ZONING BY-LAWS

TOWN OF UXBRIDGE, MASSACHUSETTS

Updated through 2/1/05

TABLE OF CONTENTS

Section	Page
Zoning Bylaws	**1**
Section I: Purpose	1
Section II: Effect on Existing Use of Land and Buildings	1
Section III: Definitions	1
Section IV: Non-Conforming Uses Permitted	3
Section V: General Protective Provisions	4
Section VI: Establishment of Zones and Determination of Boundary Lines	4
Section VII: Permitted Uses in Various Zones	4
Section VII F.12: Conservation Design Development	11
Section VIII: Sub-Section A: Special Uses Controlled	14
Sub-Section B: Prohibited Uses	14
Section IX: Height Regulations of Buildings or Structures	14
Section X: Area Regulations	15
Section XI: Trailers	17
Section XII: Junk Cars	17
Section XIII: Administration	18
Section XIV: Board of Appeals	19
Section XV: Amendments	20
Section XVI: Existing Bylaws Not Repealed	20
Section XVII: Adult Entertainment	20
Section XVIII: Validity	22
Section XIX: Groundwater Protection Overlay District	22
Appendix: Table of Area Regulations	24
Table of Height Regulations	24
Changes to Zoning	

TOWN OF UXBRIDGE ZONING BY-LAWS

SECTION I
PURPOSE

The purposes of these by-laws are to promote the health, safety, convenience, and general welfare of the inhabitants of the Town of Uxbridge; to protect and conserve the value of property within the Town; to increase the amenities of the Town; and to lessen the dangers from fire, congestion and confusion, all under the provisions of the General Laws ZONING ENABLING STATUTE of the Commonwealth of Massachusetts.

The height, number of stories, size of buildings and structures, the size, width, and use of lots, the percentage of a lot that may be occupied, the size of courts, and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, and all other purposes are hereby restricted and regulated as hereinafter provided.

The Town of Uxbridge is hereby divided into classes of districts or zones defined and bounded on the Zoning map and is hereby made a part of this by-law. (amended May 9, 1978)

SECTION II
EFFECT ON EXISTING USE OF LAND AND BUILDINGS

Any lawful use being made of any buildings, or parcel of land, at the time of the adoption of this by-law may be continued to the extent of that use at the time of the adoption of the by-law.

* These by-laws were adopted on March 12, 1966, approved by the Attorney General on April 20, 1966, and published on May 17, 1967. Subsequent amendments are generally noted.

(Note that Uxbridge has two uncodified zoning enactments, one dealing with uses in special flood hazard and floodway areas and one imposing a temporary moratorium on multi-family dwellings. These enactments have been editorially inserted near related material.)

SECTION III
DEFINITIONS

To comprehend fully the purpose of this by-law the following definitions shall apply:

Words used in the present tense include the future; words in the singular number include the plural number and vice versa; the word "shall" is obligatory; the word "building" includes the word "structure"; the word "lot" includes the word "plot"; the word "land" includes the words "marsh" and "water".

1. Accessory purpose and accessory building: A detached subordinate building located on the same lot with the main building or use, but the use of which is incidental to that of the main building or purpose.
2. Apartment house: A building containing three (3) or more apartments or an independent family above the second floor.
3. Alterations: An alteration is a partial replacement, addition, modification, or rearrangement in the structural parts of the building.
4. Boarding House: A building or premises other than a hotel where meals are regularly served by prearrangement for compensation for five (5) or more persons, but not open to transient guests.
5. Building: A building is a combination of materials forming a structure, with or without a roof.

6. New Building: A new building is one erected after the effective date of this by-law.
7. Existing Building: An existing building is one which was already built or in the process of being built under a legal building permit upon the effective date of this by-law.
8. Dwelling-One-Family: A detached building designed for, or occupied exclusively by one (1) family.
9. Garage, Private: A private garage is a building or part of a building in which one (1) or motor vehicles are kept for the private or professional use of the owners, their families and employees.
10. Garage, Public: A public garage is a building or part of a building other than a private garage in which motor vehicles are stored, and in which motor vehicles are kept for sale, rent or hire, exhibition and demonstration or the service and repair of same.
11. Garage, Repair Shop: A garage repair is a business building or part thereof in which repairs are made to motor vehicles.
12. Gasoline Selling Station or Service Station: A gasoline selling station or service station is a building or part of a building and the land thereof used in connection with tanks, pumps and other appliances to supply motor vehicles with gas, air, oil, water and other supplies of that nature, but not for the express purpose of making repairs.
13. Height: The height of a building is the vertical distance from the mean grade of the sidewalks on all abutting streets or the mean grade of the grounds adjoining the building, to the highest point of the roof beams, not including in such measurement of height, cornices which do not extend more than five (5) feet above the highest point of the roof beams, nor enclosures for tanks which do not exceed twenty (20) feet in height above the roof beams and do not exceed in united area ten per cent (10%) of the area of the roof.
14. Half Story: A half story is that part of a building under a sloping roof, the cubic contents of which is never more than seventy per cent (70%) of the cubic contents of the story below.
15. Hereafter: This shall mean after the effective date of this by-law.
16. Heretofore: This shall mean before the effective date of this by-law.
17. Hotel: A building or part thereof used for the occupancy of transient individuals who are lodged with or without meals and where the cooking is done in a central kitchen and not in the separate rooms.
18. Lot: A parcel of land either occupied or vacant, or to be occupied by a building or group of buildings and accessory buildings and used together with such yards and other open spaces as are required by this by-law. A lot may be land so recorded in a deed or on a plat of record, or it may include parts of, or a combination of such lots when adjacent to one another, provided such ground is used for one improvement. All lots shall front on and have ingress and egress by means of a street or right-of-way.
19. Lot, corner: A lot abutting on two (2) or more streets at their intersection.
20. Lot, Depth: The mean distance between the front and rear lot lines.
21. Lot, Interior: An interior lot is any lot or part of a lot other than a corner lot.
22. Lot, Front Of: The front of a lot shall be considered to be that boundary of the lot which abuts on a street. In the case of a corner lot, the narrowest boundary fronting on a street shall be considered to be the front of the lot. If the corner lot has equal frontage on two (2) or more streets, the lot shall be considered to front either on the principal street or on the street on which the greatest number of buildings have been erected within the same block.
23. Lot Line: A lot line is a division line between adjoining properties, including a division line between individual lots established by a plan filed in the Registry of Deeds.
24. Lot Line, Rear: A rear lot line is the lot line opposite to the street line. In case of a corner lot the owner may designate which line will be the rear lot line, provided his choice does not involve a violation of any of the provisions of these by-laws.
25. Non-conforming Use: A non-conforming use is a use which lawfully occupied a building or land prior to and at the time this by-law became effective, but the use or building does not conform to the regulations for the district in which such use or building exists.
26. Non-conforming Building: A building lawfully existing at the time of this by-law's effectiveness, but a building which does not conform to the regulations of the zone in which it exists.
27. Parking Space: An area sufficient for the parking of an automobile. No such parking space shall be located within the required distances from side and rear lot lines.
28. Private Stable: A private stable is a building or a part thereof in which one (1) or more horses are kept for the private use of the owner or his family, and in which no horses are kept for sale, or hire, or any other business.
29. Public Stable: A public stable is a building or part of a building in which horses are kept for compensation.

30. Setback Line: A setback line is a line outside of and equidistant from the street line and establishes the nearest point to the street line at which the nearest point of a building, including outside vestibule, porch or bulkhead but not including steps, may be erected.
31. Street: The word "street" shall include public ways established by or maintained under public authority, private ways open for public use, and private ways plotted or laid out for ultimate public use, whether or not constructed.
32. Street Line: A street line is a dividing line between a street and a lot.
33. Structure: Anything constructed or erected, which required location on the ground, or attached to something having location on the ground.
34. Sign: Any words, lettering, parts of letters, emblems, devices, designs, figures, phrases, sentences, trade names or trade marks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, or a commodity or product, which are visible from a public street or right-of-way and used to attract attention.
35. Story: A story of a building is that part of the building above the basement or cellar and between the top of any tier of floor beams and the top of the tier of floor or roof beams next above. One-half (1/2) story means the space situated in the roof, and arranged or built either for storage or habitation.
36. Side Yard: A side yard is an open space on the same lot with buildings, between the building and the side line of the lot, extending the full width or depth of the building and unoccupied above the ground level except by uncovered steps and projecting eaves.
37. Tourist Camp: A tourist camp is land used or intended to be used, let or rented for occupancy by campers traveling by automobile or otherwise, or for occupancy by house trailers, tents, or moveable or temporary dwellings, rooms, or sleeping quarters of any kind.
38. Trailer: A trailer is any residence, house car, camp car, or any portable or movable vehicle on wheels, skids, or rollers, not structurally anchored to a foundation, propelled by an attached vehicle or other propelling apparatus, which is used, or may be used for residential, commercial, hauling or storage purposes.
39. Trailer Camp: Any premises used or intended to use for parking two (2) or more trailers constitutes a trailer camp.
40. Yard, Front: An open space on the same lot with the building, between the extreme front line of the building and the street line across the entire front of lot, and unoccupied above ground level except by steps, projecting eaves, uncovered or covered entrance porches on the first floor which do not exceed a total area of fifty (50) square feet.
41. Yard, Rear: An open space extending across the full width of the lot and lying between the rear lot line of the lot and the nearest line of the building.
42. Juice Bars: A place of business for the retail or wholesale of beverages derived wholly or in part from cereals or substitutes therefore and containing less than one-half of one per cent of alcohol, unfermented grape juice, ginger ale, root beer, sarsaparilla, pop, artificial mineral waters, carbonated waters or beverages of any kind, whether pursuant to an admission charge or not, and whether designated a public gathering place, a private club or otherwise, and whether entertainment of any kind is provided or not into which patrons are either allowed or encouraged to bring their own liquor, beer, wine or other spirituous beverages. The term "Juice Bar" shall not include those premises licensed as common victuallers pursuant to G.L. c. 140, ss.1. through 21, inclusive, those premises licensed for the sale of certain non-intoxicating beverages pursuant to G.L. c. 140, ss.21A through 21D, inclusive, or premises licensed for dispensing of alcoholic beverages pursuant to G.L. c. 138. (Paragraph 42 added on May 13, 1980)
43. Riverfront Area: That area of land situated between a river's mean annual high-water line and a parallel line located two hundred feet away, measured outward horizontally from the river's mean annual high-water line. (Paragraph 43 added on November 18, 2003)
44. Junkyard: Outdoor storage of more than 3 unregistered vehicles, except where expressly authorized in a Class I or Class II Auto License issued by the Board of Selectmen.
45. Antique Motor Car: Any motor vehicle over twenty five years old, which is maintained solely for use in exhibitions, club activities, parades or other functions of public interest and which is not used primarily for transportation of passengers or goods over any way. (Paragraphs 44 & 45 added on 5/11/04)

SECTION IV
NON-CONFORMING USES PERMITTED

Any lawful use of a building or part thereof at the time of the adoption of this by-law may be continued although such use does not conform to the provisions of this by-law. Any building occupied by a non-conforming use may be structurally altered or the use of such building changed to any other use not more detrimental to the character of the district in which

it is located. Should any non-conforming building occupied by a non-conforming use be destroyed or damaged by fire or other casualty, in whole or in part, it may be replaced by a building to be used for the same purpose as the one destroyed or for any other non-conforming use, always provided that any new use to which the building may be put shall not be more detrimental to the character of the district in which it is located than was the original use. It is also provided that such reconstructed or new building shall not exceed in cubic contents the original building by twenty-five per cent (25%).

If any non-conforming use of a building or structure, or any non-conforming use shall be abandoned or cease for a period of two (2) years, the exceptions granted under this section shall end. Anyone who voluntarily changes from non-conforming use to a conforming use shall not be permitted to revert to the non-conforming use thereafter. (amended May 9, 1978)

SECTION V
GENERAL PROTECTIVE PROVISIONS

A. For the purposes of this by-law any lawful building or structure or use of a building, structure or land or part thereof may be constructed, altered, enlarged, and used for any purpose, which does not violate any section of this by-law or any of the provisions of the by-laws of the Town of Uxbridge.

B. For safety and general welfare all principal buildings designed or intended for residence purposes hereafter erected shall be in a location which fronts upon an accepted street or upon a way of sufficient width to secure safety from fire and to provide adequate light and air.

C. Any lots recorded at the time of the adoption of this by-law may be used for any permitted use in the district in which the lot is located providing that lots which do not conform are used with the minimum non-conformance as to yards as approved by the Board of Appeals, provided there was, at the effective date of this by-law, no other land under the same ownership available for use, and further provided that any lot on which more than one (1) house existed at the time of the adoption of the by-law may be divided and sold to separate owners.

SECTION VI
ESTABLISHMENT OF ZONES AND DETERMINATION OF BOUNDARY LINES

The Town of Uxbridge is hereby divided into seven (7) zones, to known as: 1. RESIDENCE A; 2. RESIDENCE B; 3. RESIDENCE C; 4. AGRICULTURAL; 5. BUSINESS; 6. INDUSTRIAL; and 7. FLOOD PLAIN.

The zones are shown on a map called "TOWN OF UXBRIDGE ZONING MAP, JUNE 1984", which map together with all the boundary lines and designations thereon, is hereby declared a part of this zoning by-law.

The location of the boundary lines shown upon the map shall be determined as follows:

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

B. Where the boundary lines are shown upon the map outside of street lines and approximately parallel thereto, they shall be considered to be parallel to such street lines. The figures placed upon the map between such boundary lines and the street lines shall be the distances in feet of such boundary lines from the street lines, said distances being measured at right angles to the street lines unless otherwise indicated.

C. 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.

D. All instances which are not covered by the provisions of paragraphs "a", "b" and "c", the locations of boundary lines shall be determined by the distances in feet, if given, from the other lines upon the map or by the scale of the map.

E. Whenever any uncertainty exists as to the exact location of a boundary line, the location thereof shall be determined by the Building Inspector. (amended on May 14, 1985)

SECTION VII
PERMITTED USES IN VARIOUS ZONES

A. RESIDENCE A: In those portions of the Town so indicated on the accompanying zoning by-law map as RESIDENCE A districts, no building, structure, or premises shall be constructed, altered or used for any industry, trade, manufacturing, or commercial purpose or any purpose except one or more of the following specified uses:

1. Single family detached house.

2. Duplex house.

3. Churches, parish houses, schools, public libraries, public park, public museum, public playground, public recreational building and similar buildings.

4. Public or semi-public institutions of a philanthropic or charitable nature, hospitals, sanitariums, and other medical institutions but not a correctional institution or place of detention.

5. Municipal use.

6. Farm, garden or nursery, selling products the major portion of which are raised on the premises, and excluding any use injurious or offensive to the neighborhood, such as a farm devoted principally to the raising of poultry, horses, domestic animals or other livestock for sale.

7. Accessory use on the same premises with, and customarily incident to any of the permitted uses and not detrimental to a residential neighborhood. The following uses shall be included among those permitted as accessory uses, provided that there shall be no display or advertising except (a) a sign of not more than two (2) square feet in area or (b) real estate signs not over six (6) square feet in area advertising the sale or rental of only the premises on which they are located or (c) bulletin boards not over twelve (12) square feet in area accessory to the uses in clause 3 of this section 7, and further provided that adequate off-street parking space is furnished: office of doctor, dentist, teacher, lawyer, or member of other recognized profession, and the use of a room or rooms in a dwelling for customary home occupation or home occupations carried on by a person or persons resident therein, including, but not limited to, dressmaking and millinery. The term "accessory use" shall not include: (a) a garage for storage of more than three (3) automobiles; (b) storage of more than three (3) automobiles except on a farm; (c) the renting of bedroom space by the week or the furnishing of table board by the week to not over (4) four persons, not members of the family resident on the premises.

8. Any of the following uses, provided that they are not injurious or offensive to the neighborhood, and subject to appropriate conditions and safeguards, and only if approved by the Board of Appeals:
   a. Private school, private hospital, sanitarium, convalescent homes, nursing home, home for the aged or like institution. (amended on 11/19/02)
   b. Any public service building, not including a service station or outside storage of supplies.
   c. Cemetery or crematory not conducted for profit, funeral home.
   d. Private club or private stable not conducted for a profit.
   e. Guest house together with serving meals.
   f. Farm, truck garden, nursery or greenhouse with less than five (5) acres. (Section f added May 9, 1978)
   g. The keeping of domestic fowl or domestic animals.
   h. Garaging and maintaining more than three (3) automobiles of the passenger type. Garaging and maintaining of not more than three (3) automobiles of the commercial type in connection with the uses listed under paragraphs 8a, 8c, 8d or 8f of this section. Garaging and maintaining of any number of automobiles of the passenger or commercial type in connection with the uses listed under paragraphs 3, 4, and 5 of this section 7.
   i. A building for the exclusive use of the Federal Government or any agency of the Federal Government.
   j. Removal of sand, gravel, rock, clay, loam, sod, sub-soil, stone, quarried stone, except that no such permission shall be required for the removal of such materials incidental to the excavation necessary for the construction of a building in accordance with a permit which has been issued by the Building Inspector for the construction of a private way in accordance with a subdivision plan which has been approved by the Zoning Inspector and recorded with the Registry of Deeds. No loam shall be removed from Town except with written permission of Selectmen.
   k. Rooming and lodging houses, boarding houses, nursing homes, convalescent homes and tourist homes which may have one (1) sign with a maximum area of two (2) square feet. (amended on 11/19/02)

l. Conversion of a single family dwelling for occupancy by not more than three (3) families provided that the exterior design of the structure is not changed from the character of a single family dwelling and further provided that the particular dwelling and premises meet the lot and interior area requirements as set forth in this zoning by-law.

9. Apartments provided that the minimum lot size for the first unit must be equal to the minimum lot size for a single family residence and that for each additional apartment dwelling unit, eight thousand (8,000) square feet additional land area would be required and provided also that the front yard must be landscaped and that one and one-half (1-1/2) paved off-street auto parking spaces be required for each apartment dwelling unit. The maximum number of dwelling units per habitable building shall not be greater than four (4) units. (amended on December 3, 1985; May 13, 1986; June 15, 2005)

   There shall be a moratorium on the construction of multi-family dwellings (including, but not limited to, town houses, apartments and all high density residential developments and other multi-family dwellings irrespective of the form of ownership) in any district for a period not to exceed two (2) years after date of adoption. This moratorium shall not apply to a proposal to construct a single two family dwelling on a single lot or to any addition or renovation to an existing structure. (adopted October 17, 1985)

   During this period, no construction of multi-family dwellings shall be permitted, no permits for construction of multi-family dwellings shall be issued and no site plans proposing the construction of multi-family dwellings shall be approved. This moratorium shall not apply to any building permits lawfully issued prior to October 17, 1985 nor shall it apply to any site plan or subdivision plans approved prior to this date.

   The purpose of this moratorium on the construction of multi-family dwellings is to reduce the serious and detrimental impact on the traffic, safety, utilities, schools, environment, neighborhood and other municipal services in Uxbridge. These strains on the Community are a result of the rapidly increasing development of large multi-family housing complexes in the Town. The two (2) year moratorium would provide a period during which the Planning Board and/or citizens can draft and seek adoption of reasonable up-to-date rules, regulations and by-laws governing multi-family development. The Town can then determine its needs in respect to the services which can be provided. This will ensure that services will be adequate and adverse environmental impacts minimal. The Town, under the direction of the Board of Selectmen, will then report to the Annual Town Meeting.

10. Any use determined to be of like character, said determination to be made by the Board of Appeals following petition of the land owner or owners.

11. Any use accessory to the foregoing.

12. <u>Open Space Development</u>
    a. An Open Space Development, for the purpose of this By-Law is a development intended to encourage:
       i. Optimum utilization of natural land features and characteristics through a greater design flexibility; and
       ii. The preservation of open spaces for conservation, outdoor recreation or park purposes; and
       iii. Efficient provision of municipal services; and
       iv. The retention of the rural setting.

    b. <u>Definition</u> - For the purposes of this section, an Open Space Development shall mean a tract of land to be developed as an entity by a Landowner with residential buildings comprising two (2) to four (4) dwelling units per building and having an exterior entrance serving no more than two (2) dwelling units.

    c. <u>Basic Requirements</u> - A proposed planned Open Space Development shall meet the following basic requirements:
       i. The minimum tract size shall be ten (10) acres.
       ii. All dwelling units shall be served by municipal water and sewerage which shall be installed at the expense of the developer.
       iii. No building shall contain more than four (4) dwelling units.

iv. No dwelling shall be closer than three hundred (300) feet from a lake or pond and one hundred (100) feet from a running, natural stream or river.

d. Number of Dwelling Units Permitted - The number of dwelling units in a tract shall not exceed three (3) dwelling units per acre inclusive of open space.

e. Design Requirements

i. A minimum distance of sixty (60) feet shall be maintained between structures. Setbacks for structures from private and public roads shall be a minimum of forty (40) feet.

ii. All land designated as developed area shall be considered open space except paved roads, parking areas, areas in which structures have been built and areas included in "e,i" above.

iii. A minimum of forty percent (40%) of the total tract size shall be set aside, not built upon or paved, but shall be landscaped and/or left in its natural state with an acceptable balance of trees, shrubs and grass and shall be considered open space.

iv. A landscaped buffer area of at least one hundred (100) feet in width shall be provided adjacent to each neighboring property line of the tract. All buffer areas shall be planted or preserved in their natural state with a mixture of coniferous and deciduous trees and shrubs and shall be maintained so as to protect adjacent properties with a natural visual barrier. Buffer area shall be considered part of open space.

v. Each tract shall include usable recreation areas (ie: tennis, play, swimming, etc.) easily accessible to building complexes of size equal to seven hundred fifty (750) square feet per dwelling unit. Such areas shall not be included in the buffer area.

vi. All utilities shall be placed underground.

vii. Open space provided in "v" above shall be used for conservation, outdoor recreation or park purposes and shall be of a size and shape appropriate for its intended use as determined by the Planning Board. Such open space land shall be conveyed to all home-owners within such tract jointly or to a trust, the beneficiaries of which shall be the home-owners within such tract. Each trust shall have as one of its purposes the maintenance of such land for conservation, recreation or park purposes.

f. Relationship to other Town Regulations: Nothing contained herein shall in any way exempt a proposed Open Space Development from compliance with the Subdivision rules and Regulations of the Planning Board and the Department of Public Works nor shall it in any way affect the right of the Board of Health and the Planning Board and the Department of Public Works to approve with or without conditions and modifications, or disapprove a subdivision plan in accordance with the provisions of such Rules and Regulations and of the Subdivision Control Law.

g. The Planning Board is the issuing authority for Open Space Development. It shall not issue approval for an Open Space Development if it appears that, because of soil, drainage, traffic or other conditions, the issuing of such approval would be detrimental to the neighborhood or to the Town or inconsistent with the purpose of Open Space Development. In issuing approval the Planning Board shall impose such additional conditions and safe-guards as public safety, welfare and convenience may require.

h. Construction: All construction within Open Space Development areas are to comply with the Zoning By-Laws.

i. Parking Requirements: Minimum of two (2) paved off-street parking spaces shall be provided for each dwelling unit. Each parking area shall be conveniently located to those dwelling units for which they are intended but shall not be located within the designated buffer area.

j. Height Requirements: The maximum height of any structure shall not exceed thirty-five (35) feet.

k. Site Plan Review: General - The application of a planned Open Space Development shall be accompanied by a site plan. The contents of such plan for an Open Space Development shall conform with Section III, paragraph B, sub-paragraph 2 of existing Rules and Regulations governing the contents and preparation of Definitive Plans under subdivision control and shall also include the following:

i. Soil culture of land such as wooded pasture, rock outcrops or swampy.
ii. Proposed landscaping and use of land which is to be reserved for conservation, recreation or park use including any proposed structures. Provided additionally that Open Space Development will only be permitted in the Residence A Zone.

B. RESIDENCE B: In those portions of the Town so indicated on the accompanying zoning by-law map as RESIDENCE B districts, no building, structure, or premises shall be constructed, altered or used for any industry, trade, manufacturing or commercial purpose except one or more of the following uses:

1. Any use permitted in RESIDENCE A district except: Apartments, Rooming Houses, Lodging Houses, Boarding Houses.

2. Such Accessory purposes as are proper and usual with the foregoing and that are not injurious to the neighborhood as a place of residence.

3. Any use determined to be of like character, said determination to be made by the Board of Appeals following petition of the land-owner or owners.

C. RESIDENCE C: In those portions of the Town so indicated on the accompanying zoning by-law map as RESIDENCE C districts, no building, structure, or premises shall be constructed, altered or used for any industry, trade, manufacturing, or commercial purpose except one or more of the following uses:

1. Single family detached house.

2. Churches, parish houses, schools, public libraries, public park, public museum, public playground, public recreational building, and similar buildings.

3. Public or semi-public institutions of a philanthropic or charitable nature. Hospitals, sanitariums, and other medical institutions but not a correctional institution or place of detention.

4. Municipal use.

5. Accessory use on the same premises with, and customarily incident to any of the permitted uses and not detrimental to a residential neighborhood. The following uses shall be included among those permitted as accessory uses, provided that there shall be no display or advertising except: (a) a sign of not more than two (2) square feet in area or (b) real estate signs not over six (6) square feet in area advertising the sale or rental of only the premises on which they are located or (c) bulletin boards not over twelve (12) square feet in area accessory to the uses in clause 3 of this Section 7, and further provided that adequate off-street parking space is furnished: office of doctor, dentist, teacher, lawyer, or member of other recognized profession, and the use of a room or rooms in a dwelling for customary home occupation or home occupations carried on by a person or persons resident therein, including, but not limited to, dressmaking and millinery. The term "accessory use" shall not include: (a) a garage for storage of more than three (3) automobiles; (b) storage of more than three (3) automobiles except on a farm; (c) the renting of bedroom space by the week or the furnishing of table board by the week to not more than four (4) persons, not members of the family resident on the premises.

6. Any of the following uses, provided that they are not injurious or offensive to the neighborhood, and subject to appropriate conditions and safeguards, and only if approved by the Board of Appeals.
   a. Private school, private hospital, sanitarium, home for the aged or like institution.
   b. Cemetery or crematory not conducted for profit, funeral home.
   c. Private stable not conducted for profit.
   d. Greenhouse.
   e. The keeping of domestic fowl or domestic animals.
   f. Garaging and maintaining more than three (3) automobiles of the passenger type. (amended 11/19/02)
   g. Removal of sand, gravel, rock, clay, loam, sod, sub-soil, stone, quarried stone, except that no such permission shall be required for the removal of such materials incidental to the excavation necessary for the construction of a building in accordance with a permit which has been issued by the Zoning Inspector

or for the construction of a private way in accordance with a subdivision plan which has been approved by the Building Inspector and recorded with the Registry of Deeds. No loam shall be removed from Town except with written permission of Selectmen.

D. BUSINESS: In those portions of the Town so indicated on the zoning by-law map as BUSINESS districts, the following uses of land, buildings, and structures shall be permitted:

1. Any of the usual wholesale and retail stores that normally serve the shopping needs of the residential population, such as book or news store, drug store, gift shop, haberdashery, food store, and meat market, bakery, etc.

2. Any of the following personal service establishments dealing directly with the consumer: barber shop, beauty shop, beauty parlor, diner, and any other ordinary business of like nature. (amended on 11/19/02)

3. Offices and banks, theatres, bowling alleys, billiard rooms, and motel or hotel, provided that each motel or hotel building is at least one hundred fifty feet (150) from any permanent residential building. (amended on 11/19/02; June 4, 1991)

4. Retail trade or shop for custom work of the manufacturing of articles incidental to a retail business, lawfully conducted on the premises, shall be permitted in a business district, omitting all that would create a nuisance or become hazardous.

5. Any use determined to be of similar nature, said decision to be made by the Board of Appeals following petition of the land-owner or owners.

6. Any use accessory to the foregoing.

7. Any of the following uses may be authorized by a special permit of the Board of Appeals if it finds that the use will not be injurious or offensive to the neighborhood, and subject to appropriate conditions and safeguards imposed by the Board of Appeals
    a. laundry, laundromat, dry cleaning establishment.
    b. gasoline and oil filling station.
    c. lumber, fuel, or ice establishment.
    d. commercial garage for storage and maintenance of more than three (3) passenger type vehicles.

(amended 11/19/02)

E. INDUSTRIAL: In those portions of the Town so indicated on the zoning by-law map as INDUSTRIAL districts, the following uses of land, buildings and structures shall be permitted:

1. Any use permitted in BUSINESS districts, exclusive of dwellings; and further provided that no dwellings in this district existing at the time of the adoption of this by-law shall be altered or enlarged to accommodate additional families.

2. General storage yards and trucking yards, provided, however, that no materials which are dangerous, noxious or otherwise detrimental to public health and welfare shall be stored until storage facilities have been inspected and approved by the Fire Department and the Board of Health.

3. Any other lawful industrial use which is not dangerous by reason of fire, explosion or other hazards, or injurious, noxious or detrimental to the Town of Uxbridge or its populace by reason of emission of dust, odors, gas, smoke, vibration or some other nuisance. No permit shall be issued for the establishment, construction or use of any industrial plant, structure or development, nor the extension, alteration, relocation or change in the use of any plant, building, development, until the plans have been approved and the freedom from any danger or nuisance has been ascertained by the Zoning Inspector and the Board of Selectmen advised by competent authority.

4. Any of the following uses authorized by special permit of the Board of Appeals only if it finds that the use will not be injurious or offensive to the neighborhood, and subject to appropriate conditions and safeguards imposed by the Board of Appeals.
    a. stone mason yard

b. blacksmith shop
c. contractor supply yard

(amended 11/19/02)

F. AGRICULTURAL: In those portions of the Town so indicated on the accompanying zoning by-law map as AGRICULTURAL districts, the following uses of land, buildings and structures shall be permitted:

1. Single family detached house, public park, public playground, public recreational building and similar building.

2. In an agricultural district, the Building Inspector shall issue, after holding a public hearing, a permit for the removal of sand, gravel, loam, stone, quarried stone, or the operation of a commercial sand and gravel pit, but said permit shall require as a condition that no loam shall be removed from the Town, and that after completion of the operations, the land shall be left in a condition no less valuable for development and use than when it was before the commencement of operations. Nothing herein contained, however, shall prohibit the removal of stone, sand, loam or gravel in connection with the construction of a building for which a permit has been duly issued, or for the landscaping of a lot from which said stone, sand, loam or gravel is removed, providing that the Building Inspector has been informed in writing of the changes to be made, together with an accurate description of the parcel of land under consideration and further provided that no loam shall be removed from the Town.

   Also each applicant shall file with the Planning Board or Board of Selectmen a map or plan prepared at the expense of the applicant, showing the existing contours of the land and the contours as they are proposed after the completion of the operations. Such map or plan shall be accurately drawn on tracing cloth, the contour interval being two (2) feet, and shall contain complete information to make the physical characteristics clear.

   The permit granted for the removal of sand, gravel, stone, quarried stone, sub-soil or loam shall state the time within which the work is to be carried on and finished, the extent of operations to be permitted, and predetermined grade to which the land shall be brought at the completion of the operations.

3. Farming, truck gardening, nurseries, greenhouses, and all agricultural and horticultural uses, including farm structures.

4. Dairy farm, poultry farm, livestock farm, riding academy, animal hospital, dog kennel.

5. Country club, golf course, including driving ranges and miniature course. (amended 11/19/02)

6. Drive-in theatres, airports, landing fields. (amended 11/19/02)

7. Accessory use on the same premises with, and customarily incident to any of the permitted uses and not detrimental to a residential neighborhood. The following uses shall be included among those permitted as accessory uses, provided that there shall be no display or advertising except: (a) a sign of not more than two (2) square feet in area or (b) real estate signs not over six (6) square feet in area advertising the sale or rental of only the premises on which they are located or (c) bulletin boards not over twelve (12) square feet in area accessory to the uses in clause 3 of this Section 7, and further provided that adequate off-street parking space is furnished; office of doctor, dentist, teacher, lawyer, or member of a recognized profession and the use of a room or rooms in a dwelling or customary home occupation or home occupations carried on by a person or persons resident therein, including but not limited to, dressmaking and millinery.

   The term "accessory use" shall not include: (a) a garage for the storage of more than three (3) automobiles; (b) storage of more than three (3) automobiles except on a farm; (c) the renting of bedroom space by the week or the furnishing of table board by the week to not over four (4) persons, not members of the family resident on the premises.

8. Restaurant, tourist court or motel on a tract of land of at least two (2) acres in area, provided that they are located so that each building is one hundred fifty (150) or more feet from any permanent residential building.

9. Any use determined to be of like character, said determination to be made by the Board of Appeals following petition of the land owner or owners.

10. Any use accessory to the foregoing.

11. Any of the following uses may be authorized by special permit of the Board of Appeals only if it finds that the use will not be injurious or detrimental to the neighborhood, and subject to appropriate conditions and safeguards imposed by the Board of Appeals
    a. private clubs
    b. cemetery
    c. juice bar as accessory to a private club, restaurant, or country club. (amended 11/19/02)

SECTION VII
F.12, CONSERVATION DESIGN DEVELOPMENT

DEFINITIONS

1. Conservation Design Development - a detached single-family residential development in which the house lots are clustered together into one or more groups, and each group shall be separated from one another and adjacent properties by permanently protected open space.

2. Applicant - Individuals, partnerships, corporations, trusts and other legal entities, in which the applicant of record holds a legal or beneficial ownership of greater than one percent (1%).

3. Development Site – Parcels of land which were at any time after the date of adoption of this conservation design development by-law, part of contiguous property under common ownership (or in different ownerships each involving one or more of the same principals).

4. Major Development- the division of a Development Site located in the Agricultural District into eight or more lots for single-family detached houses.

PURPOSE

The purpose of this Section is to encourage the preservation of open land, to enhance agricultural, open space, forestry and recreational uses; to protect community water supplies, to preserve historical and archaeological resources; to protect the natural environment; to protect the value of real property; to promote more sensitive siting of buildings and better overall site planning; to perpetuate the appearance of Uxbridge's traditional New England landscape; to facilitate the construction and maintenance of streets, utilities and public services in a more economical and efficient manner; and for its scenic beauty and to promote the development of affordable housing.

SPECIAL PERMIT REQUIRED

After the effective date of this Section, no Major Development is permitted except in accordance with a special permit for Conservation Design issued by the Planning Board under this Section.

In determining the applicability of this Section, the number of lots constituting a Major Development shall be deemed to include all lots created or proposed to be created from the Development Site after the effective date of this Section, within any five year period.

PRE-APPLICATION CONFERENCE

The applicant is encouraged to schedule a pre-application conference with the Planning Director who may involve other departments as necessary.

PROCEDURES

Applicants for a Conservation Design Development shall file with the Planning Board six copies of each of the following:

1. A plan showing existing site conditions including the following: topography at 2 foot contours, general description of forest cover (i.e. dominant tree species, average stem diameter, etc.), stone walls, streams and ponds, permanently protected open space, wetlands, including vernal pools, floodplains, the view shed, buildings, rock ridges and outcroppings over 100 square feet, right of ways and easements.

2. A development plan conforming to the requirements for a preliminary subdivision plan showing a conventional development of the site. This plan shall be the basis of the Planning Board's determination for the maximum number of dwelling units to be allowed in the subdivision. In addition to the requirements under a preliminary subdivision, such plan shall also indicate slopes over 20%, the results of deep soil test pits and percolation tests at reasonable intervals, but in no case fewer than 10 % of the proposed lots in the conservation design development. Where wetland delineation is in doubt or dispute, the Planning Board shall require the applicant to submit to the Conservation Commission a request for a determination of applicability for concurrence of the wetland boundary.

3. Any additional information required by the Planning Board to make the determination and assessments cited herein.

DETERMINATION OF DENSITY

The basic number of lots for single family detached houses in a Conservation Design Major Development shall be that number of lots which could be developed on the Development Site in full conformance with all zoning, subdivision, and other state and local regulations normally applicable to the creation and development of lots for single-family detached houses in the Agricultural District, and without the need for extraordinary engineering measures. The Applicant for a Conservation Design Special Permit shall submit to the Planning Board a density plan, meeting the requirements for a preliminary subdivision plan as provided in the Planning Board's Rules and Regulations for the Subdivision of Land as may be in effect at the time of the submission of the Conservation Design special permit application, and shall be required to demonstrate to the Planning Board's satisfaction that the lots shown on the density plan may be developed without reliance on any waivers from the Rules and Regulations for the Subdivision of Land, without any variances from the Zoning Bylaws or from any other applicable local or state regulation, and without extraordinary engineering measures. The Planning Board's determination of the basic number of lots shall be conclusive, and shall be the maximum number of lots permitted under the Conservation Design special permit unless the Planning Board specifically authorizes an increase in that number as provided below.

INCREASE IN NUMBER OF LOTS

The Planning Board may permit up to a 10% increase in the density of a Conservation Design development if the applicant makes a dedication of land for a public purpose or proposes an access easement to open space, if either, in the opinion of the Board, warrants such an increase. In addition, for land Development Sites in income producing agricultural use at the time of the filing of the Application, and where a significant portion of the Open Space land in the development is proposed to remain in agricultural use, the Planning Board may permit up to a 20% increase in the density of the Conservation Design development.

MODIFICATION OF LOT REQUIREMENTS

In granting a Conservation Design Special Permit, the Planning Board may authorize the modification of frontage, lot size, lot shape, yard, and lot coverage requirements otherwise applicable in the Agricultural District, subject to the following limitations:

1. Each lot shall contain not less than 30,000 square feet in area and shall have frontage of not less than 100 feet, except on a cul-de-sac where each lot shall have frontage of not less than 50 feet.

2. Each lot shall have not less than 50% of the required yard and setback areas.

3. Each lot shall have a maximum coverage by buildings of 25%, and by buildings and other impervious surfaces of 40%.

OPEN SPACE REQUIREMENTS

A minimum of 50% of the Development Site shall be preserved as permanent open space. At least 40% of said parcel shall be contiguous open space, excluding required yards. No more than 25% of the required open space shall consist of wetlands, as defined in M.G.L.c. 131 §40, slopes over 20%, or drainage structures.

1. The required open space shall be used for conservation, agriculture, horticulture, forestry, historic preservation and education, outdoor education, recreation and park purposes, or for a combination of such purposes, as determined by the Planning Board, and shall be provided with suitable access for such purposes.

2. The required open space shall remain un-`built upon, provided that 10% of such open space may be paved or built upon for structures accessory to the dedicated use or uses of such open space, including pedestrian walks and bike paths.

3. Underground utilities and drainage structures to serve the Conservation Design Development site may be located within the required open space, subject to the limitations on drainage structures as set forth above.

4. The required open space shall, at the owner's election and with the concurrence of the Town, be conveyed to:
    a. The Town of Uxbridge or its Conservation Commission;
    b. A nonprofit organization, the principal purpose of which is the conservation of open space and any of the purposes for such open space as set forth above;

c. A corporation or trust owned jointly or in common by the owners of lots within the Conservation Design Development. If such corporation or trust is utilized, ownership thereof shall pass with conveyance of the lots in perpetuity. Maintenance of the open space and facilities shall be permanently guaranteed by such corporation or trust which shall provide for mandatory assessments for maintenance expenses to each lot. Each such trust or corporation shall be deemed to have assented to allow the Town of Uxbridge to perform maintenance of the open space and facilities, if the trust or corporation fails to provide adequate maintenance and shall grant the town an easement for this purpose. In such event, the town shall first provide 14 days' written notice to the trust or corporation as to the inadequate maintenance and, if the trust or corporation fails to complete such maintenance, the town may perform it. The owner of each lot shall be deemed to have assented to the town filing a lien against each lot in the development for the full cost of such maintenance, which liens shall be released upon payment to the town of same. Each individual deed and the deed or trust or articles of incorporation shall include provisions designed to effect these provisions. Documents creating such trust or corporation shall be submitted to the Planning Board for approval, and shall thereafter be recorded in the Registry of Deeds.

5. The required open space shall be made subject to a permanent conservation restriction, enforceable by the Town and providing that such land shall be perpetually retained and maintained in its natural, scenic and open condition, in agricultural or forest use, and/or for recreational purposes, as required by the Conservation Design Special Permit.

DECISION

The Planning Board may grant a special permit for a Conservation Design development only if it determines that the proposed development conforms to the requirements of this Conservation Design Section of the Zoning By-law, and meets the purposes of this Section.

RELATION TO OTHER REQUIREMENTS

Approval by the Planning Board of a Special Permit under this Section of the Zoning By-Law shall not substitute for compliance with M.G.L.c. 41, §§81K et seq, nor obligate the Planning Board to approve a Definitive Plan for subdivision, nor reduce any time periods for Planning Board consideration under that law. A Definitive Plan designed under an approved Special Permit for Conservation Design Development shall be in substantial conformity with the terms and conditions of said Special Permit, including the Conservation Design plans on which the Special Permit is based.

The submittals and permits of this section shall be in addition to any other requirements of the Subdivision Control Law or any other provisions of this Zoning By-law.", or take any other action related thereto. (adopted 5/11/04)

FLOOD PLAIN

In those portions of the Town so indicated on the accompanying zoning by-law map as FLOOD PLAIN districts, the following uses of land, buildings, and structure shall be permitted:

a. Agriculture.
b. Forestry.
c. Hunting or fishing.
d. Temporary buildings.

In those portions of the Town so indicated on the F.E.M.A. flood insurance rate maps dated June 1, 1983, Zones A, A1 through A30 designated as special flood hazards, the following uses of land, buildings and structures exclusive of the floodway shown on the floodway flood boundary maps June 1, 1983 shall be permitted:

a. Agriculture
b. Forestry
c. Hunting and fishing
d. Boating and Boat facilities
e. Temporary buildings

Within Zone A when the base flood elevation is not provided on F.I.R.M., an applicant shall obtain any existing data and it shall be reviewed by the building inspector for its use in meeting requirements in Section 744 of the State Building Code. (adopted May 10, 1983)

SECTION VIII
SUB-SECTION A: SPECIAL USES CONTROLLED

Notwithstanding any provisions contained in Section VII or elsewhere in this By-law to the contrary, any use other than single and two family dwellings, or uses specifically exempt by state or federal law from the imposition of a special permit requirement, which meet or exceed one or more of the following thresholds may be permitted only upon the grant of a special permit by the Planning Board. The Planning Board may grant the special permit only if it finds that the use will not be injurious or detrimental to the neighborhood, and subject to appropriate conditions and safeguards imposed by the Planning Board:

1. Total gross floor area is equal to or greater than 20,000 s.f.

2. The number of parking spaces provided equal or exceed 50.

3. Total trips per day generated by the proposed use or combination of uses on a lot is expected to exceed 400 vehicle trips per day as determined by the Institute of Transportation Engineers (ITE) Trip Generation Manual (6th edition).

4. The proposed use includes a drive-through or drive-up facility. (adopted May 15, 2003)

SUB-SECTION B: PROHIBITED USES

Except where lawfully in existence at the time of this by-law, the following uses shall be prohibited in all districts:

1. Racetracks: A tract of land which is used for the purpose of auto racing, horse racing or dog racing.

2. Commercial jetports, commercial airports, commercial heliports, commercial runways, or commercial landing fields: Commercial is intended to mean business activities which rely on said jetports, airports, heliports, runways or landing fields to generate income, gross receipts and sales but not intended to prohibit use of private aircraft or landing facilities of any business enterprise obtaining approval for same.

3. Billboards: Any sign which is over forty (40) square feet in area. (added May 13, 1986)

4. The manufacture, storage, transportation or disposal of hazardous material as a principal activity, but not including substances intended for use by a Gasoline Selling Station as defined by the Town of Uxbridge Zoning By-Laws, Section III, Definition 12.

5. Junkyard - Antique Motor Cars which are maintained in such a manner that they do not constitute a health hazard and are screened by means of a fence, rapidly growing trees, or shrubbery are exempt from this section of the bylaw. (adopted 5/11/04)

6. The commercial manufacture of electricity through the use of an electrical generating facility or cogeneration facility as a principal activity.

7. Penitentiary.

(amended January 31, 1989)

SECTION IX
HEIGHT REGULATIONS OF BUILDINGS OR STRUCTURES

In the districts of the Town of Uxbridge any permitted uses may be built to heights as follows:

A. In Residence districts A, B, C and in the Agricultural District all structures except as prescribed in paragraph c of this section may be thirty-five (35) feet high and may have two and one-half (2-1/2) stories.

B. In the Business and Industrial districts, all structures except as prescribed in paragraph c of this section may be forty-five (45) feet high and may have three (3) stories.

C. In all districts, spires, domes, steeples, radio towers, chimneys, broadcasting and television antennae, bulkheads, cooling towers, ventilators, flag poles and other appendages customarily carried above the roof, i.e., farm buildings, churches, municipal or institutional buildings, may have any height.

SECTION X
AREA REGULATIONS

A. LOT SIZES AND FRONTAGES: No dwelling shall be erected or maintained except on a lot the frontage and areas of which shall be as hereinafter set forth, and only one dwelling and private garage shall be erected or maintained on each of such lots in the Residence Zones.

1. In the Residence A Zones no dwelling shall be erected or maintained on a lot having a frontage of less than one hundred and twenty-five (125) feet for an interior lot and one hundred and forty (140) feet for a corner lot and having an area of less than twenty thousand (20,000) square feet. (amended December 3, 1985)

2. In the Residence B Zones no dwelling shall be erected or maintained on a lot having frontage of less than one hundred and eighty-five (185) feet for an interior lot and two hundred (200) feet for a corner lot and having an area of less than forty-three thousand five hundred sixty (43,560) square feet. (amended December 3, 1985)

3. In the Residence C Zones no dwelling shall be erected or maintained on a lot having a frontage of less than two hundred (200) feet for an interior lot and two hundred feet (200) feet for a corner lot, or having an area of less than one (1) acre. (amended May 13, 1980)

4. In all Business Zones no dwelling shall be erected or maintained on a lot having a frontage of less than one hundred and twenty-five (125) feet for an interior lot and one hundred and forty (140) feet for a corner lot, or having an area of less than fifteen thousand (15,000) square feet.

5. In the Agricultural Zones no dwelling shall be erected or maintained on a lot having a frontage of less than three hundred (300) feet for an interior lot and three hundred (300) feet on both streets for a corner lot, or having an area of less than two (2) acres. (amended May 13, 1980)

6. In the Industrial Zones no dwelling shall be erected or maintained on a lot having a frontage of less than one hundred and seventy-five (175) feet for an interior lot and two hundred (200) feet for a corner lot, or having an area of less than thirty thousand (30,000) square feet.

7. Nothing contained in this section shall prevent the construction or placing of a building or structure upon a lot having less area or frontage or both than required above, if at the effective date of this by-law, the lot had less area or frontage, or both. Also providing if such less area or frontage, or both, did not result from an attempt to circumvent the intent of this by-law, and, if at the effective date of this by-law, the owner did not have adjoining land available to make up the deficiency in the above requirements. No lot shall be reduced in area or frontage if it already has or will be caused to have less area or frontage than required by this section, except by a taking of eminent domain or a conveyance for public purpose.

BOARD OF APPEALS

The Zoning Board of Appeals shall be authorized: To hear and decide appeals by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of Massachusetts General Laws, Chapter 40A, the Central Massachusetts Regional Planning Commission or by any person including an officer of a Board of the Town or of an abutting City or Town aggrieved by an order or decision of the Building Inspector or other administrative official in violation of any provision of Chapter 40A or of this Bylaw.

To hear and decide application for Special Permits as provided for in this By-Law, subject to any general or specific rules therein contained and subject to any appropriate conditions and safeguards imposed by the Board.
To grant upon appeal or upon petition with respect to particular land or structures a variance from the dimensional requirements of this By-Law, but not including variance for use.

In exercising the powers granted by this Section, the Zoning Board of Appeals may make orders or decisions, reverse or affirm in whole or in part or modify any order or decision and to that end shall have all the power of the officer from whom the appeal is taken and may issue or direct the issuance of a permit.

SET BACKS

B. <u>FRONT YARDS AND BUILDING SETBACKS:</u> Front yard and building setback requirements for the various zones shall be as follows:

1. In the Residence A, Residence B and Business Zones no building or part thereof shall be erected nearer than thirty (30) feet to the line of the street upon which it fronts and no detached garage or other accessory building shall be erected nearer than sixty-five (65) feet to the line of the street upon which it fronts. In the case of a corner lot these same setback requirements shall apply on both streets.

2. In the Residence C and Agricultural Zones no building or part thereof shall be erected nearer than forty (40) feet to the line of the street upon which it fronts. In the Residence C and Agricultural Zones, no detached garage or other accessory building shall be erected nearer than seventy-five (75) feet to the line of the street upon which the house fronts. In the case of a corner lot all the requirements of this paragraph shall apply on both streets.

3. In the Industrial Zones no building or part thereof shall be erected nearer than thirty (30) feet to the line of the street upon which it fronts. In the case of a corner lot these same setback requirements shall apply on both streets.

C. <u>SIDE YARDS:</u> The side yard requirements for the various zones shall be as follows:

Zone A & B

1. In the Residence A, Residence B and Business Zones no building except a detached accessory building shall be erected or maintained nearer than twenty-five (25) feet to a side lot line. No detached garage or other accessory building shall be erected or maintained nearer than five (5) feet to a side lot line. On a lot abutting on two intersecting streets the side yard along the side street shall conform to the setback requirements, as stated in paragraph 1, part b of this Section X.

Zone C & Agricultural

2. In the Residence C and Agricultural Zones no building except a detached accessory building shall be erected or maintained nearer than thirty (30) feet to a side line. No detached garage or other accessory building shall be erected or maintained nearer than ten (10) feet to a side lot line. On a lot abutting on two intersecting streets the side yard along the side street shall conform to the setback requirements as stated in paragraph 2, part b of this Section X.

Industrial

3. In the Industrial Zones the side yard requirements will be that no building shall be erected or maintained nearer than thirty (30) feet to a side lot line.

D. <u>REAR YARDS:</u> The rear yard requirements for the various zones shall be as follows:

1. In the Residence A, Residence B, and Business Zones, no building except a detached accessory building shall be erected or maintained nearer than thirty (30) feet to a rear lot line. No detached garage or other accessory building shall be erected or maintained nearer than five (5) feet to a rear lot line.

2. In the Residence C and Agricultural Zones no building, except a detached garage or other accessory building, shall be erected or maintained nearer to a rear lot line than forty (40) feet or twenty-five per cent (25%) of the lot depth, whichever is the lesser, provided the twenty-five per cent (25%) of the lot depth does not fall below thirty

(30) feet. No detached garage or other accessory building shall be erected or maintained nearer than ten (10) feet to a rear lot line.

3. In the Industrial Zones all buildings and detached accessory buildings shall be constructed and maintained not nearer than twenty (20) feet from a rear lot line.

E. PROJECTIONS:

1. Nothing in this section shall prevent the projection of steps, eaves, chimneys, cornices and similar features into any specified yard or open space.

F. VISION CLEARANCE:

1. On corner lots in all the various zoned districts of the Town, no building, fence or other structure shall be erected and no tree, hedge or other vegetation shall be planted or allowed to exist which prevents an unobstructed view through the space between three (3) feet and eight (8) feet above the ground within the area formed by the intersecting street lines forming the corner of the intersecting streets and a line joining points on such lines twenty-five (25) feet distant from the point of intersection of said street lines.

G. GENERAL:

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 subdivided or diminished so that the provisions of this article are reduced below the minimum requirements, except in the case of a land taking by eminent domain.

H. CONTIGUOUS BUILDABLE LOT AREA:

No lot created after the adoption of this subsection h may be built upon unless it contains a contiguous upland area equal to at least sixty percent (60%) of the minimum lot area required for the zoning district in which the lot is located. For purposes of this subsection, contiguous upland area shall mean a contiguous area of land, exclusive of any non-riverfront resource area subject to regulation under G.L.c.131, s. 40, within which any building(s) to be constructed on the lot shall be located. At the time a building permit application is submitted for a lot created after the adoption of subsection h, the Building Inspector shall require that the boundaries of any non-riverfront resource areas located on such lot be delineated by a wetland scientist or botanist and verified by the Conservation Commission. (added Nov. 18, 2003)

DEFINITION: "Riverfront area", shall mean that area of land situated between a river's mean annual high-water line and a parallel line located two hundred feet away, measured outward horizontally from the river's mean annual high-water line.

SECTION XI
TRAILERS

No tourist camp or trailer park will be permitted to locate within boundaries of the Town and no individual house trailer or mobile home shall be located within the boundaries of said Town for a period exceeding fourteen (14) days.

Construction trailers will be allowed for a period not to exceed one (1) year*. A permit for construction trailers must be obtained from the Zoning Inspector. This Zoning law is not to apply to individual house trailers that are permanently located within the Town at the time of the adoption of this by-law.

* Said trailer not to be used for living quarters.

SECTION XII
JUNK CARS

No junk cars shall be located within the boundaries of the Town of Uxbridge unless a special permit therefore has been obtained in accordance with Section VII.

SECTION XIII
ADMINISTRATION

A. ENFORCEMENT: The provision of this by-law shall be enforced by the Board of Selectmen as provided in Chapter 40A, General Laws of the Commonwealth of Massachusetts. No permit shall be granted for the construction, alteration, relocation or use of any building, structure or premises in violation of any provisions of this by-law.

With each application for a permit to build, there shall be filed a plan showing the lot, the area and location of which justify the building, and showing separately each open space appurtenant thereto.

Whenever any permit or license is refused because of some provision of this by-law, the reason therefore shall be clearly stated in writing.

No building hereafter erected, altered or relocated shall be used and no change shall be made of the use of any building or of any parcel of land, unless an occupancy permit signed by a duly authorized person has been granted to the owner or occupant of such land or building. Such permit will not be granted unless the intended use of the land or building and any other necessary uses comply with this by-law. No other use shall be made of such land or building except that which is explicitly stated by such occupancy permit.

B. ADMINISTRATION, GROWTH MANAGEMENT

1. Purposes

The purposes of the Growth Management By-Law (the "By-Law") are: (1) to preserve and promote the public health, safety, welfare, education and community character of the Town of Uxbridge (the "Town") by maintaining the growth of the Town at a manageable rate; and (2) to ensure adequate time exists for the Town to expand its resources to provide those services necessary to meet the educational, infrastructure and public safety needs of the residents. The Town's growth rate should not exceed its ability to provide adequate schools, roads, police and fire protection, and other municipal services necessary and appropriate to safeguard the health, welfare and safety of current and future residents.

2. Definitions

1) APPLICANT – Individuals or partnerships, corporations, trusts and other legal entities, in which the applicant of record holds a legal or beneficial ownership of greater than one percent (1%).
2) DWELLING - A building, or any part thereof, containing accommodations for permanent human occupancy including one and two family houses, condominiums, apartments, and boarding or lodging houses, but not including transient accommodations such as in hotels or motels.
3) DWELLING UNIT - One or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for the same, and including room or rooms for living, sleeping and eating.
4) DEVELOPMENT - Lots which were at any time after the date of adoption of this growth management bylaw, part of contiguous property under common ownership (or in different ownerships each involving one or more of the same principals).

3. Applicability

The By-law shall apply to all applications for residential building permits for construction of new residential dwelling units submitted after the effective date of this By-law, except as expressly exempted in Section 6 herein. The By-law shall apply to all residential dwelling units whether they be single-family dwelling units or units in multi- family dwellings. The By-law shall be effective through June 30, 2009. The By-law may be extended for up to five years, to achieve its purposes without lapse of its provisions, conditions and limitations by majority vote of a Town Meeting prior to June 30, 2009.

4. New Building Permit Limitations

a. There shall be a limit on the issuance of building permits town-wide so as to limit the construction of or conversion to residential dwelling units to 60 units per twelve month period. 24 of the aforementioned 60 permits shall be made available, at the rate of no more than 2 permits per month. Any building permits that have not been issued by the end of the year shall expire.

b. Building permits issued for dwelling units on lots which are exempted from operation of this Growth Management Bylaw by G.L.c.40A, §6 will not be counted toward the 60 permit limit.
c. Building permits shall not be issued authorizing construction of or conversion to more than five (5) residential dwelling units (exclusive of permits withdrawn or expired without use) in one Development or to any Applicant (or set of Applicants involving one or more of the same principals) in any twelve-month period unless the Planning Board has granted a special permit for rapid development. It is recognized that under state law, certain subdivisions and lots will be grandfathered and will, therefore, not be subject to the 5 permit limit established by this Section.
d. Special permits for rapid development shall be granted only upon a determination by the Planning Board that such development also would serve a significant housing need, would be unfeasible if limited to five (5) residential dwelling units over twelve months, and would not overburden public services.

5. Procedures

a. The application procedures for obtaining such building permits referred to herein shall be as follows:
b. The Building Department ("Department") will accept applications for building permits on a first come, first served basis during normal business hours. The Applicant may not submit more building permit applications during any period than for that number of residential dwelling units to which the Applicant is entitled during such period in accordance with this By-law.
c. The Department shall not accept building permit applications for a greater number of residential dwellings units than may be permitted during any month in accordance with this By-Law.
d. Building permit application packages that are deemed by the Building Inspector to be incomplete or are rejected for any reason will be returned to the Applicant. The Applicant may then file a new application for a building permit. If a building permit application is accepted by the Department, a building permit may be issued at any time within thirty (30) days of such submission.

6. Exemptions

The following building permits are specifically exempt from this B-ylaw and shall not count toward the Building Permit Limitations set forth in Section 4 herein:

a. Restoration, expansion, alteration, or reconstruction of a dwelling built as of the effective date of this By-law, in law apartments, provided that no additional residential unit is created.
b. Any dwelling unit to be built under any program or statute intended to assist in the construction of housing for low or moderate-income households that count for the purposes of G.L.c40B.
c. Structures for non-residential purposes. (adopted 5/11/04)
d. Not more than twenty (20) dwelling units per year in a Conservation Design Development being developed pursuant to a special permit on land that was shown on a preliminary or definitive subdivision plan filed before May 11, 2004, provided further that if an owner of land shown on a preliminary or definitive subdivision plan filed before May 11, 2004 applies for a Conservation Design Development special permit, which is not granted the provision of this Section 13 shall not apply to the land shown on said preliminary or definitive plan until this Section 13 would otherwise have become applicable. Or the purpose of preliminary plans filed before May 11, 2004, the exemption provided by this section shall apply despite the fact that a definitive plan was not filed within 9 months of the preliminary plan, provided the definitive plan is filed within ninety (90) days of the date on which the special permit is denied. (added 2/1/05)

SECTION XIV
BOARD OF APPEALS

Appeals to a Board of Appeals established in conformity with Sections 13, 14, and 15, Chapter 40A, General Laws of Massachusetts may be taken by any officer or board of the Town, or by any person aggrieved by any order or decision of the Board of Selectmen or the Zoning Inspector by filing a written claim of appeal, signed by the aggrieved party or his authorized agent, with the Board of Appeals within ten (10) days from the date of the refusal to issue or publication of the notice of granting of such order or permit.

The Board of Appeals shall consist of three (3) members and two (2) associate members appointed by the Board of Selectmen as provided in Chapter 40A, General Laws, Commonwealth of Massachusetts.

SECTION XV
AMENDMENTS

ZONING CHANGE

The provisions of this by-law may be altered by amendment, addition or repeal by a town meeting in the manner provided by law. All petitions for amendment shall be filed with the Town Clerk, who shall transmit true copies of the petitions for amendment to the Board of Selectmen and the Planning Board. After a duly advertised public hearing has been held by the Planning Board with its resultant recommendations, the Board of Selectmen shall insert in the warrant for the town meeting an article or articles setting forth the subject matter of all such petitions for amendment.

SECTION XVI
EXISTING BY-LAWS NOT REPEALED

Nothing contained in this zoning by-law shall be interpreted as repealing or modifying any existing by-law or regulation of the Town, but it shall be in addition thereto. If this by-law imposes greater restrictions upon the use of buildings, or requires larger yards, or open spaces than other by-laws or provisions of law such greater restrictions shall prevail.

All by-laws or parts of by-laws heretofore adopted, which are inconsistent with the provisions of this by-law are hereby repealed.

SECTION XVII
ADULT ENTERTAINMENT

AUTHORITY.

This bylaw in enacted pursuant to M.G.L. Chapter 40A and pursuant to the Town's authority under the Home Rule Amendment to the Massachusetts Constitution to serve the compelling Town interest of limiting the location of and preventing the clustering and concentration of certain adult entertainment uses, as defined and designated herein, in response to studies demonstrating their deleterious effects.

PURPOSE.

It is the purpose of this Adult Entertainment bylaw to address and mitigate the secondary effects of the adult entertainment establishments and sexually oriented businesses that are referenced and defined herein. Secondary effects have been shown to include increased crime, adverse impacts to public health, adverse impacts on the business climate of the Town, adverse impacts on the property values of residential and commercial properties and impacts on the quality of life in Town. All of said adverse impacts are adverse to the health, safety and general welfare of the Town Of Uxbridge and its inhabitants. The provisions of this bylaw have neither the purpose nor intent of imposing a limitation on the content of any materials. Similarly, it is not the purpose or intent of this bylaw to restrict or deny access by adults to adult entertainment establishments or to sexually oriented matter or materials that are protected by the Constitution of the United States or of the Commonwealth of Massachusetts, nor to restrict or deny rights that distributors of exhibitors of such matter or materials may have to sell, rent distribute or exhibit such matter or materials. Neither is it the purpose or intent of this by-law to legalize the sale, rental, distribution or exhibition of obscene or other illegal matter or materials.

ADULT ENTERTAINMENT ZONE.

Adult Entertainment establishments shall be permitted only in areas zoned Industrial, by Special Permit of the Planning Board.

DEFINITIONS.

The following definitions shall apply to this zoning bylaw article. Adult entertainment uses shall include the following uses:

a. Adult Bookstores, as defined by M.G.L., c. 40A, §9A.
b. Adult Motion Picture Theaters, as defined by M.G.L., c. 40A, §9A.
c. Adult Paraphernalia Store, as defined by M.G.L., c. 40A, §9A.
d. Adult Video Store, as defined by M.G.L., c.40A, §9A.

e. Establishments Which Displays Live Nudity for Its Patrons, as defined by M.G.L., c. 40A, §9A.

ADULT ENTERTAINMENT USES BY SPECIAL PERMIT: CRITERIA.

Adult entertainment uses shall be prohibited in all zoning districts except as otherwise permitted by this bylaw and may be permitted only upon the grant of a special permit by the Planning Board. Such a special permit shall not be granted unless each of the following standards has been met.

a. The application for a special permit for an adult use shall provide the name and address of the legal owner of the establishment, the legal owner of the property, and the manager of the proposed establishment.

b. No adult use special permit shall be issued to any person convicted of violating the provisions of M.G.L. Chapter 119, §63, or M.G.L. Chapter 272, §28.

c. Adult uses shall not be located within:
   1. 1,000 feet from the nearest church, school, park, playground, play-field, youth center, or 1000 feet from any school bus stop. (The attorney general did not approve the section that stated "or other location where groups of minors regularly congregate" Therefore these words have been deleted from the original article)
   2. 1,000 feet from the nearest establishment licensed under M.G.L. Chapter 138, §12; or
   3. 500 feet from the nearest adult entertainment use as defined herein; or
   4. 1000 feet from the nearest residential zoning district.

   The distances specified above shall measure by a straight line from the nearest property line of the premises on which the proposed adult entertainment use is to be located to the nearest boundary line of a residential zoning district or to the nearest property line of any other designated uses set forth above.

d. All building openings, entries or windows shall be screened in such a manner as to prevent visual access to the interior of the establishment by the public.

e. No adult uses shall be allowed for display or advertisement or other purposes any sign, placard or other like materials to the general public on the exterior of the building or on the interior where the same may be seen through glass or other like transparent material any sexually explicit figures or words as defined in M.G.L., Chapter 272, §32.

f. No adult use shall be allowed to disseminate or offer to disseminate adult matter or paraphernalia to minors or to allow minors to view displays or linger on the premises.

g. The proposed adult entertainment uses shall comply with all of the parking requirements set forth by this bylaw.

h. No adult entertainment use shall have a freestanding accessory sign. No adult entertainment use shall be established prior to the submission and approval of a site plan by the Planning Board.

CONDITIONS.

The Planning Board may impose reasonable conditions, safeguards and limitations on time or use of any special permit granted and shall require that any such permit shall be personal to the applicant, shall not run with the land, and shall expire upon sale or transfer of the subject property.

EXPIRATION.

A special permit to conduct an adult entertainment use shall expire after a period of three calendar years from its date of issuance and shall be automatically renewable for successive three-year periods thereafter provided that a written request for such renewal is made to the Planning Board prior to said expiration and that no objection to said renewal is made and sustained by the Planning Board based upon the public safety factors applied at the time that the original special permit was granted.

SEVERABILITY.

The provisions of this section are severable and, in the event that any provision of this section is determined to be invalid for any reason, the remaining provisions shall remain in full force and effect." (added 11/18/03)

SECTION XVIII
VALIDITY

The invalidity of any section or provision of this by-law, or of any district or part thereof as laid down upon the zoning map, shall not invalidate any other section or provision of the by-law, or of any other district or part thereof as laid down upon the zoning map. It is hereby declared to be the intent of the Town that said provisions would have been adopted in the event that such invalid or unconstitutional provision had not been included herein.

EFFECTIVE DATE

This by-law shall take effect upon adoption by the Town, the approval of the Attorney General of the Commonwealth of Massachusetts and publication as provided by law.

SECTION XIX
GROUNDWATER PROTECTION OVERLAY DISTRICT

1. PURPOSES

The purpose of this section is to preserve the public health by protecting the Town's groundwater resources from contamination.

2. ESTABLISHMENT AND DELINEATION OF THE GROUNDWATER PROTECTION DISTRICT(S)

For the purpose of this Section, there is hereby established within the Town certain groundwater protection districts consisting of municipal wellfields, aquifers and/or aquifer recharge areas. The boundaries of these districts(s) are delineated on a map on file in the office of the Town Clerk entitled (Groundwater Protection District(s), Town of Uxbridge dated April 1, 1991.

3. USE REGULATIONS

The Groundwater Protection District(s) shall be considered as overlaying other zoning districts and the regulations contained herein shall be in addition to the regulations in the underlying zoning districts.

A. The following uses are prohibited in the Groundwater Protection District(s) unless a special permit is granted by the Zoning Board of Appeals upon a finding that the proposed use will not adversely affect the groundwater or public health.
   1. Aboveground storage of all petroleum products and toxic or hazardous materials without leak containment designed, constructed and operated to specifications acceptable to the Uxbridge Fire Department. (527 CMR 14:00 and 310 CMR 30:00 limits apply)
   2. Underground storage of all petroleum products and toxic or hazardous materials.
   3. Junk and salvage yards (as defined by MGL Chapter 140, Section 58, class 3).
   4. Landfills (as defined by 310 CMR 19:00)
   5. Commercial and industrial on site sanitary and process waste disposal.
   6. Landfilling of sewage sludge, sewage sludge ash, septage, and related residues.
   7. Land application of Type II & Type III sludge & septage (as defined by 310 CMR 32:00)
   8. Facilities that generate, treat, store or dispose of hazardous waste (as defined by MGL 21C and 310 CMR 22:21 and 30:00)

In the event that the Zoning Board of Appeals grants a special permit for a use otherwise prohibited under this section, said special permit may only be granted upon approval of and subject to conditions recommended to the Zoning Board of Appeals by the Board of Public Works, the Fire Chief, The Hazardous Waste Coordinator(s) and the Board of Health.

The Zoning Board of Appeals shall notify in writing the above mentioned Boards or officials that a Special Use Permit has been applied for in the Groundwater Protection District within seven days after receiving said application. Failure of a Board or official to respond in person or in writing at the time of the initial ZBA hearing shall be deemed an approval of the application.

B. Uses Permitted:

1. All uses allowed by underlying Zoning Regulations which are not specifically prohibited under Section 3A.

4. <u>NONCONFORMING USES</u>

Nonconforming uses which are lawfully existing at the time of the adoption of this section may be continued. Such nonconforming uses may be extended or altered, as specified in MGL Chapter 40A, Section 6, as amended, and Section IV of the Uxbridge Zoning Bylaws, provided that any change to such nonconforming use conforms to the requirements of Section 3 above.

(amended May 11, 1993)

A P P E N D I X

TABLE OF AREA REGULATIONS

YARDS

Zone	Area (sq.ft.)	Frontage (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)
RESIDENCE A	20,000		30*	25	30
Interior Lot		125			
Corner Lot		140			
Accessory Bldg.			65*	5	5
RESIDENCE B	43,560		30*	25	30
Interior Lot		185			
Corner Lot		200			
Accessory Bldg.			65*	5	5
RESIDENCE C	1 acre		40*	30	40 or 25%**
Interior Lot		200			
Corner Lot		200			
Accessory Bldg.			75*	10	10
BUSINESS	15,000		30*	25	30
Interior Lot		125			
Corner Lot		140			
Accessory Bldg.			65*	5	5
AGRICULTURAL	2 acres		40*	30	40 or 25%**
Interior Lot		300			
Corner Lot		300			
Accessory Bldg.			75*	10	10
INDUSTRIAL	30,000		30*	30	20
Interior Lot		175			
Corner Lot		200			
Accessory Bldg.					

* In the case of a corner lot these same setback requirements shall apply on both streets.

** No building, other than accessory, shall be erected or maintained nearer to a rear lot line than forty (40) feet or twenty-five (25) per cent of the lot depth, whichever is the lesser, provided the twenty-five (25) per cent of the lot depth does not fall below thirty (30) feet.

NOTE: See also Section X of this by-law.

TABLE OF HEIGHT REGULATIONS

Zone	Height	Stories
RESIDENCE A	35	2-1/2
RESIDENCE B	35	2-1/2
RESIDENCE C	35	2-1/2
BUSINESS	45	3
AGRICULTURAL	35	2-1/2
INDUSTRIAL	45	3
FLOOD PLAIN		

NOTE: SEE also Section IX of this By-Law.

CHANGES TO ZONING

Article 12. Special Town Meeting (February 1, 1988)
Moved that the Town vote to amend the Zoning By-Law of the Town of Uxbridge by amending the Town of Uxbridge Zoning Map to rezone the area known as "Crown and Eagle" from "Industrial" to "Residence A" and to rezone the area known as "Gray Rock Estates" from "Residence B" to "Residence A". The land to be rezoned as "Residence A" consists of that land bounded to the north by Hartford Ave. East, to the east by Granite St., to the south by the southern boundary of Gray Rock Estates Sub-division and the southern boundary of the Crown & Eagle and to the west by the western boundary of the Crown & Eagle.

Said land includes all or part of those parcels identified on an Uxbridge Assessors' Map 47 as parcels 1, 118, 118A, 118B, 118C, excluding, however, therefrom, lots 1,2,3,4,5,6,7,8 and 10 all as shown on the plan known as Gray Rock Estates.

Article 19. Special Town Meeting (February 1, 1988)
Moved that the Town will vote to amend the Zoning By-Laws of the Town of Uxbridge and the Zoning Map of the Town of Uxbridge to extend the Business District to include the following parcel located on Ironstone Street, also known as the Quaker Highway (Route 146A) in the Town of Uxbridge, Massachusetts containing 6.90 Acres and being particularly bounded and described as follows:

- Beginning at a point on the easterly side of Ironstone Street also known as Quaker Highway (Route 146A),
- THENCE S. 82 degrees 50 minutes 38 seconds E., 397.6 feet to a point at other land of Ironstone Village Realty Trust;
- THENCE S. 82 degrees 47 minutes 30 seconds E., 181.26 feet by other land of Ironstone realty trust to an iron pin;
- THENCE S. 32 degrees 21 minutes 30 seconds E., 420.71 feet by land of Scungio, Petrowicz and McNamara to a point;
- THENCE S. 57 degrees 38 minutes 30 seconds W., 120.43 feet by land now or formerly of Tucker to a point;
- THENCE northerly for a curved distance of 404.25 feet by Route 146A to the point of beginning.

Article 20. Special Town Meeting (February 1, 1988)
Moved that the Town will vote to amend the Zoning By-Laws of the Town and the Zoning Map of the Town of Uxbridge adopted under Article 23 of the warrant for the 1985 Annual Town Meeting and incorporated into the Town Zoning By-laws by changing the zoning designation of the parcel of land described herein below from Agricultural to Business. The parcel to be re-zoned is described as follows, to-wit:

- Beginning at a point on the southerly sideline of Douglas Street (Route 16) at the southwesterly corner of land now or formerly of Griffiths, said point being the northerly most point of the described parcel; thence,
- S-34-12-58-E, by a stonewall 128.81 feet to a point; thence,
- S-15-08-59-E, by said stonewall 98.78 feet to a drill hole in the wall; thence,
- S-17-19-30-E, by said stonewall 28.93 feet to a drill hole in the wall; thence,
- S-24-49-17-E, by said stonewall 153.50 feet to a drill hole in the wall; thence,
- S-30-01-58-E, by said stonewall 242.32 feet to a drill hole in the wall; thence,
- S-34-08-16-E, by said stonewall 60.58 feet to a point; thence,
- S-44-00-08-E, by said stonewall 112.28 feet to a drill hole in the wall; thence,
- S-56-50-08-E, by said stonewall 103.69 feet to a drill hole in the wall; thence,
- S-59-25-20-E, by said stonewall 227.66 feet to a corner of walls; thence,
- Southwesterly 470.78 feet by a stonewall to a point on the northerly sideline of the State Highway Layout of Route 146; thence,
- N-55-17-43-W, along said northerly sideline of Route 146, 427.53 feet to a point; thence,
- N-39-02-03-W, along said northerly sideline of Route 146, 460.00 feet to a Massachusetts Highway Bound; thence,
- N-06-59-17-E, along the sideline of Route 146, 193.05 feet to a Massachusetts Highway Bound at the southerly sideline of Douglas Street (Route 16); thence,
- N-65-52-16-E, along the southerly sideline of said Douglas Street, 236.93 feet to a Massachusetts Highway Bound; thence,

- N-23-11-10-E, along the southerly sideline of said Douglas Street, 24.85 feet to a point on the Worcester County Highway Layout of Douglas Street; thence,
- N-66-51-20-E, along said Douglas Street sideline 13.38 feet to a point; thence,
- Along said Douglas Street sideline by a curve deflecting to the right, having a radius of 6270.62 feet, a length of 201.16 feet to the point of beginning.
- Being shown on a plan entitled "Plan of Land in Uxbridge, Mass. Owned by Albert E. & Gertrude I. Staves, Scale: 1"=50' dated April 2, 1987, by Andrews Survey & Engineering, Inc., Uxbridge, Mass."

The above described parcel contains 10.87 acres more or less.

Article 1. Special Town Meeting (June 29, 2000)
Move the Town vote to amend the Town of Uxbridge Zoning Map and zoning districts to change the following parcels of land from the Agricultural District to the Industrial District. The parcels, according to the Town of Uxbridge Assessor's Map are as follows: Map 21 – Parcel 1416/Map 15-Parcel 1443, 684, 655, 651 and 14187 Map 9-Parcel 4635, 4673, 4615, 4724.

Article 11: Fall ATM (November 18, 2003)
Voted to amend the Zoning Map incorporated in its Zoning Bylaws by changing the zoning district designation of the parcel of land located on the northeasterly side of Ironstone St. shown on a plan entitled "Proposed Zoning Change on Ironstone St., Uxbridge, Mass." dated September 11, 2003, a copy of which is on file with the Town Clerk, from Agricultural to Business.