

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

April, 1983

Jean M. MacKenzie
Town Clerk

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I. GENERAL

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 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

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.

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

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.

The 1957 amendment changed the number 5 to 6 in the first sentence of Section 1 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 1 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

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.

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..."

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:

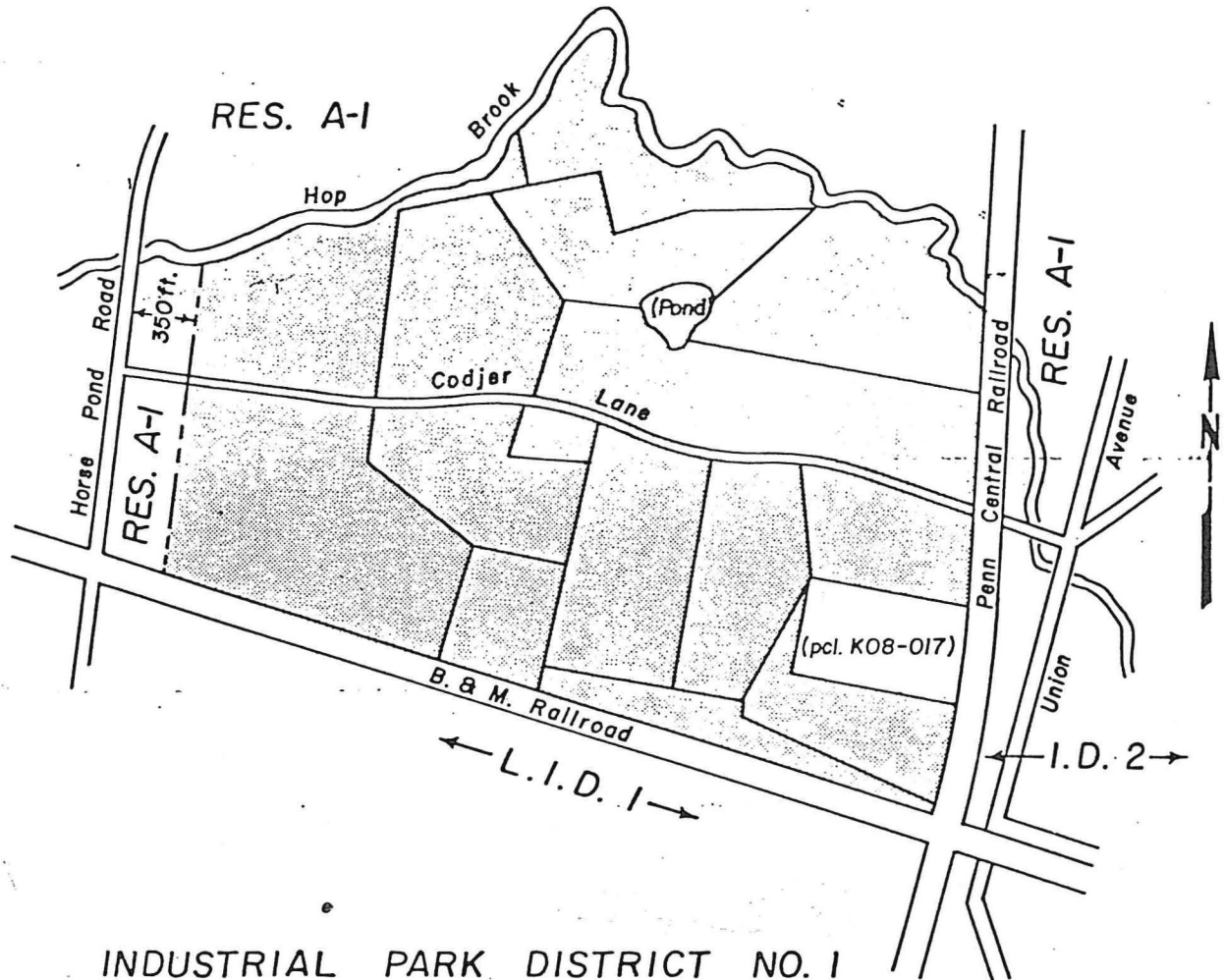
Beginning at the intersection of the Sudbury-Maynard town line and the Northeasterly side of Powder Mill Road; thence Northerly along the Sudbury-Maynard town line to land of the Boston Edison Company; thence Easterly, Northerly and Easterly by land of the Boston Edison Co. to land of the Sudbury Water 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".

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

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.

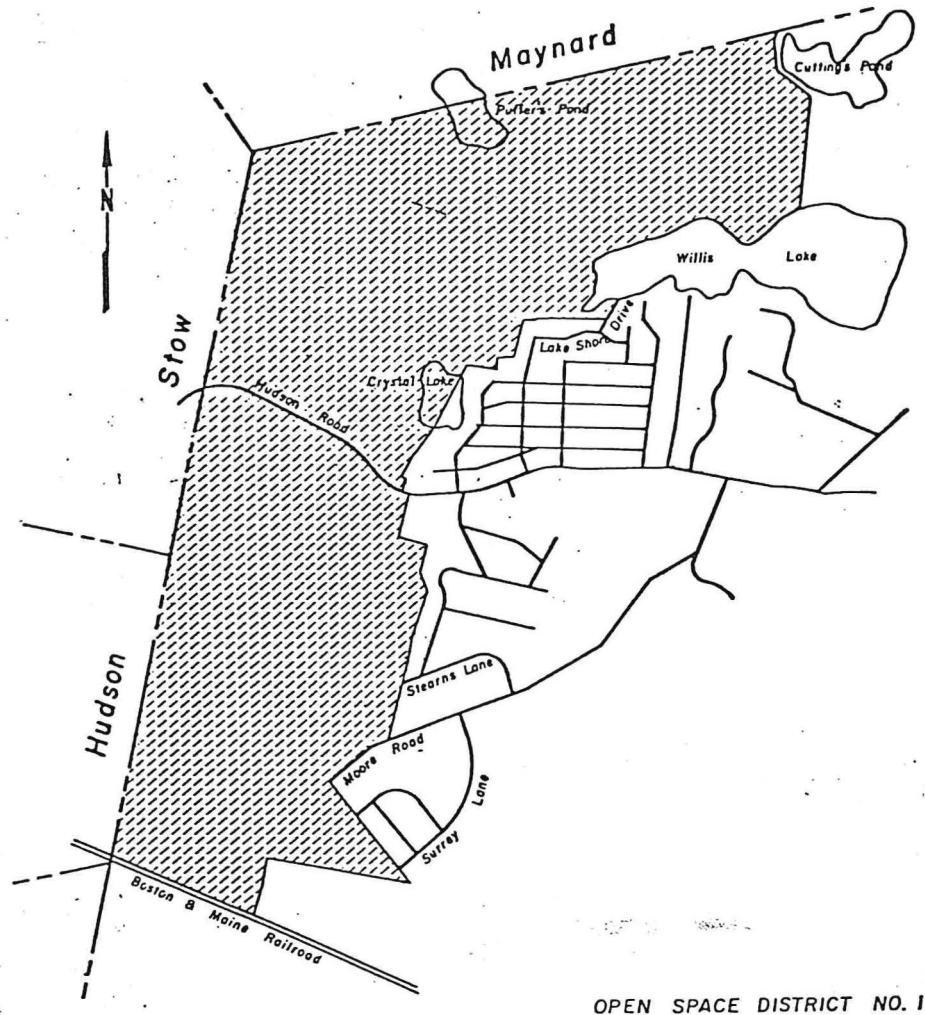
Thence westerly along said railroad layout 1700 feet, more or less, to a point on the Sudbury-Hudson Town Line;

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.

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.
1. 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.

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) which read as at present above.

The 1982 amendment added to Section III-B-1 a new paragraph after paragraph m. specifying prohibited uses which read as at present above.

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

(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.)

III B 2

ATM 1931:36
ATM 1935:18
ATM 1939:19
ATM 1951:46
STM 9/16/53:10d, 10k

ATM 1957:55
ATM 1962:32
ATM 1964:38
ATM 1967:47,50
STM 11/1/71:9

ATM 1972:23
ATM 1975:21
ATM 1982:21,24
ATM 1984:36

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

as an entirely new venture. 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, so that paragraph "g" read as at present above.

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.

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.

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 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

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

The 1985 amendment incorporated into the Zoning Bylaw a new section A 5, which read as above.

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 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 & 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.

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.

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.

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.

STM 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

STM 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

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 at present above.

V. SPECIAL REGULATIONS**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.

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.

4. Administration and Enforcement

A building permit from the Building Inspector shall be required for the erection, construction or alteration of a sign. The application for a permit shall be submitted in such a form as he may prescribe and shall include such information as may be required for a complete understanding of the proposed work. In reviewing applications the Building Inspector shall apply the five standards itemized below. The Building Inspector may, but is not required to refer any application to the Sign Review Board for its recommendation.

There is hereby created a Sign Review Board to consist of five residents of the Town appointed by the Board of Selectmen for three-year staggered terms. In reviewing application referred to it for recommendations, the Sign Review Board shall apply the following standards in each instance, as will the Building Inspector:

- (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.
- (e) 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.

The Building Inspector and Zoning Enforcement Agent, who is charged with the enforcement of the Zoning Bylaw, shall, at reasonable times and upon presentation of appropriate credentials, have the power to enter upon the premises on which any sign is erected or maintained in order to inspect said sign.

5. General Regulatory Provisions

a. Signs

Signs in residence districts shall not exceed one square foot in area.

Signs in all districts other than residence districts shall meet the following requirements:

The area of a sign, other than a sign attached to or part of the architectural design of a building, shall not exceed sixteen square feet. The area of a sign attached to, or part of the architectural design of, a building shall not exceed twenty-four square feet.

The height of a sign, measured from grade to the uppermost part of the sign, shall not exceed twenty feet, except that a sign attached to, or part of the architectural design of, a building shall not be higher than the top of the roof or ridge line of such building.

Not more than one sign shall be permitted for each separate and distinct enterprise on the premises.

The total area of all signs attached to the inside of a window may not cover more than 15% of the window area.

All signs attached to the outside of a building shall be constructed of weatherproof materials. Paper, cardboard or similar materials signs shall not be used.

The above limitations, in the districts other than the residence districts, may be varied by application to, and the grant of a special permit from the Board of Appeals. The Board of Appeals shall forward a copy of the application and its hearing notice to and request a recommendation from, the Sign Review Board, and such recommendation if one is made, shall be entered into the record of the hearing.

b. Temporary Signs

Paper and other temporary type signs which describe a special situation or event are permitted provided:

- i) The temporary sign attached to the inside of a window may not cover more than 30% of the window area.
- ii) All temporary signs attached to the outside of a building may not exceed 5% of the two dimensional elevation of the building.
- iii) The above limitations may be varied by application to and approval of the Sign Review Board.

c. Special Signs

- i) Real Estate Sale, rental and lease signs are permitted provided:
 - a) The size of sign shall not exceed six square feet in residence districts and twenty square feet in all other districts.
 - b) The sign advertises only the premises on which it is located.
 - c) The sign is removed promptly after the completion of the sale, rental or lease, but in no event longer than sixty days.
- ii) Construction Signs are permitted provided:
 - a) The size of sign shall not exceed six square feet in residence districts and twenty square feet in all other districts.
 - b) The sign is to be maintained on premises during actual construction and must be removed within two days after issuance of certificate of occupancy or completion of construction, but in no event longer than sixty days.

d. Parking Signs

In all districts, other than the residence districts, signs limited solely to directing traffic within or setting out restrictions on the use of parking areas and not exceeding two square feet in area are permitted.

- e. Except for special and parking signs, 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.

6. Illuminated Signs

No illuminated or self-illuminated signs shall be permitted in any residence district. Self-illuminated signs shall not be permitted in any business, industrial, research or industrial park districts. No sign shall be illuminated and no non-illuminated sign shall be erected, 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.
- (e) 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.

The following prohibitions shall apply to all districts:

- (a) No beacons and rotating and/or flashing or gas tube signs shall be allowed in any district
- (b) No sign shall be attached to a radio, television or water tower, utility poles, lighting structures and similar poles and structures.

7. Non-conforming Signs

Any non-conforming sign legally erected prior to the original adoption of paragraph J. of this bylaw in 1974, may be continued to be maintained but shall not be enlarged, reworded, redesigned or altered in any way unless it is brought into conformity with the bylaw.

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, business 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.

8. Billboards

Billboards and similar signs are specifically prohibited in the Town of Sudbury. The only signs allowed in the Town of Sudbury are signs that advertise, call attention to, or indicate the person occupying the premises on which the sign is erected or maintained or the business transacted thereon, or advertises the property itself or any part thereof as for sale or rent, and which contains no other matter.

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

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

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, fluorescent, 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 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.

V SPECIAL REGULATIONS

V O

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 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.

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