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**Westport Planning Board  
PUBLIC NOTICE**

Pursuant to the provisions of MGL ch. 40A §5 and Article 2.1 of the Westport Zoning Bylaws, the Westport Planning Board will hold a public hearing on Tuesday, February 12, 2013 at 6:00 p.m. at the Town Hall Annex, 856 Main Road Westport. The purpose of the hearing is to accept public comments on the following proposed amendments to the Town of Westport Zoning By-laws:

**Item 1.a.** To amend Section 1, Definitions, of the Westport Zoning By-laws by adding definitions relevant to Solar Energy Systems, in the appropriate alphabetical order.

**Item 1.b.** To create a new Westport Zoning By-law Article 24, Solar Energy Systems, for the purpose of regulating the siting of the generation of Solar Energy Systems (via by-right, site plan approval, or special permit) with a permitting process not to exceed 12 months from date of initial application to date of final approval.

**Item 1.c.** To amend the Table of Use Regulations by adding the permitted uses as described in Articles 24 for Solar Energy Systems by-right or by special permit

**Item 2.** To create a new Westport Zoning By-law Article 25, Temporary Marijuana Moratorium Bylaw, be in effect through June 30, 2014 for the purpose of undertaking a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

**Item 3.** To amend the Table of Use Regulations by reformatting the use table approved at the 2012 Annual Town Meeting regarding the Science and Technology Overlay District (STOD) related-uses easier to understand.

A copy of the proposed are on file with the Town Clerk's office, Town Hall, and Planning Board at the Town Hall Annex and may be inspected there during regular business hours or on our website on-line at [www.westport-ma.gov](http://www.westport-ma.gov).

David Emilita, Chairman  
WESTPORT PLANNING BOARD  
January 24, 2013 and January 31, 2013

## Item 1 a, b, &amp; c:

To see if the Town will vote to amend the Town of Westport Zoning By-Laws to insert a new By-law entitled, “Solar Energy Systems”, and to make related amendments to the existing Definitions and Table of Uses sections of the Zoning By-laws, all as set forth below, and/or take any other action relative thereto:

***First, to amend ARTICLE 1, PURPOSE AND DEFINITIONS, “Section 1.1 Definitions”, by inserting the following new definitions, in appropriate alphabetical order:***

**As of Right Siting** – Development may proceed with the issuance of a building permit.

**Building Permit** – A construction permit issued by the Building Inspector; the building permit evidences that the project is consistent with the state and federal building codes as well as local Zoning By-Laws.

**Designated Location for Solar Energy Systems** – The zoning districts designated by Article 24.

**Solar Energy Systems – Large Scale** – A solar photovoltaic system that is structurally mounted on the ground, not roof-mounted, and occupies more than 1,000 square feet of land.

**Rated Nameplate Capacity** – The maximum rated output of electric power production of the photovoltaic system in Direct Current (DC).

**Solar Energy Systems – Small Scale** – A solar photovoltaic system that is any size roof-mounted, or is structurally mounted on the ground and occupies 1,000 square feet of land or less.

**Solar Photovoltaic Array** – An arrangement of solar photovoltaic panels.

**Roof-Mounted Solar Energy Installation** – Solar photovoltaic arrays placed on the roof or wall of a structure.

***Second, to insert in the Zoning By-Laws a new article, ARTICLE 24, SOLAR ENERGY SYSTEMS, as follows:***

## **ARTICLE 24**

### **SOLAR ENERGY SYSTEMS**

#### **24.1 PURPOSE**

The purpose of this article is to provide as-of-right siting for small scale solar energy systems in all zoning districts and such development may proceed without need for discretionary approval as set forth herein and to limit large scale solar energy systems as set forth herein. The provisions set forth in this section of the Zoning By-Law shall apply to the construction, operation, repair, and/or removal of solar photovoltaic installations, and to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

The intent of the By-Law is to create a reasonable regulation to ensure that the construction and operation of all solar photovoltaic installations be consistent with all applicable local, state and federal requirements, notwithstanding Chapter 40A, Section 3, including but not limited to all applicable nuisance (noise, odor, lighting etc), stormwater, safety, construction, electrical, and communications requirements. All buildings, structures and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.

## **24.2 AS-OF-RIGHT SMALL SCALE SOLAR ENERGY SYSTEMS AND ANY SIZE ROOF MOUNTED SYSTEM**

### **24.2.1 Purpose**

The purpose of small-scale ground mounted solar photovoltaic installations and roof-mounted photovoltaic solar installations is to promote the creation of renewable energy for individual residences, commercial enterprises and municipal and other buildings, as-of-right, requiring the issuance of a building permit after demonstrating compliance with this bylaw.

### **24.2.2 Small-Scale Roof-Mounted Solar Energy Equipment**

Retrofitted roof-mounted solar equipment shall be located so as not to increase the total height of the structure more than one (1) foot above the applicable zoning regulations related to height in the Zoning District in which it is located, or such other height as is determined by the Building Inspector to be essential for proper operation, but in no case no more than four (4) feet above existing roof plane, whichever is lesser. All new construction shall comply with the height regulation as listed in Article 7 of the Zoning Bylaw (Intensity Regulations).

### **24.2.3 Small-Scale Ground-Mounted Solar Energy System Equipment**

Small-scale ground mounted solar equipment is permitted provided it meets the Zoning Dimensional Setbacks as listed in Article 7 of the Zoning Bylaw (Intensity Regulations).

Small-scale ground-mounted equipment shall be adequately screened from the neighboring lot line as determined by the Building/Zoning Official. The height of Small-Scale Ground-Mounted Solar Equipment shall not exceed twelve (12) feet above existing grade.

**24.2.4      Permitting**

Small-scale solar equipment requires a building permit. All other necessary permits, such as electrical, shall be obtained through the Building Official/Zoning Official and from other Town departments.

**24.2.5      As-Built Plans**

As-built plans shall be submitted prior to final inspection approval.

**24.3      LARGE SCALE SOLAR ENERGY SYSTEMS**

**24.3.1      Purpose**

The purpose of this section is to facilitate the creation or expansion of any Large-Scale Ground-Mounted Solar Photovoltaic Installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on environmental, scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

**24.3.2      Site Plan Approval**

Large-scale ground-mounted solar photovoltaic installations are allowed subject to Planning Board Site Plan Approval in the Business Districts and Unrestricted Districts.

**24.3.3      Special Permit**

Large-scale ground-mounted solar photovoltaic installations are allowed by special permit granted by the Planning Board in the Residence-Agriculture District.

**24.3.4      Administration**

The Planning Board shall be the Special Permit Granting Authority (SPGA) for a Large Scale Ground Mounted Solar Photovoltaic Installation special permit. The SPGA shall follow the procedural requirements for special permits as set forth in Section 9 of MGL Chapter 40A. After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other town boards and/or departments, the SPGA may grant such a permit. The SPGA shall impose conditions reasonably appropriate to assure proper site design, safety, and protect water quality, air quality, and significant environmental resources, and/or otherwise serve the purpose of this section.

#### **24.3.5      Required Review and Permitting**

All large-scale ground-mounted solar photovoltaic installations in the Business and Unrestricted Zoning Districts shall require Site Plan Approval under Article 15 and a building permit issued by the Building Inspector. Low Impact Development Site Plan Approval, under Zoning By-Law Article 20 by the Planning Board shall also apply.

All large-scale ground-mounted solar photovoltaic installations in the Residential/Agricultural zoning district shall require a special permit under this Zoning By-Law and a building permit. Low Impact Development Site Plan Approval, under Zoning By-Law Article 20 by the Planning Board shall also apply.

#### **24.3.6      Utility Notification**

Evidence shall be provided at time of the application that the utility company that operates the electrical grid where the installation is to be located has been informed of the intent of a solar photovoltaic installation and that approval to connect to the grid has been granted or appropriate application(s) have or will be been made to such utilities for interconnection. Off-grid systems shall be exempt from this requirement. Reasonable efforts should be made to place all utility connections underground, depending on appropriate soil conditions, wetlands, shape and topography of the site. The Building Inspector or Planning Board will consider this information in their deliberations.

#### **24.3.7      Fees**

An application shall be accompanied by the required fee and a tri-party account for engineering review, monitoring, and inspections fees. An application for a building permit shall be accompanied by the fee required for a building permit. All other fees that shall be required by permitting parties (Conservation Commission, etc.) shall be administered according to their regulations.

#### **24.3.8      Dimensional Requirements for Large Scale Systems (Lot Size, Frontage, Setbacks and Height)**

No minimum lot size is required in any zoning district.

Frontage – no minimum required.

Height of Structures – No component of a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall exceed 15 feet above existing grade (except for connection to the grid).

Setbacks in Residential Districts\*:

Front Yard - depth shall be at least      100 feet

Side Yard - depth shall be at least 100 feet  
Rear Yard - depth shall be at least 100 feet

Setbacks in Business and Unrestricted Districts\*:

Front Yard - depth shall be at least 50 feet  
Side Yard - depth shall be at least 50 feet  
Rear Yard - depth shall be at least 50 feet

\*Setbacks may be reduced if, in the opinion of the Planning Board based on evidence submitted by applicant, existing and/or proposed screening will be adequate to minimize visual impact (as described in 24.3.11.d). Under no circumstance will setbacks be reduced to less than the dimensional requirements for the zoning district.

### 24.3.9

#### **Required Documents**

In addition to any other documents required under the Town of Westport Zoning By-Law, the following documents shall be provided for Large-Scale Ground-Mounted Solar Photovoltaic Installation:

- a. All plans and maps shall be prepared, stamped and signed by a professional engineer licensed to practice in Massachusetts in accordance with the “Plans and Plan Content” section of Rules and Regulations of the Westport Planning Board for Site Plan Approval (Section 2.2.3).
- b. Drawings of the solar photovoltaic installation showing the proposed layout of the system and any potential shading from nearby structures shall be shown on the plans.
- c. One or three line electrical diagrams detailing the solar photovoltaic installation, associated components and electrical interconnection methods with all National Electrical Code compliant disconnects and overcurrent devices shall be shown on the plans.
- d. Documentation of the major system components to be used, including the electric generating photovoltaic panels, mounting system, inverter, etc. shall be provided (including applicable material safety data sheets (MSDS)).
- e. A list of any hazardous materials proposed to be located on the site in excess of household quantities and a plan to prevent their release to the environment, as appropriate, (including applicable material safety data sheets (MSDS)).
- f. Name, address, signature and contact information for project applicant, co-applicant and name, address, signatures and contact information of any agents representing the project applicant’s proposed system installer shall be provided.

- g. Photometric plan for any required site lighting with specific cut-sheet details.
- h. All signage detail shall be submitted with the application showing dimensions and detail.
- i. A rendering or photo simulation showing the proposed project at completion.
- j. Locations of wetlands and Priority Habitat Areas defined by the Natural Heritage and Endangered Species Program (NHESP); the applicant shall provide evidence of compliance with these regulations.
- k. Locations of Floodplains or inundation areas for moderate or high hazard dams.
- l. Locations of local or National Historic Districts and Priority Heritage Landscapes or other significant cultural sites.
- m. Plans showing provision of water including that needed for fire protection.
- n. Plans showing existing trees of 6" caliper or larger.
- o. Proof of liability insurance.

The Building Inspector or Planning Board may waive documentary requirements as it deems appropriate. All waiver requests must be written on the site plan.

#### **24.3.10 Site Control**

The applicant shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

#### **24.3.11 Design Standards**

##### **a. Lighting**

Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting shall be compliant with Section 20.9, Outdoor Lighting, in the Rules and Regulations of the Westport Planning Board for Site Plan Approval.

##### **b. Signage**

A non-illuminated sign not exceeding four square feet in area shall be installed identifying the owner and/or operator of the solar installation and a 24-hour emergency contact telephone number.

Additional signage relative to public safety shall be permitted if approved by the Building Inspector.

**c. Land Clearing, Landscaping, Vegetation Maintenance**

Clearing of natural vegetation shall be limited to what is necessary for construction, operation and maintenance of the installation. Article 20, Low Impact Development Site Plan Approval shall apply.

Herbicides shall only be applied by properly licensed personnel. Mowing, grazing, or using geotextile materials underneath the solar arrays are possible alternatives.

**d. Visual Impact**

Structures shall be reasonably shielded from view by vegetation and/or joined and clustered to minimize adverse visual impacts. Landscaping, natural features, opaque fencing and other suitable methods shall be utilized. A screening plan shall be submitted ensuring that the solar arrays and any appurtenant structures are screened from roads and from adjacent lots by a minimum twenty-five (25) foot wide and five (5) foot tall staggered and grouped planting of shrubs and small trees within the setbacks. The Planning Board may alter or waive this requirement if such screening would have a detrimental impact on the operation and performance of the array, or would prove to be ineffective for the site. Fences may be required for safety and/or visual screening purposes with appropriate safety signage (see 24.3.11.b).

When possible, a diversity of plant species shall be used, with a preference for species native to New England. Use of exotic plants, as identified by the most recent copy of the "Massachusetts Prohibited Plant List" maintained by the Massachusetts Department of Agricultural Resources, is prohibited.

Such plantings shall use native plants and a mix of deciduous and evergreen species and may be located within the setback area. Said vegetative screening shall reach a mature form to effectively screen the installation within five years of installation. Planting of the vegetative screen shall be completed prior to final inspection and approval of the solar energy installation. A landscape maintenance bond may be required for two (2) growing seasons.

Pre-application clearing may negate the application for Large Scale Systems at the Planning Board's discretion.

**e. Safety, Emergency Service and Hazardous Materials**

The applicant shall provide a copy of the project summary,



electrical schematic, and site plan. The applicant shall develop an emergency response plan including showing all means of shutting down the solar installation. The applicant shall submit the name of the person answerable to inquires throughout the life of the installation. The name of the designated individual shall be kept current and on file with the Planning Board and the Building Inspector.

Hazardous materials stored, used, or generated on site shall not exceed the amount for a Very Small Quantity Generator of Hazardous Waste as defined by the DEP pursuant to MassDEP regulations 310 CMR 30.000 and shall meet all requirements of the DEP including storage of hazardous materials in a building with an impervious floor that is not adjacent to any floor drains to prevent discharge to the outdoor environment. If hazardous materials are utilized within the solar photovoltaic equipment, impervious containment areas capable of controlling any release to the environment to prevent potential contamination of groundwater are required.

**f. Monitoring and Maintenance**

The applicant shall submit a plan for the operation and maintenance of the installation, which shall include measures for maintaining the site including safe access, stormwater control, structural repairs and the integrity of security measures. These measures shall be approved by the Fire Chief and emergency medical services personnel. The owner and/or operator shall be responsible for the cost of maintaining the installation.

**g. Appurtenant Structures**

All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall, be subject to reasonable conditions concerning the bulk and height of structures, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be screened from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

**h. Noise**

Noise generated by Large-Scale Ground-Mounted Solar Photovoltaic Installations and associated equipment and machinery shall conform to applicable state and local noise regulations, including the DEP's Division of Air Quality noise regulations, 310

CMR 7.10. A source of sound will be considered in violation of said regulations if the source:

- i. increases the broadband sound level by more than 10 db(A) above ambient; or
- ii. produces a “pure tone” condition, when an octave band center frequency sound pressure level exceeds the two (2) adjacent center frequency sound pressure levels by three (3) decibels or more. Said criteria are measured both at the property line and at the nearest inhabited residence. “Ambient” is defined as the background A-weighted sound level that is exceeded 90% of the time measured during equipment hours, unless established by other means with the consent of the DEP. Noise generated shall further comply with Section XL of the Town of Westport bylaws.

i. **Impact on Agricultural and Environmentally Sensitive Land**

The facility shall be designed to minimize impacts to agricultural and environmentally sensitive land and to be compatible with continued agricultural use of the land whenever possible.

**24.3.12 As-Built Plans**

As-built plans shall be approved by the Building Inspector, if said plans represent construction of the facility as shown on the building permit application or the site plan approved by the Planning Board, before a Certificate of Completion or Occupancy may be issued.

**24.3.13 Modifications**

All material modifications as determined by the Building Inspector for a solar photovoltaic installation made after issuance of the required building permit shall require approval by the Planning Board.

**24.3.14 Change in Ownership**

If the owner and/or operator of a large scale ground mounted solar facility changes, notice shall be given to the Building Inspector and Planning Board with the contact information of the new owner/operator within one month of the change in ownership and/or operations.

**24.3.15 Annual Reporting**

The owner or operator of the installation shall submit an Annual Report to the Building Inspector and the Planning Board which certifies compliance with the requirements of this By-Law and their approved site plan including control of vegetation, noise standards, and adequacy of road access by January 15<sup>th</sup> of each year.

**24.3.16****Abandonment, Decommissioning and Removal of Equipment**

The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of their proposed date of discontinued operations and plans for removal. The notification shall consist of the methodology of physical removal of all structures, equipment, security barriers and transmission lines, disposal of all solid and hazardous waste, and stabilization or re-vegetation of the site.

If the owner or operator fails to remove the installation in accordance with the above criteria, the Town or its agents may, after the receipt of an appropriate court order or consent of the owner, enter the property and physically remove the installation at the owner's expense. As a condition of siting any such use, an equipment owner shall allow the Town entry to remove an abandoned or decommissioned installation. The cost for the removal will be charged to the property owner in accordance with the provisions of M.G.L. 139, Section 3A as a tax lien on the property.

Decommissioning shall consist of:

- a. Physical removal of all Large-Scale Ground-Mounted Solar Photovoltaic Installations, structures, equipment, security barriers and transmission lines from the site, including any materials used to limit vegetation.
- b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
- d. Restoration of agricultural land to a condition suitable for resumption of agricultural production.

**24.3.17****Financial Surety for Removal/Remediation on Municipal Property**

The applicant shall provide surety (either through escrow account or other form of surety approved by the Building Inspector or Planning Board) to cover the cost of removal in the event the Town must remove the installation and remediate the landscapes, in an amount and form determined to be reasonable by the Planning Board. Such amount shall not exceed 150% of the estimated cost of removal and compliance with any additional requirements set forth herein. The project applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal cost due to inflation. The estimate shall

be verified by the Planning Board's consultant engineer or other expert who may be engaged pursuant to Section 24.4.

#### **24.4 CONSULTANT REVIEW**

The Building Inspector and the Planning Board shall establish a procedure for engaging a professional engineer and/or other technical consultant to advise the Building Inspector or Planning Board, and to review application plans and documents in application phase and the construction phase. The applicant shall pay for the cost of the consultant review pursuant to the procedures specified in M.G.L. c. 44, §53G or §53A. Further, the Building Inspector and the Planning Board shall establish a procedure for engaging consultants to inspect and confirm compliance with any requirements during construction and maintenance. Refusal to pay the necessary consultant fees shall be a basis to deny the building permit, site plan, or special permit approval. Such procedure shall include prior notice to the owner or operator of the installation of the cause of such proposed engagement.

#### **24.5 EXPEDITED APPLICATION AND PERMITTING PROCESS**

The Planning Board shall issue decisions for solar Energy Systems within one year from the date of submission of a completed application.

#### **24.6 SEVERABILITY**

Severability. If any provision herein is determined to be unlawful, it shall be severed from this section and all remaining provisions shall remain in force and effect.

***Third, to amend TABLE OF USE REGULATIONS by inserting the following new uses, in appropriate alphabetical order:***

#### **TABLE OF USES**

Uses	Residential	Business	Unrestricted	STOD
Solar Energy Systems - Small-Scale	Y	Y	Y	X
Solar Energy Systems - Large-Scale	Y/SPPB	Y/SPA-PB	Y/SPA-PB	X

**PLANNING BOARD**

**Item 2:**

To see if the Town will vote to amend the Town of Westport's Zoning Bylaw by adding a new Article 25, Temporary Moratorium On Medical Marijuana Treatment Centers, that would provide as follows, and further to amend the Table of Contents to add Article 25, "Temporary Moratorium on Medical Marijuana Treatment Centers:"

**Article 25. PURPOSE**

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town *of Westport* and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

**Article 25.1 DEFINITION**

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

**Article 25.2 TEMPORARY MORATORIUM**

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

Or take any action relative thereto.

**PLANNING BOARD**

<b>Item 3:</b>
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To see if the Town will vote to amend the Town of Westport Zoning By-Laws by reformatting the Table of Uses section of the Zoning By-laws as approved at Annual Town Meeting 2012, so that the Table reads as follows; and/or take any other action relative thereto:

**TABLE OF USE REGULATIONS**

X = Prohibited unless allowed in Underlying District

Y = Allowed By Right

N = Prohibited

SPBA = Special Permit Board of Appeals

SPPB = Special Permit Planning Board

SPA-PB = Site Plan Approval Planning Board

<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD</u> (Art. 22)
ACCESSORY APARTMENT (see section 4.0.1.B.5.)	Y	Y	Y	X
ACCESSORY USE Included but not limited to: HOME OCCUPATION	Y	Y	Y	X
ADULT ENTERTAINMENT ESTABLISHMENT	N	N Except SPBA & SPA-PB in AEOD	N	X
AGRICULTURAL, FORESTRY NURSERY, GARDENING, FARM,	Y	Y	Y	X
AMUSEMENT OR ASSEMBLY (see section 4.0.2.C)	N	SPBA/ SPA-PB	Y/SPA-PB	X
Analytical Laboratory				
Instrument Manufacturing	N	N	SPPB/SPA-PB	SPPB/SPA-PB

<b><u>USES</u></b>	<b><u>RESIDENTIAL</u></b>	<b><u>BUSINESS</u></b>	<b><u>UNRESTRICTED</u></b>	<b><u>STOD</u> <u>(Art. 22)</u></b>
Animal (except Poultry) Slaughtering	N	Y/SPA-PB	SPPB/SPA-PB	SPPB/SPA-PB
ASSISTED AND INDEPENDENT LIVING FACILITIES	SPPB	SPPB	SPPB	X
*AUTO BODY SHOP/AUTO REPAIR SHOP	N	Y/SPA-PB	Y/SPA-PB	X
*AUTO SALESROOM CLASS 1 & 2	N	Y/SPA-PB	Y/SPA-PB	X
*AUTO SALES, TRAILER SALES, OR FARM EQUIPMENT SALES	N	Y/SPA-PB	Y/SPA-PB	X
*AUTO SERVICE STATIONS	N	Y/SPA-PB	Y/SPA-PB	X
*AUTO STORAGE GARAGE	N	Y/SPA-PB	Y/SPA-PB	X
BANKS	N	Y/SPA-PB	Y/SPA-PB	X
BATH HOUSES, BEACH CLUBS, BOAT LANDINGS, WHARVES (see section 4.0.1.D)	SPBA	Y/SPA-PB	Y/SPA-PB	X



<b><u>USES</u></b>	<b><u>RESIDENTIAL</u></b>	<b><u>BUSINESS</u></b>	<b><u>UNRESTRICTED</u></b>	<b><u>STOD</u></b> <b><u>(Art. 22)</u></b>
BOAT YARDS FOR CONSTRUCTION, STORAGE, MAINTENANCE, REPAIR OF BOATS (see section 4.0.1.D)	SPBA	Y/SPA-PB	Y/SPA-PB	X
BED & BREAKFAST	SPBA	Y/SPA-PB	Y/SPA-PB	X
Business and Secretarial Schools	N	Y/SPA-PB	SPPB/SPA-PB	SPPB/SPA-PB
CLUB, PRIVATE: NOT FOR PROFIT (See section 4.0.1.D)	SPBA	Y/SPA-PB	Y/SPA-PB	X
CLUB, PROFIT (see section 4.0.2.C)	N	SPBA/ SPA-PB	Y/SPA-PB	X
*COMMERCIAL & NON-COMMERCIAL KENNELS	N	Y	Y	X
CONVALESCENT HOMES	Y/SPA-PB	Y/SPA-PB	Y/SPA-PB	X
CONVERSION OF SINGLE-FAMILY INTO TWO-FAMILY STRUCTURE (see section 4.0.1.D)	SPBA	SPBA	SPBA	X

<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD</u> <u>(Art. 22)</u>
Cutting Tool and Machine Tool <b>Accessory Manufacturing</b>	N	N	SPPB/SPA-PB	SPPB/SPA-PB
Data Processing, Hosting and <b>Related Services</b>	N	Y	SPPB/SPA-PB	SPPB/SPA-PB
Dental Equipment and Supplies <b>Manufacturing</b>	N	Y/SPA-PB	SPPB/SPA-PB	SPPB/SPA-PB
Dental Laboratories	N	Y/SPA-PB	SPPB/SPA-PB	SPPB/SPA-PB
DOGS: MAXIMUM 3 (see section 4.0.1.C)	N	Y	Y	X
DOGS: MAXIMUM 6	SPBA	Y	Y	X
DRIVE-THROUGH FACILITIES	N	SPPB	SPPB	X
DWELLING: ONE FAMILY	Y	Y	Y	X
DWELLING: TWO FAMILY	Y	Y	Y	X
DWELLING: MULTI-FAMILY	N	N	Y/SPA-PB	X

<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD</u> <u>(Art. 22)</u>
*EARTH REMOVAL/MINING	N	N	Y/SPA-PB	X
EDUCATIONAL USES	Y/SPA-PB	Y/SPA-PB	Y/SPA-PB	X
Electromedical and <b>Electrotherapeutic</b> Apparatus Manufacturing	N	N	SPPB/SPA-PB	SPPB/ SPA-PB
Electronic Connector Manufacturing	N	N	SPPB/SPA-PB	SPPB/SPA-PB
Engineering Services	N	Y	SPPB/SPA-PB	SPPB/SPA-PB
Farm Management Services	Y	Y	SPPB/SPA-PB	SPPB/SPA-PB
Finfish Farming and Fish Hatcheries	SPBA/SPA-PB	N	SPPB/SPA-PB	SPPB/SPA-PB
FLEA MARKET (see section 4.0.1.D)	N	Y/SPA-PB	Y/SPA-PB	X
Glass Product Manufacturing Made of Purchased Glass	N	N	SPPB/SPA-PB	SPPB/SPA-PB

<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD</u> <u>(Art. 22)</u>
GREENHOUSES FOR AGRICULTURAL USE ONLY	Y	Y	Y	X
GOLF COURSE: PUBLIC OR PRIVATE (see section 4.0.1.D)	SPBA/ SPA-PB	Y/SPA-PB	Y/SPA-PB	X
HOME OFFICE (See section 4.0.1.B for Standards and Limitations)	Y	Y	Y	X
HOSPITALS	Y/SPA-PB	Y/SPA-PB	Y/SPA-PB	X
HOTEL	N	Y/SPA-PB	Y/SPA-PB	X
INCLUSIONARY HOUSING	SPPB	SPPB	SPPB	X
Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals	N	N	SPPB/SPA-PB	SPPB/SPA-PB
Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables	N	N	SPPB/SPA-PB	SPPB/SPA-PB

<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD</u> <u>(Art. 22)</u>
JOB PRINTING	N	Y/SPA-PB	Y/SPA-PB	X
Management Consulting Services	N	Y/SPA-PB	SPPB/SPA-PB	SPPB/SPA-PB
MISCELLANEOUS RETAIL OR SERVICE BUSINESS (see section 4.0.2.B)	N	Y/SPA-PB	Y/SPA-PB	X
MOBILE HOME PARK	N	N	N	X
MOTEL	N	Y	Y	X
METEOROLOGICAL TOWER (Met Tower)	Y	Y	Y	X
MUNICIPAL	Y/SPA-PB	Y/SPA-PB	Y/SPA-PB	X
Musical Instrument Manufacturing	N	N	SPPB/SPA-PB	SPPB/SPA-PB
Natural Gas Distribution	N	N	SPPB/SPA-PB	SPPB/SPA-PB
NEWSPAPER	N	Y/SPA-PB	Y/SPA-PB	X
NURSING HOMES	Y/SPA-PB	Y/SPA-PB	Y/SPA-PB	X

<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD</u> <u>(Art. 22)</u>
OFFICES: BUSINESS OR PROFESSIONAL	N	Y/SPA-PB	Y/SPA-PB	X
OPEN SPACE RESIDENTIAL DEVELOPMENT	Y	Y	Y	X
Other Aquaculture	SPBA	N	SPPB/SPA-PB	SPPB/SPA-PB
Other Marine Fishing	SPBA	N	SPPB/SPA-PB	SPPB/SPA-PB
OUTDOOR ADVERTISING WITH PERMIT	N	Y/SPA-PB	Y/SPA-PB	X
PUBLIC OR PRIVATE FACILITIES FOR AQUACULTURE (see section 4.0.1.D)	SPBA	SPBA	Y	X
PUBLIC UTILITY	N	Y/SPA-PB	Y/SPA-PB	X
RELIGIOUS USES	Y/SPA-PB	Y/SPA-PB	Y/SPA-PB	X
RESEARCH LABS	N	Y/SPA-PB	Y/SPA-PB	SPPB & SPA-PB
RESIDENT FISHERMEN SHUCKING	Y	Y	Y	X

<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD</u> <u>(Art. 22)</u>
RESTAURANTS	N	Y/SPA-PB	Y/SPA-PB	X
ROOM RENTAL/BOARDING FOR NOT MORE THAN FOUR PERSONS IN A DWELLING	Y	Y	Y	X
SANITARIUMS	Y/SPA-PB	Y/SPA-PB	Y/SPA-PB	X
Semiconductor and Related Device Manufacturing	N	N	SPPB/SPA-PB	SPPB/SPA-PB
Semiconductor Machinery Manufacturing	N	N	SPPB/SPA-PB	SPPB/SPA-PB
SHARED WIND ENERGY FACILITIES	SPBA	SPBA	SPBA	X
Shellfish Farming	SPBA/SPA-PB	N	SPPB/SPA-PB	SPPB/SPA-PB
SIGNS (ACCESSORY)	Y	Y	Y	X
Surgical and Medical Instrument Manufacturing	N	N	SPPB/SPA-PB	SPPB/SPA-PB

<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD</u> <u>(Art. 22)</u>
TEMPORARY TRAILER	Y/SPA-PB	Y/SPA-PB	Y/SPA-PB	X
TIRE STORAGE YARDS	N	N	SPBA/ SPA-PB	X
TRADESMAN	Y/SPA-PB	Y/SPA-PB	Y/SPA-PB	X
Turbine and Turbine Generator Set Units Manufacturing	N	N	SPPB/SPA-PB	SPPB/SPA-PB
WHOLESALE BUSINESSES (see section 4.0.2.B)	N	Y/SPA-PB	Y/SPA-PB	SPPB/SPA-PB
WIND ENERGY FACILITY, COMMERCIAL	N	SPBA/ SPA-PB	SPBA/ SPA-PB	X
WIND ENERGY FACILITY, COMMERCIAL OVER 140 FEET IN HEIGHT	N	SPBA SPA-PB	SPBA SPA-PB	X
WIND ENERGY FACILITY NON-COMMERCIAL	Y	Y	Y	X



<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD</u> <u>(Art. 22)</u>
WIND ENERGY FACILITY, NON-COMMERCIAL OVER 140 FEET IN HEIGHT	N	SPBA	SPBA	X
WIND TURBINES, THREE OR MORE ON ONE PARCEL	SPBA	SPBA	SPBA	X
YARD SALES & AUCTIONS: 3 DAYS IN 1 MONTH 4 DAYS CALENDAR YEAR	Y	Y	Y	X

\* - These uses have been recognized and allowed under Town licensing statutes.

(1990 ATM, Article 44; 1995 ATM, Article 42 [correction])(1996 ATM, Article 39 [correction])(1998 ATM, Article 64; 2000 ATM, Article 51; 2003 ATM, Article 48; 2005 ATM, Articles 6, 24, 29 [correction], & 30; 2006 ATM, Articles 4 & 9; 2007 ATM, Article 21)