

ZONING BY-LAWS

Town of Stow

Amended February 25, 1963

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.

- (a) This Zoning By-Law shall be enforced by the Selectmen as agents for the Town.
- (b) No dwelling, and no building intended for commercial or industrial purposes, shall be erected, placed or enlarged, and no building shall be changed as to use for dwelling, industrial or commercial purposes, on any lot in the Town unless a building permit has been issued by the Board of Selectmen, or in appropriate cases, by the Board of Appeals.
- (c) No permit shall be issued unless the applicant submits a plan of the lot showing the location of the proposed building and in cases of an enlargement or change as to use, the location of such existing building. Application for a building permit shall be on such form as the Selectmen shall prescribe. Building permits shall expire two (2) years from the date of issuance. No permit shall be issued if the proposed building or construction shall violate any of the Town By-Laws or General Laws.

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. Yard Regulations.

- (a) Front Yards. No building shall be built or placed within 30 feet of the street line.
- (b) Rear Yards. No building shall be built or placed within 30 feet of a rear lot line.
- (c) Side Yards. No building shall be built or placed within 20 feet of a side lot line.
- (d) No building may be enlarged so as to violate any of these requirements.
- (e) Special Permits may be granted by the Board of Appeals allowing less than these requirements in cases where the average set back of buildings on either side is less than 30 feet, or where they deem there will be no detriment to surrounding property or the public health or safety to allow less than minimum yard regulations.

2. Area Regulations.

- (a) No dwelling, or commercial or industrial building, shall be built or placed on a lot containing less than 40,000 square feet in area or having less than 150 feet street frontage.
- (b) No building shall be changed as to use for dwelling, commercial or industrial purposes on a lot of less than minimum size.

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 of 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.
 - (a) Only single family dwellings may hereafter be built or placed on any lot in the town. No existing building may be altered, enlarged, or changed for use by more than one family without a special permit from the Board of Appeals. Such permits may be issued if the Board finds that there will be no detriment to surrounding property or the public health or safety and finds that there are adequate means of access. No permits shall be issued for use by more than two families.
 - (b) Only one dwelling may be built or placed on any lot in the town.
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.