

ZONING BY LAW

Of the

TOWN OF EAST BRIDGEWATER

MASSACHUSETTS

Effective May 22, 1956

Amended to Annual Town Meeting June 23, 2020

A true copy of Record,

ATTEST:

Susan Gillpatrick, Town Clerk
East Bridgewater, MA

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SECTION 1. PURPOSE (33-4/11/1978)

The purposes of this By-Law are to promote the health, safety, and general welfare of the present and future inhabitants of the Town of East Bridgewater by dividing the Town into districts as shown on the Zoning By-Law Map, together with all amendments thereto, and regulating the use, occupancy, relocation, alteration, and construction of buildings and premises with a view to prevent over-crowding of land, to avoid undue concentration of population; to conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment; to facilitate the adequate provision of water, water supply, drainage, sewerage, and open space; to lessen congestion in the streets; to encourage the most appropriate use of land throughout the Town, all in accord with the General Laws of the Commonwealth of Massachusetts, Chapter 40A, Sections one to seventeen (1-17) inclusive, known as "The Zoning Act", and any amendments thereto.

SECTION 2. GENERAL PROVISIONS

A. NON-CONFORMING USES. Any building, part of a building, or land which at the time of the adoption of this By-Law is being put to a non-conforming use may be:

(1). Continued in that use provided such use has not been abandoned or not used for a period of two (2) years, such land or structure shall thereafter be used only in accordance with the regulations set forth for the zoning district in which the property is located. (33-4/11/1978)

(2).(a). An existing residential non-conforming use may be enlarged to an extent up to twenty-five percent (25%) of the floor and/or ground area of the building or land which was used at the time of the adoption of this By-Law, (or any amendment thereto which resulted in the initial non-conforming status of said use) by Special Permit of the Board of Appeals, provided that such enlargement is not substantially more detrimental than the existing non-conforming use is to the neighborhood.

(b). An existing business or industrial non-conforming use may be enlarged to any extent by Special Permit of the Board of Appeals provided that as part of the Special Permit process the Board of Appeals specifically finds:

- that such enlargement would not increase the non-conforming use parcel to a total area in excess of five (5) acres, or that the total enlargement does not exceed fifty percent (50%) of the floor and/or ground area of the building or land which was used at the time of the adoption of this By-Law, whichever is less,

SECTION 2. GENERAL PROVISIONS (Continued)

AND

- that such enlargement would not be substantially more detrimental than the existing use and structure,

AND

- that the proposed enlargement is not substantially more detrimental than the existing non-conforming use is to the neighborhood by reason of odor, smoke, particulate emission, fumes, noise, vibrations, glare, excessive traffic, or danger of fire or explosion.

The Special Permit granted under this section may determine hours of operation, screening requirements, and any dimensional restrictions that, in the opinion of the Board of Appeals, are required to satisfy this section. (16-5/8/1989)

(3). Changed by special permit of the Board of Appeals to a similar use, provided that it is not substantially more detrimental than the existing non-conforming use is to the neighborhood, or to a more restricted use, provided that when changed it shall not be returned to a less restricted use. (33-4/11/1978)

(4). Rebuilt or restored at the same location and again used as previously, in the case of a building destroyed or damaged by fire, explosion or other catastrophe, provided the owner of said premises shall start operations for restoration or rebuilding on said premises within two (2) years after such catastrophe; and further provided that the buildings as restored shall be only as great in volume or area as the original non-conforming structure, except that it may be enlarged as provided in SECTION 2. a. (2). (33-4/11/1978)

(5). The Zoning Board of Appeals may issue a Special Permit to allow an existing non-conforming structure or an existing conforming structure on a non-conforming lot to be razed and restored or rebuilt in the same or in a different location on the same lot or parcel as such existing structure. The Special Permit may also allow such restoration or rebuilding to enlarge the scope of the original structure up to 25% of the floor area and/or ground area of the building which was used at time of the adoption of this By-Law, (or any amendment hereto which resulted in the initial non-conforming status of the structure). The Special Permit shall be granted only if, such razing, restoration, rebuilding or enlargement is not substantially more detrimental than the existing use is to the neighborhood. Allowed enlargements under this section are limited to the principal building. Any variance, variances, or Special Permits previously issued by the Board of Appeals relating to the

SECTION 2. GENERAL PROVISIONS (Continued)

location of the original structure shall also apply to the location of the new structure. (22-12/18/2006)

AA. SPECIAL NON-CONFORMING USES: Any building, part of a building, or land which on January 1, 1988 was being put to a Business or Industrial non-conforming use and which use was subsequently abandoned for a period in excess of two years and which building, part of a building, or land was changed from one zoning district to another zoning district in 1989 may be:

1. Able to resume the previous use by Special Permit of the Board of Appeals.
2. Thereafter used only in accordance with the regulations set forth for the zoning district in which the property is located, except as set forth below.
3. Changed by Special Permit of the Board of Appeals to a similar use, provided that it is not more detrimental than the previous non-conforming use was to the neighborhood, or to a more restricted use, provided that when changed, it shall not be returned to a less restrictive use.
4. Subject to and have the benefit of the provisions of Section 2A (2) (b) and Section 2A (4) for such special non-conforming use. (10-4/4/1994)

AAA. NONCONFORMING SINGLE AND TWO FAMILY RESIDENTIAL STRUCTURES:

Nonconforming single and two family residential structures may be reconstructed, extended, altered, or structurally changed upon a determination by the Zoning Enforcement Officer that such proposed reconstruction, extension, alteration, or change does not increase the nonconforming nature of said structure. In the event that the Zoning Enforcement Officer determines that the nonconforming nature of such structure would be increased by the proposed reconstruction, extension, alteration, or change, the Board of Appeals may, by Special Permit, allow such reconstruction, extension, alteration, or change where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

Examples of circumstances where the Zoning Enforcement Officer may determine that it is appropriate to issue a permit includes, though are not limited to the following:

- a. alteration to a structure which complies with all current setback,

yard, building coverage, and building height requirements but is located on a lot with insufficient area, where the alteration will also comply with all of the said current requirements;

- b. alteration to a structure which complies with all current setback, yard, building coverage, and building height requirements but is located on a lot with insufficient frontage, where the alteration will also comply with all of said current requirements;
- c. alteration to a structure which encroaches upon one or more required yard or setback areas, where the alteration will comply with all remaining current setback, yard, building coverage and building height requirements; the provisions of this subsection shall apply regardless of whether the lot complies with current area and frontage requirements;
- d. alteration to the side or face of a structure which encroaches upon a required yard or setback area, where the alteration will not further encroach upon such area to a distance greater than the existing structure; the provisions of this subsection shall apply regardless of whether the lot complies with current area and frontage requirements; and
- e. alteration to a non-conforming structure which will not increase the footprint of the existing structure provided that current height restrictions shall not be exceeded.

The Zoning Enforcement Officer may, but is not required to, approve additions constructed to existing structures on pre-existing non-conforming lots with insufficient frontage and/or insufficient area, provided that if the new addition is to encroach on the currently required setbacks, then it may not encroach to any extent greater than the existing encroachment. (25-6-1-2015)

B. GENERAL PROTECTIVE PROVISION

(1). All principal buildings designed or intended for residential purposes hereafter erected shall be in a location which fronts on a public or private way, the width of which is not less than forty (40) feet. The access to all principal buildings shall be from the same public or private ways on which the required lot frontage is located. (16-4/6/98)

All other principal buildings shall have access to such a way.

(2). Any increase in area, frontage, width, yard, or depth requirements of this By-Law shall not apply to a lot for one or two family residential use which at the time of recording or endorsement, whichever occurs

sooner, was not held in common ownership with any adjoining land, conformed to then existing requirements and had less than the proposed requirement but at least 5000 sq. ft. of area and fifty feet of frontage. (33-4/11/1978)

(3). Sub-section deleted in its entirety. (11-4/5/1999)

(4). Construction or operations under a building or special permit shall conform to any subsequent amendment of this By-Law unless the use or construction is commenced within a period of not more than six months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable. (33-4/11/1978)

(5). Any violation of Front, Side or Rear Set Back requirements for principal buildings, for which building permits were required, and issued, which have existed for more than six years without challenge, and does not exceed five feet of the requirements in effect at the time the building permit was granted, shall be exempt from the setback requirement that were or are now required, upon certification by the Building Inspector that the building does in fact meet the conditions set forth in this paragraph. (40-12/7/87)

(6). A Virtual Home Business (VHB) shall be considered an allowed use in all residential dwelling units deemed to be in compliance with zoning in all zoning districts. (38-6/4/2012)

(7). All ground mounted solar energy installations shall be surrounded by a 5' minimum height barrier system. A permanent sign, no larger than 12"x18", displaying current 365/24/7 emergency contact information shall be continuously affixed to the primary access gate.

Barrier requirements:

1. Openings in the barrier shall not allow passage of a 4-inch diameter sphere.
2. Solid barriers which do not have openings shall not contain indentations or protrusions.
3. Where the barrier consists of vertical and horizontal members, and the distance between the horizontal members is less than 45 inches; the horizontal members shall be located on the solar installation side of the fence and the space between the vertical members shall not exceed 1 $\frac{3}{4}$ inches.
4. Where the barrier consists of vertical and horizontal members, and the distance between the horizontal members is 45 inches or more; the space between vertical members shall not exceed 4 inches.
5. Where the barrier consists of diagonal members, such as a lattice fence, the maximum opening shall not exceed 1 $\frac{3}{4}$ inches.

6. Maximum mesh size for chain link fences shall be 2¼ inch square opening.
7. All access gates shall remain locked except during times of access by authorized personnel. (19 - 5/9/2016)

C. SPECIAL PERMITS (33-4/11/1978)

(1). Applications for special permits to the Board of Appeals shall be filed with the Town Clerk.

(2). Applications for special permits to the Planning Board shall be filed with the Planning Board and a copy shall forthwith be given to the Town Clerk by the applicant.

(3). A special permit shall be issued only after a public hearing held within sixty five (65) days after filing of an application.

(4). A special permit granted under this section shall lapse within six months, and including such time required to pursue or await the determination of an appeal (as provided in Section 17 of Chapter 40A of the General Laws, as amended) from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause.

(5). Two associate members of the planning board may be appointed following the same procedures as set forth in Massachusetts General Law, Chapter 41, Section 81A, for filling a vacancy on the planning board (at a joint meeting of the Board of Selectmen and the Planning Board). The terms of associate planning board members shall be three (3) years.

When the Planning Board, acting as the Special Permit Granting Authority (SPGA), does not have the seven (7) regular members available for deliberation due to absence, inability to act, conflict of interest, or a vacancy on the board, the chairman of the planning board may designate an associate member to sit on the board for the purposes of acting on a special permit application. When both associate members are available to fill a temporary vacancy as defined above, the associate member shall be designated on an alternating basis. (26-5/21/90)

CD. COMMON DRIVEWAYS

(01). Purpose

The purpose of this by-law is to address one or more of the following:

- A. Enhance the safety and welfare of residents served by common

driveways.

B. Clarify the rights and responsibilities of builders and residents of common driveways and of the Town of East Bridgewater.

C. Provide access to lots over a common driveway, where providing individual driveways on each lot is not feasible due to physical impediment(s) to access from a public way.

D. Enhance overall public safety by reducing the number and frequency of points at which vehicles may enter upon ways used as public ways, particularly primary streets as defined in the Subdivision Rules and Regulations of East Bridgewater, Massachusetts and more particularly where the layout of the road does not provide for clear sight lines if multiple driveways were to be constructed.

E. Preserve, protect and enhance environmentally sensitive land that might otherwise be cleared, excavated, filled and/or covered with impervious surface.

(02). Definition

Common driveway - A form of access, which is not a street, but extends from a street serving to provide common vehicular access to more than one (1) but not more than four (4) single family residential lots, built in accordance with standards set forth in this Zoning By-Law, and allowed only by Special Permit.

The driveway shall lie entirely within the lots being served.

(03). Scope

Common driveways may be allowed, by means of a Special Permit approved by the Planning Board, for single family residential use only. All lots associated with the use of a common driveway must provide off-street parking in accordance with the Town of East Bridgewater criteria. The Town of East Bridgewater shall not be required to provide construction, reconstruction, maintenance, snow plowing, school bus pick-up, or police patrols along a common driveway.

(04). Common Driveway Standards

The Planning Board may authorize the use of common driveways to provide access through the issuance of a Special Permit.

The following conditions must be met and shall be shown on the plan submitted (for approval). Additional conditions may be required, by the Board, based on site configuration(s).

A. Dimensions:

- (1) The width of the common drive easement (right of way) shall be a minimum of thirty-five (35) feet.
- (2) The width of the common drive paved surface shall be fifteen (15) feet, except where the drive serves only two lots; the width may be reduced to twelve (12) feet.
- (3) The common drive shall have an additional three (3) feet of compacted gravel shoulders on each side.
- (4) The common driveway shall not exceed 800 ft. in length to the last lot line.
- (5) The slope or grade of a common drive shall in no place exceed 8%.
- (6) (6) The common drive shall intersect a public way at an angle of not less than 80 degrees.
- (7) Alignment and sight distances should be sufficient to support a designed speed of fifteen (15) mph and the minimum roadway curvature at the point of the driveway intersection shall be sufficient for an emergency vehicle to negotiate, generally no less than a radius of fifty (50) feet.
- (8) In areas where Town water is available, a fire hydrant shall be required if the terminus of the common driveway is greater than 500 feet from an existing hydrant on a public way or a connection is available on such a way.
- (9) The common driveway shall be capable of providing access for emergency vehicles (w/fifty (50) foot wheelbase).
- (10) The common driveway shall lie entirely within the lots being served.

B. Construction:

- (1) A common driveway shall be constructed and paved as current sub-division standards require. Inspections and approvals (at accepted construction stages) shall be completed in accordance with an approved plan design.
- (2) For applicants having special circumstances or short length designs the Planning Board may allow an alternative construction standard consisting of a minimum twelve (12) inch gravel base with

a one (1) inch oil chip-seal (trap rock) top layer; the base will consist of three successive layers of 3/4" crushed trap-rock stone, 1/2" crushed trap-rock stone and 1/4" trap-rock stone, with a crown sufficient for drainage. Trap rock finish shall be at least 4" thick, compacted measure.

(3) Drainage shall be adequate to dispose of surface runoff. Culverts shall be installed if deemed necessary by the Planning Board.

(4) Any additional storm drainage generated by the new driveway shall not run on to any adjacent property and to the extent possible shall be recharged on-site

(5) Any utility extensions contained within the common driveway shall be considered privately owned and maintained.

(6) Certain construction standards may be waived if, in the opinion of the Planning Board, such action is in the public interest and not inconsistent with the purpose and intent of the Zoning Bylaw.

C. Alignment and Design:

(1) The common driveway, at its intersection with the street, must provide a leveling -off area with a slope no greater than 2% for the first 20 feet and a slope no greater than 5% for the next 30 feet.

(2) There shall be a minimum of two hundred (200) feet between entrances of any two common driveways onto any road.

(3) The common driveway shall enter a roadway at a point separated by at least one hundred (100) feet from an intersection. On a state highway, the common driveway shall enter the roadway at a point separated by at least one hundred (100) feet from any other driveway, curb cut or intersection, except when Massachusetts Highway requirements are more stringent.

(4) The common driveway shall have adequate sight distance at its intersection with the public roadway and shall not create traffic (or pedestrian) safety hazards to its users or the public.

(5) The common driveway shall access the property over the frontage of at least one of the lots being served by the driveway.

(6) The common driveway shall provide the only vehicular egress/ access to the lots being serviced by it, and this shall be so stated in the deeds to the subject lots.

(7) Street Numbers and Identification - Permanent signage, sufficiently readable from the road to serve the purpose of emergency identification, indicating the street number address assigned to each lot served by the common driveway shall be installed within 10 feet of the intersection of the common driveway to the roadway, as well as within 10 feet of the intersection of an individual lot (drive) to the common driveway. This requirement is in addition to those for individual homes or businesses and may be expanded upon the request of the fire chief, police chief and/or the highway superintendent.

(8) Common driveway design shall, to the greatest extent possible, minimize adverse impact to wetlands, farmland, or other natural resources; allow reasonable, safe, and less environmentally damaging access to lots characterized by slopes or ledges; and result in the preservation of rural character through reduction of allowable access ways; and retain existing vegetation and topography.

(9) A neighborhood collection (NDBC) unit, located in a pull-off area within the right-of-way, shall be constructed to the satisfaction of the US Postal Service and shown on the application plans.

D. Modifications and Waivers

These standards may be modified or waived when, in the opinion of the Planning Board, such action is in the public interest and not inconsistent with the purpose(s) and intent of the Zoning By-Law and the Subdivision Control Law.

E. Extension

No common driveway shall be extended or connected to any other way other than the approved point of intersection with the street providing frontage to the development.

F. Zoning Compliance

All lots to be served by a common driveway must meet the requirements of a lot, and dimensional requirements, as defined in the Zoning Bylaws, including but not limited to, set back, dimensions of front, side, and rear yards, as measured in relation to the street (serving as the legal frontage for the lots), and shall be the same as would be required for those lots had they not shared a common driveway.

G. Use Limitation

Each residential lot having access from an approved common driveway may be improved with no more than one (1) single family dwelling unit and related accessory building(s) and uses.

H. Right-Of-Way / Common Driveway Requirements

The landowners of all residences served by a common driveway shall be granted a right-of-way. Such right-of way shall be recorded at the Registry of Deeds within thirty (30) days of approval by the Planning Board, together with a statement of covenants as follows:

(1) Common driveways shall at no time be used to satisfy zoning front-age requirements. Each lot served shall have lot frontage on a street which serves to satisfy lot frontage requirements.

(2) The common driveway shall at no time become the responsibility of the Town of East Bridgewater.

(3) Each landowner served by the common driveway shall be jointly and severally responsible and liable for the repair and maintenance of all portions of the common driveway, and utilities contained within, to which more than one landowner holds a Right-of Way. Specific responsibilities shall be stipulated in a covenant included in the deed for each property served by the driveway.

(4) A covenant shall be entered into between the owner or developer the utility company(s) and the Town in a form acceptable to the Planning Board, which binds current and future owners of each lot served by the common driveway, prohibiting the sale of lots and erection of buildings except for lots approved and/or prior to the adaptation of this by-law, until such time as the common driveway has been constructed and inspected at accepted construction stages in accordance with an approved plan design. A draft covenant shall be submitted for approval with the special permit application and shall include but not be limited to specific standards for maintenance and repair of the driveway and drainage system, provision for allocating financial responsibility, and a procedure for resolution of disagreements. If the permit is granted, said covenant shall be recorded at the Registry of Deeds and shall be made part of every deed to each lot served by the common driveway.

(5) A common driveway shall not be approved until the utility design approval(s) and agreement(s), a declaration of covenants, easements and restrictions (for the use and maintenance of the common driveway) has been approved by Town Counsel.

I. Performance Guarantee

The Planning Board may require surety for the completion of the common driveway. Such security shall be posted prior to the issuance of any building permit(s). The driveway shall be completed, inspected by the Planning Board or its designee, and the security released prior to the issuance of occupancy permits for the lots served by the common driveway.

J. Procedures

The Planning Board shall follow the procedural requirements for Special Permits as per Massachusetts General Law, Chapter 40A, The Zoning Act.

(39-6/10/2019)

SECTION 3. DEFINITIONS

For the purpose of this By-Law certain terms and words are herein defined as follows:

Words used in the present tense include the future; words in the singular number include the plural number and words in the plural number include the singular number, the word "shall" is mandatory and not directory; the "lot" includes the word "plot", the "land" includes the word "marsh" and "water".

ACCESSORY BUILDING - A subordinate building located on the same lot with the main building or use, the use of which is customarily incidental to that of the main building or to the use of the land.

ACCESSORY USE - A use customarily incidental to that of the main building or to the use of the land.

APARTMENT OR DWELLING UNIT - One or more living or sleeping rooms arranged for the use of one or more individuals living as a single housekeeping unit, with permanent provisions for cooking, living, sleeping, and sanitary facilities. (33-4/11/1978)

AWNING - A shelter projecting from and supported by the exterior of a building constructed of non-rigid materials on a supporting framework.

(26-6/6/2011)

AWNING SIGN - A sign painted on, printed on, or attached flat against the surface of an awning. (26-6/6/2011)

CERTIFICATE OF OCCUPANCY - The final permit required from the town before any use or structure may be occupied; issued by the building inspector; a means of assuring that all work has been completed in accordance with plans approved for building permits and that all work conforms to the requirements of all building, zoning and health regulations of the town and the Commonwealth. (33-4/11/1978)

COMMERCIAL ACCESSORY DWELLING UNIT (CADU) - A Commercial Accessory Dwelling Unit (CADU) is intended to provide supplementary housing that is integrated into existing or new commercial buildings to provide an owner occupied housing alternative for the small business owner.

To qualify as a CADU, the residential unit shall comply with each of the following three (3) requirements:

- 1) The unit must be contained within the principal commercial building.
- 2) The unit must be an accessory use to the primary business/commercial use, and as such shall not contain more than 50% (fifty percent) of the gross floor area of the principal building.
- 3) The unit shall be occupied by the owner of the business located within the same principle commercial building, and shall not be leased, rented, or otherwise occupied for residential purposes by a third party.

A Commercial Accessory Dwelling Unit (CADU) shall be a Special Permit

Allowed Use in those business or industrial zoning districts where listed in the zoning district uses sections of this Zoning Bylaw. The Planning Board shall be the Special Permit Granting Authority for all Commercial Accessory Dwelling Unit Special Permits.

For the first 120 days after adoption of this section, the Special Permit Granting Authority may also allow up to two (2) additional Commercial Accessory Dwelling Units to be included in this CADU Special Permit if the Special Permit application clearly meets all of the following three (3) specific conditions:

- 1) The two additional units have been in existence and continuous use since January 1, 2005.

- 2) The two additional units met all requirements of all Building Codes when originally constructed, including having all applicable permits.
- 3) The two additional units meet all requirements of all Health Codes, including having all applicable permits.

This provision for two (2) additional CADU units shall automatically expire and no longer be in effect 120 days after this zoning change is adopted by Town Meeting. (39-6/4/2012)

DWELLING - A permanent structure designed for human habitation and containing one or more dwelling units. This shall not include a dormitory, lodging house, or structure for transient occupancy. (33-4/11/1978)

ELECTRONIC MESSAGE CENTER - Any sign which changes its copy or images electronically, mechanically, digitally, through the use of projection or computer generation. (43-6/2/2014)

FAMILY - One or more persons, including domestic employees, occupying a dwelling unit and living as a single, non-profit housekeeping unit provided that a group of five or more persons who are not within the second degree of kinship shall not be deemed to constitute a family. (33-4/11/1978)

FAMILY DAY CARE HOME - Any owner occupied private residence which, on a regular basis, receives for temporary custody and care during part or all of the day, children under seven (7) years of age or children under sixteen (16) years of age if such children have special needs; provided however, that in either case the total number of children under sixteen (16) years of age in a FAMILY DAY CARE HOME shall not exceed six (6), including participating children living at the private residence. (5-5/21/90)

FLEA MARKET: The open air retail sale of new or used personal property or food products from booths, tables, vehicles or on the ground which sale is not conducted appurtenant to a permitted use on the premises, including but not limited to all types of flea markets, craft fairs and farmers markets. A REGULARLY CONDUCTED FLEA MARKET is a FLEA MARKET conducted more frequently than once in every six weeks on the same premises. (16-2/22/93)

FLOOD - A temporary rise in stream flow that results in water overtopping its banks and inundating areas adjacent to the channel or flood plain.

FLOOD PLAIN - The land adjacent to a body of water which has been or may be hereafter covered by flood water.

FLOODWAY - The channel of a stream and those portions of the flood plain adjoining the channel that are required to carry and discharge the flood water or flood flows of any river or stream.

FRONTAGE - The distance along the street line between the points of intersection of the side lot line with the front lot line, and being continuous in nature. (33-4/11/1978)

GENERAL ADVERTISING SIGN - A sign or display which advertises goods, activities, or services which are generally not produced or available at the location of the sign on a daily basis. These signs require a Special Permit from the Zoning Board of Appeals. (43-6/2/2014)

HALF-STORY - A story which is under a gable, hipped, or gambrel roof, where less than one half of the floor area has a clear ceiling height of seven feet or more. (26-6/6/2011)

HOME OCCUPATION - An accessory use which is carried on entirely within a dwelling unit and is incidental and subordinate to the dwelling use, to include no more than one non resident employee and shall not in any manner change the residential character of the building. (33-4/11/1978)

INCIDENTAL SIGN - A small permanent sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e. g., a credit card sign or a sign indicating hours of business. (26-6/6/2011)

LOT - A specified and mapped area of land that meets all of the minimum requirements of the East Bridgewater Zoning by-law for the Zoning District(s) within which the land is located (13-4/5/1999)

OPEN SPACE - The space on a lot unoccupied by buildings, open to the sky, not devoted to streets, driveways or parking or loading areas. (33-4/11/1978)

ORDINARY HIGH WATER MARK - The highest point on the bank of a floodway or flood plain at which the water level has been for a sufficient period of time to leave a definite mark.

OUTDOOR DINING - An accessory use to an existing primary use where that primary use is an indoor restaurant serving food on the premises. Outdoor Dining shall only be allowed by a Special Permit granted by the Planning Board. The outdoor dining area shall be connected to and be located immediately adjacent to the existing and lawfully operating restaurant and shall be under the responsible direction and sole control of the restaurant. In conjunction with the Special Permit the proposed outdoor dining shall be reviewed per the site plan approval section of this By-Law and shall require a formal Site Plan. The total number of seats

(both indoors and outdoors) shall not exceed the restaurant's existing maximum number of seats. No signs are permitted in the outdoor dining area except those signs that are specifically permitted under this Zoning By-Law. All forms of amplified sound, speakers, TV's, video screens, etc. outdoor are prohibited, and amplified sounds and other noise from inside the restaurant must not be audible in any outdoor dining area or at the abutting property lines. Any door from the outdoor dining area leading into the main restaurant may not be positioned to remain open or otherwise supported in an open position. The dining area must have adequate illumination during evening hours, and shall not have any illumination that creates a nuisance to abutting properties.

The restaurant and the outdoor dining area must also comply with all municipal, state and federal permitting requirements, laws and regulations. (33-6/3/2013)

OVERLAY DISTRICT - An overlay district is a special zoning district placed over an underlying district, part of a district, or a combination of districts. The overlay district includes a specific set of allowed uses and/or regulations that is applied to property within the overlay district in addition to all of the allowed uses and/or regulations of the existing underlying or base zoning district. (18-5/9/2016)

PARCEL - Any specified and mapped area of land that fails to meet one or more of the minimum requirements of the East Bridgewater Zoning by-law for the Zoning District(s) within which the land is located. (13-4/5/1999)

PARKING SPACE - An off-street space for the exclusive use as a parking area for one motor vehicle, having not less than ten feet in width and twenty feet in length. (33-4/11/1978)

PRINCIPAL BUILDING - A building in which is conducted the principal use of the lot on which it is located. (33-4/11/1978)

SIGN - Any fabricated sign or outdoor display structure, consisting of any letter, figure, character, mark, point, plane, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, or illuminating device, which is constructed, attached, erected, fastened or manufactured in any manner so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, and displayed in any manner out of doors for recognized advertising purposes. (15-4/5/1999)

SIGN AREA - That portion of a sign providing a background for all lettering, diagrams, designs and symbols of an informational nature, exclusive of structural, not bearing an advertising message.

(19-4/6/1981)

STORAGE CAPACITY OF A FLOOD PLAIN - The volume of space above an area of flood plain land that can be occupied by flood water of a given stage at a given time, regardless of whether the water is moving.

STORY - That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

(26-6/6/2011)

TEMPORARY SIGN - A sign not constructed or intended for long-term use.

(26-6/6/2011)

VIRTUAL HOME BUSINESS (VHB) - A Virtual Home Business is intended to provide an opportunity for a business to be operated out of the business owner's primary residence.

To qualify as a VHB, the residential unit shall comply with each of the following five (5) requirements:

- 1) The VHB shall be operated by the primary occupant of the residential dwelling.
- 2) The VHB shall not employ or utilize non-resident personnel and/or employees on the residential premises.
- 3) The operation of the VHB shall not alter the existing exterior appearance of the residential structure in any way, including a complete prohibition of exterior signage.
- 4) The VHB shall be limited to utilizing no more than twenty-five per cent (25%) of the total building floor area and provided further that this use is clearly incidental to and secondary to the primary use of the dwelling unit as a residence.
- 5) The VHB shall not include recurring delivery and re-shipment of physical products or services requiring delivery of materials, or on-site clients/customers, at the residential location. No stock-in-trade shall be permitted at the residential location. (38-6/4/2012)

WATERSHED - The area that serves as a tributary source of surface runoff supply or drains into a waterway, water body or wetland.

YARD - An unoccupied space, open to the sky, on the same lot with the building or structure.

YARD: FRONT - A yard extending across the full width of the lot and lying between the front lot line of the lot and the nearest line of the principal building.

YARD: REAR - A yard extending across the full width of the lot and lying between the rear lot line of the lot and the nearest line of the

principal building.

YARD: SIDE - A yard extending between the side lot line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard, or in the absence of either of such yards, to the front or rear lot lines, as may be.

SECTION 4. ESTABLISHMENT OF DISTRICTS

The Town of East Bridgewater is hereby divided into districts as follows:

- R-1 entitled RESIDENCE 1,
- R-2 entitled RESIDENCE 2,
- R-3 entitled RESIDENCE 3,
- R-4 entitled RESIDENCE 4,
- R-5 entitled RESIDENCE 5,
- B-1 entitled BUSINESS 1,
- B-2 entitled BUSINESS 2,
- B-3 entitled BUSINESS 3,
- B-4 entitled BUSINESS 4,
- B-5 entitled BUSINESS 5,
- I-1 entitled INDUSTRIAL,
- M entitled MUNICIPAL.
- Overlay Districts (38-6/10-2019)

Additionally, the Flood Plain and Wetlands Protection District, the Watershed Protection District, and several overlay districts as herein defined in later sections of this Zoning By-Law. The boundaries of each of the said districts, except the Wetlands and Flood Plain Protection Districts, as amended by the SECTION 5.M.(1a) are hereby established as shown, defined, and bounded on the "East Bridgewater, Massachusetts Zoning By-Law Map", together with all amendments thereto, on file with the Town Clerk of the Town of East Bridgewater. This zoning map and all explanatory matter thereon is hereby made part of this Zoning By-Law. (1-5/8/1989) (38-6/10/2019)

A. Where the boundary lines are shown upon said map within the street lines of public and private ways, the center lines of such ways shall be the boundary lines.

B. Where the boundary lines are shown approximately on the location of property or lot lines, and the exact location of property, lot or boundary lines is not indicated by means of dimensions shown in figures, then the property or lot lines shall be the boundary lines.

C. Boundary lines located outside of such street lines and shown approximately parallel thereto shall be regarded as parallel to such street lines, and dimensions shown in figures placed upon said map

between such boundary lines and street lines are the distances in feet of such boundary lines from such street lines, such distances being measured at right angles to such street lines unless otherwise indicated.

D. In all cases which are not covered by other provisions of this section, the location of boundary lines shall be determined by the distance in feet, if given, from other lines upon said map, by the use of identifications as shown on the map, or by the scale of said map.

E. MULTIPLE DISTRICT LOTS

Where a zoning district boundary line divides any lot the following shall apply:

(1). The regulations for the more restricted portion of such lot shall be deemed to extend to the lot line(s) provided that the lot has frontage in the more restricted district.

(2). The regulations for the less restricted portion of such lot shall be deemed to extend up to thirty (30) feet into the more restricted portion of such lot, provided that the lot has frontage in the less restricted district.

(3). A business or industrially zoned parcel that consists of more than one (1) business or industrial zoning district may by SPECIAL PERMIT of the PLANNING BOARD, be developed using the requirements of the less restricted business or industrial zone, provided that as part of the SPECIAL PERMIT process the PLANNING BOARD specifically finds that:

(a). such use would conform with all of the requirements set forth in SECTION 6. a. (REQUIREMENTS FOR PRINCIPAL BUILDINGS) of this By-Law for the less restricted district where such use would be permitted, and that

(b). the proposed use would not substantially derogate from the criteria set forth in this By-Law for the more restricted district.

(c). The SPECIAL PERMIT granted under this section may determine hours of operation, screening requirements, and other restrictions that, in the opinion of the PLANNING BOARD, are required to satisfy this section. (14-2/22/93)

F. The Flood Plain and Wetland Protection District shall be superimposed upon the districts established in this By-Law. Regulations pertaining to the FP District shall be in addition to the regulations of the underlying districts and other Town Laws and By-Laws, and shall include all special flood hazard areas as delineated on the East Bridgewater Flood Insurance Rate Maps (FIRM) and the Flood Boundary and Floodway Maps, dated July 17,

2012, on file with the Town Clerk, which maps as well as accompanying East Bridgewater Flood Insurance Study are incorporated herein by reference. Additional detailed FEMA/FIRM Flood Plain requirements are included in Section 5.X. (5-6/8/1981) (40-6/4/2012)

G. The Flood Plain and Wetland Protection District boundary lines on the Official Map shall be determined by the use of the scale appearing thereon. Where there is a conflict between the flood plain boundary illustrated on the map and actual field conditions, the affected party may then request a hearing by the Board of Appeals for a special permit and shall present at such hearing photographs, drawings, and such engineering data as the Board may require in reaching a decision.

SECTION 5. ALLOWED USES (1-5/8/89)

In each zoning district, no building shall be erected or altered, and no building or premises (land) shall be used for any purpose except:

A. DISTRICT R-1 (RESIDENTIAL 1):

(A LOW DENSITY RESIDENTIAL DISTRICT)

(0). INTENT

- To reserve areas for large lot single family residential development within the perimeter of the various neighborhoods of the town and within reasonable proximity of community facilities and utilities.
- To preserve the present natural, rural character of those areas presently dominated by open space and agricultural uses.
- To discourage scattered development beyond the fringes of developing neighborhood centers and thereby help reduce the need for uneconomic extension of roads, utilities and other community facilities and services.
- To discourage the subdivision of small residential lots along the existing principal town ways in rural areas.
- To best utilize East Bridgewater's land resources for appropriate uses which will help balance the tax base and offer desirable affordable housing, and quality employment to local residents.

(1). ALLOWED USES:

(a). Detached single family dwellings.

(b). With SITE PLAN APPROVAL (per SECTION 13. of this By-Law): Churches, parish houses, religious schools, schools, public

libraries, museums and similar buildings. Public or semi-public institutions of a philanthropic or charitable character, but not a home, public or private, providing group housing or rehabilitation for delinquent, criminal, or mentally deranged persons.

(c). Cemeteries.

(d). Customary home occupations, such as dressmaking, millinery, hairdressing, preserving, home-cooking, the renting of rooms and the furnishing of board for no more than four (4) persons, and a family daycare home when situated in the place of residence of the operator, provided that the home occupation use meets all of the following criteria:

- That no more than twenty-five percent (25%) of the floor area of the residence is used for the purpose of the home occupation.
- That there is no external evidence of the home occupation other than an announcement sign.

(e). Accessory uses of a service nature, such as electrical, plumbing, carpentry, masonry, painting, landscaping, tree surgery, and the like, provided that the use meets all of the following criteria:

- That the business is a service business, conducted by the resident occupant(s), principally away from the premises.
- That the business be located on the rear half of the lot, at least forty (40) feet from any residential building on an adjoining lot.
- That a maximum of one (1) business related motor vehicle (not more than eighteen thousand (18,000) pounds gross vehicle weight [GVW]), be garaged on the premises.
- That the square footage of building space used by the business not exceed one thousand (1000) square feet.
- That not more than two (2) non-resident employees of the business park motor vehicles on the premises while employed off-site by the resident occupant.
- That the business is not injurious or offensive to the neighborhood because of emission of odor, fumes, dust, noise, smoke, vibration, or other causes and that there is no display of goods or materials visible.

(f). The office of a physician, surgeon, dentist, teacher, artist,

musician, real estate agent, lawyer, Justice of the Peace, Notary Public, architect or engineer, provided that the use meets all of the following criteria:

- That the office (or studio) is operated by the resident occupant(s), in the dwelling where the office (or studio) is located, and is incidental to such residence.

- That no more than twenty-five percent (25%) of the floor area of the residence shall be used for the office (or studio).

- That there be no external evidence of the use other than an announcement sign.

(g). Hospitals, sanatoriums, and other medical institutions, as approved by Special Permit of the Planning Board.

(h). Boarding of saddle horses, riding stables, kennels, and animal hospitals as approved by Special Permit of the Zoning Board of Appeals, providing that all buildings for such uses are a minimum of fifty (50) feet from the street line, and a minimum of twenty-five (25) feet from the side and rear lot lines.

(i). Farms, market gardens, nurseries, greenhouses and the sale of produce raised on the premises, provided that such agricultural uses are at least twenty-five feet from the street line, and for cultivated purposes at least ten (10) feet from the street line.

(j). Forests, wood lots, portable wood-working mills and machinery, provided there is no storage on the premises within one hundred (100) feet of any street line.

(k). Farms, including poultry and livestock, but not a fur farm, provided that buildings for such use(s) are at least fifty (50) feet, and the use itself at least ten (10) feet from any street line, and also provided that buildings for all such use(s) are at least twenty-five (25) feet from all other lot lines.

(l). Trailer or Mobile Home Courts or Parks as approved by Special Permit of the Planning Board, provided that such use is not injurious or offensive to the neighborhood. Each trailer or mobile home shall be regarded as a dwelling and the parcel of land upon which same is placed shall conform to all minimum requirements for principal buildings as contained in SECTION 6.

(m). Any use determined to be of a character similar to the foregoing, said determination to be by Special Permit of the Zoning Board of Appeals following Special Permit petition of the land owner

or owners.

(n). Any accessory use to the foregoing including farms, gardens, and associated uses, and the sale of agriculturally related products originating on the premises.

(o). Buildings and necessary structures in connection with Municipal or Public Utilities and buildings used exclusively for governmental purposes and apartment buildings (as defined in SECTION 5.N.) built by a Public Housing Authority or other Governmental Authority, but not a correctional institution.

B. DISTRICT R-2 (RESIDENTIAL 2):

(A MEDIUM DENSITY RESIDENTIAL DISTRICT)

(0). INTENT:

- To reserve areas for medium lot size single and two family residential development within the perimeter of the various neighborhoods of the town and within reasonable proximity of community facilities and utilities.

- To preserve the present natural, rural character of those areas presently dominated by open space and agricultural uses while allowing compact single family and two family residential development.

- To discourage scattered development beyond the fringes of developing neighborhood centers and to channel development into zones where public utilities and community facilities and services may be provided efficiently.

- To discourage the subdivision of small residential lots along the existing principal town ways in rural areas.

- To best utilize East Bridgewater's land resources for appropriate uses which will help balance the tax base and offer desirable, affordable housing, and quality employment to local residents.

(1). ALLOWED USES:

(a). Detached single family dwellings.

(b). Two family dwellings.

(c). With SITE PLAN APPROVAL (per SECTION 13. of this By-Law): Churches, parish houses, religious schools, schools, public libraries, museums and similar buildings. Public or semi-public institutions of a philanthropic or charitable character, but not a home, public or private, providing group housing or rehabilitation

for delinquent, criminal, or mentally deranged persons.

(d). Cemeteries.

(e). In a single family dwelling, customary home occupations, such as dressmaking, millinery, hairdressing, preserving, home-cooking, the renting of rooms and the furnishing of board for no more than four (4) persons and a family day care home, when situated in the place of residence of the operator, provided that the home occupation use meets all of the following criteria:

- That no more than twenty-five percent (25%) of the floor area of the residence is used for the purpose of the home occupation.
- That there is no external evidence of the home occupation other than an announcement sign.

(f). In a single family dwelling, accessory uses of a service nature, such as electrical, plumbing, carpentry, masonry, painting, landscaping, tree surgery, and the like, provided that the use meets all of the following criteria:

- That the business is a service business, conducted by the resident occupant(s), principally away from the premises.
- That the business be located on the rear half of the lot, at least forty (40) feet from any residential building on an adjoining lot.
- That a maximum of one (1) business related motor vehicle (not more than eighteen thousand (18,000) pounds gross vehicle weight [GVW]), be garaged on the premises.
- That the square footage of building space used by the business not exceed one thousand (1000) square feet.
- That not more than two (2) non-resident employees of the business park motor vehicles on the premises while employed off-site by the resident occupant.
- That the business is not injurious or offensive to the neighborhood because of emission of odor, fumes, dust, noise, smoke, vibration, or other causes and that there is no display of goods or materials visible.

(g). In a single family dwelling, the office of a physician, surgeon, dentist, teacher, artist, musician, real estate agent, lawyer, Justice of the Peace, Notary Public, architect or engineer, provided that the use meets all of the following criteria:

- That the office (or studio) is operated by the resident occupant(s), in the dwelling where the office (or studio) is located, and is incidental to such residence.

- That no more than twenty-five percent (25%) of the floor area of the residence shall be used for the office (or studio).

- That there be no external evidence of the use other than an announcement sign.

(h). Hospitals, sanatoriums, and other medical institutions, as approved by Special Permit of the Planning Board.

(i). Boarding of saddle horses, riding stables, kennels, and animal hospitals as approved by Special Permit of the Zoning Board of Appeals, providing that all buildings for such uses are a minimum of fifty (50) feet from the street line, and a minimum of twenty-five (25) feet from the side and rear lot lines.

(j). Farms, market gardens, nurseries, greenhouses and the sale of produce raised on the premises, provided that such agricultural uses are at least twenty-five feet from the street line, and for cultivated purposes at least ten (10) feet from the street line.

(k). Forests, wood lots, portable wood-working mills and machinery, provided there is no storage on the premises within one hundred (100) feet of any street line.

(l). Farms, including poultry and livestock, but not a fur farm, provided that buildings for such use(s) are at least fifty (50) feet, and the use itself at least ten (10) feet from any street line, and also provided that buildings for all such use(s) are at least twenty-five (25) feet from all other lot lines.

(m). Trailer or Mobile Home Courts or Parks as approved by Special Permit of the Planning Board, provided that such use is not injurious or offensive to the neighborhood. Each trailer or mobile home shall be regarded as a dwelling and the parcel of land upon which same is placed shall conform to all minimum requirements for principal buildings as contained in SECTION 6.

(n). Any use determined to be of a character similar to the foregoing, said determination to be by Special Permit of the Zoning Board of Appeals following Special permit petition of the land owner(s).

(o). Any accessory use to the foregoing.

(p). Buildings and necessary structures in connection with Municipal or Public Utilities and buildings used exclusively for governmental purposes and apartment buildings (as defined in Section 5.N.) built by a Public Housing Authority or other Governmental Authority, but not a correctional institution.

C. DISTRICT R-3 (RESIDENTIAL 3):

(A HIGH DENSITY RESIDENTIAL DISTRICT)

(0). INTENT

- To reserve areas for small lot size, single family, two family, and multi-family residential development within the perimeter of the various neighborhoods of the town and within reasonable proximity of community facilities and utilities.

- To preserve the present natural, rural character of those areas presently dominated by open space and agricultural uses while allowing compact single family, two family, and multi-family residential development.

- To discourage scattered development beyond the fringes of developing neighborhood centers and to channel development into zones where public utilities and community facilities and services may be provided efficiently.

- To discourage the subdivision of small residential lots along the existing principal town ways in rural areas.

- To best utilize East Bridgewater's land resources for appropriate uses which will help balance the tax base and offer desirable, affordable housing, and quality employment to local residents.

(1). ALLOWED USES:

(a). Detached single family dwellings.

(b). Two family dwellings.

(c). Multi-family dwellings with up to (and including) 6 (six) residential units in conformance with SECTION 5.N.

(d). Cemeteries.

(e). With SITE PLAN APPROVAL (per SECTION 13. of this By-Law): Churches, parish houses, religious schools, schools, public libraries, museums and similar buildings. Public or semi-public institutions of a philanthropic or charitable character, but not a

home, public or private, providing group housing or rehabilitation for delinquent, criminal, or mentally deranged persons.

(f). Trailer or Mobile home Courts or Parks as approved by Special Permit of the Planning Board, provided that such use is not injurious or offensive to the neighborhood. Each trailer or mobile home shall be regarded as a dwelling and the parcel of land upon which same is placed shall conform to all minimum requirements for principal buildings as contained in SECTION 6.

(g). In a single family dwelling, customary home occupations, such as dressmaking, millinery, hairdressing, preserving, home-cooking, the renting of rooms and the furnishing of board for no more than four (4) persons, and a family day care home, when situated in the place of residence of the operator, provided that the home occupation use meets all of the following criteria:

- That the use is approved by Special Permit of the Zoning Board of Appeals.

- That no more than twenty-five percent (25%) of the floor area of the residence is used for the purpose of the home occupation.

- That there is no external evidence of the home occupation other than an announcement sign.

(h). In a single family dwelling, accessory uses of a service nature, such as electrical, plumbing, carpentry, masonry, painting, landscaping, tree surgery, and the like, provided that the use meets all of the following criteria:

- That the use is approved by Special Permit of the Zoning Board of Appeals.

- That the business is a service business, conducted by the resident occupant(s), principally away from the premises.

- That the business be located on the rear half of the lot, at least forty (40) feet from any residential building on an adjoining lot.

- That a maximum of one (1) business related motor vehicle (not more than eighteen thousand (18,000) pounds gross vehicle weight [GVW]), be garaged on the premises.

- That the square footage of building space used by the business not exceed one thousand (1000) square feet.

- That not more than two (2) non-resident employees of the business park motor vehicles on the premises while employed off-site by the resident occupant.

- That the business is not injurious or offensive to the neighborhood because of emission of odor, fumes, dust, noise, smoke, vibration, or other causes and that there is no display of goods or materials visible.

(i). In a single family dwelling, the office of a physician, surgeon, dentist, teacher, artist, musician, real estate agent, lawyer, Justice of the Peace, Notary Public, architect or engineer, provided that the use meets all of the following criteria:

- That the use is approved by Special Permit of the Zoning Board of Appeals.

- That the office (or studio) is operated by the resident occupant(s), in the dwelling where the office (or studio) is located, and is incidental to such residence.

- That no more than twenty-five percent (25%) of the floor area of the residence shall be used for the office (or studio).

- That there be no external evidence of the use other than an announcement sign.

(j). Farms, market gardens, nurseries, greenhouses and the sale of produce raised on the premises, provided that such agricultural uses are at least twenty-five feet from the street line, and for cultivated purposes at least ten (10) feet from the street line.

(k). Forests, wood lots, portable wood-working mills and machinery, provided there is no storage on the premises within one hundred (100) feet of any street line.

(l). Farms, including poultry and livestock, but not a fur farm, provided that buildings for such use(s) are at least fifty (50) feet, and the use itself at least ten (10) feet from any street line, and also provided that buildings for all such use(s) are at least twenty-five (25) feet from all other lot lines.

(m). Any use determined to be of a character similar to the foregoing, said determination to be by Special Permit of the Zoning Board of Appeals following Special Permit petition of the land owner(s).

(n). Any accessory use to the foregoing.

(o). Buildings and necessary structures in connection with Municipal or Public Utilities and buildings used exclusively for governmental purposes and apartment buildings (as defined in SECTION 5.N.) built by a Public Housing Authority or other Governmental Authority, but not a correctional institution.

D. DISTRICT R-4 (RESIDENTIAL 4)
(HISTORIC RESIDENTIAL OVERLAY DISTRICT)

(0). INTENT

- The most desirable form of development occurs when a property can be altered to fit current needs, while still retaining the characteristics which make that place unique. Due to ongoing economic pressures to develop property; provide adequate housing to meet current market demand; and, an existing shortage of quality, vacant multi-family zoned land; many older, historic, and architecturally significant buildings which contribute to neighborhood settings are being demolished to allow for re-use of the land.

With this in mind, this R-4 (Residence 4: Historic Residential Overlay District) has been designed to overlay the town's R-2 and R-3 (Residence 2 and Residence 3) districts (except for those R-3 zoned areas specifically exempted), in order to foster the preservation of older, historic, and architecturally significant buildings and existing neighborhood character.

All buildings within the R-2 and R-3 (Residence 2 and Residence 3) zoning districts, which existed on or before January 1, 1987, would be covered under this R-4 (Residence 4: Neighborhood Preservation Overlay District) Zoning By-Law. The By-Law allows for the reasonable development of all properties, with incentives for developers to maintain existing buildings as similar to their original character as possible.

(1). DEFINITIONS: (for this section [Section 5.D. only]) Existing - Those principle buildings which existed in their entirety prior to January 1, 1987.

(2). EXEMPTED LAND: The following land area(s) currently zoned R-3 (Residence 3) are herein exempted from compliance with this By-Law section (section 5.D. only):

All the contiguous R-3 (Residence 3) zoned land within the area bounded by the North side of Plymouth Street (Route 106) and East of Washington Street and lying Southerly of Robbins Pond.

Based on the statement of intent above, it is the opinion of the Planning

Board, that the area(s) herein exempted are relatively free of the problems set forth therein, and therefore should be specifically excluded from application under this By-Law.

(3). SPECIFIC ALLOWED USES

(a). EXISTING BUILDINGS (AND CERTAIN EXPANSIONS OF SAME) -

This section applies only to buildings currently having less than four dwelling units.

The conversion of any existing building for up to three dwelling units in the underlying R-2 zone, or four dwelling units in the underlying R-3 zone, provided that the exterior appearance remains unchanged, the integrity of the architecture remains intact, and adequate parking (one space shall be provided for each one bedroom unit and two and one half spaces for each unit with more than two bedrooms) and adequate sanitary facilities (as determined by the Board of Health) are provided.

Current Zoning By-Law requirements for front yard, side yard, and rear yard must be met to qualify under this section.

(b). EXISTING BUILDINGS (AND CERTAIN EXPANSIONS OF SAME) -

This section applies to all buildings except those qualifying under 5.D.(3).(a) above. (17-5/21/90)

The Planning Board, by Special Permit may permit the conversion or expansion of an existing building for up to eight dwelling units in the underlying R-3 zone, provided that all of the following criteria have been satisfied by the applicant: (27-5/21/90)

(1). The integrity of the existing building and site remain intact. In determining whether the integrity of the existing building and site remain intact, the Special Permit Granting Authority (SPGA) shall consider, among other things, the historic and architectural value and significance of the site and building, the appropriateness of the size and shape of the building as situated and in relation to buildings in the vicinity; the general design, arrangement, texture and material of the features involved, and the relation of these features to similar features and buildings in the surrounding area. The SPGA shall not consider interior arrangements or architectural features not subject to public view.

(2). The minimum gross floor area of each unit is 400 square feet and that the total increase in gross floor area does not

exceed 100 percent of the existing floor area.

(3). Adequate parking facilities are provided in an appropriate location. One space shall be provided for each one bedroom unit, two spaces for each two bedroom unit and two and one half spaces for each unit with more than two bedrooms.

(4). Adequate and appropriate sanitary facilities are available for the proper operation of the site.

(5). The SPGA as an integral part of this Special Permit process may modify the front, side, and rear yard setbacks to accommodate a reasonable use of the property provided that any such modification will not substantially derogate from the overall intent of the Zoning By-Law.

(c). REMOVAL OF EXISTING BUILDINGS AND SUBSEQUENT NEW
CONSTRUCTION -

This section applies to all "new" open land created by removal of existing principle buildings.

The construction of up to four dwelling units provided 20,000 square feet of lot area is provided for the first dwelling unit, and 5,000 square feet of additional lot area for each additional dwelling unit.

Except as specifically modified by this R-4 Residence 4 Building and Neighborhood Preservation Overlay District By-Law, all provisions of Section 5.N. shall also apply.

(d). OPEN LAND (LAND WITH NO EXISTING BUILDINGS) -

Refer to the applicable sections of this By-Law (Section 5.B. [for the R-2 district] or Section 5.C. [for the R-3 district]) for all allowed uses and regulations.

Except as specifically modified by this R-4 Residence 4 Building and Neighborhood Preservation Overlay District By-Law, all provisions of Section 5.N. shall also apply.

E. DISTRICT R-5 (RESIDENCE 5): (16-5/8/89)

(AN ADULT RETIREMENT PLANNED UNIT DEVELOPMENT (ARPUD) DISTRICT)

- This district is an overlay district applicable to all zones of the town except for those areas within a WATERSHED PROTECTION DISTRICT. (22-10/30/00) (20-06/23/20)

(0). INTENT: The intent of this Adult Retirement Planned Unit

Development (ARPUD) is:

- To provide an alternative housing opportunity for the older population.
- To provide an attractive and suitable residential environment that is more amenable to the needs of people in their latter years, and in many cases with limited incomes.
- To encourage creative and innovative site planning and design, in order to enhance the attractiveness and suitability of smaller homes as a preferred alternative housing type, in order to better meet the specific housing needs of this segment of the population.
- And further, the intent of this ARPUD is to encourage the preservation of common land for open space and recreational use, by promoting better utilization of land in harmony with its natural features, and to retain the rural character of the Town.

(1). ALLOWED USES: There are no additional ALLOWED USES within this ARPUD district.

(2). SPECIAL PERMIT ALLOWED USES: The Planning Board acting as the Special Permit Granting Authority (SPGA) may grant a Special Permit for an ADULT RETIREMENT PLANNED UNIT DEVELOPMENT (ARPUD) per the standards and conditions set forth in Sections 5.E.(4)., (5)., (6)., and (7). That follow.

(3). PROHIBITED USES: All uses not expressly allowed as part of the Special Permit granted for an ADULT RETIREMENT PLANNED UNIT DEVELOPMENT (ARPUD) as defined under this By-Law are prohibited in the ARPUD.

(4). DEFINITIONS (for this section [ARPUD] only)

For the purpose of this ARPUD By-Law, certain terms, words, and phrases are herein defined as follows:

(a). ADULT RETIREMENT PLANNED UNIT DEVELOPMENT (ARPUD) -
A self-contained alternative residential community constructed expressly for and specifically limited to use and residency by persons who have achieved a minimum age requirement for residency of at least fifty-five (55) years.

(b). COMMUNITY BUILDING(S) - A building erected solely for the use of the residents of the ARPUD and their guests. The Community Building(s) may contain a game room, entertainment room, sewing room, library, kitchen, laundry facilities, exercise room, toilet facilities, locker rooms for men and women, etc. The Community Building(s) and any other community facility shall be designed and

maintained in conformance with the latest Massachusetts standard for accessibility for the handicapped.

(c). MODULAR HOME - A factory built dwelling unit, containing complete electrical, plumbing and sanitary facilities which is designed to be installed on a permanent foundation for permanent living quarters. The definition of MODULAR HOME shall specifically exclude mobile homes or trailers as hereinafter defined.

(d). HOME SITE - A specific "lot" designated for the placement of a home for the use of its occupants under this ARPUD By-Law.

(e). HOME BLOCK - That portion of a HOME SITE which is reserved for the placement of the principle structure (or home).

(f). PERMITTEE - Any person, firm, or corporation receiving a Special Permit to build, operate and/or maintain an ARPUD.

(g). PERSON - The term "PERSON" shall include individuals, corporation(s), owner(s), lessee(s), licensee(s), and agent(s) for each of them.

(h). RESIDENT or OCCUPANT - A person who has achieved a minimum age of at least fifty-five (55) years.

(i). MOBILE HOME or TRAILER - The following shall be considered a MOBILE HOME or TRAILER and not permitted within an ARPUD:

- MOBILE HOME - As defined under Massachusetts General Laws.

- TRAILER - A portable (self propelled or otherwise) structure built on a chassis designed as a dwelling for travel, recreation, or vacation use.

- PICK-UP COACH - A structure mounted on a vehicle chassis (self propelled or otherwise) intended for use as a dwelling for travel, recreation or vacation use.

- MOTOR HOME - a portable dwelling used for travel, recreation or vacation, constructed as an integral part of a self-propelled vehicle.

- CAMPING TRAILER - A folding structure, mounted on wheels and designed as a temporary dwelling for travel, recreation or vacation use.

(5). GENERAL STANDARDS: The following standards shall apply to all ARPUD Developments:

(a). The ARPUD Development is specifically limited to use, residence and occupancy by persons who have achieved a minimum age of fifty-five (55) years, provided, however, that no more than one of the persons occupying any unit may be under fifty-five (55) years of age as provided for under Massachusetts State Law.

(b). Minimum Tract Size - ARPUD Developments shall be located on a parcel of land which has a gross area of not less than thirty (30) acres.

(c). The maximum number of ARPUD dwelling units in the Town of East Bridgewater shall be limited to a number equivalent to ten percent (15%) of the existing single family residential housing units (excluding ARPUD units) located in the Town of East Bridgewater. The number of single family residential housing units for the purpose of this By-Law shall be as established by the Board of Assessors as of January 1 of the calendar year. (20-6/23/20)

(d). The minimum number of dwelling units in any one (1) ARPUD shall be fifty (50).

(e). The maximum number of dwelling units in any one (1) ARPUD shall be one hundred (100).

(f). The maximum density ratio in the ARPUD shall be no greater than four (4) residential units per acre. The gross land area of the parcel will be used in calculating compliance with this maximum density ratio.

(g). Each dwelling unit in an ARPUD shall be assigned an individual HOME SITE having a minimum area of not less than seven thousand (7000) square feet. Each HOME SITE shall have a minimum frontage on an access road within the ARPUD. Minimum frontage shall be determined by the SPGA based on suitability for vehicular access.

(h). There shall be no more than one (1) dwelling unit per HOME SITE within the ARPUD.

(i). Within the ARPUD there shall be a minimum distance of thirty (30) feet between each dwelling unit, and a minimum set-back from the roadway layout of at least thirty (30) feet.

(j). Within the ARPUD all roads shall have a minimum layout width of forty (40) feet and a paved roadway consisting of a travel width of twenty (20) feet with two eighteen (18) inch wide "cape-cod style" berms for a total pavement width of twenty-three (23) feet.

(k). Within the ARPUD no dwelling unit shall be located nearer than two hundred (200) feet from the traveled portion of any public way nor closer than fifty (50) feet from the perimeter lot lines.

(l). Within the ARPUD all open space shall be integrated within and around the development. A minimum of four thousand (4000) square feet of open space shall be provided for each HOME SITE within the development. This ratio can be reduced to a minimum of three thousand (3000) square feet of open space per HOME SITE provided that the overall area of the HOME SITES is increased by one (1) square foot for each one (1) square foot of open space reduction. Area used for roadway layout shall not be used as open space area or site area. Additionally, not less than twenty percent (20%) of the total land area contained within the development shall be designated as open space and further provided that not less than twenty percent (20%) of the open space land shall be suitable for use for passive and/or active recreational purposes. Community buildings and common facilities can be located within the open space.

(6). SITE DEVELOPMENT STANDARDS:

The ARPUD application shall show conformance with the following minimum requirements. The SPGA may, in appropriate cases, waive, increase, reduce or modify these Site Development Standards as a condition of the Special Permit.

(a). Within the ARPUD each HOME SITE shall have suitable frontage on a way within the Development, suitable frontage shall be determined by the SPGA and shall be based principally on the quality of the access and egress provided to the HOME SITE. The required frontage is variable, provided that the average frontage for all the HOME SITES within the development shall not be less than fifty (50) feet and further provided that no HOME SITE shall have a frontage or any dimension less than forty (40) feet.

(b). Within the ARPUD a minimum of two (2) parking spaces shall be required for each HOME SITE. Each parking space shall have an area of not less than ten (10) feet wide and nineteen (19) feet long. The parking area shall be paved and connected with a paved driveway to the roadway within the development. In order to reduce impervious areas within the development, common driveways are encouraged.

(c). Within the ARPUD the HOME BLOCK shall be designated as part of the Special Permit Plan. Where possible, the HOME BLOCK location shall be oriented with respect to natural landscape features, scenic views, topography and natural drainage patterns.

Additionally, HOME BLOCK locations shall show a 'random layout' so as to minimize the visual effects of the density of the development.

(d). Within the ARPUD all utilities shall be installed underground. Each site shall be provided with water, electric, telephone and cable television services. Natural gas service may be installed as an option as determined by the applicant. Each site shall be provided with a sanitary sewer service for the disposal of sanitary wastewater. The method of sanitary wastewater disposal shall conform with the requirements of the East Bridgewater Board of Health and all Massachusetts Sanitary Codes and shall be approved by the East Bridgewater Board of Health. No underground storage of petroleum products shall be allowed, and additionally, all storage of such products shall be within the structure.

(e). Within the ARPUD no dwelling unit shall have an exterior radio, television, or dish-type antenna.

(f). Within the ARPUD all homes shall be constructed on permanent foundations meeting the minimum requirements of the State of Massachusetts Building Code. If a 'crawl space' type foundation is used, the area under the structure shall be skirted so as to conceal the 'crawl space'.

(g). Within the ARPUD no permanent additions, such as lean-tos, enclosures or rooms shall be added to the dwelling units. Open porches with awnings, unheated three-season rooms or screen rooms may be installed provided that they extend no closer than fifteen (15) feet to the site side lot and rear lot line or twenty (20) feet to the site front lot line. (24, 6-1-2015)

(h). Within the ARPUD on-site enclosed storage must be provided for material which is used on a seasonal or infrequent basis and which cannot be conveniently stored in the dwelling unit. Each storage building must be uniformly constructed of non-ferrous materials. The individual storage building shall have a minimum outside dimension of five (5) feet by seven (7) feet or a maximum of ten (10) feet by ten (10) feet with a height of ten (10) feet. The storage building shall be located at the rear corner of the site. When possible, two or more storage buildings may be combined. There shall be no site side line set-back distance for storage buildings located within a HOME SITE, however, storage buildings shall not be located within fifty (50) feet of the perimeter of the Development.

(i). Within the ARPUD no occupied TRAVEL TRAILER, PICK-UP COACH, MOTOR HOME, CAMPING TRAILER or other MOBILE TRAILER adaptable to

living shall be permitted.

(j). Within the ARPUD the access ways shall be designed and constructed in general accordance with the latest Rules and Regulations Governing the Subdivision of Land in East Bridgewater. Except that the pavement width and berm requirements as presented herein shall apply. Each access way shall be provided with at least one sidewalk. Wheelchair ramps shall be provided at all intersections. Street lighting and fire hydrants shall be provided along the roadways throughout the development.

(k). Within the ARPUD open space shall be allocated to the recreational amenity and environmental enhancement of the development and shall be designed as such on the Special Permit plan.

(l). Within the ARPUD there shall be a buffer zone of at least fifty (50) feet in width around the entire perimeter of the development. The buffer zone may include land area designated as a recreational site if determined to be appropriate by the SPGA. The buffer zone shall include natural vegetation, plantings, walls, fences or vegetated earthen berms to provide a screening barrier between the development and the abutting properties. Screening plantings shall be used in combination with fences or walls whenever fences or walls are used. Screening plantings shall be provided between the wall or fence and the abutting property. The buffer zone and its associated screening barrier shall be designated on the Special Permit plan. The detailed plan for planting and screening shall be prepared by a Registered Landscape Architect and shall be part of the Special Permit application.

The actual requirements regarding buffering, plantings, screening, and the like shall be determined by the SPGA as part of the Special Permit process.

(m). Within the ARPUD there shall be a community building(s) and recreational facility provided which shall be available to all residents and their guests. Commercial use of the community building(s) or facilities is specifically limited by this By-law to uses that will service the residents within the ARPUD. All commercial uses within the development shall be delineated as part of the Special Permit application and must be specifically approved by the SPGA as an integral part of the Special Permit.

(n). Within the ARPUD all roads, drainage systems and driveways shall be maintained by the permittee. They shall be kept passable and in good condition at all times. Snow and ice removal shall be done by the permittee as part of the normal road and driveway

maintenance. It is intended that all improvements within the development remain in private ownership and be maintained by the permittee.

(o). Within the ARPUD no business of any kind is to be conducted unless specifically authorized by the Special Permit herein granted.

(p). Within the ARPUD the permittee shall be responsible for the disposal of all the solid waste(s) generated by the ARPUD by a method or system approved by the East Bridgewater Board of Health.

(q). Within the ARPUD the permittee shall maintain the system(s) for the subsurface disposal of sanitary wastewater as required by the East Bridgewater Board of Health.

(r). The ARPUD shall conform with the requirements for a self contained retirement community as established by Massachusetts General Laws, Chapter 151B, Section 4, Subsection 8, together with any amendment thereto.

(7). SPECIAL PERMIT PROCEDURES:

(a). The application for a Special Permit for a ARPUD shall be filed with the SPGA, with a copy of the application form filed with the Town Clerk. The application shall be accompanied by ten (10) copies of the Special Permit plan and all pertinent information required to support the subject application.

The Special Permit plan shall show the seal and signature of a Registered Professional Engineer or Registered Landscape Architect. Complete copies of the application and all documents shall be filed with the Board of Health, Water Commissioners and the Conservation Commission.

(b). The Special Permit plan shall provide sufficient detail to show the entire development, roadway systems, HOME SITES, HOME BLOCKS, community buildings and facilities, unit locations, buffer zones, open space and an analysis of the development showing compliance with site area, density and open space requirements.

(c). The Special Permit plan shall be prepared in general accordance with the Subdivision Regulations for a Definitive Plan even though the development does not constitute a subdivision.

(d). In addition, the Special Permit Plan shall show the proposed system for sanitary wastewater disposal, proposed screening plantings, wetlands, water bodies, flood zones, vegetative cover and other natural features.

(e). The Application shall also include a certified list of abutters.

(f). The Application package shall also include a narrative describing the tract of land, the surrounding neighborhood, and the possible impact(s) the development would have on the surrounding area. The narrative shall also include detailed information on the type of housing unit to be used in the development, community buildings, recreational facilities and information in regard to the proposed operation of the ARPUD including anticipated community rules and regulations.

(g). The Special Permit for the site plan shall only be issued by the SPGA following a Public Hearing held within sixty-five (65) days after the filing of the application. Any Board or Commission to which copies of the application was submitted for review, shall submit, in writing, any comments and/or recommendations as it deems appropriate to both the SPGA and the Applicant within forty-five (45) days of the receipt of said application. If no response is received within the forty-five (45) days, it shall be assumed by the SPGA that no response is required.

(h). The Special Permit granted under this By-Law shall lapse if not exercised within one (1) year after the Special Permit is granted, unless the SPGA extends the period (up to a maximum of three (3) years) following written request for extension by the licensee.

(i). The Special Permit granted under this section shall specify that construction of this ARPUD shall be phased such that actual residential unit construction does not exceed the following schedule:

- PHASE I (0-12 months from issuance of SPECIAL PERMIT):

Total number of building permits issued for dwelling units shall not exceed 50% (fifty percent) of the total number of dwelling units approved under this Special Permit.

- PHASE II (12-24 months from issuance of SPECIAL PERMIT):

Total number of building permits issued for dwelling units shall not exceed 75% (seventy-five percent) of the total number of dwelling units approved under this Special Permit.

- PHASE III (after 24 months from issuance of SPECIAL PERMIT):

Total number of building permits issued for dwelling units may equal the total number of dwelling units approved under this Special Permit.

F. DISTRICT B-1 (BUSINESS 1):

(A LOW INTENSITY NEIGHBORHOOD BUSINESS DISTRICT)

(0). INTENT

- This district is intended to provide locations for certain light retail and service establishments of a convenience nature, which serve residential neighborhoods in a compatible manner. It prohibits uses of an incompatible regional nature or which serve a community or regional market and hence would be likely to create undue traffic, late hour operations, or other characteristics of use not compatible with a neighborhood residential environment or the existing character of the surrounding residential neighborhood.

(1). ALLOWED USES:

(a). With SITE PLAN APPROVAL (per SECTION 13. of this By-Law): Churches, synagogues, places of worship and associated parish houses.

(b). Convenience retail establishments such as drugstores, small grocery stores, small variety stores, and newsstands, providing that total premises contains three-thousand (3,000) square feet of ground floor area or less.

(c). Convenience personal service establishments such as barber and beauty shops, laundry and dry-cleaning establishments (coin-operated or pick-up stations only), tailoring and garment repair shops, providing that total premises contains three-thousand (3,000) square feet of ground floor area or less.

(d). Other convenience service establishments such as branch banks, and post office substations, providing that total premises contains three-thousand (3,000) square feet of ground floor area or less.

(2). SPECIAL PERMIT ALLOWED USES:

All uses in this section require a Special Permit from the Planning Board prior to issuance of a building permit.

(a). Commercial Accessory Dwelling Unit (CADU) or uses in SECTIONS 5.F.(1).(b)., 5.F.(1).(c), and 5.F.(1).(d)., above, if they are combined into a minor planned shopping center, or if any one use contains more than three-thousand (3,000) square feet but not more than five-thousand (5,000) square feet in total ground floor area.
(39-6/4/2012)

(b). Day nurseries, day care centers, and kindergartens, providing that total premises contains five-thousand (5,000) square feet of ground floor area or less.

(c). Restaurants, limited to on-premises consumption, providing that total premises contains five-thousand (5,000) square feet of ground floor area or less.

(d). Any other convenience-type service or commercial establishments which the Zoning Board of Appeals may, on appeal, determine to be in keeping with the nature and intent of the district, but in any case limited to not more than five-thousand (5,000) square feet of ground floor area or less.

(3). SPECIFICALLY PROHIBITED USES:

(a). Any use not expressly permitted above, including, but not limited to all manufacturing and processing, wholesaling, warehousing, outdoor storage, outdoor advertising, automobile service stations, automotive and automotive parts sales, service or repair shops, junk, scrap, or lumber storage, general retail establishments, drive-in restaurants, or fast food establishments.

(b). Storage or occupancy of mobile homes, camper trailers, inoperative or unlicensed motor vehicles, or products, materials, or vehicles in connection with manufacturing or other commercial uses outside of this district.

(c). Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate emissions, fumes, noise, vibrations, glare, radiation, electrical interference, or danger of fire or explosion and any use that would tend to generate excessive vehicular traffic from outside the neighborhood area.

G. DISTRICT B-2 (BUSINESS 2):

(A LOW INTENSITY TRANSITIONAL BUSINESS DISTRICT)

(0). INTENT

- To preserve the residential amenity of existing developed thoroughfares which are undergoing pressures for commercial development by easing their transition to more intensive but compatible uses while emphasizing preservation and use of existing structures, providing reasonable buffer zones, and providing for allowed uses that are 'compatible' with the nearby residential areas, while still acknowledging the traffic intensive

locations that are appropriate for controlled commercial uses.

- To provide property owners in such transitional areas an opportunity for higher economic return on their land without severely diminishing the amenity and residential value of other properties within and in close proximity to the zone.

- To prevent unnecessary congestion on major streets and to protect the character and appearance of areas which are key elements of the Town of East Bridgewater.

(1). ALLOWED USES

(a). One and two family residential dwellings (with lot area and other dimensional requirements per R-2 zone).

(b). 1 (one) accessory residential dwelling unit (in conformance with Section 5.N. [Apartments]) as a part of one of the following principle uses.

(c). Antique shops, small gift shops, art studios and galleries, and small professional or business offices in existing residential structures provided there is no frequent or long-term exterior display or storage of merchandise, and no exterior change in the character of the building other than a sign.

(d). Small specialty retail shops in existing structures provided there is no frequent or long-term exterior display or storage of merchandise, and no exterior change in the character of the building other than a sign.

(e). Barber and beauty shops in existing structures.

(f). Professional offices and services such as doctors, lawyers, engineers, architects, design studios, and the like, in existing structures.

(g). Business offices such as accountants, Realtors, insurance, offices of institutions or civic organizations and general offices in existing structures.

(h). Any other service or commercial establishment which the Zoning Board of Appeals may, on appeal, determine to be in keeping with the nature and intent of the district, but in any case limited to not more than ten thousand (10,000) square feet of ground floor area or less. (15-2/22/93)

(2). ALLOWED USES REQUIRING SITE PLAN APPROVAL

(per SECTION 13 of this By-Law):

All uses in this section require SITE PLAN APPROVAL (PER SECTION 13 of this By-Law).

(a). All new buildings, and major expansions of existing buildings for the allowed uses set forth previously in SECTION 5.G.(1).(b). through SECTION 5.G.(1).(g).

(b). Churches, synagogues, places of worship and associated parish houses.

(c). Barber and beauty shops.

(d). Professional offices and services such as doctors, lawyers, engineers, architects, design studios, and the like, provided that no major structures of greater than 15,000 (fifteen thousand) square feet of gross floor area shall be constructed.

(e). Business offices such as accountants, Realtors, insurance, offices of institutions or civic organizations and general offices provided that no major structures of greater than 15,000 (fifteen thousand) square feet of gross floor area shall be constructed.

(f). Multiple use office parks provided that no major structures greater than 15,000 (fifteen thousand) square feet of gross floor area, shall be constructed.

(g). Restaurants (but not fast food restaurants) principally for on premises consumption and limited to a maximum of 5,000 square feet of floor area for this use, and not having a "drive-up" window.

(h). Single product line retail business limited to a maximum of 5,000 square feet of floor area for this use.

(3). SPECIFICALLY PROHIBITED USES:

(a). Any use not expressly permitted above, including, but not limited to all manufacturing and processing, wholesaling, warehousing, outdoor storage, outdoor advertising, automobile service stations, automotive and automotive parts sales, service or repair shops, junk, scrap, or lumber storage, general retail establishments, drive-in restaurants, or fast food establishments.

(b). Storage or occupancy of mobile homes, camper trailers, inoperative or unlicensed motor vehicles, or products, materials, or vehicles in connection with manufacturing or other commercial

uses outside of this district.

(c). Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate emissions, fumes, noise, vibrations, glare, radiation, electrical interference, or danger of fire or explosion and any use that would tend to generate excessive vehicular traffic from outside the neighborhood area.

(d). All other general commercial and industrial uses.

H. DISTRICT B-3 (BUSINESS 3):

(A MEDIUM INTENSITY HIGHWAY BUSINESS DISTRICT)

(0). INTENT

- This district is intended to provide locations for most medium intensity retail and service establishments. It allows uses which are most commonly associated with medium to high intensity commercial uses, which tend to generate substantial volumes of vehicular traffic. The character of the businesses are regional in nature and as such are expected to serve a community or regional market and hence will be likely to create substantial traffic, provide late hour operations, and have other characteristics of use best suited for this district.

(1). ALLOWED USES:

For all ALLOWED USES in this zoning district SITE PLAN APPROVAL (per SECTION 13. of this By-Law) is required:

(a). Churches, synagogues, places of worship and associated parish houses.

(b). Retail establishments such as drugstores, grocery stores, variety stores, sales rooms, providing that total premises contains six-thousand (6,000) square feet of ground floor area or less.

(c). Convenience personal service establishments such as barber and beauty shops, laundry and dry-cleaning establishments tailoring and garment repair shops, providing that total premises contains six-thousand (6,000) square feet of ground floor area or less.

(d). Other service establishments such as banks, and post offices, providing that total premises contains six-thousand (6,000) square feet of ground floor area or less.

(2). SPECIAL PERMIT ALLOWED USES:

All uses in this section require a Special Permit from the Planning Board prior to issuance of a building permit. All uses under this section shall be limited to not more than fifteen-thousand (15,000) square feet in total ground floor area.

(a). Uses in SECTIONS 5.H.(1).(b)., 5.H.(1).(c)., and (1).(d)., above if they are combined into a planned shopping center, or if any one use contains more than six-thousand (6,000) square feet in total ground floor area.

(b). Day nurseries, day care centers, and kindergartens.

(c). Restaurants, and other places for serving food.

(d). Business or professional offices, and commercial accessory dwelling unit (CADU). (39-6/4/2012)

(e). Theater, but not an outdoor theater, hall, club, and other places of assembly and amusement.

(f). Newspaper, job printing and similar light industrial, wholesale, distributing and assembling uses.

(g). Hotels, motels, and inns for transients, tourist homes.

(h). Private clubs.

(i). Fast food restaurants, drive-in restaurants, and combinations of the two.

(j). "Adult Book Store" or "Adult Video Store" as defined in Chapter 40A, Section 9A of the Massachusetts General Laws, provided that no portion of the premises is located within 1000 feet of any residential district or any other "Adult Book Store" or "Adult Video Store" duly authorized under this section. For the purposes of this by-law, the phrase "substantial or significant portion of its stock in trade" shall be defined as more than five (5) per cent of available materials or titles. (5-6/16/97)

(k). "Adult Motion Picture Theater or Adult Live Entertainment Establishment" (establishments which display live nudity for their patrons) as defined in Chapter 40A, Section 9A of the Massachusetts General Laws, provided that no portion of the premises is located within 1000 feet of any residential district or any other "Adult Motion Picture Theater and or Adult Live Entertainment Establishment" duly authorized under this section. (5-6/16/97)

(l). "Adult live entertainment establishment" - An enclosed building used for presenting live entertainment featuring nude or semi-nude dancing, suggestive dancing, or live entertainment distinguished by an emphasis on matters depicting, describing, or relating to sexual conduct, or sexual excitement as defined in Section 31 of Chapter Two Hundred and Seventy-Two, of the M.G.L., provided that no portion of the premises is located within 1000 feet of any residential district. (16-4/1/96)

(m). Any other service or commercial establishments which the Zoning Board of Appeals may, on appeal, determine to be in keeping with the nature and intent of the district, but in any case limited to not more than ten-thousand (10,000) square feet of ground floor area or less.

(n). Regularly Conducted Flea Markets which comply with the following terms and conditions:

1. No tables or booths or other sales activity shall be conducted within 50 feet of the nearest edge of the traveled part of the way;

2. Adequate off street parking is available consistent with the area of the proposed FLEA MARKET, but in no event for less than 15 vehicles in addition to parking for the operators and employees of the FLEA MARKET:

3. Separate access and egress shall be provided to the parking area;

4. Adequate sanitary facilities as approved by the Board of Health shall be provided for the public;

5. No selling area, parking location or sanitary facilities shall be located within 25 feet of any lot line with abutting property;

6. All applications for a Special Permit for a Regularly Conducted Flea Market shall include the names and addresses of all persons operating and supervising the operation of the FLEA MARKET including the names and address of all corporations or other entities operating the Flea Market and all such applications shall be accompanied by a Site Plan prepared by a licensed surveyor or Registered Professional Engineer indicating the sales area, the location of all proposed booths or tables, the parking facilities including the areas of access and egress and the sanitary facilities and

such other information as the Planning Board may require.

7. Regularly Conducted Flea Markets authorized under this section shall be conducted only on Saturdays, Sundays and legal holidays;

8. All Special Permits granted under this section shall expire on December 31 of the year in which they were granted;

9. Nothing in this section shall be construed to:

(i) Limit the right of residents of the town to conduct "yard sales or garage sales or cellar sales" at their place of residence;

(ii) Limit the authority of the Board of Selectmen or any other Town Officer or Board to make any other requirements, restrictions or regulations relating to the conduct of Flea Markets of whatever name or description. (16-2/22/93)

(3). SPECIFICALLY PROHIBITED USES:

(a). Any use not expressly permitted above or granted by Special Permit. (15-2/22/93)

(b). Storage or occupancy of mobile homes, camper trailers, inoperative or unlicensed motor vehicles, or products, materials, or vehicles not directly related to an allowed use in this district.

(c). Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate emissions, fumes, noise, vibrations, glare, radiation, electrical interference, or danger of fire or explosion.

I. DISTRICT B-4 (BUSINESS 4)

(A HIGH INTENSITY COMMERCIAL CENTER BUSINESS DISTRICT)

(0). INTENT

- This district is intended to provide locations for high intensity integrated, mixed-use commercial centers. It allows uses which are most commonly associated with high intensity commercial uses, tending to generate (and require) high volumes of vehicular traffic. The character of these businesses tend to be regional in nature and as such are expected to serve a community or major regional market and hence are likely to create substantial additional traffic, provide late hour

operations, and have other characteristics of use best suited for this district.

(1). ALLOWED USES:

For all ALLOWED USES in this zoning district SITE PLAN APPROVAL (per SECTION 13. of this By-Law) is required:

(a). Churches, synagogues, places of worship and associated parish houses.

(b). Retail establishments such as drugstores, grocery stores, variety stores, sales rooms, providing that total premises contains fifteen thousand (15,000) square feet of ground floor area or less. (32-11/9/2016)

(c). Service establishments such as barber and beauty shops, health care, laundry and dry-cleaning establishments tailoring and garment repair shops, providing that total premises contains fifteen thousand (15,000) square feet of ground floor area or less. (32-11/9/2016)

(d). Other service establishments such as banks, and post offices, providing that total premises contains fifteen thousand (15,000) square feet of ground floor area or less. (32-11/9/2016)

(e). Business or professional offices, providing that total premises contains fifteen thousand (15,000) square feet of ground floor area or less. (32-11/9/2015)

(2). SPECIAL PERMIT ALLOWED USES:

All uses in this section require a Special Permit from the Planning Board prior to issuance of a building permit.

(a). Uses in SECTIONS 5.I.(1).(b)., 5.I.(1).(c)., 5.I.(1).(d)., and 5.I.(1).(e)., above, if they are combined into a planned shopping commercial center, or if any one use contains more than fifteen thousand (15,000) square feet in total ground floor area. (32-11/9/2016)

(b). Day nurseries, day care centers, and kindergartens.

(c). Restaurants, and other places for serving food.

(d). Theater, but not an outdoor theater, hall, club, and other places of assembly and amusement.

(e). Newspaper, job printing and similar light industrial, wholesale, distributing and assembling uses.

(f). Hotels, motels, and inns for transients, tourist homes, and commercial accessory dwelling unit (CADU). (39-6/4/2012)

(g). Private clubs.

(h). Fast food restaurants, drive-in restaurants, and combinations of the two.

(i). Any other service or commercial establishments which the Zoning Board of Appeals may, on appeal, determine to be in keeping with the nature and intent of the district, but in any case limited to not more than fifteen thousand (15,000) square feet of ground floor area or less. (32-11/9/2016)

(j). Regularly Conducted Flea Markets which comply with the following terms and conditions:

1. No tables or booths or other sales activity shall be conducted within 50 feet of the nearest edge of the traveled part of the way;

2. Adequate off street parking is available consistent with the area of the proposed FLEA MARKET, but in no event for less than 15 vehicles in addition to parking for the operators and employees of the FLEA MARKET:

3. Separate access and egress shall be provided to the parking area;

4. Adequate sanitary facilities as approved by the Board of Health shall be provided for the public;

5. No selling area, parking location or sanitary facilities shall be located within 25 feet of any lot line with abutting property;

6. All applications for a Special Permit for a Regularly Conducted Flea Market shall include the names and addresses of all persons operating and supervising the operation of the FLEA MARKET including the names and address of all corporations or other entities operating the Flea Market and all such applications shall be accompanied by a Site Plan prepared by a licensed surveyor or Registered Professional Engineer indicating the sales area, the location of all proposed booths or tables, the parking facilities including

the areas of access and egress and the sanitary facilities and such other information as the Planning Board may require.

7. Regularly Conducted Flea Markets authorized under this section shall be conducted only on Saturdays, Sundays and legal holidays;

8. All Special Permits granted under this section shall expire on December 31 of the year in which they were granted;

9. Nothing in this section shall be construed to:

(i) Limit the right of residents of the town to conduct "yard sales or garage sales or cellar sales" at their place of residence;

(ii) Limit the authority of the Board of Selectmen or any other Town Officer or Board to make any other requirements, restrictions or regulations relating to the conduct of Flea Markets of whatever name or description. (16-2/22/93)

(3). SPECIFICALLY PROHIBITED USES:

(a). Any use not expressly permitted above or granted by Special Permit. (15-2/22/93)

(b). Storage or occupancy of mobile homes, camper trailers, inoperative or unlicensed motor vehicles, or products, materials, or vehicles not directly related to an allowed use in this district.

(c). Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate emissions, fumes, noise, vibrations, glare, radiation, electrical interference, or danger of fire or explosion.

J. DISTRICT B-5 (BUSINESS 5): (THE DOWNTOWN BUSINESS DISTRICT)

(0). INTENT

- This district is intended to allow for reasonable use and re-use of those areas of the Downtown that are currently developed in a very building intensive manner. It allows uses which are best suited for this district.

(1). ALLOWED USES:

For all ALLOWED USES in this zoning district SITE PLAN APPROVAL (per SECTION 13. of this By-Law) is required:

- (a). Churches, synagogues, places of worship and associated parish houses.
- (b). Retail establishments such as drugstores, grocery stores, variety stores, and sales rooms.
- (c). Service establishments such as barber and beauty shops, laundry and dry-cleaning establishments tailoring and garment repair shops.
- (d). Other service establishments such as banks, and post offices.
- (e). Business or professional offices, providing that total premises contains ten-thousand (10,000) square feet of ground floor area or less.
- (f). Day nurseries, day care centers, and kindergartens.
- (g). Restaurants, and other places for serving food.
- (h). Theater, but not an outdoor theater, hall, club, and other places of assembly and amusement.
- (i). Newspaper, job printing and similar light industrial, wholesale, distributing and assembling uses.
- (j). Hotels, motels, and inns for transients, tourist homes.
- (k). Private clubs.

(2). SPECIAL PERMIT ALLOWED USES:

All uses in this section require a Special Permit from the Planning Board prior to issuance of a building permit.

- (a). Any other service or commercial establishments which the Zoning Board of Appeals may, on appeal, determine to be in keeping with the nature and intent of the district.
- (b). Dwelling units, subject to the provisions of the Zoning by-Law Section 5.N (2). (3). (4). And (5)., located above the ground floor over business occupancies in existing buildings constructed prior to January 1, 1975. (26, 6-1-2015)

(3). SPECIFICALLY PROHIBITED USES:

(a). Any use not expressly permitted above or granted by Special Permit. (15-2/22/93)

(b). Storage or occupancy of mobile homes, camper trailers, inoperative or unlicensed motor vehicles, or products, materials, or vehicles not directly related to an allowed use in this district.

(c). Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate emissions, fumes, noise, vibrations, glare, radiation, electrical interference, or danger of fire or explosion.

K. DISTRICT I-1 (INDUSTRIAL 1): (AN INDUSTRIAL DISTRICT)

(0). INTENT

- This district is intended to provide locations for industrial uses, which serve the needs of the community and surrounding communities in an effective manner. It is intended to allow industrial and some commercial uses that by their nature will supply employment and capital investment in the community where both a suitable workforce and suitable land are available.

(1). ALLOWED USES:

All ALLOWED USES in this district shall be limited to principal structures containing not more than ten-thousand (10,000) square feet in total ground floor area and require SITE PLAN APPROVAL (per SECTION 13. of this By-Law):

(a). Enclosed manufacturing not dangerous by reason of fire or explosion or offensive or detrimental to the Town of East Bridgewater by reason of emission of dust, odor, fumes, smoke, refuse, noise or vibration.

(b). Exterior storage, and accessory uses provided that the use is screened by a fence or appropriate landscaping from view from the street or from abutting property.

(c). Sand, gravel or loam removal, subject to the provisions of any and all Town By-Laws in effect at the time of removal and relating to such removal.

(d). Agriculture, horticulture, or floriculture.

(e). Research, experimental, or testing laboratories.

(f). Office building(s), including banks, and insurance buildings.

(2). SPECIAL PERMIT ALLOWED USES:

All uses in this section require a Special Permit from the Planning Board and Site Plan Approval (per SECTION 13.)

(a). Uses in SECTIONS 5.K.(1).(a)., thru 5.K.(1).(f). inclusive, with structure(s) containing an aggregate of ten-thousand (10,000) square feet of ground floor area or more.

(b). Day nurseries, day care centers, and kindergartens.

(c). Commercial accessory dwelling unit (CADU) (39-6/4/2012)

(d). Any other commercial use which the Planning Board may, on application, determine to be similar to a defined allowed use, and in keeping with the nature and intent of the district, but in any case not dangerous by reason of fire or explosion or offensive or detrimental to the Town of East Bridgewater by reason of emission of dust, odor, fumes, smoke, refuse, noise or vibration.

(3). SPECIFICALLY PROHIBITED USES:

(a). Any use not expressly permitted above, including, but not limited to, all outdoor advertising, billboards, general purpose sanitary landfill operations owned and operated by other than the Town of East Bridgewater, drive-in restaurants, or fast food establishments.

(b). Storage or occupancy of mobile homes, camper trailers, inoperative or unlicensed motor vehicles, or products, materials, or vehicles not accessory to the allowed uses in this district.

(c). Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate emissions, fumes, noise, vibrations, glare, radiation, electrical interference, or danger of fire or explosion.

L. DISTRICT M (MUNICIPAL): (A MUNICIPAL DISTRICT)

(0). INTENT

- This district is intended to provide locations for municipal uses, which serve the needs of the community in an effective manner. It is

intended to allow uses that by their nature will supply some form of service to the community while making good use of the land available.

(1). ALLOWED USES:

All ALLOWED uses in this section require Site Plan Approval (per SECTION 13. of this By-Law) and shall be limited to principle structures containing not more than twenty-thousand (20,000) square feet in total ground floor area.

(a). Schools and other educational institutions and associated accessory structures and facilities.

(b). Fire stations, police stations, and associated accessory structures and facilities.

(c). Public libraries and associated accessory structures and facilities.

(d). Public housing and associated accessory structures and facilities.

(e). Municipal office building(s), and associated accessory structures and facilities.

(f). Municipal storage building(s), and associated accessory structures and facilities for the housing of equipment, etc.

(2). SPECIAL PERMIT ALLOWED USES:

All uses in this section require a Special Permit and Site Plan Approval (per SECTION 13. of this By-Law) prior to issuance of a building permit.

(a). Uses in SECTIONS 5.L.(1).(a)., thru 5.L.(1).(f). inclusive, with structure(s) containing an aggregate of more than twenty-thousand (20,000) square feet of ground floor area.

(b). Sanitary landfills owned and operated by the Town of East Bridgewater for use by the Town of East Bridgewater.

(c). Municipal uses to provide and support the public water supply, waste water treatment, green energy initiatives, solar energy generation, and associated accessory structures and facilities for the housing of equipment, etc.(35-11/9/2015)

(d). Any other municipal use which the Zoning Board of Appeals may, on appeal, determine to be similar to a defined allowed use, and in

keeping with the nature and intent of the district, but in any case not dangerous by reason of fire or explosion or offensive or detrimental to the Town of East Bridgewater by reason of emission of dust, odor, fumes, smoke, refuse, noise or vibration.

(3). SPECIFICALLY PROHIBITED USES:

(a). Any use not expressly permitted above.

(b). Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate emissions, fumes, noise, vibrations, glare, radiation, electrical interference, or danger of fire or explosion.

M. FLOOD PLAIN AND WETLANDS PROTECTION DISTRICT (14-4/3/1973)

The Flood Plain and Wetland Protection District and the regulations herein has been established with the following purposes intended: (11-4/4/1983)

(1). To protect and preserve the marshes, bogs, ponds, water courses and their adjoining wetlands; to reduce the hazards of floods upon the public health, safety and general welfare; to protect flood plain occupants from a flood that is or may be caused by their own land use and that is or may be undertaken without full realization of the dangers therein; to protect the public from the burden of extraordinary financial expenditures for flood control and relief; to protect the capacity of flood plain, watershed, and wetlands areas to absorb, transmit and store runoff; to assure retention of sufficient floodway area to convey flows which can reasonably be expected to occur.

(a)The Flood Plain and Wetland Protection District shall be defined as any land within the latest FEMA 100 year flood plain and any land subject to protection under M.G.L. Chapter 131, Section 140 and as further defined in detail in Section 5.X. (38-6/10/2019)

(2). If any land in the Flood Plain and Wetlands Protection District is found by the Conservation Commission not to in fact to be subject to seasonal or periodic flood or unsuitable because of drainage conditions the Conservation Commission may by written order or notification, permit the use of such land and for the construction and erection of a building or structure for any purpose permitted in the underlying district providing such use will not endanger the health or safety of the occupants thereof. (38-6/10-2019)

(3). The portion of any lot in a Flood Plain and Wetlands District may be used to meet the lot area requirements for the Residence Districts over

which the Flood Plain and Wetlands Protection District is superimposed, provided that such portion in the Flood Plain and Wetlands Protection District does not exceed fifty (50) percent of the minimum lot area in that Residence District. Land in the Flood Plain and Wetlands Protection District may not be used to meet lot area requirements in Business and Industrial Districts.

(4). Whenever an application is made for a building permit on land which the Building Inspector believes may involve the use of land in the Flood Plain and Wetlands Protection District, he shall require the applicant for such permit to provide as part of such application a plan of the lot on which such building is intended to be built showing elevations above mean sea level at two (2) foot contour levels, indicating the bench marks used and certified by a Registered Land Surveyor.

(5). The following uses are prohibited within the Flood Plain and Wetlands (11-4/4/1983) Protection District:

(a). Any structure including mobile homes designed for human occupancy unless the lowest floor, including basement, is located at or above the 100-year base flood elevation, including sanitary sewer systems. Fill deposited to bring the lowest floor to the required elevation shall extend to at least fifteen feet beyond the limits of the structure thereon. (5-11/18/91)

(b). The storage of buoyant, flammable, explosive or toxic materials in a flood plain.

(c). The dumping of waste materials in a flood plain or wetland.

(d). The addition, removal or transfer of such quantities of material, including trees, shrubs, and ground cover, that would reduce the water storage capacity of the flood plain or wetland, obstruct the flow of flood waters in a floodway, or otherwise adversely affect the natural hydrology of the area.

(e). The digging or drilling of a well intended as a source of domestic water in a flood plain.

(f). The construction of an on-site sewage disposal system, in a flood plain.

(g). Any construction within the floodway or in the stream channel except bridges, dams or other public facilities and, except by written order or notification of the Board of Appeals, piers, wharves, and boathouses. Before any structure is built within the floodway or channel, it shall be shown that such use will not form a significant obstruction or retard the movement of flood waters,

except as part of a plan for flood control, and not result in any increase in flood levels during the occurrence of the one hundred (100) base flood discharge. (5-6/8/1981)(38-6/10/2019)

(6). The provisions of this SECTION 5 M. shall not apply to any building or structure in a Flood Plain and Wetlands Protection District in existence or for which building permits had been issued prior to the date of adoption of this SECTION 5 M., and such buildings or structures may be repaired, altered, enlarged or rebuilt in compliance with all other sections of this by-law and applicable State and Town laws and regulations, provided that any such enlarged or rebuilt building or structure shall not effect the natural flow patterns of any water course or endanger the health or safety of the occupants thereof.

N. APARTMENTS (1-5/8/89)

- Multiple units apartment type residential buildings shall conform to the following regulations in all districts where permitted. (33-5/4/1970)

(1). Total ground floor area of all buildings shall not exceed fifteen (15) percent of the total lot area.

(2). Each apartment unit within a building shall contain not less than four hundred (400) square feet exclusive of stairways or entrance ways used in common with other apartment units and each unit shall contain its own private bath.

(3). All apartment units shall be provided with two (2) separate means of egress.

(4). Each principal building shall be limited to not more than six (6) apartment units. (57-4/11/1987)

(5). Buildings shall not exceed two and one-half (2 1/2) stories in height. (40-6/2/2014)

(6). Accessory buildings shall have a minimum side and rear yard of twenty (20) feet and shall not be located nearer than ten (10) feet from a principal building.

(7). Parking areas within fifteen (15) feet to the lot lines shall be screened by evergreens, not less than two and one-half (2 1/2) feet in height, placed on a maximum of six (6) foot centers and situated between the parking area and said lot line.

(8). For lot lines abutting a "Residence 1" District, or a single family dwelling, or a converted single family dwelling, there shall be a solid

screen of evergreens not less than six (6) feet in height, or a solid fence not less than six (6) feet in height, as approved by the Issuing Authority, and placed within five (5) feet of the lot line. (33-4/11/1978)

(9). The layout and construction of an apartment building and its services shall be subject to the Subdivision Rules and Regulations of the Town of East Bridgewater.

(10). No occupancy permit shall be granted until all on site improvements have been completed or until the applicant has filed a bond, to guarantee such completion, in an amount to be set by the Board of Selectmen, where Chapter 41, General Laws of Massachusetts does not apply.

O. TIMBERING AND EARTH REMOVAL - ALL DISTRICTS (14-4/3/1973)

(1). The stripping of timber, other than the selective harvesting of such, removal of sod, except by sod farms permitted by Paragraph (4) of this section, loam, soil, clay, sand, gravel or subsurface rock from any land in the Town not in public use, is hereby prohibited except as may be authorized in any zoning district by a special permit issued hereunder by the Zoning Board of Appeals, or authorized in SECTION 5 O. (3). No such permit shall be issued except upon written application therefor to the Board of Appeals with a copy to the Planning Board and after public hearing before the Board of Appeals. Such application shall include a topography plan to scale of the land concerned, indicating existing and proposed elevations in the area to be excavated, existing and proposed trees, shrubs and ground cover, and existing and proposed drainage. The applicant shall state the ownership and boundaries of the land for which such special permit is sought, the names of all adjoining owners as found in the most recent tax list, the approximate locations of existing public and private ways nearest such land and the publication fee as required by the Board of Appeals. (14-4/13/1985)

(2). The conditions imposed in a special permit may include, but are not limited to the following:

- (a). Extent of time (not in excess of one year except by renewal).
- (b). Area and depth of excavation.
- (c). Steepness of slopes excavated.
- (d). Distance between edges of excavation and neighboring properties and ways.
- (e). Replacement of loam, trees, shrubs, and ground cover in

excavated area.

(f). Regrading or covering of abandoned access roads.

(g). Temporary or permanent drainage.

(h). The posting of security or bond stipulating conditions contained in the special permit.

(i). The replacement of not less than the depth of topsoil required by the Board of Appeals over the whole of any area from which earth materials are removed where the location of such removal is afterward to become a residential subdivision. (33-4/11/1978)

(3). The provisions hereto shall not be applicable to gravel pits which have been operated within five (5) years; and shall not prohibit the removal of sod, loam, soil, clay, sand, gravel, trees, or subsurface rock as may be required to be excavated for the purposes of constructing structure foundations for which building permits have been issued nor for the repair of septic systems approved by the Board of Health or for the purpose of constructing side streets, driveways, parking areas, or paved surface installations. (17- 4/6/98) However, all loam removed in conjunction with the foregoing shall be stockpiled until the completion of the project, at which time the necessary loam shall be used for grading and the balance or remainder thereof may then be removed from the locus with the approval of the Building Inspector. No earth removal shall be permitted below the level of any adjacent street within two hundred (200) feet of said street, unless in conjunction with any construction, excavation, authorized hereunder. These regulations shall not prohibit the transfer of sod, loam, soil, clay, sand, gravel or subsurface rock from part of the lot, tract or parcel of land to another part of the same lot, tract, or parcel in the same ownership. (56-4/11/1987)

(4). A sod farm is defined as a business of raising grass sod for removal and replanting on another site, not in this town, for landscaping projects. The Board of Appeals may grant a special permit for the operation of a sod farm in any zoning district subject to such provisions, conditions, safeguards and limitations on time or use as it may deem appropriate. (14-4/13/1985)

P. SIGN REGULATION (3-5/21/1973)

(1). Signs in all districts:

(a). No Signs or lighting devices employing motion, simulated motion, flashing light, intermittent illumination, progression

lights or neon are permitted. (15-4/5/1999)

(b). Signs or parts of signs shall not extend above the roof ridge line of the building to which they are attached.

(c). Signs erected by the Town of East Bridgewater for traffic control or other informational purposes shall be exempt from the provisions of this By-Law.

(d). Double faced signs shall be considered to be one sign and may be spread apart on one end, not more than ninety (90) degrees. (18-4/8/1981)

(e). Signs restricting public access to property shall be permitted, but not to exceed three (3) square feet in area. (18-4/8/1981)

(f). Signs to guide and direct traffic and parking on private property, are permitted, but shall bear no advertising matter, nor exceed twelve (12) sq. ft. in area. (18-4/8/1981)

(g). Signs not exceeding six (6) square feet in area, indicating the location or meetings of any town religious, civic, charitable or veterans organization may be placed with the street rights of way entering the town, only after the granting of a special permit by the Board of Appeals. (18-4/8/1981)

(h). Churches, charitable and civic groups may erect temporary signs for the promotion of civic, welfare or charitable events for these groups without issuance of a permit. Such signs shall not exceed twelve (12) square feet in area. They shall be removed immediately following the event. (44- 6/2/2014)

(2). Signs in all Residential Districts shall conform to the following regulations and no others are permitted: (3-5/21/90)

(a). Temporary signs advertising the premises on which they are located, for sale or lease, not to exceed an area of nine (9) square feet.

(b). In case of a dwelling or permitted use accessory thereto: one sign, neither fluorescent, nor neon type, not over four (4) square feet in area and not to exceed a height of six (6) feet above ground.

(c). In case of non-conforming use: Two signs, not over twenty-four (24) sq. ft. in total cumulative area for both signs, and not to exceed a height of twelve (12) feet above the ground.

(18-4/8/1981)

(d). For permitted uses as provided in SECTION 5.A.(1)., subsections (b)., (c)., (g)., (i)., (l)., and (o).; in SECTION 5.B.(1)., subsections (c)., (d)., (h)., (j)., (m)., and (p).; and in SECTION 5.C.(1)., subsections (d)., (e)., (f)., (j)., (l)., and (o)., one sign or announcement board not over twenty (20) sq. ft. in area and not to exceed a height of six (6) feet above the ground. (18-4/8/1981) (3-5/21/1990)

(3). Signs in all Business, and Industrial Districts shall conform to the following regulations: (3-5/21/90)

(a). A maximum of two (2) signs, provided they advertise goods and services manufactured or offered on the premise, or advertise the premises on which they are located, for sale or lease, one additional sign shall be permitted for properties having frontage on more than one street. (18-4/8/1981)

(b). Free standing signs shall not exceed an area of sixty-four (64) square feet or a height of fifteen (15) feet from the ground. (6/6/2011) Electronic Message Centers may be incorporated as part of an allowed freestanding sign provided that the message center does not exceed 50% of the total freestanding sign area, and that the message(s) shall not flash or simulate motion, and changes in messages or information shall occur at a frequency not to exceed one change per ten (10) minute interval. Only display of time and temperature are exempt from the ten (10) minute interval change requirement. General advertising messages are not allowed on electronic message centers. (44 - 6/2/2014)

(c). Signs permanently attached to, or constructed as part of the face of a building, shall not exceed ten (10) percent of the area of the surface wall. These signs shall advertise goods and services manufactured or offered on the premises or advertise the premises on which they are located. (15-4/5/1999)

(d). For multiple tenant buildings, each business unit sharing a common structure, shall be permitted one wall sign, in addition to one cooperative sign. (18-4/8/1981) (6/6/2011)

(e). Marquee signs having two (2) or three (3) faces, shall be considered one sign and shall conform to subsection (3) c. (18-4/8/1981)

(f). There shall be no temporary or portable signs, banners, streamers, or placards erected, suspended, posted or affixed in any manner outdoors on a building exterior or premises except for:

Those granted by right upon written application to the Building Inspector for a time period which in no case shall exceed thirty (30) consecutive days. Two such uses shall be permitted in a calendar year. Maximum area of sign shall be 32 square feet. Flags, "open" or "closed" signs, banners or signs of a similar nature provided that there is not more than one (1) for each business and provided that no such flag, banner, or sign shall exceed twelve (12) square feet in area. Holiday decorations which do not obstruct traffic or create a hazard of any kind. (15-4/5/1999) (6/6/2011)

(g). This sub section deleted (15-4/5/1999)

(h). Special Signs: In particular instances the Board of Appeals may grant a special permit for more than the number here-in-above permitted or signs of a maximum size or in a location other than here-in-above specified, if it determines that the architecture of the building or the use being made is such that additional or larger signs should be permitted in the public interests.

(i). Awning signs shall be permitted on the edge of the awning only, not extending beyond the valance or attached to the underside. Letters shall not extend over ten (10) inches in height. A minimum clearance of eight (8) feet above walkway level must be maintained to allow for pedestrian clearance. Awning signs shall not be counted toward the maximum number of signs allowed per Section 5.P. (3). (a) (6/6/2011)

(j). Incidental signs shall be permitted, not to exceed twenty (20) square feet in aggregate sign area per occupancy. Incidental signs shall not be counted toward the maximum number of signs allowed per Section 5.P. (3). (a). (6/6/2011)

(4). Non Conforming Signs.

Signs legally erected before the adoption of this By-Law that do not conform to the provisions of this By-Law, must be made to so comply within five (5) years after the effective date of this By-Law.

Q. WATERSHED PROTECTION DISTRICT (39-5/16/1979)

(1). These districts shall be bounded and described as follows: Beginning at the point where Cedar Street meets the Hanson Town Boundary Line, from that point southerly following the East Bridgewater Town Boundary Line to Plymouth Street, then westerly along Plymouth Street to Bridge Street, then northwesterly along Bridge Street to Central Street,

then easterly along Central Street to Cedar Street, then easterly along Cedar Street back to the point of beginning, also the parcel of land beginning at a point on the center line of Bedford Street at its intersection with the East Bridgewater/Bridgewater Town Line, then northerly along the center line of said Bedford Street to a point at the intersection of the centerline of Bedford Street and the thread of the Matfield River, then Easterly along the thread of said Matfield River, to a point on the East Bridgewater/Bridgewater Town Line then westerly along said East Bridgewater/Bridgewater Town Line to the point of the beginning, and to establish the following restrictions and regulations within the said districts: (23-5/8/89)

(a). The above and below ground storage of petroleum products and/or toxic chemicals will be subject to approval by the Board of Health and Board of Water Commissioners.

(b). Except in approved individual on-site sewerage systems and above and below ground storage approved as in paragraph a. above, there shall be no pipe lines designed or used to transport substances capable of contamination of the groundwater in the Watershed Protection District.

(c). A vertical buffer zone of no less than ten (10) feet shall be maintained from the bottom of any commercial sand and gravel operation to the top of the maximum high water table.

(d). Sodium chloride shall not be used in snow removal operations in this district.

(2). All lots, (whether requiring approval under the Subdivision Control law or not) must contain an average minimum area of forty-five thousand (45,000) sq. ft. (61-4/11/1987)

R. ESTATE LOTS (62-4/11/1987)

The Planning Board shall endorse an "Approval Not Required Plan" showing lots in a residential zone for which the required lot frontage is reduced to not less than forty (40) feet, provided all of the following requirements are met:

(1). The Estate Lot(s) to be created by the endorsement of this plan is (are) currently 1 (one) or more than 1 (one) contiguous parcel(s) of land held in common ownership since January 1, 1982;

AND

No Estate Lot may be created from parcels of land in a subdivision which occurred after January 1, 1982, and by which any new building lots were

created;

AND (14-5/8/89)

(2). The maximum number of estate lots created shall be two (2);

AND

(3). The estate lot (s) are at least eighty-eight thousand (88,000) square feet;

AND

(4). No part of any lot may be less than forty (40) feet in any dimension;

AND

(5). The Planning Board determines that:

(a). Existing drainage patterns will not be disrupted by the construction of a driveway on the reduced frontage portion of the lot.

(b). The grade of the reduced width portion is less than ten (10) percent.

(c). The sight distance at the intersection with the street exceeds one hundred and fifty (150) feet in both directions.

(d). A one hundred and fifty (150) feet by one hundred and fifty (150) feet building location square which provides a suitable dwelling site is contained within the lot.

(e). The reduced frontage portion, as measured from the street line to the nearest parallel line to the street which first meets the minimum full frontage requirements, is five hundred (500) feet or less in length. Lengths greater than five hundred (500) feet shall require construction of a driveway to provide access to the building area of the lot. Said driveway shall be designed and constructed for the full length to the following standards:

[1]. The access drive shall be paved to a width of sixteen (16) feet with bituminous concrete.

[2]. The grade of the access drive shall not exceed ten (10) percent.

(f). When, in the opinion of the Planning Board, site conditions such as topography, slope, or shape warrant, a drainage analysis shall also be submitted for review prior to consideration of the plan by the Board.

S. PLANNED OPEN SPACE RESIDENTIAL DEVELOPMENT (POSRD) (65-4/11/1987)
(36-6/10/2019)

The Planning Board acting as the Special Permit Granting Authority (SPGA) may grant a Special Permit for POSRD in the Residence 1(R-1) District for single family detached dwellings (but not mobile homes), and accessory structures, and in the Residence 2(R-2) and Residence 3(R-3) District for attached units, subject to the standards that follow.

Purpose - The purpose of Planned Open Space Residential Development is to encourage the preservation of common land for conservation, agriculture, open space, and recreational use; to preserve historical or archeological resources; to protect existing or potential municipal water supplies; to protect and preserve value of real property, to promote more sensitive siting of buildings and better overall site planning; to promote better utilization of land in harmony with its natural features and with the general intent of the Zoning By-Law through a greater flexibility in design; to allow more efficient provision of municipal services and to encourage a diversity of housing types.

(1). GENERAL STANDARDS - The following standards shall apply to all POSRD Developments:

(a). Except for Attached Unit Development (AUD), each building shall be on a separate lot with frontage on an approved way. For an AUD, the Planning Board may allow more than one principle building to be located on a single lot.

(b). Minimum Tract Size - POSRD Developments shall be located upon a tract of land which has an area of at least ten (10) acres in the R-1 District of fifteen (15) acres in the R-2 and R-3 District.

(c). Number of Building Lots Permitted - The total number of building lots in a POSRD Development shall be no greater than the total number of building lots that would otherwise be allowed in the District in which the land is located. In making the determination of the maximum number of allowable lots, the SPGA may require that the applicant provide evidence satisfactory to the SPGA, that the number of lots shown on the proposed POSRD Plan is no greater than the maximum number of lots that could otherwise be developed. In determining the number of building lots, the following shall be used in calculating the acreage available for development:

[1]. One hundred percent (100%) of the acreage contained within the following soil classifications as shown on the most recent Soil Survey Maps prepared by the Soil Conservation Service. Said Maps are hereby made part of this By-law.

AfA, AfB, CaA, CaB, CaC, CbA, CbB, CbC, EnA, EnB,
EnC, HaA, HaB, HaC, McA, McB, McC, MfA, MfB, MfC,
QuA, QuB, QuC, WbA, WbB, WbC, WcC, WnA, WnB, WnC,

[2]. Fifty percent (50%) of the acreage:

[a]. Contained in other soil classifications not elsewhere excluded.

[b]. Land defined as wetlands under the Massachusetts General Laws, Chapter 131, Section 40, as amended.

[c]. Land shown in an A or B zone on the Flood Insurance Rate Map.

[d]. Land with a slope in excess of Twenty five percent (25%) for a horizontal distance of fifty (50) feet or more.

[3]. None of the acreage included in the following shall be used in calculating building lot density:

[a]. Land subject to easements of record, or public or private rights of way.

[b]. Bodies of water.

[4]. The Planning Board reserves the right to require a detailed soil analysis to support any application under this section.

(2). SITE DEVELOPMENT STANDARDS

(a). A POSRD shall comply with the following minimum requirements. However, the SPGA may, in appropriate cases, impose further restrictions or increased dimensional requirements as a condition of the Special Permit.

TABLE 5. S - 1

ZONING	MINIMUM	AVERAGE	*MINIMUM	*MINIMUM	MINIMUM
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DISTRICT	LOT AREA	FRONTAGE	SIDE YARD	REAR YARD	FRONT YARD
R-1	20,000 SQ.FT.	100 FEET	15 FEET	30 FEET	40 FEET
R-2	2 units per 30,000 Sq. Ft.	100 FEET	-----	-----	-----
R-3	8 units per 45,000 Sq. Ft.				
R-2 AND R-3					
1 STORY STRUCTURE	-----	-----	20 FEET	30 FEET	40 FEET
R-2 AND R-3					
2 STORY STRUCTURE	-----	-----	30 FEET	50 FEET	40 FEET

***BUILDING SEPARATION FOR MULTI-FAMILY USES (36-6/10/2019)**

NOTE: The lot frontage on each lot may be variable provided that the average frontage for all lots within the development shall not be less than the minimum and further provided that no lot shall have a frontage, or any dimension less than forty (40) feet.

(b). The fronting of lots within the POSRD on existing streets or ways is strongly discouraged and will normally not be approved. In any event, all lots fronting on existing streets or ways shall maintain the frontage, area, and setbacks required in the conventional zones.

(c). A minimum one hundred (100) foot buffer zone shall be provided between the POSRD building lots and any adjoining lot or existing street, unless the applicant can demonstrate to the SPGA that existing vegetation and topography provide sufficient buffering and screening. This buffer space may be figured in the open space area calculations that follow. Where vegetation is sparse, the SPGA shall require screen plantings.

(d). Unusually gerrymandered lot lines shall not be allowed, if, in the opinion of the SPGA, the shape is due solely to an attempt to meet the lot size requirements of this By-Law by evading the By-Law's intent to regulate building site density and promote the preservation of open space.

(e). Not more than four attached units shall be built in a row with the same, or approximately the same, front building line. No row of attached units shall contain more than six (6) units.

(f). Except as modified by this POSRD By-Law, all multi-family dwellings in a POSRD Development shall conform to the standards and restrictions set forth in the Zoning By-Law.

(3). OPEN SPACE/COMMON LAND

(a). Open space shall be integrated within and around the development at the rate of one (1) square foot for each one (1) square foot in reduced lot size from a conventional lot size. However, not less than thirty percent (30%) of the land area contained within the development shall be designated as open space/common land and further provided that not less than twenty percent (20%) of the open space land shall be usable for recreational purposes (i.e., no wetlands, or slopes in excess of five percent (5%). Open space shall be contiguous within the development and shall be provided with dry access to the street, with width of the access to be not less than twenty (20) feet.

(b). The applicant shall present evidence to the SPGA, that a functional relationship exists between the open land and the proposed cluster(s). Such land shall be of such size, shape, character and location as to assure its utility for park, conservation or recreation purposes.

(c). The ownership of common land shall either:

[1]. be conveyed to the Town of East Bridgewater and accepted by it for open space, conservation, agriculture, outdoor recreation or park use; if deemed appropriate by the SPGA, or;

[2]. be conveyed to a non-profit organization, the principal purpose of which is the conservation of open space, or;

[3]. be conveyed to a corporation or trust owned, or to be owned, by the owners of the lots within the POSRD.

In any case, a perpetual restriction enforceable by the Town of East Bridgewater shall be recorded providing that such land be kept in its open or natural state and not built on or developed except as provided for in the following paragraph.

The common land shall be used only for open space, conservation, agriculture, outdoor recreation or park

purposes. The common land shall be in one or more parcels of a size, shape and location appropriate for its intended use as determined by the SPGA. The common land shall remain unbuilt upon except that a maximum of five percent (5%) of such land may be devoted to paved areas or structures accessory to active outdoor recreation and consistent with the open space use of the land.

(4). PROCEDURES

(a). Filing of Application - Each application for a Special Permit shall be filed with the SPGA, with a copy of the application to be filed with the Town Clerk, and the application shall be accompanied by ten (10) copies of the site development plan of the entire tract under consideration, prepared by a professional Architect, Engineer, Land Surveyor or Landscape Architect or Land Planner.

(b). Contents of Application - Said application and plan shall be prepared in accordance with the requirements for a Preliminary Subdivision plan, as contained in the East Bridgewater Subdivision Rules and Regulations of Land, whether or not the POSRD constitutes a subdivision, and shall include proposed building locations. In addition the applicant shall provide the following information:

[1]. The number of dwellings that could be constructed under the Zoning By-Law by means of a conventional development plan, considering the whole tract, exclusive of water bodies, and land prohibited from development by legally enforceable restrictions, easements or covenants.

[2]. An analysis of the site, including wetlands, slopes, soil conditions, areas within the one hundred (100) year flood plain, vegetative cover, and such other natural features as the SPGA may request.

[3]. A summary of information relating to environmental concerns associated with the proposed plan.

[4]. A description of the neighborhood in which the tract lies, including utilities and other public facilities, and the impact of the proposed plan upon them.

[5]. Evaluation of the open land within the development, with respect to size, shape, location, natural resource value, and accessibility by residents of the town or the development.

[6]. A detailed plan for long term maintenance of the open space.

(5). REVIEW OF OTHER BOARDS

Before acting on the application the SPGA shall submit the plan to the following boards, for review; the Board of Health, the Conservation Commission, and the Water Department. Any such board to which petitions are referred for review shall submit, in writing, any comments and/or recommendations as it deems appropriate to both the SPGA and the applicant within thirty five (35) days of receipt of said petition. If no response is received within the thirty five (35) days it shall be assumed by the SPGA that no response is required.

(6). RELATION TO THE SUBDIVISION CONTROL LAW

SPGA approval of a Special Permit hereunder shall not substitute for compliance with the Subdivision Control Law, nor oblige the Planning Board to approve any related Definitive Plan for subdivision, nor reduce any time periods for Planning Board consideration under that law. However, in order to facilitate processing, the Planning Board shall, insofar as practical under existing law, adopt regulations establishing procedures for submission of a combined plan and application which shall satisfy this section and the Planning Board's Rules and Regulations for the Subdivision of Land.

T. DISTRICT SWPFOD (20-5-8-89)

(SOLID WASTE PROCESSING FACILITY OVERLAY DISTRICT)

(0). INTENT

- This district is intended to provide standards for site locations, and to set forth a reasonable permitting process whereby the Zoning Board of Appeals acting as the Special Permit Granting Authority (SPGA) may issue a SPECIAL PERMIT for the locating and operation of a SOLID WASTE PROCESSING FACILITY (SWPF).

Additionally, this By-Law is intended to acknowledge the need for more environmentally suitable alternatives for processing the solid waste generated by virtually all segments of the town and other area communities, and to encourage a process where a SWPF would be permitted in a manner mutually beneficial to both the owner/operator of the SWPF and the Town of East Bridgewater as the host community.

(1). ALLOWED USES: There are no additional ALLOWED USES within this SWPFOD.

(2). SPECIAL PERMIT ALLOWED USES:

All uses in this section require a SPECIAL PERMIT and SITE PLAN APPROVAL

from the SPGA prior to issuance of a building permit.

(a). A SOLID WASTE PROCESSING FACILITY (SWPF) as defined in Section 5.T.(4).(a).that follows.

(b). Any SWPF related accessory use(s) which the SPGA finds as part of this Special Permitting process is in keeping with the nature and intent of this SWPF overlay district, but in any case no uses that are herein contained in Section 5.T.(3). SPECIFICALLY PROHIBITED USES, and additionally that all accessory uses allowed under this section must be found to be not dangerous by reason of fire or explosion or offensive or detrimental to the Town of East Bridgewater by reason of emission of dust, odor, fumes, smoke, refuse, noise or vibration.

(c). As an integral part of this SPECIAL PERMIT the SPGA is empowered to allow principle buildings and accessory structures required as part of the SWPF to be up to four hundred (400) feet in height.

(3). SPECIFICALLY PROHIBITED USES:

(a). Any use not expressly permitted per the Special Permit granted as part of this By-Law, including, but not limited to, landfilling of any materials in an area not previously used as a sanitary landfill, except for ash by-products from a Special Permit use as set forth herein in Section 5.T.(2).

(b). Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate emissions, fumes, noise, vibrations, glare, radiation, electrical interference, or danger of fire or explosion.

(4). DEFINITIONS (for this section [SWPFOD] only)

For the purpose of this SWPFOD By-Law, certain terms, words, and phrases are herein defined as follows:

(a). SOLID WASTE PROCESSING FACILITY (SWPF) - This term shall be used to include a solid waste transfer station, a solid waste incinerator, a solid waste-to-energy plant with facilities for generating electricity using recovered energy, a recycling center, a special purpose landfill limited to the disposal of the ash by-products from the processing of solid waste, or other works for the processing of solid waste and combinations of some or all of these terms, but not a general purpose landfill for the sanitary land filling of any other material.

(b). ASH BY-PRODUCTS - Those materials generated on-site remaining after the high temperature incineration of solid waste in a SWPF.

(c). SOLID WASTE - All material(s) that is generally discarded or rejected as being spent, useless, or worthless, including but not limited to trash, garbage, refuse, rubbish, discarded materials from residential, commercial and industrial activities but not including untreated sewage, liquids, nuclear material, or hazardous waste in any form (as defined by Massachusetts General Law, Chapter 21E).

(5). GENERAL STANDARDS:

The following standards shall apply to all Special Permits under this SWPF By-Law:

(a). The SWPF must comply with all statutory and regulatory requirements as set forth by the Commonwealth of Massachusetts and any other federal, state, regional, or local regulatory bodies.

(b). Minimum Tract Size - A SWPF shall be located on a parcel of land which has a gross area of not less than fifty (50) acres.

(c). Within the SWPF there shall be a minimum buffer zone of one hundred and fifty (150) feet between any structure (except a fence) or active uses within the facility and its perimeter lot line and a minimum distance of 500 (five hundred) feet between any structure and/or ash landfill within the SWPF and any dwelling outside the SWPFOD.

(d). Within the SWPF all access/egress ways shall have suitable width, grade, and construction to insure safe access and egress and to allow for queuing of all waiting vehicles off of any public way.

(e). Within the SWPF all open space shall be equally distributed throughout the perimeter of the property in such a way as to create a buffer zone between the SWPF uses and the abutting properties. Area used for roadway layout shall not be used when calculating open space requirements. Additionally, not less than twenty percent (20%) of the total land area contained within the SWPF parcel shall be designated as open space.

(6). SITE DEVELOPMENT STANDARDS:

The SWPF application and associated site plan shall show conformance with the following minimum requirements. The SPGA may, in appropriate cases, waive, increase, reduce or modify these Site Development Standards as a

condition of the Special Permit.

(a). Within the SWPF on-site enclosed storage must be provided physical plant is not operational. In any case no waste materials shall be brought on site unless the waste materials will be processed within a twenty-four period, or stored in an enclosed area until processing can take place.

(b). Within the SWPF street lighting and fire hydrants shall be provided along the roadways to the facility and its buildings.

(c). Within the SWPF all open space shall be shown on the Special Permit Site Plan.

(d). Within the SWPF the buffer zone shall include natural vegetation, plantings, walls, fences or vegetated earthen berms to provide a screening barrier between the facility and the abutting properties. Screening plantings shall be used in combination with fences or walls whenever fences or walls are used. Screening plantings shall be provided between the wall or fence and the abutting property. The buffer zone and its associated screening barrier shall be designated on the Special Permit plan. The detailed plan for planting and screening shall be prepared by a Registered Landscape Architect and shall be part of the Special Permit application. The actual requirements regarding buffering, plantings, screening, and the like shall be determined by the SPGA as part of the Special Permit process.

(7). SPECIAL PERMIT PROCEDURES:

(a). The application for a Special Permit for a SWPF shall be filed with the SPGA, with a copy of the application form filed with the Town Clerk. The application shall be accompanied by ten (10) copies of the Special Permit plan and all pertinent information required to support the subject application. The Special Permit plan shall show the seal and signature of a Registered Professional Engineer and Registered Landscape Architect. Complete copies of the application and all documents shall be filed with the Board of Health, Water Commissioners and the Conservation Commission.

(b). The Special Permit plan shall provide sufficient detail to show the entire SWPF, including roadway systems, buffer zones, open space and an analysis of the site plan showing compliance with site area, buffer zones, and open space requirements.

(c). In addition, the Special Permit Site Plan shall show wetlands, water bodies, flood zones, vegetative cover within all buffer zones, and other natural features of the site.

(d). The Application shall also include a certified list of abutters.

(e). The Application package shall also include a narrative describing the tract of land, the surrounding neighborhood, and the possible impact(s) the facility would have on the surrounding area.

The narrative shall also include detailed information on the type of facility to be used in the processing of waste and all required accessory facilities planned as part of the overall facility. Additionally, information in regard to the proposed operation including hours of operation, amounts of waste materials processed (per day, week, and year) and other impacts (water requirements, noise impacts, etc.) affecting the facility and the surrounding area.

(f). The Special Permit for the site plan shall only be issued by the SPGA following a Public Hearing held within sixty-five (65) days after the filing of the application. Any Board or Commission to which copies of the application was submitted for review, shall submit, in writing, any comments and/or recommendations as it deems appropriate to both the SPGA and the Applicant within forty-five (45) days of the receipt of said application. If no response is received within the forty-five (45) days, it shall be assumed by the SPGA that no response is required.

(g). The Special Permit granted under this By-Law shall lapse if not exercised within one (1) year after the Special Permit is granted, unless the SPGA extends the period (up to a maximum of three (3) years) following written request for extension by the licensee.

U. CONTRIBUTORY WATERSHED PROTECTION DISTRICT (24-5/21/90)

(1). This district shall be considered an overlay district and shall be bounded, described and regulated as follows:

- Starting at a point on the CL (centerline) of Washington Street at the intersection with the CL of Central Street and continuing northerly along the CL of said Washington Street to the Whitman town line,

- Then continuing easterly then southerly along said Whitman town line and along the Hanson town line to a point on the CL of Cedar Street at the intersection with said Hanson town line,

- Then continuing westerly along the CL of said Cedar Street and then along the CL of said Central Street to the starting point, and all uses

shall be bound by the following requirements in addition all of the requirements of the underlying zoning district(s).

(a). The above and below ground storage of petroleum products and/or toxic chemicals shall be subject to the approval of the Board of Health, the Board of Water Commissioners and the Conservation Commission.

V. DEVELOPMENT PHASING

(0). Intent

The Town is anticipating a significant increase in the rate of residential growth in excess of what has historically been experienced in the past due to the restoration of commuter rail service and the expected construction of a municipal waste water treatment system. In the past, the Town has been marginally successful in accommodating the impacts of residential growth on municipal services and facilities, the preservation of open space, and the rural character of the Town.

It is the intent of this bylaw to provide a mechanism to help insure a more orderly, predictable rate of residential growth consistent with the Master Plan, to help provide for the preservation of open space which can help control the impact of growth, and to minimize the amount of new roadway construction and appurtenant municipal utilities, while continuing to allow fair and reasonable land use.

(1). Applicability

(a). This section shall apply to all land held in contiguous ownership on or after January 1, 1982, except as specifically exempted under Section 5. (3).

(b). The number of Building Permits in a residential development, which may be issued in any twelve (12) month period, for new dwelling units is to be based on the total number of lots or dwelling units as shown on one of the following:

1. An endorsed Definitive Subdivision Plan; or
2. A plan endorsed as "Approval under Subdivision Control Law not required"; or
3. A Special Permit Plan, approved and/or endorsed by the Planning Board and/or Zoning Board of Appeals.

(2). Phasing Schedule

All residential developments, except for those specifically exempted under Section 5.(3).shall be built according to the following phasing schedule:

STEP AND TIME SCHEDULE	STEP 1 1-12 MOS AFTER APPROVAL	STEP 2 13-24 MOS AFTER APPROVAL	STEP 3 25-36 MOS AFTER APPROVAL	STEP 4 37-48 MOS AFTER APPROVAL	STEP 5 49-60 MOS AFTER APPROVAL	STEP 6 61-72 MOS AFTER APPROVAL	STEP 7 73-84 MOS AFTER APPROVAL
PERCENT OF AVAIL LOTS	30% TOTAL LOTS	15% TOTAL LOTS	15% TOTAL LOTS	10% TOTAL LOTS	10% TOTAL LOTS	10% TOTAL LOTS	10% TOTAL LOTS
MINIMUM NUMBER OF LOTS	4 (LOTS)	2 (LOTS)	2 (LOTS)	2 (LOTS)	2 (LOTS)	2 (LOTS)	2 (LOTS)
MAXIMUM NUMBER OF LOTS	8 (LOTS)	6 (LOTS)	6 (LOTS)	6 (LOTS)	6 (LOTS)	REMAINING LOTS TO MAXIMUM	ALL REMAINING LOTS
MAXIMUM ACCUMULATED TOTAL	8 (LOTS)	14 (LOTS)	20 (LOTS)	26 (LOTS)	32 (LOTS)	90% OF TOTAL ON PLAN	ON PLAN

DEVELOPMENT PHASING - LOT SCHEDULE FOR BUILDING PERMIT ELIGIBILITY
TABLE 5.v. - 1

In calculating the number of permits issued, the following shall apply:

All unused permits from the preceding months may be carried over without penalty, it being the express intent of this bylaw to phase a development over a seven (7) year period.

(3). Exemptions

The following are exempt from the provisions of this section of the Zoning By-law:

(a). Residential developments approved under the provisions of Section 5.5 - Planned Open Space Residential Development

(b). Lots created by an "Approval Not Required" plan under the provisions of Section 5.R - Estate Lots.

(c). Residential developments approved under the provisions of

Section 5.E. (a).-Adult Retirement Planned Unit development

(d). Residential developments approved under the provisions of Section 5.D. (3). (a). (b).- Historic Residential Overlay District

(e). Residential developments with average lot areas of 88,000 square feet or greater per lot, with each lot having a minimum of 35,000 square feet of upland area

(f). Land exempt under the provisions of Massachusetts General Laws, Chapter 40A, The Zoning Act (19-4/6/98)

W. WIRELESS COMMUNICATION FACILITIES

(1). All wireless communications facilities, towers, monopoles, and all other types of structures associated with the wireless communications industry, whose height would be greater than the maximum height allowed within the Industrial (I-1) zoning district, shall be required to obtain a Special Permit from the Planning Board prior to construction of any wireless communications facility.

(2). All wireless communications facilities, towers, monopoles, and all other types of antenna like structures shall be located in an Industrial (I-1) zone. Any wireless provider, duly licensed by the FCC, may apply to the Planning Board for the Special Permit that is required under this section.

(3). All monopoles, towers or wireless communications facilities shall be designed to be constructed and minimum height necessary to accommodate the current, and reasonable future, use. The maximum allowable height for structures under this Special Permit section shall be two hundred (200) feet, but also no taller than required to satisfy the needs of the applicant as determined by the Special Permit granting authority.

(4). The minimum setback for monopoles, towers, or wireless communications facilities from the adjacent property lines shall be not less than seventy-five (75) feet, or greater if required by the Special Permit granting authority. All communications facilities granted a Special Permit under this section shall be designed to accommodate the maximum number of users technologically practical.

The intent of this requirement is to reduce the overall number of facilities, which will be required to be located within the community. (21-4/3/2000 ATM - ADJ - 6/12/2000)

(5). Additionally, no Special Permit shall be granted for any wireless communication facility located within five thousand (5,000) feet of

another wireless communication facility previously granted a Special Permit under this or any preceding Zoning By-Law.

(6). Fencing shall be required to control access to the wireless communication facilities and shall be compatible with the general area. There shall be no signs except pronouncement signs, no trespassing signs, or signs giving a phone number where someone can be reached on a 24-hour day basis. All signs shall conform to section 5.B. of the Zoning By-Law. Additionally, no signs other than required safety related signs, shall be attached on any structure(s) at a height greater than twenty (20) feet.

(7). Night lighting of towers and/or structures shall be prohibited unless required by the Federal Aviation Administration for air traffic safety. Lighting shall be specifically limited to that required for emergencies and/or as required by the FAA.

(8). All structures constructed under a Special Permit granted under this section shall be dismantled and removed from the site not later than one year after cessation of use and the removal shall be the sole and exclusive responsibility of the permit holder. (16-6/7/1999)

X. FEMA FLOOD HAZARD PROTECTIVE OVERLAY DISTRICT

ARTICLE I. STATEMENT OF PURPOSE

The purposes of the Floodplain District are to:

- 1) Ensure public safety through reducing the threats to life and personal injury;
- 2) Eliminate new hazards to emergency response officials;
- 3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
- 4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
- 5) Eliminate costs associated with the response and cleanup of flooding conditions;
- 6) Reduce damage to public and private property resulting from flooding waters.

ARTICLE II. FLOODPLAIN DISTRICT BOUNDARIES AND BASE FLOOD ELEVATION AND FLOODWAY DATA

SECTION A. FLOODPLAIN DISTRICT BOUNDARIES AND BASE FLOOD ELEVATION DATA

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas

within the Town of East Bridgewater designated as Zone A and AE on the Plymouth County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of East Bridgewater are panel numbers 25023C0178J, 25023C0179J, 25023C0183J, 25023C0186J, 25023C0187J, 25023C0188J, 25023C0189J, 25023C0191J, 25023C0192J, 25023C0193J, and 25023C0194J, dated July 17, 2012; and panel numbers 25023C0306K and 25023C0307K dated July 16, 2015. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM SECTION and further defined by the Plymouth County Flood Insurance Study (FIS) report dated July 16, 2015. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, and the Planning/ Building Department. (23, 6-1-2015)

SECTION B. BASE FLOOD ELEVATION AND FLOODWAY DATA

1. Floodway Data. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

ARTICLE III. NOTIFICATION OF WATERCOURSE ALTERATION

In a riverine situation, the Conservation Commission shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

ARTICLE IV. USE REGULATIONS

SECTION A. REFERENCE TO EXISTING REGULATIONS

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high hazard areas;
- Wetlands Protection Regulations, Department of Environmental
- Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Minimum Requirements for the Subsurface Disposal of sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

SECTION B. OTHER USE REGULATIONS

1. In Zone AE, along watercourses within the Town of East Bridgewater that have a regulatory floodway designated on the Plymouth County FIRM encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. All subdivision proposals must be designed to assure that:
 - a) such proposals minimize flood damage;
 - b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - c) adequate drainage is provided to reduce exposure to flood hazards.

3. Existing contour intervals of site and elevations of existing structures must be included on plan proposal.
4. There shall be established a "routing procedure" which will circulate or transmit one copy of the development plan to the Conservation Commission, Planning Board, Board of Health, Town Engineer, and Building Inspector for comments which will be considered by the appropriate permitting board prior to issuing applicable permits

ARTICLE V. PERMITTED USES

The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged provided they are permitted in the underlying district and they do not require structures, fill, or storage of materials or equipment:

- 1) Agricultural uses such as farming, grazing, truck farming, horticulture, etc.
- 2) Forestry and nursery uses.
- 3) Outdoor recreational uses, including fishing, boating, play areas, etc.
- 4) Conservation of water, plants, wildlife.
- 5) Wildlife management areas, foot, bicycle, and/or horse paths.
- 6) Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
- 7) Buildings lawfully existing prior to the adoption of these provisions.

ARTICLE VI. DEFINITIONS

AREA OF SPECIAL FLOOD HAZARD is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, A99, V1-30, VE, or V.

BASE FLOOD means the flood having a one percent chance of being equaled or exceeded in any given year.

DEVELOPMENT means any manmade change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DISTRICT means floodplain district.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

FLOOD INSURANCE RATE MAP (FIRM) means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY means an examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.

LOWEST FLOOR means the lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, PROVIDED that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations 60.3.

NEW CONSTRUCTION means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community. For the purpose of determining insurance rates, NEW CONSTRUCTION means structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later.

ONE-HUNDRED-YEAR FLOOD - see BASE FLOOD.

REGULATORY FLOODWAY - see FLOODWAY

SPECIAL FLOOD HAZARD AREA means an area having special flood and/or flood-related erosion hazards, and shown on a FIRM as Zone A, AO, A1-30, AE, A99, AH, V, V1-30, VE.

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. STRUCTURE, for insurance coverage purposes, means a walled and roofed building, other than a gas

or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration, or repair, but does not include building materials or supplies intended for use in such construction, alteration, or repair, unless such materials or supplies are within an enclosed building on the premises.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

ZONE A means the 100-year floodplain area where the base flood elevation (BFE) has not been determined. To determine the BFE, use the best available federal, state, local, or other data.

ZONE AE (for new and revised maps) means the 100-year floodplain where the base flood elevation has been determined.

ZONE X are areas identified in the community Flood Insurance Study as areas of moderate or minimal flood hazard. Zone X replaces Zones B and C on new and revised map. (40-6/4/2012)

Y. MUNICIPAL RECREATIONAL OVERLAY DISTRICT (MROD) With a Special Permit from the Planning Board (per Section 2 of this Bylaw) and **SITE PLAN APPROVAL** (per Section 13 of this Bylaw) outdoor recreational uses requiring site improvements such as athletic fields and facilities, parking, access and egress roadways, and any other directory related accessory uses may be permitted on land owned by the Town of East Bridgewater.

The following three (3) municipally owned locations shall be included in the MROD:

1. Strong Field identified as Assessor Map parcels 50-32, 50-33, 50-34, and 50-62A, and currently the site of Strong Baseball Field used by the Town of East Bridgewater and accessed from Strong and

Spear Avenues.

2. Church Street athletic fields identified as Assessor Map parcels 60-17, 61-21, and 70-6. The area is currently the site of youth baseball fields and basketball courts used by the Town of East Bridgewater and accessed from Church and Hobart Streets.

3. A portion of that area known as Leland Farm and identified as Assessor Map parcels 73-3, and 83-3. The area is currently the site of youth soccer fields used by the Town of East Bridgewater accessed from Belmont Street. (31-6/3/2013)

Z. INDUSTRIAL 1 OVERLAY DISTRICT (I1OD)

Purpose: The purpose of the Industrial 1 Overlay District is to provide locations for compatible industrial and commercial use or reuse of land underutilized by reasons of physical condition or location. The use of land within the District is intended to provide for increased tax revenues to the Town of East Bridgewater as well as employment opportunities within the community. It is the specific intent of the District to allow both industrial and/or commercial uses either in individual or in mixed-use developments designed to provide a complementary development scheme.

District Location: The Industrial 1 Overlay District is superimposed over one or more underlying zoning districts.

1. ALLOWED USES:

The following uses shall be permitted in the Industrial 1 Overlay District with Site Plan Approval in accordance with SECTION 13 of this By-Law.

(a). Enclosed manufacturing, not dangerous by reason of fire or explosion or offensive or detrimental to the Town of East Bridgewater by reason of dust, odor, fumes, refuse, noise, vibration or electrical interference.

(b). General business and professional office building(s) including banks.

(c). Research or testing laboratories.

(d). Agriculture, horticulture, or floriculture.

(e). Restaurants, not including drive-in restaurants or fast food establishments.

(f). Retail and service establishments only if accessory to and

servicing another allowed use in the District and limited to less than 1,000 (one-thousand) gross square feet per use. Floor areas greater than 1,000 (one-thousand) gross square feet may be permitted by the Planning Board by Special Permit in accordance with SECTION of this By-Law.

(g). Allowed uses in Section 5. except as prohibited in Section above.

(h). Multiple detached structures on any lot provided that each separate structure contains no more than ten-thousand (10,000) square feet in total ground floor area.

2. SPECIAL PERMIT ALLOWED USES:

All uses in this Section require a Special Permit from the Planning Board and Site Plan Approval in accordance with SECTION 13.

(a). Uses in SECTIONS 5.K (1).(a)., thru 5.K.(1).(f). inclusive, except as limited by Section or prohibited by Section.

(b). Ground mounted solar energy facilities.

(c). A structure containing an aggregate of ten-thousand (10,000) square feet of ground floor area or more per structure.

(d). Any other industrial or commercial use which the Planning Board may, on application, determine to be similar to a defined allowed or special permit use and in keeping with the intent of the District, but in any case not dangerous by reason of fire, explosion or offensive or detrimental to the Town of East Bridgewater by reason of emission of dust, odor, fumes, smoke, refuse, noise, vibration or electrical interference.

3. SPECIFICALLY PROHIBITED USES:

(a). Any use not expressly permitted above or granted by Special Permit.

(b). Outdoor advertising and billboards.

(c). Drive-in restaurants or fast food establishments.

(d). Hotels, motels and inns for transient or tourist homes.

(e). Wind turbines.

(f). Exterior storage or occupancy of mobile homes, camper

trailers, inoperative or unlicensed motor vehicles, or products, materials, or vehicles not accessory to an allowed uses in the District.

(g). Any use or structure incompatible with the nature of the District or dangerous or noxious to persons in the District or those who pass by on public ways by reason of odor, smoke, particulate emissions, fumes, noise, vibrations, glare, radiation, electrical interference, or danger of fire or explosion.

Dimensional Requirements

Dimensional requirements within the Industrial 1 Overlay District shall comply with the requirements of the underlying zoning district.

Additionally the Industrial 1 Overlay District shall be applied to the area formally known as Eastern States Steel and more specifically the area bounded and described as follows:

Parcels 62-16, 62-17, 62-18, 62-19, 62-20, 62-22, 62-102, 62-155, 52-11, 61-95 and 61-149 as shown on Town of East Bridgewater Assessor's Maps *dated* and as delineated on the Town of East Bridgewater Zoning Map dated December 18, 2006, as amended from time to time. (29-6/3/2013)

SECTION 6: LOCATION

A. LOT REQUIREMENTS FOR ALL PRINCIPAL BUILDINGS

TABLE 6.A
(Notes to this section on following pages)

ZONING DISTRICT	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM SIDE YARD
R-1 (RESIDENCE 1)	35,000 Sq. ft.	150 ft.	25 ft.
R-2 (RESIDENCE 2)			
SINGLE FAMILY	20,000 sq. ft.	100 ft.	20 ft.
TWO FAMILY	35,000 sq. ft.	125 ft.	20 ft.
R-3 (RESIDENCE 3)			
ONE UNIT	15,000 sq. ft.	100 ft.	20 ft.
TWO UNITS	20,000 sq. ft.	120 ft.	20 ft.
THREE UNITS	25,000 sq. ft.	120 ft.	25 ft.
FOUR UNITS	30,000 sq. ft.	120 ft.	25 ft.
FIVE UNITS	40,000 sq. ft.	130 ft.	30 ft.
SIX UNITS	45,000 sq. ft.	130 ft.	30 ft.
B-1 (BUSINESS 1)	25,000 sq. ft.	100 ft.	25 ft.

B-2 (BUSINESS 2)	10,000 sq. ft.	75 ft.	15 ft.
B-3 (BUSINESS 3)	30,000 sq. ft.	125 ft.	25 ft.
B-4 (BUSINESS 4)	80,000 sq. ft.	200 ft.	50 ft.
B-5 (BUSINESS 5)	NONE FOR BUSINESS FOR RESIDENCE Single Family Dwelling 15,000 sq. ft. for original plus 3,000 sq ft for each additional unit. Multi-Family Dwelling 20,000 sq.ft. for original plus 5,000 sq.ft. for each additional unit.	NONE FOR BUSINESS FOR RESIDENCE Single Family Dwelling-100ft. Multi-Family Dwelling 125ft. with an added 10ft. for each unit Over 3.	NONE EXCEPT 35 FT. WHERE IT ABUTS RES. DISTRICT
I-1 (INDUSTRIAL 1)	35,000 sq. ft.	125 ft.	25 ft.
M (MUNICIPAL)	30,000 sq. ft.	125 ft.	25 ft.

ZONING DISTRICT	MINIMUM REAR YARD	MINIMUM FRONT YARD	MINIMUM OPEN SPACE	MAXIMUM HEIGHT
R-1 (RESIDENCE 1)	50 ft.	50 ft.	NONE	STORIES 2 ½
R-2 (RESIDENCE 2)				STORIES
SINGLE FAMILY	40 ft.	50 ft.	NONE	2 ½
TWO FAMILY	40 ft.	50 ft.	NONE	2 ½
R-3 (RESIDENCE 3)				STORIES
ONE UNIT	40 ft.	50 ft.	NONE	2 ½
TWO UNITS	40 ft.	50 ft.	NONE	2 ½
THREE UNITS	40 ft.	50 ft.	NONE	2 ½
FOUR UNITS	40 ft.	50 ft.	NONE	2 ½
FIVE UNITS	40 ft.	50 ft.	NONE	2 ½
SIX UNITS	40 ft.	50 ft.	NONE	2 ½
B-1 (BUSINESS 1)	50 ft.	50 ft.	30% of TOTAL LOT AREA	2 STORIES or 40 ft.
B-2 (BUSINESS 2)	40 ft.	50 ft.	20% of TOTAL LOT AREA	2 STORIES or 40 ft.

B-3 (BUSINESS 3)	50 ft.	50 ft.	20% of TOTAL LOT AREA	2 STORIES or 40 ft.
B-4 (BUSINESS 4)	50 ft.	100 ft.	30% of TOTAL LOT AREA	40 ft.
B-5 (BUSINESS 5)	25 ft. EXCEPT FOR BLDG. EX- TENDING THROUGH A BLOCK	NONE FOR BUSINESS FOR RESIDENCE SINGLE FAMILY DWELLING- 35ft. MULTI FAMILY DWELLING 50ft.	NONE	2 STORIES or 40 ft.
I-1 (INDUSTRIAL 1)	25 ft.	50 ft	30% of TOTAL LOT AREA	40 ft
M (MUNICIPAL)	50 ft.	50 ft.	20% of TOTAL LOT AREA	40 ft

NOTES: (1) - (12)

(1). No yard, lot area or other open space required for a building by this By-Law shall during the existence of such building be occupied by or counted as open space for another building. No lot area shall be so reduced or diminished that the yards or other open space shall be smaller than prescribed by this By-Law. Eaves, sills, steps, cornices, belt cornices and similar features may project into the specified yards.

(2). In all Districts, farm buildings, churches, municipal or institutional buildings, including spires, domes, and steeples thereon may be carried to any height. All structures including buildings, towers, antennae, bulkheads, chimneys, cooling towers, ventilators and other appurtenances to buildings and structures shall be limited to a height of one hundred (100) feet. (9-2/2/1987)

(3). Except that in the case of a corner lot, the front yard requirement shall prevail on all sides with street frontage, including proposed street frontage as shown on a plan filed with the Planning Board. (4-9/25/1972)

(4). In all cases where more than one (1) dwelling is situated on a lot there shall be at least fifty (50) feet of open space between the dwellings at all points, and each dwelling shall have its own

frontage as if it were an individual lot. (41-3/1/1965)

(5). In all Districts the front yard need only be the average of the depths of the front yards on the abutting lots, considering the front yards of abutting vacant lots as having the minimum permitted. (58-4/11/1987)

(6). FRONTAGE ON CURVES:

All new lots, created either by a "Form A" plan ("approval not required"). Or a "Form B" plan (Approval required under the subdivision control law), and abutting an outside curve of between seventy-five (75) and one hundred and fifty (150) feet, shall be required to meet both of the following minimum frontage and minimum frontage setback requirements:

(a). MINIMUM FRONTAGE REQUIREMENT:

Each new lot must have a minimum frontage not less than 75.0% of standard the minimum lot frontage in the zoning district where the lot is being created.

In a case where a new lot will be in two (2) zoning districts the standard minimum lot frontage for the most restrictive district shall be used to determine the minimum frontage requirement under this section.

(b). MINIMUM LOT WIDTH AT SETBACK REQUIREMENT:

Any new lot shall have a minimum lot width at setback dimension (as measured at front yard setback distance and parallel to the front lot line) whose length is equal to the standard minimum lot frontage in the zoning district where the lot is being created.

In the case where a new lot will be in two (2) or more zoning districts the standard minimum lot frontage for the most restrictive district shall be used to determine the minimum lot width at setback dimension under this section. (12-4/5/1999)

(7). LOT SHAPE:

All new lots, created either by a "Form A" plan ("approval not required"), or a "Form B" plan (approval required under the subdivision control law), shall be required to meet each of the following three "lot shape" requirements:

(a). REQUISITE BUILDING SQUARE REQUIREMENT:

Each new lot must contain a requisite building square the side of which measures 75.0 % of the minimum lot frontage in the zoning district where the lot is being created. Additionally, no part of this requisite building square may be located within the minimum required front yard setback area.

In a case where a new lot will be in two (2) or more zoning districts the minimum lot frontage for the most restrictive district shall be used to determine the minimum requisite building square size.

(b). MINIMUM LOT WIDTH AT SETBACK REQUIREMENT:

Any new lot shall have a minimum lot width at setback dimension (as measured at front yard setback distance and parallel to the front lot line) whose length is equal to the minimum lot frontage in the zoning district where the lot is being created.

In the case where a new lot will be in two (2) or more zoning districts the minimum lot frontage for the most restrictive district shall be used to determine the minimum lot width at setback dimension.

(c). MINIMUM LOT WIDTH REQUIREMENT:

No portion of any new lot shall have a minimum lot width (as measured parallel from the frontage line) whose length is less than 25% of the minimum lot frontage in the zoning district where the lot is being created.

In the case where a new lot will be in two (2) or more zoning districts the minimum lot frontage for the most restrictive district shall be used to determine minimum lot width dimension. (14-4/5/1999)

(8). (Left blank intentionally)

(9). (Left blank intentionally)

(10). In a downtown business, and general business, industrial or limited industrial district where a new principal building is to be constructed or an existing building enlarged by 25% or more, a special permit shall be obtained from the Planning Board, approving a site plan providing for adequate parking, open space, traffic control and surface drainage; however, construction which total value of improvements does not exceed \$15,000.00 and residential structures except apartment buildings shall be exempt. (33-4/11/1978) (17-4/8/1981) (58-4/11/1987)

(11). Land within the lines of a street on which a lot abuts shall not be counted as part of such lot for the purposes of meeting the area or front yard requirements, irrespective of fee ownership. (33-4/11/1978)

(12). Utilities and any underground accessory uses as well as Access and Egress to a less restricted zoning district from a more restricted zoning district may be by Special Permit granted by the Planning Board. (15-4/1/96) See Section 5.Q.(2) for additional requirements in the Watershed Protection District. (61-4/11/1987)

B. Floor Area.

In buildings and structures, other than single and two family residential, the following floor areas must be provided for all dwelling units: Four hundred (400) square feet of floor area, exclusive of cellars, stairways and areas used in common with other dwelling units, said area to be measured to the exterior walls of buildings and structures. (33-4/11/1978)

C. Visual Clearance. (49-4/11/1987)

(1). Corner Clearance. On a corner lot to provide visibility unobstructed at intersections, no sign, fence, wall, tree, hedge, or other vegetation, and no building or other structure between three (3) feet and eight (8) feet above the established street grades shall be erected, placed, or maintained within the area formed by the intersection of the street lines and a straight line joining said street lines at points which are thirty (30) feet distant from the point of intersection of ways or tangents of curves or rounded curves, measured along said street lines. (49-4/11/1987)

(2). General Clearance On all lots, to assure reasonable unobstructed visibility for vehicular access and egress, no sign, fence, wall, tree, hedge, or other vegetation, and no building or other structure between three (3) feet and eight (8) feet above the established street grades shall be erected, placed, or maintained within a distance of ten (10) feet from the street layout. (49-4/11/1987)

D. Accessory Uses and Accessory Buildings.

(1). A detached accessory building may be located in the side or rear yard areas and on the same lot as the principal building, provided that not more than twenty-five percent (25%) of the required area shall be so occupied, and further provided that an

accessory building shall not be located nearer than ten (10) feet from the principal building and at least ten (10) feet from any side or rear lot line, and subject to the yard requirements of the district in which it is located. An accessory building attached to its principal building shall be considered an integral part thereof and as such shall be subject to the front, side and rear yard requirements applicable to the principal building. (33-4/11/1978)

(2). A garage or storage space for private motor vehicles; attached (an integral part of the structure), or detached (an accessory building), shall be considered an accessory building and may provide space for as many as three (3) cars for their principal uses in Residence Districts subject to the provisions of paragraph one (1), above, or this SECTION, and all other uses in Business and Industrial Districts may have additional spaces to store necessary equipment.

(3). In a Residence district, no accessory structure shall be permitted to exceed nine hundred (900) sq. ft. of ground floor area without a Special Permit granted by the Zoning Board of Appeals. (11-11/28/2005) (41-6/2/2014)

(4). Off-street Parking and Loading Requirements (60-4/11/87)

1. GENERAL REQUIREMENTS

a. If any structure is constructed or enlarged or extended or any use of any land established, or any existing use changed after the effective date of this By-Law, off street parking spaces shall be provided in accordance with tables 6-1 and 6-2 for the entire structure or use, unless the increase in units or measurements amount to less than ten (10) percent, whether such an increase occurs at one time or in successive stages.

b. Combined Facilities - Parking required for two or more buildings or uses may be provided in combined facilities on different lots, but within three hundred (300) feet, subject to approval by the Zoning Board of Appeals, after such evidence of contracts, and/or easements are presented showing that such facilities will continue to be permanently available for the several buildings or uses.

2. PARKING AND LOADING STANDARDS

a. Residential - in all districts there shall be provided two off-street parking spaces for each single dwelling unit; for each dwelling unit in a multiple dwelling structure parking spaces shall be per Table 6-1.

b. All parking areas containing over five spaces, including automotive and drive-in establishments of all types and commercial parking lots, shall be either contained within structures or subject to the following:

[1.] Automobile parking stall spaces shall be suitably marked.

[2.] Access lane shall be a minimum of twelve (12) feet; table 6-2 shall be the determining factor for parking layout.

[3.] The area and access driveways thereto shall be surfaced with impervious material and shall be graded and drained so as to dispose of all surface water accumulation, on-site or to an approved drainage system.

[4.] A substantial bumper of a concrete curb, or berm curb which is backed, shall be placed at the front edge of each parking space.

[5.] Buffer strips, between parking lot and street layout line, shall be a minimum fifteen (15) feet in depth; ten (10) feet in depth between parking lot and all other lot lines, in each case suitably landscaped.

[6.] Adequate illumination of driveways and lanes shall be provided on approved standards. Any fixture used to illuminate the area shall be so arranged as to direct the light away from the street and away from all adjoining premises used for residential purposes.

c. Off-Street Loading

[1.] For each structure designed or occupied for business and industrial uses in any district there shall be provided access and space for the loading and unloading of delivery vehicles on site which are located so as not to conflict with pedestrian walkways.

3. RESTRICTIONS

a. There shall not be any vehicle repair for profit exception a lot occupied by a permitted automotive use.

b. There shall not be any storage of materials or equipment or display of merchandise within required parking areas except as

part of approved building operations.

a. In other than Residential Districts:

[1.] Parking spaces shall be so arranged as not to permit backing of automobiles onto any street.

[2.] All access ways to a public street or highway shall not be located closer than seventy-five (75) feet from the intersection of any street lines, and shall be designed in a manner conducive to safe ingress and egress.

[3.] No two driveways on the same lot leading to or from a street, shall be within one hundred (100) feet of each other at their intersections with the front lot line.

[4.] No entrance or exit driveway shall exceed thirty-two (32) feet in width at its intersection with the front lot line, and curb cuts shall not exceed forty (40) feet in width.

4. ADMINISTRATION

The Building Inspector shall have the responsibility to monitor the minimum parking spaces required for specific structures. If evidence is present that the minimum requirements are insufficient to provide adequate spaces, and an unsafe or environmentally unstable condition is occurring, the Building Inspector shall notify, in writing, the parties of interest and the Permit Granting authority; who then shall review the adequacy of the available parking, and may establish alternate requirements after a public hearing.

5. HANDICAPPED PARKING

Specially designated parking spaces for the physically handicapped shall be provided according to the most recent rules and regulations of the State of Massachusetts Architectural Barriers Board.

6. SCREENING

a. All open, off-street parking areas permitted in non-Residential Districts shall be screened from all adjoining residential use lots by either;

[1.] A strip of land ten (10) feet wide, planted with evergreen shrubs having a minimum height of four (4)

feet, spaced on six (6) foot centers.

[2.] A solid wall or fence not less than four (4) feet or more than six (6) feet in height.

TABLE 6-1. Off-Street Parking Schedule:

LAND USE	MINIMUM NUMBER OF OFF STREET PARKING SPACES
Dwelling, multi-family	1.5 per elderly dwelling unit 2 per 1 bedroom dwelling unit 3 per dwelling unit for all others (4-5/21/90)
Hotel, motel tourist court, or lodging house	1 per sleeping room
Automobile repair garage	2 per each 200 sq. feet of gross floor area or fraction thereof
Theater, gymnasium, auditorium, church, meeting rooms, or similar place of public assembly seating facilities considered	1 for each three (3) seats total seating capacity; 20 linear inches of bleacher or with benches may be equal to 1 seat
General business, or commercial, personal services - barber, hairdresser, tailor, etc. department stores, food, liquor, drug stores, variety stores, rental stores, medical centers, and outpatient clinics; banks, bowling alleys, and business, professional and other offices.	1 per 200 sq. feet of gross usable floor area, for buildings having up to 25,000 sq. ft. of gross usable floor area, or 3.5 per 1,000 sq.ft. for all buildings in excess of 25,000 sq. ft. of gross usable floor area, except in the B-2 (Transitional Business) zone, where the requirement shall be 1 per 200 sq. ft. of net usable floor area, with a minimum of four (4) per individual business. (4-5/21/90)
Manufacturing and warehousing and office space incidental	1 per employee on the largest operating shift

thereto

Restaurant

1 per every three seats

Any use permitted under this By-Law not interpreted to be covered by this schedule

Number of spaces which in the judgement of the Planning Board are adequate to provide off-street parking for the proposed use

TABLE 6-2 PARKING LOT DIMENSIONS (minimum design criteria)

ANGLE OF PARKING	STALL WIDTH	CURB LENGTH	STALL DEPTH	MINIMUM DRIVE WIDTH	LOT WIDTH 1 + 1	SQ.FT. PER CAR	LOT WIDTH 2 + 1	SQ.FT. PER CAR
0 DEG.	10'-0"	23'-0"	10'-0"	12'-0"	22'-0"	506	32'-0"	368
30 DEG.	10'-0"	20'-0"	18'-3"	12'-0"	30'-3"	585	48'-6"	475
45 DEG.	10'-0"	14'-2"	20'-6"	13'-0"	33'-6"	490	54'-0"	383
60 DEG.	10'-0"	11'-6"	21'-6"	18'-0"	39'-6"	455	61'-0"	351
90 DEG.	10'-0"	10'-0"	19'-0"	24'-0"	43'-0"	430	62'-0"	310

(5). 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 productions, may be permitted upon the issuance of a special permit by the Board of Appeals, provided that the proposed accessory use does not substantially derogate from the public good.

(6). Drive Up Windows (6-11/18/91)

This section shall apply in all Business and Industrial districts where the principle use is listed as an allowed use in Section 5 of this By-Law.

The Planning Board acting as the Special Permit Granting Authority (SPGA) may issue a Special Permit allowing a Drive Up Window as an accessory use for a pharmacy, bank, or food service business provided that the SPGA finds that such Drive Up Window, (33-11/9/2015)

- a. will not unduly restrict or interfere with any uses of the premises, and
- b. will not cause any danger of traffic accident or traffic congestion on any public way serving the premises, and
- c. will not restrict or be detrimental to the usage of any abutting business property, and
- d. will not adversely affect the quiet enjoyment of any residence located on a lot any line of which is located within 150 feet from the nearest lot line of the premises for which the Special Permit is being sought, and
- e. that the Drive Up Window conform to all of the following specific requirements:

[1]. A bypass lane shall be provided to allow vehicles to exit the drive up window waiting line prior to reaching the service window.

[2]. A total linear waiting line distance of 250 feet is provided on the premises for vehicles to approach the Drive Up Window. The 250 foot distance is to be measured from the point on the layout line of the public way from which traffic will enter the premises to the center line of the proposed Drive Up Window, provided that these 250 foot distances apply only to a food service business and that in the case of a pharmacy or bank said distance shall be 80 feet.

[3]. The waiting line shall no more than 4 turns, none of which is greater than 90 degrees.

[4]. All waiting lines be clearly marked with distinctive paint or suitable barriers.

[5]. The waiting line lanes shall not obstruct or restrict parking for any business or residence located on the premises including the applicant's.

[6]. If any part of the waiting line is located within 15 feet of a lot line for the premises the applicant shall erect suitable 6 ft. high opaque fencing along the entire lot line so located.

The SPGA is herein granted the authority to modify the dimensional requirements as set forth in this section, if during the public hearing the applicant presents sufficient

information for the SPGA to make a determination that the modifications proposed will not derogate from the intent set forth in this section.

Any Special Permit issued hereunder shall inure to the benefit of the applicant only or to the operators of the food service establishment and shall not be assignable or transferable to any other person (including new officers, directors or managers of any corporate applicant).

(7). Accessory Family Unit in a single family dwelling

Purpose: The purpose of this section is:

1. To provide an opportunity for members of one single family, who choose to live in close proximity, but separate from other members of that family, within a single family dwelling;
2. To protect residential stability, property values, and the single family character of neighborhoods;
3. To make it possible for the Town to ensure code compliance and safety.

(7).1 Definitions:

"*Accessory Family Unit*" - an accessory living unit within a single family dwelling, that provides provisions for living, sleeping, eating, cooking and sanitation that shall not be designed, built, or used as a separate, independent dwelling.

(7).2 Use and Dimensional Regulations:

The Building Commissioner may issue a building permit for the installation and use of an *Accessory Family Unit* within or attached to an existing owner-occupied, single family dwelling, provided the following conditions are met:

- a). The *Accessory Family Unit* must be accessory to a single family dwelling and only one *Accessory Family Unit* may be created on any lot.
- b). The Owner(s) of the single family dwelling for which the *Accessory Family Unit* is created must continue to occupy one of the units as their primary residence.
- c). Any new, separate outside entrance serving the *Accessory Family Unit* shall be located on the side or rear of the building.
- d). The gross floor area of the unit (including additions) shall not be greater than 50% of the primary dwelling or 800 square ft.

whichever is smaller.

e). There shall be a permanent opening in the common wall between the units to provide for unencumbered supervision and emergency response.

f). Once an *Accessory Family Unit* is added to a single family residence, the unit shall never be enlarged beyond the square footage allowed in sub-section d).

g). One additional off-street parking space shall be provided for the use of the occupants of the *Accessory Family Unit*.

h). Prior to the issuance of a Building Permit, a floor plan shall be submitted showing both existing and proposed changes to the interior and exterior of the building. The exterior of the structure shall in the opinion of the Building Inspector retain the characteristics of a single family residence.

i). The single family dwelling shall continue to be supplied by one set of utilities (ie: gas, water, electric) and no additional utility services shall be added.

(7).3 Special Permit.

If the Building Commissioner finds that any of the previous conditions are not being met, the Zoning Board of Appeals may, by special permit, allow such use upon a finding that the proposal will not be substantially more detrimental to the neighborhood.

(7).4

Recorded notarized letter. Prior to the issuance of a Building permit, the owner(s) must record at the Plymouth County Registry of Deeds, a notarized, "Town of East Bridgewater Accessory Family Unit affidavit" and deliver a copy and proof of recording to the Building Department.

(7).5 Administration and Enforcement.

It shall be the duty of the Building Commissioner to administer and enforce the provisions of this section.

a) No *Accessory Family Unit* may be created or constructed without a Building Permit. No permit shall be issued until all State and Town laws, bylaws, rules, codes and regulations have been reviewed for compliance.

b). The Building Commissioner shall not issue any permit for an *Accessory Family Unit* which would result in a violation of any provision of this chapter or in violation of the terms and conditions of any special permit or variance granted. (37-6/10/2019)

E. TEMPORARY TRAILERS AND MOBILE HOMES

The Board of Appeals may issue a temporary special permit for trailers or mobile homes situated outside of a trailer or mobile home park or courts, for a period not to exceed twelve (12) months, and each such trailer or mobile home shall conform to all minimum lot area, frontage and set back requirements for principal buildings as contained in SECTION 6. A., except that where a dwelling has been destroyed by fire or other casualty so as to be uninhabitable, or is under construction or reconstruction, the owner or occupant shall have the right, without special permit, but subject to Board of Health requirements and a temporary occupancy certificate from the Building Inspector, to occupy a trailer or mobile home, until the permanent dwelling is habitable, so long as restoration and construction continue at a reasonably continuous pace, but in no event for more than twelve (12) months. (33-4/11/1978)

F. EDUCATIONAL USES

The land or structures used for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination or by a non-profit educational corporation shall comply, unless otherwise permitted by the Board of Appeals by special permit with the following requirements; set back minimum sixty (60) feet; lot area minimum two (2) acres; side lines minimum one hundred (100) ft.; open space minimum one and a half (1 1/2) acres; two and a half (2 1/2) parking spaces shall be provided per occupant and building bulk maximum 15,000 cu. ft., for buildings containing sleeping quarters for two (2) or more individuals, or used as a dwelling unit or units. (13-2/5/1979)

SECTION 7. ENFORCEMENT

This By-Law shall be enforced by the Building Inspector or if there is none, by the Board of Selectmen who shall grant no permit for the construction, alteration, relocation, occupancy or use of any building, structure or premises in violation of any provision of this By-Law. Whenever any permit or license is refused because of some provision of this By-Law, the reason therefor shall be clearly stated in writing.

The enforcing officer shall institute appropriate legal proceedings to enforce the provisions of this By-Law or to restrain by injunction any violation thereof, or both, and shall do all further acts, revoke the permit occupancy, institute and take any and all such action as may be necessary to enforce the provisions of this By-Law.

With each application for a permit to build there shall be filed a plan drawn to scale showing a lot, the area, and location of which justify the

building. No building hereafter erected, altered or relocated shall be used and no change shall be made for the use of any building or of any parcel of land, unless an occupancy permit signed by the enforcing officer had been granted to the owner or occupant of such land or building. Such permit shall not be granted unless the proposed use of the land or building and all accessory uses comply in all respects with this By-Law and no use shall be made of such land or building except the use or uses authorized by such occupancy permit.

Whosoever is convicted of a violation of any provision by this By-Law shall be subject to a penalty in an amount not to exceed One Hundred Dollars (\$100.00) for each offense. Each day that a violation continues shall constitute a separate offense. (33-4/11/1978)

SECTION 8. BOARD OF APPEALS

A Board of Appeals consisting of three (3) members and two (2) Associate members shall be appointed as provided in Section twelve (12) of Chapter forty A (40A) of the General Laws, as amended, which shall act on all matters within its jurisdiction under this By-Law in the manner prescribed in said section and subject always to the rule that it shall give due consideration to promoting the public health, safety, convenience, and welfare, encouraging the most appropriate use of land, and conserving property values, that it shall permit no building or use injurious, noxious, offensive, or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

SECTION 9. AMENDMENTS

This By-Law may from time to time be changed by amendment, addition or repeal by the town meeting in the manner prescribed in Section five (5) of Chapter forty A (40A) of the General Laws, and any amendments thereto.

SECTION 10. VALIDITY

The invalidity of any section or provision of this law shall not invalidate any other section or provision thereof.

When this By-Law imposes a greater restriction of the use of buildings, structures or premises or on height of buildings, or requires larger yards, or open spaces than are imposed or required by any regulations, or permits, or by any restrictions, easements, covenants or agreements, the provisions of this By-Law shall control.

SECTION 11. REPETITIVE PETITION

The acceptance of this By-Law includes the acceptance of Chapter forty A (40A), Section five (5), Paragraph five (5), of the General Laws of the

Commonwealth of Massachusetts, known as "The Zoning Act" and any amendments thereto.

SECTION 12. EFFECTIVE DATE

This By-Law shall take effect upon the adoption by the town, and publication and/or posting, as provided by law.

SECTION 13. SITE PLAN APPROVAL

- STANDARDS AND ADMINISTRATIVE PROCEDURES (1-5/8/89)

(0). INTENT

This section is intended to give the Town of East Bridgewater a tool to be used in both setting forth acceptable standards for regulating the uses within the lands zoned business or industrial (and certain specific uses in other zoning districts), and determining, as an integral part of the existing building permit issuance process, that said standards have been satisfied.

This section is not intended to impose impermissible restrictions on an allowed use, but is a method to assure, prior to issuance of a building permit, that all of the Zoning By-Laws will be satisfied, and that reasonable standards for development of the land in the best interest of the public have been followed.

Therefore, as set forth in Section 7 of the Zoning Act (Massachusetts General Laws, Chapter 40A, Section 7) the PLANNING BOARD is herein assigned as the "board designated by local ordinance or By-Law" and is charged with administering this SITE PLAN APPROVAL section.

(1). ADMINISTRATIVE PROCEDURES:

(a). When filing a building permit application with the Building Inspector, ten (10) copies of the SITE PLAN shall accompany the completed building permit application form.

(b). The Building Inspector shall forward to the Planning Board seven (7) copies of the SITE PLAN for use in determining compliance with the requirements of the DEVELOPMENT STANDARDS that follow in sub-section (2).

(c). The Planning Board shall within twenty-five (25) days of the filing of the building permit application, respond to the Building Inspector with a written recommendation regarding issuance of the Building Permit. In the case of the recommended disapproval of any SITE PLAN, the Planning Board shall provide a written statement

setting forth the reasons for disapproval. If for any reason the Planning Board fails to respond within the time period set forth herein, the Building Inspector shall process the application for building permit as required.

(d). All appeals sought under this section shall proceed as set forth in Section 9 of the Zoning Act (Massachusetts General Laws, Chapter 40A, Section 9), with an appeal filing to the Board of Appeals.

(2). SITE PLAN STANDARDS:

As part of this SITE PLAN APPROVAL process all of the following subsections will be reviewed:

(a). SITE PLAN shall be prepared by a registered civil engineer and shall meet the requirements for filing at the Registry of Deeds.

(b). SITE PLAN must show conformance with all dimensional requirements as set forth in Section 6. of this By-Law. Additionally, it is required that the SITE PLAN show the footprint and profile (including all levels) of the building(s) to allow determination as to compliance with this Zoning By-Law.

(c). SITE PLAN must show conformance with all requirements as set forth in the applicable sections of this Zoning By-Law including but not limited to:

- sufficient off-street parking for the use(s) as proposed,
- safe and adequate access and egress for the use(s) as proposed,
- method(s) for storage and disposal for any waste products generated by the proposed use(s).

(d). SITE PLAN must show the method(s) proposed to control surface water drainage on the subject site.

SECTION 14 - MARIJUANA NOT MEDICALLY PRESCRIBED

Consistent with G.L. c. 94G sec. 3(a)(2), all types of marijuana establishments as defined in G.L. c. 94G, Section 1(j), to include all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers or any other type of licensed marijuana-related businesses, shall be prohibited within the Town of East Bridgewater.

APPENDIX

**REFERENCE ZONING MAP CHANGES
Beginning December 7, 1987**

Rezone parcels 25 & 26 and portion of parcel 24 Assessors Map 62, West Union St. between railroad right of way and the Residence B (RB) District boundary line from Business to Residence B (Franklin Santilli).

(42-12/7/87)

Rezone all the Business (B) zoned land located on the westerly side of Plymouth Street, from the intersection of Plymouth Street, and old Plymouth Street, southerly to the end of the business zoned district as shown on the East Bridgewater Zoning Map amended to December 1987, and also rezone all the Business (B) zoned property and a one hundred (100) foot wide strip of Residence A land abutting the Business zoned property from Loring Road southerly to Robins Street to Residence B (RB) (Kevin Comeau). (17-6/27/88)

(2-5/8/89) - R-2 (RESIDENTIAL 2)

AREA DESCRIPTION: (REFER TO MAP EXCERPT 1989.ZM.1)

- Beginning at a point on the C/L (center line) of Bedford Street (Route 18) on the Bridgewater town line easterly 1000 (one thousand) feet,
- Then proceeding northerly along a line 1000 (one thousand) feet off the C/L (center line) of Bedford Street (Route 18) to a point on the thread of the Matfield River,
- Then proceeding easterly along the thread of the Matfield River to a point at the thread of the Satucket River,
- Then proceeding northerly along the thread of the Satucket River to the existing I (Industrial) zone at the 'Carver Cotton Gin',
- Then proceeding southerly, then westerly, along the current I (Industrial) zoning line to the C/L of Whitman Street,
- Then proceeding northerly along the C/L of Whitman Street, and northerly along the C/L of Plymouth Street to a point located at the thread of the brook adjacent to the N/F Whitmarsh parcel,
- Then proceeding westerly 800 (eight hundred) feet along the thread of the brook to a point on the C/L of the power line,
- Then proceeding southerly, then westerly along the C/L of the power line to a point 400 (four hundred) feet from the C/L of Bedford Street (Route 18)
- Then proceeding southerly along a line 400 (four hundred) feet from the C/L of Bedford Street (Route 18) to a point on the C/L of Whitman Street,
- Then proceeding along the C/L of Whitman Street to a point on the C/L of Bedford Street (Route 18),
- Then proceeding, northwesterly along the C/L of the power line 1000' (one thousand) feet to a point 1200 (twelve hundred) feet of the C/L of West Street,
- Then proceeding westerly along a line 1200 (twelve hundred) feet off of the C/L of West Street to the C/L of the rail bed,
- Then proceeding southerly along the C/L of the rail bed to a point 1200 (twelve hundred) feet from the C/L of West Street,
- Then proceeding easterly along a line 1200 (twelve hundred) feet off of the C/L of West Street to the West Bridgewater town line,

- Then proceeding southerly along the West Bridgewater town line to the Bridgewater town line,
- Then proceeding easterly along the Bridgewater town line to the beginning.

(3-5/8/89) - B-2 (BUSINESS 2)

AREA DESCRIPTION: (REFER TO MAP EXCERPT 1989.ZM.2)

- Beginning at a point on the C/L (center line) of Bedford Street (Route 18) at the C/L of the intersection with Whitman Street, northerly along the C/L of Whitman Street to a point 400 (four hundred) feet from the C/L of Bedford Street (Route 18),
- Then proceeding northerly along a line 400 (four hundred) feet from the C/L of Bedford Street (Route 18), to the town property line at the fire station parcel,
- Then proceeding westerly to the C/L of Bedford Street (Route 18) (a distance of 400 (four hundred) feet),
- Then proceeding northerly along the C/L of Bedford Street (Route 18) to the C/L of the intersection with Abbey Lane,
- Then proceeding along the C/L of Abbey Lane (or Abbey Lane extended) a distance of 400 (four hundred) feet,
- Then proceeding southerly along a line 400 (four hundred) feet off of the C/L of Bedford Street (Route 18) to a point on the C/L of the power line,
- Then proceeding southerly along the C/L of the power line to the beginning.

(4-5/8/89) - B-4 (BUSINESS 4)

AREA DESCRIPTION: (REFER TO MAP EXCERPT 1989.ZM.3)

- Beginning at a point on the C/L (center line) of Bedford Street (Route 18) at the C/L of the intersection with Abbey Lane, northerly along the C/L of Bedford Street to a point at intersection of the C/L of Bedford Street and the C/L of Spring Street,
- Then proceeding southerly along the C/L of Spring Street to a point on the intersection with C/L of the rail bed.
- Then proceeding easterly along a line 1200 (twelve hundred) feet off of the C/L of West Street to a point on the C/L of the power line,
- Then proceeding southerly along the C/L of the power line to a point 400 (four hundred) feet off of the C/L of Bedford Street,
- Then proceeding northerly along a line 400 (four hundred) feet off of the C/L of Bedford Street (Route 18) to a point at the intersection with the C/L of Abbey Lane,
- Then proceeding easterly (a distance of 400 (four hundred) feet to the beginning.

(5-5/8/89) M (MUNICIPAL)

AREA DESCRIPTION: (REFER TO MAP EXCERPT 1989.ZM.4)

- All of that contiguous town-owned land bounded by Bedford Street (Route 18), and Central Street, and currently containing the East Bridgewater Fire Station, the town athletic fields, the Central School, the 'Gladys Farren Cottage', the East Bridgewater Town Hall, the East Bridgewater High School, and the surrounding parking areas, access roads and athletic fields.

- This land is also shown on the Town of East Bridgewater Assessor's Maps and is made up of all of the following parcels:

- Map Number: 51 Parcel Number: 4
- Map Number: 51 Parcel Number: 13
- Map Number: 51 Parcel Number: 14

(6-5/8/89) B-2 (BUSINESS 2)

AREA DESCRIPTION: (REFER TO MAP EXCERPT 1989.ZM.5)

- Beginning at a point on the C/L (center line) of Bedford Street (Route 18) at the C/L of the intersection with Central Street, southeasterly to a point on the C/L of Central Street at the previously described MUNICIPAL ZONE (M),

- Then proceeding southerly along the said MUNICIPAL ZONE (M) to a point on the C/L of Bedford Street,

- Then proceeding northerly along the C/L of Bedford Street to the beginning.

(7-5/8/89) B-5 (BUSINESS 5)

AREA DESCRIPTION: (REFER TO MAP EXCERPT 1989.ZM.6)

PARCEL 1:

- Beginning at a point on the C/L (center line) of Cook Street at its intersection with the C/L of Spring Street northerly along the C/L of Cook Street to a point on the C/L of West Union Street,

- Then proceeding easterly along the C/L of West Union Street to the existing B-5 (DOWNTOWN BUSINESS DISTRICT),

- Then proceeding easterly along the boundary of the existing B-5 district to a point on the C/L of Bedford Street at the C/L of Spring Street,

- Then proceeding southerly along the C/L of Spring Street to the beginning.

PARCEL 2:

- Beginning at a point on the C/L (center line) of West Union Street at the C/L of the rail bed northeasterly approximately 280 (two hundred and eighty) feet to the existing business zone,
- Then proceeding westerly and northerly along said Business zone boundary to a point on the C/L of North Central Street,
- Then proceeding northerly along the boundary line of the existing Industrial zone to a point on the shore of Forge Pond,
- Then proceeding easterly along the shore of Forge Pond to a point on the C/L of Bedford Street at the Forge Pond Bridge,
- Then proceeding southerly along the C/L of Bedford Street to a point at the boundary line of the present B-5 (DOWNTOWN BUSINESS) District.

PARCEL 3:

- Beginning at a point on the C/L (center line) of Bedford Street at the Forge Pond Bridge and proceeding southerly along the shore of Forge Pond to a point on the C/L of Union Street at the thread of the brook (westerly from the intersection with Hobart Street),
- Then proceeding westerly along the C/L of Union Street to a point on the C/L of Bedford Street (at its intersection with Union Street),
- Then proceeding northerly along the C/L of Bedford Street to the beginning.

(8-5/8/89) B-2 (BUSINESS 2)

AREA DESCRIPTION: (REFER TO MAP EXCERPT 1989.ZM.7)

- Beginning at a point on the C/L (center line) of North Bedford Street (Route 18) at the Forge Pond Bridge, then proceeding northerly and then easterly along the shore of Forge Pond to a point 240 (two hundred and forty) feet off of the C/L of North Bedford Street (Route 18),
- Then proceeding northerly to a point on the C/L of Water Street,
- Then proceeding along the C/L of Water Street to a point at the intersections of the C/L of Water Street and the C/L of Folsom Avenue,
- Then proceeding northerly along the C/L of Folsom Avenue a distance of 640 (six hundred and forty) feet,
- Then proceeding westerly to a point 240 (two hundred and forty) feet off of the C/L of North Bedford Street,
- Then proceeding northerly along a line 240 feet off of North Bedford Street to a point 200 (two hundred) feet off of the C/L Wildwood Avenue,
- Then proceeding easterly along a line 200 (two hundred) feet off of the C/L of Wildwood Avenue (or Wildwood Avenue extended) a distance of 2000 (two thousand) feet,
- Then proceeding at a 90 (ninety) degree angle northerly a distance of 400 (four hundred) feet,
- Then proceeding westerly along a line 200 (two hundred) feet off of the

C/L of Wildwood Avenue (or Wildwood Avenue extended) to a point on the C/L of North Bedford Street,

- Then proceeding northerly along the C/L of North Bedford Street to a point on the boundary line (extended) of the parcel N/F of the Foxboro Company,

- Then proceeding westerly along said Foxboro Company boundary line to a point 250 (two hundred and fifty) feet from the C/L of North Bedford Street,

- Then proceeding southerly along a line 250 (two hundred and fifty) feet off of North Bedford Street to a point on the C/L of North Water Street,

- Then proceeding southerly along a line 250 (two hundred and fifty) feet off of the C/L of North Bedford Street and 250 (two hundred and fifty) feet off of Old Bedford Street to a point on the shore of Forge Pond,

- Then proceeding along the shore of Forge Pond to the beginning.

(9-5/8/89) B-4 (BUSINESS 4)

AREA DESCRIPTION: (REFER TO MAP EXCERPT 1989.ZM.8)

- Beginning at a point on the C/L (center line) of North Bedford Street (Route 18) 200 (two hundred) feet from the intersection with Wildwood Avenue easterly a distance of 1200 (twelve hundred) feet along a line 200 (two hundred) feet off of Wildwood Avenue (or Wildwood Avenue extended),

- Then proceeding 90 (ninety) degrees southerly a distance of 400 (four hundred) feet to a point 200 (two hundred) feet off of Wildwood Avenue (or Wildwood Avenue extended),

- Then proceeding 90 (ninety) degrees easterly to a point on the thread of Snell's Brook,

- Then proceeding in a generally northerly direction along the thread of Snell's Brook to a point defined by the line drawn 90 (ninety) degrees from the C/L of North Bedford Street at the intersection of the C/L of North Bedford Street and the C/L of Harvard Street,

- Then proceeding along said line (approximately 2400 (twenty four hundred) feet to the C/L of North Bedford Street at the intersection with the C/L of Harvard Street,

- Then proceeding southerly along the C/L of North Bedford Street to the beginning.

(10-5/8/89) B-2 (BUSINESS 2)

AREA DESCRIPTION: (REFER TO MAP EXCERPT 1989.ZM.9)

- Beginning at a point on the C/L (center line) of North Bedford Street (Route 18) at the C/L of the intersection with Harvard Street, northerly along said C/L to a point at the intersection of the C/L of North Bedford Street and the C/L of Highland Street,

- Then proceeding easterly along the C/L of Highland Street to a point line 300 (three hundred) feet from the C/L of North Bedford Street,

- Then proceeding southerly along a line 300 (three hundred) feet from the C/L of North Bedford Street to a point on a line drawn 90 (ninety) degrees off of the C/L of North Bedford Street at the intersection with Harvard Street,
- Then proceeding westerly to the beginning.

(11-5/8/89) I-1 (INDUSTRIAL-1)

AREA DESCRIPTION: (REFER TO MAP EXCERPT 1989.ZM.10)

- Beginning at a point on the C/L (center line) of North Bedford Street (Route 18) at the C/L of the intersection with Highland Street then proceeding northerly to the Whitman Town line,
- Then proceeding northwesterly along the Whitman town line to a point on the C/L of Winter Street,
- Then proceeding southerly along the C.L of Winter Street a distance of 150 (one hundred and fifty) feet,
- Then proceeding easterly approximately 400 (four hundred) feet to a point 3200 (thirty two hundred) feet off of the C/L of North Bedford Street,
- Then proceeding southerly along a line 3200 (thirty two hundred) feet off of the C/L of North Bedford Street to a point made by the intersection of a line drawn 90 (ninety) degrees from the C/L of Highland Street at a point 2480 (twenty four hundred and eighty) feet off of the C/L of North Bedford street,
- Then proceeding along said line to the C/L of Highland Street,
- Then proceeding along the C/L of Highland Street to the beginning.

NOTE: This land under the previous Zoning By-Law was a mix of Industrial and Residence 1 zoned areas.

(23-5/8/89) WATERSHED PROTECTION DISTRICT (A SECOND PARCEL)

"Also, the parcel of land beginning at a point on the center line of Bedford Street at its intersection with the East Bridgewater/Bridgewater Town Line, then northerly along the center line of said Bedford Street to a point at the intersection of the centerline of Bedford Street and the thread of the Matfield River, then Easterly along the thread of said Matfield River, to a point on the East Bridgewater/Bridgewater Town Line then westerly along said East Bridgewater/Bridgewater Town Line to the point of the beginning.

(6-5/21/90) B-3 (BUSINESS 3)

PARCEL DESCRIPTION:

- Starting at a point on the centerline (CL) of West Street (Route 106), at the intersection with the West Bridgewater town line and going in a

northerly direction along said town line a distance of five hundred (500) feet,

- Then continuing easterly (maintaining a distance of five hundred (500) feet from the CL of West Street) to a point on the CL of Laurel Street,
- Then continuing southerly along said CL to a point on the CL of West Street (Route 106),
- Then continuing easterly along said CL to a point on the CL of West Street (Route 106), at the intersection of the current RESIDENCE 3 district,
- Then continuing southerly to a point a distance of five hundred (500) feet along said RESIDENCE 3 district (a straight line),
- Then continuing westerly (maintaining a distance of five hundred (500) feet from the CL of West Street) to a point at the West Bridgewater town line,
- Then continuing northerly along said town line to the starting point.

(7-5/21/90) R-2 (RESIDENCE 2)

PARCEL DESCRIPTION:

- Starting at a point on the CL (centerline) of West Street (Route 106), at the intersection with the CL of Laurel Street, and going in a northerly direction along said CL of Laurel Street to the current R-3 (RESIDENCE 3) district line (a distance of approximately two hundred (200) feet),
- Then continuing easterly along said district line (maintaining a distance of approximately two hundred (200) feet from the CL of West Street) to a point at the intersection of the current R-3 (RESIDENCE 3) district (a distance of approximately one thousand (1,000) feet),
- Then continuing southerly along said district line approximately two hundred (200) feet to a point on the CL of West Street (Route 106),
- Then continuing westerly along said CL to the starting point.

(10-5/21/90) B-3 (BUSINESS 3)

PARCEL DESCRIPTION:

- Starting at a point on the CL (centerline) of Plymouth at the intersection with the CL of South Street,
- Then continuing northwesterly along the CL of said Plymouth Street a distance of four hundred (400) feet,
- Then continuing northeasterly at an angle of ninety (90) degrees a distance of five hundred (500) feet,
- Then continuing southeasterly along a line five hundred (500) feet from the CL of said Plymouth Street to a point on the current R-1 (RESIDENTIAL 1) district line,
- Then continuing southwesterly (ninety (90) degrees to Plymouth Street) one thousand (1,000) feet,

- Then continuing northwesterly along a line five hundred (500) feet from the CL of said Plymouth Street to the CL of South Street,
- Then continuing northeasterly along the CL of South Street to the starting point.

(11-5/21/90) R-1 (RESIDENCE 1)

PARCEL DESCRIPTION:

- Starting at a point four hundred (400) feet north of the CL (centerline) of Plymouth Street (Route 106) (behind the area formerly occupied by the "Hood Plant") and currently the southeastern most point of the I-1 district,
- Then continuing northwesterly along a line four hundred (400) feet off of the CL of said Plymouth Street a distance of approximately one thousand (1,000) feet +/-,
- Then continuing northeasterly at an angle of approximately forty-five (45) degrees to the previous line a distance of approximately eight hundred (800) feet +/-,
- Then continuing southeasterly along a line approximately one thousand (1,000) feet from the CL of said Plymouth Street a distance of approximately four hundred (400) feet +/- to the starting point, being the entire remainder of the contiguous parcel currently zoned I-1 (INDUSTRIAL 1) that is not included in the preceding article (ARTICLE 10).

(12-5/21/90) R-1 (RESIDENCE 1)

PARCEL DESCRIPTION:

- Starting at a point on the CL (centerline) of Plymouth Street (Route 106) at the intersection with the CL of South Street,
- Then continuing northwesterly along the CL of said Plymouth Street a distance of two hundred (200) feet,
- Then continuing southwesterly a distance of two hundred (200) feet to a point two hundred (200) feet off of the CL of South Street and two hundred (200) feet off of the CL line of said Plymouth Street,
- Then continuing southeasterly two hundred (200) feet to a point on the CL of South Street two hundred (200) feet from the CL of said Plymouth Street,
- Then continuing northeasterly along the CL of South Street to the starting point.

being that entire contiguous parcel currently zoned B-3 (BUSINESS 3)

(13-5/21/90) R-1 (RESIDENCE 1)

PARCEL DESCRIPTION:

- Starting at a point on the centerline (CL) of Washington Street at the intersection with the CL of Davenport Road, and going in a northerly direction along said CL of Washington Street approximately three hundred (300) hundred feet +/- to the current R-1 (RESIDENCE 1) zoning district,
- Then, continuing at a ninety (90) degree angle easterly to said Washington Street, to a point a distance of two hundred (200) feet from said CL,
- Then continuing southerly along a line two hundred (200) feet from said CL of Washington Street, to a point on the CL of Davenport Road,
- Then continuing westerly along said CL of Davenport Road to the starting point.

being the entire contiguous parcel currently zoned B-3 (BUSINESS 3).

(14-5/21/90) B-1 (NEIGHBORHOOD BUSINESS)

PARCEL DESCRIPTION:

- Starting at a point on the CL (centerline) of Washington Street at the intersection with the CL of Plymouth Street (Route 106), and going in a northerly direction along said CL of Washington Street approximately six hundred (600) feet +/- to the current R-1 (RESIDENCE 1) district line,
- Then continuing Westerly along said district to a point on the CL of Old Plymouth Street (a distance of approximately two hundred (200) feet +/-),
- Then continuing southerly along the CL of said Old Plymouth Street to a point at the intersection of Plymouth Street (Route 106),
- Then continuing southerly along the CL of said Plymouth Street (Route 106) to the starting point.

being the entire contiguous parcel currently zoned B-3 (BUSINESS 3).

(15-5/21/90) B-1 (NEIGHBORHOOD BUSINESS)

PARCEL DESCRIPTION:

- Starting at a point on the CL (centerline) of Washington Street at the intersection with the CL of Pond Street,
- Then continuing easterly along said CL of Pond Street to the current R-1 (RESIDENCE 1) district (a distance of approximately two hundred (200) feet +/-),
- Then continuing northerly along said R-1 district line to a point approximately three hundred (300) feet +/- from the CL of Pond Street,
- Then continuing westerly along said R-1 district line to the CL of Washington Street,
- Then continuing southerly along the CL of said Washington Street to the starting point.

being the entire contiguous parcel currently zoned B-3 (BUSINESS 3).

(16-5/21/90) R-1 (RESIDENCE 1)

PARCEL DESCRIPTION:

- Starting at a point on the CL (centerline) of Washington Street at the intersection of the CL of Central Street, westerly to the current R-1 (RESIDENTIAL 1) district (a distance of approximately two hundred (200) feet +/-),
- Then continuing southerly along the said R-1 district line a distance of approximately two hundred (200) feet +/-,
- Then continuing easterly along said R-1 district line to a point on the CL of Washington Street (a distance of approximately two hundred (200) feet +/-),
- Then continuing northerly along the CL of Washington Street to the starting point.

being the entire contiguous parcel currently zoned B-3 (BUSINESS 3).

(18-5/21/90) R-1 (RESIDENCE 1)

PARCEL DESCRIPTION:

- Starting at a point on the centerline (CL) of Walnut Street at its intersection with the CL of Central Street, and going in an easterly direction along said CL of Central Street a distance of nine hundred (900) hundred feet +/-,
- Then continuing northerly (at a ninety (90) degree angle to Central Street) to a point a distance of four hundred (400) feet +/- from said CL of Central Street
- Then continuing westerly along a line four hundred (400) feet +/- off of the said CL of Central Street, to a point on the CL of Walnut Street,
- Then continuing southerly along said CL of Walnut Street to the starting point.

being the entire contiguous parcel currently zoned B-3 (BUSINESS 3)

(19-5/21/90) B-3 (BUSINESS 3)

PARCEL DESCRIPTION:

- Starting at a point on the CL (centerline) of Oak Street (Route 14), at its intersection with the CL of Franklin Street (Route 27), and going in a northerly direction along said CL of Franklin Street (Route 27) a distance of one thousand four hundred (1,400) feet,
- Then continuing westerly to the CL of said Oak Street (Route 14) at a

point a distance of one thousand four hundred (1,400) feet, northwesterly of its intersection with said Franklin Street (Route 27), a distance of one thousand (1,000) feet +/-,

- Then continuing southerly along said CL of Oak Street (Route 14) to the starting point.

(20-5/21/90) I-1 (INDUSTRIAL 1)

PARCEL DESCRIPTION:

- Starting at a point on the CL (centerline) of Oak Street (Route 14), at its intersection with the CL of Franklin Street (Route 27), and going in a northerly direction along said CL of Franklin Street (Route 27) to the Hanson town line,

- Then continuing southerly along said Hanson town line to a point on the CL (centerline) of Oak Street, a distance of approximately two thousand seven hundred (2,700) feet +/-,

- Then continuing northerly along said CL of Oak Street to the starting point.

(22-5/21/90) B-3 (BUSINESS 3)

PARCEL DESCRIPTION:

- Starting at a point on the CL (centerline) of Pleasant Street at the intersection with the West Bridgewater town line,

- Then continuing southeasterly along said CL of Pleasant Street to a point at its intersection with the CL of Matfield Street,

- Then continuing southwesterly along said CL of Matfield Street to a point on the West Bridgewater town line,

- Then continuing northerly along said West Bridgewater town line to the starting point.

being the entire contiguous parcel currently zoned I-1 (INDUSTRIAL 1).

(23-5/21/90) B-2 (BUSINESS 2/TRANSITIONAL BUSINESS)

PARCEL DESCRIPTION:

- Starting at a point on the CL (centerline) of Pleasant Street at the intersection with the West Bridgewater town line and continuing northerly along said West Bridgewater town line to a point on the CL of Belmont Street,

- Then continuing northeasterly along said CL of Belmont Street to a point two hundred (200) feet from the intersection of the CL of Pleasant Street and the CL of Belmont Street,

- Then continuing southeasterly along a line two hundred (200) feet from the CL of said Pleasant Street to a point on the CL of Summer Street,

- Then continuing southwesterly along the CL of said Summer Street to a

point on the intersection of the CL of said Summer Street and the CL of said Pleasant Street,

- Then continuing northwesterly along the CL of said Pleasant Street to the starting point.

(23-4-1-91) B-3 (BUSINESS 3)

PARCEL DESCRIPTION:

A certain parcel of land with the buildings thereon situated in East Bridgewater, Plymouth County, Massachusetts, on the southerly side of Plymouth Street and westerly side of South Street, bounded and described as follows:

Beginning at a point in the southerly side of Plymouth Street at the intersection of the westerly line of South Street; thence SOUTH 35 15' WEST by said South Street, one hundred eighty five and 61/100 (185.61) feet to a corner; thence, NORTH 64 7' WEST by land now or formerly of Lloyd Boyden et ux, two hundred twelve and 17/100 (212.17) feet to a corner; thence, NORTH 53 42' 30" EAST by land now or formerly of Wentworth D. Burrell, two hundred seventy-nine and 25/100 (279.25) feet to said Plymouth Street; and thence SOUTH 34 15' EAST by said Plymouth Street, one hundred thirty-one and 44/100 (131.44) feet to the point of beginning. (A. David & Denise Swartz)

(1-2/10/92) R-1 (RESIDENCE 1)

AREA DESCRIPTION:

Beginning at a point on the centerline of Winter Street at a distance of 150 (one hundred and fifty) feet from the Whitman line then proceeding northerly to a point 70 (seventy) feet from the Whitman Town Line.

Then proceeding southeasterly approximately 420 (four hundred and twenty) feet to a point 3,200 (three thousand, two hundred) feet off of the centerline of North Bedford Street.

Then proceeding southerly approximately 73 (seventy-three) feet along a line 3,200 (three thousand, two hundred) feet off of the centerline of North Bedford Street.

Then proceeding westerly approximately 400 (four hundred) feet to the beginning. (John English representing Hubert Hall)

(6-4/5/93) B-4 (BUSINESS 4)

Voted to amend the current EAST BRIDGEWATER ZONING MAP by changing the zoning district designation of the following described parcel from the current designation of R-1 (Residence 1) to a new designation of B-4 (Business 4):

Beginning on the westerly line of the old railroad right-of-way on the line drawn 90 (ninety degrees) from C/L of North Bedford Street at the intersection of the C/L of North Bedford St. and the C/L of Harvard Street, thence along said first line to the intersection of the C/L of North Bedford St. and the C/L of Harvard St., a distance of about 1030 Ft., thence, northeasterly along the C/L of Harvard St. a distance of about 75 ft. to a line parallel to the first line described, being 90 (ninety degrees) from the C/L of North Bedford St. at the intersection of the C/L of North Bedford St. and the C/L of Harvard St. This parallel line being about 65 ft. offset from the first line and extending in an easterly direction to the old railroad right-of-way for a distance of about 1015 ft., thence southerly along the westerly side of the old railroad right-of-way to the point of beginning, a distance of about 68 ft.

(18-4/1/96) R-1 (RESIDENCE 1)

Voted (AS AMENDED) to adopt the following amendment to the Zoning By-Laws of the Town of East Bridgewater:

Zoning Map Change

To amend the current EAST BRIDGEWATER ZONING MAP by changing the zoning designation of the following described parcel from the current designation of I-1 (Industrial 1) to a new designation of R-1 (Residence 1):

Beginning at a point which is defined as the intersection of the southerly boundary of plot 8 Assessors map 101 and a line drawn at 90 (ninety degrees) to the center line of Highland Street at a distance of 2,480 ft. west of its intersection with the centerline of North Bedford Street.

Thence proceeding northwesterly along said line drawn at 90 (ninety degrees) to the centerline of Highland Street to its intersection with a line which is 3,200 ft. from and parallel to the C/L of North Bedford Street.

Thence proceeding northerly along said line which is 3,200 ft. from and parallel to the C/L of North Bedford Street to its intersection with the easterly boundary line of plot 3 on Assessor's map 110.

Thence proceeding southerly along said easterly boundary line of plot 3 on Assessor's map 110 to the southeast corner of plot 3, being the northeast corner of plot 8 on Assessor's map 101.

Thence continuing southerly by the easterly boundary of said plot 8 to the southeast corner of said plot 8.

Thence proceeding southwesterly and westerly by the southerly boundary of said plot 8 to the point of beginning.

(18-4/6/98) R-2 (RESIDENTIAL 2)

Voted to amend the current East Bridgewater Zoning Map and the East Bridgewater Zoning By-Law by changing the zoning of the following described parcel of land on Old Plymouth Street from R-1 (Residential-1) to R-2 (Residential-2) containing 51,096 s.f., district being more particularly bounded and described as follows:

A certain parcel of land on Old Plymouth Street being more particularly bounded and described as follows:

Begin at the southwest corner of the described premises in the Easterly line of Old Plymouth Street; thence run N38 degrees 19'00"W by said line of Old Plymouth Street Three Hundred Ninety Five and 04/100 (395.04') feet to a point of curvature; thence run through a curve to the right having a radius of Three Hundred Seventy Three and 01/100 (373.01') feet for a arc length of Sixty Six and 02/100 (66.02') feet by said Easterly line of Old Plymouth Street to a point; thence run N 86 degrees 11'40"E by land nor or formerly of James C. & John S. & John S. Marble One Hundred Ninety Five and 90/100 (195.90') feet to a point; thence run S 22 degrees 13' 11"E One Hundred Twenty One and 96/100 (121.96') feet to a point; thence run S 22 13' 12" Two Hundred Sixty Six and 29/100 (266.29') feet to a point, the previous Two (2) courses of land now or formerly of Hillcrest condominiums various owners" and now or formerly of Robert W. & Maureen E. Bouffard; then run S 73 degrees 02' 19" W by land now or formerly of said Bouffard's Sixty Four and 00/100 (64.00') feet to the point of beginning.

(23-10/30/2000) (DISTRICT B-2 (BUSINESS 2)

Voted to amend the current East Bridgewater Zoning Map by changing the zoning of the following described parcel from DISTRICT B-4 (BUSINESS 4) to DISTRICT B-2 (BUSINESS 2).

A certain parcel of land depicted on a plan entitled "REZONING

APPLICATION PLAN FOR MAP 81, LOT 34 AND 35 AND 33 WILDWOOD AVE. AND FOLSOM AVE. East Bridgewater, MASS." by Michael J. Koska & Associates dated 9/11/00. The parcel is bounded and described, according to said plan, as follows:

Beginning at a point at the southeast corner of the parcel near Snell Meadow Brook; then proceeding:

NORTH 02 38'37' EAST	568 feet +/-; thence
NORTH 03 21'22' East	301.44 feet; thence
NORTH 01 15'07" East	70.99 feet; thence
NORTH 03 10'19" East	171.50 feet; thence
SOUTH 63 37'15" WEST	79.56 feet; thence
NORTH 13 07'15" East	266.45 feet; thence
NORTH 03 52'52" East	338.78 feet to a point; thence
SOUTH 51 52'25" WEST	1036.7 feet +/-; thence
SOUTH 58 East	580 feet +/- by the boundary of the B2 zone; thence
SOUTH 32 WEST	483 feet +/- by the boundary of said B2 zone thence
SOUTH 58 East	602 feet +/- by the boundary of the R2 zone to the point of beginning.

(29-10-20-2003)

(DISTRICT INDUSTRIAL (I))

ARTICLE 29 - Voted to rezone the property shown on the Assessors Map 1, Parcel 6, containing 9.73 acres from Residential 1 (R-1) to Industrial (I), the complete description is as follows:

A certain parcel of land situated on the northerly side of Plymouth Street in the Town of East Bridgewater, Plymouth County, Commonwealth of Massachusetts and being bounded and described as follows:

Beginning at the southwesterly corner of said parcel of land at a concrete bound set in the northerly sideline of said Plymouth Street,

Thence running N8°25'16" W for a distance of two hundred fifty feet (250') to a concrete bound;
Thence running N 15° 55'16" W for a distance of three hundred feet (300') to a concrete bound;
Thence running N 60° 55' 16" W for a distance of two hundred feet (200') to a concrete bound;
Thence running N 0° 25' 16" W for a distance of four hundred twenty feet (420') to a concrete bound;
Thence running N 34° 34' 44" E for a distance of four hundred eighty-seven and 96/100 feet (487.96') to a concrete bound;

Thence continuing in the same direction about twelve feet (12') to the shore of Robbins Pond Reservoir, being the line of division between said parcel of land and land, now or formerly, of Cranberry Associates;

Thence running generally easterly by said shore and said land of Cranberry Associates to the Town Line between said Town of East Bridgewater and the Town of Halifax;

Thence running generally southerly along said Town Line for a distance of one thousand five hundred feet (1,500'), more or less, to said northerly sideline of Plymouth Street and to a County Highway Bound on said Town Line;

Thence running N 88° 13' 06" W on said northerly sideline of Plymouth Street for a distance of forty-nine and 67/100 feet (49.67') to a County Highway Bound;

Thence running N 84° 46' 21" W on said northerly sideline of Plymouth Street for a distance of one hundred fifty feet (150') to the concrete bound at the point and place of beginning.

Said parcel contains 9.73 acres of land, be the same more or less.

(7-5-10-2004) {R-1 (RESIDENTIAL 1)}

ARTICLE 7 Voted to adopt the following amendment to the Zoning By-Laws of the Town of East Bridgewater:

To amend the current East Bridgewater zoning Map by changing the zoning description of the following described parcel as shown on Assessor's Map 82, Plots 13 and 56 from the current designation of I-1 (Industrial 1) to a new designation of R-1 (Residence 1):

To a point along the Starting at a point by the centerline of Grove Street located a distance of 200 ft. west of the centerline of Grove Circle and the intersection of Grove Street and northerly 200 ft. from the centerline of Grove Street to the current boundary line between R-1 and I-1.

Thence proceeding northerly along the boundary line an approximate distance of 52 ft. to the property corner of Plot 13.

Thence proceeding northwesterly along the boundary line approximately 36 ft. to a corner of Plot 13.
 Thence proceeding northeasterly along the boundary line approximately 542 ft. to the northeast corner of Plot 13.
 Thence proceeding northwesterly along the boundary line approximately 346 ft. to the northwest corner of Plot 13.
 Thence proceeding southeasterly along the boundary line approximately 103 ft. to a point.
 Thence proceeding southeasterly along the boundary line approximately 140 ft. to a point.
 Thence proceeding southeasterly along the boundary line approximately 65 ft. to a point.
 Thence proceeding southwesterly along the boundary line approximately 222 ft. to a point.
 Thence proceeding southeasterly along the boundary line approximately 15Ft. to the boundary line between R-1 and I-1.
 Thence proceeding northeasterly along the boundary line between R-1 and I-1 across Plot 56 and Plot 13 of Assessor's Map 82 back to the point of beginning.

(23-12-18-2006) B-4 (BUSINESS 4) TO B-2 (BUSINESS 2)

ARTICLE 23 - Voted to authorize the rezoning of a portion of Assessors Map 80, Lot 2 from B-4 (Business 4) to B-2 (Business 2), a certain parcel of land as shown on a Plan entitled "Proposed Rezoning Plan of East Bridgewater, MA prepared for Brown Bush Realty Trust dated June 9, 2006 by Land Planning, Inc.". The parcel is bounded and described according to said Plan as follows:

Beginning at a point at the northwesterly corner of the parcel; then proceeding:

North 51)	52'25" East	320 feet; ± thence
North 67)	00'06" East	250.68; thence
South 04)	38'27" West	1475.00 feet; thence
South 53)	35'59" West	92.40 feet; thence
North 85)	43'24" West	335.00 feet; thence
North 02)	38'37" East	110.24 feet by the boundary of the B2 zone; thence
North 03)	21'22" East	154.88 feet by the boundary of the B2 zone; thence
North 03)	21'22" East	145.66 feet by the boundary of the B2 zone; thence
North 01)	15'07" East	70.99 feet by the boundary of the B2 zone; thence
North 03)	10'19" East	171.50 feet by the boundary of the B2 zone; thence

South 63) 37'15" West 79.59 feet by the boundary of the B2 zone;
thence
North 13) 07'15" East 266.45 feet by the boundary of the B2 zone;
thence
North 03) 52'52" East 338.78 feet by the boundary of the B2 zone;
to be point of beginning.

(25 - 6-6-2011) R-1 (RESIDENTIAL 1) to B-3 (BUSINESS 3)

ARTICLE 25 - Voted to amend the current East Bridgewater Zoning Map by changing the zoning designation of the following described parcel from the current designation of R-1 (Residential 1) to a new designation of B-3 (Business 3):

Beginning at a point on the current B-3 (Business 3) northwesterly district line, said point being ninety (90) degrees and a distance of three hundred and eighty-eight and 75/100 (388.75) feet from the CL (centerline) of Plymouth Street,

Thence proceeding North 71 degrees 6' 52" West a distance of one hundred and thirty-four and 46/100 (134.46) feet to a property corner of Plot 21 as shown on Assessor's Map 29,

Thence proceeding North 0 degrees 50' 44" East a distance of one hundred and ninety-eight and 53/100 (198.53) feet to a property corner of Plot 21,

Thence proceeding South 80 degrees 10' 49" East a distance of three hundred and seventy-four and 20/100 (374.20) feet to a capped iron rod set on the property corner of Plot 21,

Thence proceeding North 84 degrees 37' 11" East a distance of two hundred and twenty-eight and 99/100 (228.99) feet to a point eight hundred and fifty (850) feet from the CL of Plymouth Street,

Thence proceeding southwesterly in two courses along a line eight hundred and fifty (850) feet from the CL of Plymouth Street a distance of six hundred and seventy-nine and 90/100 (679.90) feet to a point made by the intersection of a line drawn ninety (90) degrees from the CL of Plymouth Street,

Thence proceeding southwesterly (ninety (90) degrees to the CL of Plymouth Street) a distance of three hundred and fifty (350) feet to a point being the northeast corner of the current B-3 (Business 3) district line,

Thence proceeding northwesterly along a line five hundred (500) feet from

the CL of Plymouth Street, said line being the current northerly B-3 (Business 3) district line, to a point being the northwest corner of the current B-3 (Business 3) district line,

Thence proceeding southwesterly along the current B-3 (Business 3) district line to the point of beginning.

(32 - 6/3/2013)

ARTICLE 32 - Voted to revise the Town of East Bridgewater Zoning Map, by changing the current East Bridgewater Zoning Map Zoning District designations from R-1 (Residence 1), to B-3 (Business 3) for additional parcels of land numbered per the East Bridgewater Assessor's maps as parcels 62-122, 63-50, 63-51, a portion of 63-49, and a portion of 63-123, at the location of TJ Smith's Restaurant (located at North Central and Cross Streets).

(42 - 6/2/2014)

ARTICLE 42 - Voted to revise the Town of East Bridgewater Zoning Map, by changing the current East Bridgewater Zoning Map Zoning District designations from I (Industrial), to R-1 (Residential) for the following parcels of land numbered per the East Bridgewater Assessor's MAP 120, Parcel 3 and MAP 110, Parcels 6 and 7, (located off Winter and Highland Streets).

(27 - 6/1/2015)

ARTICLE 27 - voted to revise the Town of East Bridgewater Zoning Map, by changing the current East Bridgewater Zoning Map Zoning District designations from I (Industrial) to R-1 (Residential-1) for those portions of the following parcels of land located between Winter and North Bedford Streets and between 3000 feet and 2000 feet as measured 90 degrees from the centerline of North Bedford Street, (Route 18) and having East Bridgewater Assessor's Map parcel numbers: Map 119, parcel 1; Map 120, parcel 1, and as shown on plan drawn by Civil Environmental Consultants dated 27/02/2015.

(34 - 11/9/2015)

ARTICLE 34 - Voted to revise the Town of East Bridgewater Zoning Map, by changing the current East Bridgewater Zoning Map Zoning District designation from R-1 (Residence 1) zoning district to M (Municipal) zoning district as follows:

PROPOSED ZONING MAP CHANGE

To rezone the parcel(s) of land owned by the Town of East Bridgewater, being Assessor's Map 19, Parcel 2 containing 67 acres of land more or less, and identified as 877 Bridge Street, the location of the former Town of East Bridgewater Sanitary Landfill, and currently the location of the Town of East Bridgewater Recycling Center from the current R-1 (Residence 1) zoning district, to M (Municipal) zoning district.

(7 - 10/30/2017)

ARTICLE 7 - Voted to amend the Zoning Bylaws of the Town of East Bridgewater by adding a new Zoning Bylaw Section 14 as follows:

Section 14 - Marijuana Not Medically Prescribed

Consistent with G.L. c. 94G sec. 3(a)(2), all types of marijuana establishments as defined in G.L. c. 94G, Section 1(j), to include all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers or any other type of licensed marijuana-related businesses, shall be prohibited within the Town of East Bridgewater.