

**ARTICLE V  
Use Regulations**

~ 171-15. Explanation of Table of Use Regulations.

A. Except as provided by law or in this chapter, no building, structure or land shall be used or occupied for any purpose or in any manner other than one or more uses as set forth in the accompanying Table of Use Regulations, ~ 171-16. Any use not listed shall be construed as to be prohibited.

B. A use listed in ~ 171-16 is permitted as of right in any district under which it is marked with a letter "P," subject to all applicable provisions of this chapter.

C. A use designated in ~ 171-16 with the letters "SP" may be permitted by a special permit from the special permit granting authority subject to such restrictions as are set forth in this chapter. The abbreviations under the column heading "SPGA" (special permit granting authority) shall mean the following:

PB -- Planning Board.

SM -- Board of Selectmen.

SPGA -- Special permit granting authority.

D. All uses permitted as of right or by special permit are subject to all applicable provisions of this chapter, including floodplain restrictions, off-street parking and loading requirements, sign regulations and the Board of Health regulations, and also to all applicable laws and regulations.

~ 171-16. Table of Use Regulations.

The Table of Use Regulations shall be as follows:

Permitted Use	Zoning District <sup>1</sup>										Special Requirements		
	R-1-A	R-1-B	R-2	R-3	R-4	B	DBP	B-1	B-2	B-2A		I, I-2	WTOD
A. Residential uses													
(1) Dwelling, 1-family [Amended 5-16-2005]	P	P	P	P	P	P		P	P	P	SP		SM

<sup>1</sup> Editor's Note: The Downtown Business B District was created pursuant to 6-1-1992 ATM, Art. 10. It was included in this Table of Use Regulations at the direction of the Town. The I-2 District was added to this table 5-7-2001 ATM, Art. 30. The DBP District was added to this table 5-7-2001 ATM, Art. 33. The WTOD District was added to this table 5-17-2004 ATM, Art. 17.

	ATM, Art. 18]												
(2)	Dwelling, 2-family [Amended 5-16-2005 ATM, Art. 19]	SP	SP	SP	SP	SP	P <sup>2</sup>		P <sup>7</sup>	P <sup>7</sup>	P <sup>7</sup>	SP	SM ~ 171-75 and 171-79
(3)	Dwelling, multifamily [Amended 5-7-2001 ATM, Art. 30]				SP		SP		SP	SP	SP <sup>3</sup>		SM ~ 171-76
(4)	Lodging house or tourist home for transient guests [Amended 5-22-1995 ATM, Art. 22]	SP	SP	SP	SP	SP	SP		SP	SP	SP		SM ~ 171-69
(5)	Housing for the elderly					SP	SP		SP	SP			SM ~ 171-77
(6)	Trailer or mobile home	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SM ~ 171-71
(7)	Trailer or mobile home park	SP	SP	SP	SP		SP		SP		SP		SM ~ 171-71
(8)	Planned unit residen- tial development (PURD)	SP	SP	SP	SP	SP	SP		SP	SP	SP		SM ~ 171-78
(9)	Cluster development [Amended 5-4-1989 ATM, Art. 28]				SP		SP			SP	SP		PB ~ 171-79
(10)	Mixed use [Added 5-3-1999 ATM, Art. 31]						SP	SP	SP	SP	SP		SM ~ 171-76.2 and any other zoning requirement

B. Community educational and recreational uses

(1)	Churches or other places of worship, Sunday school buildings, parish houses or other religious educa- tional buildings	P	P	P	P	P	P		P	P	P	P	
(2)	Educational facilities												
(a)	Educational use on land owned or leased by the com- monwealth or by any of its agencies, subdivisions or bodies politic or by a religious sect or denomination or by a nonprofit educational corporation	P	P	P	P	P	P		P	P	P	P	
(b)	Private schools and other educational uses, including group residences				SP		SP	SP		SP	SP	SP	SM ~ 171-39

<sup>2</sup>NOTE: Dimensional and lot size requirements and other conditions as set forth in ~ 171-75A and D shall apply even where the use is permitted by right.

<sup>3</sup>NOTE: Multifamily dwellings may be permitted by special permit in the I-2 Zone. Multifamily dwellings shall not be permitted in the I Zone.

not regulated in  
Subsection B(2)(a)  
above

(3) Public libraries, public museums and municipal buildings	P	P	P	P	P	P	P	P	P	P	
(4) Municipal parks and playgrounds, including recreational buildings therein	P	P	P	P	P	P	P	P	P	P	
(4a) Community center operated by a municipal or private not-for-profit organization, including indoor and/or outdoor facilities such as playgrounds, gym, swimming pool, exercise rooms, recreational areas, meeting rooms, food service, and similar compatible uses as determined by the SPGA during the special permit approval process [Added 5-5-1997 ATM, Art. 3]	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SM
(5) Cemeteries			SP		SP						SM
(6) Clubhouses or fraternal lodges not conducted for profit	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SM
(7) Hospitals, sanitariums, nursing or convalescent homes or philanthropic institutions, provided that no principal building so used shall be within 50 feet of any lot line			SP		SP	SP		SP	SP	SP	SM
(8) Golf or country clubs			SP		SP				SP	SP	SM
(9) Commercial amusements, fairgrounds [Amended 5-5-1997 ATM, Art. 3]						SP		SP		SP	SM
(10) Riding stables, provided that any buildings or structures are set back not less than 50 feet from any lot line			SP		SP	SP		SP	SP	SP	SM
(11) Ski tows, provided that any buildings or structures are set back not less than 50 feet from any lot line			SP		SP	SP		SP		SP	SM
(12) Summer camps operated for children on sites			SP		SP				SP		SM

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	ATM, Art. 29] <sup>4</sup>								
(5)	Retail stores and shops for custom work or making of articles sold on the premises, provided that any manufacturing or fabrication is a light manufacturing operation incidental to retail or service use and involves products customarily sold on the premises by the producer to the customer	P		P	SP	P		SM	
(6)	Restaurants and other places for serving food, other than fast-food eating establishments [Amended 5-5-1997 ATM, Art. 29]	P		SP	SP	SP	SP	SM	~ 171-74J
(6a)	Fast-food eating establishments [Added 5-5-1997 ATM, Art. 29]	SP			SP			SM	~~ 171-74G and 171-74M
(7)	Motels or overnight cabins for automobile tourists	SP			SP		SP	SM	
(8)	Hotels [Amended 5-6-2002 ATM, Art. 30]	SP			SP	SP	SP	SM	~ 171-18, Footnote 10
(9)	Place of business of a barber, caterer, clothes cleaner and presser, confectioner, decorator, dressmaker, electrician, florist, furrier, hair dresser, hand launderer, manicurist, news dealer, milliner, optician, painter, paperhanger, pastrycook, photographer, printer, publisher, shoe maker, shoe repairer, shoe shiner, tailor or undertaker and similar compatible	P			P		P		

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<sup>4</sup>Editor's Note: The Special Permit Granting Authority will be the Board of Selectmen.

uses as determined  
in specific instances  
by the Board of  
Selectmen through  
the process of  
Article X of this chapter

(10) Place of business of a blacksmith, baker, builder, carpenter, contractor, dyer, mason, plumber, roofer, tinsmith or upholsterer; and similar compatible uses as determined in specific instances by the Board of Selectmen through the process of Article X of this chapter		P			P			P		
(11) Garages, public		SP			SP			SP	SM	~ 171-74A
(11a) Commercial parking lots [Added 5-7-2001 ATM, Art. 33]		SP	SP		SP			SP	SM	
(12) Gasoline service stations		SP			SP			SP	SM	~ 171-74A
(13) Lumberyards and fuel storage and sales										
(a) Lumberyards		SP			SP			SP	SM	
(b) Fuel storage and sales, excluding gasoline stations		SP			SP			SP	SM	
(14) Motor vehicle sales rooms, including used car lots		SP			SP			SP	SM	
(15) Greenhouses, commercial, provided that no heating plant for a greenhouse shall be within 50 feet from any side or rear lot line	P		P	P		P	P	P	P	
(16) Institutional administrative offices or planned professional office developments or research centers, provided that in R-2 and R-4 Districts such uses are subject	SP		SP	SP		SP	SP	SP	SM	~ 171-74D

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District, and the initial personal wireless service facility located upon that tower or structure [Added 5-5-1997 ATM, Art. 24; amended 5-17-2004 Art. 17]

- (9) Low-power FM broadcast radio licensed by FCC [Added 3-16-2004 STM, Art. 7]

(a) Studio P P P P P  
 (b) Antenna SP SP SP SP SP SP SP SP SP SP SM ~ 171-119

- (10) (Reserved)

- (11) A second or subsequent personal wireless service facility upon an existing permitted personal wireless tower or structure as a principal (or accessory) use in the Overlay District [Added 5-17-2004 ATM, Art. 17] P ~ 171-127

F. Industrial, manufacturing and storage uses

- (1) Contractors' yards SP SM
- (2) Gravel, loam, sand and stone removal for commercial purposes SP SP SP SP SM ~ 171-74C
- (3) Light manufacturing SP SM ~ 171-38
- (4) Saw (log) mill and manufacture of forest products, provided that:
  - (a) Any saw (log) mill shall be located at least 200 feet from any lot line; and
  - (b) No piles of sawdust or other refuse shall be maintained within 100 feet of any lot line
- (5) Sewage disposal plants P
- (6) Municipal sanitary landfill method of waste disposal P P P P P P ~ 171-72

G. Accessory uses

- (1) Any structure or use customarily incidental and subordinate to the principal permitted use P P P P P P P P P P ~ 171-35 and 171-70

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	in the district											
(2)	Home occupation (low impact) [Amended 5-4-1998 ATM, Art. 29]	P	P	P	P	P	P	P	P	P		~ 171-35
(3)	Home occupation (moderate impact) [Amended 5-4-1998 ATM, Art. 29]	SP	SP	SP	SP	SP	SP	SP	SP	SP	SM	~ 171-35
(4)	Private garage or off-street parking for private automobiles registered at the premises	P	P	P	P	P	P	P	P	P		
(5)	Stripping of sod or re- moval of topsoil, gravel, loam, sand, stone or other earth materials when incidental to or required in connection with any of the following operations:	P	P	P	P	P	P	P	P	P		
	(a) Erection of a building or structure on a lot for which a permit been properly issued											
	(b) Construction of a road in an approved subdivision											
	(c) In connection with the grading of a premises not below the level of adjoining streets and in such a way as not to leave exposed boulders											
(6)	Keeping of horses, for whatever purpose, subject to Board of Health regulations and only on lots of 5 acres or more [Amended 5-15-2006 ATM, Art. 15]	P	P	P	P	P	P	P	P	P		
(7)	Swimming pools, in- ground or aboveground Pool must be surrounded by a continuous fence having a minimum of 4 feet height and with a	P	P	P	P	SP	SP	SP	SP	SP	SM	~ 171-35B

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gate that can be locked;  
 so designed and built to  
 restrain entry by  
 unauthorized persons.  
 [Amended 5-2-1988 ATM,  
 Art. 5]

- |     |  |    |    |    |    |    |    |    |    |    |    |    |           |
|-----|--|----|----|----|----|----|----|----|----|----|----|----|-----------|
| (8) | An accessory use to a<br>by-right use, whether<br>or not on the same<br>parcel, which is<br>necessary in conjunction<br>with scientific research<br>or development or<br>related production, pro-<br>vided that the Board of<br>Selectmen finds that the<br>proposed accessory use<br>does not substantially<br>derogate from the public<br>good | SP | SP | SP | SP | SP | SP | SP | SP | SP | SP | SM | ~ 171-35B |
| (9) | Windmill as alternative<br>source of energy  | SP | SP | SP | SP | SP | SP | SP | SP | SP | SP | SM |           |

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