

**ARTICLE: Amend Zoning Bylaw Sections 3.10 Table of Principal Uses and 3.6.3 Uses Allowed by Special Permit in the Industrial District**

To see if the Town will vote to amend the Zoning Bylaw by amending Sections 3.10, and 3.6.3, as stated below is sections A and B of this article; and further than non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

(Planning Board)

**Planning Board Summary**

The purpose of this update is to allow private schools, colleges and dance/music academies in the Industrial District of Stow. With the bulk of the Industrial District either already developed or considered for future development, private school uses offer a development option that invites fewer trucks and industrial disturbance, and is generally more in keeping with the rural, residential character of Stow.

**A) Amend Section 3.10 - Table of Principal Uses as stated below:**

<b>Principal Uses</b>	<b>Residential</b>	<b>Business</b>	<b>Compact Business</b>	<b>Industrial</b>	<b>Commercial</b>	<b>Recreation Conservation</b>	<b>FloodPlain Wetlands</b>	<b>Refuse Disposal</b>	<b>Site Plan Approval</b>
<b><u>General Uses</u></b>									
Agriculture	Y (4)	N	Y	Y	Y	Y	Y	Y	NR
Conservation	Y	Y (5)	Y	Y	Y	Y	Y	Y	NR
Recreation	SPA (4)	N	N	SPP	N	SPP	SPA	SPP	(3)
<b><u>Residential Uses</u></b>									
Single Family DWELLING	Y (4) (11)	N	Y SPP(11)	N	N	N	N	N	(3)
Single Family DWELLING with ACCESSORY APARTMENT	SPP (4) (7) (11)	N	SPP (7) (11)	N	N	N	N	N	(3)
Duplex DWELLINGS	SPP (4) (11)	N	N	N	N	N	N	N	(3)
Multi-Family DWELLING	SPP(4) (11)	N	N	N	N	N	N	N	(3)
Conversion to 2-Family DWELLING	SPA (4)	N	N	N	N	N	N	N	(3)
Combined Residence/ Home Occupation	Y (4)	N	Y	N	N	N	N	N	NR
Bed & Breakfast Home	Y (4)	SPA (1)	N	N	SPP (3)	N	N	N	R
Bed & Breakfast Home or Establishment	SPA (1) (4)	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Boarding House or Rooming House	Y (4)	N	Y	N	N	N	N	N	R
Playgrounds	SPA (4)	N	N	N	N	N	N	N	(3)
Conservation Areas, Farming and Horticulture, Orchards, Nurseries, Forests, Tree Farms, Sale of Farm Produce	Y (4)	N	Y	Y	Y	Y	Y	Y	R
Storage of Farm Vehicles	Y (4)	N	N	N	N	N	N	N	NR

**Table of Principal Uses (Continued)**

<b>Principal Uses</b>	<b>Residential</b>	<b>Business</b>	<b>Compact Business</b>	<b>Industrial</b>	<b>Commercial</b>	<b>Recreation Conservation</b>	<b>FloodPlain Wetlands</b>	<b>Refuse Disposal</b>	<b>Site Plan Approval</b>
ACCESSORY BUILDINGS & Uses	Y (4)	Y	Y	SPP	SPP	Y	SPA	SPP	(3)
Hammerhead LOTS	SPP (4)	N	N	N	N	N	N	N	(3)
INDEPENDENT ADULT LIVING RESIDENCE	N	SPP (9) (11)	N	N	N	N	N	N	(3)
ACTIVE ADULT NEIGHBORHOOD	N	N	N	SPP (10)	SPP (10)	N	N	N	(3)
Common Drives	Y	N	N	N	N	N	N	N	R
<b><u>Institutional Uses</u></b>									
CHILD CARE FACILITY	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
FAMILY DAY CARE HOME	Y (6) (4)	N	Y	N	N	N	N	N	R
Private Schools & Colleges, Dance & Music Studios	SPA (4)	N	N	SPP (3)(14)	N	N	N	N	(3)
Nursing Homes	SPA (4)	N	N	N	N	N	N	N	(3)
Day Camps, Overnight Camps, and Camp Sites	N	N	N	SPP	N	SPP	N	SPP	(3)
Municipal	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Public Service Corporation	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Religious	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Educational (Non-Profit)	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Wireless Communication Facilities	SPP (8)	N	N	SSP(8)	SSP(8)	SPP (8)	N	SSP(8)	(3)
<b><u>Business &amp; Commerical Uses</u></b>									
TOURIST HOMES, or LODGING HOUSES	N	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Business or Professional Offices	N	SPP (1)	SPP	SPP (2)	SPP (1)	N	N	SPP (2)	(3)
Retail Stores or Service Establishments	N	SPP (1)	SPP	N	SPP (1)	N	N	N	(3)
Banks	N	SPP	SPP	N	SPP	N	N	N	(3)
U.S. Post Offices	N	SPP	SPP	N	N	N	N	N	(3)
Salesrooms for Automobiles, Bicycles, Farm Implements, Boats, and Similar Equipment	N	SPP	N	N	SPP (1)	N	N	N	(3)
Restaurants, including those offering accessory outdoor service on a patio or seating area	N	SPP	N	SPP	SPP	SPP	N	SPP	(3)
Country Clubs or Other MEMBERSHIP CLUBS	N	SPA	N	SPP	N	SPP	N	SPP	(3)
Golf Courses	SPP (4)	N	N	SPP	N	SPP	N	SPP	(3)
Ski Areas, MARINAS & Boat Landings	SPA(4)	N	N	SPP	N	SPP	N	SPP	(3)
Cross Country Ski Areas	SPP (4)	N	N	N	N	N	N	N	(3)
Parking Areas for Employees, Customers or Visitors	N	SPP	SPP	SPP	SPP	N	N	SPP	(3)
HOTELS MOTELS	N	SPA	N	N	N	N	N	N	(3)

**Table of Principal Uses (Continued)**

<b>Principal Uses</b>	<b>Residential</b>	<b>Business</b>	<b>Compact Business</b>	<b>Industrial</b>	<b>Commercial</b>	<b>Recreation Conservation</b>	<b>FloodPlain Wetlands</b>	<b>Refuse Disposal</b>	<b>Site Plan Approval</b>
Theaters, Bowling Alleys, Skating Rinks, Clubs or Assembly within the BUILDING	N	SPA	N	N	N	N	N	N	(3)
Funeral Home, Mortuaries or Crematories	N	N	N	N	SPP	N	N	N	(3)
Veterinary Hospitals, Stables & Kennels, Raising or Breeding of Animals for Sale, and Boarding Animals	SPA(4)	N	N	N	N	N	N	N	(3)
Printing, Publishing or Commercial Reproduction or Photo Processing Establishments, Offices, Medical or Dental Labs, and Research Laboratories	N	N	N	N	SPP (2)	N	N	N	(3)
Building Materials Salesrooms & Yards, Contractor's Yards, Wholesale Distribution Plants, Storage Warehouses	N	N	N	N	SPP	N	N	N	(3)
Gasoline Service Stations, Garages or Repair Shops	N	SPA	N	N	N	N	N	N	(3)
Utility Structures, Passenger Depots and Terminals	N	N	N	N	SPP	N	N	N	(3)
Screened Storage	N	N	N	SPP	SPP	N	N	SPP	(3)
Cafeterias for Employees	N	N	N	SPP	N	N	N	SPP	(3)
Access to Industrial Zoned Land	N	Y	N	N	N	N	N	N	(3)
Retail Store as part of a REGISTERED MARIJUANA DISPENSARY	N	SPP (1)(12)	N	N	N	N	N	N	(3)
MARIJUANA RETAILER	N	N	N	N	N	N	N	N	(3)
<b>Industrial Uses</b>									
Manufacturing Enterprises	N	N	N	SPP	N	N	N	SPP	(3)
Research Laboratories with Incidental Assembly or Manufacture	N	N	N	SPP (2)	N	N	N	SPP (2)	(3)
Sanitary Landfill	N	N	N	N	N	N	N	SPS	(3)
Refuse Transfer Station	N	N	N	N	N	N	N	SPS	(3)
Refuse Incinerator	N	N	N	N	N	N	N	SPS	(3)
COMMERCIAL SOLAR PHOTOVOLTAIC RENEWABLE ENERGY INSTALLATION	SPP	SPP	N	Y	Y	SPP	N	Y	(3)
CRAFT MARIJUANA CULTIVATOR COOPERATIVE	N	N	N	N	N	N	N	N	(3)
MARIJUANA CULTIVATOR	N	N	N	N	N	N	N	N	(3)
MARIJUANA PRODUCT MANUFACTORY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)

**Table of Principal Uses (Continued)**

<b>Principal Uses</b>	<b>Residential</b>	<b>Business</b>	<b>Compact Business</b>	<b>Industrial</b>	<b>Commercial</b>	<b>Recreation Conservation</b>	<b>FloodPlain Wetlands</b>	<b>Refuse Disposal</b>	<b>Site Plan Approval</b>
MARIJUANA RESEARCH FACILITY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA INDEPENDENT TESTING LABORATORY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA MICROBUSINESS	N	N	N	N	N	N	N	N	(3)

- (1) Uses permitted by right provided that the BUILDING is less than 1,000 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
- (2) Uses permitted by right provided that the BUILDING is less than 1,500 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
- (3) All uses requiring a Special Permit are subject to Site Plan Approval requirements as part of the special permit process.
- (4) Refer to Section 7.3.3.3 of this Bylaw to determine parking requirements for uses permitted in the Residential District.
- (5) Allowed in accordance with the provisions of M.G.L., Ch. 40A, Section 3.
- (6) Allowed as accessory use only.
- (7) Allowed without special permit in accordance with Section 8.1.2 of this Bylaw.
- (8) Wireless Service Facilities shall be allowed by special permit only on land located in the Wireless Service Facility District.
- (9) The total number of INDEPENDENT ADULT UNITS shall not exceed 6% of the total single family DWELLING UNITS in Stow.
- (10) An Active Adult Neighborhood shall be allowed by Special Permit only on land located in the Active Adult Neighborhood District.
- (11) Provisions of Section 8.9, Inclusion of Affordable Housing, may apply.
- (12) The retail component of a REGISTERED MARIJUANA DISPENSARY is allowed by Special Permit within the Business District, in accordance with Section 5.5 of the BYLAW and pursuant to Department of Public Health Regulations 105 CMR 175.000 and Cannabis Control Commission Regulations 935 CMR 500.
- (13) MARIJUANA RESEARCH FACILITIES, MARIJUANA INDEPENDENT TESTING LABORATORIES, and MARIJUANA PRODUCT MANUFACTURERS are allowed in the REGISTERED MARIJUANA ESTABLISHMENT Overlay District, pursuant to Section 5.5 of the BYLAW, and Cannabis Control Commission regulations 935 CMR 500.
- (14) A special permit for Private Schools and Colleges, Dance and Music Studios located in the Industrial District shall reference an executed Development Agreement negotiated by and between the Applicant and the Select Board. The execution of said Development Agreement is a condition precedent to Special Permit approval by the Planning Board.

**Prohibited Uses** - All uses not specifically named in the text of the bylaw are prohibited.

<b>B) Amend Section 3.6.3, Uses Permitted by Special Permit in the Industrial District, by adding Section 3.6.3.10 to read in its entirety as stated below:</b>
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3.6.3.10 Private Schools & Colleges, Dance & Music Studios, inclusive of USES that are ACCESSORY to the primary academic USE, including but not limited to: onsite dormitories for students and staff; incidental retail USES for supplies, equipment, food service and concessions, and athletic fields and complexes.

Annotated Version

Additions are underlined

Deletions are ~~strike through~~

**ARTICLE: Amend Zoning Bylaw Sections 3.10 Table of Principal Uses and 3.6.3 Uses Allowed by Special Permit in the Industrial District**

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**A) Amend Section 3.10 - Table of Principal Uses as stated below:**

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
<b><u>General Uses</u></b>									
Agriculture	Y (4)	N	Y	Y	Y	Y	Y	Y	NR
Conservation	Y	Y (5)	Y	Y	Y	Y	Y	Y	NR
Recreation	SPA (4)	N	N	SPP	N	SPP	SPA	SPP	(3)
<b><u>Residential Uses</u></b>									
Single Family DWELLING	Y (4) (11)	N	Y SPP(11)	N	N	N	N	N	(3)
Single Family DWELLING with ACCESSORY APARTMENT	SPP (4) (7) (11)	N	SPP (7) (11)	N	N	N	N	N	(3)
Duplex DWELLINGS	SPP (4) (11)	N	N	N	N	N	N	N	(3)
Multi-Family DWELLING	SPP(4) (11)	N	N	N	N	N	N	N	(3)
Conversion to 2-Family DWELLING	SPA (4)	N	N	N	N	N	N	N	(3)
Combined Residence/ Home Occupation	Y (4)	N	Y	N	N	N	N	N	NR
Bed & Breakfast Home	Y (4)	SPA (1)	N	N	SPP (3)	N	N	N	R
Bed & Breakfast Home or Establishment	SPA (1) (4)	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Boarding House or Rooming House	Y (4)	N	Y	N	N	N	N	N	R
Playgrounds	SPA (4)	N	N	N	N	N	N	N	(3)
Conservation Areas, Farming and Horticulture, Orchards, Nurseries, Forests, Tree Farms, Sale of Farm Produce	Y (4)	N	Y	Y	Y	Y	Y	Y	R
Storage of Farm Vehicles	Y (4)	N	N	N	N	N	N	N	NR
ACCESSORY BUILDINGS & Uses	Y (4)	Y	Y	SPP	SPP	Y	SPA	SPP	(3)
Hammerhead LOTs	SPP (4)	N	N	N	N	N	N	N	(3)

**Table of Principal Uses (Continued)**

<b>Principal Uses</b>	<b>Residential</b>	<b>Business</b>	<b>Compact Business</b>	<b>Industrial</b>	<b>Commercial</b>	<b>Recreation Conservation</b>	<b>FloodPlain Wetlands</b>	<b>Refuse Disposal</b>	<b>Site Plan Approval</b>
INDEPENDENT ADULT LIVING RESIDENCE	N	SPP (9) (11)	N	N	N	N	N	N	(3)
ACTIVE ADULT NEIGHBORHOOD	N	N	N	SPP (10)	SPP (10)	N	N	N	(3)
Common Drives	Y	N	N	N	N	N	N	N	R
<b><u>Institutional Uses</u></b>									
CHILD CARE FACILITY	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
FAMILY DAY CARE HOME	Y (6) (4)	N	Y	N	N	N	N	N	R
Private Schools & Colleges, Dance & Music Studios	SPA (4)	N	N	<del>N</del> SPP (3) (14)	N	N	N	N	(3)
Nursing Homes	SPA (4)	N	N	N	N	N	N	N	(3)
Day Camps, Overnight Camps, and Camp Sites	N	N	N	SPP	N	SPP	N	SPP	(3)
Municipal	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Public Service Corporation	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Religious	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Educational (Non-Profit)	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Wireless Communication Facilities	SPP (8)	N	N	SSP(8)	SSP(8)	SPP (8)	N	SSP(8)	(3)
<b><u>Business &amp; Commerical Uses</u></b>									
TOURIST HOMES, or LODGING HOUSEs	N	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Business or Professional Offices	N	SPP (1)	SPP	SPP (2)	SPP (1)	N	N	SPP (2)	(3)
Retail Stores or Service Establishments	N	SPP (1)	SPP	N	SPP (1)	N	N	N	(3)
Banks	N	SPP	SPP	N	SPP	N	N	N	(3)
U.S. Post Offices	N	SPP	SPP	N	N	N	N	N	(3)
Salesrooms for Automobiles, Bicycles, Farm Implements, Boats, and Similar Equipment	N	SPP	N	N	SPP (1)	N	N	N	(3)
Restaurants, including those offering accessory outdoor service on a patio or seating area	N	SPP	N	SPP	SPP	SPP	N	SPP	(3)
Country Clubs or Other MEMBERSHIP CLUBs	N	SPA	N	SPP	N	SPP	N	SPP	(3)
Golf Courses	SPP (4)	N	N	SPP	N	SPP	N	SPP	(3)
Ski Areas, MARINAs & Boat Landings	SPA(4)	N	N	SPP	N	SPP	N	SPP	(3)
Cross Country Ski Areas	SPP (4)	N	N	N	N	N	N	N	(3)
Parking Areas for Employees, Customers or Visitors	N	SPP	SPP	SPP	SPP	N	N	SPP	(3)
HOTELS MOTELS	N	SPA	N	N	N	N	N	N	(3)

**Table of Principal Uses (Continued)**

<b>Principal Uses</b>	<b>Residential</b>	<b>Business</b>	<b>Compact Business</b>	<b>Industrial</b>	<b>Commercial</b>	<b>Recreation Conservation</b>	<b>FloodPlain Wetlands</b>	<b>Refuse Disposal</b>	<b>Site Plan Approval</b>
Theaters, Bowling Alleys, Skating Rinks, Clubs or Assembly within the BUILDING	N	SPA	N	N	N	N	N	N	(3)
Funeral Home, Mortuaries or Crematories	N	N	N	N	SPP	N	N	N	(3)
Veterinary Hospitals, Stables & Kennels, Raising or Breeding of Animals for Sale, and Boarding Animals	SPA(4)	N	N	N	N	N	N	N	(3)
Printing, Publishing or Commercial Reproduction or Photo Processing Establishments, Offices, Medical or Dental Labs, and Research Laboratories	N	N	N	N	SPP (2)	N	N	N	(3)
Building Materials Salesrooms & Yards, Contractor's Yards, Wholesale Distribution Plants, Storage Warehouses	N	N	N	N	SPP	N	N	N	(3)
Gasoline Service Stations, Garages or Repair Shops	N	SPA	N	N	N	N	N	N	(3)
Utility Structures, Passenger Depots and Terminals	N	N	N	N	SPP	N	N	N	(3)
Screened Storage	N	N	N	SPP	SPP	N	N	SPP	(3)
Cafeterias for Employees	N	N	N	SPP	N	N	N	SPP	(3)
Access to Industrial Zoned Land	N	Y	N	N	N	N	N	N	(3)
Retail Store as part of a REGISTERED MARIJUANA DISPENSARY	N	SPP (1)(12)	N	N	N	N	N	N	(3)
MARIJUANA RETAILER	N	N	N	N	N	N	N	N	(3)
<b>Industrial Uses</b>									
Manufacturing Enterprises	N	N	N	SPP	N	N	N	SPP	(3)
Research Laboratories with Incidental Assembly or Manufacture	N	N	N	SPP (2)	N	N	N	SPP (2)	(3)
Sanitary Landfill	N	N	N	N	N	N	N	SPS	(3)
Refuse Transfer Station	N	N	N	N	N	N	N	SPS	(3)
Refuse Incinerator	N	N	N	N	N	N	N	SPS	(3)
COMMERCIAL SOLAR PHOTOVOLTAIC RENEWABLE ENERGY INSTALLATION	SPP	SPP	N	Y	Y	SPP	N	Y	(3)
CRAFT MARIJUANA CULTIVATOR COOPERATIVE	N	N	N	N	N	N	N	N	(3)
MARIJUANA CULTIVATOR	N	N	N	N	N	N	N	N	(3)
MARIJUANA PRODUCT MANUFACTORY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)



**Table of Principal Uses (Continued)**

<b>Principal Uses</b>	<b>Residential</b>	<b>Business</b>	<b>Compact Business</b>	<b>Industrial</b>	<b>Commercial</b>	<b>Recreation Conservation</b>	<b>FloodPlain Wetlands</b>	<b>Refuse Disposal</b>	<b>Site Plan Approval</b>
MARIJUANA RESEARCH FACILITY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA INDEPENDENT TESTING LABORATORY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA MICROBUSINESS	N	N	N	N	N	N	N	N	(3)

- (1) Uses permitted by right provided that the BUILDING is less than 1,000 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
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- (5) Allowed in accordance with the provisions of M.G.L., Ch. 40A, Section 3.
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- (10) An Active Adult Neighborhood shall be allowed by Special Permit only on land located in the Active Adult Neighborhood District.
- (11) Provisions of Section 8.9, Inclusion of Affordable Housing, may apply.
- (12) The retail component of a REGISTERED MARIJUANA DISPENSARY is allowed by Special Permit within the Business District, in accordance with Section 5.5 of the BYLAW and pursuant to Department of Public Health Regulations 105 CMR 175.000 and Cannabis Control Commission Regulations 935 CMR 500.
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- (14) A special permit for Private Schools and Colleges, Dance and Music Studios located in the Industrial District shall reference an executed Development Agreement negotiated by and between the Applicant and the Select Board. The execution of said Development Agreement is a condition precedent to Special Permit approval by the Planning Board.

**Prohibited Uses** - All uses not specifically named in the text of the bylaw are prohibited.

**B) Amend Section 3.6.3, Uses Permitted by Special Permit in the Industrial District, by adding Section 3.6.3.10 to read in its entirety as stated below:**

3.6.3.10 Private Schools & Colleges, Dance & Music Studios, inclusive of USES that are ACCESSORY to the primary instructional USE, including but not limited to: onsite dormitories for students and staff; incidental retail USES for supplies, equipment, food service and concessions, and athletic fields and complexes.