

HAMILTON ZONING BYLAW
12.5.15
USE TABLE

<u>Use</u>	<u>R-1a</u>	<u>R-1b</u>	<u>R-A</u>	<u>B</u>
A. RESIDENTIAL				
1. One single family detached dwelling	Y	Y	Y	Y
Rooming or boarding house with not over four lodgers	Y	Y	Y	Y
2. Conversion for Temporary Additional Living Area	BA	BA	BA	BA
3. Conversion of a one-family dwelling existing at the time of the adoption of the ordinance (1954) into a two-family dwelling	BA	BA	BA	BA
4. Accessory Apartments or Accessory Apartment on Large Lot	BA	BA	BA	BA
5. Open Space and Farmland Preservation Development	PB	PB	PB	N
6. Senior Housing	PB	PB	PB	PB
7. Assisted living residence	BA	BA	BA	N
8. Bed and breakfast	BA	BA	BA	N
9. Nursing or convalescent home	BA	BA	BA	N
B. COMMUNITY FACILITIES				
Church, parish house, religious or denominational school	Y	Y	Y	Y
1. Use of land or structures for religious purposes	Y	Y	Y	Y
2. Museums, libraries and parks, playgrounds, conservation areas, water supply areas and other land owned and operated for the public enjoyment or service by a public or semi-public agency	Y	Y	Y	Y
Public and private schools and colleges on land owned or leased by a non-profit educational corporation	Y	Y	Y	Y
3. Use of land or structures 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 nonprofit educational corporation	Y	Y	Y	Y
4. Hospital, clinic, sanitarium, nursing home , cemetery, and camps of educational and charitable institutions	BA	BA	BA	BA
5. Community or private club, not conducted for profit	BA	BA	BA	BA
6. Nonprofit civic and fraternal building	N	N	N	Y
7. Child care center or school aged child care program	Y	Y	Y	Y

<u>Use</u>	<u>R-1a</u>	<u>R-1b</u>	<u>R-A</u>	<u>B</u>
Golf, tennis, swimming, riding, polo, skiing, skating, and all other athletic and recreational activities, provided that special events or new or extended use, where charges or admission fees are required shall be subject to a special permit with appropriate limitations from the Board of Selectmen as provided in Paragraph 11(h) of this Section	Y	Y	Y	Y
8. Commercial recreation, outdoors				
9. Temporary use for amusements and recreation	BS	BS	BS	BS
10. Municipal, state or federal governmental buildings or facilities	N BA	N BA	N BA	Y
Use of land for a public utility	N	N	N	Y
11. Essential Services				
C. AGRICULTURAL				
1. Agriculture, horticulture and floriculture, including gardens, riding stables, growing and storing of fruits, berries, vegetables, hay, fodder and ensilage; woodlots, forestry and greenhouse on parcel five acres or more or two qualified acres	Y	Y	Y	Y
2. For properties under five acres in size or less than 2 qualified acres, the raising or keeping of poultry, horses, or cows, for other than the use of the occupants of the residence, or riding stables; and for any size property, for any maintenance of dog kennels	BA	BA	BA	BA
D. COMMERCIAL				
1. Adult Entertainment Uses	N	N	N	BA
2. Motor vehicle or boat Automobile salesroom	N	N	N	BA
3. Business or professional office; bank or financial institution	N	N	N	Y
4. Communication Towers and Telecommunication Antenna Facilities	BA	BA	BA	
5. Kennel	BA	BA	BA	BA
6. Funeral homes	N	N	N	BA
7. Garage space for more than four motor vehicles automobiles	BA	BA	BA	
Gasoline	N	N	N	Y
8. Motor Vehicle Light Service Station				
9. Manufacture of products sold on the premises at retail, where no more than five operators are employed in such	N	N	N	BA

<u>Use</u>	<u>R-1a</u>	<u>R-1b</u>	<u>R-A</u>	<u>B</u>
manufacture				
10. Rail or Bus Station or terminal	N	N	N	BA
11. Repair shop for motor vehicles automobiles appliances and other light equipment	N	N	N	BA
12. General service establishment	N	N	N	Y
13. Personal service establishment	N	N	N	Y
14. Restaurant or other place for serving food	N	N	N	Y
15. Restaurant, fast food	N	N	N	BA
16. Retail store or service establishment	N	N	N	Y
17. Veterinary office or clinic				
18. Wind energy conversion systems	BA	BA	BA	BA
19. Drive-in or drive-through facility	N	N	N	BA
E. ACCESSORY				
1. Up to three boarders in a single family home	Y	Y	Y	N
2. Customary home occupation conducted in a dwelling or building accessory thereto by a person residing on the premises	Y	Y	Y	Y
3. Accessory uses on the same lot with and customarily incidental to a permitted main use on the same premises	Y	Y	Y	Y
4. Uses, whether or not on the same parcel as activities permitted as a matter of right, accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production	BA	BA	BA	BA
5. Parking area or garage for use of employees, customers or visitors	N	N	N	Y
6. Electric charging station, Level Two	Y	Y	Y	Y
7. Family day care home, large	BA	BA	BA	BA
8. Family day care home, small	Y	Y	Y	Y
9. Adult social day care	BA	BA	BA	BA

Assisted Living Residence: A residential development subject to certification by the executive office of elder affairs under G.L. c. 19D and 651 CMR 12.00.

Boarder: An individual other than a family member occupying a dwelling unit who, for consideration, is furnished sleeping accommodations, meals, and may be provided personal care or other services, but excluding guests at a bed and breakfast.

Business or Professional Office: A business establishment, which does not offer a product or merchandise for sale to the public but offers a professional service to the public. However, general or personal service establishments are not to be included in the definition of business offices.

Child Care Center: A child care center as that term is defined in G.L. c. 15D, s. 1A.

Drive-In or Drive-Through Establishment: A business establishment that includes service that is provided from a drive-up or drive-through window or other similar arrangement that allows the service of a patron while the patron remains in a vehicle, whether parked or live parked. The term shall include eating establishments and service establishments such as banks, dry cleaners, pharmacies, photo shops and the like and automotive service stations and gasoline stations are the like.

Electric Charging Station, Level Two: A facility equipped with a compatible cable such as J-1772, for the recharging of the batteries of motor vehicles.

Essential Services: Services provided by public utility or governmental agencies through erection, construction, alteration, or maintenance of underground or overhead gas, electrical, steam, or water transmission or distribution systems and collection, communication, supply, or disposal systems, excluding power plants or transfer stations. Facilities necessary for the provisions of essential services include poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith. Specifically excluded from this definition are buildings necessary for the furnishing of adequate service by such public utility or governmental agencies for the public health, safety and general welfare.

Family: One or more persons, including domestic employees, occupying a dwelling unit and living as a single, nonprofit housekeeping unit provided that a group of ____ or more persons not related by blood or marriage shall not constitute a family.

Family day care home, large: An accessory use as defined in G.L. c. 15D, s. 1A.

Family day care home, small: An accessory use as defined in G.L. c. 15D, s. 1A.

Funeral Home: Facility for the conducting of funerals and related activities such as embalming.

General Service Establishment: Shop for lawn mower or small appliance repair, upholstery

or furniture repair, bicycle repair person, printer, blacksmith, builder, carpenter, caterer, electrician, lawn mower service person, mason, painter, plumber or roofer.

Dog kennel: An establishment as defined in G.L. c. 140, s. 137A.

Manufacturing: A use engaged in the basic processing and manufacturing of materials, or the manufacture from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products.

Medical Clinic: A facility as defined in 105 CMR 145.020, including a mobile clinic.

Medical office: A building designed and used as an office by physicians, dentists, or psychotherapists for the diagnosis and treatment of human patients that does not include overnight care facilities or licensing as a clinic.

Motor Vehicle Hourly Rental Station: A facility at which, by contract, motor vehicles are made available for rent for a period not longer than 24 hours.

Motor Vehicle Light Service Station: A building or premises used for the dispensing, sales or offering for sale of motor fuels directly to users of motor vehicles. Other sales activities and any repairs shall be activities minor in scope and clearly subordinate to the sale of motor fuels, oils and lubricants. No drive-through facilities are permitted without further zoning relief.

Motor Vehicle Repair: A building or use which is designed or intended to be used for the storage, servicing, repair, maintenance, or cleaning of motor vehicle equipment.

Motor Vehicle Sales: Premises for the sale of used or new motor vehicles, including supplying of fuel, oil, lubrication, washing, or repair services, but not to include body work or painting.

Personal Service Establishment: A facility providing personal services such as hair salon, barber shop, tanning beds, dry cleaning, print shop, photography studio, personal fitness center, and the like.

Research Laboratory: Laboratory or research establishments including biotechnology companies, but excluding laboratories categorized as Level 4 by the National Institutes for Health.

Restaurant: A building, or portion thereof, containing tables and/or booths for at least two-thirds (2/3) of its legal capacity, which is designed, intended and used for the indoor sales and consumption of food prepared on the premises, except that food may be consumed outdoors in landscaped terraces, designed for dining purposes, which are adjuncts to the main indoor restaurant facility. The term "restaurant" shall not include "fast food establishments."

Restaurant, fast-food: An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready to consume state for consumption either within the restaurant building or off premises and usually requires ordering food at a counter.

Retail: A facility selling new or used goods to an end user but not otherwise specifically listed in the Table of Use Regulations.

School Aged Child Care Program: A school aged child care program as that term is defined in G.L. c. 15D, s. 1A.

Truck Terminal: A facility for handling freight with or without maintenance facilities.

Veterinary facility or clinic: A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short term care incidental to the use.

Warehouse: A building used primarily for the storage of goods and materials, for distribution, but not for sale on the premises.

Warehouse, Mini or Self Storage: Establishment providing individual storage units for long or short term rental to persons or businesses.

Wholesale: Sale of goods not at retail.

Yard: A space open to the sky, located between a building or structure and a lot line, unoccupied except by fences, walls, poles, paving, and other customary yard accessories.

Yard, front: A yard extending the full width of the lot and situated between the street line and the nearest point of the building.

Yard, rear: A yard the full width of the lot and situated between the rear line of the lot and the nearest part of the main building projected to the side line of the lot.

Yard, side: A yard situated between the nearest point of the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.