

SECTION 3.0 USE REGULATIONS

3.1 PRINCIPAL USES.

3.1.1 Applicability of Use Regulations. Except as provided by law or in this By-law in each district no building, structure, or land shall be used or occupied except for the purposes permitted as set forth in the accompanying Table of Use Regulations. Any use not listed shall be construed to be prohibited.

3.1.2 Permitted Uses. In the following Table of Use Regulations the uses permitted by right in the district shall be designated by the letter (Y). Uses designated (N) shall not be permitted in the district. Those uses that may be permitted by special permit in the district, in accordance with Section 10.5, shall be designated by identification of the Special Permit Granting Authority, which is either: ZBA Zoning Board of Appeals PZB Planning & Zoning Board BOS Board of Selectmen

3.1.3 Uses Subject to Other Regulations. Uses permitted by right or by special permit shall be subject, in addition to use regulations, to all other provisions of this By-Law.

3.1.4 Table of Use Regulations. See Appendix A- Table of Use Regulations which is declared to be part of this By-Law.

3.2 ACCESSORY USES.

3.2.1 Accessory Uses; All Districts. The following accessory uses are specifically permitted in all districts as of right or by special permit. See Table of Use Regulations. 1. Temporary Construction Trailers. The Building Commissioner may grant a temporary occupancy permit for temporary buildings and trailers during building construction where reasonably required for such construction. Such permit may be issued for an initial period of not more than one year. Permits may be renewed by the Building Commissioner for successive periods of not more than one year each. 2. Accessory Scientific Uses. Uses, whether or not on the same parcel as activities permitted as a matter of right, which are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit by the Board of Appeals, provided that the Board finds that the proposed use does not substantially derogate from the public good. 3. Family Day Care Homes. Small and large family day care homes are allowed as set forth in the Table of Uses. 4. Adult Day Care Homes. Adult day care homes are allowed as set forth in 3-2 the Table of Uses.

3.2.2 Accessory Uses in the Residence Districts. The following provisions shall apply to accessory uses and structures in the Residence Districts: 1. Boarders. Up to three (3) boarders are allowed as an accessory use. 2. Miscellaneous. Kennels; Contractor's yard for the storage of building materials or equipment; the storage or keeping of commercial landscaping equipment, materials, supplies, or piles; and commercial auto repair or service are prohibited in the Residence Districts.

3.2.3 Accessory Uses in the Business and Industrial Districts. In the Business and Industrial Districts, any use permitted as a principal use is also permitted as an accessory use provided such use is customarily incidental to the main or principal building or use of the land. Any use authorized as a principal use by special permit may also be authorized as an accessory use by special permit provided such use is customarily incidental to the main or principal building or use of the land.

4.1 GENERAL REGULATIONS.

4.1.1 Conformance Required. No building or structure shall be built or shall any existing building or structure be enlarged except in conformance with the regulations of this By-law as to lot coverage, lot area per dwelling unit, lot width, front, side and rear yards, and maximum height of structures, in the districts as set forth below except as may otherwise be provided elsewhere in this By-law.

4.1.2 Table of Dimensional and Density Regulations. See Appendix B, Table of Dimensional Regulations which is declared to be part of this By-Law.

4.2 SPECIAL REGULATIONS.

4.2.1 Distance Between Buildings. Except in the Queset Commercial District, and except in the case of an approved Planned Business Development and/or Planned Industrial Development, if more than one building (other than a one, two or three-car garage, a tool-shed, a greenhouse or a cabana) may lawfully be placed on any lot in single or common ownership, the distance between the nearest parts of such buildings shall be not less than forty (40) feet.

4.2.2 Frontage Required. No building shall be erected except on a lot fronting on a street, and there shall be not more than one principal building on any lot except that there may be two buildings on a lot subject to the provisions of Section 8.0.

4.2.3 Computation of Lot Area. 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 requirements of this By-law even though the fee to such land may be in the owners abutting lots.

4.2.4 Multiple Uses. In cases of multiple uses, the regulation for each use shall apply to the portion of the building or land so used. A multiple use of a premises for a residential and a business purpose in a business zone may be permitted subject to the foregoing and site plan submission and approval by the Planning & Zoning Board under Section 10.6.

4.2.5 Side Lot Line. In no case shall a side lot line be created that the mean direction shall form an angle of less than seventy-five (75) degrees with the street line for a distance of 100 feet except where the side lot line intersects the arc of a cul-de-sac or turnaround, in which case the Planning & Zoning Board may waive the requirement.

4.3 ACCESSORY STRUCTURES.

4.3.1 Attached Garage. A garage or carport attached to any side of a dwelling and constructed as a part of the dwelling shall be considered as a part of the dwelling and shall meet all requirements for front, side, or rear yards, and height of structure which apply to the dwelling.

4.3.2 Storage Structure. A residential storage structure may be located to within five (5) feet of a side or rear lot line, while a detached residential garage shall be located a minimum of fifteen (15) feet from a side yard and twenty (20) feet from the rear lot line.

4.3.3 Certain Buildings. Tool sheds, garden sheds, storage sheds, garages, or other like buildings shall be allowed as accessory uses in the Residence Districts subject to the dimensional requirements in Section 4.3.