

08/60

# ZONING BY-LAWS



*Town of Stow*

MASSACHUSETTS

# ZONING BY-LAWS

Town of Stow

As amended August 1, 1960

A by-law to promote the health, safety, convenience, morals, and welfare of the inhabitants by dividing the town into districts and regulating the use of buildings and premises with a view of encouraging the most appropriate use of land in the town. The use of buildings or premises already in existence is not affected by this by-law.

## SECTION 1. DISTRICTS.

All of the town shall be included in one district.

## SECTION 2. ADMINISTRATION AND ENFORCEMENT

### 1 — Machinery for Administration and Enforcement.

This Zoning By-Law shall be enforced by the selectmen as agents for the Town and no dwelling shall be erected without a building permit having been issued by the Board of Selectmen. Any person violating any of the provisions of this By-Law may be fined not more than twenty dollars for each offense. Each day that such violation continues shall constitute a separate offense.

### 2 — Appeals

There shall be a Board of Appeals of five members appointed by the Selectmen as provided in Section 30, Chapter 40 of the General Laws of Massachusetts, as amended. The members shall be appointed for a term of five years in such a way that the term of one member shall expire each year, and one appointment shall, therefore, be made by the Selectmen to fill the vacancy each year. The Selectmen shall also appoint one Associate Member for a term of five years, and this Associate shall serve upon the Board of Appeals in case of the death or disability of any regular member before his term shall have expired. The Board of Appeals shall act upon all matters within its jurisdiction under this By-Law in the manner prescribed by Chapter 40 of the General Laws of Massachusetts. This Board of Appeals shall, at all times, give consideration to the promotion of the public health, safety, convenience and welfare, and this Board shall permit no building or structure or use of any premises which causes injury to any neighborhood or which is detrimental to any neighborhood, and the Board shall prescribe appropriate conditions and safeguards in each case.

### SECTION 3. NON-CONFORMING USES

#### 1 — Continuation of Non-Conforming Uses

Any lawful building or structure or use of a building, structure or premises existing at any time this by-law is adopted may be continued and if destroyed or damaged by fire or other cause, may be restored even if such building, structure or use does not conform to the regulations of this By-Law.

#### 2 — Change and Enlargement of Non-Conforming Uses

The Board of Appeals may permit the extension of non-conforming building or structure or use throughout the premises provided such extension is not more detrimental or objectionable to the neighborhood and the town.

### SECTION 4. AREA REGULATIONS

#### 1 — Lot Lines and Areas

No main building shall be nearer than thirty feet from the front and rear lot line, and twenty feet from the side lot lines. Where there is more than one building located on any lot, the main building shall be the one on that lot which is principally used by the owner thereof.

In the case of front lot lines where there are buildings or structures on either side within one hundred feet of the proposed buildings or structures which are nearer to the street than thirty feet, then and in that case a building or structure may be constructed on a line with existing buildings or structures.

#### 2 — Lot Sizes

Each main building or structure shall be erected on a lot containing not less than forty thousand (40,000) square feet of land and having not less than one hundred fifty (150) feet street frontage.

### SECTION 5. USES IN ALL DISTRICTS

No building or premises shall be erected, altered or used for —

1 — Any purpose injurious, noxious, or offensive to a neighborhood by reason of the emission of odors, fumes, dust, smoke, vibration or noises or other cause.

2 — Storage of junk.

3 — No person shall keep poultry, swine, or any animals in any section of the Town in such a way as to become a nuisance. Any nuisance so declared by the Board of Health shall

be abated upon order of the Board. No person shall keep over five swine without first obtaining a permit from the Board of Health. The Board of Health may deny and revoke a permit at any time for cause. Permit must be posted on premises where swine are kept. Fee \$1.00 when granted.

4 — The stripping or removal of sod or loam except when incidental to and in connection with the construction of a building for which a permit has been issued by the Selectmen shall be allowed only if the Board of Appeals shall rule that such removal or use is not detrimental to the neighborhood.

The removal and sale of sand or gravel is permitted in any district provided such removal is not detrimental to the district and that no excavation lower than the grade of any road upon which such excavation abuts shall be made nearer than 50 feet from such road boundary, and that the slope of any side of the excavation abutting on a road or on adjoining property shall not be steeper than the angle of repose of that particular soil.

5—The following types of signs may be erected or placed—

- (a) Real estate sign advertising rental, lease, or sale of the premises, and not exceeding twelve (12) square feet in area.
- (b) Sign or bulletin board incidental to a permitted use and not exceeding twelve (12) square feet in area unless authorized by the Board of Appeals, and in no case to exceed (16) square feet in area.
- (c) Sign advertising accessory use and not exceeding one (1) square foot in area.

6 — No lot within a subdivision or within the town shall have more than one building to be used for dwelling purposes.

The Planning Board of the Town of Stow may allow more than one building to be used for dwelling purposes upon each lot, providing there are adequate ways of furnishing access to each lot in the same manner as otherwise required for such lots within a subdivision.

7 — No trailer shall be moved onto any lot within the Town for use as a dwelling.

A true copy. Attest: FRANCIS W. WARREN,  
Town Clerk