No. 9 and that portion of Industrial District No. 2 which lay westerly of the N. Y., N. H. & H. Railroad track and established Limited Industrial District No. 4. (For description of Limited Industrial District No. 4, see page 116.)

The 1967 amendment recodified the Zoning By-law and placed Industrial District No. 9 with the statement "Deleted by amendment" in Section II C: LOCATION OF ALL OTHER DISTRICTS. (Wording changed in 1973 reprinted of Bylaws for more specific reference.)



Industrial District No. 9
(Deleted ATM 1965:48)

Area: 173.4 A

Property Owners:

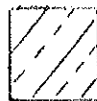
- Gaetano, Rita, Paul & Louise Cavicchio
- Milton D. Bartlett
- Colonial Development Co.
- Maude M. Clark
- Yvette Harrington
- Cavicchio Realty Trust
- Capaldi & Sons Inc.
- John Hancock
- B & M RR
- Louis Cabot
- William P. & Olive T Stone
- David F. Bolger



ATM 1956:57: Part of LID-1 superimposed over part of ID-9



ATM 1965:48: ID-9 rezoned to LID-4. (ATM 1968:44: Rezoned to IPD-1)



ATM 1955:62: ID-9 superimposed over part of ID-2 (Section "A")

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

<p><u>Industrial District No. 10.</u> Deleted by vote of Special Town Meeting, June 13, 1973, Art. 10.</p>
--

ATM 1956:41
 STM 10/15/56:55
 ATM 1967:47
 STM 6/13/73:10(5)

Notes:

The 1956:41 amendment established under Section 1 of the Zoning Bylaw a new industrial district, the written description of which read as follows:

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.

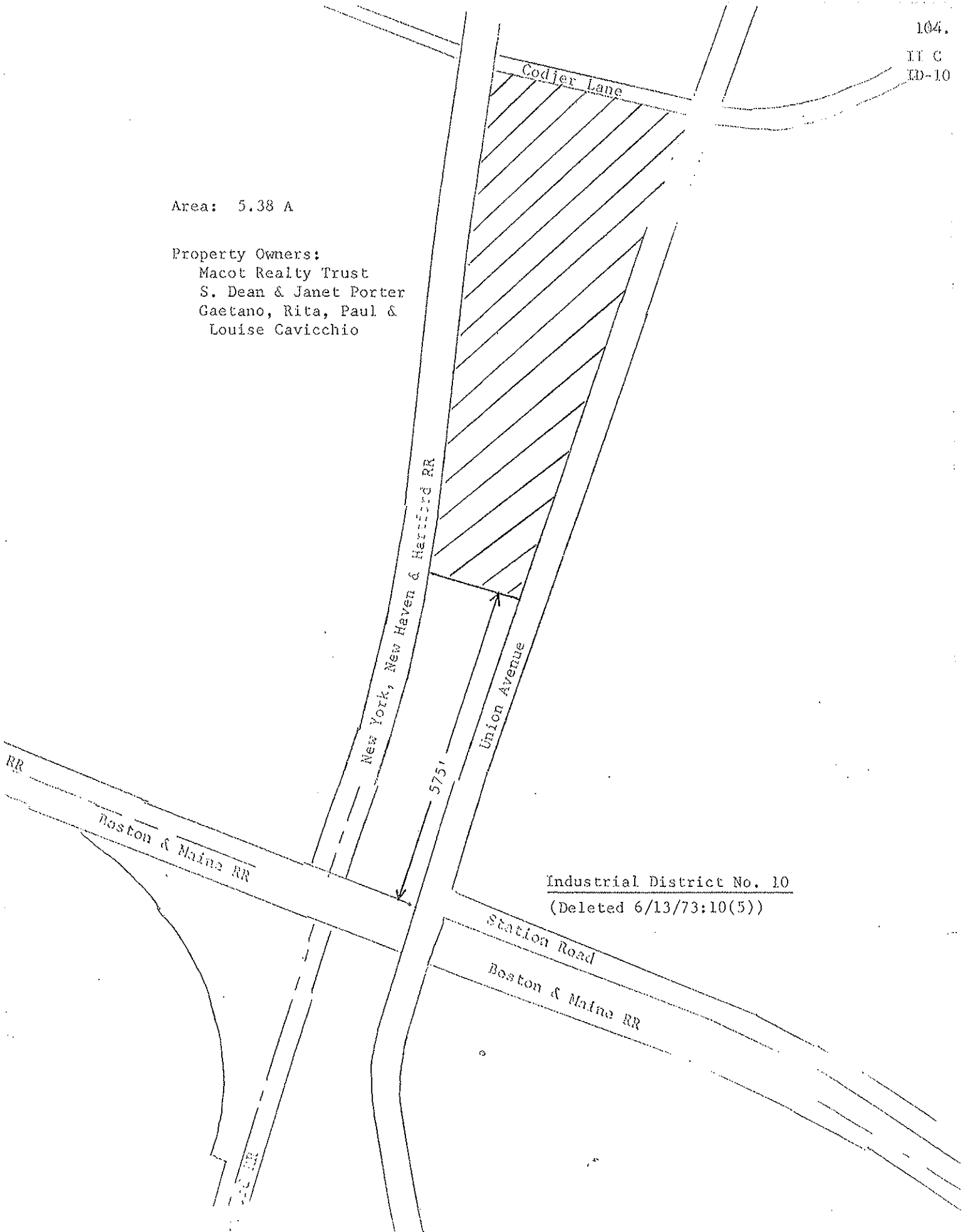
The 1956:55 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 10 before the description of this industrial district in the printed copy of the Bylaws issued May 1, 1956.

The 1967 amendment recodified the Zoning Bylaw and the description of Industrial District No. 10 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1973 amendment deleted all reference to Industrial District No. 10 and the area formerly included in this district became part of redefined Industrial District No. 2. (See pages 85-87.)

Area: 5.38 A

Property Owners:
Macot Realty Trust
S. Dean & Janet Porter
Gaetano, Rita, Paul &
Louise Cavicchio



II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

Industrial District No. 11. Bounded as follows:

Beginning at the Southwesterly corner of Old County Road at land of Aubrey W. Borden; thence N. $24^{\circ} 47' 59''$ W. five hundred (500) feet to an angle, thence N. $66^{\circ} 44' 28''$ E. five hundred thirty (530) feet to an angle; thence S. $24^{\circ} 47' 15''$ E. five hundred (500) feet to an angle at Old County Road; thence S. $66^{\circ} 17' 05''$ W. one hundred ninety-two and nineteen hundredths (192.19) feet to an angle; thence S. $68^{\circ} 00' 34''$ W. two hundred twenty and ninety-eight hundredths (220.98) feet to an angle; thence S. $65^{\circ} 05' 38''$ W. one hundred sixteen and eighty-three hundredths (116.83) feet to the point of beginning, the last three courses beginning along Old County Road

ATM 1956:38
STM 10/25/56:55
ATM 1967:47

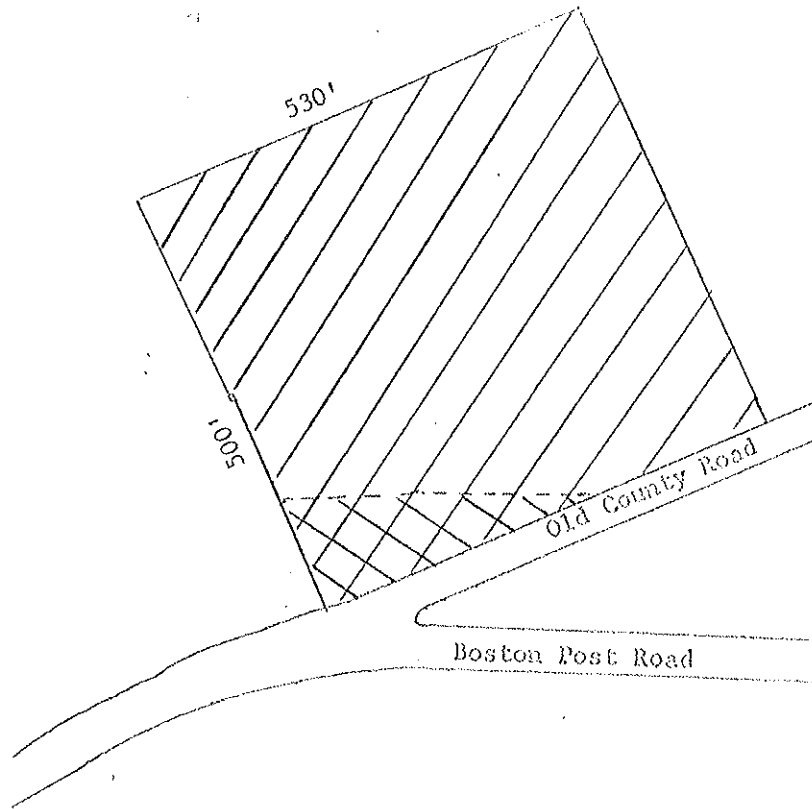
Notes:

The 1956:38 amendment established under Section 1 of the Zoning By-law a new Industrial District, the written description of which read as at present above.

The 1956:55 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 11 before the description of this industrial district in the printed copy of the By-laws issued May 1, 1956.

The 1967 amendment recodified the Zoning By-law and the description of Industrial District No. 11 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

(See map on next page for that part of Industrial District No. 11 superimposed over Business District No. 1.)



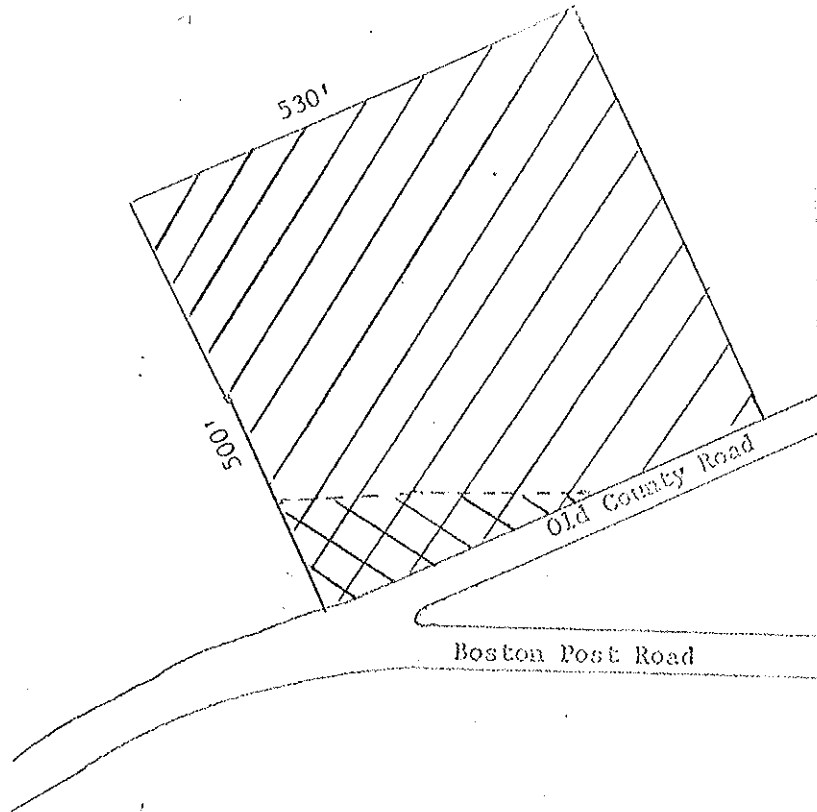
Industrial District No. 11

Area: 6.08 A

Property Owner:
Stanley W. Snider (Stanmar Lumber Co.)



ATM 1956: 38: ID-11 superimposed over part of BD-1



Industrial District No. 11

Area: 6.08 A

Property Owner:
Stanley W. Snider (Stanmar Lumber Co.)



ATM 1956: 38: ID-11 superimposed over part of BD-1

II C. LOCATION OF ALL OTHER DISTRICTS - Industrial Districts

Industrial District No. 12. A certain parcel of land, situated on the Southeasterly side of Old County Road, bounded and described as follows:

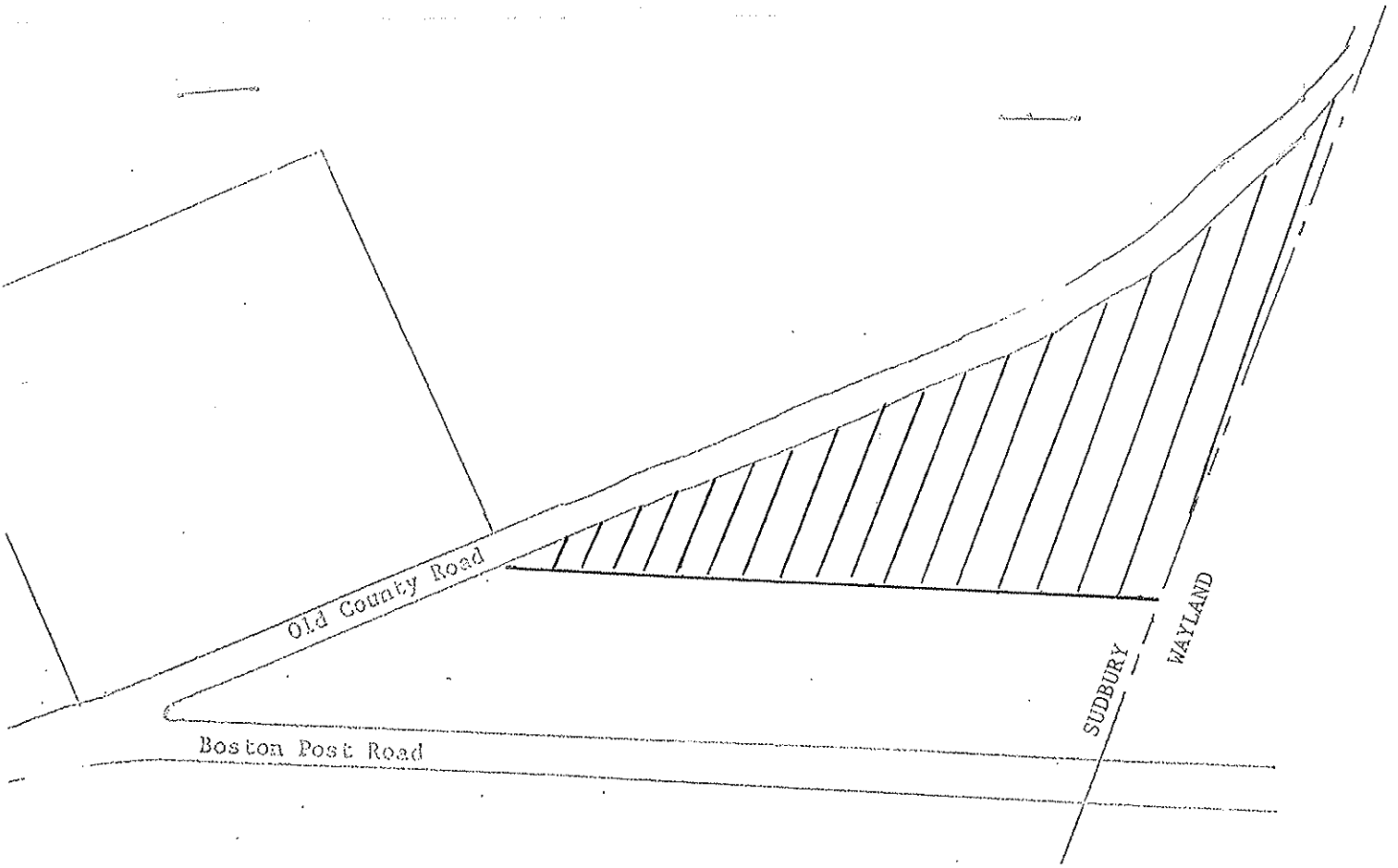
Beginning at the intersection of Business District No. 1 where it intersects the Southeasterly side line of Old County Road; thence in a Northeasterly direction along Old County Road till it intersects the Wayland town line at town bound No. 12 and 27; thence in a Southwesterly direction along the town line till it intersects the Northerly line of Business District No. 1; thence in a Westerly direction by Business District No. 1 to Old County Road and the point of beginning.

STM 5/20/58:20
ATM 1967:47

Notes:

The 1958 amendment established under Section 1 of the Zoning Bylaw a new Industrial District No. 12, the written description of which read as at present above.

The 1967 amendment recodified the Zoning Bylaw and placed the description of Industrial District No. 12 in Section II C: LOCATION OF ALL OTHER DISTRICTS.



Industrial District No. 12

Area: 4.71 A

Property Owners:
John H. Whitworth
Angelina Genna
Roy L. Staugaard
Joseph A. Deluco

II C

LID

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Industrial Districts

Limited Industrial Districts are hereby established, and the provisions of this by-law applicable to Limited Industrial Districts shall apply to districts so designated on the Zoning Map.

STM 12/3/56:67

ATM 1967:47

Notes:

The 1956 amendment incorporated into the Zoning By-law under Section 1, following the description of Industrial District No. 11, this sentence as at present above.

The 1967 amendment recodified the Zoning By-law and this sentence was placed before the description of Limited Industrial District No. 1 in Section II C: LOCATION OF ALL OTHER DISTRICTS.

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Industrial Districts

Limited Industrial District No. 1. Beginning at a point of the Northerly property line of the Boston and Maine Railroad and the Westerly property line of the Penn Central Railroad Company; thence Westerly along the Northerly property line of the Boston and Maine Railroad to a point 1,000 feet distant from the Easterly boundary of Horse Pond Road; thence Southerly by a line parallel to and 1,000 feet East of said Horse Pond Road a distance of 900 feet; thence Easterly by a line parallel to and 900 feet South of said Northern property line of the Boston and Maine Railroad a distance of 900 feet; thence Southerly along the Western property line of land n/f owned by Capaldi to the Northern boundary of the Boston Post Road; thence Easterly along the Northern boundary of the Boston Post Road to the Westerly boundary line of Business District No. 5; thence by the boundary of Business District No. 5 and Industrial District No. 2 to the point of beginning.

STM 12/3/56:57
 ATM 1967:47
 ATM 1973:29
 STM 6/13/73:10(1)

Notes:

The 1956 amendment established under Section 1 of the Zoning Bylaw a new Limited Industrial District No. 1, the written description of which read as follows:

Limited Industrial District No. 1. Beginning at the intersection of the location of New York, New Haven & Hartford Railroad and the Boston Post Road and extending Northerly along the location of New York, New Haven & Hartford Railroad to the intersection of the location of the Boston & Maine Railroad, thence Westerly along the location of the Boston & Maine Railroad to a point 1000 feet distant from the Easterly line of Horse Pond Road, thence Southerly by a line parallel to and 1000 feet East of said Horse Pond Road a distance of 900 feet, thence Easterly by a line parallel to and 900 feet South of said Boston & Maine Railroad a distance of 900 feet, thence Southerly along the Western boundary of land owned by Capaldi to the Boston Post Road, thence Easterly along the Boston Post Road to the point of beginning excluding the land described as Business District No. 13, provided that no building or structures in existence at the date of the establishment of this district shall be used as they now are for any use except uses and non-conforming uses actually existing or legally permitted in or on those buildings or structures in the former districts of which they were a part and before this district was established.

II C

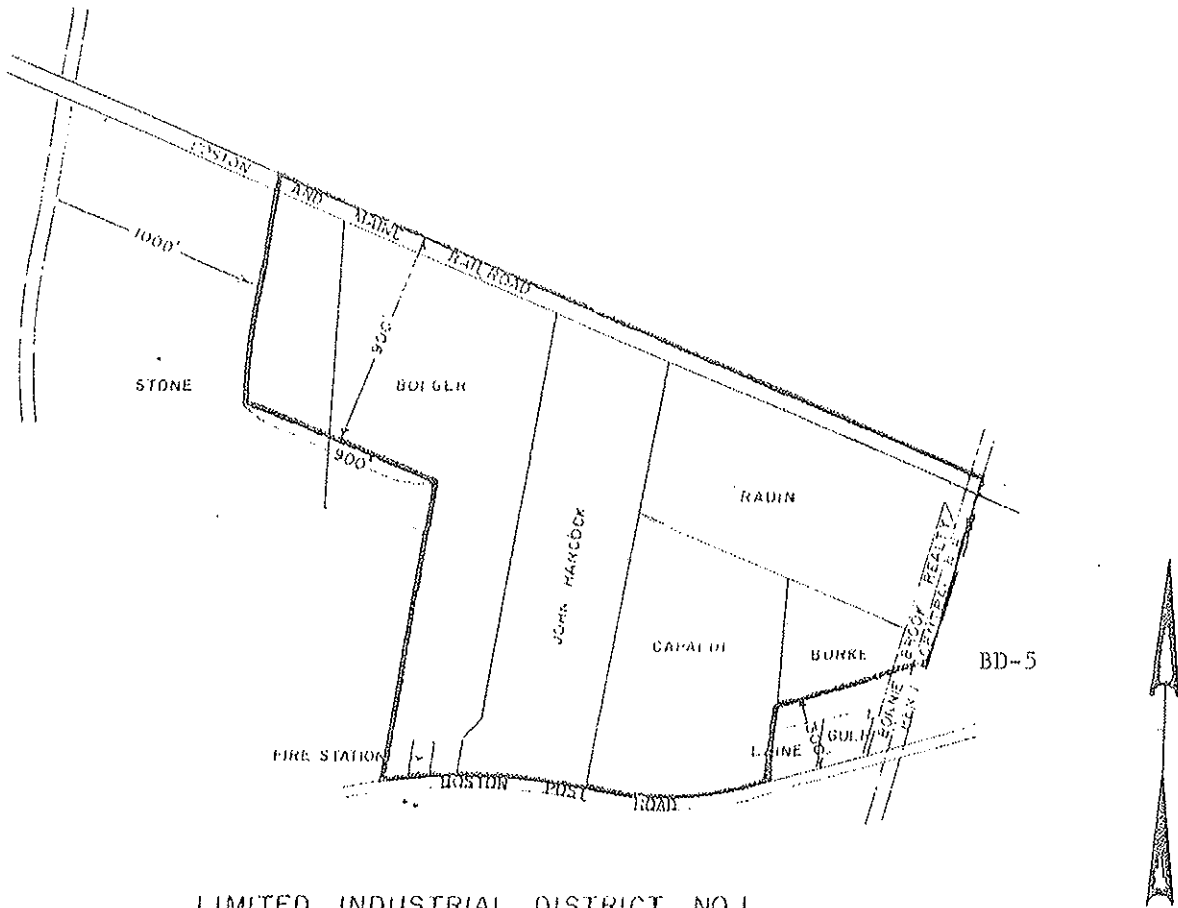
LID-1

The 1967 amendment recodified the Zoning Bylaw and the description of Limited Industrial District No. 1 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS. The last phrase, after the words "...excluding the land described as Business District No. 13" was deleted. (It now appears as Section III, C, 3 c. "Permitted Uses in Industrial Park Districts", except that the words "district IPD-1" were substituted for the words "this district". ATM 1968:43.)

The 1973:29 amendment eliminated that section of Limited Industrial District No. 1 located within the enlarged Business District No. 5. No change in wording of description. (See pages 43-44).

The 1973:10(1) amendment redefined Limited Industrial District No. 1 so that the description read as at present above.

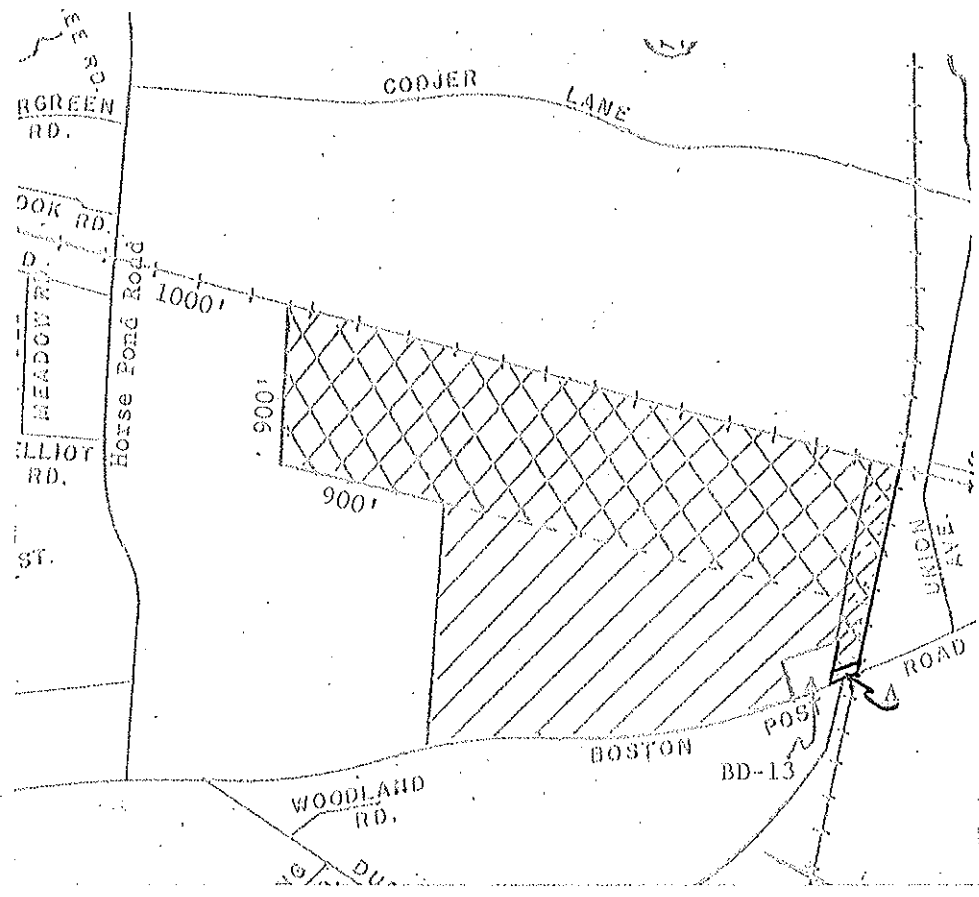
(See map on next page for those parts of Limited Industrial District No. 1 superimposed over parts of Industrial District No. 9 and Business District No. 5.)



LIMITED INDUSTRIAL DISTRICT NO 1

Area: 92.7 A (1973 boundaries)

(See next page for history of district)



Limited Industrial District No. 1

Area: 93.2 A

Property Owners:

- Capaldi & Sons, Inc.
- Robert V. Derderian
- William P. & Olive Stone
- David F. Bolger
- John Hancock Mutual Life Ins.
- Irene E. Burke

Section "A": STM 12/3/56:57: Part of LID-1 superimposed over part of BD-5



STM 12/3/56:57: Part of LID-1 superimposed over part of ID-9 (17) a detail 1965.48



STM 12/3/56:57: Part of LID-1 superimposed over part of ID-2

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Industrial Districts

Limited Industrial District No. 2 Deleted in its entirety by vote of 1984 Annual Town Meeting, Article 39, and placed said area in Residential Zone "A-1".

ATM 1964:34

ATM 1967:47

ATM 1984:39

Notes:

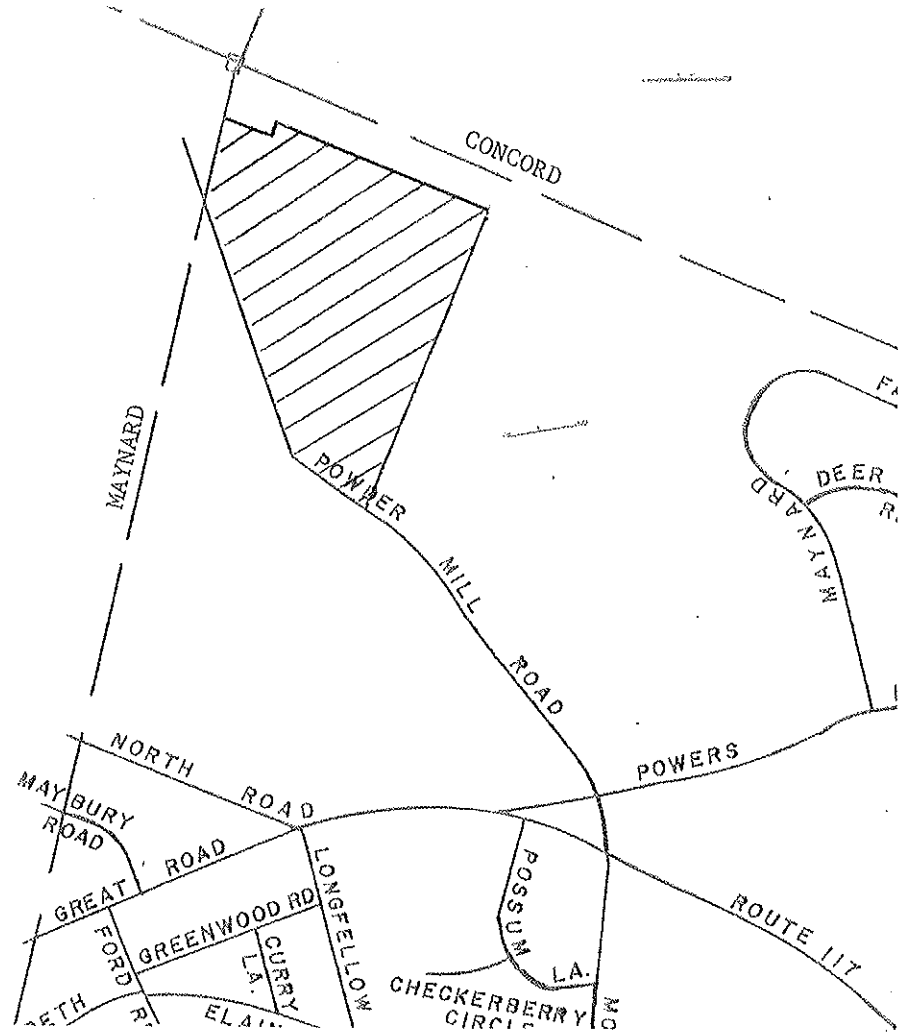
The 1964 Amendment established under Section 1 of the Zoning Bylaw a new Limited Industrial District No. 2, the written description of which read as follows:

Limited Industrial District No. 2. A certain parcel of land situated on the Northeasterly side of Powder Mill Road, bounded and described as follows:

Beginning at the intersection of the Sudbury-Maynard town line and the Northeasterly side of Powder Mill Road; thence Northerly along the Sudbury-Maynard town line to land of the Boston Edison Company; thence Easterly, Northerly and Easterly by land of the Boston Edison Co. to land of the Sudbury Water District; thence Southerly by land of the Sudbury Water District and continuing in the same direction by land of Glenwood C. Swett and Daniel J. Hayes, Jr. to Powder Mill Road; thence in a Northerly direction on Powder Mill Road to the point of beginning.

The 1967 amendment recodified the Zoning Bylaw and the description of Limited Industrial District No. 2 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1984 amendment deleted Limited Industrial District No. 2, in its entirety and placed the area in Residential Zone "A-1".



Limited Industrial District No. 2

Area: 33.0 A

Property Owners:
Drake Park Realty, Inc.
N/F King

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Industrial Districts

Limited Industrial District No. 3. Not voted.

ATM 1965:47
 ATM 1967:47
 ATM 1968:44

Notes:

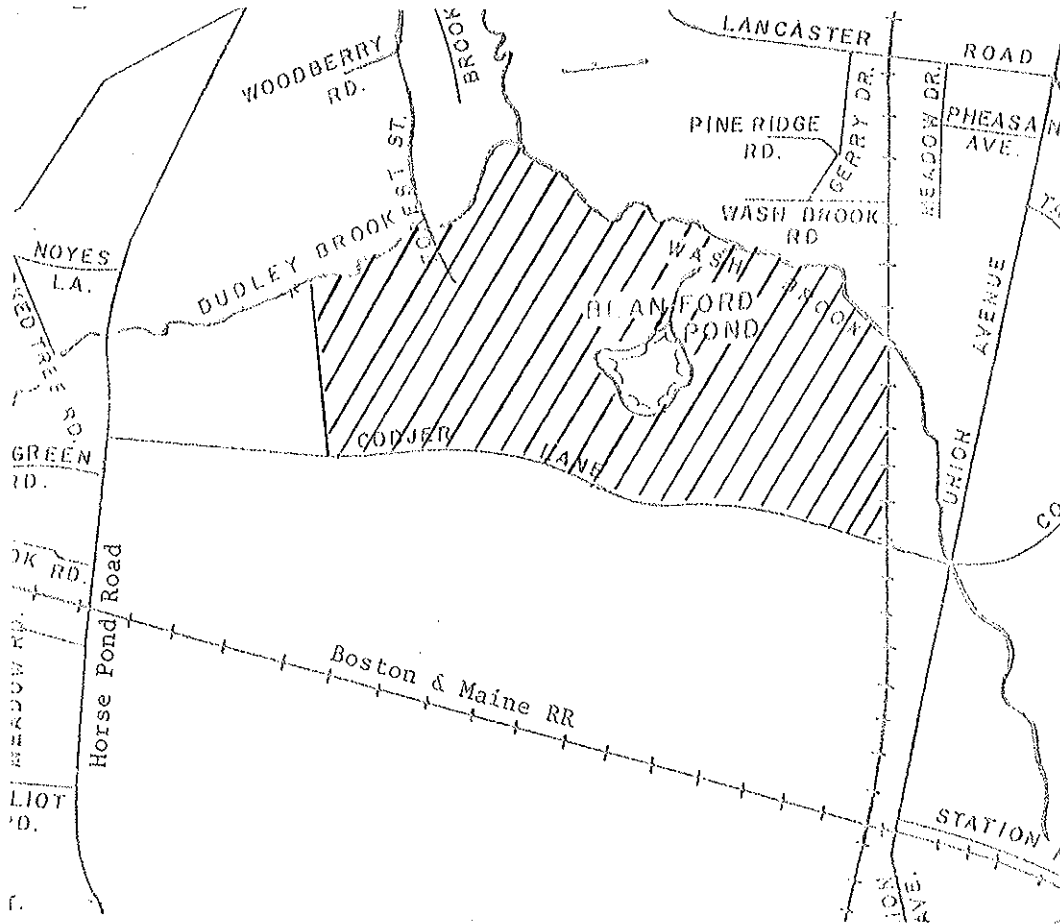
In 1965, Article 47 proposed the rezoning of the following area to Limited Industrial District No. 3.:

Beginning at a point on the northerly side of Codjer Lane and the westerly land of the New York, New Haven and Hartford Railroad Company; thence northerly by the westerly line of the New York, New Haven and Hartford Railroad Company to Hop Brook (so-called); thence in a northwesterly direction by the center line of said Hop Brook to its intersection with Dudley Brook (so-called); thence in a southwesterly and westerly direction by the center line of said Dudley Brook to the westerly property line of land of Frank J. and Thomas J. Vassalotti, Trustees Melgrove Realty Trust; thence in a southerly direction by said property line crossing other land of Frank K. and Thomas J. Vassalotti, Trustees Melgrove Realty Trust, to the northerly side of Codjer Lane; thence easterly by the northerly side of Codjer Lane to the point of beginning.

A motion under the article was lost. In favor - 102; opposed - 55.

The 1967 amendment recodified the Zoning By-law and Limited Industrial District No. 3 with the statement "Not voted" was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1968 amendment incorporated into Industrial Park District No. 1 the area included in the proposed Limited Industrial District No. 3. (See page 126.)



Limited Industrial District No. 3: Not Voted

Area: 81.6 A

Property Owners:

- Johnson Land Corp.
- Forrest D. Bradshaw
- Paul & Gaetano Cavicchio
- Paul & Louise Cavicchio
- Gaetano, Rita, Paul & Louise Cavicchio

ATM 1968:44: Became part of IPD-1

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Industrial Districts

Limited Industrial District No. 4. Deleted by vote of 1968 Annual Town Meeting, Article 44, and 1969 Annual Town Meeting, Article 31.

ATM 1965:48

ATM 1967:47

ATM 1968:44

ATM 1969:31

Notes:

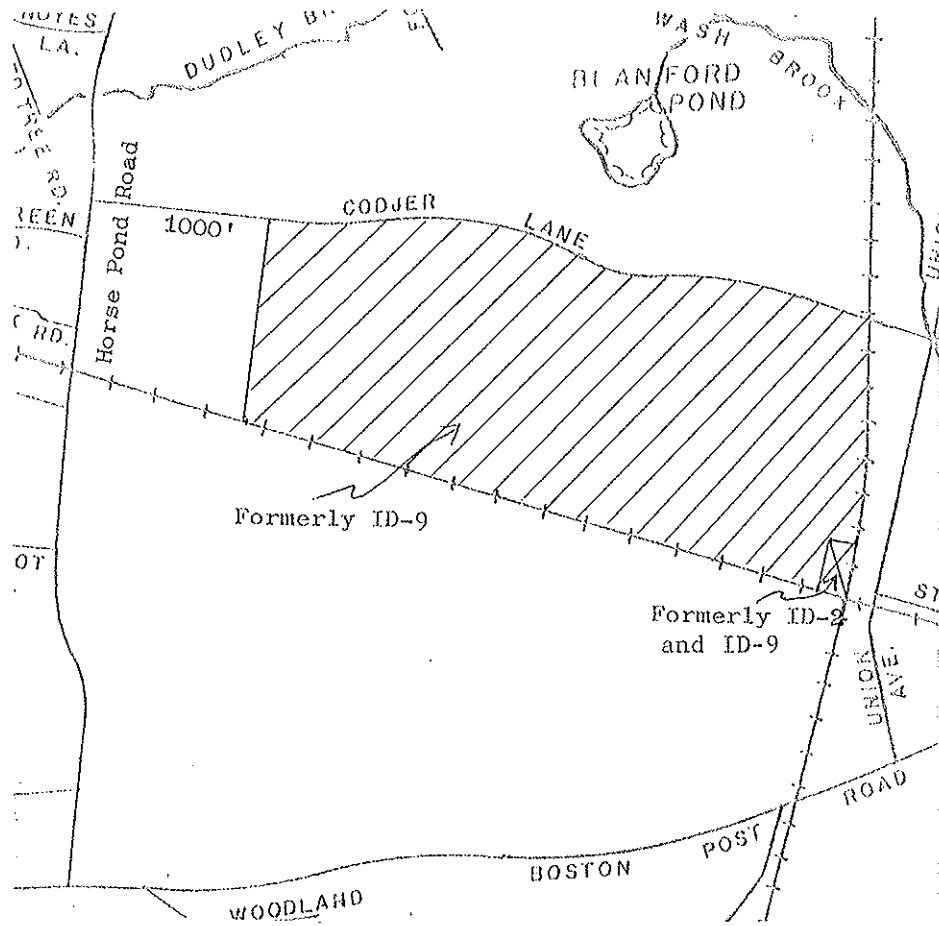
The 1965 amendment established under Section 1 of the Zoning By-law a new Limited Industrial District No. 4 by striking out Industrial District No. 9 in its entirety and that portion of Industrial District No. 2 lying westerly of the N. Y., N. H. & H. Railroad. The written description of Limited Industrial District No. 4 read as follows:

Beginning at a point on the southerly side of Codjer Lane and the Westerly property line of land of the New York, New Haven and Hartford Railroad Company; thence westerly by said Codjer Lane to a point 1,000 feet east of Horse Pond Road; thence southerly to land of the Boston and Maine Railroad Company at a point 1,000 feet east of Horse Pond Road; thence easterly by said Boston and Maine Railroad Company to land of the New York, New Haven and Hartford Railroad Company; thence northerly by said New York, New Haven and Hartford Railroad Company to the point of beginning.

The 1967 amendment recodified the Zoning By-law and the description of Limited Industrial District No. 4 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1968 amendment struck out Limited Industrial District No. 4 and established a new Industrial Park District with the written description as at present under Industrial Park District No. 1. (See page 126.) An error in the vote established Industrial Park District No. 1 under Section I of the Recodified Zoning By-law.

The 1969 amendment corrected the section reference error by striking out Limited Industrial District No. 4 in Section II and placing Industrial Park District No. 1 under Section II C: LOCATION OF ALL OTHER DISTRICTS.



Limited Industrial District No. 4
(Deleted. ATM 1968:44)

Area: 107.0 A

ATM 1968:44: LID-4 became part of IPD-1

Property Owners:

- Gaetano & Rita & Paul & Louise Cavicchio
- Milton D. Bartlett
- Colonial Development Corp.
- Maude M. Clark
- Gaetano & Rita Cavicchio
- Cavicchio Realty Trust
- Yvette Harrinton
- Louis Cabot et ux

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Industrial Districts

Limited Industrial District No. 5. Including all of the following described land:

Shown on a plan entitled: "Plan of Town of Sudbury Limited Industrial District #5", dated: January 28, 1971, by George D. White, Town Engineer, a copy of which is on file in the Town Clerk's office, which plan is incorporated herein by reference, and bounded and described, according to said plan, as follows:

Southerly - by the Boston Post Road; Southwesterly by the Town of Wayland; Northwesterly by a line which runs from Town Bound 12/27 to Town Bound 13/17; Northeasterly, Northwesterly and Northerly by the Town of Wayland; and Easterly by the Town of Wayland; meaning and intending to describe Limited Industrial District #5 as shown on said plan.

ATM 1949:27
ATM 1953:41
STM 10/25/56:55
STM 6/28/65:1
ATM 1967:47
ATM 1969:44
ATM 1971:13

ATM 1949:27
 ATM 1953:41
 STM 10/25/56:55
 STM 6/28/65:1
 ATM 1967:47
 ATM 1969:44
 ATM 1971:13

Notes:

The 1949 amendment established under Section 1 of the Zoning By-law a new business district with a written description as follows:

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 Southeasterly 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, 179.00 feet to a bound, thence running along said road N 73° 45' 00" W, 516.0 feet to land now or formerly 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 or formerly 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 a point of beginning. Said parcel containing in all about 18.6 acres.

The 1953 amendment changed the zoning of this district from business to industrial. There was no change in the wording of the description, but the following was added immediately after the written description:

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.

The 1956 amendment ratified and confirmed the action of the Town Clerk whereby he inserted the numeral 5 before the description of this industrial district in the printed copy of the By-laws issued May 1, 1956.

The 1965 amendment struck out Industrial District No. 5 and its use restrictions and established under Section 1 Limited Industrial District No. 5 with a written description the same as that for former Industrial District No. 5.

The 1967 amendment recodified the Zoning By-law and the description of Limited Industrial District No. 5 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.

In 1969 the Town voted to purchase the parcel of land included in Limited Industrial District No. 5 for "use by the Town as a location for a sewage treatment plant, sludge disposal area, sanitary landfill, and other waste disposal purposes". (For deed, see Document No. 70011A.)

The 1971 amendment added to Limited Industrial District No. 5 the remaining land in Sudbury north of the Boston Post Road in the diamond which is almost completely surrounded by Wayland and changed the written description to read as at present above.

(See map next page for part of Limited Industrial District No. 5 superimposed over Business District No. 1.)



LID-5 superimposed
over part of BD-1



ATM 1971:13
Added to LID-5



LID-5 superimposed
over part of BD-1
by ATM 1971:13

Area: 18.6 A + 8.9A(1971)

Property Owner:
Town of Sudbury
Philbob Real Estate Trust
Lester Smith

ATM 1969:44: Purchased by Town
(Easterly parcel)

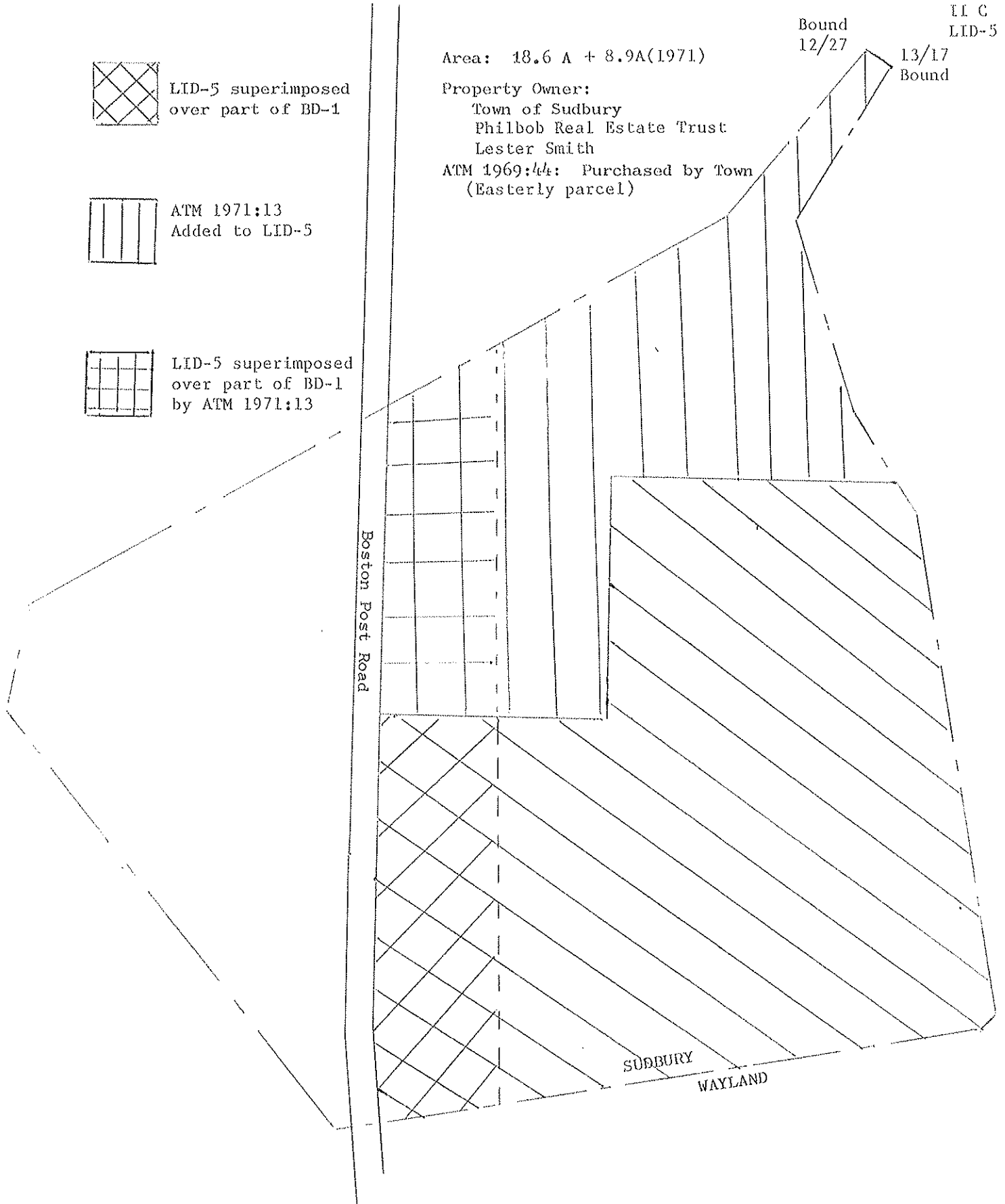
Bound
12/27

13/17
Bound

Boston Post Road

SUBBURY

WAYLAND



II C. LOCATION OF ALL OTHER DISTRICTS - Limited Industrial Districts

Limited Industrial District No. 6. Beginning at a point 105' Easterly of the intersection of the Easterly line of Union Avenue with the Southerly line of the Boston & Maine Railroad; thence in a Southerly direction by said Railroad 722.95 feet; thence S 2^o 26' 15" E, 8.22 feet by land of Gertrude Forsberg and Sarah Lundberg; thence N 42^o 56' 20" W, 349.92 feet by land of Gertrude Forsberg and Sarah Lundberg, Theodore A. and Agnes E. Brown; thence N 81^o 15' 30" W, 263.25 feet by land of Joseph and Libby Buchhalter, Charles E. Channing; thence N 30^o 20' 00" E, 92.85 feet by land of John J. Petrell, Jr. et als; thence N 59^o 40' 00" W, 215.00 feet to Union Avenue; thence Northeasterly by Union Avenue 50' more or less to Business District No. 5; thence Southeasterly 90' more or less and Northeasterly 280' more or less to the point of beginning.

ATM 1968:38
 ATM 1969:32
 ATM 1973:29
 STM 6/13/73:10(3)

Notes:

The 1968 amendment established under Section I C of the Recodified Zoning Bylaw a new Limited Industrial District No. 6, the written description of which read as at present above. This area was formerly a part of Business District No. 5. (See page 43.)

The 1969 amendment corrected the section reference and placed the description of Limited Industrial District No. 6 under Section II C: LOCATION OF ALL OTHER DISTRICTS.

(The entire area of Limited Industrial District No. 6 was superimposed over part of Business District No. 5.)

The 1973:29 amendment which enlarged Business District No. 5 specifically established that the amendment did not affect Limited Industrial District No. 6.

The 1973:10(3) amendment again specifically established that the amendment did not affect Limited Industrial District No. 6.

II C. LOCATION OF ALL OTHER DISTRICTS - Limited Industrial Districts

Limited Industrial District No. 6. Beginning at a point 105' Easterly of the intersection of the Easterly line of Union Avenue with the Southerly line of the Boston & Maine Railroad; thence in a Southerly direction by said Railroad 722.95 feet; thence S 2° 26' 15" E, 8.22 feet by land of Gertrude Forsberg and Sarah Lundberg; thence N 42° 56' 20" W, 349.92 feet by land of Gertrude Forsberg and Sarah Lundberg, Theodore A. and Agnes E. Brown; thence N 81° 15' 30" W, 263.25 feet by land of Joseph and Libby Buchhalter, Charles E. Channing; thence N 30° 20' 00" E, 92.85 feet by land of John J. Petrell, Jr. et als; thence N 59° 40' 00" W, 215.00 feet to Union Avenue; thence Northeasterly by Union Avenue 50' more or less to Business District No. 5; thence Southeasterly 90' more or less and Northeasterly 280' more or less to the point of beginning.

ATM 1968:38
 ATM 1969:32
 ATM 1973:29
 STM 6/13/73:10(3)

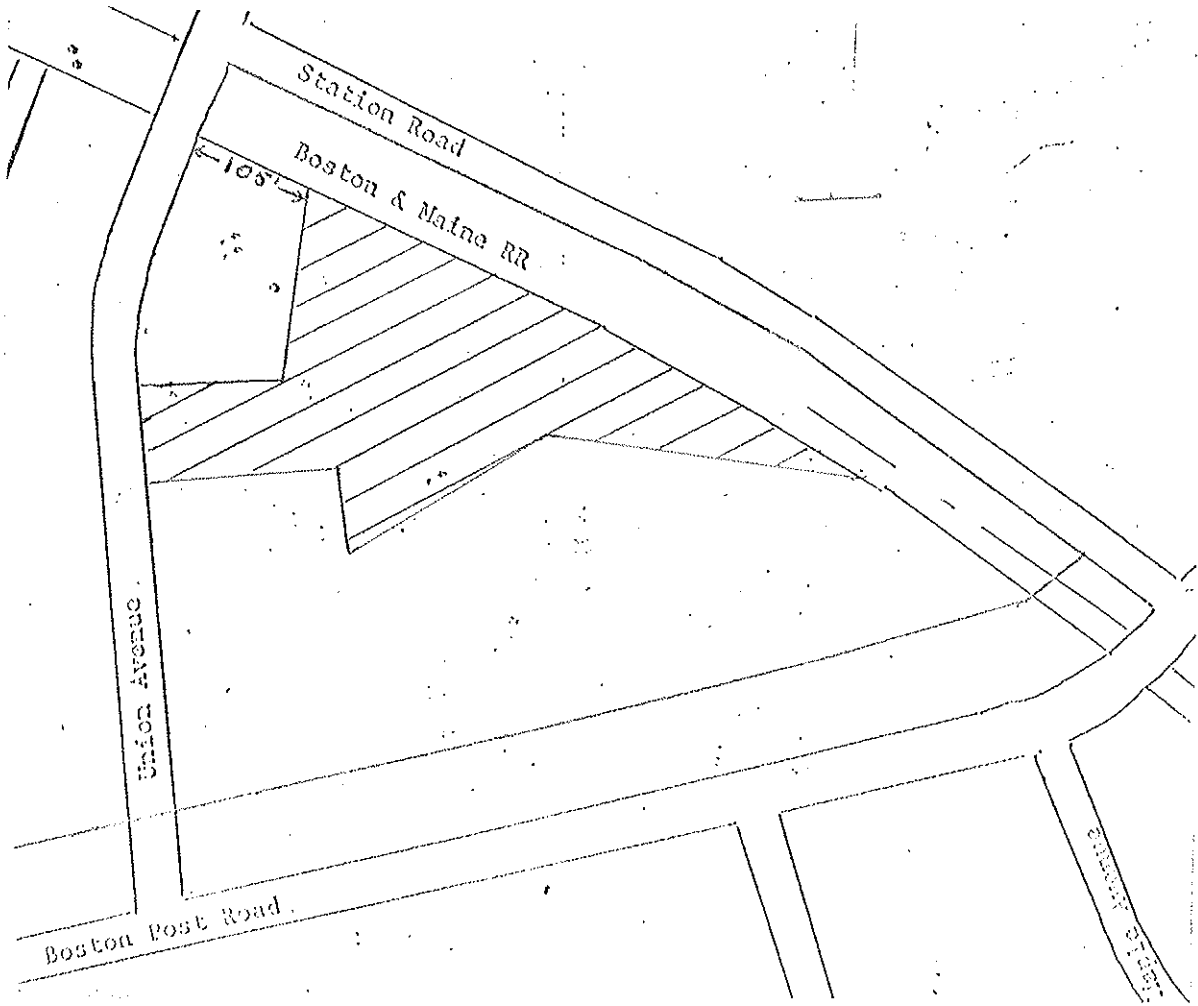
Notes:

The 1968 amendment established under Section I C of the Recodified Zoning Bylaw a new Limited Industrial District No. 6, the written description of which read as at present above. This area was formerly a part of Business District No. 5. (See page 43.)

The 1969 amendment corrected the section reference and placed the description of Limited Industrial District No. 6 under Section II C: LOCATION OF ALL OTHER DISTRICTS.

(The entire area of Limited Industrial District No. 6 was superimposed over part of Business District No. 5.)

The 1973:29 amendment which enlarged Business District No. 5 specifically established that the amendment did not affect Limited Industrial District No. 6.



Limited Industrial District No. 6

Area: 2.82 A

Property Owners:
Mullen Lumber Co. Inc.

ATM 1968:36: LID-6 superimposed over
part of BD-5. (originally
part of ID-2)

II C

RD

II C. LOCATION OF ALL OTHER DISTRICTS - Research Districts

Research Districts are hereby established, and the provisions of this by-law applicable to Research Districts shall apply to districts so designated on the Zoning Map.

STM 12/15/59:1
ATM 1967:47

Notes:

The 1959 amendment incorporated into the Zoning By-law under Section 1, following the description of Limited Industrial District No. 1, this introductory sentence as at present above.

The 1967 amendment recodified the Zoning By-law and this introductory sentence was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS, before the description of Research District No. 1.

II C

RD-1

II C. LOCATION OF ALL OTHER DISTRICTS - Research Districts

Research District No. 1. shall comprise an area the boundaries of which are as follows:

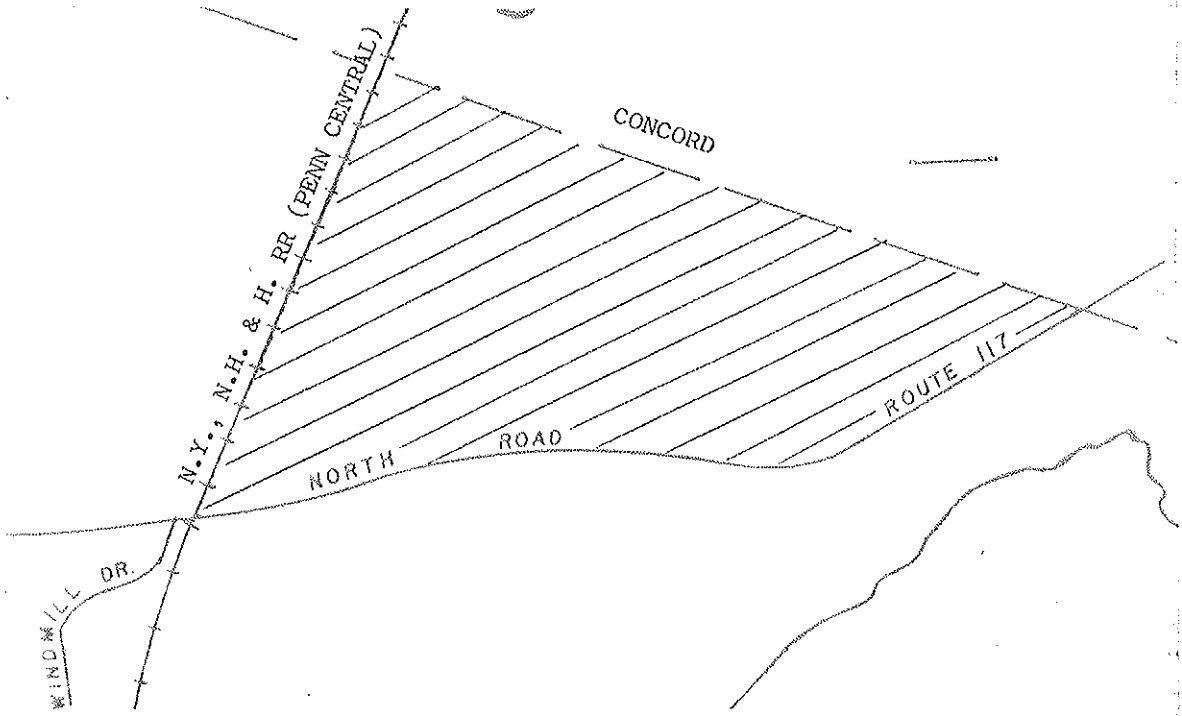
Northerly and Easterly by the Sudbury-Concord town line, Southerly by North Road and Westerly by the location of New York, New Haven & Hartford Railroad; and such Research District shall be excluded from any Residence District.

STM 12/19/59:1
ATM 1967:47

Notes:

The 1959 amendment established under Section 1 of the Zoning By-law a new Research District No. 1, the written description of which read as at present above.

The 1967 amendment recodified the Zoning By-law and the description of Research District No. 1 was placed in Section II C: LOCATION OF ALL OTHER DISTRICTS.



Research District No. 1

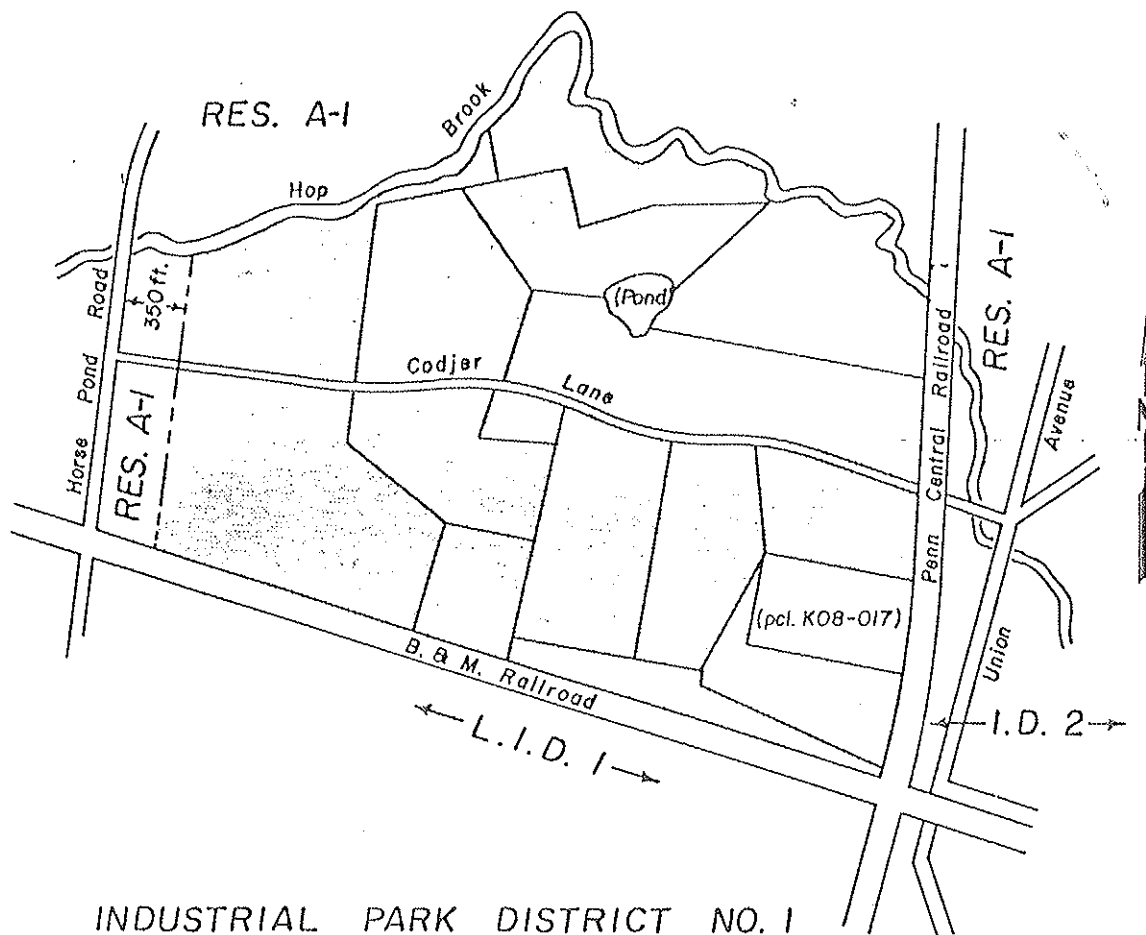
Area: 146.0 A

Property Owners:

- Boston Edison Co.
- Fairview Development Corp.
- William H. Davis
- Sperry Rand Corp.
- Joseph Melone
- Woodland Homes
- Stanley Wisnioski
- Sudbury Water District

Industrial Park Districts

Industrial Park District No. 1 Deleted by vote of 1984 Annual Town Meeting, Article 17, except for that portion designated as parcel 087 on page K08 of the Town Property Map which is owned by Macot Realty Trust, Clement McIver Trustee.



INDUSTRIAL PARK DISTRICT NO. 1

- ATM 1968:44
- ATM 1969:31
- ATM 1975:21
- ATM 1984:17

Notes:

The 1968 amendment abolished Limited Industrial District No. 4 and established under Section I of the Recodified Zoning Bylaw a new Industrial Park District No. 1, the written description of which read as follows, except that the words "The Penn Central Railroad" read "The New York, New Haven and Hartford Railroad" wherever they appear:

ATM 1968:44 Beginning at a point on the Northerly property line of
ATM 1969:31 the Boston & Maine Railroad Company and the Westerly property
ATM 1975:21 line of the Penn Central Railroad Company; thence Northerly by
ATM 1984:17 the Westerly property line of the Penn Central Railroad Company
to Hop Brook (so-called); thence in a Northwesterly direction
by the center line of said Hop Brook to its intersection with
Dudley Brook (so-called); thence in a Southwesterly and Westerly
direction by the center line of said Dudley Brook to a point
350 feet from the center line of Horse Pond Road; thence in a
Southerly direction in a line 350 feet from the center line of
Horse Pond Road to the Property line of the Boston & Maine
Railroad Company; thence Easterly by the Northerly property
line of the Boston & Maine Railroad Company to the point of
beginning.

The 1969 amendment corrected the Section reference, abolished Limited Industrial District No. 4 in Section II C, and placed Industrial Park District No. 1 in Section II C: LOCATION OF ALL OTHER DISTRICTS.

The 1975 amendment deleted in the description of Industrial Park District No. 1 the references to "The New York, New Haven and Hartford Railroad" and substituted "The Penn Central Railroad" to conform with the present name of the railroad. (Clarification of description only. No change in size of zone.)

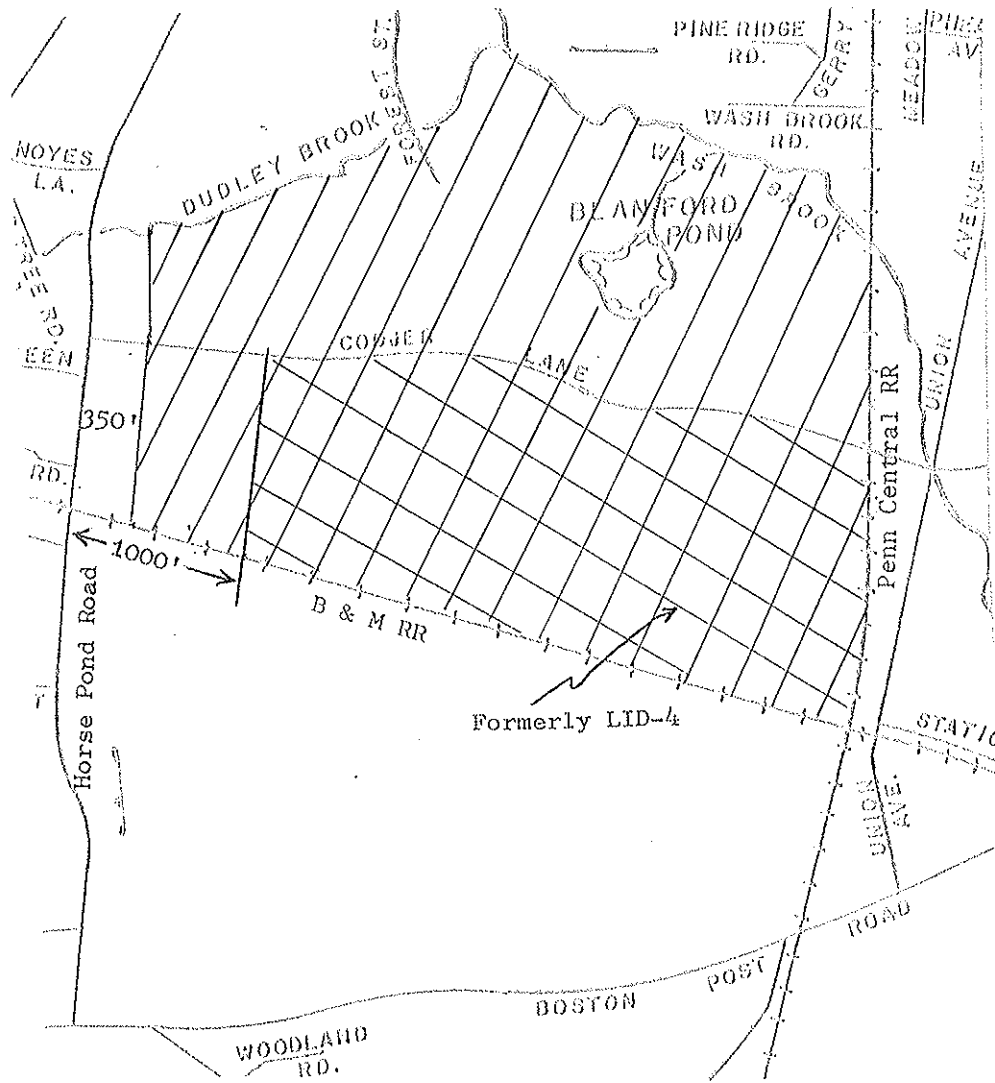
The 1984 amendment deleted Industrial Park District #1, and placed it in Residential District "A-1", except for that portion owned by Macot Realty Trust, Clement McIver Trustee and designated as parcel 087 on page K08 of the Town Property Map.

Area: 216.0 A (original number)
256.0A (number used ATM 1984)

Property owners:

Gaetano & Paul & Rista & Louise Cavicchio
Gaetano & Rita Cavicchio
Paul & Gaetano Cavicchio
Paul & Louise Cavicchio
Cavicchio Realty Trust
Milton D. Bartlett
Colonial Development Corp.
Maude M. Clark
Yvette Harrington
Louis Cabot et ux
Melgrove Realty Trust (Vassalotti)
Johnson Land Corp.
Bertel Hammar
Forrest D. Bradshaw

IPD-1
Amended
APR 84/17



Industrial Park District No. 1

Area: 216.0 A

Property Owners:

- Gaetano & Paul & Rita & Louise Cavicchio
- Gaetano & Rita Cavicchio
- Paul & Gaetano Cavicchio
- Paul & Louise Cavicchio
- Cavicchio Realty Trust
- Milton D. Bartlett
- Colonial Development Corp.
- Maude M. Clark
- Yvette Harrington
- Louis Cabot et ux
- Melgrove Realty Trust (Vassalotti)
- Johnson Land Corp.
- Bertel Hammar
- Forrest D. Bradshaw

II C. LOCATION OF ALL OTHER DISTRICTS - OPEN SPACE DISTRICTS

Open Space District No. 1

Beginning at a point being the Boundary corner between the Towns of Sudbury, Maynard and Stow;

Thence northeasterly along the Sudbury-Maynard Town Line 6050 feet, more or less, to a point on the easterly boundary of the United States Military Reservation, so called;

Thence southerly along said easterly boundary 2200 feet, more or less, to a point on the northerly shoreline of Willis Lake;

Thence in a counter-clockwise direction along the shoreline of Willis Lake 3950 feet, more or less, to a point on the westerly sideline of Lake Shore Drive;

Thence southwesterly along the easterly boundary of the United States Military Reservation 4100 feet, more or less, crossing Hudson Road, to a point on the southerly sideline of Hudson Road;

Thence easterly along Hudson Road 59 feet, more or less, to a point;

Thence southerly along the easterly boundary of the United States Military Reservation 3095 feet, more or less, to a point on the northerly sideline of Moore Road;

Thence westerly along Moore Road 899 feet, more or less, to a point;

Thence southeasterly along the easterly boundary of the United States Military Reservation 1448 feet, more or less, to a point at land of the Town of Sudbury Conservation Commission;

Thence westerly and southerly along said land of the Town of Sudbury Conservation Commission 2354 feet, more or less, to a point on the northerly sideline of the former Boston and Maine Railroad layout.

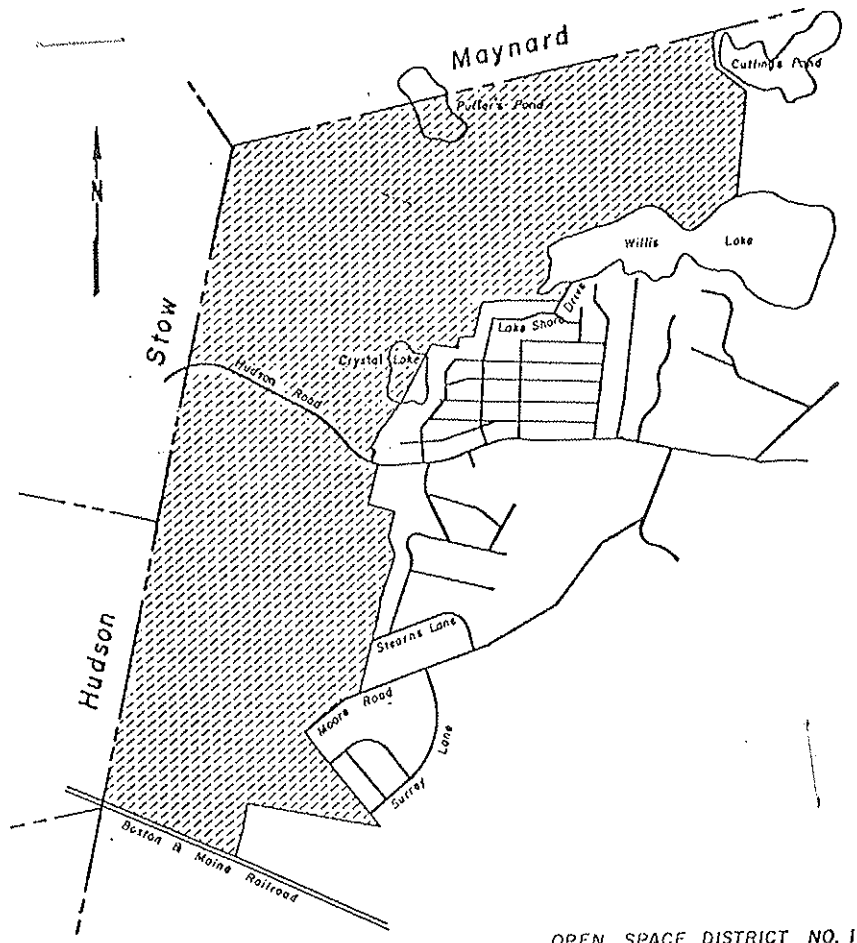
Thence westerly along said railroad layout 1700 feet, more or less, to a point on the Sudbury-Hudson Town Line;

Thence northeasterly along the Sudbury-Hudson Town Line 3500 feet, more or less, to the boundary corner between the towns of Sudbury, Hudson and Stow;

Thence northeasterly along the Sudbury-Stow Town Line 4665 feet, more or less, to the point of beginning.

ATM 1985:36

Notes: The 1985 amendment established under Section II C of the Zoning Bylaw a new Open Space District No. 1, the written description of which read as at present above.



OPEN SPACE DISTRICT NO. 1

OPEN SPACE DISTRICT No. 1

Area: approx. 751 acres. (Open Space District No. 1 was comprised of property belonging to the United States Military Reservation and the Commonwealth of Massachusetts, which at that time was in Residential Zone A-1)

II C. LOCATION OF ALL OTHER DISTRICTS - NOTE

(NOTE: Said Districts or Zones are located and bounded as described above. They are shown on a map entitled "Zoning Map of the Town of Sudbury". Said Zoning Map dated December 1938 and as further amended, is on file in the offices of the Town Clerk. Regulations and provisions of this by-law applicable to each District or Zone shall hereafter apply to these District or Zones as designated on said "Zoning Map".)

ATM 1939:19
STM 12/3/56:67
STM 12/15/59:1
ATM 1967:47
ATM 1985:36

Notes:

The 1939 amendment changed the first paragraph of Section 1 to read as follows:

Section 1. The Town of Sudbury is hereby divided into three types of districts, the boundaries and designations of which are as 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. The Business and Industrial Districts are denoted on said map by letters and numbers as B 1, B 2, B 3, etc., I 1, I 2, I 3, etc. All other areas of the Town are Single Residence. Said map and all explanatory matter thereon are hereby made a part of this By-law.

The 1956 amendment changed the first paragraph of Section 1 to read as follows:

The Town of Sudbury is hereby divided into 5 types of districts as follows: Residence District, Business District, Limited Business District, Industrial District and Limited Industrial District, and 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 made part of this By-law.

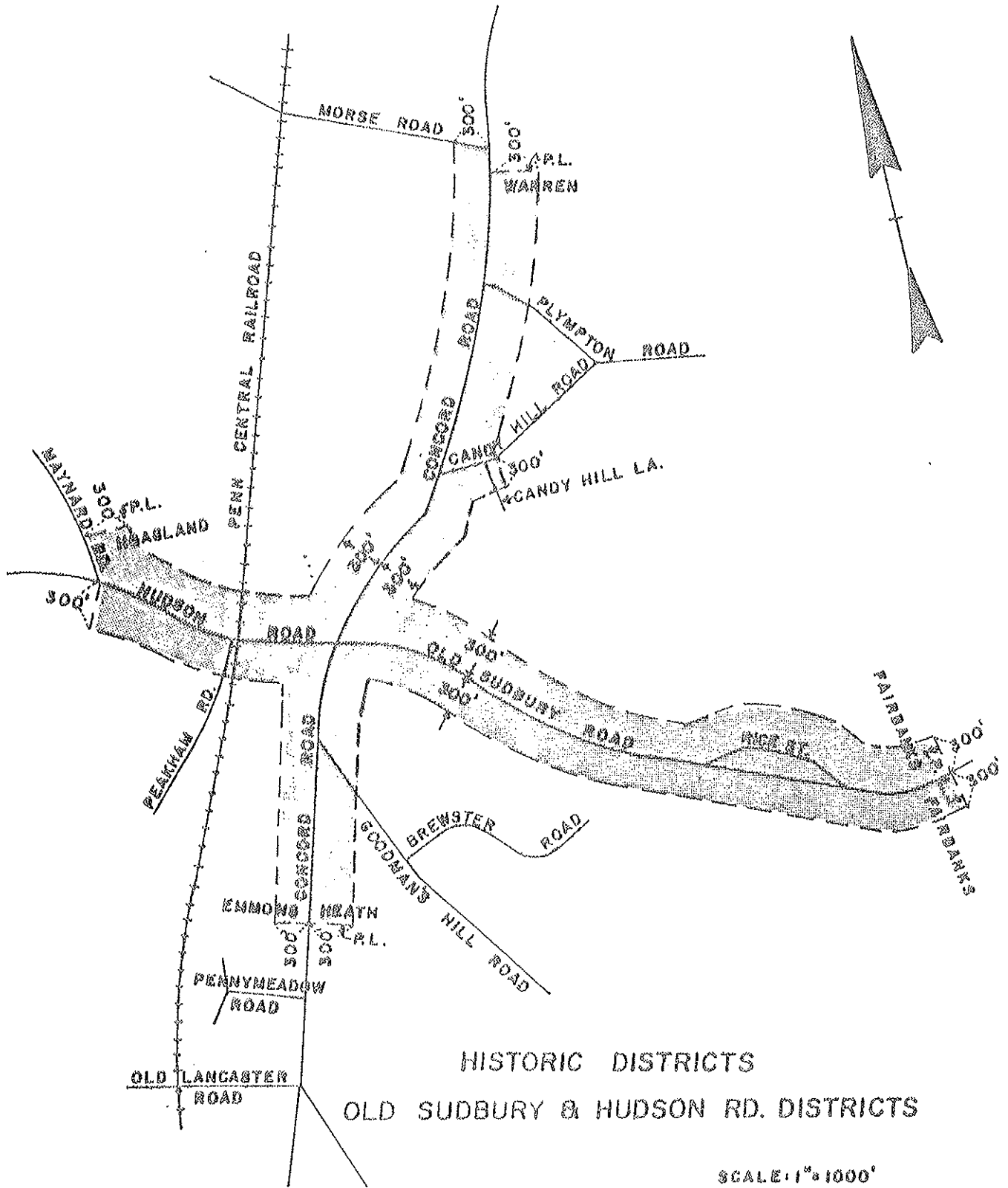
II C
NOTE

The first paragraph of Section 1 in the printed By-laws issued October 1, 1959 did not contain the words "and 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 made part of this By-law."

The 1959 amendment deleted from the first paragraph of Section 1 the words "and the boundaries...part of this By-law".

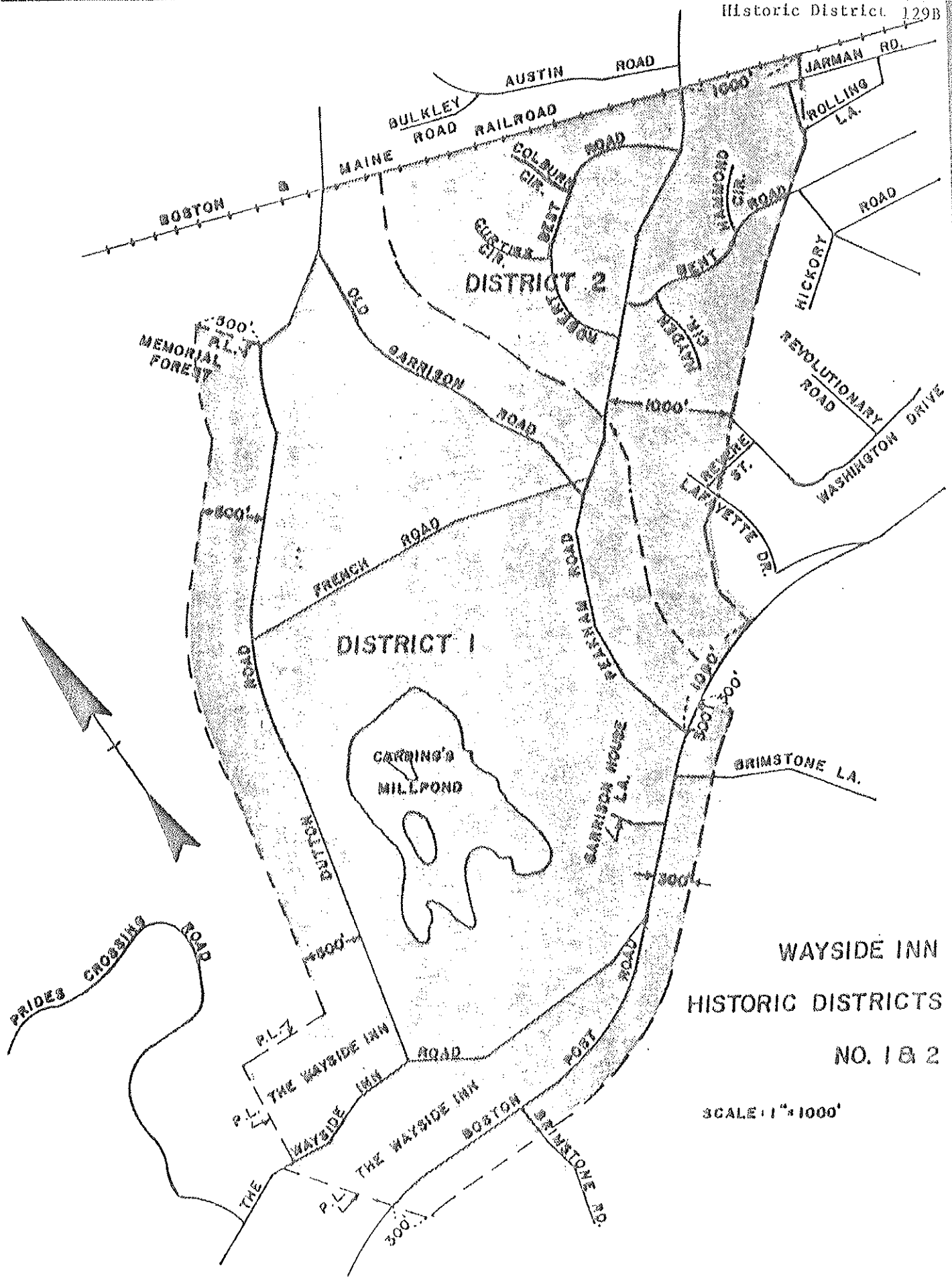
The 1967 amendment recodified the Zoning By-law and the NOTE as at present above was placed at the end of Section II C. LOCATION OF ALL OTHER DISTRICTS to provide a reference to the Zoning Map.

The 1985 amendment incorporated a new type district to the Town of Sudbury Zoning Bylaw Art. IX, II C. Location of All other Districts. This new district is the Open Space District, the written description of which read as at present above.



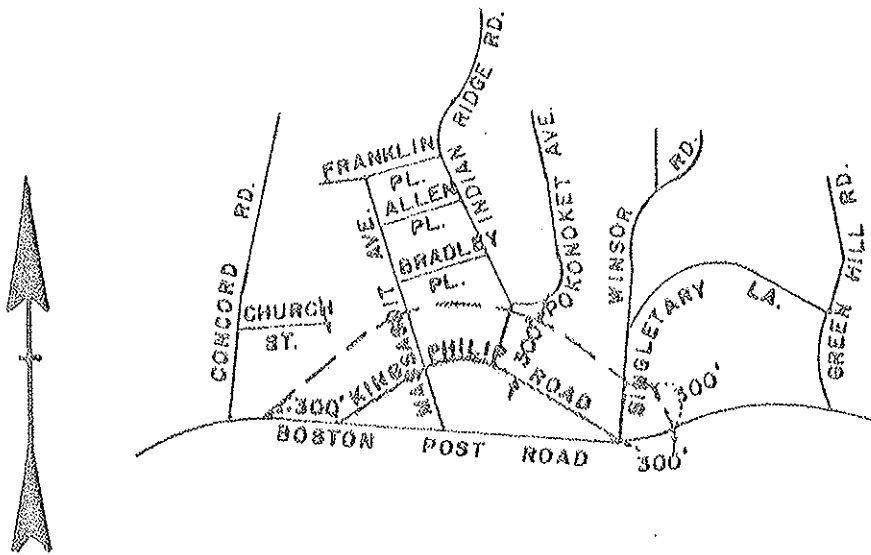
HISTORIC DISTRICTS
OLD SUDBURY & HUDSON RD. DISTRICTS

SCALE: 1" = 1000'



WAYSIDE INN
 HISTORIC DISTRICTS
 NO. 1 & 2

SCALE 1" = 1000'



KING PHILIP HISTORIC DISTRICT

SCALE: 1" = 1000'

NOTE:

While historic districts are not part of the Zoning Bylaw (Article IX) of the Town Bylaws, plans showing the boundaries of the four historic districts currently in existence in the Town have been included here for information since the exterior architectural and color features of buildings, landscaping, stone walls, signs, etc., located within an historic district are subject to restrictions and controls under Chapter 40 of the Acts of 1963 administered by the Historic Districts Commission.

Article 4 of the 1961 Annual Town Meeting empowered the Selectmen to appoint an Historic Districts Study Committee. This Committee reported to the Town in 1962 recommending the acceptance of a special act, similar to the State enabling act (Chapter 40C, G.L.) but "modified by this Committee to better suit the needs of Sudbury". The purpose of the act was to preserve and protect buildings, places and districts of historic or architectural significance by establishing an Historic Districts Commission of five members and by defining its powers and duties. Subsequently, the General Court passed the proposed special act as Chapter 40 of the Acts of 1963, and it was accepted by vote of the Town under Article 31 of the 1963 Annual Town Meeting.

In addition to providing for the Historic Districts Commission and defining its powers, Chapter 40 of the Acts of 1963 established the boundaries of Sudbury's first historic district in the Town Centre along Concord Road, Old Sudbury Road, and along Hudson Road to the railroad tracks. The 1967 Annual Town Meeting under Article 44 extended the district along Hudson Road to the intersection of Maynard and Hudson Roads so that the boundaries are as presently shown on the plan.

The Annual Town Meeting of 1967, under Articles 45 and 46, established and defined the boundaries of Wayside Inn Districts #1 and #2. The King Philip Historic District was established at the 1972 Annual Town Meeting under Article 30.

For details concerning the regulations governing property located within historic districts, see Chapter 40, Acts of 1963, at the Town Clerk's office.

III. PERMITTED USES

A. RESIDENCE DISTRICTS

1. Single Residence Districts "A" --, "B" --, and "C" --.

In addition to the residential uses, limited to one single residential unit per lot, the following uses shall be permitted in Single Residence Zones:

General Notes re Section III A: The 1931 original Zoning By-law established districts by uses then existing and contained no list of specific permitted uses in Residence Districts. (See APPENDIX B.) The 1939 revised Zoning By-law contained paragraphs relative to permitted uses as shown in the notes following. (See APPENDIX C.)

Both the 1931 and 1939 Zoning By-law contained sections generally related to permitted uses, or to uses for which a permit might be issued, which no longer appear in the by-law. A history of these sections is included, for information, following the notes on all sub-paragraphs of Section III A on pages 137 and 138.

ATM 1939:19
ATM 1964:31
ATM 1967:47

Notes:

The 1939 amendment incorporated into the Zoning By-law as the introductory clause of Section 1 A, the following:

Section 1 A. The following uses shall be permitted in Single Residence Districts.

The 1964 amendment struck out the introductory clause of Section 1 A and substituted an introductory clause which read as at present above beginning with "In addition to..."

The 1967 amendment recodified the Zoning By-law and placed the introductory clause in Section III A 1: PERMITTED USES - Residence Districts.

III A 1. PERMITTED USES - RESIDENCE DISTRICTS

- a. Agriculture, truck gardening, the raising of nursery stock or plants, or the conducting of boarding or lodging houses where board is furnished and lodgings are let to not more than five persons not members of the householder's family conducting them.

ATM 1939:19
STM 4/22/57:17
ATM 1967:47

Notes:

The 1939 amendment incorporated into the Zoning By-law as Section 1 A (1) the following permitted uses:

- (1) Agricultural, truck gardening, the raising of nursery stock or plants, or the conducting of boarding or lodging houses.

The 1957 amendment added to Section 1 A (1) after the words "lodging houses" the words "where board is furnished and lodgings are let to five or more persons not members of the householder's family conducting them", so that Section 1 A (1) read as at present above.

The 1967 amendment recodified the Zoning By-law and placed Section 1 A (1) in Section III A 1 a.

III A 1. PERMITTED USES - RESIDENCE DISTRICTS

- b. 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, subject to all requirements as to set backs, off-street parking and all requirements and restrictions pertaining to a business area.

ATM 1939:19
STM 9/16/53:10"b"
ATM 1955:75
ATM 1967:47

Notes:

The 1939 amendment incorporated into the Zoning By-law as Section 1 A (2) the following:

- (2) Customary home occupations, or a light industrial activity in a dwelling or accessory building, conducted only by the owners of the building, provided it does not change the nature of the district, as the Board of Appeals may approve and grant permits therefor.

The 1953 amendment changed Section 1 A (2) to read as follows:

- (2) (a) Customary home occupation, or light industrial activity, conducted in a dwelling or building accessory thereto by a person living and maintaining a home on the premises provided that: (Section III A 1 b above)
- (1) Such use is clearly incidental and secondary to the use of the premises for residential purposes. (Section III A 1 b (1) above)
 - (2) Not more than one person other than residents of the premises is regularly employed thereon in connection with such use. (Section III A 1 b (2) above)
 - (3) No offensive noise, vibration, smoke, dust, odors, heat or glare is produced. (Section III A 1 b (3) above)
 - (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.
 - (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. (Section III A 1 b (5) above)
 - (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.

The 1955 amendment added to Section 1 A (2) (a) (4) (re exterior display and signs) the following sentence:

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

(Thus (4) read as at present above in Section III A 1 b (4)).

The 1967 amendment recodified the Zoning By-law and changed the section and paragraph numbers to those at present above. Subparagraph (6) and paragraph (b) of the 1953 version were combined and the wording amended to read as at present above in Section III A 1 (6).

III A 1. PERMITTED USES - RESIDENCE DISTRICTS

- c. Private or public swimming pools, provided that a permit therefor be granted by the Building Inspector under the provisions of the Commonwealth of Massachusetts State Building Code. Requirements for set back, side yard, front and rear yard clear distances shall be the same as for a building. Pools built for public or semi-public use (including private "clubs" or organizations) require site plan approval per section V A of this bylaw and a permit from the Board of Appeals. In granting such a permit the Board of Appeals shall find that the use shall not be detrimental to the neighborhood.

ATM 1962:31
 ATM 1966:20
 ATM 1967:47,51
 STM 5/15/67:8
 ATM 1975:20

Notes:

The 1962 amendment added to Section 1 A of the Zoning By-law a new paragraph (3) which read as follows:

(3) Private swimming pools, provided that a permit for such use be granted by the Board of Appeals.

The 1966 amendment changed Section 1 A (3) to read as follows:

(3) Private or public swimming pools, provided that a permit therefor be granted by the Building Inspector under the provisions of the Sudbury Building Code, /or in lieu of the adoption of such provisions, under the standards of safety previously applied by the Board of Appeals7.

(The bracketed phrase was disapproved by the Attorney General "as not having the certainty required of a by-law", and therefore this phrase was deleted while the rest of the sentence was incorporated into the by-laws.)

The 1967:47 amendment recodified the Zoning By-law and Section 1 A (3) was placed in Section III A 1 c.

The 1967:51 amendment added to Section III A 1 c of the recodified by-laws after the words "Sudbury Building Code" the following:

Requirements for set back, side yard, front and rear yard clear distances shall be the same as for a building. Pools built for public or semi-public use (including private "clubs" or organizations) require site plan approval per section V A of this by-law and a permit from the Board of Appeals. In granting such a permit the Board of Appeals shall find that the use shall not be detrimental to the neighborhood.

The section then read as at present above, except that it read "Sudbury Building Code" instead of "Commonwealth of Massachusetts State Building Code".

The 1967:8 amendment added to Section III A 1 c of the recodified by-laws the following:

The words "pools built for public or semi-public use" as used herein shall include, in addition to the pool itself, any bath house, locker rooms, showers and rest rooms, administration rooms or buildings, clubhouse, parking lots, driveways, outdoor recreation areas (including tennis courts), and, without limiting the foregoing, all other facilities shown upon said site plan which the Board of Selectmen may approve as reasonably related or subordinate to the primary swimming activities and purposes of such club or organization, and shall include the club use by such club, its members and guests, of all such facilities provided, that nothing contained herein shall authorize the granting of a license to such club or organization for the serving of any alcoholic beverages in a Residence Zone.

In considering applications under sub-paragraph (b) and hereunder, the Board of Selectmen, Planning Board and Board of Appeals shall consider the proposed site, facility and use thereof and the effect of such use upon neighboring properties, including, without limiting the generality of the foregoing, convenience and safety of pedestrian and vehicular traffic sound levels during periods of use, and health, fire and police protection. In appropriate instances, or where requested in writing by two or more interested neighboring property owners, any of such Town boards may require the applicant to provide data or analysis by competent and independent professional consultants, such consultants to be approved by said board in advance of their retainer.

(This amendment was disapproved by the Attorney General for the reason that "it is too vague and uncertain in its terms and appears to divide the discretion to grant a permit, which under the law should be vested in either the Board of Appeals or the Selectmen, among the Board of Appeals, the Selectmen and the Planning Board, contrary to the requirements of G.L. c. 40A, the Zoning Enabling Act." See Document 67056.)

The 1975 amendment deleted the words "Sudbury Building Code" and substituted the words "Commonwealth of Massachusetts State Building Code", so that the section read as at present above.

III A 1. PERMITTED USES - RESIDENCE DISTRICTS

- d. Medical Centers and Nursing Homes, provided that a permit for such use be granted by the Board of Appeals if the Board of Appeals shall rule: (a) That there be no detriment to the neighborhood and (b) That the character of the zoning district is not significantly altered.

STM 12/4/62:7
ATM 1967:47

Notes:

The 1962 amendment incorporated into the Zoning By-law under Section 1 A, paragraph (4) which read as at present above.

The 1967 amendment recodified the Zoning By-law and Section 1 A (4) was placed in Section III A 1 d.

III A 1. PERMITTED USES - RESIDENCE DISTRICTS

e. Prohibited Uses.

- (1) All commercial signs are prohibited (except as provided in Section A. 1. b. (4) above) in all Residence Zones of the Town.
- (2) All commercial barter, trade, industrial, business, research, manufacturing, or similar operations are prohibited (except as provided in Section A. 1. b. above) in all Residential Zones of the Town.

ATM 1964:39

ATM 1967:47

Notes:

The 1964 amendment incorporated into the Zoning By-law under Section 1 two new sections AA (2) and AA (3) as follows:

- AA (2) All commercial signs are prohibited (except as provided in Section 1 - A (2) (a) (4) above) in all Residence Zones of the Town.
- AA (3) All commercial barter, trade, industrial, business, research, manufacturing, or similar operations are prohibited (except as provided in Section 1 - A paragraph (2) (a) above) in all Residential Zones of the Town.

The 1967 amendment recodified the Zoning By-law and placed sections 1AA(2) and 1AA(3) under Section III A 1 e and renumbered them (1) and (2). No change in wording except to change section references for conformity.

III A. PERMITTED USES - RESIDENCE DISTRICTS

History of sections of original or earlier versions of the Zoning By-law relative to permitted uses in Residence Districts which no longer appear in the By-law.

ATM 1931:36
 ATM 1936:18
 ATM 1939:19
 STM 9/16/53:10c, 10f, 10h
 ATM 1955:60
 ATM 1957:51
 STM 12/15/59:22

Notes:

1. Sections relative to residential buildings in other districts of the Town:

The 1931 original Zoning By-law contained under Section 1 the following paragraph (no number):

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

The 1939 amendment renumbered this paragraph under Section 1 as Section 1 D.

The 1953:10f amendment added to Section 1 D after the words "section of the Town" the words:

...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 said building if located in a Single Residence District.

The 1955 amendment changed Section 1 D to read as follows:

No single or multiple residence shall be built in any area of the town zoned as an Industrial District.

The 1957 amendment struck out Section 1 D and substituted a new Section 1 D which related to Shopping Center Districts. (See page 147.)

2. Sections relative to erection, alteration or conversion of a residence for business or industry in residence zone under a permit.

The 1931 original Zoning By-law contained no specific list of permitted uses in Residence Zones, but Section 4 of that by-law allowed business and industrial uses under a permit as follows:

Section 4. A permit may be issued for the erection, in any Residence District, of a building for the use of a business or industry or for the alteration or conversion of a building for or to such purposes, if the board of selectmen shall, after public hearing, so permit; PROVIDED that there be filed with the application for such permit, written consent thereto, signed and acknowledged by the owners or legal representatives of the owners, of three fourths of the area of all lands used for the purposes for which said district is restricted, as provided in Section 1 hereof, which are within five hundred feet of the lot for which a permit is requested.

The 1936 amendment added to Section 4 after the words "or to such purposes" the words:

...or for the conversion of a single residence into two dwelling units, provided such conversion does not destroy the single residence character of the building.

This amendment also deleted the word "selectmen" and substituted the word "appeals" so that the Board of Appeals became the issuing authority for permits under this section.

The 1939 amendment changed the section number from 4 to 7 and entitled Section 7, "SPECIAL PERMIT BY BOARD OF APPEALS REQUIRED". The only change in wording of the paragraph was the substitution of "two thirds" for "three fourths" relative to consent of owners in the area.

The 1953:10h amendment struck out Section 7 and substituted the following:

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 adoption of this By-law and that such conversion will not destroy the single residence character of the building.

The 1959 amendment struck out Section 7 and provisions for dwelling conversion no longer appear in the By-law.

3. Sections relative to industrial uses in Residence Zones.

The 1939 amendment incorporated into the Zoning By-law as Section 1 A paragraph (3) the following:

(3) The development of an industry utilizing for power the flow of a natural watercourse, after a permit is granted by the Board of Appeals and subject to restrictions laid down by said board.

The 1953:10c amendment struck out paragraph (3) of Section 1 A above. (In 1962, paragraph (3) under Section 1 A was used for provisions relating to swimming pools. See page 134.

III B. PERMITTED USES - BUSINESS DISTRICTS

B. BUSINESS DISTRICTS

1. Limited Business Districts LBD-

The following uses shall be permitted in Limited Business Districts:

- a. Any uses permitted in Single Residence Districts if a permit is granted by the Board of Appeals.
- b. Stores, salesrooms or showrooms for the conduct of a retail business.
- c. Personal service shops of a barber, hairdresser, manicurist, or shoe shiner.
- d. Shops for custom work by a dressmaker, furrier, interior decorator, milliner, or tailor.
- e. Shops for custom work by a cabinet maker, job printer, repairer of household appliances or furnishings, shoe-maker, 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.
- f. 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.
- g. Business or professional offices or agencies, banks or other financial institutions.
- h. Restaurants or other eating places serving food only to persons seated at tables or counters.
- i. Such similar uses as the Board of Appeals may approve and grant special permits therefor, which meet the guidelines for approval as found in Article IX, VI, C, 5, "Special Permit Guidelines", of this bylaw.
- j. Exterior signs in accordance with Section V.J.
- k. Such storage of materials, equipment and merchandise as is incidental to and usual in connection with any permitted uses on the same premises.
- l. 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 1,000 square feet of floor area per establishment are used for such manufacturing.

- m. Private clubhouses, meeting halls, and lodge rooms to be used by fraternal or other organizations, provided that a site plan is submitted under provisions of this bylaw.

The following uses are specifically prohibited in limited business districts:

- a. Any use which may produce a nuisance or hazard from fire or explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapors, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may adversely affect or impair the normal use and peaceful enjoyment of any property, structure or dwelling in the neighborhood, contamination of ground water, pollution of streams or other atmospheric pollutant beyond the lot on which such use is conducted.
- b. Kiosks and similarly sized service booths and detached structures, machines or booths located, at their closest point, more than ten feet from an exterior wall of a lawfully existing building, the sole purpose of which is to dispense or provide products, service or entertainment, including, but not limited to financial information or transaction services.

(NOTE: Special regulations applying to all Business Districts, including Limited Business Districts, such as site plan approval, off-street parking, exterior lights, signs and screening of open uses are listed in Section V herein.)

- STM 9/16/53:10d
- ATM 12/3/56:66
- ATM 1964:37
- ATM 1967:47
- ATM 1970:39
- ATM 1975:21
- ATM 1978:34
- ATM 1982:24
- ATM 1984:36

ATM 1987:38

Notes:

Limited Business Districts were established under STM 6/24/53:10a. See page 68.

The 1953 amendment struck out the entire former Section 1B of the Zoning Bylaw relative to permitted uses in Business Districts and substituted a new Section 1 B which read in part as follows;

Section 1 B. The following uses shall be permitted in limited business and business districts:

- (1) Any uses permitted in single residence districts.
- (2) as at present in b. above
- (3) as at present in c. above
- (4) as at present in d. above
- (5) as at present in e. above
- (6) as at present in f. above
- (7) as at present in g. above
- (8) as at present in h. above
- (9) Such similar uses as the Board of Appeals may approve and grant permits therefor.
- (10) Exterior signs of a non-flashing, non-flourescent type, pertaining only to permitted uses on the same premises.
- (11) as at present in k. above
- (12) as at present in l. above

(The second part of Section 1 B listed additional uses permitted only in business districts. See page 144.

The 1956 amendment struck out Section 1 B (1) and substituted a new Section 1 B (1) as follows:

- (1) In Limited Business Districts only, any uses permitted in Single Residence Districts if a permit is granted therefor by the Board of Appeals.

The 1964 amendment struck out Section 1 B (10) and substituted the following:

- (10) Exterior signs, in accordance with the provisions of Section E, paragraph (2).

(Section E related to special provisions in limited business districts and other districts.)

The 1967 amendment recodified the Zoning By-law and that part of Section 1 B relative to permitted uses in Limited Business Districts was placed in Section III B 1: PERMITTED USES - Limited Business Districts. The first sentence was changed to read "The following uses shall be permitted in Limited Business Districts:", the words "In Limited Business Districts only" were deleted, the paragraph numbers were changed to letters, and the section reference under paragraph (10) was changed for conformity. This amendment also added the NOTE at the end of Section III B 1 as at present above, except that the word "exterior" appeared before the word "signs".

The 1970 amendment added to Section III B 1 a new paragraph m. as at present above.

The 1975 amendment deleted the word "exterior" before the word "signs" in the NOTE to conform with the title of present section V, J.

The 1978 amendment deleted Section III, B 1 (i) and substituted a new subparagraph (i).

The 1982 amendment added to Section III-B-1 a new paragraph after paragraph m. specifying prohibited uses.

The 1984 amendment deleted at subsection 1, paragraph "h", the phrase "if no mechanical or live entertainment is regularly furnished".

The 1987 amendment inserted a new paragraph "b." at Section III, Permitted Uses, subsection B, Business Districts, at the end of part one, Limited Business Districts LBD-, which read as at present above.

III B. PERMITTED USES - BUSINESS DISTRICTS

2. Business Districts BD-

The following uses shall be permitted in Business Districts:

- a. All uses permitted in Limited Business Districts under items "b" through "l" inclusive in section III-B-1 above.
- b. 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.
- c. (Deleted by action of 1984 AIM:36)
- d. Indoor theatres, if a permit is granted therefor by the Board of Appeals.
- e. 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 if a permit therefor is granted by the Board of Selectmen.
- f. Hotels, motels, overnight cabins, trailer camps or parks, if a permit is granted therefor 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.
- g. Garages for the sale or repair of new or used motor vehicles if a permit therefor is granted by the Board of Appeals.
- h. Private clubhouses, meeting halls, and lodge rooms to be used by fraternal or other organizations, provided that a site plan is submitted under provisions of this by-law.
- i. Animal shelters, animal hospitals, boarding and training kennels and other activities related thereto which are operated by public or semi-public institutions of a philanthropic or charitable character, provided that a permit for such use be granted by the Board of Selectmen, subject to appropriate conditions and safeguards.

The following uses are specifically prohibited in Business Districts:

- a. Any use which may produce a nuisance or hazard from fire or explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapors, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may adversely affect or impair the normal use and peaceful enjoyment of any property, structure or dwelling in the neighborhood, contamination of ground water, pollution of streams, or other atmospheric pollutant beyond the lot on which such use is conducted.
- b. Kiosk and similarly sized service booths and detached structures machines or booths located, at their closest point, more than ten feet from an exterior wall of a lawfully existing building, the sole purpose of which is to dispense or provide products, services or entertainment, including, but not limited to financial information or transaction services.

(NOTE: Special regulations applying to Business Districts, such as site plan approval, off-street parking, exterior lights, signs and screening of open uses are listed in Section V herein.)

ATM 1931:36	ATM 1957:55	ATM 1972:23
ATM 1935:18	ATM 1962:32	ATM 1975:21
ATM 1939:19	ATM 1964:38	ATM 1982:21,24
ATM 1951:46	ATM 1967:47,50	ATM 1984:36
STM 9/16/53:10d, 10k	STM 11/1/71:9	ATM 1987:38

Notes:

The 1931 original Zoning By-law established business districts by existing uses under Section 1 and Section 4. See page 137, page 138, items 1) and 2), and APPENDIX B.

The 1935 amendment incorporated into the Zoning By-law a new Section 4 A as follows:

Section 4 A: A permit may be issued after a public hearing as provided in Section 5 of this by-law, for the establishing, in any Business District, of a manufacturing business either clearly incidental to a retail business lawfully conducted on the premises or as an entirely new venture, provided however that a permit may be refused for any such business which is in any way hazardous or a nuisance.

The 1939 amendment struck out Section 4 A and permitted uses in Business Districts were incorporated into the Zoning By-law in Section 1 B as follows:

- B. The following uses shall be permitted in Business Districts.
- (1) Any use permitted in Single Residence Districts.
 - (2) Stores, shops, restaurants, garages and repair shops.
 - (3) Such similar uses as the Board of Appeals may approve and grant permits therefor.

The 1939 amendment also incorporated into the Zoning By-law as Section 12 the following:

Section 12 GENERAL PROVISIONS

Overnight cabins, trailer camps and tents, may be established only in a Business District, provided a permit therefor is granted by the Board of Appeals. The said Board shall make in each instance such regulations as it deems advisable for the disposal of sewage, refuse and other waste matter.

The 1951 amendment changed Section 1 B 2. to read as follows:

2. Stores, shops, restaurants, garages, repair shops, business offices and professional offices.

The 1967:47 amendment recodified the Zoning By-law and that part of Section 1 B related to permitted uses in Business Districts was placed in Section III B 2. In the recodification the introductory sentence was changed by deleting the word "additional", a new paragraph a. as at present above was added, and the paragraph numbers (13) through (19) were changed to the letters b. through g. This amendment also struck out Section 12 relative to hotels, cabins and camps and incorporated the second sentence of Section 12 into paragraph f. so that it read as at present above. This amendment also added the NOTE at the end of Section III B 2, which read as at present above except that the word "exterior" appeared before the word "signs".

The 1967:50 amendment added under Section III B 2 a new paragraph h. as at present above.

The 1971 amendment added under Section III-B-2 a new paragraph i. as at present above.

The 1972 amendment deleted the word "automobiles" in Section III-B-2-g and substituted the words "motor vehicles".

The 1975 amendment deleted the word "exterior" before the word "signs" in the NOTE to conform with the title of present section V, J.

The 1982:21 amendmend deleted from Section III-B-2-g the word "and" after the word "sale" and after the word "new" and substituted the word "or" in both places.

The 1982:24 amendment added to Section III-B-2 after paragraph i a new paragraph specifying prohibited uses which read as at present above.

The 1984:36 amendment deleted paragraph "c" in its entirety from Subsection 2, "Business Districts BD-" which read as at present above. Paragraph "c" read as follows:

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

The 1987 amendment inserted a new paragraph "b." at the end of part 2, Business Districts BD-, which read as at present above.

III B. PERMITTED USES - BUSINESS DISTRICTS

3. Shopping Center Districts SCD-

Deleted by vote of the 1980 Annual Town Meeting,
Article 41.

ATM 1957:50,51

ATM 1967:47

ATM 1970:39

ATM 1975:21

ATM 1980:41

Notes:

The 1957:50 amendment added to the introductory sentence of Section 1B the words "and Shopping Center Districts" after the words "Business Districts" so that it read as follows:

Section 1

B. The following uses shall be allowed in Limited Business, Business Districts and Shopping Center Districts:

(For permitted uses see page 140, 1953 and 1956 amendment notes, under Limited Business Districts, paragraphs (1) through (12)).

The 1957:51 amendment incorporated into the Zoning Bylaw a new Section 1 D as follows:

Section 1

D. The following special provisions shall apply to Shopping Center Districts:

- (1) All parking areas shall be to the rear or off street side of the buildings and shall be adequately screened. The space between the street and the buildings, which would normally be the front yard, shall be clear of all parking, signs, displays and similar materials other than landscape features.
- (2) All buildings shall be developed as a single architectural unit with appropriate landscaping features.
- (3) No Shopping Center District shall be divided by public streets or ways.
- (4) All parking areas having a capacity of over 100 cars shall allow 5% of the area of the parking lot for tree belts.

III B 3

The 1967 amendment recodified the Zoning Bylaw and Section 1 D was placed in Section III B 3 b (1) through (4). The words "in addition" were inserted before the words, "The following special provisions" in paragraph b. A new paragraph a. was added:

- a. All uses permitted in Limited Business Districts under items "B" through "1" inclusive in III-B-1 above.

The 1967 amendment also added the NOTE at the end of Section III B 3 which read as follows:

NOTE: Special regulations applying to all Business Districts, including Shopping Center Districts, such as site plan approval, off-street parking, exterior lights, exterior signs and screening of open uses are listed in Section V herein.

The 1970 amendment added to Section III B 3 a new paragraph which read as follows:

- c. Private clubhouses, meeting halls and lodge rooms to be used by fraternal or other organizations, provided that a site plan is submitted under provisions of this by-law.

The 1975 amendment deleted the word "exterior" before the word "signs" in the NOTE to conform with the title of Section V, J.

The 1980 amendment deleted Shopping Center Districts from the zoning bylaw and section III B 3 was deleted in its entirety.

III C. PERMITTED USES - INDUSTRIAL DISTRICTS

1. Limited Industrial Districts LID-

The following uses shall be permitted in Limited Industrial Districts:

- a. Office buildings, laboratories for research and development, industrial or manufacturing uses including processing, fabrication, assembly and inside storage; 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 material, noise, light, excessive vibration, radiation, explosion or fire, or which would contaminate ground water, any stream or other body of water or wet area.
- b. Wholesale or retail lumber yard operations, provided that a permit therefor is granted by the Board of Appeals. The Board of Appeals in granting such a permit must find that: (1) the proposed use would conform to all conditions listed in a. above, (2) the proposed use would not cause undue traffic congestion in the area, (3) the proposed use by its nature would cause no reduction of surrounding property value.
- c. Private clubhouses, meeting halls, and lodge rooms to be used by fraternal or other organizations, provided that a site plan is submitted under provisions of this bylaw.
- d. Recreational facilities, such as tennis courts, ice skating rinks, swimming pools, athletic clubs having handball and squash courts and gymnasiums, provided that a site plan is submitted under the provisions of this bylaw.
- e. Uses, whether or not on the same parcel as activities permitted as a matter of right, accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit provided the granting authority finds that the proposed accessory use does not substantially derogate from the public good.

(NOTE: Special regulations applying to Limited Industrial Districts such as site plan approval, off-street parking, exterior lights, signs and screening of open uses are listed in Section V herein, paragraph V.E.7 being specifically applicable.)

ATM 1967:47,53
 ATM 1970:39,40
 ATM 1972:24
 ATM 1975:21
 ATM 1978:35

For a history of the development of permitted uses in Limited Industrial Districts from 1956 to 1967, see notes on permitted uses in Industrial Districts on pages 151-153. Limited Industrial Districts were first established in 1956, and the same uses were permitted in both Limited Industrial and Industrial Districts until the 1967 recodification of the Zoning Bylaw.

ATM 1967:47, 53 ATM 1978:35
ATM 1970:39, 40
ATM 1972:24
ATM 1975:21

Notes:

The 1967:47 amendment recodified the Zoning By-law and permitted uses in Limited Industrial Districts were separated from those in Industrial Districts. Permitted uses in Limited Industrial Districts were placed in Section III C 1 as paragraphs a. through e. (See page 153, ATM 1967:47 amendment notes.) This amendment also added the NOTE at the end of Section III C 1, as at present above (except that the word "exterior" appeared before the word "signs"), and added a new paragraph f. as follows:

f. No building or structures in existence at the date of the establishment of district LID-1 shall be used as they now are for any use except uses and non-conforming uses actually existing or legally permitted in or on those buildings or structures in the former districts of which they were a part and before this district was established.

(This sentence was originally voted in 1956 as part of the description of LID-1. See page 110.)

The 1967:53 amendment struck out of Section III C 1 paragraphs a. through f. and substituted paragraphs a. and b. as follows:

a. Office buildings, laboratories for research and development, industrial or manufacturing uses including processing, fabrication and assembly;...

(The remainder of paragraph a. read as at present above.)

b. as at present in b. above.

The 1970:39 amendment added under Section III C 1 a new paragraph c. as at present above.

The 1970:40 amendment deleted the word "and", inserted a comma between the words "fabrication" and "assembly", and added the words "and inside storage" after the word "assembly" in paragraph a. so that it read as at present above.

The 1972 amendment added under Section III-C-1 a new paragraph d. as at present above.

The 1975 amendment deleted the word "exterior" before the word "signs" in the NOTE to conform with the title of present section V, J.

The 1978 amendment added under Section III C 1 a new paragraph "e" as at present above.

2. Industrial Districts ID-

III C 2

The following uses shall be permitted in Industrial Districts:

- a. Any wholesale storage, wholesale or retail lumber yard, 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 material, noise or excessive vibration or explosion or fire.
- b. Restaurants or other eating places serving food only to persons seated at tables or counters, if no mechanical or live entertainment is regularly furnished.
- c. 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.
- d. Such similar uses as the Board of Appeals may approve and grant special permits therefor, which meet the guidelines for approval as found in Article IX, VI, C, 5, "Special Permit Guidelines", of this bylaw.
- e. Garages for the sale or repair of new or used motor vehicles if a permit therefor is granted by the Board of Appeals.
- f. All uses permitted in Limited Industrial Districts under items "a" and "b" inclusive in III-C-1.
- g. Hotels, motels, overnight cabins, trailer camps or parks may be established, provided a permit therefor 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.
- h. Private clubhouses, meeting halls, and lodge rooms to be used by fraternal or other organizations, provided that a site plan is submitted under provisions of this bylaw.
- i. Animal shelters, animal hospitals, boarding and training kennels and other activities related thereto which are operated by public or semi-public institutions of a philanthropic or charitable character, provided that a permit for such use be granted by the Board of Selectmen, subject to appropriate conditions and safeguards.
- j. Uses, whether or not on the same parcel as activities permitted as a matter of right, accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit provided the granting authority finds that the proposed accessory use does not substantially derogate from the public good.

ATM 1931:36
 ATM 1935:18
 ATM 1939:19
 STM 9/16/53:10e, 10k
 STM 12/3/56:65
 ATM 1957:56
 STM 10/21/58:13
 ATM 1967:47,53
 ATM 1970:39,41
 ATM 1972:23
 ATM 1974:20
 ATM 1985:18
Notes:

The 1931 original Zoning By-law, under Sections 1 and 4, established Business Districts (which included industry) by existing uses. (See page 137, page 138 items 1) and 2), and APPENDIX B.)

The 1935 amendment incorporated into the Zoning By-law a new Section 4 A which contained provisions for "manufacturing business" in any business district. (Section 4 A was deleted in 1939. See page 143.)

The 1939 amendment struck out former Section 1 and under a new Section 1 established several Industrial Districts (separate from Business Districts) and designated these districts on the Zoning Map. This amendment also incorporated into the Zoning By-law a new Section 1 C as follows:

Section 1 C. The following uses shall be permitted in Industrial Districts.

- (1) Any use permitted in Single Residence or Business Districts.
- (2) Any industry or manufacturing which will not be seriously detrimental or offensive to adjoining districts or tend to reduce property values by reason of dust, odor, fumes, smoke, gas, wastes, refuse matter, noise or excessive vibration or danger of explosion or fire.

The 1939 amendment changed from 4 to 7 that section of the original Zoning By-law which permitted industry in any Single Residence District under a permit from the Board of Appeals, and incorporated under Section 1 A a new paragraph (3) which permitted industry using water power in residence districts. (See page 137, page 138, items 2) and 3), and APPENDIX C.)

The 1953:10e amendment struck out Section 1 C and substituted a new Section 1 C as follows:

Section 1 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 of 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 theaters 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.

The 1953:10k amendment struck out former Section 12 which allowed cabins, trailers and camps in Business Districts and substituted a new Section 12 allowing hotels, cabins and camps in Business and Industrial Districts under a permit from the Board of Appeals. (See pages 143 and 144 for wording and history of Section 12.)

The 1956 amendment struck out former Section 1 C and substituted a new Section 1 C as follows:

Section 1 C. The following uses shall be permitted in Limited Industrial and Industrial Districts:

- (1) 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.
- (2) The following business uses:
- (a) as at present in b. above
 - (b) as at present in c. above
 - (c) Such similar uses as the Board of Appeals may approve and grant permits therefor which in their opinion would normally serve a useful function to a Limited Business District.

The 1957 amendment added in Section 1 C (2) a new paragraph (d) [present paragraph "e"] which read as follows:

Garages for the sale and repair of new and used automobiles if a permit therefor is granted by the Board of Appeals.

The 1958 amendment added in Section 1 C, paragraph 1, the words "wholesale or retail lumber yard" after the word "storage".

The 1967:47 amendment recodified the Zoning By-law and placed Section 1 C, paragraphs (1) and (2), in Section III C 1, paragraph a. through e.: PERMITTED USES - Limited Industrial Districts. A new Section III C 2 was incorporated into the Zoning By-law listing permitted uses in Industrial Districts as follows:

III C 2. Industrial Districts ID-

The following uses shall be permitted in Industrial Districts:

- a. All uses permitted in Limited Industrial Districts under items "a" through "e" inclusive in III-C-1 above.
- b. Hotels, motels, overnight cabins, trailer camps or parks may be established, provided a permit therefor 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 regulation of the Board of Health. (This paragraph was formerly Section 12. See pages 143 and 144.)

The 1967:53 amendment struck out of Section III C 1 (PERMITTED USES - Limited Industrial Districts) paragraphs a. through e. and placed them under Section III C 2 (PERMITTED USES - Industrial Districts). Paragraphs a. and b. of Section III C 2 of the recodified By-law were relettered as paragraphs f. and g.

The 1970:39 amendment added under Section III C 2 a new paragraph h. as at present above.

The 1970:41 amendment deleted the word "Limited" from paragraph d.

This amendment also corrected the section reference in paragraph f. to read as at present above.

The 1972 amendment deleted the word "automobiles" in Section III-C-2-e and substituted the words "motor vehicles", so that section e. read as at present above.

The 1974 amendment added under Section III C 2 a new paragraph i. as at present above.

The 1978:34 amendment deleted under Section III C 2 paragraph "d" and substituted a new paragraph "d" which read as at present above.

The 1978:35 amendment added under Section III C 2 a new paragraph "j" as at present above.

The 1985:18 amendment deleted under Section III,C,2, Industrial District ID-, paragraph e, of the Sudbury Zoning Bylaw, the word "and" in two places and substituted the word "or" so that paragraph "e" read as at present above.

III C 2. PERMITTED USES - INDUSTRIAL DISTRICTS

The following special provisions apply only to certain Industrial Districts as identified:

- a. Industrial District No. 4 (ID-4)
 - (1) The private side railroad track and switch connection with the Boston & Maine Railroad on land now owned by Boston Edison Company and situated within this district may be used by the owners or lessees of said land for loading and unloading of freight if a permit is granted therefor by the Board of Appeals.

- b. Industrial District No. 6 (ID-6)
 - (1) No premises situated in this 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.

(NOTE: Special regulations applying to Industrial Districts, such as site plan approval, off-street parking, exterior lights, signs, and screening of open space uses are listed in Section V herein; paragraph V.E.7 being specifically applicable.)

STM 9/6/55:13
 STM 3/9/60:29 (adjourned from 12/15/59)
 ATM 1967:47
 ATM 1975:21

Notes:

The 1955 amendment established under Section 1 of the Zoning By-law a new Industrial District No. 6. Immediately following the description of the district there appeared a paragraph as at present in paragraph b. above.

The 1960 amendment inserted into Section 1, immediately after the description of Industrial District No. 4, a paragraph as at present in paragraph a. above.

The 1967 amendment recodified the Zoning By-law and these two paragraphs were placed in Section III C 2: PERMITTED USES - Industrial Districts. The introductory sentence and the NOTE were added under the recodification, which read as at present above except that the word "exterior" appeared before the word "signs" in the NOTE.

The 1975 amendment deleted the word "exterior" before the word "signs" in the NOTE to conform with the title of present section V, J.

Special Provisions no longer appearing in the By-law

ATM 1953:41
ATM 1965:1

Notes:

The 1953 amendment established under Section 1 of the Zoning By-law a new Industrial District No. 5 with a written description as at present under Limited Industrial District No. 5. (See page 118). The following appeared immediately after the written description:

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. (See Document #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.

The 1965 amendment struck out Industrial District No. 5 and its use restrictions and rezoned the district to Limited Industrial District No. 5.

III C. PERMITTED USES - INDUSTRIAL DISTRICTS

3. Industrial Park Districts IPD-

- a. The following uses shall be permitted in Industrial Park Districts:
 - (1) Office buildings.
 - (2) Laboratories for research and development.
 - (3) Industrial or manufacturing use, including processing, fabrication, assembly and storage.
 - (4) Uses, whether or not on the same parcel as activities permitted as a matter of right, accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit provided the granting authority finds that the proposed accessory use does not substantially derogate from the public good.
- b. The following uses are specifically prohibited:
 - (1) Any use which may produce a nuisance or hazard from fire or explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may adversely affect or impair the normal use and peaceful enjoyment of any property, structure or dwelling in the neighborhood, contamination of ground water, pollution of streams or other atmospheric pollutant beyond the lot on which such use is conducted.
 - (2) Hotels, tourist cabins, motor courts, or motels.
 - (3) Commercial food refreshment establishments except for facilities contained within a plant or office building for the convenience of employees working in said plant or office building.
 - (4) 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.
 - (5) Garages for the sale and repair of new and used motor vehicles.
- c. No building or structures in existence at the date of the establishment of district IPD-1 shall be used as they now are for any use except uses and non-conforming uses actually existing or legally permitted in or on those buildings or structures in the former districts of which they were a part and before this district was established.
- d. There shall be no burning, erection of buildings, towers or signs, and no earth removed, filling, dumping, storage, parking, nor destruction of natural tree growth within 200 feet of residential zone.

III C 3

- e. Private clubhouses, meeting halls, and lodge rooms to be used by fraternal or other organizations, provided that a site plan is submitted under the provisions of this Bylaw.

(NOTE: Special regulations applying to Industrial Park Districts IPD, such as site plan approval, off-street parking, exterior lights, signs and screening of open space uses, are listed in Section V herein.)

ATM 1968:43
 ATM 1970:39
 ATM 1972:23
 ATM 1975:21
 ATM 1978:35

Notes:

The 1968 amendment incorporated into the Zoning Bylaw Section III C 3, subparagraph a. through c. as at present above, except that subparagraph a.(4) read as follows:

a.(4) Any other use accessory to a permitted use.

and that the word "automobiles" appeared in subparagraph b(5) instead of "motor vehicles".

The 1970 amendment added to this section subparagraph e. as at present above.

The 1972 amendment changed the word "automobiles" in subparagraph b(5) to "motor vehicles".

The 1975 amendment added at the end of Section III C 3 the NOTE which read as at present above.

The 1978 amendment deleted subparagraph a.(4) under Section III C 3 and substituted a new subparagraph a.(4) as at present above.

(NOTE: Section III C 3 c. appeared as the last phrase of the description of LID-1 under vote establishing that district STM 12/3/56:57 except that the words "this district" appeared in place of the words "district IPD-1".)

III D. PERMITTED USES - RESEARCH DISTRICTS

D. RESEARCH DISTRICTS

The following uses only shall be permitted in Research Districts:

- a. Research, development or engineering work.
- b. Manufacture, assembly, treatment, inspection and test incidental to research, development or engineering work.
- c. Uses, whether or not on the same parcel as activities permitted as a matter of right, accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit provided the granting authority finds that the proposed accessory use does not substantially derogate from the public good.

The following uses are specifically prohibited in Research Districts:

- a. Any process of manufacture, assembly or treatment which is not incidental to research, development or engineering work.
- b. Any retail trade or general business activity requiring the storage of or transfer of merchandise.
- c. Warehousing or storage of materials or merchandise except as required in connection with research, development or engineering work or in connection with manufacture, assembly, treatment, inspection or test incidental thereto.
- d. Hotels, tourist cabins, motor courts, or motels.
- e. Commercial food refreshment establishments except for facilities contained within a plant or office building for the convenience of employees working in said plant or office building.
- f. Any use which may produce a nuisance or hazard from fire or explosion, toxic or corrosive fumes, gas, smoke odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes or objectionable effluent and electrical interference which may adversely affect or impair the normal use and peaceful enjoyment of any property, structure or dwelling in the neighborhood, contamination of ground water, pollution of streams or other atmospheric pollutant beyond the lot on which such use is conducted.

(NOTE: Special regulations applying to Research Districts such as site plan approval, off-street parking, exterior lights, signs, and screening of open space uses are listed in Section V herein; paragraph V.E.8. being specifically applicable.)

STM 12/15/59:1
 ATM 1967:47
 ATM 1975:21
 ATM 1978:35

STM 12/15/59:1 ATM 1978:35
ATM 1967:47
ATM 1975:21

Notes:

The 1959 amendment incorporated into the Zoning By-law under Section I a new subsection F as follows:

- F. The following special provisions shall apply to Research Districts:
1. The following uses only shall be permitted in Research Districts:
 - (a) as at present in a. above
 - (b) as at present in b. above
 - (c) Any other use accessory to a permitted use.
 2. The following uses are specifically prohibited:
 - (a) as at present in a. above
 - (b) as at present in b. above
 - (c) as at present in c. above
 - (d) as at present in d. above
 - (e) as at present in e. above
 - (f) as at present in f. above
 3. The minimum land area shall be twenty-five (25) acres, with a minimum frontage of two hundred (200) feet on any street.

The 1967 amendment recodified the Zoning By-law and Section I F, paragraphs 1. and 2. were placed in Section III D. The paragraph numbers 1. and 2. were deleted and the words "in Research Districts" were added after the words "The following uses are specifically prohibited". The introductory sentence was changed to read as at present above. The provisions of paragraph 3. were placed in the Schedule of Intensity Regulations, Section IV B. This 1967 amendment also added the NOTE at the end of Section III D, which read as at present above except that the word "exterior" appeared before the word "signs".

The 1975 amendment deleted the word "exterior" before the word "signs" in the NOTE to conform with the title of present section V, J.

The 1978 amendment deleted subparagraph "c" under Section III D and substituted a new subparagraph "c" as at present above.

III. PERMITTED USES

E. FLOOD PLAIN DISTRICT USE PROVISIONS

1. The purposes of Flood Plain Districts are to preserve and protect the streams and other watercourses in the Town and their adjoining lands; to protect the health and safety of persons and property against the hazards of flooding; to preserve and maintain the ground water table for water supply purposes; to protect the community against the detrimental use and development of lands adjoining such water courses and to conserve the watershed areas of the Town for the health, safety and welfare of the public, and therefore all areas in said Flood Plain District are subject to the following regulations:

2. Except as provided herein and in paragraph 4 of this Section E:

- (a) No building, wall, dam or other structure shall be erected, constructed, altered, enlarged or otherwise created or moved for any living or other purpose, provided that tents, fences, wildlife management shelters, foot paths, bicycle paths, horse paths, and foot bridges are permitted if (i) they are accessory to lawful primary uses in a single residence district and (ii) they do not affect the natural flow patterns of any watercourse.
- (b) Dumping, filling, excavating or transferring of any material which will reduce the natural flood-water storage capacity or interfere with the natural flow patterns of any watercourse within this district is prohibited.

3. The following uses, insofar as permitted in Single Residence Districts, are permitted as a matter of right, subject to the provisions of paragraph 2 of this Section E:

- (a) Conservation of soil, water, plants and wildlife;
- (b) Outdoor recreation including play and sporting areas, nature study, boating, fishing and hunting where otherwise legally permitted;
- (c) Proper operation and maintenance of dams and other water control devices, including temporary alteration of the water level for emergency or maintenance purposes, and including removal of any and all flashboards of a privately owned dam in order to

lower the water level so as to exclude from being covered by water any land which was not flooded or saturated prior to the erection of the dam;

- (d) Grazing, farming, nurseries, truck gardening and harvesting of crops;
- (e) Forestry;
- (f) Any religious use or any educational use which is religious, sectarian, denominational or public as provided for by Section 2 of Chapter 40A, G.L.;
- (g) Uses accessory to residential or other primary uses, such as flower or vegetable gardens, lawns, pasture or forestry areas.

4. Upon the issuance of a special permit for an exception by the Board of Appeals, and subject to the conditions hereinafter specified and such other special conditions and safeguards as the Board of Appeals deems necessary to fulfill the purposes set forth in paragraph 1, the following uses, structures and actions, as permitted in Single Resident Districts, are permitted:

- (a) Duck-walks and boat landings;
- (b) Appropriate municipal uses such as waterworks, pumping stations and parks;
- (c) Temporary storage of materials or equipment, but in no event to exceed three months;
- (d) Dams, excavations or grading, consistent with the purposes of this section, to create ponds, pools or other changes in watercourses, for swimming, fishing or other recreational uses, agricultural uses, scenic features, or drainage improvements;
- (e) Driveways and roads, if alternate means of access are impractical and if the Town Engineer has certified the said driveways and roads if constructed shall not endanger the health, safety and welfare of the public;
- (f) Any other filling, excavating or transferring of any material, or erection, construction, alteration, enlargement, removal or demolition of any structure, upon the condition that with respect to each such action and structure the Board of Appeals determines that granting a special permit therefor would not result in any risk of pollution or contamination of any waterway or pond, reduction of seasonal high water storage areas, reduction of ground water absorption areas which serve the public water supply or other derogation from the intent and purpose of this Section E.

Prior to issuing a special permit the applicant shall satisfy the Board of Appeals that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

Encroachments, including fill, new construction, substantial improvements and other development within any floodway shown on the Flood Boundary and Floodway Map for the Town of Sudbury Community No. 250217, dated June 1, 1982, prepared by the Federal Emergency Management Agency under the National Flood Insurance Program (on file with the Town Clerk and incorporated herein by reference), which would result in any increase in the 100-year flood level are prohibited, and no special permit shall be issued to allow such encroachments.

5. The portion of any lot in a Flood Plain District may be used to meet the area and yard regulations for the District in which the remainder of the lot is situated.

6. All water bodies encircled by the Flood Plain District are hereby included within said District.

7. The Flood Plain District shall be an overlay district and, therefore, the requirements of the Flood Plain District shall apply in addition to all other requirements of the other districts into which the Town is divided. In all questions of construction, the more limiting requirements in the applicable district shall apply.

ATM 1962:18
ATM 1967:47
ATM 1970:45
ATM 1975:24
ATM 1982:22

Notes:

The 1962 amendment incorporated into the Zoning By-law a new Section 19 A, the second paragraph of which read as follows:

No building or structure of any nature shall be erected in or upon any flood plain, notwithstanding any other provision of the zoning by-laws to the contrary; and the Inspector of Buildings shall not issue permits for the erection of buildings on any land contiguous to a flood plain if the driveways or other approaches to such land shall cross over any flood plain until the applicant shall have furnished him and the Town Engineer with a statement which shall contain the results of accurate borings tests made by a registered engineer, and all other engineering data relating to the soil and sub-soil on which such driveways or approaches shall cross any part of a flood plain, and the manner in which, and the material with which, said driveways or approaches shall be constructed; and the Town Engineer shall have certified to him that the said driveways and approaches if constructed as proposed shall not endanger the health or safety of the occupants and their invitees.

The 1967 amendment recodified the Zoning Bylaw, and the second paragraph of Section 19A was placed in Section III E: FLOOD PLAIN DISTRICT USE PROVISIONS.

The 1970 amendment completely revised the Flood Plain District Use Provisions to read as at present above in subsections 1-6, except that the last two paragraphs of subsection 4 did not appear.

The 1975 amendment added a new subsection 7 to the Flood Plain District Use Provisions.

The 1982 amendment added two new paragraphs at the end of subsection 4, so that the entire section III E read as at present above.

III PERMITTED USES

F. OPEN SPACE DISTRICTS

1. Purposes - The Open Space District is intended for the preservation and maintenance of the ground water table upon which the inhabitants of the town and other municipalities depend for water supply; for protection of the public health and safety of persons and property against the hazards of flood water inundation; for the protection of the community against the costs which may be incurred when unsuitable development occurs in swamps, marshes, along water courses, or in areas subject to floods; to preserve and increase the amenities of the town; and to conserve natural conditions, wild life and open spaces for the education, recreation and general welfare of the public.

2. Permitted Uses within the Open Space District - the following uses are permitted within the Open Space District:

(A) Conservation of soil, water, plants and wildlife;

(B) Recreation including nature study, boating and fishing where otherwise legally permitted;

3. Uses Permitted by Special Permit within the Open Space District - upon the issuance of a special permit for an exception by the Board of Appeals, and subject to such other special conditions and safeguards as the Board of Appeals deems necessary to fulfill the purposes set forth in para. 1, the following uses, structures and actions are permitted:

(A) Board houses, duck walks, landings and small structures for non-commercial recreational uses;

(B) Municipal uses such as water works, pumping stations and parts;

(C) Temporary storage of materials or equipment but in no event to exceed three months;

(D) Dams, excavations or grading, consistent with the purposes of this section, to create ponds, pools or other changes in water courses, for swimming, fishing or other recreational uses, agricultural uses, scenic features, or drainage improvements.

4. Restrictions - except as provided above there shall be in the Open Space District:

(A) No land filling or dumping in any part of the District

(B) No building or structure, except as provided in section 3;

(C) No permanent storage of materials or equipment;

ATM 1985:35

Notes: The 1985 amendment incorporated into Article IX, the Zoning Bylaw, Section III, Permitted Uses, a new section F, Open Space Districts, as at present above.

IV. INTENSITY REGULATIONS

A. GENERAL REQUIREMENTS

1. Applicability

Except as hereinafter provided, no dwelling house, no principal building or structure, nor any accessory building shall be erected on a lot in any District unless the lot and building or structure shall conform to the requirements in the Schedule of Intensity Regulations. (IV B)

ATM 1967:47

Notes:

This paragraph, as at present above, first appeared in the 1967 recodification of the Zoning By-law when the Schedule of Intensity Regulations (IV B) was established in its present form. Formerly the statement that buildings and structures must conform to requirements for set back, side yard, etc., appeared in several sections of the By-law, each specifically related to a particular requirement. For details on the development of these sections, see pages 168 through 180 covering the Schedule of Intensity Regulations.

IV. INTENSITY REGULATIONS

A. GENERAL REQUIREMENTS

2. Recorded Lots

Lawfully laid out lots are governed and protected under the provisions of G.L., C. 40A, Section 6.

ATM 1973:20
 ATM 1939:19
 ATM 1954:49
 ATM 1955:76
 STM 6/24/55:4
 ATM 1967:47
 ATM 1974:17
 ATM 1982:21

Notes:

The 1937 amendment incorporated into the Zoning By-law a new Section 6 C, the second paragraph of which read as follows:

Lots shown on any plan duly recorded by deed or plan at the time this by-law is adopted may be used, provided that all requirements in regard to set backs and yards are fulfilled.

The 1939 amendment placed the second paragraph of Section 6 C in Section 17 as the second paragraph. (The first paragraph of Section 17 related to minimum lot area in Residence Districts.)

The 1954 amendment added paragraphs related to minimum lot areas to Section 17 and the second paragraph became the fourth paragraph with the following wording:

Lots shown on any plan duly recorded by deed or plan on or before the date on which any specific area rezoned by vote of the Town Meeting in accordance with this article becomes effective, may be used, provided that all requirements in regard to set backs and yards are fulfilled. The present Section 17 shall remain in force until the proposed residence zone changes become effective.

The 1955:76 amendment changed the fourth paragraph of Section 17 to read as follows:

All land in single residence districts, laid out after the adoption of this By-law and before the date on which the rezoning of any specific area, by vote of the Town Meeting in accordance with this By-law, becomes effective, shall provide for each residence the minimum lot area and lot dimensions prescribed for Residence Zone "A". Provided, however, that lots shown on any plan duly recorded in the Registry of Deeds by deed or plan prior to the adopting of this By-law may be used, provided that all the most recent requirements in regard to set backs and yards are complied with, and provided also that there be no conflict with the "Subdivision Control Law" so called.

The 1955:4 amendment changed the fourth paragraph of Section 17 to read as follows:

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 deed or plan recorded with Middlesex South District Registry of Deeds and that the minimum area and street frontage 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 full compliance with all the provisions of these zoning by-laws relative to setbacks and yards.

The 1967 amendment recodified the Zoning By-law and the fourth paragraph of Section 17 was placed in Section IV A 2. The words "Schedule of Intensity Regulations (IV B)" were substituted for "first paragraph of this section" after the words "less than prescribed in the".

The 1974 amendment changed the wording of IV A 2 to read as at present above, except that the General Law Section reference was 5A.

The 1982 amendment deleted the reference to Section 5A and substituted Section 6 so that Section A 2, Recorded Lots, read as at present above.

IV. INTENSITY REGULATIONS

A. GENERAL REQUIREMENTS

3. Projections

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.

ATM 1931:36
ATM 1939:19
STM 9/16/53:10m
ATM 1967:47

Notes:

The 1931 original Zoning By-law contained as the second sentence of the third paragraph of Section 6 (relative to set backs from streets) the following:

Projecting eaves and uncovered steps may project into the restricted space.

The 1939 amendment changed the section number from 6 to 14 and placed this sentence at the end of the second paragraph referring to set back of buildings in Business Districts. No change in the wording from the 1931 version.

The 1953 amendment struck out the former Section 14 and substituted a new Section 14, subsection B, paragraph 3 of which read as follows:

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 open space.

The 1967 amendment recodified the Zoning By-law and Section 14 B 3. was placed in Section IV A 3. No change in wording.

IV. INTENSITY REGULATIONS

A. GENERAL REQUIREMENTS

4. Height Limitations

The limit of height of buildings in feet shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses, church spires and other accessory and structural parts of such buildings, if they are not used for living purposes; except, that towers whether or not they are to be attached to any building may be erected in any district in the Town if a permit is granted by the Board of Appeals subject to such conditions and regulations as may be imposed by such board which shall include a provision that, in the event of the discontinuance of any such tower either by limitation of time or otherwise, that the expense of the demolition and removal of all the component parts thereof from the land on which it may stand, shall be borne by the permittee, and, to insure the faithful performance of such provision the permittee, shall furnish a surety company bond to the Town as obligee together with the owner of the land on which such tower may be erected, if it be not owned by the permittee, in a penal sum which shall not be less than the estimate cost of the demolition and removal of component parts as aforesaid, plus twenty-five percent; and said bond shall be in such form as shall be approved by the Town Counsel.

ATM 1936:18

ATM 1939:19

ATM 1959:35

ATM 1967:47

Notes:

The 1936 amendment incorporated into the Zoning By-law a new Section 6 B, the third paragraph of which read as follows:

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

The 1939 amendment changed the section number from 6 B to 16. No change in the wording of the third paragraph.

The 1959 amendment changed the wording of paragraph 3 of Section 16 to read as at present above.

The 1967 amendment recodified the Zoning By-law and paragraph 3 of Section 16 was placed in Section IV A 4. No change in wording.

IV INTENSITY REGULATIONS

A. GENERAL REQUIREMENTS

5. Lot Perimeter

In all residential districts any lot created after the adoption of this bylaw shall have no more than one foot of perimeter for every 40 square feet of lot area and shall not be less than 50 feet in width in any location within the lot except in a portion of the lot where two lot lines meet at a point. Any lot created before adoption of this bylaw and conforming to then applicable requirements shall be considered a conforming lot for purposes of this zoning bylaw.

ATM 1985:25

Notes:

The 1985 amendment incorporated into the Zoning Bylaw a new section^{Sub}
A 5, which read as above.[^]

IV INTENSITY REGULATIONS

167 B

IV A 6

A. GENERAL REQUIREMENTS

6. Maximum Floor Area, Floor Area Ratio

The maximum gross floor area on a lot shall not exceed the maximum gross floor area per acre set forth in the table under Section B, Schedule of Intensity Regulations, for the district in which the lot is located.

ATM: 1987:22A

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new sub-section A,6, which read as is present above.

B. SCHEDULE OF INTENSITY REGULATIONS
(All dimensions in feet unless otherwise noted)

Gen. Use	District Designation	Minimum Lot Dimensions		Maximum Building Coverage (1)	Minimum Required Yard Dimensions			Minimum Required Set Back Distance		Maximum Building Height(3)		Maximum Floor Area Ratio (In square feet gross floor area per acre.)
		Area Sq.ft.	Frontage Any street or way (7), (8)		% of Lot	Front(2) (depth)	Side (width)	Rear (depth)	Street Center-line	Residence Zone Bound (side-rear)	Stories	
Res.	Single Res."A"	40,000	180	40	35	20	30*	65	none	2½*	35*	
	Single Res."C"	60,000	210	40	35	20	30*	65	none	2½*	35*	
Bus.	Business BD-	none	50	60*	50	5*(4)	none*	70	20	2½*	35	
	Lim. Bus. LBD-	none	50	60*	35	5*	none*	65	20	2½*	35*	
Research and Ind.	Industry ID-	none	50	60	20*	30(4)	30(4)	50	30	2	35	
	Lim. Ind. LID-	100,000	50	25	125*	50(4)	50(4)	150	100	2	35	
	Research RD-	25 acres	200	15	200	100(4)	100 (6)	225*	150	2	35	967
	Ind. Pk. Dist. IPD-	100,000	50	25	125	50(4)	50(4)	150	300	2	35	
Open Space	Open Space Dist. OSP-	none	none	10%	40	40	40	70	100	2	35	

* Subject to special qualifications in IV C. "Modifications and Exceptions".

- (1) Including principal and accessory buildings.
- (2) As measured perpendicular to nearest street or way line.
- (3) Vertical distance to ridge or highest point of roof.
- (4) Unless abutting a railroad siding.
- (5) Deleted by vote of 1980 Annual Town Meeting, Article 41
- (6) Unless abutting a railroad siding or Town Line
- (7) For purposes of calculation, the frontage length at the intersection of two streets is to be measured to the point of intersection of the two tangents.
- (8) The point of intersection of the tangents at the intersection of two streets is considered to have frontage on each street.

1967 printed recodification of Zoning By-law
(for reference)

B. SCHEDULE OF INTENSITY REGULATIONS

(all dimensions in feet unless otherwise noted)

Gen. Use	District Designations	Minimum Lot Dimensions		Maximum Building Coverage(1)	Minimum Required Yard Dimensions			Minimum Required Set Back Distance		Maximum Building Height(3)	
		Area (in sq. ft.)	Frontage (St. or way)	Percent of lot	Front(2) (depth)	Side (width)	Rear (depth)	Street Centerline	Residence Zone Bound. (side-rear)	Stories	Feet
Residence	Single Residence "A"	40,000	180	40	35	20	30 *	65	none	2 1/2 *	35 *
	Single Residence "B"	40,000	180	40	35	20	30 *	65	none	2 1/2 *	35 *
	Single Residence "C"	60,000	210	40	35	20	30 *	65	none	2 1/2 *	35 *
Business	Business BD-	none	none	60 *	50	5 * (4)	none *	70	20	2	25
	Limited Business LBD-	none	none	60 *	35	5 *	none *	65	20	2 1/2 *	35 *
	Shopping Center SCD-	none	none	60 *	100	75	75 (5)	125	100	2	25
Research & Industry	Industry ID-	none	none	60	20 *	30 (4)	30 (4)	50	30	2	35
	Limited Industry IID-	60,000	200	25	75 *	50 (4)	50 (4)	100	50	2	35
	Research RD-	25 acres	200	15	200	100 (4)	100 (6)	225 *	150	2	35

* Subject to special qualifications in IV C. "Modifications and Exceptions".

- (1) Including principal and accessory buildings.
 (2) As measured perpendicular to nearest street or way line.
 (3) Vertical distance to ridge or highest point of roof.

- (4) Unless abutting a railroad right-of-way.
 (5) In addition to parking area unless abutting a railroad right-of-way.
 (6) Unless abutting railroad right-of-way Town Line.

B SCHEDULE OF INTENSITY REGULATIONS

(All dimensions in feet unless otherwise noted)

Gen. Use	District Designation	Minimum Lot Dimensions		Maximum Building Coverage (1) Percent of Lot	Minimum Required Yard Dimensions			Minimum Required Set Back Distance		Maximum Building Height (3)	
		Area Sq.Ft.	Frontage Any St. or Way (7), (8)		Front (2) (depth)	Side (width)	Rear (depth)	Street Center-line	Residence Zone Bound (side-rear)	Stories	Feet
Res.	Single Reš. "A"	40,000	180	40	35	20	30*	65	none	2½ *	35*
	Single Res. "C"	60,000	210	40	35	20	30*	65	none	2½ *	35*
Bus.	Business BD-	none	50	60*	50	5*(4)	none*	70	20	2½	35
	Lim. Bus. LBD-	none	50	60*	35	5*	none*	65	20	2½ *	35*
Research & Ind.	Industry ID-	none	50	60	20*	30(4)	30(4)	50	30	2	35
	Lim. Ind. LID-	100,000	50	25	125*	50(4)	50(4)	150	100	2	35
	Research RD-	25 acres	200	15	200	100(4)	100(6)	225*	150	2	35
	Ind. Pk. Dist. IPD-	100,000	50	25	125	50(4)	50(4)	150	300	2	35
Open Space	Open Space Dist. OSD-	none	none	10	40	40	40	70	100	2	35

* Subject to special qualifications in IV C. "Modifications and Exceptions"

(1) Including principal and accessory buildings.

(2) As measured perpendicular to nearest street or way line.

(3) Vertical distance to ridge or highest point of roof.

(4) Unless abutting a railroad siding.

(5) Deleted by vote of 1980 Annual Town Meeting, Article 41.

(6) Unless abutting a railroad siding or Town Line

(7) For purposes of calculation, the frontage length at the intersection of two streets is to be measured to the point of intersection of the two tangents.

(8) The point of intersection of the tangents at the intersection of two streets is considered to have frontage on each street.

B. SCHEDULE OF INTENSITY REGULATIONS
 [all dimensions in feet unless otherwise noted]

Gen. Use	District Designations	Minimum Lot Dimensions		Maximum Building Coverage(1)	Minimum Required Yard Dimensions			Minimum Required Set Back Distance		Maximum Building Height (3)	
		Area (in sq.ft.)	Frontage (St. or way)	Percent of lot	Front (2) (depth)	Side (width)	Rear (depth)	Street Centerline	Residence Zone Bound. (side-rear)	Stories	Feet
Residence	Single Residence "A"	40,000	180	40	35	20	30 *	65	none	2 1/2 *	35 *
	Single Residence "B"	40,000	180	40	35	20	30 *	65	none	2 1/2 *	35 *
	Single Residence "C"	60,000	210	40	35	20	30 *	65	none	2 1/2 *	35 *
Business	Business BD-	none	none	60 *	50	5 * (4)	none *	70	20	2	25
	Limited Business LBD-	none	none	60 *	35	5 *	none *	65	20	2 1/2 *	35 *
	Shopping Center SCD-	none	none	60 *	100	75	75 (5)	125	100	2	25
Research & Industry	Industry ID-	none	none	60	20 *	30 (4)	30 (4)	50	30	2	35
	Limited Industry IID-	60,000	200	25	75 *	50 (4)	50 (4)	100	50	2	35
	Research RD-	25 acres	200	15	200	100 (4)	100 (6)	225 *	150	2	35

* Subject to special qualifications in IV C. "Modifications and Exceptions".

(1) Including principal and accessory buildings.

(2) As measured perpendicular to nearest street or way line.

(3) Vertical distance to ridge or highest point of roof.

(4) Unless abutting a railroad right-of-way.

(5) In addition to parking area unless abutting a railroad right-of-way.

(6) Unless abutting railroad right-of-way . . . Town Line.

IV B. SCHEDULE OF INTENSITY REGULATIONS

Minimum Lot Dimensions

ATM 1937:20	ATM 1976:10
ATM 1939:19	ATM 1980:30,41
ATM 1953:38	
ATM 1954:49	
ATM 1955:76	
STM 6/24/55:4	
STM 12/3/56:58	
STM 10/21/58:8	
STM 12/15/59:1	
ATM 1967:47,53	
ATM 1968:35,43	
STM 6/13/73:12(1)	
ATM 1985:35	

Notes:

The 1937 amendment incorporated into the Zoning Bylaw a new Section 6C, which read as follows:

Section 6C: In General and Single Residence Districts, land laid out after the adoption of this by-law shall provide for each residence a minimum lot area of 20,000 square feet with the least dimension of the lot 110' 0".

Lots shown on any plan duly recorded by deed or plan at the time this by-law is adopted may be used, provided that all requirements in regard to set backs and yards are fulfilled.

The 1939 amendment changed the section number from 6C to 17; in the first paragraph the words "General and" were deleted and the least dimension of the lot was changed from 110' to 100'; no change in the second paragraph.

The 1953 amendment changed the minimum lot area to 22,500 square feet and changed the last phrase of the first paragraph to "with the least dimension of the lot 150 feet on any street or way." No change in the second paragraph.

The 1954 amendment changed the wording of Section 17 to read as follows:

Section 17. In single residence districts, land laid out after the adoption of this By-law shall provide for each residence located in:

Residence Zone "A"

A minimum lot area of 22,500 square feet with the least dimension of the lot 150 feet on any street or way.

Residence Zone "B"

A minimum lot area of 40,000 square feet with the least dimension of the lot 180 feet on any street or way.

Residence Zone "C"

A minimum lot area of 60,000 square feet with the least dimension of the lot 210 feet on any street or way.

Lots shown on any plan duly recorded by deed or plan on or before the date on which any specific area rezoned by vote of the Town Meeting in accordance with this article become effective, may be used, provided that all requirements in regard to set backs and yards are fulfilled. The present Section 17 shall remain in force until the proposed residence zone changes become effective.

The 1955:76 amendment changed the minimum lot area in Residence Zone "A" from 22,500 square feet to 30,000 square feet and changed the fourth paragraph to read as follows:

All land in single residence districts, laid out after the adoption of this By-law and before the date on which the rezoning of any specific area, by vote of the Town Meeting in accordance with this By-law, becomes effective, shall provide for each residence the minimum lot area and lot dimensions prescribed for Residence Zone "A". Provided, however, that lots shown on any plan duly recorded in the Registry of Deeds by deed or plan prior to the adopting of this By-law may be used, provided that all the most recent requirements in regard to set backs and yards are complied with, and provided also that there be no conflict with the "Subdivision Control Law" so called.

The 1955:4 amendment struck out former Section 17 and substituted a new Section 17 as follows:

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, "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 deed or plan recorded with Middlesex South District Registry of Deeds and that the minimum area and street frontage 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 full compliance with all the provisions of these zoning by-laws relative to setbacks and yards.

The 1956 amendment incorporated into the Zoning By-law a new Section 17A as follows:

Section 17A: In Limited Industrial Districts 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 200 feet.

The 1958 amendment changed, under Section 17, in Residence Zones "A" 1, "A" 2, and "A" 3, the minimum area from 30,000 square feet to 40,000 square feet and the minimum frontage from 150 feet to 180 feet.

The 1959 amendment incorporated into the Zoning By-law under Section 1 a new subsection F., relative to Research Districts, the third paragraph of which read as follows:

Section 1 F:

...

- (3) The minimum land area shall be twenty-five (25) acres, with a minimum frontage of two hundred (200) feet on any street.

The 1967:47 amendment recodified the Zoning By-law, established the Schedule of Intensity Regulations in its present form in Section IV B, and included in the Schedule the provisions of Section 17 (first three paragraphs), Section 17A and Section 1-F-3. The fourth paragraph of Section 17 was placed in Section IV A 2, and minor wording changes were made for conformity of section references. (See pages 164-5 for Section IV A 2). (See page 169 for Schedule as it appeared in 1967 Recodification.)

The 1967:53 amendment changed, in the Schedule of Intensity Regulations, Section IV B, in Limited Industrial Districts, the minimum lot area from 60,000 square feet to 100,000 square feet and the frontage from 200 feet to 0 feet.

The 1968:35 amendment inserted the word "any" before the words "street or way" in the heading of the second column of the Schedule.

The 1968:43 amendment incorporated into the Schedule the requirements for Industrial Park Districts with a minimum area of 100,000 square feet and a frontage of 0 feet.

The 1973 amendment deleted from the schedule all reference to Single Residence "B" zones.

The 1976 amendment added footnotes (7) and (8).

IV, B

The 1980:30 amendment deleted under "Minimum Lot Dimensions, Frontage Any St. or Way" for Limited Industrial Districts the figure "0", and for Business, Limited Business, Industry, and Industrial Park Districts the word "none" and added for each of the above-named districts the figure "50".

The 1980:41 amendment deleted from the Schedule of Intensity Regulations all reference to Shopping Center Districts and footnote (5). Footnote (5) read as follows: "(5) In addition to parking area unless abutting a railroad siding."

The 1985 amendment incorporated into the Schedule the requirements for Open Space Districts, so that the entire schedule read as present.

IV B. SCHEDULE OF INTENSITY REGULATIONS

Maximum Building Coverage

ATM 1936:18
ATM 1939:19
STM 12/3/56:59
STM 12/15/59:3
ATM 1967:47
ATM 1968:43
STM 6/13/73:12(1)

ATM 1980:41
ATM 1987:22A

Notes:

The 1936 amendment incorporated into the Zoning By-law a new section 6 A as follows:

Section 6 A: 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.

The 1939 amendment changed the section number from 6 A to 15. No change in wording.

The 1956 amendment added a third paragraph to Section 15 as follows:

No building in a Limited Industrial District shall cover more than 25% of the area of the lot. The open space required shall be so located as to properly light and ventilate the building and give access in case of fire.

The 1959 amendment added a fourth paragraph to Section 15 as follows:

No building or buildings in a Research District shall cover more than 15% of the area of the lot. The open space required shall be so located as to properly light and ventilate the building and give access in case of fire.

The 1967 amendment recodified the Zoning By-law, established the Schedule of Intensity Regulations in its present form as Section IV B and included the provisions of Section 15. The asterisk was added for reference to Section IV C which included in paragraph 1 a. the provisions for corner lots, and in paragraph 1 b. the provisions relative to ventilation and access. (See page 181.) (See page 169 for Schedule as it appeared in 1967 Recodification.)

The 1968 amendment incorporated into the Schedule the requirements for Industrial Park Districts; maximum building coverage 25%.

The 1973 amendment deleted from the Schedule all reference to Single Residence "B" Zones.

The 1980 amendment deleted from the Schedule all reference to Shopping Center Districts.

The 1985 amendment incorporated into the Schedule the requirements for Open Space Districts; maximum building coverable 10%

IV B. SCHEDULE OF INTENSITY REGULATIONS

Minimum Required Yard Dimensions and Set Back Distance

ATM 1931:36	ATM 1980:41
ATM 1936:18	ATM 1987:22A
ATM 1937:20	
ATM 1939:19	
ATM 1940:24	
ATM 1950:25	
STM 9/16/53:10m	
STM 12/6/54:5	
ATM 1955:74	
STM 12/3/56:60	
ATM 1957:53	
STM 12/15/59:4	
ATM 1967:47,53	
ATM 1968:43	
ATM 1969:38	
STM 6/13/73:12(1)	

Notes:

The 1931 original Zoning By-law contained as Section 6 the following:

Section 6. In all Residence Districts, no building hereafter erected shall be nearer than 50' 0" from the center line of the street or way upon which it fronts, or nearer than 10' 0" from the side lines of the lot upon which it is situated.

In Business Districts no building hereafter erected shall be nearer than 40' 0" from the center line of the street or way upon which it fronts.

Except that, if permitted buildings exist on each of the adjoining side lots, the front line of the proposed building may conform to the front lines of the existing building. Projecting eaves and uncovered steps may project into the restricted space.

The 1936 amendment inserted into the first paragraph of Section 6 the words "or 30' 0" from the rear line" after the words "side lines" and changed the second paragraph of Section 6 to read as follows:

In Business Districts no building hereafter erected shall be nearer than 40' 0" from the center line of any street or way.

The 1937 amendment changed the side line distance in the first paragraph of Section 6 from 10' 0" to 20' 0" and added at the end of the first paragraph the following:

One story accessory buildings other than garages attached to the house shall be built in the rear of the lot, not nearer than 5 feet from any side or rear lines, nor 15 feet from any structure for habitation or any accessory building on an adjoining lot. Provided that, if said accessory building is of non-combustible construction the prohibition as to adjoining buildings may be voided.

The 1939 amendment changed the section number from 6 to 14 and inserted the word "Single" before the words "Residence Districts" in the first paragraph. The third paragraph of Section 6 of the 1931 original Zoning By-law became the second and third sentences of the second paragraph of Section 14. The two sentences added by the 1937 amendment were deleted from the first paragraph and became the third paragraph of Section 14.

The 1940 amendment inserted the words "moved or relocated" after the word "erected" in the first and second paragraphs of Section 14.

The 1950 amendment changed Section 14 to read as follows:

Section 14. In all Single Residence Districts no dwelling hereafter erected, moved, or relocated shall be nearer than 50' from the center line of any street or way that may be adjacent to said premises, or nearer than 20' from the side lines of said premises, or 30' from the rear line of the lot upon which it is situated where said side or rear lines of said lot are not adjacent to a street or way. In no case shall a dwelling be built or located nearer than 20' from the property line adjacent to any street or way.

In Business Districts no building hereafter erected, moved, or relocated shall be nearer than 40' from the center line of any street or way. Except that, if permitted buildings exist on each of the adjoining side lots, the front line of the proposed building may conform to the front lines of the existing buildings. Projecting eaves and uncovered steps may project into the restricted space.

One story accessory buildings shall not be built or located nearer than 50' from the center line of any street or way that may be adjacent to said premises and not nearer than 5' from any lot lines not adjacent to a street or way. In no case shall any accessory building be built or located nearer than 20' from the property line adjacent to any street or way.

The 1953 amendment struck out Section 14 and substituted a new Section 14 as follows:

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 Center Line	(b) Required Front Yard Depth	(c) Required Side Yard Width	(d) Required Clear Distance from Residence Zone Boundary (whether at side or rear)	(e) Required Rear Yard Depth
Single Residence	50 ft.	20 ft.	20 ft.	None	5 ft. for one-story detached accessory bldgs.; 30 ft. for all other buildings.
Limited Business	50 ft.	20 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. (See page 186, 187.)

2. (See 1953 amendment note under Section IV C 3 c., page 187.)

3. (See 1953 amendment note under Section IV A 3, page 166.)

The 1954 amendment changed in the table under Section 14 the required set back from the street center line (a) from 50' to 65' and the required front yard depth (b) from 20' to 35' in Residence Districts.

The 1955 amendment changed in the table under Section 14 the required set back from the street center line (a) from 50' to 65' and the required front yard depth (b) from 20' to 35' in Limited Business Districts.

The 1956 amendment incorporated into the table under Section 14 the requirements for Limited Industrial Districts as follows:

	(a)	(b)	(c)	(d)	(e)
Limited Industry	100 ft.	100 ft. from the line of Post Rd.; 75 ft. from the line of all other streets.	50 ft. unless abutting a railroad right-of-way.	50 ft.	50 ft. unless abutting a railroad right-of-way.

The 1957 amendment incorporated into the table under Section 14 the requirements for Shopping Center Districts as follows:

	(a)	(b)	(c)	(d)	(e)
Shopping Center	125 ft.	100 ft.	75 ft.	100 ft.	75 ft. in addition to parking area unless abutting railroad right-of-way.

The 1959 amendment incorporated into the table under Section 14 the requirements for Research Districts as follows:

	(a)	(b)	(c)	(d)	(e)
Research	225 ft. except fire house, bus stop, shelter or security office, not more than one story in height, 50 ft.	200 ft.	100 ft. unless abutting a railroad right-of-way	150 ft. from any residence zone within the Town of Sudbury	100 ft. unless abutting a railroad right-of-way or a Town line

The 1967:47 amendment recodified the Zoning Bylaw, established the Schedule of Intensity Regulations in its present form and included in the Schedule the table under Section 14. The asterisk and Notes (2), (4) and (6) were added to the Schedule for reference to Section IV C and to include provisions previously found in the table under Section 14. (See page 169 for Schedule as it appeared in 1967 Recodification.) There was also a note (5) which read as follows:

- (5) In addition to parking area unless abutting a railroad right-of-way.

The 1967:53 amendment changed the requirements under Section IV B for Limited Industrial Districts as follows:

Minimum Required Yard Dimensions

Front: from 75' to 125'

Side: no change

Rear: no change

Minimum Required Set Back Distance

Street Centerline: from 100' to 150'

Residence Zone Bound: from 50' to 100'

The 1968 amendment incorporated into Section IV B the requirements for Industrial Park Districts as at present in the Schedule above.

The 1969 amendment changed notes (4), (5) and (6) by substituting the words "railroad siding" for the words "railroad right-of-way".

The 1973 amendment deleted from the Schedule all reference to Single Residence "B" Zones.

The 1980 amendment deleted from the Schedule all reference to Shopping Center Districts and note (5).

The 1985 amendment incorporated a new district, Open Space, and set the Minimum Required Yard Dimensions as follows: Front (depth) 40; Side(width) 40; Rear (depth) 40. The minimum required set back distances were established as follows: Street Center-line 70 and Residence Zone Bound (side-rear) 100.

IV B. SCHEDULE OF INTENSITY REGULATIONS

Maximum Building Height

- ATM 1936:18
- ATM 1939:19
- STM 9/16/53:10n
- ATM 1957:54
- STM 10/21/58:43
- ATM 1959:35
- STM 12/15/59:2
- ATM 1967:47
- ATM 1968:43
- ATM 1972:26
- STM 6/13/73:12(1)

Notes:

The 1936 amendment incorporated into the Zoning By-law a new Section 6 B which read as follows:

Section 6 B: The limit of height in all 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 business and manufacturing districts shall be three stories, not to exceed forty-five feet at the highest point of the roof.

The 1939 amendment changed the section number from 6 B to 16, inserted the word "single" before the words "residence districts" in the first paragraph, and substituted the word "industrial" for the word "manufacturing" in the second paragraph.

The 1953 amendment changed the second paragraph of Section 16 to read as follows:

The limit of height in Limited Business Districts shall be the same as in Single Residence Districts. The limit of height in Business and Industrial Districts shall be two stories, not to exceed 25 feet at the highest point of the roof.

The 1957 amendment inserted in the second paragraph of Section 16 the words "Shopping Center, Limited Industrial" before the words "and Industrial Districts".

The 1958 amendment struck out the second sentence of the second paragraph of Section 16 and substituted the following:

The limit of height in Business Districts shall be two stories, not to exceed 25 feet at the highest point of the roof. The limit of height in Industrial and Limited Industrial Districts shall be two stories not to exceed 35 feet at the highest point of the roof.

The 1959:35 amendment struck out former Section 16 and substituted a new Section 16 which read in part as follows:

Section 16. Height Regulations. The limit of height of buildings, except as herein otherwise provided, shall be as follows:

In single residence districts and limited business districts: 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, but not to exceed forty-five feet;

In business districts, shopping center districts: Two stories, not to exceed twenty-five feet at the highest point of the roof.

In limited industrial districts and industrial districts: Two stories, not to exceed thirty-five feet at the highest point of the roof.

The 1959:2 amendment inserted in Section 16 the words "and research districts" after the words "industrial districts".

The 1967 amendment recodified the Zoning By-law, established the Schedule of Intensity Regulations as Section IV B and included the provisions of Section 16 in the Schedule. The asterisk was added for reference to Section IV C 4, relative to height of municipal buildings which was formerly part of Section 16. (See page 188.) (See page 169 for Schedule as it appeared in 1967 Recodification.)

The 1968 amendment incorporated into the Schedule, Section IV B, the requirements for Industrial Park Districts as at present above.

The 1972 amendment changed the maximum building height in Business Districts from 25 feet to 35 feet and from 2 stories to 2½ stories.

The 1973 amendment deleted from the Schedule all reference to Single Residence "B" Zones.

The 1980 amendment deleted from the Schedule all reference to Shopping Center Districts.

The 1985 amendment incorporated a new district, Open Space, and set the maximum Building Height as follows: Stories 2, Feet 35.

IV B. SCHEDULE OF INTENSITY REGULATIONS

Maximum Floor Area Ratio:

(In square feet gross floor area per acre.)

ATM: 1987:22A

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new section, Maximum Floor Area Ratio, (in square feet gross floor area per acre.) and set the Maximum Building Height in a Research District RD at 967 sq.ft.

IV. INTENSITY REGULATIONS

C. MODIFICATIONS AND EXCEPTIONS

1. Building Coverage and Open Space

- a. In Business (BD-) and Limited Business Districts (LBD) buildings and structures may not cover more than seventy-five percent (75%) of any corner lot.
- b. The open space required by the Schedule of Intensity Regulations (IV B) shall be so located as to properly light and ventilate building(s) and give access in case of fire.
- c. Where two or more of the requirements in this by-law are applicable to the same open space, that which imposes the greatest restriction on the placement of the building will control.

ATM 1936:18
 ATM 1939:19
 STM 9/16/53:10m
 ATM 12/3/56:59
 STM 12/15/59:3
 ATM 1967:47

ATM 1980:41

Notes:

The 1936 amendment incorporated into the Zoning By-law a new Section 6 A as follows:

Section 6 A. 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.

The 1939 amendment placed former Section 6 A in Section 15 as the second paragraph.

The 1953 amendment incorporated the following NOTE after the table of set back and yard requirements under Section 14:

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.

The 1956 amendment added a third paragraph to Section 15 relative to building coverage in Limited Industrial Districts. The second sentence read as follows:

The open space required shall be so located as to properly light and ventilate the building, and give free access in case of fire.

The 1959 amendment added a fourth paragraph to Section 15 relative to building coverage in Research Districts. The second sentence read as follows:

The open space required shall be so located as to properly light and ventilate the building, and give free access in case of fire.

The 1967 amendment recodified the Zoning By-law and placed the second paragraph of Section 15 (building coverage requirement for corner lots) in Section IV C 1 a.; the second sentence of the second, third and fourth paragraphs of Section 15 in Section IV C 1 b.; and the NOTE following the table under Section 14 in Section IV C 1 c.

The 1980 amendment deleted the words "and Shopping Center Districts (SCD)" from Section IV C 1 a and added the word "and" between "Business Districts (BD)" and "Limited Business Districts (LBD)".

IV. INTENSITY REGULATIONS

C. MODIFICATIONS AND EXCEPTIONS

2. Minimum Required Yards

- a. In Single Residence Districts ("A", "C") one-story detached accessory buildings may be erected up to a distance of five (5) feet from a rear lot line.
- b. In Industrial Districts (ID-) the required front yard along the Post Road, so-called, shall be fifty (50) feet.
- c. In Limited Industrial Districts (IID-) the required front yard along the Post Road, so-called, shall be one hundred (100) feet.
- d. In Limited Business (LBD-) and Business (BD-) Districts the five (5) foot required side yard shall not apply to non-residential buildings having a party wall on the side lot line.
- e. Any dwelling in a Limited Business (LBD-) or Business (BD-) District shall have required side and rear yards of twenty feet (20').
- f. In Residential Districts, a lot having frontage on two or more streets must have the minimum frontage required by the district on only one street and a minimum of one-half the required frontage on the other street or streets.

ATM 1937:20
 ATM 1939:19
 ATM 1950:25
 STM 9/16/53:10m
 STM 12/3/56:60
 ATM 1967:47
 ATM 1969:35
 STM 6/13/73:12(2)

Notes:

The 1937 amendment added at the end of the first paragraph of Section 6 the following:

One story accessory buildings other than garages attached to the house shall be built in the rear of the lot, not nearer than 5 (five) feet from any side or rear lines, nor 15 feet from any structure for habitation or any accessory building on the adjoining lot. Provided that, if said accessory building is of noncombustible construction, the prohibition as to adjoining buildings may be voided.

IV. INTENSITY REGULATIONS

C. MODIFICATIONS AND EXCEPTIONS

2. Minimum Required Yards

- a. In Single Residence Districts ("A", "C") one-story detached accessory buildings may be erected up to a distance of five (5) feet from a rear lot line.
- b. In Industrial Districts (ID-) the required front yard along the Post Road, so-called, shall be fifty (50) feet.
- c. In Limited Industrial Districts (LID-) the required front yard along the Post Road, so-called, shall be one hundred (100) feet.
- d. In Limited Business (LBD-) and Business (BD-) Districts the five (5) foot required side yard shall not apply to non-residential buildings having a party wall on the side lot line.
- e. Any dwelling in a Limited Business (LBD-) or Business (BD-) District shall have required side and rear yards of twenty feet (20').
- f. In Residential Districts, a lot having frontage on two or more streets must have the minimum frontage required by the district on only one street and a minimum of one-half the required frontage on the other street or streets.

ATM 1937:20
 ATM 1939:19
 ATM 1950:25
 STM 9/16/53:10m
 STM 12/3/56:60
 ATM 1967:47
 ATM 1969:35
 STM 6/13/73:12(2)

Notes:

The 1937 amendment added at the end of the first paragraph of Section 6 the following:

One story accessory buildings other than garages attached to the house shall be built in the rear of the lot, not nearer than 5 (five) feet from any side or rear lines, nor 15 feet from any structure for habitation or any accessory building on the adjoining lot. Provided that, if said accessory building is of noncombustible construction, the prohibition as to adjoining buildings may be voided.

The 1939 amendment changed the section number from 6 to 14 and the above two sentences became the third paragraph of Section 14.

The 1950 amendment changed the third paragraph of Section 14 to read as follows:

One story accessory buildings shall not be built or located nearer than 50 feet from the center line of any street or way that may be adjacent to said premises and not nearer than 5 feet from any lot lines not adjacent to a street or way. In no case shall any accessory buildings be built or located nearer than 20 feet from the property line adjacent to any street or way.

The 1953 amendment struck out former Section 14 and substituted a new Section 14 part of which was the table below:

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	50 ft.	20 ft.	20 ft.	None	5 ft. for one-story detached accessory bldgs.; 50 ft. for all other buildings.
Limited Business	50 ft.	20 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	50 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.

The provisions of former Section 14, third paragraph, were incorporated into the table.

The 1956 amendment added to the table under Section 14 the requirements for Limited Industrial Districts as below:

- (a) (b) (c) (d) (e)

The 1967 amendment recodified the Zoning Bylaw and placed parts of the table under Section 14 in Section IV C 2 as presently worded in paragraph a. through e. (except that the letter "B" appeared between "A" and "C" in paragraph a.) as follows:

- from table under (e), Single Residence, to paragraph a. above
- from table under (b), Industry, to paragraph b. above
- from table under (b), Limited Industry, to paragraph c. above
- from table under (c), Business and Limited Business, to paragraph d. above
- from table under (c) and (e), Business and Limited Business, to paragraph e. above.

The 1969 amendment added a new paragraph f. to Section IV C 2 as at present above.

The 1973 amendment deleted reference to Single Residence "B" Zone in Section 2, paragraph a. so that the entire section read as at present above.

IV. INTENSITY REGULATIONS

C. MODIFICATIONS AND EXCEPTIONS

3. Set-backs

a. Deleted by vote of 1967 Annual Town Meeting, Article 53

(NOTE: In all non-residential Districts the set-back required from a Single Residence District boundary line need not apply whenever said boundary line is also a street line.)

b. In all Research District (RD-) the set-back from the street center line need only be fifty (50) feet for a gate house, bus stop shelter or security office which is not more than one story in height.

c. In Limited Business (LBD-), Business (BD-), Limited Industrial (LID-), and Industrial Districts (ID-), 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 set back and front yard distance, respectively, specified herein for a building in the district in which located.

ATM 1931:36
 ATM 1939:19
 STM 9/16/53:10m
 STM 12/3/56:60
 STM 12/15/59:4
 ATM 1967:47, 53

Notes:

The 1931 original Zoning By-law contained as the first sentence of the third paragraph of Section 6 the following:

Except that, if permitted buildings exist on each of the adjoining side lots, the front line of the proposed building may conform to the front lines of the existing building.

The 1939 amendment changed the section number from 6 to 14. This sentence appeared as the second sentence of the second paragraph of Section 14.

The 1953 amendment struck out former Section 14 and substituted a new Section 14, paragraph B, 1. and 2., of which read as follows:

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 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... (remainder of paragraph reads as at present in c. above)

The 1956 amendment added to Section 14 B 2 the words "Limited Industrial" after the word "Business".

The 1959 amendment added to the table of set back and yard requirements under Section 14 the requirements relating to Research Districts, as follows:

(a) Required Set Back Distance from Street:

225 ft., except gate house, bus stop shelter or security office, not more than one story in height, 50 ft.

The 1967 amendment recodified the Zoning By-law and placed former Section 14 B 1. in Section IV C 3 a.; added the NOTE; placed Section 14 B 2. in Section IV C 3 c.; and placed the note relative to Research Districts under column (a) in the table under former Section 14 in Section IV C 3 b.

The 1967:53 amendment deleted Section IV C 3 a. from the recodified Zoning By-Law.

IV. INTENSITY REGULATIONS

C. MODIFICATIONS AND EXCEPTIONS

4. Maximum Building Heights

In Single Residence ("A", "C") and Limited Business Districts (LBD-), schools and municipal buildings may contain three full stories not to exceed forty-five (45) feet in height.

ATM 1936:18
 ATM 1939:19
 ATM 1959:35
 ATM 1967:47
 STM 6/13/73:12(2)

Notes:

The 1936 amendment incorporated into the Zoning By-law a new Section 6 B relative to building heights in residential districts part of which read as follows:

...except that schools and municipal buildings may contain three full stories and may be erected to a height of 45 feet.

The 1939 amendment placed this provision in Section 16, paragraph 1.

The 1959 amendment added to Section 16 the words "Limited Business Districts" so that this provision applied to both Single Residence and Limited Business Districts.

The 1967 amendment recodified the Zoning By-law and this provision of Section 16 was placed in Section IV C 4. as at present above except that the letter "B" appeared between "A" and "C" in the first line.

The 1973 amendment deleted reference to Single Residence "B" Zone so that the section read as at present above.

IV. INTENSITY REGULATIONS

D. CLUSTER DEVELOPMENT

1. Purpose

"D. CLUSTER DEVELOPMENT - The Planning Board may grant a special permit for a Cluster Development in Single Residence "A" and Single Residence "C" Districts, for single family detached dwellings and accessory structures, subject to the following:

1. Purpose - The purpose of Cluster Development is to maintain land use density limitations while encouraging the preservation of common land for conservation, agriculture, open space, and recreational use; to preserve historical or archeological resources; to protect existing or potential municipal water supplies; to protect the value of real property; to promote more suitable siting of buildings and better overall site planning; to promote better utilization of land in harmony with neighboring parcels, with its natural features and with the general intent of the zoning bylaw through a greater flexibility in design; and to allow more efficient provision of municipal services.

ATM: 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new sub-section D, Cluster Development, in the Intensity Regulations. The #1 sub-section under C.D. is the Purpose, which read as is present above.

IV. INTENSITY REGULATIONS

188B

IV D 2

D. CLUSTER DEVELOPMENT

2. Rules & Regulations & Fees

2. Rules and Regulations and Fees - The Planning Board shall adopt, and from time to time amend, Rules and Regulations consistent with the provisions of this bylaw, Chapter 40A of the General Laws and other applicable provisions of the General Laws, and shall file a copy of said Rules and Regulations with the Town Clerk. Such Rules shall prescribe as a minimum the size, form, contents, style and number of copies of plans and specifications, the town board or agencies from which the Planning Board shall request written reports, and the procedure for submission and approval of a Cluster Development Special Permit.

ATM: 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new sub-section D, Cluster Development, in the Intensity Regulations. The #2 sub-section under C.D. is Rules and Regulations and Fees, which read as is present above.

D. CLUSTER DEVELOPMENT

3. Cluster Standards

3. Cluster Standards - The following standards shall apply to all Cluster Developments:

- a. Minimum Tract Size - Cluster Developments shall be located upon a single tract, in common ownership with definite boundaries ascertainable from a recorded deed or recorded plan, having an area of at least 10 acres and undivided by land of separate ownership or by a private or public right-of-way.
- b. Number of Building Lots Permitted - The total number of building lots in a cluster development shall be no greater than the number of building lots that would otherwise be allowed in the district in which the land is located. For purposes of this section, "building lot" shall mean any lot found by the Planning Board, Board of Health and Conservation Commission, at the time of application, assuming compliance with the Zoning By-Law, to be suitable for the construction thereon of residential dwelling units under the rules and regulations of the Town of Sudbury and the applicable laws of the Commonwealth of Massachusetts relating thereto. In making the determination of the number of allowable lots, the Board shall require that the applicant provide evidence, satisfactory to the Board, that the number of lots shown on the Cluster Development Plan is no greater than the number of lots that could otherwise be developed. Such evidence shall include but not be limited to the materials specified in paragraph 5.b of this section.
- c. Dimensional Requirements - Where the requirements of this section differ from or conflict with the requirements of Article IX, Section IV, subsection B, the requirements of this section shall prevail. The following minimum dimensional requirements shall be observed in all Cluster Developments. The Planning Board may, in appropriate cases, impose further restrictions upon the tract or parts thereof, as a condition to the granting of a special permit.
 - 1) Minimum Lot Area: The minimum area of building lots shall be half that of the residential district in which it is located, as follows:

Single Residence "A" = 20,000 sq. feet

Single Residence "C" = 30,000 sq. feet

In instances where a tract overlaps Residence Zones A and C the size and number of allowable lots shall be determined independently within each zone as follows: The minimum lot size in the cluster development shall be determined by multiplying the number of lots in Residence Zone A by 20,000 square feet, and multiplying the lots in Residence Zone C by 30,000 square feet, adding the two areas and dividing by the total number of lots.

D. CLUSTER DEVELOPMENT

IV D 3

- 2) **Frontage:** Lot frontages in a cluster development may be averaged together provided the average lot frontage in the cluster development is not less than 90 feet in the Single Residence "A" District and not less than 105 feet in the Single Residence "C" District. In any case, no lot in a Cluster Development may have a lot frontage of less than 50 feet exclusive of any easements.
 - 3) **Minimum Front Yard Setback:** Not less than 35 feet.
 - 4) **Minimum Side Yard Setback:** Not less than 20 feet.
 - 5) **Minimum Rear Yard Setback:** Not less than 30 feet.
 - 6) **Minimum Lot Width:** No less than 50 feet.
- d. **Minimum Perimeter Buffer:** To provide a buffer between a cluster development and surrounding properties, no structure shall be located within 100 feet of the overall perimeter boundary.
- e. **Water Quality Protection:** To provide adequate dispersion of contaminated water originating on a cluster development, each applicant for a Special Permit shall demonstrate to the satisfaction of the Planning Board, Board of Health and Conservation Commission that the concentration of substances in surface and groundwater from the development shall nowhere exceed the concentrations that would be expected from the development that would otherwise be allowed on the tract.
- f. **Preservation of Natural Site Features:** Natural site features shall be preserved by minimizing disturbance to existing vegetation and by minimizing changes to existing topographic conditions on the site.
- g. **Relation of Buildings to Environment:** Proposed buildings shall be related harmoniously to the terrain and to the use, scale, and proportions of existing buildings in the vicinity that have a functional or visual relationship to the proposed buildings.
- h. **Interrelationship of Buildings:** The proposed buildings shall be related harmoniously to each other with adequate light, air, circulation, privacy, and separation between buildings.

IV. INTENSITY REGULATIONS

188 -E

IV D 3

D. CLUSTER DEVELOPMENT

ATM: 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new sub-section D, Cluster Development, in the Intensity Regulations. The #3 sub-section under C.D. is Cluster Standards, which read as is present above.

D. CLUSTER DEVELOPMENT

4. Common Land

4. Common Land - Not less than 35% of the land area of the tract, exclusive of land set aside for road area, shall remain undivided and shall be dedicated as common open land.

a. The common land shall be used for open space, conservation, agriculture, outdoor recreation or park purposes and shall be maintained and groomed by the owner in a manner appropriate for such use and in accordance with the purpose of this bylaw. The common land shall be in one or more parcels of a size, shape and location appropriate for its intended use as determined by the Planning Board. The common land shall remain unbuilt upon except that a maximum of 5% of such land may be devoted to paved areas or structures accessory to active outdoor recreation and consistent with the open space use of the land. Such structures or paved areas may not be constructed on floodplain, wetland, slopes in excess of 10% grade, or ledge outcroppings. Provision shall be made so that the common land shall be readily accessible to all lots within the cluster development that do not abut the common land. Each parcel of common land shall be provided with at least one means of access at least 20 feet in width, leading from a public or private way. Such means of access shall be identified on the "Cluster Development Site Plan" submitted with the special permit application.

b. The ownership of common land shall either be conveyed to the Town of Sudbury and accepted by it for open space, conservation, agriculture, outdoor recreation or park use, or be conveyed to a non-profit organization, the principal purpose of which is the conservation of open space, or be conveyed to a corporation or trust owned or to be owned by the owners of lots within the development. In all cases of ownership, a perpetual restriction of the type described in M.G.L. c. 184 Section 31-32 (including future amendments thereto and corresponding provisions of future laws) running to or enforceable by the Town shall be recorded for all common land. Such restriction shall provide that the common land shall be retained in perpetuity for one or more of the following uses: conservation, agriculture, outdoor recreation or park purposes. Such restriction shall be in such form and substance as the Planning Board shall prescribe and may contain such additional restrictions on development and use of the common land as the Planning Board may deem appropriate.

IV. INTENSITY REGULATIONS

188-G

IV D 4

D. CLUSTER DEVELOPMENT

c. In the case where the common land is not conveyed to the Town of Sudbury and in order to ensure that the corporation, trust or non-profit organization will properly maintain the common land, an instrument shall be recorded at the Middlesex South District Registry of Deeds which shall, at a minimum, provide:

- (1) A legal description of the common land;
- (2) A statement of the purposes for which the common land is intended to be used and the restrictions on its use and alienation;
- (3) The type and name of the corporation, trust or non-profit organization which will own, manage and maintain the common land;
- (4) Where the common land is to be owned by a corporation or trust owned or to be owned by the owners of dwelling units within the cluster development, the ownership or beneficial interest in the corporation, non-profit organization or trust of each owner of a dwelling in the Cluster Development and a provision that such ownership or beneficial interest shall be appurtenant to the dwelling to which it relates and may not be conveyed or encumbered separately therefrom;
- (5) Provisions for the number, term of office, and the manner of election to office, removal from office and the filling of vacancies in the office of directors and officers of the corporation or non-profit organization or of trustees of the trust;
- (6) Procedures for the conduct of the affairs and business of the corporation, trust or non-profit organization, including provisions for the calling and holding of meetings of members, directors and officers of the corporation or non-profit organization or beneficiaries and trustees of the trust, and provisions for quorum and voting requirements for action to be taken. Where the common land is to be owned by a corporation or trust owned or to be owned by the owners of dwelling units within the cluster development, each owner of a dwelling shall have voting rights proportional to his ownership or beneficial interest in the corporation or trust;

D. CLUSTER DEVELOPMENT

- (7) Provision for the management, maintenance, operation, improvement and repair of the common land and facilities thereon, including provisions for obtaining and maintaining adequate insurance and where applicable levying and collecting from the dwelling owners common charges to pay for expenses associated with the common land, including real estate taxes. Where the common land is to be owned by a corporation or trust owned or to be owned by the owners of dwelling units within the cluster development, it shall be provided that common charges are to be allocated among the dwelling owners in proportion to their ownership or beneficial interests in the corporation or trust and that each dwelling owner's share of the common charges shall be a lien against his real estate in the Cluster Development which shall have priority over all other liens with the exception of municipal liens and first mortgages of record;
- (8) The method by which such instrument or instruments may be amended.
- d. The instrument required by 4.c above may be amended only upon the approval of the Planning Board. Any proposed amendments, together with an explanation of the reasons therefor shall be submitted in writing to the Planning Board. The Planning Board shall indicate its approval or disapproval within 45 days after its receipt of the proposed amendments.
- e. Any proposed amendment to the articles of organization or incorporation of the corporation or non-profit corporation organization or to the declaration or other instrument of trust which would affect in any way the information required to be furnished in 4.c.(3), (4), (5), (6) or (7) above shall be submitted to the Planning Board at least 30 days prior to the vote or other action thereon.
- f. If the articles of organization or incorporation of the corporation or non-profit organization or the declaration or other instrument of trust are amended so as to affect in any way the information required to be furnished in 4.c.(3), (4), (5), (6) or (7) above, a notice of such amendment and the provisions thereof shall be furnished to the Planning Board within 30 days of the adoption of the amendment. A copy of said notice shall be recorded at the Middlesex South District Registry of Deeds and a marginal reference to said notice shall be made on the page where the instrument required by 4.c above was originally recorded.

IV. INTENSITY REGULATIONS

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IV D 4

D. CLUSTER DEVELOPMENT

ATM: 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new sub-section D, Cluster Development, in the Intensity Regulations. The #4 subsection under C.D. is Common Land, which read as is present above.

D. CLUSTER DEVELOPMENT

5. Application for a Special Permit

5. Application for a Special Permit - Any person who desires a special permit for a Cluster Development shall submit a written application to the Planning Board; Each such application shall be accompanied by the following information:
- a. A "Cluster Development Site Plan" showing, as a minimum, all of the information required for a definitive subdivision plan, as specified in the Town of Sudbury, Subdivision Rules and Regulations, as amended, and showing the following additional information: soil characteristics as shown on Soil Conservation Service Maps; resource areas as defined by M.G.L., Chapter 131, Section 40, (The Wetlands Protection Act); existing floodplain boundary lines; proposed location of dwellings, all setback lines, garages, driveways, lighting, signs; proposed and existing wells and septic systems on the parcel and abutting properties; existing and proposed grades of the land; existing perimeter of trees; proposed landscape features (such as fences, walks, planting areas, type, size and location of planting materials, methods to be employed for screening); the proposed use of the common land including improvements intended to be constructed thereon, and the proposed ownership of all common land and any other information required by the Planning Board.
 - b. Preliminary Subdivision Plan showing the development of the tract under the provisions of the Zoning Bylaw without regard to this section. Such plan shall conform to provisions described in Section IV B of the Rules and Regulations governing the subdivision of land for a Preliminary Subdivision Plan. Such plan shall be accompanied by a report from the Board of Health stating which lots on said plan contain soil conditions suitable for sub-surface sewerage disposal in accordance with rules and regulations of the Town of Sudbury and applicable laws of the Commonwealth of Massachusetts.
 - c. The applicant shall provide the Board with an analysis of the fiscal impacts of the development suitable, in the opinion of the Board, to allow the Board to assess the relative fiscal impacts of the proposed development on the town's financial resources and capacities to deliver services efficiently. The fiscal impact analysis will be based upon a comparison between the conventional subdivision development and the cluster development under consideration.
 - d. Copies of all instruments to be recorded with the Cluster Development Site Plan including the proposed common land deed and, if applicable, the trust document(s) or organizational articles of the corporation and perpetual restriction.

IV. INTENSITY REGULATIONS

188 - K

D. CLUSTER DEVELOPMENT

IV D 5

ATM: 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new sub-section D, Cluster Development, in the Intensity Regulations. The #5 subsection under C.D. is Application for a Special Permit, which read as is present above.

D. CLUSTER DEVELOPMENT

6. Reports from Town Boards and Agencies

6. Reports from Town Boards or Agencies - The Planning Board shall transmit forthwith a copy of the application and plan(s) to the Board of Selectmen, Board of Health, Conservation Commission, Engineering Department, Design Review Board, Recreation Commission, Historic Districts Commission, Building Inspector, Fire Department, Highway Surveyor, Tree Warden and the Sudbury Water District. Failure of any such board or agency to make a written recommendation or submit a written report within 35 days of receipt of the petition shall be deemed a lack of opposition.

ATM: 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new sub-section D. Cluster Development, in the Intensity Regulations. The #6 subsection under C.D. is Reports from Town Boards or Agencies, which read as is present above.

IV. INTENSITY REGULATIONS

188 - M

D. CLUSTER DEVELOPMENT

IV D 7

7. Public Hearing and Decision

7. Public Hearing and Decision - The Planning Board shall hold a public hearing no later than 65 days after the filing of an application. The Planning Board shall have the power to continue a public hearing under this section if it finds that such continuance is necessary to allow the petitioner or applicant to provide information of an unusual nature and which is not otherwise required as part of the special permit. The Planning Board shall issue a decision and shall file a written report of its final action with the Town Clerk no later than 90 days following the close of the public hearing. Failure by the Planning Board to take final action and to file a written report of its action with the Town Clerk within 90 days following the public hearing shall be deemed a grant of the permit applied for.

ATM: 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new sub-section D. Cluster Development, in the Intensity Regulations. The #7 subsection under C.D. is Public Hearing and Decision, which read as is present above.

D. CLUSTER DEVELOPMENT

IV D 8

8. Planning Board and Action

8. Planning Board Action - The Planning Board shall not grant a special permit for a Cluster Development unless it finds that: 1) the Cluster Development complies with the purposes of Cluster Development as stated in Section 1 hereof; 2) the Cluster Development duly considers the existing and probable future development of surrounding areas; 3) the layout and design of the Cluster Development minimizes disturbance to the natural site features; 4) the Cluster Development responds to the recommendations of Town Boards and Agencies; 5) the granting of the special permit would not result in detriment to the health, safety and welfare of the neighborhood or the town; 6) the granting of the special permit would not result in unsuitable development of the land in question; 7) the development of the tract as a conventional subdivision would not be consistent with the purposes of this Section.
- a. Changes in lot shape or layout of development - The Board may require changes in lot shape and layout as it deems necessary to secure the objectives of this bylaw.
- b. Appointment of Design Review Committee - The Planning Board shall, for purposes of reviewing cluster subdivision plans, appoint a design review committee numbering at least three professionals in the fields of land planning, landscape architecture, or engineering to act in a review capacity to the Planning Board during the approval process of the cluster subdivision.
- c. Special Permit Conditions - The Planning Board shall not grant a special permit for a Cluster Development if it appears that the granting of such permit would be detrimental to the health, safety or welfare of the neighborhood or town, be inconsistent with the intent of cluster development, or would result in unsuitable development. The Planning Board may impose further restrictions upon the tract as a condition to granting the special permit as the Planning Board shall deem appropriate to accomplish the purposes of this bylaw.
- d. Common Land Conveyance - If a special permit is granted under this section, the Planning Board shall impose as a condition that the common land shall be conveyed, free of any mortgage interest, security interest, liens or other encumbrances and subject to a perpetual restriction of the type described above, prior to any construction or alteration of the land. The petitioner shall provide satisfactory assurance of said conveyance recording in the form of copies of the recorded instruments bearing the recording stamp.

IV. INTENSITY REGULATIONS

188-0

D. CLUSTER DEVELOPMENT

IV D 8

ATM 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new sub-section D. Cluster Development, in the Intensity Regulations. The #8 subsection under C.D. is Planning Board Action, which read as is present above.

D. CLUSTER DEVELOPMENT

9. Changes of Cluster Development Plan

9. Changes of Cluster Development Plan - Any change in the number of lots, the layout of ways, any significant changes in the common open land, its ownership or use, or in any conditions stated in the original special permit shall require that a new special permit be issued in accordance with the provisions of this Bylaw.

AIM 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new subsection D. Cluster Development, in the Intensity Regulations. The #9 subsection under C.D. is Changes of Cluster Development Plan, which read as is present above.

D. CLUSTER DEVELOPMENT

10. Limitation of Subdivision

10. Limitation of Subdivision - No lot shown on a plan for which a permit is granted under this section may be further divided so as to reduce the area of any lot for the purpose of creating an additional building lot(s) and a condition to that effect shall be shown on the recorded plan and on each deed conveying building lots on said plan.

ATM: 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new subsection D. Cluster Development, in the Intensity Regulations. The #10 subsection under C.D. is Limitation of Subdivision, which read as is present above.

D. CLUSTER DEVELOPMENT

IV D 11

11. Compliance with other Rules and Regulations

11. Compliance With Other Rules and Regulations - Nothing contained herein shall in any way exempt a proposed subdivision from compliance with other applicable provisions of these bylaws or the Subdivision Rules and Regulations of the Planning Board, nor shall it in any way affect the right of the Board of Health and of the Planning Board to approve, with or without conditions and modifications, or disapprove a subdivision plan in accordance with the provisions of such Rules and Regulations and of the Subdivision Control Law.

ATM 1987:36

Notes:

The 1987 amendment incorporated into the Zoning Bylaw a new subsection D., Cluster Development, in the Intensity Regulations. The #11 subsection under C.D. is Compliance with Other Rules and Regulations, which read as is present above.

D. CLUSTER DEVELOPMENT

IV D 12

12. Time Limitation on Cluster Development Special Permit

12. Time Limitation on Cluster Development Special Permit - A Cluster Development Special Permit shall lapse if a substantial use thereof has not been commenced except for good cause, within a period of time to be specified by the Planning Board, not to exceed two years from the date of grant thereof.

ATM 1987:36

Notes: The 1987 amendment incorporated into the Zoning Bylaw a new subsection D., Cluster Development, in the Intensity Regulations. The #12 subsection under C.D. is Time Limitation on Cluster Development Special Permit, which read as is present above.

D. CLUSTER DEVELOPMENT

IV D 13

13. Effective Date of Special Permit

13. Effective Date of Special Permit - No special permit or modification, extension or renewal thereof shall take effect until a copy of the decision has been recorded in the Middlesex County South District Registry of Deeds. Such decision shall bear the certification of the Town Clerk that 20 days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed, or that if such an appeal has been filed, that it has been dismissed or denied.";

ATM 1987:36

Notes: The 1987 amendment incorporated into the Zoning Bylaw a new subsection D., Cluster Development, in the Intensity Regulations. The #13 subsection under C.D. is Effective Date of Special Permit, which read as is present above.

V. SPECIAL REGULATIONS

STM 9/16/53:10g	ATM 1972:27
STM 12/3/56:64	ATM 1974:21
ATM 1957:52	ATM 1981:16
STM 12/15/59:1	ATM 1982:20
ATM 1967:47	ATM 1985:19,
ATM 1970:42	ATM 1986:21
ATM 1971:16	STM 9/25/86:15

Notes:

The 1953 amendment incorporated into the Zoning By-law under Section 1 a new subsection E, the introductory sentence of which read as follows:

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

The 1956 amendment added to the introductory sentence of Section 1 E "Limited Industrial Districts".

The 1957 amendment added to the introductory sentence of Section 1 E "Shopping Center Districts".

The 1959 amendment added to the introductory sentence of Section 1 E "Research Districts".

The 1967 amendment recodified the Zoning By-law. The introductory sentence of Section 1 E was deleted and the provisions of Section 1 E were placed in Section V: SPECIAL REGULATIONS.

V. SPECIAL REGULATIONS

V A

A. 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 Board of Selectmen; provided, however, that the temporary use of trailers for storage or office purposes is allowed where they conform to procedural regulations adopted by said board. Said site plan shall show among other things, all existing and proposed building, structures, above ground and under ground storage tanks, signs, 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 and changes to existing topography. A site plan shall also show all contiguous land owned by the applicant of owner or the property whether or not such land is in the regulated zone.

The Selectmen shall adopt reasonable rules and regulations governing the submission, form and procedures for site plan approval and governing temporary trailers and shall make them readily available to the public. These rules and regulations shall in no way conflict with other provisions of the laws of the Town or the Commonwealth of Massachusetts.

Any person desiring approval of a site plan under this paragraph shall submit said plan to the Board of Selectmen who shall thereafter transmit it to the Planning Board for a report and recommendations thereon, and no building permit shall be issued until the Board of Selectmen shall have approved the plan or have allowed forty-five days to elapse from the date of submission of the site plan to the Selectmen. The Board of Selectmen shall have the power to modify or amend its approval of a site plan on application of the person owning or leasing the premises shown on such site plan; or, upon its own motion, in the event of changes in the physical condition of the site sufficient to justify such action within the intent of this subsection; and the foregoing provisions wherever apt shall be applicable to any modification or amendment of such plan. In considering a site plan under this subsection, the Board of Selectmen 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 it is located:

1. protection of adjoining districts against seriously detrimental or offensive uses on the site.
2. convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets and land.

V SPECIAL REGULATIONS

- A. SITE PLAN SPECIAL PERMIT -- The Board of Selectmen may grant a Site Plan Special Permit in accordance with the standards of this bylaw.
1. Applicability - No business or industrial building shall hereafter be erected or externally enlarged and no area for parking, loading or vehicular service (including driveways giving access thereto) shall be established or substantially altered except in conformity with a site plan bearing an endorsement of approval by the Board of Selectmen; provided, however that the temporary use of trailers for storage or office purposes is allowed where they conform to procedural regulations adopted by this Board.
 2. Rules and Regulations and Fees - The Board of Selectmen shall adopt, and from time to time amend, Rules and Regulations not inconsistent with the provisions of this bylaw or Chapter 40A of the General Laws or other applicable provisions of the General Laws, and shall file a copy of said Rules and Regulations with the Town Clerk. Such Rules shall prescribe as a minimum the size, form, contents, style and number of copies of plans and specifications, the town boards or agencies from which the Board of Selectmen shall request written reports, and the procedure for submission & approval of a Site Plan Special Permit. Such rules and regulations form an integral part of this bylaw.
 3. Application - Any person who desires to obtain a Site Plan Special Permit shall submit a written application therefor to the Board of Selectmen. Each such application shall be accompanied by the following:
 - a. A written statement detailing the proposed use, the extent of the building coverage and open space, drainage calculations and calculations of the volume of earth to be removed.
 - b. Site Plan(s) prepared by a Registered Professional Engineer or Registered Land Surveyor, as appropriate to the data, showing all lot and setbacks, zoning district boundaries including flood plain; all wetlands and wetland buffer zones; all areas designated as open space; all existing and proposed topography at one foot intervals, buildings, structures, signs with location and size parking and loading spaces; the limits of all paving and open storage areas and facilities for sewage, waste disposal and drainage. The Site Plan shall include that portion of any adjacent land owned or used by the applicant on which the use is similar to or connected with the use for which this Site Plan Special Permit is sought.
 - c. A Landscape Plan(s) shall be prepared by a Registered Landscape Architect in all cases where the plan(s) specifies a proposed facility of 10,000 square feet or more of gross floor area, or a facility requiring 40 or more parking spaces. In any case, a Landscape Plan shall show the limits of work, the existing tree line and all proposed landscape features and improvements including walks, planted areas with size and type of stock for each shrub or tree; walls, fences, outdoor lighting and existing and proposed contours of the land at two foot intervals.

3. 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 drive-ways.

Within fifteen days after the approval of said site plan a copy thereof bearing the approval of the Board of Selectmen shall be filed in the office of the Town Clerk; and the plan as approved shall be carried into effect and completed by the applicant for such site plan approval or his assigns within one year of the date of approval. Copies of all site plans approved prior to May 1, 1958 bearing the approval of the Board of Selectmen shall be filed before said date in the office of the Town Clerk, and such plans shall be carried into effect no later than December 1, 1958. The Board of Selectmen may at the time of the approval of any site plan, or, thereafter, upon an application therefor, grant such extension of the time as it shall deem necessary to carry any site plan into effect; and, the Board of Selectmen shall certify to the Town Clerk that it has granted an extension of time and the date on which it shall expire.

In reviewing architectural renderings under this section, approval shall be based on consideration of whether the architecture, scale, and color and type of surface material of the proposed structure relate harmoniously to the surrounding landscape, are appropriate to existing buildings in the vicinity and have a functional or visual relationship to those existing buildings.

SYM 9/16/53:10g(6)
ATM 1958:35
ATM 1961:46
ATM 1964:30,36
ATM 1967:47
ATM 1970:42
ATM 1971:16
ATM 1972:27
ATM 1974:21
ATM 1981:16
ATM 1982:20
ATM 1985:19

- d. A Building Plan(s) shall be prepared by a Registered Architect or Registered Professional Engineer in all cases where the plan specifies a facility of 10,000 square feet or more of gross floor area. In any case a Building Plan(s) shall show the front elevation of the building and its height; and floor plan(s) for the building(s) showing the layout of each floor with a tabular summary of the gross floor area used to calculate the required parking and the proposed uses to be conducted on each floor. An architectural rendering of the appearance of the proposed new or altered structures, showing front and side features as they will appear from the public way or private access shall also be submitted.
 - e. Such other information as the Board may reasonably require including special studies or reports, such as traffic or hydrological impact studies.
4. Reports from Town Board or Agencies - The Board of Selectmen shall transmit forthwith a copy of the application and plan(s) to the Planning Board, Board of Health, Conservation Commission, Design Review Board, Town Engineer, Building Inspector, Fire Chief and such other boards, departments, or committees as it may deem necessary or appropriate for their written reports. Any such board or agency to which petitions are referred shall make recommendations or submit such reports as they deem appropriate and shall send a copy thereof to the Board of Selectmen and to the applicant within 35 days of receipt of petition by such Board.
 5. Public Hearing and Decision - The Board of Selectman shall hold a public hearing no later than sixty-five (65) days after the filing of an application. The Board of Selectmen shall have the power to continue a public hearing under this section if it finds that such continuance is necessary to allow the petitioner or applicant to provide information of an unusual nature and which is otherwise required as part of the special permit application. The Board of Selectmen shall issue a decision and shall file a written report of its final action with the Town Clerk no later than ninety (90) days following the close of the public hearing. Failure by the Board of Selectmen to take final action upon an application for the special permit and to file a written report of its action with the Town Clerk shall be deemed a grant of the permit applied for.
 6. Site Design Standards for Site Plan Special Permits - The purpose of the following site design standards is to ensure that further consideration will be given to the natural resources and characteristics of a site, to its topography, hydrologic and geologic conditions and to public convenience and safety. Before the granting of any Site Plan Special Permit, the Board of Selectmen shall assure that each site plan submitted for its review shall comply in full with the following site design standards:
 - a. Natural Features Conservation - Disruption of existing site features, including particularly the changing of natural topography shall be kept to an absolute practical minimum. Where tree coverage does not exist or has been removed, new planting may be required. Finished site contours shall approximate the character of the site and surrounding properties.
 - b. Vehicular and Pedestrian Circulation - Pedestrian walkways, streets, driveways, and parking areas shall be carefully designed with respect

to topography, proper relation to surrounding streets and pedestrian ways, number of access points to public streets, provision of a clear and efficient street system on the site, adequate widths of drives, separation and attractive parking areas, and proper relation of circulation elements to structures and other site features.

- c. Siting of Structures - All buildings and other structures shall be sited to minimize disruption of the topography; to facilitate natural surface drainage and shall be properly designed for the particular site conditions. Strict attention shall be given to proper functional, visual and spatial relationship of all structures, landscape elements, and paved areas.
- d. Stormwater Runoff - No stormwater runoff in excess of rates existing prior to new construction shall be allowed and no stormwater runoff in excess of rates existing prior to new construction shall be discharged onto a public way or into a public drainage system, unless the Town Engineer assures the Board of Selectmen there is sufficient capacity to handle the additional runoff.
- e. Utilities - All electrical utility lines including but not limited to telephone, power, and cable TV shall be placed underground in new developments. The placement of electrical lines and other underground utility lines such as water, sewerage and gas shall be coordinated whenever possible and desirable among responsible parties. Placement of utilities including sanitary disposal facilities shall be done so as to minimize disruption of topography and cutting of trees or undergrowth.
- f. Outdoor Lighting - In the area of new construction, outdoor lighting, including lighting on the exterior of a building or lighting in parking areas, shall be arranged to avoid glare and light spilling over to neighboring properties. Except for low-level pedestrian lighting with a height of less than eight feet, all outdoor lighting shall be designed and located so that 1) the luminaire has an angle of cutoff less than 76 degrees, 2) a line drawn from the height of the luminaire along the angle of cutoff intersects the ground at a point within the development site and 3) the bare light bulb, lamp or light source is completely shielded from direct view at any point five feet above the ground on neighboring properties or streets.
- g. Signs - Signs and outdoor advertising features shall be subject to the regulations of Section D, Signs. Such signs shall be reviewed as an integral element in the design and planning of all developments.
- h. Common Driveway in the Business, Limited Business, Industrial, Limited Industrial, Industrial Park and Research Districts - A common driveway may serve two or more lots used for business, research or industrial use and located in the Business, Limited Business, Industrial, Limited Industrial, Industrial Park or Research Districts provided that the common driveway is no wider than 40 feet at any point where it crosses required open space or any parking setback area required. The Board of Selectmen shall ensure that the common driveway shall not be located or designed to derogate from the intent of the bylaw to provide suitable open space on each site.

- i. Open Space Landscaping Standards - Any landscaping on open space shall be designed to enhance the visual impact of the use upon the lot and adjacent property. Where appropriate, existing vegetation may be retained and used to satisfy the landscaping requirements. Open space areas shall be kept free of encroachment by all buildings, structures, storage areas or parking. Open space landscaping shall be maintained as open planted areas and used to (1) ensure buffers between properties, (2) provide landscape areas between buildings, (3) minimize the visual effect of the bulk and height of buildings, structures, parking areas, lights or signs and (4) minimize the impact of the use of the property on land and water resources. At least 30% of a lot shall be designated open space. Open space may contain area for side line, front and rear requirements, landscaped areas and untouched natural areas. Open space shall not include areas developed for vehicle access, parking, storage and similar accessory uses, except that open space may include walkways, patios and terraces, up to 10% of the open space requirement.
- 1) In the Business and Limited Business Districts where a business or industrial use abuts a residential district, a landscape buffer a minimum of 20 feet in depth designed to mitigate the impact of the business or industrial use on abutting residential districts shall be required by the Board of Selectmen between the business or industrial use and the residential district.
 - 2) In the Industrial and Limited Industrial Districts where a business or industrial use abuts a residential district, a landscape buffer a minimum of 30 feet in depth designed to mitigate the impact of the business or industrial use on abutting residential districts, shall be required by the Board of Selectmen between the business or industrial use and the residential district.
 - 3) In the Research District where a research use abuts a residential district, a landscape buffer a minimum of 30 feet in depth designed to mitigate the impact of the research use on abutting residential districts shall be required by the Board of Selectmen between the research use and the residential district.
 - 4) In the Business, Limited Business, Industrial, Limited Industrial and Research Districts within setback requirements, site plans will show a landscaping area, not less than twenty (20) feet in width between the street and either the building or parking lot. This landscape area may be broken to provide vehicular access.
 - 5) All parking lots and loading facilities shall be suitably landscaped to minimize their visual impact on the lot and upon adjacent property by the use of existing vegetation where appropriate and by the use of new trees, shrubs, walls, fences or other landscape elements. Any parking lot with more than 40 spaces shall include a landscaped area(s) within the perimeter of the parking lot. Such landscaped area(s) shall not be less in area than five percent of the total area of the parking lot and shall be in addition to any minimum open space required. Landscaped area(s) shall be provided with a minimum width of at least 10 feet, curbing, and shade trees of at least 12 feet in height, or such other landscaping as may be required by the Board of Selectmen. At least one shade tree per ten spaces shall be provided.

- j. Other Site Features - All service areas, loading areas, outdoor storage, utility structures, mechanical equipment, garbage disposal facilities, or other service or utility facilities shall be located or visually screened so as not to create hazards or visual or other nuisances.
7. Reserve Parking Spaces - Under a Site Plan Special Permit, the Board of Selectmen may authorize a decrease in the number of parking spaces required under section IX,V,C, in accordance with the following:
- a. The Board of Selectmen may authorize a decrease in the number of parking spaces required under section IX,V,C, provided that:
- 1) The decrease in the number of parking spaces is no more than 30% of the total number of spaces required under section IX,V,C. The waived parking spaces shall be set aside and shall not be intended for immediate construction. Such spaces shall be labelled as "Reserve Parking" on the site plan.
 - 2) Any such decrease in the number of required parking spaces shall be based upon documentation of the special nature of the use or building.
 - 3) The parking spaces labelled "Reserve Parking" on the site plan shall be properly designed as an integral part of the overall parking layout, located on land suitable for parking development and in no case located within area counted as buffer, parking setback or open space.
 - 4) The decrease in the number of required spaces will not create undue congestion or traffic hazards and that such relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this bylaw.
- b. If, at any time after the Certificate of Occupancy is issued for the building or use, the Building Inspector determines that additional parking spaces are needed, the Inspector shall notify the Board of Selectmen, in writing, of such finding and the Board of Selectmen may require that all or any portion of the spaces shown on the approved site plan as "Reserve Parking" be constructed within a reasonable period.
8. Action by the Board of Selectmen - The Board of Selectmen, in considering a site plan, shall ensure a use of the site consistent with the uses permitted in the district in which the site is located and shall give due consideration to the reports received under section V,A,4. Prior to the granting of any special permit, the Board of Selectmen shall find that, to the degree reasonable, the site plan:

V. SPECIAL REGULATIONSB. 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 of land associated therewith, within 300 feet of such building or use, off-street automobile parking space on the basis of the following minimum requirements:

1. 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 gross floor area.
2. 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.
3. Hotels, motels and other places offering overnight accommodations - at least one space for each guest room.
4. 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.
5. 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.

- a. Protects adjoining premises by avoiding adverse effects on the natural environment and abutters;
 - b. Provides for convenient and safe vehicular and pedestrian movement and that the locations of driveway openings are convenient and safe in relation to vehicular and pedestrian traffic circulation, including emergency vehicles, on or adjoining the site;
 - c. Provides an adequate arrangement of parking and loading spaces in relation to proposed uses of the premises;
 - d. Provides adequate methods of disposal of refuse or other wastes resulting from the uses permitted on the site;
 - e. Complies with all applicable requirements of this bylaw;
9. Special Permit Conditions - The Board of Selectmen may impose such conditions safeguards, and limitations as it deems appropriate to protect the neighborhood or the Town including, but not limited to:
- a. Screening of parking areas or other parts of the premises from adjoining premises or from the street by specified wall, fences, plantings or other devices;
 - b. Regulation of number, design and location of access drives and other traffic features;
 - c. Requirement of off-street parking and other special features;
 - d. Requirement for performance bonds or other security to ensure compliance with all the provisions of this special permit;
 - e. Installation and certification of mechanical or other devices to limit present or potential hazard to human health, safety, welfare or the environment resulting from smoke, odor, particulate matter, toxic matter, fire or explosive hazard, glare, noise, vibration or any other objectionable impact generated by any given use of land.
10. Time Limitation on Site Plan Special Permit - A Site Plan Special Permit shall lapse if a substantial use thereof has not commenced except for good cause or, in the case of a permit for construction, if construction has not commenced except for good cause within a period of time to be specified by the Board of Selectmen, not to exceed two years from the date of grant thereof.
11. Effective Date of Special Permit - No special permit or any modification, extension or renewal thereof shall take effect until a copy of the decision has been recorded in the Middlesex County South District Registry of Deeds. Such decision shall bear the certification of the Town Clerk that 20 days have elapsed after the decision has been filed, or that if such an appeal has been filed, it has been dismissed or denied.

STM 9/16/53: 10g (6)

STM 9/25/86:15

ATM 1958:35

ATM 1961:46

ATM 1964:30,36

ATM 1967:47

ATM 1970:42

ATM 1971:16

ATM 1972:27

ATM 1974:21

ATM 1981:16

ATM 1982:20

ATM 1985:19

ATM 1986:21

Parking shall be located behind buildings.

On lots where the number of proposed parking spaces exceeds twenty (20), one shade tree per ten spaces shall be provided. Shade trees shall be located in planting islands within the parking area. No island shall have an area less than twenty-five (25) square feet per shade tree. Shade trees shall have a minimum caliper of 2½ inches and be of a hardy species suitable for street tree use, as approved by the tree warden. Any supplementary ornamental plantings installed within these islands shall be of species that will not develop to obstruct vision within the parking area.

STM 9/16/53:10g(4)
 ATM 1967:47
 ATM 1982:23
 ATM 1985:24,38

Notes:

The 1953 amendment incorporated into the Zoning By-law under Section 1 a new subsection E, paragraph (4), OFF-STREET PARKING, which read as at present above except that the separate subparagraphs under (4) were lettered a. through e. instead of numbered 1. through 5, and the last two paragraphs did not appear.

The 1967 amendment recodified the Zoning By-law and Section 1 E (4) was placed in Section V B: OFF-STREET PARKING. No wording change.

The 1982 amendment added two paragraphs at the end of Section V B so that

The 1985 amendments

(1) Substituted a new paragraph 1, which read as above, and deleted the following paragraph 1:

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.

(2) Deleted the words "Wherever possible" from the next to last paragraph.

STM 9/16/53:10g(6)	ATM 1970:42	ATM 1982:20
ATM 1958:35	ATM 1971:16	ATM 1985:19
ATM 1961:46	ATM 1972:27	ATM 1986:21
ATM 1964:30,36	ATM 1974:21	STM 9/25/86:15
ATM 1967:47	ATM 1981:16	

Notes:

The 1953 amendment incorporated into the Zoning Bylaw under Section 1, a new subsection E, paragraph (6) of which read as follows:

(6) Site Plan Approval

(First paragraph)

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.

(Second paragraph)

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 30 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 this district in which located:

- (a) as at present in 1. above.
- (b) as at present in 2. above.
- (c) as at present in 3. above.

The 1958 amendment added to Section 1 E (6) two new paragraphs, the wording of which was as at present in the last paragraph of Section V A above except that the words "Planning Board" appeared in all places where the words "Board of Selectmen" now appear.

The 1961 amendment substituted the words "Board of Selectmen" for the words "Planning Board" in the first paragraph of Section 1 E (6). The second paragraph of Section 1 E (6) was changed to read as at present above in the third paragraph except that the last phrase in the first sentence read "and no building permit shall be issued until the Board of Selectmen shall have approved the plan or have allowed thirty days to elapse after receiving the report and recommendations of the Planning Board."

The 1964:30 amendment substituted the words "Board of Selectmen" for the words "Planning Board" in the last paragraph of Section 1 E (6) wherever it appeared so that the paragraph read as at present above in the last paragraph of Section V A. (The last paragraph of Section 1 E (6) was adopted under 1958:35 as two paragraphs but these two paragraphs had been joined together in the 1959 printing of the Bylaws.)

The 1964:36 amendment added the word "signs" after the word "structures" in the first paragraph of Section 1 E (6).

The 1967 amendment recodified the Zoning By-Law and Section 1 E (6) was placed in Section V A: SITE PLAN APPROVAL. No wording change.

The 1970 amendment added the words "above ground and underground storage tanks" after the word "structures" in the first paragraph.

The 1971 amendment added a new second paragraph as at present above except that the words "and government temporary trailers" did not appear in the first sentence. The amendment also deleted the words in the present third paragraph "thirty days to elapse after receiving the report and recommendations of the Planning Board" and substituted the words "forty-five days to elapse from the date of submission of the site plan to the Selectmen," so that the third paragraph read as at present above.

The 1972 amendment added the words "and changes to existing topography" at the end of the first paragraph.

The 1974 amendment added the last sentence in the first paragraph relative to contiguous land of the applicant or owner.

The 1981 amendment changed the period to a semicolon at the end of the first sentence of the first paragraph and added the words.

provided, however, that the temporary use of trailers for storage or office purposes may be allowed in accordance with the terms of a special permit issued by said board, which permit shall be valid for one year from the date of issuance.

The 1981 amendment also added to the first sentence of the second paragraph the words "and special permits for trailers" after the words "site plan approval".

The 1982 amendment deleted the words after "storage or office purposes" at the end of the first sentence of the first paragraph and substituted the words "is allowed where they conform to procedural regulations adopted by said board". The amendment also deleted the words "and special permits for trailers" from the first sentence of the second paragraph and substituted the words "and governing temporary trailers".

The 1985 amendment added to the Zoning Bylaw, Article IX,V,A. Site Plan Approval a final paragraph as follows:

In reviewing architectural renderings under this section approval shall be based on consideration of whether the architecture, scale, and color and type of surface material of the proposed structure relate harmoniously to the surrounding landscape, are appropriate to existing buildings in the vicinity and have a functional or visual relationship to those existing buildings.

The 1986 amendment deleted section A in its entirety, "Site Plan Approval" and substituted a new section A, "Site Plan Special Permit".

The 1986 Special Town Meeting amendment (9/25/86) deleted paragraph #5 and substituted a new paragraph #5 which read as present above.

V. SPECIAL REGULATIONS

B. DESIGN REVIEW BOARD --

1. Establishment and Membership - A Design Review Board is hereby established. Said Design Review Board shall consist of five (5) members who shall be appointed by the Planning Board in the manner prescribed herein. Members of the Design Review Board shall include, where possible in order of preference, an architect, a landscape architect, and a resident from within or near the Business District. Members shall serve for three years or until their successors are appointed, except that of the five members first appointed, one shall serve for three years, two shall serve for two years, and two shall serve for one year.
2. Organization and Proceedings - The Design Review Board shall elect from among its members a Chairman, Vice-Chairman, and shall arrange for the services of a Secretary and such other officers or employees as is deemed necessary. Each officer shall service for a term of one (1) year. The Design Review Board shall adopt such rules and guidelines as are considered necessary to the conduct of its responsibilities which shall be a matter of public record. Meetings shall be held at the call of the Chairman and at such other times as the Board may determine.

The Board shall keep records of its proceedings showing the vote of each member on every question, of the fact of their absence or failure to vote, and the final decision of the Board. Records shall also be kept of all plans, photographs, and any other documents pertaining to each case, as well as all examinations, findings, determinations, and any other official action, including all reasons for all decisions and conditions prescribed; and all such items shall be a matter of public record. Decisions of the Design Review Board shall be by a simple majority and no final action shall be taken without the concurrence of at least three members.

3. Duties and Procedures of Design Review Board - Whether or not requested by the applicant, the Design Review Board shall review all applications for building permits, special permits or variances for all proposals for non-residential uses if involving new construction, exterior alteration, or a sign larger than six square feet. An extra copy of all usual submittals required for such proposals shall be provided through the Inspector of Buildings. The Design Review Board review shall preferably be done in consultation with the applicant and their designer. The Design Review Board shall make an advisory report in writing to the applicant and as follows:
 - a. For sign and building permits: to the Building Inspector regarding any changes to which the applicant has voluntarily agreed.
 - b. For special permits: to the Special Permit Granting Authority regarding effect of the amenity on the neighborhood.
 - c. For variances: to the Board of Appeals regarding possible detriment to the public good or derogation from the intent or purpose of the bylaw.

Lack of a report from the Design Review Board shall not be sufficient reason to delay action on a proposal which otherwise could be acted upon by the Building Inspector, Special Permit Granting Authority, or Board of Appeals.

STM 9/16/53:10g(4)
ATM 1967:47
ATM 1982:23
ATM 1985:24, 38
ATM 1986:21

STM 9/16/53:10g(4)
 ATM 1967:47
 ATM 1982:23
 ATM 1985:24,38
 ATM 1986:21

Notes:

The 1953 amendment incorporated into the Zoning By-law under Section 1 a new subsection E, paragraph (4), OFF-STREET PARKING, which read as at present above except that the separate subparagraphs under (4) were lettered a. through e. instead of numbered 1. through 5, and the last two paragraphs did not appear.

The 1967 amendment recodified the Zoning By-law and Section 1 E (4) was placed in Section V B: OFF-STREET PARKING. No wording change.

The 1982 amendment added two paragraphs at the end of Section V B so that

The 1985 amendments

(1) Substituted a new paragraph 1, which read as above, and deleted the following paragraph 1:

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.

(2) Deleted the words "Wherever possible" from the next to last paragraph.

The 1986 amendment deleted Section B in its entirety, Off-Street Parking, as printed as follows and substituted a new section B, DESIGN REVIEW BOARD, which read as at present above.

Section B deleted:

B. 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 of land associated therewith, within 300 feet of such building or use, off-street automobile parking space on the basis of the following minimum requirements:

1. 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 gross floor area.
2. 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.
3. Hotels, motels and other places offering overnight accommodations - at least one space for each guest room.
4. 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.

5. 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.

Parking shall be located behind buildings.

On lots where the number of proposed parking spaces exceeds twenty (20), one shade tree per ten spaces shall be provided. Shade trees shall be located in planting islands within the parking area. No island shall have an area less than twenty-five (25) square feet per shade tree. Shade trees shall have a minimum caliper of 2½ inches and be of a hardy species suitable for street tree use, as approved by the tree warden. Any supplementary ornamental plantings installed within these islands shall be of species that will not develop to obstruct vision within the parking area.

V. SPECIAL REGULATIONS

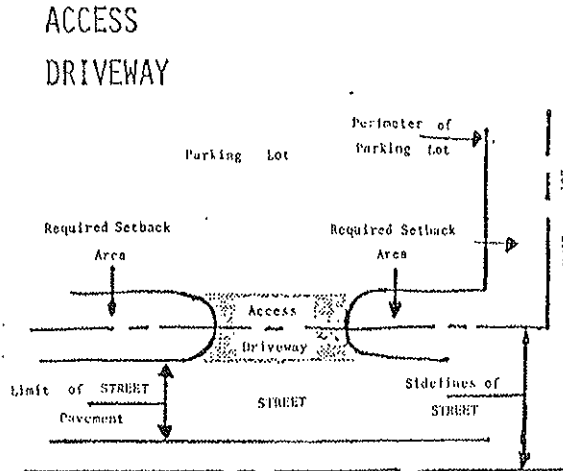
V, C

C. PARKING STANDARDS

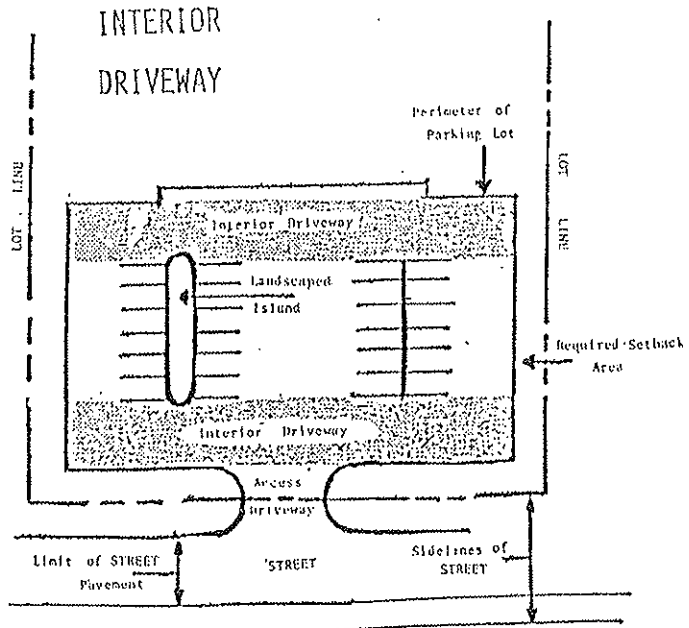
NOTE: Under section IX, V,A,7, the Board of Selectmen may under limited circumstances grant relief from the requirements of this section. The reader is advised to consult section IX,V,A,7 to determine circumstances under which relief may be available.

1. Definitions - For the purposes of this section, the following terms shall have the following meanings:

a. Access Driveway - The travel lane that allows motor vehicles ingress from the street and egress from the site and includes the area between the sideline of the street to the area within the lot where the access driveway is no longer within the minimum parking area setback required under section IX,V,C,9,b and to the perimeter of the parking lot

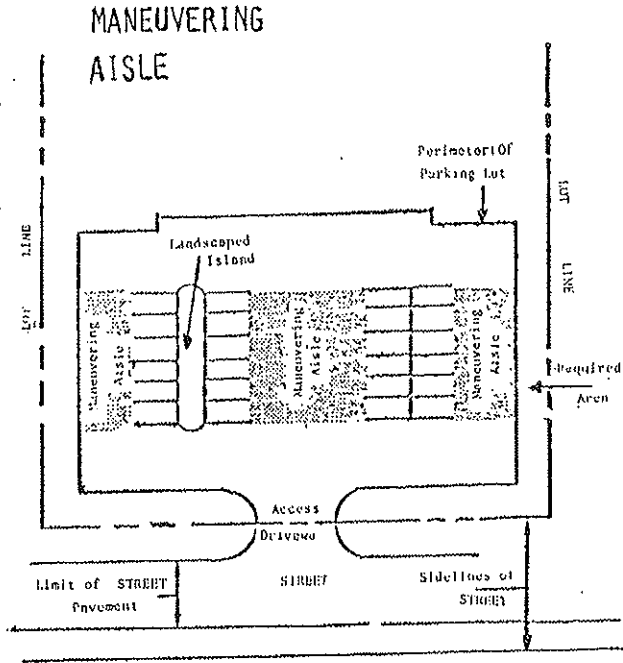


b. Interior Driveway - A travel lane located within the perimeter of a parking lot which is not used to directly enter or leave parking spaces. An interior driveway shall not include any part of the access driveway.

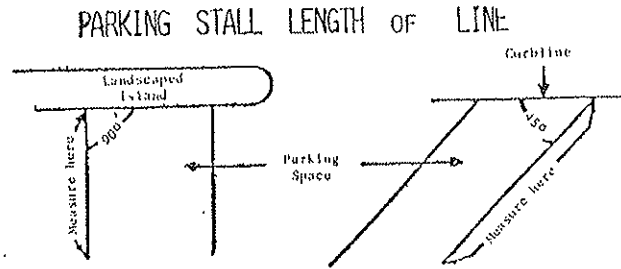


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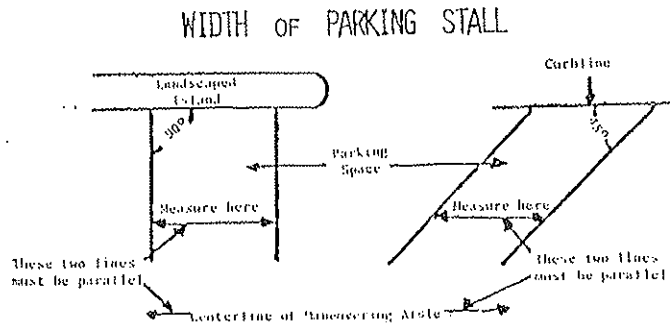
- c. Maneuvering Aisle - A travel land located within the perimeter of a parking lot by which motor vehicles directly enter and leave parking spaces.



- d. Parking Stall Length of Line - The dimension of the stall measured parallel to the angle of parking.



- e. Width of Parking Stall - The linear dimension measured across the stall and parallel to the maneuvering aisle.



2. General Provisions - No building or structure shall be located upon any lot and no activity shall be conducted upon any lot unless the required parking facilities are provided in accordance with this section.
- a. Change of Use - The use of any land or structure shall not be changed from a use described in one section of the schedule of uses to a use in another section of the schedule nor shall any floor area of a building be increased in any manner unless the number of parking spaces required for the new use are provided.
 - b. Undetermined Uses - In the case where the use of a building or buildings has not been determined at the time of application for a building permit or special permit, the parking requirements applicable to the most intensive use allowed in the zoning district where such undetermined use is to be located shall apply.
 - c. Relief from Parking Regulations - Relief from the parking regulations may be granted by the Board of Selectmen as part of the Site Plan Special Permit and in accordance with Section IX,V,A,7 of this Bylaw.
3. Schedule of Uses - General Requirements
- a. Comparable Use Requirement - Where a use is not specifically included in the Schedule of Uses, it is intended that the regulations for the most nearly comparable use specified shall apply.
 - b. Mixed Use Requirement - In the case of mixed uses, the requirements shall be the sum of the requirement calculated separately for each area of use, so that adequate space shall be provided to accommodate the cars of all persons on the premises at any one time. Parking spaces for one use shall not be considered as providing the required spaces for any other use, except when it can be clearly demonstrated that the need for parking occurs at different times and will continue to do so in the future.
 - c. Schedule of Uses

1) Dwelling	Two spaces for each dwelling unit.
2) Home Occupation	Two spaces and where non-residents are employed or where retail sales are conducted the Board of Appeals shall have the authority under section IX, III,A,b to require the number of parking spaces which it deems to be adequate and reasonable.
3) Hotel, Inn or Motel space	One space for each bedroom plus one space for each employee on the largest shift.
4) Educational	One space for each staff position plus one space for each five persons of rated capacity of the largest auditorium plus one space for each student vehicle which can be expected at maximum use time on the premises.
5) Nursing Home	One space for each two beds plus one space for each employee on the largest shift.

- 6) Retail Store; General and Personal Services; Financial; Studio; Building Trade; or Restaurant with no seating
One space for each 180 square feet of gross floor area.
- 7) Business or Professional Office
One space for each 200 square feet of gross floor area.
- 8) Restaurant; Religious; Funeral Home; Lodge or Club; or other Place of Assembly
One space for each three seats plus one space for each employee on the largest shift.
- 9) Motor Vehicle Service Station or Repair or Body Shop
Three spaces for each service bay plus one space for each employee on the largest shift.
- 10) Industrial
One space for each 2,000 square feet of gross floor area for the first 20,000 square feet plus one space for each additional 10,000 square feet of gross floor area and one space per employee on the largest shift.

4. Loading Areas - One or more off-street loading areas shall be provided for any business that may be regularly serviced by tractor-trailer trucks or other similar delivery vehicles, so that adequate areas shall be provided to accommodate all delivery vehicles expected at the premises at any one time. Loading areas shall be located at either the side or rear of each building and shall be designed to avoid traffic conflicts with vehicles using the site or vehicles using adjacent sites.

5. Standard Parking Dimensional Regulations - Off-street parking facilities shall be laid out and striped in compliance with the following minimum provisions:

<u>Angle of Parking</u> *(in degrees)	<u>Width of Parking Stall</u>	<u>Parking Stall Length of Line</u>	<u>Width of Maneuvering Aisle</u>
90*(two-way).....	9.0'	18.5'	24'
60*(one-way).....	10.4'	22'	18'
45*(one-way).....	12.7'	25'	14'
Parallel (one-way).....	8.0'	22'	14'
Parallel (two-way).....	8.0'	22'	18'

V. SPECIAL REGULATIONS

C. 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 the 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:

1. said lot was shown on a plan duly recorded by deed or plan at the time this amendment is adopted, on September 16, 1953, or
2. 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
3. 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.

STM 9/16/53:10g(5)

ATM 1967:47

Notes:

The 1953 amendment incorporated into the Zoning By-law under Section 1 a new subsection E, paragraph (5) of which read as at present above except that the separate subparagraphs under (5) were lettered a. through c. instead of numbered 1. through 3.

The 1967 amendment recodified the Zoning By-law and Section 1 E (5) was placed in Section V C: VEHICULAR ACCESS. No wording change.

STM 9/16/53:10g(5)
ATM 1967:47
ATM 1986:21

Notes:

The 1953 amendment incorporated into the Zoning Bylaw under section 1 a new subsection E, paragraph (5) of which read as at present above except that the separate subparagraphs under (5) were lettered a. through c. instead of numbered 1 through 3.

The 1967 amendment recodified the Zoning Bylaw and section 1E (5) was placed in Section V C: Vehicular Access. No wording change.

The 1986 amendment deleted Section C, Vehicular Access, in its entirety and substituted a new Section C Parking Standards, which read as at present above. The deleted section C was as follows:

C. 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 the 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:

1. said lot was shown on a plan duly recorded by deed or plan at the time this amendment is adopted, on September 16, 1953, or
2. 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
3. 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.

V,C

6. Small Car Stalls - In parking facilities containing more than 40 parking stalls, 15 percent of such parking stalls may be for small car use, except for retail store, retail service business or restaurant uses. Such small car parking facilities shall be grouped in one or more contiguous areas and shall be identified by a sign(s).
7. Small Car Parking Dimensional Regulations - Off-street small car parking facilities shall be laid out and striped in compliance with the following minimum provisions:

<u>Angle of Parking</u>	<u>Width of Parking Stall</u>	<u>Parking Stall Length of Line</u>	<u>Width Maneuvering Aisle</u>
*(in degrees)			
90*(two-way).....	8.5'	15.0'	24'
60*(one-way).....	9.8'	18.5'	18'
45*(one-way).....	12.0'	21.5'	14'
Parallel (one-way).....	8.0'	18.0'	14'
Parallel (two-way).....	8.0'	18.0'	18'

8. Handicapped Parking - Parking facilities shall provide specifically designated parking spaces for the physically handicapped in accordance with 521 CMR Rules and Regulations of the Architectural Barriers Board.
9. Design Requirements for Parking Facilities -
- Residential Uses - One parking stall may be provided directly behind another for each dwelling unit, provided that each stall shall meet the width and depth requirement and in no case shall such stalls which are more than two deep be considered in computing the required parking.
 - Business or Industrial Uses - Required parking spaces, loading areas and driveways shall be provided and maintained with suitable grading, paved surfaces and adequate drainage. No parking space or other paved surface, other than access driveway(s) or walkways, shall be located within 10 feet of any lot line, and notwithstanding the foregoing, no parking space or other paved surface, other than access driveway(s) or walkways, shall be located within the limits of a landscape buffer area required under section IX,V,A,6,i.
 - Business or Industrial Uses - Each lot may have one access driveway which shall be at least 24 feet wide at its narrowest point but not more than 40 feet wide at its widest point. Each lot may have one additional access driveway for each 200 feet of frontage provided all such access driveway(s) shall be at least 200 feet apart on the lot measured from the centerline of each access driveway. In the case of an access driveway which shall be used for one-way traffic only, the minimum width may be reduced to 14 feet at its narrowest point.
 - Non-residential Uses - All parking shall be located behind buildings.
 - Interior driveways may be reduced to no less than 20 feet for two-way traffic and 14 feet for one-way traffic.

SIM 9/16/53:10g(5)
 ATM 1967:47
 ATM 1986:21

V. SPECIAL REGULATIONS

D. SIGNS AND ADVERTISING DEVICES

1. Objectives - The following sign regulations are intended to serve these objectives:
 - a. Facilitate efficient communication, and
 - b. Avoid conflict between signs and the visual qualities of their environs, and
 - c. Support business vitality within nonresidential districts by accomplishing the above objectives without burdensome procedures and restrictions.
2. Definitions - For the purposes of this section, the following terms shall have the following meaning:
 - a. Signs and Advertising Devices - Any symbol (other than religious), design or device used to identify or advertise any place of business, product, activity or person.
 - b. Projecting Sign - Any sign which is attached to a building and is not parallel to the wall to which it is attached. A sign in contact with the ground is not a projecting sign.
 - c. Freestanding Sign - The term "freestanding sign" shall include any and every sign that is erected on the land.
 - d. Wall Sign - A sign securely fixed parallel to the face of a building wall.
 - e. Erecting - Any constructing, relettering, extending, altering, changing or moving of a sign other than repainting, repairing and maintaining.
 - f. Display Area - The total surface area of a sign. The display area of an individual letter sign or irregular shaped sign shall be the area of the smallest triangle or rectangle into which the letters or shape will fit. Where sign faces are placed back to back and face in opposite directions, the display area shall be defined as the area of one face of the design.

- g. Self Illumination - Illumination of any type coming from within a sign, or from lights or tubes which comprise any part of the design or lettering of a sign, not including so called silhouette lighting.
 - h. Direct Illumination - Illumination of a sign by light sources outside the sign and shining against the face of the sign, including so called silhouette lighting.
3. General Regulations - The following regulations shall apply in all districts.
- a. No exterior sign or advertising device shall be erected except as provided by this bylaw.
 - b. No sign which requires a sign permit under this bylaw shall be erected except in the exact location and manner described in the permit.
 - c. No sign shall be erected that in any way creates a traffic hazard or obstructs traffic.
 - d. No sign shall be painted or posted directly on the exterior surface of any wall. All exterior, attached signs, shall be painted, posted or otherwise securely affixed to a substantial intermediary removable surface and such surface shall be securely affixed to the wall of the building. The foregoing, however, shall not prevent installation of a sign by individual letters or devices cut into or securely affixed to the exterior of a building, provided that such letters or devices have a minimum depth of projection of one fourth (1/4) of an inch. The construction of the sign shall comply with the State Building Code.
 - e. No sign shall be illuminated between the hours of 11:00 p.m. and 6:00 a.m., except signs on premises open for business, and then only upon issuance of a special permit by the Board of Appeals.
 - f. Only white lights shall be used for illumination of a sign. The illumination of any sign shall be shaded, shielded, directed and maintained at a sufficiently low intensity and brightness that it shall not affect the safe vision of operators of vehicles moving within the premises or on any adjacent public or private ways.
 - g. Any sign which advertises or identifies products, businesses, services or activities which are no longer sold, located or carried on at the premises shall be removed within 60 days after notice to the property owner by the Building Inspector.

4. Sign Permits - No sign which requires a sign permit shall hereafter be constructed except in conformity with a sign permit from the Building Inspector.
 - a. Applicability - All signs shall require a sign permit except as provided in section 6.
 - b. Application - All applications for signs requiring a sign permit shall be obtained from the Building Inspector and shall include at least: 1) the location, by street number, of the proposed sign; 2) the name and address of the sign owner and the owner of the premises where the sign is to be located, if other than the sign owner; 3) a scale drawing showing the proposed construction, method of installation or support, colors, dimensions, location of the sign on the site, and method of illumination, 4) such other pertinent information as the Building Inspector may require to ensure compliance with the bylaw and any other applicable law, and 5) the application must be signed by the owner of the sign and the owner of the premises where the sign is to be located. The Building Inspector shall have the authority to reject any sign permit application which is not complete when submitted. The Building Inspector shall refer all applications to the Design Review Board for recommendations in conformance with Section IX,V,B,3 of this bylaw.
 - c. Time Limitations - The Building Inspector shall approve or disapprove any application for a sign permit within 60 days of receipt of the application. If the Building Inspector should fail to act on an application for a sign permit within such 60 day period, the application shall be deemed to be denied.
 - d. Fees - The Board of Selectmen shall establish and from time to time review a sign permit fee which shall be published as part of the sign permit application.
5. Signs Prohibited in All Districts
 - a. All portable "A" frame or similar signs, billboards, signs on utility poles, towers, trees or fences and all signs not located on the same premises as the advertised activity, business, product or person.
 - b. All wind signs including nongovernmental flags, banners, pennants, ribbons, streamers and spinners.
 - c. All string lights used in connection with commercial premises with the exception of temporary lighting for holiday decoration.
 - d. All self-illuminated signs.
 - e. All signs which flash, rotate or make noise.

6. Signs Which Do Not Require a Sign Permit

- a. Resident Identification Sign - One sign, either attached or freestanding, indicating only the name of the owner or occupant, street number, and accessory permitted uses or occupations engaged in thereon. All such signs shall not exceed two square feet in sign area and, if lighted, shall use indirect white light only.
- b. Governmental Signs - Signs erected and maintained by the Town of Sudbury, the Sudbury Water District, the Sudbury Housing Authority, the Lincoln Sudbury Regional High School, the Commonwealth of Massachusetts, or the Federal Government on any land, building or structure used by such agencies and any other signs at any location required by such agencies for public health or safety purposes.
- c. Religious Institutions - Two signs identifying churches, synagogues, and other similar religious uses are permitted on each street frontage, one of which may not exceed 16 square feet in area and the other of which may not exceed 10 square feet in area. One sign may be a free-standing sign used for notices and announcements of events at the religious institution.
- d. Real Estate Signs - One real estate sign, not over six (6) square feet in area advertising the sale or rental of the premises on which it is located is permitted. One real estate sign not more than 20 square feet in area and not more than 10 feet in any dimension may be erected on subdivisions of land as defined in General Laws, Chapter 41, Section 81-L, solely to advertise the selling of land or buildings in said subdivision. Such signs shall be removed promptly after the completion of the subdivision, sale, rental or lease.
- e. Temporary Construction Signs - One temporary construction sign for a new project identifying the building, the owner or intended occupant and the contractor, architect and engineers, which shall not be illuminated nor in excess of six square feet in the residential district and twenty square feet in all other districts. Such signs shall not be erected prior to the issuance of a building permit and shall be removed within seven days of completion of construction or issuance of the occupancy permit whichever occurs first.
- f. Window Signs - Temporary window signs in the Business or Industrial districts shall not require a sign permit provided that their aggregate display surface

covers no more than 15% of the window or door on which they are placed. Such signs shall not be illuminated other than by standard lighting fixtures on the building. Window signs promoting a public service or charitable event shall not be calculated in the allowable 15%.

- g. Fuel Pump Signs - In accordance with M.G.L. Chapter 94, Section 295, standard gasoline fuel pump signs on service station fuel pumps bearing thereon in usual size and form the name, type and price of the gasoline.
 - h. Special Signs - Signs mounted on registered motor vehicles or carried by hand.
7. Signs requiring a sign permit in the Business, Limited Business, Industrial, Limited Industrial, Industrial Park and Research Districts - Any principal use permitted in the Business, Limited Business, Industrial, Limited Industrial, Industrial Park and Research Districts may erect a sign or signs subject to the following:
- a. Exterior Sign - Except as may otherwise be provided, one exterior sign shall be permitted for each business, not including directional signs. The exterior sign may be a wall sign or individual letter sign. The wall sign or individual letter sign shall not exceed twenty-four square feet and shall not be higher than the top of the roof or ridge line of the building. No portion of a wall sign or individual letter sign shall project more than one foot from the face of a wall or above the wall of any building.
 - b. Secondary Signs - If a business has a direct entrance into the business in a wall other than the front wall, there may be a secondary sign affixed to such wall; provided, however, that no business shall have more than one secondary sign in any event. The display surface of the secondary sign shall not exceed six square feet.
 - c. Directory Signs - One exterior directory sign listing the name and location of the occupants of the premises may be erected on the exterior wall of a building at each entrance or other appropriate location provided the display area shall not exceed one square foot for each occupant identified on the directory sign.
 - d. Directional Signs - Directional signs may be erected near a street, driveway or parking area if necessary for the safety and direction of vehicular or pedestrian traffic. The display area of each directional sign shall not exceed two square feet and no directional sign shall be located more than six

feet above ground level if mounted on a wall of a building or more than three and one-half feet above the ground if freestanding. Directional signs shall not advertise, identify or promote any product, person, premises or activity but may identify the street name/number and provide traffic directions.

- e. Freestanding Business Sign - One freestanding business sign which identifies only the name of a business center or a business may be erected on a lot provided that no other sign(s) permitted under this bylaw other than directory or directional signs shall be on the same lot. The display area of a freestanding business sign shall not exceed 16 square feet and the height measured from grade to the uppermost part of the sign shall not exceed 12 feet. Such sign shall not be located within 10 feet of any property line and shall comply with the setback requirements delineated in Section IX.IV.C.3.c. of this bylaw.
8. Signs requiring a sign permit in the Residential Districts - One sign either attached or freestanding, pertaining to an apartment development or a permitted non-residential principal use such as farms, farm stands, nurseries, greenhouses, and similar uses may be erected upon a lot provided no other sign(s) permitted by this bylaw shall be on the same lot. The display area of the sign shall not exceed 10 square feet and if freestanding the height measured from grade to the uppermost part of the sign shall not exceed twelve feet. The freestanding sign shall not be located within 10 feet of any street or property line.
9. Special Permits - The Board of Appeals may issue Special Permits for signs other than as provided herein if it is determined that: (a) the architecture of the building, the location of the building with reference to the street or the nature of the establishment is such that the sign should be permitted in the public interest; (b) the sign will not cause visual confusion, glare, offensive lighting in the neighborhood; (c) the sign will not be a detriment to the surrounding area; (d) the sign will not significantly alter the character of the zoning district; (e) the sign will not interfere with traffic safety in the area; and (f) the sign will be consistent with the architecture of the building on the lot upon which the sign is to be located and of the surrounding area. In granting such permission, the Board of Appeals shall specify the size and location of the sign or signs and shall impose such other terms and restrictions as it may deem to be in the public interest. All applications under this provision shall provide the information required in Section D,4,b above and specific information in the form of perspectives, renderings, photographs or other representations sufficient to show the nature of the proposed sign, its effect on the immediate surroundings and the reasons for allowing it.

V D

10. General - The following are further means by which the objectives for signs stated at the beginning of Section IX,V,D can be served. These guidelines are not mandatory, but degree of compliance with them shall be considered by the Design Review Board and by the Special Permit Granting Authority in acting upon permits authorized under this section, as shall consistency with the basic sign objectives cited above.

a. Efficient Communication

- 1) Signs should not contain selling slogans or other advertising which is not an integral part of the name or other identification of the enterprise.
- 2) Signs should be simple, neat, and avoid distracting elements, so that contents can be quickly and easily read.

b. Environmental Relationship

- 1) Sign design should take into consideration the size, brightness, style, height, and colors of other signs in the vicinity.
- 2) Sign brightness should not be excessive in relation to background lighting levels, e.g. averaging not in excess of 100 foot-lamberts in the commercial area or similarly bright areas, and not in excess of 20 foot-lamberts in unlighted outlying areas and in areas bordering on or visible from residential zones.

c. Building Relationship

- 1) Signs should be sized and located so as not to interrupt, obscure, or hide the continuity of columns, cornices, roof eaves, sill lines, or other elements of building structure, and where possible, should reflect and emphasize building structural form.
- 2) Sign materials, colors, and lettering should be reflective of the character of the building to which the sign relates.
- 3) Clutter should be avoided by not using support brackets extending above the sign or guy wires and turn buckles.

11. Nonconformancy - Any nonconforming sign legally erected prior to the adoption of this bylaw may be continued and maintained, but shall not be enlarged, reworded, redesigned, or altered in any way unless it conforms with the provisions contained herein. The exemption herein granted shall terminate with respect to any sign which:
- a. Shall have been abandoned;
 - b. Advertises or calls attention to any products, business or activities which are no longer carried on or sold, whether generally or at the particular premises;
 - c. Shall not have been repaired or properly maintained within sixty (60) days after notice to that effect has been given by the Building Inspector;
 - d. Which has been destroyed or damaged to the extent that the cost of repair or restoration will exceed one-third of the replacement value as of the date of destruction.

STM 9/16/53: 10g(2)

ATM 1964:35

ATM 1967:47

STM 11/1/71:7

ATM 1974:24

ATM 1975:21

ATM 1980:41

ATM 1984:37

ATM:1986:21,22

STM 9/16/53:10g(2) ATM 1986:21, 22
ATM 1964:35
ATM 1967:47
STM 11/1/71:7
ATM 1974:24
ATM 1975:21
ATM 1980:41
ATM 1984:37

Notes:

The 1953 amendment incorporated into the Zoning Bylaw under Section 1 a new subsection E, paragraph (2) of which read as follows:

(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 part of the architectural design of a building, shall be permitted for each separate and distinct enterprise on the premises.

The 1964 amendment struck out former Section 1 E (2) and substituted a new Section 1 E (2) which read as follows:

(2) Exterior Signs. The total area of exterior signs, other than exterior signs attached to or part of the architectural design of the building, shall not exceed 1 square foot for each 7 lineal feet of principal street frontage occupied by the business or industrial use to which it pertains; and the height of any sign shall not be higher than the roof or ridge line of any associated structure; and in no case shall exceed 20 feet in height. Not more than two such signs shall be permitted for each separate and distinct enterprise on the premises.

(a) Self-illuminating signs and beacons, including, but not limiting, gas tube, flourescent, incandescent, rotating and flashing signs, shall not be permitted in any district.

(b) Exterior signs attached to, or part of the architectural design of the building shall not exceed, in total area, more than 15% of the two dimensional elevation of the building or structure of which they are a part, and in height, the top of the roof or ridge line.

The 1967 amendment recodified the Zoning Bylaw and Section 1 E (2) was placed in Section V J: EXTERIOR SIGNS. No change in wording.

The 1971 amendment struck out Paragraph J. "Exterior Signs" and inserted a new Paragraph J. which read as follows:

V. SPECIAL REGULATIONS

J. EXTERIOR SIGNS

1. The word sign, as used herein, shall mean and include any lettering, word, numeral, emblem, design, device, trademark, drawing, picture, flag, pennant, streamer, or other object of whatever material or method of construction and however displayed whether being a structure or any part thereof, a building or other structure or object and used to indicate, announce, direct, attract, advertise or promote.
2. The total area of exterior signs, other than exterior signs attached to or part of the architectural design of a building, shall not exceed the more restrictive of the following: a) 1 square foot for each 7 lineal feet of principal street frontage occupied by the business or industrial use to which it pertains, or b) forty square feet on any side.

The height of any sign shall not be higher than the roof or ridge line of any associated structure, and in no case shall exceed 20 feet in height. Not more than one such sign shall be permitted for each separate and distinct enterprise on the premises.
3. Exterior signs attached to, or part of the architectural design of the building shall not exceed: in total area more than 10% of the two dimensional elevation of the building or structure of which they are a part, and in height, the top of the roof or ridge line.
4. Illuminated signs shall not be permitted in any district without a permit issued by the Board of Selectmen. No permit for an illuminated sign shall be granted unless all of the following requirements are satisfied:
 - a. The sign will not cause visual confusion, glare or offensive lighting in the neighborhood.
 - b. The sign will not be a detriment to the surrounding area.
 - c. The sign will not significantly alter the character of the zoning district.
 - d. The sign will not interfere with traffic safety in the area.

5. The following provisions shall apply to all districts:
 - a. No beacons and rotating and/or flashing signs or gas tube signs shall be allowed.
 - b. No sign shall be permitted which does not relate to the identity or business of the owner or legal occupant of the premises upon which it is located.
 - c. No sign shall be attached to a radio, television or water tower, utility poles, lighting structures and similar poles and structures.
 - d. No illuminated sign shall be erected, used, modified or changed until such erection, use, modification or change has been approved by the Board of Selectmen.

6. Any non-conforming sign legally erected prior to the adoption of Paragraph J. of this By-law, or any amendment thereof, may be continued to be maintained but shall not be enlarged, reworded (other than in the case of theater or directory signs), redesigned or altered in anyway unless it is brought into conformity, or unless a waiver from this section is granted by the Board of Selectmen. The Board of Selectmen shall consult with the Planning Board on each application for waiver and the Board shall make a determination within 45 days from the date of application.

The exemption herein granted shall terminate with respect to any sign which: 1) shall have been abandoned; 2) advertises or calls attention to any products, businesses or activities which are no longer carried on or sold, whether generally or at the particular premises; or 3) shall not have been repaired or properly maintained within 60 days after notice to that effect has been given by the Building Inspector.

The 1974 amendment struck out Paragraph J. "Exterior Signs" and inserted a new Paragraph J. which read as at present above in Section V J except that in Subsection 4, paragraph 1, line 6, the word "above" appeared instead of the word "below", and the words "shopping center" appeared in the second paragraph of Subsection 6 between the words "business" and "industrial".

The 1975 amendment deleted the word "above" and substituted the word "below" in paragraph J, Subsection 4, paragraph 1, line 6.

The 1980 amendment deleted the words "shopping center" from Subsection 6.

NOTE: For additional regulations relative to signs, see the following:

In Residence Districts	III, A, 1, b	pp 132-3
	III, A, 1, e	p 136
In Limited Business Districts	III, B, 1	pp 140-1
In Business Districts	III, B, 2	p 144
In Site Plans	V, A	p 193

The 1984 amendment deleted subsection 4 "Administration and Enforcement" and substituted a new subsection 4 which read as at present above; it deleted subsection 5.a. "General Regulatory Provisions - Signs" and substituted a new subsection 5.a. which read as at present above; it deleted subsection 5.c.i and substituted a new 5.c.i section which read as at present above; it deleted subsection 5.c.ii and substituted a new 5.c.ii section which read as at present above; it deleted in the second sentence of subsection 6, Illuminated Signs, the words "without a permit issued by the Sign Review Board"; it deleted in the third sentence of subsection 6, Illuminated Signs the words "and no permit for a self-illuminated sign shall be granted"; it added to subsection 6 a new requirement lettered (e), which read as at present above; it deleted from subsection 6 prohibition letter (c); and it deleted the first paragraph of subsection 7 and substituted a new first paragraph, which read as at present above.

The 1986 amendment relettered section J, SIGNS, to be section D
(Article # 21)

The 1986 amendment (Article #22) deleted Section D, SIGNS, and substituted a new Section D, SIGNS AND ADVERTISING DEVICES, which read as at present above.

V. SPECIAL REGULATIONS

E. TRAILERS

Automobile trailers, commonly known as home trailers, shall not be used for dwelling purposes in any part of the Town except in a trailer camp or park for which a permit has been granted by the Board of Appeals as required by this by-law (III B 2 f and III C 2 g) and a license granted by the Board of Health under the provisions of General Laws, Chapter 140; nor shall such trailers be stored or parked on any premises in a residence district except that the Board of Selectmen may upon written application grant to an owner of premises in any

residence district a special permit for the storing or parking of automobile trailers of the non-resident guests of such owner on such premises upon such conditions as the said board may prescribe and for a period not to exceed thirty days in any one calendar year, and except, the Board of Selectmen may upon written application grant to an owner of a residence lot or site, a special permit for dwelling purpose use of an automobile trailer; provided such owner has secured a building permit for the construction of a dwelling on such lot or site, upon such conditions as the Board of Selectmen may prescribe and for a period not to exceed one year.

A single camping trailer, utility trailer, horse trailer, boat or pick-up camper, not exceeding 24 feet in length, used by the resident for his own use, may be stored on a residential lot. No such trailer, camper or boat may be used for a dwelling on a residential lot.

STM 12/3/56:56
 ATM 1964:39
 ATM 1967:47
 ATM 1968:37
 ATM 1969:39
 ATM 1986:21

Notes:

The 1956 amendment incorporated into the Zoning By-law a new Section 1 AA relative to automobile trailers worded as at present in the first paragraph above except that in the fifth line the reference was to Section 12 and in the eleventh line the words were "Residential District" instead of "residence district".

The 1964 amendment changed the section number from 1 AA to 1 AA(1) because paragraphs AA(2) and AA(3) were added at that time.

The 1967 amendment recodified the Zoning By-law and Section 1 AA(1) was placed in Section V D: TRAILERS. The words "as required by this by-law (III B 2 f and III C 2 b)" were substituted for the words "as required by Section 12" for conformity of section reference.

The 1968 amendment incorporated into Section V D a new paragraph worded as at present in the second paragraph above.

The 1969 amendment corrected the section reference in the fourth line to read as at present above.

The 1986 amendment changed the section letter "D" to section letter "E"

V. SPECIAL REGULATIONS

F. 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:

1. the growing of plants in the soil
2. open-air dining areas where patrons are seated at tables
3. parking areas for customer and employee automobiles
4. exterior signs as permitted herein
5. 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.
6. 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.
- 7.a. In Industrial Districts, Limited Industrial Districts, and Industrial Park Districts auxiliary outside storage or use shall be permitted provided that such outside storage or use shall not exceed in ground area a space equal to the number of square feet occupied by the building. Any outside storage or use shall be confined to the rear of a building. Outside parking areas may be allowed at the sides of a building provided they are adequately screened and set back from the front of the building by 25% of the depth of the building.
- b. In Limited Industrial Districts and Industrial Park Districts the regular parking of commercial motor vehicles within 1,000 feet of a residential district except wholly within a completely enclosed building is prohibited.
8. In Research Districts only, such non-nuisance research, development or engineering work as must necessarily, or may more conveniently, be conducted outside.

STM 9/16/53:10g(7)

STM 12/3/56:61

STM 12/17/58:16

STM 12/15/59:1

ATM 1967:47, 53

ATM 1968:43

ATM 1970:43

ATM 1986:21

STM 9/16/53:10g(7)
STM 12/3/56:61
STM 12/17/58:16
STM 12/15/59:1
ATM 1967:47, 53
ATM 1968:43
ATM 1970:43
ATM 1986:21

Notes:

The 1953 amendment incorporated into the Zoning By-law under Section I a new subsection E, paragraph (7) of which read as follows:

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

- (7) Enclosure of uses.
(As at present in Section V E, paragraphs 1. through 6. above, except that the paragraphs were lettered a. through e.)

The 1956 amendment struck out the words "The following additional provisions shall apply in Limited Business and Business Districts:" This amendment also added a new paragraph g. as in V E 7 a. at present above except that the paragraph began as follows: "In Industrial Districts only, auxiliary outside storage..."

The 1958 amendment struck out in paragraph g. of Section I E (7) the word "only" after the words "Industrial Districts" and added the words "and Limited Industrial Districts" so that the paragraph began as follows: "In Industrial Districts and Limited Industrial Districts auxiliary outside storage..."

The 1959 amendment added a new paragraph h. to Section I E (7) as at present in Section V E 8. above.

The 1967:47 amendment recodified the Zoning By-law and Section I E (7), a. through h., was placed in Section V D, 1. through 8.: ENCLOSURE OF USES. No change in wording.

The 1967:53 amendment struck out in Section V D 7. the words "and Limited Industrial Districts" from the first sentence and inserted the words "in Industrial Districts and Limited Industrial Districts:" after the first sentence. (The vote under Article 53 does not make it clear whether the inserted words were to be part of the first sentence or part of the second sentence. The wording was cleared up by the 1968 amendment, however, since the entire paragraph 7 a. was voted.)

The 1968 amendment changed Section V D 7. to read as at present in 7 a. above, and added a new paragraph 7 b. which read as follows:

- 7 b. in Limited Industrial Districts and Industrial Park Districts the regular parking of commercial motor vehicles except wholly within a completely enclosed building is prohibited.

The 1970 amendment inserted in 7 b. the words "within 1,000 feet of a residential district" after the word "vehicles" so that the paragraph read as at present above.

The 1986 amendment changed the section letter "E" to section letter "F".

V. SPECIAL REGULATIONS

G . EXCAVATIONS ABUTTING ROADS

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.

ATM 1939:19
ATM 1953:40
ATM 1956:44
ATM 1967:47
ATM 1986:21

Notes:

The 1939 amendment incorporated into the Zoning By-law a new Section 10 as follows:

Section 10. The removal and sale of sand or gravel is permitted in any district provided such removal is not detrimental to the adjoining property and that 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.

The 1953 amendment deleted from Section 10 the following words:

The removal and sale of sand or gravel is permitted in any district provided that such removal is not detrimental to the adjoining property and that...

The 1956 amendment added to the end of Section 10 the words "except as may be authorized by the board of appeals" so that the section read as at present above.

The 1967 amendment recodified the Zoning By-law and Section 10 was placed in Section V F: EXCAVATIONS ABUTTING ROADS. No change in wording.

(Note: Under the 1939 version of the Zoning By-law, the removal of sod and loam was covered under Section 8 and the removal of sand and gravel was covered under Section 10. See page 16.) (Also see Article V(A), REMOVAL OF EARTH, Annotated By-laws, page 72)

The 1986 amendment changed the section letter "F" to section letter "G".

V. SPECIAL REGULATIONS

II. RAISING OF CERTAIN ANIMALS

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.

ATM 1939:19
 ATM 1940:24
 ATM 1967:47
 ATM 1986:21

Notes:

The 1939 amendment incorporated into the Zoning By-law a new Section 11 as follows:

Section 11. The raising of swine, poultry, fur-bearing animals, and kennel keeping will not be permitted in any business, industrial or Single Residence district; but the establishment of any of the above enterprises as a business or industry within Single Residence districts after the adoption of this by-law shall be allowed only by a permit by the Board of Appeals, and the said Board may impose whatever regulation it deems advisable upon the applicant.

The 1940 amendment changed the wording of Section 11 to read as at present above.

The 1967 amendment recodified the Zoning By-law and Section 11 was placed in Section V G: RAISING OF CERTAIN ANIMALS. No change in wording.

The 1986 amendment changed the section letter "G" to section letter "H".

V. SPECIAL REGULATIONS

I. 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.

ATM 1931:36
ATM 1936:18
ATM 1939:19
ATM 9/16/53:10"o"
ATM 1967:47
ATM 1986:21

Notes:

The 1931 original Zoning By-law contained as Section 7 the following:

Section 7: Filing Stations:

(a) At every filling station hereafter constructed, the building shall be located at least sixty feet from the center line of the highway on which it faces; no pumps shall be nearer than fifty feet from the center line of the highway, and no filling shall be done except in cars standing on property of the filling station.

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

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

The 1936 amendment deleted in Section 7 (a) after the first word "highway" the words "on which it faces".

The 1939 amendment changed the section number from 7 to 18 and deleted paragraph (c). The amendment also substituted the word "Industrial" for "manufacturing" and added the word "district" after "Business" in paragraph (b).

The 1953 amendment struck out Section 18 and substituted a new Section 18 as follows:

Section 18: LOCATION OF AUTOMOBILE SERVICES

(Worded as at present in Section V H above.)

The 1967 amendment recodified the Zoning By-law and Section 18 was placed in Section V H: LOCATION OF AUTOMOBILE SERVICES. No change in wording.

The 1986 amendment changed the section letter "H" to section letter "I".

V. SPECIAL REGULATIONS

J. EXTERIOR LIGHTS

In all non-residential district any exterior light shall be so arranged as to reflect the light away from streets and singleresidence districts. In Industrial Park Districts, exterior lights shall be shielded such that light source lenses shall not be visible from any residential district.

STM 9/16/53:10g(1)
ATM 1967:47
ATM 1968:43
ATM 1986:21

Notes:

The 1953 amendment incorporated into the Zoning By-law under Section I a new subsection E, paragraph (1) of which read as follows:

(1) Exterior Lights. Any exterior light shall be so arranged as to reflect the light away from streets and Single Residence Districts.

The 1967 amendment recodified the Zoning By-law and Section I E (1) was placed in Section V I: EXTERIOR LIGHTS. The words "In all non-residential districts" were inserted before the words "any exterior lights" so that Section V I read as at present in the first sentence above.

The 1968 amendment added to Section V I a second sentence as at present above.

The1986 amendment changed the section letter "I" to section letter "J".

V. SPECIAL REGULATIONS

V K

K SCREENING OF OPEN USES

In all non-residential districts, parking lots and any open display of junk, (including wrecked automobiles, scrap iron, used paper, or rags) or of other 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 industrial 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. In Industrial Park Districts screening required under this paragraph shall be such that the use being screened is not visible at any time at normal eye level from any point within a Single Residence District and less than 150 feet distant from the boundary of the Industrial Park District.

STM 9/16/53:10g(3)

STM 12/3/56:62

ATM 1967:47

ATM 1968:43

ATM 1982:23

Notes:

The 1953 amendment incorporated into the Zoning By-law under Section 1 a new subsection E, paragraph (3) of which read as at present in Section V K except that: the paragraph started with the words "Any open storage or display...; the words "low-value or used" appeared after the words "rags) or of other"; and the last sentence relative to Industrial Parks did not appear.

The 1956 amendment deleted the words "low value or used" after the words "rags) or of other".

The 1967 amendment recodified the Zoning By-law and placed Section 1 E (3) in Section V K: SCREENING OF OPEN USES. The words "In all non-residential districts," were added at the beginning of the paragraph.

The 1968 amendment added the last sentence relative to Industrial Park Districts as at present above.

The 1982 amendment added the words "parking lots and" after the words "In all non-residential districts" in the first sentence so that Section V K read as at present above.

V. SPECIAL REGULATIONS

L. UNREGISTERED MOTOR VEHICLES

Unregistered motor vehicles which are unfit for use, permanently disabled or have been dismantled or are otherwise inoperative, shall not be stored, parked, or placed upon any land in the Town unless the same shall be within a building or in an area unexposed to the view of the public and abutters or in an area properly approved for the keeping of the same by licensed junk dealers (and automobile dealers).

ATM 1964:40

ATM 1967:47

Notes:

The 1964 amendment incorporated into the Zoning By-law a new Section 19 B as follows:

Section 19 B: Improper storage of unregistered, disabled motor vehicles. (Paragraph read as at present above)

The 1967 amendment recodified the Zoning By-law and Section 19 B was placed in Section V L: UNREGISTERED MOTOR VEHICLES. No change in wording.

V. SPECIAL REGULATIONS

M. SWIMMING POOLS

For the purposes of this Bylaw a swimming pool is defined as a structure or tank designed or customarily used for human swimming and which is at least 18 inches in depth and at least 10 feet in its longest dimension.

Pools, whether above or below ground, shall be so enclosed as to prevent children or animals from accidentally falling into them. As a minimum, any pool at ground level shall be enclosed by a five-foot high fence, which cannot be climbed through or under. Any above-ground pool shall be enclosed by a fence at least thirty inches in height above the edge of the pool and the top of any fence shall be at least five feet above the ground. Any fence shall have at any opening or doorway, a self-latching type gate or door which is not operable by preschool aged children. Any stairway to any pool or pool area shall be protected by a fence, the top of which is at least five feet above the ground.

ATM 1974:23

ATM 1975:20

Notes:

The 1974 amendment incorporated into the Zoning Bylaws a new Section V, M that read as at present above in the second paragraph. No title was voted.

The 1975 amendment added the title "Swimming Pools" and added the first paragraph so that paragraph M read as at present above.

V. SPECIAL REGULATIONS

V N

N. LANDSCAPING

In order to establish minimum landscaping requirements and preserve the visual environment, the following requirements shall apply:

1. Open Space: At least 15% of a lot shall be designated open space. Open space may contain area for side line, front and rear yard requirements, landscaped areas, untouched natural areas. Open space shall not include areas developed for vehicle access, parking, storage and similar accessory uses, except that open space may include walkways, patios and terraces, up to 10% of the open space requirement.
2. Landscape Plan: Applicants seeking site plan approval will submit a plan including the following:
 - Existing site features to be retained;
 - Proposed landscaping and planting areas, including species, sizes and quantities of plant materials to be used.
 - Locations of other proposed landscape features, such as walls, patios, terraces, buffers, etc.
3. Existing Site Features: Whenever possible, existing trees, shrubs and natural areas shall not be disturbed.
4. Front Yards: In non-residential uses, within setback requirements, site plans will show a landscaping area, not less than twenty (20) feet in width between the street and either the building or the parking lot. This landscaping area may be broken to provide for vehicular access.
5. Waiver: Selectmen may waive the requirements of this section if, in their judgement, the nature of the site prevents or makes their application unnecessary.
6. Additional Requirements: Landscaping requirements regarding parking lots screening may be found in Section V,B, and Section V, K, herein.
7. Design Standards:
 - (a) Planting beds shall be of adequate size to allow for future growth of plant materials. Where appropriate, beds shall be of adequate size to allow for snow removal. In no instance shall beds be less than four (4) feet in width.
 - (b) Plant materials must be hardy species, suitable for use in their proposed location.
 - (c) Plant materials shall be of a size suitable to provide immediate impact in appearance.
 - (d) Plant materials shall be installed in such a manner as to insure their survival. Dead, diseased or damaged plant materials shall be promptly replaced as planting seasons permit.
 - (e) Except on site sharing parking lots, paving shall not exist within five (5) feet of the side or rear lines.
 - (f) Plantings installed adjacent to access roads shall be of species that will not develop to obstruct vision of vehicles entering or exiting the site.

ATM 1982:23

Notes:

The 1982 amendment incorporated into the Zoning Bylaws a new Section V N entitled "Landscaping" that read as at present above.

V SPECIAL REGULATIONS

O. ARCHITECTURAL RENDERINGS

The Design Review Sub-committee of the Planning Board shall review all proposed exterior features for all new or revised subdivision or site plan structures.

Applicants shall submit to the Planning Board, along with other required application documents, accurate architectural renderings of the appearance of proposed new or altered structures, showing front and side features as they will appear from the public way or private access

ATM 1984:19

Notes:

The 1984 amendment incorporated into the Zoning Bylaws a new Section V O entitled "Architectural Renderings" that read as at present above.

VI. ADMINISTRATION

A. ENFORCEMENT

The provisions of the Zoning Bylaw shall be enforced by the Inspector of Buildings. It shall be unlawful to occupy, use or maintain any building which has been constructed, structurally altered, remodeled or rebuilt in violation of any bylaw of the Town, or a building in which the plumbing or electric wiring has been installed or materially altered in violation of any bylaw of the Town, or a building from which any portion of the installation which is required by any bylaw, or order of an inspector, has been removed, or a building which has been condemned as unsafe by the Inspector of Buildings. A certificate of occupancy shall be obtained from the Inspector of Buildings before any building which has been constructed, structurally altered, remodeled or rebuilt, is occupied, used or maintained.

A certificate of occupancy shall not be issued for any dwelling until the street number, readable from the street has been attached to said dwelling. In cases where the dwelling set-back from the street makes this requirement impractical, the street number shall be placed at or near the driveway entrance.

Any person aggrieved by the refusal of the Inspector of Buildings to grant a building permit or by any order or ruling made by him, notice of which shall have been given to the applicant or permittee, may appeal in writing to the Board of Appeals as is provided in Section VI, C, 4 of Article IX.

ATM 1936:18
 ATM 1939:19
 STM 6/24/55:1
 ATM 1967:47
 ATM 1974:22
 ATM 1978:32

Notes:

The 1936 amendment incorporated into the Zoning Bylaw a new Section 11 as follows:

Section 11. The provisions of this bylaw shall be administered by the Selectmen until such time as there shall be an inspector of buildings.

The 1939 amendment changed the section number from 11 to 21. No change in wording.

VI A

The 1955 amendment struck out former Section 21 and substituted a new Section 21 worded as follows:

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

The 1967 amendment recodified the Zoning Bylaw and Section 21 was placed in Section VI A: ENFORCEMENT. No change in wording.

The 1974 amendment struck out Section VI A and substituted a new Section VI A which read as at present above, except

- a) in the first paragraph, the provisions of the Zoning Bylaw were to be enforced by the Board of Selectmen; in the second sentence the words "Inspector of Buildings" read "Inspector of Building"; in the third sentence, "Inspector of Buildings" read "Building Inspector".
- b) in the third paragraph "Inspector of Buildings" read "Building Inspector"; and the reference to Section VI C 4 read VI C 3.

The 1978 amendment deleted Section VI A and substituted a new VI A which read as at present above.

VI. ADMINISTRATION

B. BUILDING AND SPECIAL PERMITS

No building for use as a habitation, for business, for industry or accessory building shall be erected, altered or moved after this bylaw becomes operative, without a permit from the Inspector of Buildings showing that the requirements of the districts affected have been complied with. Said permit shall be posted conspicuously on the premises to which it applies during the time of construction.

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.

Construction or operations under a building or special permit shall conform to any subsequent amendment of this bylaw unless the use or construction is commenced within a period of not less than six months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as possible.

A special permit shall lapse within one year after the Board of Appeals has granted such special permit if a substantial use thereof has not sooner commenced except for good cause, or in the case of a permit for construction, if construction has not begun by such date except for good cause.

The Board of Appeals, upon written application, and after due notice and a public hearing and a finding of good cause, may grant one or more extensions of time for periods not to exceed one year for each such extension.

ATM 1931:36
 ATM 1937:20
 ATM 1939:19
 ATM 1940:24
 STM 9/16/53:11
 STM 3/9/60:31
 ATM 1967:47
 ATM 1978:32

Notes:

The 1931 original Zoning By-law contained as Section 2 the following:

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

VI B

The 1937 amendment incorporated into the Zoning By-law a new Section 2 A as follows:

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 so as to violate the provisions of this by-law.

The 1939 amendment combined Section 2 and Section 2 A into Section 5 as follows:

Section 5: No building for use as a habitation, for business or for industry, shall be erected after this by-law becomes operative without a permit from the Selectmen, showing that the requirements of the districts affected have been substantially complied with. 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 so as to violate the provisions of this by-law.

The 1940 amendment added the words "altered or moved" after the words "shall be erected" in the first sentence of Section 5.

The 1953 amendment incorporated into the Zoning By-law two new paragraphs, 5 B and 5 C, as follows:

Section 5 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.

Section 5 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.

The 1960 amendment struck out Section 5 C.

The 1967 amendment recodified the Zoning By-law and Section 5 (first and second sentences) and Section 5 B were placed in Section VI B: BUILDING PERMITS. The third sentence of Section 5 was placed in Section I B: BASIC REQUIREMENTS. The words "or accessory building" were added to the first sentence after the words "for industry"

The 1978 amendment changed Section VI B as follows:

- (1) changed the title of the section from "Building Permits" to "Building and Special Permits";
- (2) in paragraph one, changed the permit granting authority from the Selectmen to the Inspector of Buildings;
- (3) added, under Section VI B three new paragraphs as in paragraphs three, four and five above.

VI C. BOARD OF APPEALS

1. Establishment

The Selectmen shall appoint a Board of Appeals of five members, each for a 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 Selectmen annually for a term of one year.

ATM 1935:18
 ATM 1937:20
 ATM 1939:19
 ATM 1967:47
 ATM 1978:32

Notes:

The 1935 amendment incorporated into the Zoning By-law a new Section 12 as follows:

Section 12. Board of Appeals. The Selectmen shall within 30 days of the acceptance of this act appoint a Board of Appeals of five members. Two for a term of three years, two for a term of two years and one for a term of one year. At the expiration of the terms of these original appointees, appointments shall be for a term of three years. Vacancies shall be filled by the Selectmen by appointment for the balance of the term in which the vacancy occurs.

The 1937 amendment added to Section 12 a new paragraph worded as at present in the second paragraph above except that the word "Selectmen" read "Board of Selectmen".

The 1939 amendment changed the section number from 12 to 6 and the first paragraph was changed to read as follows:

1. Establishment

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.

VI C 1

The 1967 amendment recodified the Zoning Bylaw, and Section 6 was placed in Section VI C 1: BOARD OF APPEALS - Establishment. No change in wording.

The 1978 amendment deleted Section VI C 1 and substituted a new Section VI C 1 as at present above.

VI C. BOARD OF APPEALS

2. Special Permit Granting Authority

For the purposes of this bylaw and General Laws, Chapter 40A, the Board of Appeals shall be the special permit granting authority unless otherwise specifically expressed in this bylaw, and all permits granted by the Board of Appeals shall be special permits.

ATM 1978:32

Notes:

The 1978 amendment added a new Section 2. Special Permit Granting Authority under Section VI C BOARD OF APPEALS which read as at present above.

VI C. BOARD OF APPEALS

3. Procedures

No special permit or variance shall be granted or other decision made 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 but under no circumstances shall said time exceed 65 days from the effective filing date. For the purposes of the bylaw, the effective filing date is the date when the application for a special permit, variance, or other matter, complying with all the rules and regulations of the Board of Appeals, is filed with the Board of Appeals and a copy given by the applicant to the Town Clerk. Upon receipt of the application, the Board of Appeals shall cause to appear the notice containing the time and place of such hearing, the name of the applicant, a description of the area or premises, street address or other adequate identification of the location which is the subject of the petition, the subject matter of the hearing and the nature of action or relief requested, if any.

In all cases where notice of a public hearing is required, notice shall be given by publication in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing and by posting such notice in a conspicuous place in the Town Hall for a period of not less than fourteen days before the day of such hearing. In all cases where notice to "parties in interest" is required, notice shall be sent by mail, postage prepaid. "Parties in interest" as used in this bylaw shall mean the petitioner, abutters, owners of land

directly opposite any public or private street or way and owners of land within three hundred feet of the property line, all as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the Planning Board of the Town, and the Planning Board of every abutting city or town.

At the hearing, any party, whether entitled to notice thereof or not, may appear in person or by agent or by attorney. All hearings of the Board of Appeals shall be open to the public. A special permit or variance shall be granted, or a favorable decision made, only by a concurring vote of not less than four members of the Board, and said Board shall grant or deny a special permit or variance or make such decision within a reasonable time after the public hearing thereon, but in no case shall the Board make its decision in more than 75 days from the effective filing date for a variance and other matters or 90 days from the date of hearing on a special permit.

The Board of Appeals may impose appropriate conditions, safeguards and limitations in all its decisions and shall impose limitations both of time (up to a maximum of two years) and of use; and, continuance of the use permitted may be conditional upon compliance therewith. If the rights authorized by a variance are not exercised within one year of the date of grant of such variance they shall lapse, and may be reestablished only after notice and a new hearing pursuant this section.

ATM 1931:36
 ATM 1936:18
 ATM 1939:19
 STM 9/16/53:10j, 12
 ATM 1956:43
 ATM 1967:47,55
 ATM 1978:32

Notes:

The 1931 original Zoning By-law contained the following as Section 5:

Section 5. No permit shall be granted under the foregoing section except after a public hearing before the board of selectmen. Notice of said hearing shall be given by posting notices thereof in the locations required for town warrants, not less than one week before said hearing.

(Section 4 referred to permits for business or industry in residence zones.)

The 1936 amendment inserted in the first sentence of Section 5 the words "or Board of Appeals as the case may require" after the words "board of selectmen". The amendment also deleted the word "said" from the second sentence and substituted the word "Selectmen's", and added a third and fourth sentence as follows:

Hearings by the Board of Appeals shall be notified and held as provided in Chapter 40, section 30 - G.L.
 No permit shall be granted if by so doing a hazard or nuisance will be created.

The 1939 amendment changed the section number from 5 to 9 and changed the wording of the section to read as follows:

Section 9. No permit shall be granted under the foregoing Section 7 and 8 except after a public hearing before the Board of Appeals. Hearings by the Board of Appeals shall be notified and held as provided in Chapter 40, Section 30, General Laws.
 No permit shall be granted if by so doing a hazard or nuisance will be created.

(Sections 7 and 8 referred to permits for business or industry in residence zones and for the removal of sod or loam for sale.)

The 1953:10j amendment struck out Section 9 and substituted a new Section 9 as follows:

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

VI C 3

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 the concurring vote of all the members of the Board, and said Board shall grant or deny a permit within a reasonable time after the public hearing hereon, which time shall not exceed forty-five days unless extended in writing by the petitioner.

The 1953:12 amendment added to Section 9 a second paragraph which read as follows:

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.

The 1956 amendment changed the wording of the last sentence in the first paragraph of Section 9 by substituting the words "not less than four" for the word "all".

The 1967:47 amendment recodified the Zoning Bylaw and placed Section 9 in Section VI C 2: BOARD OF APPEALS - Procedures.

The 1967:55 amendment struck out the second and third sentences of the first paragraph of Section VI C 2 and substituted the following:

The Board of Appeals shall fix a reasonable time for the hearing of any appeal or other matter referred to it or any petition for a variance, and shall cause the notice of the time and place of such hearing thereof and of the subject matter, sufficient for identification, to be published in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing or if there is no such newspaper in the Town then by posting such notice in a conspicuous place in the Town Hall for a period of not less than fourteen days before the day of such hearing, and also send notice by mail, postage prepaid, to the petitioner and to the owners of all property deemed by the Board to be affected thereby, as they appear in the most recent tax list, and to the Planning Board. At the hearing any party whether entitled to notice thereof or not may appear in person or by agent or by attorney.

The 1978 amendment deleted Section VI C 2 and substituted a new Section VI C 3 which read as at present above. [A new Section VI C 2 was added: BOARD OF APPEALS - Special Permit Granting Authority.]

VI C. BOARD OF APPEALS

4. Appeals

An appeal to the Board of Appeals may be taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of General Laws, Chapter 40A, by the regional planning agency in whose area the town is situated, or by any person including an officer or board of the town, or of any abutting city or town, aggrieved by an order or decision of the Inspector of Buildings, or other administrative official, in violation of any provision of General Laws, Chapter 40A, or any ordinance or bylaw adopted thereunder.

Any appeal hereunder to the Board of Appeals shall be taken within thirty days from the date of the order or decision which is being appealed, by filing a notice of appeal, specifying the grounds thereof, with the Town Clerk, who shall forthwith transmit copies thereof to such officers or board whose order or decision is being appealed, and to the Board of Appeals. Such officer or board shall forthwith transmit to the Board of Appeals all documents and papers constituting the record of the case in which the appeal is taken.

ATM 1937:20
 ATM 1939:19
 STM 9/6/55:16
 ATM 1961:45
 ATM 1967:47
 ATM 1975:14
 ATM 1978:32

Notes:

The 1937 amendment incorporated into the Zoning Bylaw a new Section 12A as follows:

Section 12 A. Appeals

Any person aggrieved by the refusal of the proper authority to issue a permit under the provisions of this by-law, or any person aggrieved by a decision of the Board of Appeals made under the provisions of this by-law, may appeal under the provision of Section 30 and 30 A, Chapter 40, of the GENERAL LAWS.

The 1939 amendment placed Section 12 A under Section 6 as the third paragraph and deleted the words "and 30 A" after the words "Section 30" in the last line. (The first two paragraphs of Section 6 related to the appointment of members and associate members. See page 212.

The 1955 amendment struck out the third paragraph of Section 6 and inserted a new paragraph as follows:

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 prepaid. 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.

The 1961 amendment struck out the first two sentences of the third paragraph of Section 6 and substituted two new paragraphs worded as follows:

An appeal may be taken to the Board of Appeals by any person aggrieved by the refusal of the Inspector of Buildings to issue a building permit or by any order or ruling of said inspector under the provisions of Section 8 of the Building Code by filing said appeal within fifteen days after the date on which written notice of said refusal, and notice of the making of said order or ruling shall have been given to the applicant for such permit or to the permittee. The appellant shall within two days of the taking of such appeal, file in the office of the Town Clerk a copy of said written notice and a copy of appeal.

An appeal may be taken to the Board of Appeals by any person aggrieved by reason of his inability to obtain a permit or any order or decision of the Inspector of Buildings or other administrative official in violation of the provisions of this bylaw and of General Laws, Chapter 40A (Zoning Enabling Act) by filing said appeal within fifteen days after written notice of such refusal, order or decision, and he shall file a copy of such appeal in the office of the Town Clerk within two days thereafter.

The third sentence of the third paragraph of Section 6 became the third paragraph in Section VI C 3.

VI C 3

The 1967 amendment recodified the Zoning Bylaw. The first two paragraphs of Section 6 relative to the appointment of members and associate members were placed in Section VI C 1: BOARD OF APPEALS - Establishment. (See page 212.) The third, fourth and fifth paragraphs of Section 6 were placed in Section VI C 3: BOARD OF APPEALS - Appeals.

The 1975 amendment changed the wording of the first paragraph to read as follows:

An appeal to the Board of Appeals may be taken by any person aggrieved by reason of his inability to obtain a permit from any administrative official under the provisions of General Laws, Chapter 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 General Laws, Chapter 40A, or any ordinance or bylaw adopted thereunder.

The 1978 amendment deleted Section VI C 3 and substituted a new Section VI C 4 which read as at present above.

VI C. BOARD OF APPEALS

5. Special Permit Guidelines

- A. Unless otherwise specifically provided to the contrary, the Board of Appeals shall, before granting special permits, find that in its judgment all the following conditions are met:
1. that the use is in harmony with the general purpose and intent of the bylaw;
 2. that the use is in an appropriate location and is not detrimental to the neighborhood and does not significantly alter the character of the zoning district;
 3. adequate and appropriate facilities will be provided for the proper operation of the proposed use;
 4. that the proposed use would not be detrimental or offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials or other visual nuisances;
 5. that the proposed use would not cause undue traffic congestion in the immediate area; and

ATM 1971:17
 ATM 1978:32
 ATM 1984:35

Notes:

The 1971 amendment incorporated into the Zoning Bylaw under Section VI C: BOARD OF APPEALS, a new paragraph 4, which read as follows:

4. Guidelines

Unless otherwise specifically provided, the Board of Appeals shall, before granting special permits, find that, in its judgment, all the following conditions are met:

- a) the specific site is an appropriate location for such a use, structure or condition.
- b) the use or action will not be detrimental to the neighborhood nor significantly alter the character of the zoning district.
- c) adequate and appropriate facilities will be provided for the proper operation of the proposed use.

The 1978 amendment deleted Section VI C 4 "Guidelines" and substituted a new Section VI C 5 "Special Permit Guidelines" which read as at present above with the addition of a sub-section 6. as follows:

ATM 1971:17
ATM 1978:32
ATM 1984:35

6. that a proper site plan has been filed with and approved by the Board of Selectmen, a copy of which must also be filed with the Board of Appeals along with the application for the Special Permit.
 - a. The following are specifically exempted from this site plan requirement:
 - (1) applications for a customary home occupation and light industrial activity under Article IX, III, A, 1, b;
 - (2) applications for permits for raising of certain animals under Article IX, V, G;
 - (3) applications for permits relative to use of Flood Plain Districts under Article IX, III, E,4; and
 - (4) applications for permits to extend or enlarge a pre-existing non-conforming building or use under Article IX, I, C, 3, as applied to residences only.

The 1984 amendment deleted paragraph A.6 in its entirety.

6. Use Variance Guidelines

- A. The Board of Appeals may grant a use variance, provided statutory variance requirements of General Laws, Chapter 40A, are met, only on lots that conform to one or more of the following conditions:
1. Expiration of the time limit specified for a previously granted use variance;
 2. Existence prior to January 1, 1978, of uses of the same general classification as the use variance applied for, on lots adjoining the lot in question on both sides, or, if the lot in question is a corner lot, on both sides and the rear;
 3. Existence on an adjoining lot of a lawful use of such nuisance characteristics as to render unreasonable any conforming use of the lot in question; and
 4. Existence on the lot in question of a lawful structure or structures in good repair and of appearance compatible with its vicinity which can reasonably be maintained as a visual and taxable asset only if some non-conformity of use is permitted.
- B. The use variance may be granted only if the Board of Appeals makes all of the findings required by Article IX, VI, C, 5, "Special Permit Guidelines" in addition to the findings required by statute for a variance, and further subject to all of the following limitations:
1. The extent of the use nonconformity as to floor space, bulk, number of occupants or other relevant measure shall be no greater than the minimum necessary to provide relief from the statutory hardship;
 2. The operation of the use nonconformity as to hours, noise, level of activity or other relevant ways shall be so restricted as to assure compatibility with conforming uses in the vicinity; and
 3. If the use is authorized under A, subparagraph 2 or 3 above by the prior existence of adjoining nonconformities or incompatibilities:
 - a. The use nonconformity on the lot in question shall be permitted no further from such prior adjoining conditions as the width of the lot or 100 feet, whichever is less; and
 - b. The use nonconformity shall be terminated within one year of the time when such adjoining conditions have been terminated, except that the Board of Appeals may grant a special permit for a further delay of not more than five years.";

ATM 1978:33

Notes:

The 1978 amendment incorporated into the Zoning Bylaw a new Section VI C 6 "Use Variance Guidelines" which read as at present above.

VI. ADMINISTRATION

D. PENALTY

Any person violating any provision of this by-law shall be subject to a fine not exceeding \$100.00 for each violation. Each day during which any violation exists shall be deemed a separate offense.

ATM 1939:19
ATM 1967:47
ATM 1977:19
(ATM 1978:32)

Notes:

The 1939 amendment incorporated into the Zoning By-law a new Section 20 which read as at present above, except that the maximum fine was \$20.00.

The 1967 amendment recodified the Zoning By-law and Section 20 was placed in Section VI D: PENALTY. No change in wording.

The 1977 amendment changed the maximum fine from \$20.00 to \$100.00.

(In the 1978 amendment, paragraph D. PENALTY, appeared in the article under which a major revision of Section VI. was made. However, there were no changes in the wording of paragraph D.)

VI. ADMINISTRATION

E. INVALIDITY

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

ATM 1931:36
ATM 1939:19
ATM 1967:47
(ATM 1978:32)

Notes:

The 1931 original Zoning By-law contained Section 9 which read as at present above.

The 1939 amendment changed the section number from 9 to 22. No change in wording.

The 1967 amendment recodified the Zoning By-law and Section 22 was placed in Section VI E: INVALIDITY. No change in wording.

(In the 1978 amendment, paragraph E. INVALIDITY, appeared in the article under which a major revision of Section VI. was made. However, there were no changes in the wording of paragraph E.)

VI. ADMINISTRATION

F. EFFECTIVE DATE

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

ATM 1931:36
ATM 1939:19
ATM 1967:47
(ATM 1978:32)

Notes:

The 1931 original Zoning By-law contained Section 10 which read as at present above.

The 1939 amendment changed the section number from 10 to 23. No change in wording.

The 1967 amendment recodified the Zoning By-law and Section 23 was placed in Section VI F: EFFECTIVE DATE. No change in wording.

(In the 1978 amendment, paragraph F. EFFECTIVE DATE, appeared in the article under which a major revision of Section VI. was made. However, there were no changes in the wording of paragraph F.)

Article 32. To hear and act on the report of the selectmen relative to the laying out of the following named streets under the provisions of Chapter 82 of the General Laws of Massachusetts, as amended:

Massasoit Avenue from State Road to the northerly line of Allen Place.

Pokonoket Avenue from King Philip Road easterly for a distance of 472 feet.

Allen Place from easterly line of Massasoit Avenue to the westerly line of Wilbert Avenue.

Bradley Place from the easterly line of Massasoit Avenue to the westerly line of Wilbert Avenue.

Wilbert Avenue from the northerly line of Pokonoket Avenue to the northerly property line of Angelo N. Leverone, and to see if the town will vote to accept said streets or any of them as and for public ways and will authorize the selectmen to take by eminent domain or acquire by purchase or otherwise acquire the land necessary for said layouts, or take any action and if any, what action relative thereto.

Article 33. To see if the town will vote to amend Section 2 of its planning board by-law by adding after the words "to fill the vacancies" the following: "as follows, at the annual election for the year 1931, the one year member shall be elected for a term of two years; the two year members for terms of three years, thereafter all members shall be elected for terms of three years." so that the section reads as follows: Section 2—At the annual town meeting to be held March 4, 1929, there shall be elected one member to serve for one year, two members to serve for two years, and two members to serve for three years, and thereafter there shall be elected on the official ballot in each year such members as are required to fill the vacancies, as follows, at the annual election for the year 1931, the one year member shall be elected for a term of two years, the two year members for terms of three years, thereafter all members shall be elected for terms of three years. Vacancies otherwise occurring shall be filled as provided in General Laws, Chapter 41, Section 2.

Article 34. To see if the town will pass any votes or take any action relative to amending its by-laws by adopting a zoning plan and zoning by-law as follows:

ZONING LAWS
Preamble

Section 1. To promote the health, safety, morals, convenience and general welfare of its inhabitants, to lessen the danger from fires and congestion, and to improve and beautify the town under and pursuant to the General Laws, Chapter 41, Sections 70 to 72, and Chapter 148, Sections 3 to 12, inclusive, and all acts in amendment thereto, or in addition thereto, the use, construction, repair, alteration, height and area of buildings and structures and the use of premises in the Town of Sudbury are hereby restricted and regulated as hereinafter provided.

Section 2. DEFINITIONS.
In this by-law, the following terms shall have the meaning hereby assigned to them

- (A). A FAMILY is any number of individuals living and cooking together as a single housekeeping unit.
- (B). A DWELLING is any building used in whole or in part as a habitation.
- (C). A ONE-FAMILY HOUSE is a detached dwelling intended and designed to be occupied by one family.
- (D). A TWO-FAMILY HOUSE is a detached dwelling intended and designed to be occupied by two families.
- (E). A HOTEL or INN is a building erected for or used for paying guests permanently or transiently, where over three bed rooms are used for this purpose.
- (F). AN APARTMENT HOUSE is a building occupied as a place of residence for more than two families.
- (G). A PUBLIC GARAGE is any building or structure, or part thereof in which motor vehicles of the general public are kept for profit, either in live storage, for purpose of repair, for hire, or for any other reason.
- (H). AN ACCESSORY USE OR BUILDING is a use or building customarily incident to and located on the same lot with another use or building.
- (I). A NON-CONFORMING USE OR BUILDING is a use or building that does not conform to the regulations of the district in which such a use or building is situated.

Section 3. USE REGULATIONS.

For the purpose of this by-law, the Town of Sudbury is divided into three classes of districts, as follows:

1. Single residence districts.
2. Business districts.
3. Light manufacturing districts.

Section 4. SINGLE RESIDENCE DISTRICTS.

In single residence districts, subject to the provisions of Sections 9, and 10, no building or premises shall be erected, constructed, altered, or used except for one or more of the following uses:

1. One-family, detached, houses.
2. The taking of boarders or the leasing of rooms by a resident family.
3. Churches, schools, public libraries, public museums, and parish houses.
4. Private clubs not conducted as business.
5. Public parks, playgrounds, municipal recreation buildings, water towers and reservoirs.
6. Farms, stock farms, greenhouses, nurseries and truck gardens.
7. Real estate signs advertising the sale or rental of only the premises on which they are located, and bulletin boards, accessory to uses specified in 3 and 5 of this section, if in accordance with the Billboard by-laws.
8. Public service stations and other passenger stations, and telephone exchanges, provided the Planning Board approves of their designs.
9. Hospitals and philanthropic institutions, after complying with conditions precedent, as provided in Section 18.
10. Hotels or Inns, after complying with conditions precedent, as provided in Section 18.

Section 5. BUSINESS DISTRICTS.

All buildings and uses permitted in Section 3, and in addition:

1. Retail stores and places of business for trading in the usual and ordinary necessities of life.
2. Manufacturing clearly incidental to a retail business lawfully conducted on the premises shall be permitted in a business district, omitting all that is in any way a nuisance or hazardous.
3. Carpenter, plumbing, heating and electric shops.
4. Banks and business or professional offices.

5. Restaurants and other eating places.
6. Theatres, moving picture shows, bowling alleys, skating rinks, billiard rooms, and similar commercial places of amusement.
7. Lumber, fuel and ice establishments.
8. Stables, gasoline and oil stations, and garages for storage and or repairs only after complying with the conditions precedent as provided in Section 18.
9. Salesrooms for motor vehicles.
10. Apartment houses.
11. Any additional use which the Selectmen may permit, providing it conforms with the intent of the preceding paragraphs and is not detrimental to the adjoining property.

Section 6. LIGHT MANUFACTURING DISTRICTS.

All buildings and uses permitted under Section 3 and 4, and the following:

Light manufacturing, employing electricity or any other unobjectionable motive power, utilizing hand labor and, or quiet machinery and processes, free from neighborhood disturbing odors and, or agencies, subject to conditions precedent, as provided in Section 18.

Section 7. HEIGHT REGULATIONS.

Residence districts.

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

Business and Manufacturing Districts.

- (c). The limit of height in business and manufacturing districts shall be three stories, not to exceed forty-five feet at the highest point of the roof.
- (d). The limitation of height in feet shall not apply to such features as mentioned in (b) of Section 7, nor to water tanks or scenery lofts which shall be at every point fifty feet from the centre line of the street and shall not cover more than 25% of the area of the building.

Section 8. AREA REGULATIONS.

In single residence districts, land laid out after the adoption of this by-law shall provide not less than 8,500 square feet per dwelling with seventy-five feet minimum frontage on the street.

No building shall be built, constructed, extended or altered so that at the level of the first floor it occupies, with accessory buildings, more than 40% of the area of the lot, nor at the level of the second floor more than 25% of the area of the lot. In business and manufacturing districts, no building shall be built, constructed, extended or altered so that it covers more than 75% of a corner lot, or more than 65% of an interior lot.

No lot or building thereon shall be changed in size so as to violate the provisions of this section. The open space shall be provided in the rear or in part on the sides, so as in the opinion of the Selectmen, to properly light and ventilate the buildings.

Future buildings erected on lots of record at the time this by-law is passed, shall comply with all set-back regulations.

Section 9. ACCESSORY USES.

- (a). Accessory uses shall be on the same lot with the building of the owner or the lessee, and shall be such as do not alter the character of the premises in which they are located, nor impair the neighborhood.
- (b). Garage space for not more than two cars shall be permitted as an accessory use in residence districts, provided that if the area of the lot exceeds

15,000 square feet, the number of cars can be increased, but only after complying with the conditions precedent, as provided in Section 18.

(c). The use of a room or rooms in a dwelling as an office or studio or for customary home occupations by a person resident in the house, may be permitted as an accessory use. In such cases a professional sign of not over one square foot in area can be displayed.

(d). Hotels, as distinct from apartment houses, where permitted under this by-law shall contain no arrangement of any kind for private cooking or housekeeping.

(e). Sales stands for the sale of farm products shall be permitted provided that they do not, by their locations violate the setback or side-line restriction.

Section 10. EXCEPTIONS.

Exceptions under Specified Rules.

When in its judgment, the public convenience and welfare will be substantially served, and where such exceptions will tend to improve the status of the neighborhood, the Board of Appeals may, in specific cases, after public notice, a hearing, and subject to appropriate conditions and safeguards, determine and vary the application of the district regulations herein established in harmony with their general purposes and intent as follows:

- (a). Permit the alteration of a one-family house or building, existing at the time of this by-law's adoption, and wherever located, to accommodate two families.
- (b). Permit in undeveloped sections of the town temporary and conditional structures and uses that do not conform with the regulations herein prescribed, provided that no such permit shall be for more than one year period.

GENERAL PROVISIONS

Section 11. NON-CONFORMING USES.

(a). Any lawful use of buildings or parts thereof at the time of the adoption of this by-law may be continued, although such use does not conform to the provisions of this by-law. Any building occupied by a non-conforming use may be structurally altered, or the use of such building changed to any other use not more detrimental to the character of the district in which it is located. Should any non-conforming building occupied by a non-conforming use be destroyed by fire or any other casualty, in whole or in part, it may be replaced by a building to be used for the same purpose as the one destroyed or for any other less detrimental non-conforming use, provided that such re-constructed or new building shall not exceed in cubical contents the original building and shall not violate the regulations as to building and lot.

(b). Wherever a non-conforming use has been changed to a more restricted use, it shall not again be changed to a less restricted use.

(c). In residence districts, when a non-conforming use has been discontinued for a period of one year, it shall not be re-established and future use shall be in conformity with this by-law.

Section 12. DISTRICT BOUNDARIES.

Boundaries shall be as shown on the zoning map accompanying this by-law and entitled "Zone Plan of the Town of Sudbury, Mass." signed by the Planning Board and filed with the Town Clerk, and shall be limited by the descriptions filed with the Town Clerk. Where the boundary line of a use district divides a lot in a single or joint ownership at the time such district is established, a use authorized on the less restricted portion of such a lot may be extended into the more restricted portion, but in no case for more than thirty feet over the established line, and not then unless the petitioner was the owner of record of the property at the time this by-law was passed.

Section 13. SETBACKS.

In single residence districts, no building shall be erected nearer than fifty feet from the center line of the street, in business districts or light

manufacturing districts, not nearer than forty feet from the centre line of the street, and no building or structure shall be moved, altered, reconstructed or enlarged so that the setback is less than the above. Profiling curbs and uncovered streets shall not be considered as projections within the meaning of this section. Where a setback of greater depth than the above has already been established by common agreement or where a different setback exists with more than 50% of the available lots built upon, the setback for new construction shall be established by the Board of Appeals in conformity with the setback of the majority of the buildings existing.

Section 14. SIDE AND REAR LINES.

In single residence districts, no building used as a habitation shall be nearer than fifty feet from either side of the lot or nearer than twenty-five feet from the rear line. Accessory buildings other than stands for the sale of farm products, may be erected only in the rear yards.

Section 15. FILLING STATIONS.

(a). At every filling station hereafter constructed, the building shall be located at least sixty-five feet from the center line of the highway on which it faces, no pumps shall be nearer than fifty feet from the center of the highway, and no filling shall be done except in cars standing on the property of the filling station.

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

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

Section 16. PERMITS.

After the adoption of this by-law, no building shall be erected, moved, or enlarged without a permit from the Board of Selectmen.

Application to the Board of Selectmen for building permits shall be accompanied by a plat of the land, in duplicate, drawn to scale, showing the actual dimensions of the lot and the exact location and size of buildings already upon the lot and of the building to be erected, together with streets and alleys on and adjacent to the lot. A record of such applications and plats shall be kept on file in the office of the Board of Selectmen.

Section 17. ENFORCEMENT.

This by-law shall be administered by the Board of Selectmen as provided herein. They shall approve no application of any kind, plans and specifications and intended use for which are not in all respects in conformity with this by-law.

Section 18. SPECIAL PERMITS REQUIRED.

No permit for a cemetery, or for any mentioned use under paragraph 9 of Section 4, or paragraphs 6, 7 and 8 of Section 5, or any use under Section 6, or of paragraph 3 of Section 9, shall be issued except after public hearing and may be made subject to such conditions as the Board of Selectmen may deem proper to impose.

Any person desiring to obtain the permission of the Board of Selectmen for any purpose for which permission is required under this by-law, shall make written application, and the Board shall hold a public hearing thereon after such notice as it may direct and render a decision. It may make rules for such hearings, and shall notify all holders of real estate that might be affected, and shall at such hearings hear such owners and others as may desire to be heard. No approval shall be granted by the board without considering the effect upon the neighborhood and the town. If a permit may be issued with conditions such as will protect the community, such conditions shall be specified in writing on the permit, and such conditions may from time to time be changed in the interests of the community. If a permit would result in substantial injury, it shall be refused.

Section 19. APPEALS.

Any person aggrieved by the refusal of the Selectmen to issue a permit

under the provisions of this by-law, or any persons aggrieved by the issuance of a permit or by a decision of the Selectmen made under the provisions of this by-law, may appeal under the provision of Sections 27 and 27A, Chapter 49 of the General Laws.

Section 20. BOARD OF APPEALS.

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

Section 21. AMENDMENTS.

Amendments to this zoning by-law may be made by a two-thirds vote at any annual or special town meeting, provided that the amendment proposed shall be printed in full in the warrant for said meeting.

Section 22.

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

Section 23.

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

DESCRIPTIONS OF ZONES

Town of Sudbury

As recommended by the Planning Board, December 31, 1929.

BUSINESS DISTRICTS, SOUTH SUDBURY,

South side of State road.

1. An area 250 feet long by 100 feet deep at the present location of Fisher's garage, the length to be measured 125 feet each way from the center of the present building, the depth to be measured southerly from the present State highway line.
2. An area similar to the above in every respect at the present location of McDonald's garage.
3. A strip 100 feet deep measured southerly from the State highway bound, beginning at Mill lane and extending westerly to the B. & M. right of way.
4. A strip 100 feet deep, measured southerly from the present State highway bounds, beginning at the westerly side of the B. & M. right of way and extending westerly to the easterly line of Raymond road.
North side of State road.
5. At the junction of State road and Massasoit road, a strip of land 100 feet deep from north to south, measured northerly from the present State highway line, beginning at the west side of Massasoit road, and extending westerly 300 feet.
6. At the junction of State road and Concord road, a strip of land 100 feet deep from north to south, measured as above, beginning at the easterly side of Concord road and extending easterly 300 feet.
7. A strip 100 feet deep from north to south, measured as above, beginning at the westerly line of the right of way of the B. & M. R. R., and extending westerly to a point 100 feet west of the westerly line of the right of way of the N. Y. N. E. & H. Railroad.
8. An area 200 feet long by 100 feet deep at the present location of Spinney's garage, the length to be measured 100 feet each way from the center of the present building, the depth to be measured northerly from the present State highway bound.
9. The triangle between the State road and Old County road, the easterly line to be 150 feet east of the junction of the side lines of the road.

SADBURY CENTER.

10. That area bounded on the north by Hudson road, on the west by the N. Y. N. H. & H. Railroad, right of way, on the south by a line 180 feet distant from and parallel to Hudson road, and on the east by a line 500 feet from and parallel to the N. Y. N. H. & H. right of way.
11. North of Hudson road that portion of the N. Y. N. H. & H. right of way now occupied by Stiles Coal Company coal yard.
12. At the junction of the south branch of Marlboro road and Hudson road, a strip measuring 250 feet on Hudson road by 100 feet on Marlboro road, the length to be measured westerly from the western line of Marlboro road.
13. On the north side of Hudson road, a similar area, extending easterly from a point opposite the easterly line of Marlboro road extended.

NORTH SADBURY.

14. That area included in the triangle formed by Haynes road, Pantry road and the N. Y. N. H. & H. right of way.
15. West of the N. Y. N. H. & H. right of way an area measuring 200 feet long on Haynes road by 150 feet deep, adjacent to the railroad right of way.

LIGHT MANUFACTURING DISTRICTS.

1. The area bounded on the north by the B. & M. R. R., on the south by business zone No. 7, on the west by a line beginning at the westerly end of business zone No. 7, and running northerly parallel to the N. Y. N. H. & H. R. R. to the right of way of the Boston & Maine railroad.
2. An area north of the B. & M. R. R. and on the west side of Union avenue, measuring 800 feet on Union avenue by 2,000 feet on the B. & M. R. R., both lines parallel to the street and railroad respectively.
3. That area now occupied by the building known as Pratt's Mill and by its yard.
4. That area lying south of business zone No. 4, bounded on the south by the B. & M. R. R., on the east by the northerly branch of Mill Brook.

SINGLE RESIDENCE DISTRICTS.

All other areas throughout the town shall be single residence districts.

CHARLES H. WAY, Chairman,
 PAUL WHITNEY RHODES, Secretary,
 RALPH H. BARTON,
 STEPHEN M. W. GRAY,
 HOWARD C. BURE,
 Planning Board of Sudbury.

Article 35. To authorize the Treasurer, with the approval of the Selectmen, to borrow money in anticipation of revenue of the current fiscal year, or do or act thereof.

And you are required to serve this warrant by posting attested printed copies thereof at the First Parish Church, each public meeting house, railroad station and postoffice in said town, seven days at least before the time appointed for holding said meeting.

Hereof fail not and make return of this warrant with your doings thereon to the town clerk, at or before the time of meeting aforesaid.

Given under our hands this nineteenth day of February, one thousand nine hundred and thirty.

HARVEY N. FAIRBANK, Chairman,
 AUBREY W. BORDEN, Clerk,
 Selectmen of Sudbury.

REPORT OF THE FINANCE COMMITTEE

February 15, 1930

To the honorable board of Selectmen, town of Sudbury:

The finance committee begs to submit the following report:

Article 1. To see if the town will vote to grant or appropriate money for any and all necessary town expenses as listed in all items in the following budget:

The committee approves this article with the following exceptions: items 3, 7, 10, 17, 21, 24, 25 and 28.

Item 1. Payment of interest	\$3,000.00
2. Town officers' salaries	1,770.00
3. Incidental expenses of Town officers	725.00

Finance committee recommends \$500.00 This amount reduced at the suggestion of selectmen.

4. Street lighting	6,000.00
5. Chapter 81, road work	6,100.00
6. Chapter 90, road maintenance	3,000.00
7. Chapter 90, new construction	3,000.00

Finance committee recommends suspension of this article this year as it is felt funds should be conserved where possible toward defraying expense of new Town hall.

8. General road expense	200.00
9. Repair of bridges	200.00
10. Snow removal	1,200.00
Finance committee recommends \$1,000.00 for this purpose.	
11. Memorial Day expense	275.00
12. Care of town clock	50.00
13. Incidentals	600.00
14. Reserve fund	500.00
15. Care of soldiers' and monument lots	100.00
16. Premium of treasurer and collector's bond ..	150.00
17. Insurance	500.00

Finance committee recommends \$200.00 for this purpose as practically no premiums come due this year.

18. State aid	72.00
19. Police	1,600.00
20. Fire	500.00
21. Town hall expense	500.00

Finance committee disapproves this amount as we have no hall.

Voted: That the sum of \$31,000.00 be granted for support of schools. (Finance Committee recommended \$30,000.00.)

Article 24. To see if the town will vote to grant or appropriate the sum of \$500.00 for the purpose of painting the Center School house: pass any votes or take action relative thereto.

Finance Committee disapproves.

Voted: To indefinitely postpone.

Article 25. To see if the town will vote to raise and appropriate the sum of \$100.00, or some other amount, and elect a director, the money to be spent in the town in the furtherance, and the director to serve in cooperation with the Middlesex County trustees, for county aid to agriculture in the work of the Middlesex County Extension Service, under the provisions of Section 40-45, Chapter 128, General Laws of Massachusetts.

Finance Committee approves a grant of \$100.00 for this purpose.

Voted: To grant \$100.00 for the purpose named, and that the present director continue for another year.

Article 26. To see if the town will vote to grant or appropriate the sum of \$3,000.00 for public welfare purposes for the ensuing year, pass any votes or take any action relative thereto.

Finance Committee approves.

Voted: That the sum of \$3,000.00 be granted for public welfare purposes, to be divided as follows: \$2,000.00 for general welfare purposes, and \$1,000.00 for old age assistance.

Article 27. To see if the town will accept from the heirs of Georgie R. Butterfield the sum of \$150.00 for the perpetual care of the lot in Mount Pleasant Cemetery known as the George T. and Rebecca Diekey lot, take any action relative thereto.

Voted: To accept the sum of \$150.00 for the purpose named.

Article 28. To see if the town will accept from the estate of Georgianna Haynes the sum of \$100.00 for the perpetual care of the lot in which Sidney and Georgianna Haynes are buried in the North Sudbury Cemetery, take any action relative thereto.

Voted: To lay on the table and no further action taken.

Article 29. To see what action if any the town will take in regard to changing its street lighting schedule, take any action or pass any votes relative thereto.

Voted: To keep the same schedule as heretofore.

Article 30. To see if the town will vote to appoint a committee of three to investigate the advisability of having a revaluation of the property in town by the State, pass any votes or take any action relative thereto.

Voted: To indefinitely postpone.

Article 31. To see if the town will make the following amendments to its by-laws pertaining to its Finance Committee.

Section 3. Strike out the words February first and substitute January fifteenth; strike out the words February fifteenth and substitute the words February tenth, so that this section shall read:

Each town department shall annually submit to the Finance Committee not later than January fifteenth an estimate of its requirements for the ensuing year, and the Selectmen shall report all other requests for appropriation. The Finance Committee shall hold a public hearing thereon. Notices of hearing to be posted not less than seven days previously in the same manner as notices of the Town Meetings. The Finance Committee shall, not later than February tenth submit to the Selectmen their written report with their recommendations.

Voted: That the by-laws be amended as proposed in this article.

Article 32. To see if the town will vote to accept Section 42 of Chapter 48 of the General Laws which provides for establishing a Fire Department, take any action or pass any votes relative thereto.

Voted: That the town accept the article and that the members of the department be paid \$10.00 each per annum for membership, plus fifty cents per hour for time actually spent in fighting fires.

Article 33. To see if the town will vote to accept Section 43 of Chapter 48 of the General Laws which provides that the Chief of the Fire Department shall act as Forest Warden, pass any votes or take any action relative thereto.

Voted: That the town accept Section 43 of Chapter 48 of the General Laws, providing that the chief of the fire department shall act as forest warden.

Article 34. To see if the town will vote to change the method of compensating the Tax Collector from a commission basis to a stated salary, pass any votes or take any action relative thereto.

Voted: To "pass over the article." No further action taken.

Article 35. To see if the town will authorize and instruct its Board of Selectmen to sell the property on the Boston Post Road known as the "Landham school property," pass any vote or take any action relative thereto.

Voted: That the Selectmen be authorized to sell and convey the Landham school property for a price of not less than \$1,000.00.

Article 36. To see if the town will pass any votes or take any action relative to amending its by-laws by adopting the following:

BY-LAW ESTABLISHING CERTAIN BUILDING DISTRICTS AND CERTAIN REGULATIONS THEREFOR

Section 1. Under the provision of General Laws, Chapter 143, Section 3, the town of Sudbury is hereby divided into districts, to be known respectively as: Business Districts, General Residence Districts and Single Residence Districts, as follows:

Business Districts shall comprise:

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

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

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

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

General Residence Districts shall comprise: All districts bounded by four streets or ways, or by one or more streets or ways and the town boundary line, in which, at the time this by-law becomes effective, more than one-half the area is developed and more than one-half such development is used for other than single residences and their appurtenant buildings.

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

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

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

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

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

Section 4. A permit may be issued for the erection, in any Residence District, of a building for the use of a business or industry or for the alteration or conversion of a building for or to such purposes, if the board of selectmen shall, after public hearing, so permit; provided that there be filed with the application for such permit, written consent thereto, signed and acknowledged by the owners or legal representatives of the owners, of three-fourths of the area of all lands used for the purposes for which said district is restricted, as provided in Section 1 hereof, which are within five hundred feet of the lot for which a permit is requested.

Section 5. No permit shall be granted under the foregoing section except after a public hearing before the board of selectmen. Notice of said hearing shall be given by posting notices thereof in the locations required for town warrants, not less than one week before said hearing.

Section 6. In all Residence Districts, no building hereafter erected, shall be nearer than 50' 0" from the center line of the street or way upon which it fronts, or nearer than 10' 0" from the side lines of the lot upon which it is situated.

In Business Districts, no building hereafter erected shall be nearer than 40' 0" from the center line of the street or way upon which it fronts.

Except that, if permitted buildings exist on each of the adjoining side lots, the front line of the proposed building may conform to the front lines of the existing building. Projecting eaves and uncovered steps may project into the restricted space.

Section 7. Filling Stations:

(a) At every filling station hereafter constructed, the building shall be located at least sixty feet from the center line of the highway on which it faces; no pumps shall be nearer than fifty feet from the center line of the highway, and no filling shall be done except in cars standing on property of the filling station.

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

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

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

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

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

A motion to indefinitely postpone was lost, and it was then

Voted: That the town by-laws be amended by adding thereto the sections proposed in this article.

Meeting dissolved.

The amendment to the town by-laws voted under Article 31, and the zoning by-laws, have both received the approval of the Attorney-General, with the words in the zoning by-laws: "Chapter 143, section 3" deleted, and both have been duly published in the "Sudbury News" in obedience to the statute.

Special Town Meeting, January 29, 1932

Warrant dated January 20, 1932, signed by Harvey N. Fairbank, Aubrey W. Borden and Howard M. Goodnow, Selectmen; return of service by Seneca W. Hall, Constable. John C. Hall, Moderator.

PROCEEDINGS

Article 1. To see if the town will grant or appropriate the sum of \$2,500.00 for additional equipment of the new town hall building and grading the grounds adjacent thereto, to be expended under the direction of the new town hall building committee; take any action or pass any votes relative thereto.

The Finance Committee, Walter E. Piper, Chairman, made a lengthy report upon the general financial position of the town, and recommended that \$1,500.00 would be sufficient for the purpose named.

A motion "that \$1,500.00 be appropriated from excess and deficiency account for the purpose named in the article," after some discussion was not carried. It was then

Voted: To have incorporated in the next 1931 annual town report, a combined report from the Town Hall Committee and the Board of Selectmen relative to the new town hall. This report to include all facts regarding purchase of real estate, agent's fee, expenses, rights and privileges, if any were granted, to owner and heirs of the Haynes property. This report is also to include all bids submitted by contractors and architects, itemizing same, and specifying on what basis contracts were let, and whether or not bond was required. If bond was required, what amounts on the individual contracts. List all contracts let and designate to whom, and the amount of the contract, architect's name and fee to be included in this report.

A motion to reconsider the vote for appropriation of \$1,500.00 was ruled out of order by the Moderator.

A motion then made to appropriate \$1,750.00 from excess and deficiency account for the purpose named in the article was not carried. Then

Ford; thence running westerly 25 feet, more or less, to a stone bound; thence continuing westerly 116 feet, more or less in a straight line to the center of Wash Brook; thence northwesterly and northeasterly up the center of said Wash Brook 275 feet, more or less, to the intersection of said center line and land now or formerly of Alphonse Rond; thence running southeasterly by said Alphonse Rond's lands 70 feet, more or less, to land now of Goodnow Public Library; thence southwesterly 156 feet, more or less, to the bound first mentioned; said parcel containing about .63 acres, pass any vote or take any action relative thereto.

Article 19. To see if the Town will vote to amend and revise the Town by-law Establishing Certain building Districts and Certain Regulations. Therefore commonly referred to as the Zoning By-Law—so that it will read in its entirety as follows: pass away vote or take any action relative thereto:

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 stabilize 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 three types of districts, the boundaries and designations of which are as 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. The Business and Industrial Districts are denoted on said map by letters and numbers as B1, B2, B3, etc., I1, I2, I3, etc. All other areas of the Town are Single Residence. Said map and all explanatory matter thereon are hereby made a part of this By-Law.

-A- The following uses shall be permitted in Single Residence Districts

- (1) Agriculture, truck gardening, the raising of nursery stock or plants, or the conducting of boarding or lodging houses.
- (2) Customary home occupations, or a light industrial activity in a dwelling or accessory building, conducted only by the owners of the building, provided it does not change the nature of the district, as the Board of Appeals may approve and grant permits therefor.
- (3) The development of an industry utilizing for power the flow of a natural watercourse, after a permit is granted by the Board of Appeals and subject to restrictions laid down by said Board.

- B- The following uses shall be permitted in Business Districts.
- (1) Any use permitted in Single Residence Districts.
 - (2) Stores, shops, restaurants, garages and repair shops.
 - (3) Such similar uses as the Board of Appeals may approve and grant permits therefor.
- C- The following uses shall be permitted in Industrial Districts.
- (1) Any use permitted in Single Residence, or Business Districts.
 - (2) Any industry or manufacturing which will not be seriously detrimental or offensive to adjoining districts or tend to reduce property values by reason of dust, odor, fumes, smoke, gas, wastes, refuse matter, noise or excessive vibration or danger of explosion or fire.
- D- Nothing in the above shall prohibit the building of Single Residences and their appertenant buildings in any section of the Town.

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 or for industry shall be erected after this by-law becomes operative without

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 so as to violate the provisions of this by-law.

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. Any person aggrieved by the refusal of the proper authority to issue a permit under the provisions of this by-law, or any person aggrieved by a decision of the Board of Appeals made under provisions of this by-law, may appeal under the provisions of Section 30, Chapter 40 of the GENERAL LAWS.

Section 7 SPECIAL PERMIT BY BOARD OF APPEALS REQUIRED

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

Section 8

The removal of sod or loam 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

No permit shall be granted under the foregoing Sections 7 and 8 except after a public hearing before the Board of Appeals. Hearings by the Board of Appeals shall be notified and held as provided in Chapter 40, Section 30, General Laws. No permit shall be granted if by so doing a hazard or nuisance will be created.

Section 10

The removal and sale of sand or gravel is permitted in any district, provided such removal is not detrimental to the adjoining property and that 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.

Section 11. The raising of swine, poultry, fur-bearing animals and kennel keeping will not be permitted in any business, industrial or Single Residence District; but the establishment of any of the above enterprises as a business or industry within Single Residence districts, after the adoption of this by-law shall be allowed only by a permit by the Board of Appeals, and the said Board may impose whatever regulations it deems advisable upon the applicant. (As voted. Se pg. 29, 1939 Annual Town Report)

Section 12 GENERAL PROVISIONS

Overnight cabins, trailer camps and tents, may be established only in a Business district, provided a permit therefor is granted by the Board of Appeals. The said Board shall make in each instance such regulations as it deems advisable for the disposal of sewage, refuse and other waste matter.

Section 13 NON-CONFORMING USES

Any lawful use being made of any building, structure or premises at the time this by-law takes effect, may be continued even though such use does not conform to the regulations of the district. But this section shall not be construed as to permit any extension of a non-conforming use greater than that existing at the time this by-law takes effect.

Section 14

In all Single Residence Districts, no building hereafter erected shall be nearer than 50 feet from the center line of the street or way upon which it fronts, or nearer than 50 feet from the side

lines, or 30 feet from the rear line of the lot upon which it is situated.

In Business Districts, no building hereafter erected shall be nearer than 40 feet from the center line of any street or way. Except that, if permitted buildings exist on each of the adjoining side lots, the front line of the proposed building may conform to the front line of the existing buildings. Projecting eaves and uncovered steps may project into the restricted space.

One story accessory buildings other than garages attached to the house shall be built in the rear of the lot, not nearer than 5 feet from any side or rear lines, nor 15 feet from any structure for habitation or any accessory building on an adjoining lot. Provided that, if said accessory building is of non-combustible construction, the prohibition as to adjoining buildings may be voided.

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 REGULATION.

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 Business and Industrial Districts shall be three stories, not to exceed forty-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

In Single Residence Districts, land laid out after adoption of this by-law shall provide for each residence a minimum lot area of 20,000 square feet with the least dimension of the lot 100 feet.

Lots shown on any plan duly recorded by deed or plan at the time this by-law is adopted may be used, provided that all requirements in regard to setbacks and yards are fulfilled.

Section 18

- (a) At every filling station hereafter constructed, the building shall be located at least 60 feet from the center line of the highway. No pump shall be nearer than 50 feet from the center line of the highway and no filling shall be done except in cars standing on property of the filling station.
- (b) No public garage for the repair of cars and no filling station shall be located in any portion of a Business district or Industrial district which is within 300 feet of a school.

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 provisions 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 offense.

Section 21 ENFORCEMENT

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

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.

APPENDIX D

TOWN MEETING & ARTICLE(S) #	A.G. APPROVAL	POSTING OR PUBLICATION	EFFECTIVE DATE	DOCUMENT #
ATM 1931:36	10/30/31			1932 Town Report:71
ATM 1935:18 (s. 12)	12/16/35	4/3/36	4/3/36	35006
ATM 1936:18	4/2/36	4/10,17,24/36	4/24/36	36008
ATM 1937:20	4/28/37	5/7,14/37	5/14/37	37001
ATM 1939:19	5/4/39	5/19,26;6/2/39	6/2/39	39014
ATM 1940:24	7/22/40	7/26;8/2,9/40	8/9/40	40002
ATM 1948:14,26	12/16/48	7/7,14,21/49	7/21/49	48049
ATM 1949:26,27,28	6/13/50	7/6,13,20/50	7/20/50	50039
ATM 1950:25	1/14/63			53020
ATM 1951:46,48	7/5/51	8/23,30;9/6/51	9/6/51	51064
ATM 1953:39,40,41,70 (Written descriptions of BD-2 and BD-3 disapproved)	4/16/53	6/11,18,25/53	6/25/53	53034
ATM 1953:38	5/18/53	6/11,18,25/53	6/25/53	53034
STM 6/24/53:10a	7/28/53			53057
STM 6/24/53 adj. to 9/16/53: 10 b-o, 11,12	11/19/53	12/22/53	12/22/53	53081A&B
ATM 1954:49	6/7/54	6/17,24;7/1/54	7/1/54	54044F
STM 12/6/54:5,9,10	2/18/55	3/3,10,17/55	3/17/55	55018
ATM 1955:60,62,64,74,75,76	7/26/55	8/11,18,25/55	8/25/55	55055
STM 6/24/55:1,3,4,8,20,21	7/27/55	8/11,18,25/55	8/25/55	55054
STM 9/6/55:13,14,16,15	9/19/55	9/29;10/6,13/55	10/13/55	55086
ATM 1956:38,41,43,44	4/6/56	4/19,26;5/3/56	5/3/56	56025
STM 10/25/56 adj. to 12/3/56: 56,57, 58,59,60,61,62,64,65,66,67	1/14/57	2/7,14,21/57	2/21/57	57005
STM 4/22/57:16,17,22	6/5/57	6/13,20,27/57	6/27/57	57049
ATM 1957:49-56 (49 partially disapproved)	6/28/57	7/11,18,25/57	7/25/57	57059
ATM 1958:35	5/1/58	5/8,15,22/58	5/22/58	58033
STM 5/20/58:20	6/30/58	7/10,17,24/58	7/24/58	58046
STM 10/21/58:8,9,13,16	1/20/59	1/29;2/5,12/59	2/12/59	59003
STM 12/17/58:16	1/19/59	1/29;2/5,12/59	2/12/59	59003
STM 1959:35	3/30/59	4/9,16,23/59	4/23/59	59026
STM 5/28/59:30,35c	6/16/59	6/25;7/2,9/59	7/9/59	59045
STM 12/15/59:1,2,3,4	12/29/59	1/7,14,21/60	1/21/60	60001
STM 12/8/59 adj. to 12/15/59:22,25	1/14/60	1/28;2/4,11/60	2/11/60	60013
STM 12/8/59 adj. to 3/9/60: 28,29,31	3/30/60	4/7,14,21/60	4/21/60	60031

APPENDIX D

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ATM 1960:38,40,41,39	5/9/60	5/19,26;6/2/60	6/2/60	60062&3
STM 6/27/60:20	7/7/60	7/21,28;8/4/60	8/4/60	60102
ATM 1961:46	7/26/61	8/10,17,24/61	8/24/61	61090
ATM 1962:17,18,31,32	5/23/62	5/31;6/7,14/62	6/14/62	62057
STM 12/4/62:7	1/22/63	2/7,14,21/63	2/21/63	63009
ATM 1964:30,31,32,34,35,36,37, 38,39,40	4/30/64	5/7,14,21/64	5/21/64	64035
ATM 1965:39,41,45,48	4/30/65	5/6,13,20/65	5/20/65	65035B
STM 6/28/65:1	7/8/65	7/15,22,29/65	7/29/65	65057
ATM 1966:20	6/6/66	6/9,16,23/66	6/23/66	66051
ATM 1967:47,50,51,53,54,55	5/9/67	5/11/67	5/11/67	67028
STM 5/15/67:8 disapproved				
ATM 1968:35,37,38,43,44	4/30/68	5/11/68	5/11/68	68029
ATM 1969:30,31,32,33,35,38,39	6/23/69	6/30/69	6/30/69	69077
ATM 1969:29	6/27/69	7/9/69	7/9/69	69078
STM 6/16/69 adj. to 6/17/69:4,6	9/17/69	9/22/69	9/22/69	69125
ATM 1970:39,40,41,42,43,44,45	4/7/70	4/14/70	4/14/70	70032
ATM 1971:13,14,16,17	6/11/71	6/16/71	6/16/71	71073
STM 11/2/71:7,9	12/3/71	12/22/71	12/22/71	71178
ATM 1972:22,23,24,26,27	6/12/72	6/21/72	6/21/72	72079
ATM 1973:26,29,42	Failed to act	7/25/73	7/25/73	73094
STM 6/13/73:10,11,12	8/24/73	8/24/73	8/24/73	73106
ATM 1974:17,20,21,22,23,24	6/10/74	6/17/74	6/17/74	74057
ATM 1975:14,15,16,17,18,19,20, 21,22,24	6/9/75	6/30/75	6/30/75	75080
ATM 1976:10	6/14/76	6/17/76	6/17/76	76057
ATM 1977:19	7/5/77	7/8/77	7/8/77	77055
ATM 1978:32	6/19/78	6/22/78	4/10/78	78060
ATM 1978:33,34,35,36,38	6/19/78	6/22/78	4/11/78	78060
ATM 1980:30	7/28/80	7/31/80	4/15/80	80073
ATM 1980:41	7/28/80	7/31/80	4/7/80	80073
ATM 1981:16	9/28/81	10/1/81	4/6/81	81100
ATM 1982: 20, 21	9/26/82	9/28/82	4/5/82	82061
ATM 1982: 22,23,24	9/26/82	9/28/82	4/13/82	82061
ATM 1984: 17,19,35,36,37,39	7/31/84	8/07/84	4/11/84	84129
ATM 1985: 18,19,24,25,28,35,36,37,39	7/3/85	7/9/85	4/1;4/8; 4/9	85097

TOWN MEETING & ARTICLE(S) #	A.G. APPROVAL	POSTING OR PUBLICATION	EFFECTIVE DATE	DOCUMENT #
ATM 1986: 21 and 22	7/31/86	8/4/86	4/9/86	86093
STM 9/25/86: 15 and 16	10/22/86	10/23/86	10/23/86	86125
ATM 1987: 22A, 36, and 38	8/12/87	8/13/87	4/27&29/87 5/4/87	87080

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nulled.—Where a decision of the board upon an appeal under § 13 of the instant chapter did not determine the question presented by the appeal but determined a question not so presented, and where the board attached an unwarranted condition to its hearing of the appeal, the decision of the board was invalid and was annulled upon an appeal under the instant section. *Garelick v Board of Appeals*, 350 Mass 289, 214 NE2d 60.

Operator of swimming facility held not to be "club" nor operator of non-commercial recreational building so as to come within zoning law permitting certain uses in residential districts.—See *Carpenter v Zoning Board of Appeals*, 352 Mass 54, 223 NE2d 679.

Town zoning laws applicable to land bordering on a Great Pond.—See *Rose v Board of Appeals*, 352 Mass 301, 225 NE2d 63.

Court will not grant variance which Board of Appeals has denied.—See *Rose v Board of Appeals*, 352 Mass 301, 225 NE2d 63.

Review of question whether grant of special permit was within zoning laws.—Where the selectmen of a town purporting to act under the town zoning laws granted a special permit for a hotel, the court upon appeal under the instant section determined that the granting of the permit was not authorized by the zoning laws and that the decision of the selectmen exceeded their authority and should be annulled. *Gallagher v Board of Selectmen*, 352 Mass 307, 225 NE2d 342.

Reliance by judge upon board decision not fatal where auditor's report supported decision.—Although upon an appeal under the instant section, the case must be heard de novo by the trial judge who may not rest his disposition of the case on the decision of the board of appeals, in a case involving the question whether a building was new construction outside the protection of § 5, supra, for purposes of a nonconforming use, where the trial judge, who heard the case on an auditor's report, ruled that § 5 had no application because the board had found the building to be new construction, the decision of the trial judge was upheld as correct even though he had assigned a wrong reason therefor, because it was supported by the report of the auditor who had found the building in question to be new construction.

Cullen v Building Inspector of Attleborough, 353 Mass 671, 234 NE2d 727.

Duty of court as to variance.—On appeal under the instant section from a decision of a board of appeal granting a variance, the duty of the court is to determine the facts upon the evidence introduced before it, to apply the governing principles of law, to inspect the decision of the board and to enter such decree as justice and equity may require. In addition, the court may uphold the variance only if it finds that each of the prerequisites of § 15 of the instant chapter have been met. *Planning Board of Springfield v Board of Appeals*, 1969 Adv sheets 401, 245 NE2d 454.

Burden of proof on appeal from granting of variance.—Upon an appeal by a planning board to the Superior Court from the granting of a variance by a board of appeals, the burden of proof is upon the applicant for the variance and upon the board of appeals to go forward with evidence that the statutory prerequisites for the granting of a variance were met. *Planning Board of Northborough v Board of Appeals (Mass)* 254 NE2d 262.

6. — Illustrative cases

Granting of variance for structural additions to nonconforming nursing home so as to materially increase bed capacity and make operation more economical found to exceed authority of local board. *Abbott v Appleton Nursing Home, Inc.* 1969 Adv sheets 127, 243 NE2d 912.

Denial of building permit upheld where proposed use not within uses permitted by zoning ordinance nor within use permitted by variance which had been granted. —*Barbato v Board of Appeals*, 1969 Adv sheets 181, — NE2d —.

Court properly annulled decision of board granting variance where there was no basis upon which board could make findings prerequisite to granting of variance. —See *Hunt v Board of Appeals of Whitman*, 352 Mass 782, 227 NE2d 742.

Granting of variance to carry on non-conforming use found to exceed authority of Board but nonconforming use found to be authorized by zoning ordinance. See *Morin v Board of Appeals*, 352 Mass 620, 227 NE2d 466.

Exercise of judgment as to denial of exception.—Where, under both the instant chapter and under a local zoning by-law, a board of appeals was authorized, in granting or denying an exception, to exercise its judgment as to whether the public interest would be substantially served by a grant of the exception, the board is required only to exercise its judgment in a manner untrammelled by capriciousness or an untenable legal ground, and an exercise of its judgment against granting the exception will be upheld on appeal if it appears that its exercise of judgment was not arbitrary. *Zaltman v Board of Appeals (Mass)* 258 NE2d 565.

§ 22. Jurisdiction of Superior Court.

[The first paragraph is amended to read as follows:]
 The superior court shall have jurisdiction in equity to enforce the provisions of this chapter, and any ordinances or by-laws adopted thereunder, and may restrain by injunction violations thereof; provided, however, if real property has been improved and used in accordance with the terms of the original building permit issued by a person duly authorized to issue such permits, no action, criminal or civil, the effect or purpose of which is to compel the abandonment, limitation or modification of the use contemplated by said permit or the removal, alteration or relocation of any structure erected in reliance upon said permit by reason of any alleged violation of the provisions of this chapter, or of any ordinance or by-law adopted thereunder, shall be maintained, unless such action, suit or proceeding is commenced within six years next after the issuance of such permit. (Amended by 1970, 678, § 1, approved August 14, 1970, effective 90 days thereafter.)

[No change in balance of section.]

