

**Zoning Bylaw Amendments**  
**Article 9**  
**June 2002**



**Final Version as Adopted**

Final Version of By-law as Amended:

TOWN OF STOW  
ZONING BYLAW

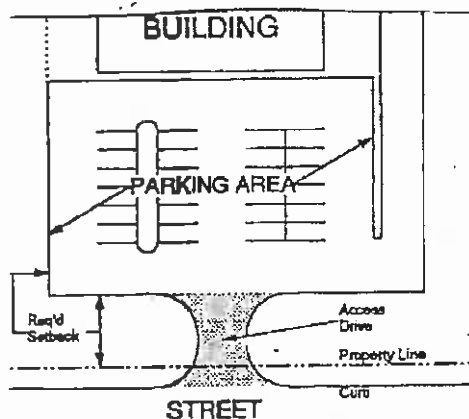
Section 1.3

1.3 Definitions

The words defined in this section shall be capitalized throughout the Bylaw. Where a defined word has not been capitalized, it is intended that the meaning of the word be the same as the meaning ascribed to it in this section unless another meaning is clearly intended by its context.

Words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular; the word "shall" is mandatory and not directory; the word "LOT" includes the word "plot", the word "land" includes the words "marsh" and "water".

- 1.3.1 ACCESS DRIVEWAY - The travel lane that allows motor vehicles ingress from the street and egress from the site and includes the area between the edge of street pavement to the area within the LOT where the ACCESS DRIVEWAY is no longer within the minimum parking area setback required under the Parking Section of the Zoning Bylaw.



- 1.3.2 ACCESSORY APARTMENT:

1.3.2.1 A second DWELLING UNIT located within a structure constructed as a detached one-family DWELLING, subordinate in size to the principal DWELLING UNIT and separated from it in a manner that maintains the appearance of the structure as a one-family unit; or

1.3.2.2. A second DWELLING UNIT located within a separate structure, such as a barn, garage or shed, that is clearly subordinate to the principal DWELLING UNIT.

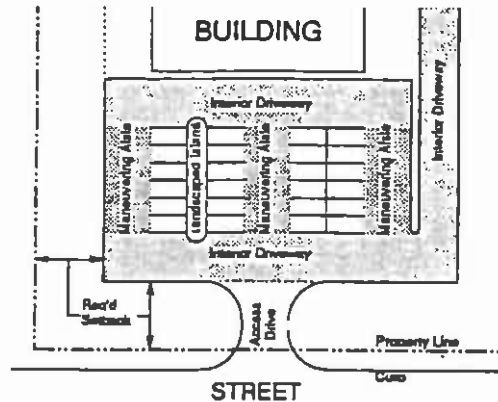
1.3.3 ACCESSORY BUILDING - A detached BUILDING, which is located on the same LOT with the main BUILDING or USE and which is subordinate and customarily incidental to the USE of the main BUILDING or the land.

- 1.3.4 ACTIVE ADULT NEIGHBORHOOD (AAN) – A group of DWELLING UNITS for only adult residents of which at least one resident per DWELLING UNIT is 55 years of age or older. Such developments shall have this age restriction as part of the deed or other documents of record and running with the land for the dwellings and/or property and are permitted as an exception to the Fair Housing Act pursuant to 42 USC section 3607 B.2.c.
- 1.3.5 1.3.5 AFFORDABLE DWELLING UNIT – A DWELLING UNIT the value of which is determined by the Department of Housing and Community Development (DHCD) to be affordable by a low income or moderate income family and thus to be included in DHCD's Subsidized Housing Inventory of low income or moderate income housing DWELLING UNITS for the purposes of compliance with the provisions of Massachusetts General Laws Chapter 40B, §§ 20-23.
- 1.3.4 AQUIFER - A geologic formation, group of geologic formations, or part of a geologic formation that contains sufficient saturated permeable material to yield significant quantities of water to wells and springs.
- 1.3.5 AREA OF SIGN:
- 1.3.5.1 The area of a sign shall include all lettering and accompanying designs and symbols, together with the background on which they are displayed.
- 1.3.5.2 The area of a sign consisting of individual letters or symbols shall be the area of the smallest rectangle or triangle which encompasses all the letters and symbols.
- 1.3.5.3 The area of a three-dimensional form sign shall be the area of the four vertical faces of a cube which encompasses the form.
- 1.3.6 ASSISTED LIVING RESIDENCE - Any entity, however organized, which meets all of the following criteria: Provides room and/or board in a residential living environment; provides services to residents who do not require 24-hour skilled nursing care, but need assistance with activities of daily living; and in any event collects payments for the provision of these services.
- 1.3.7 ASSISTED LIVING UNIT - One (1) or more rooms for cooking, living, sanitary and sleeping facilities arranged for the use of one (1) or more persons living together as a single housekeeping unit contained within an ASSISTED LIVING RESIDENCE.
- 1.3.8 BED AND BREAKFAST ESTABLISHMENT - A private owner-occupied DWELLING where at least four but not more than eight rooms are let and a breakfast is included in the rent.
- 1.3.9 BED AND BREAKFAST HOME - A private owner-occupied DWELLING where three or fewer rooms are let and a breakfast is included in the rent.
- 1.3.10 BUILDING - A structure having a roof or cover for the shelter, support, or enclosure of persons, animals, or property.

- 1.3.11 BUILDING INSPECTOR - The existing Inspector of Buildings under the State Building Code or other designated authority, or his duly authorized representative, appointed by the Selectman, and charged with the enforcement of this Bylaw.
- 1.3.12 BUILDING LOT - A BUILDING LOT is that area of land described in an application for a building permit or an application to the Board of Appeals for a permit or a variance, or otherwise defined as the area on which a structure is to be constructed or a use is to be carried on. A BUILDING LOT shall not include any part of a street. A corner LOT shall be any LOT abutting on two (2) or more streets at their intersection.
- 1.3.13 CHILD CARE FACILITY - A day care of school-age child care center or program as defined in Massachusetts General Laws, Chapter 40A.
- 1.3.14 DEVELOPABLE SITE AREA - The DEVELOPABLE SITE AREA shall be calculated by subtracting from the LOT area all land which is located in:
- 1.3.14.1 a wetland, which shall mean a "freshwater wetland" as defined in Chapter 131, Section 40 of the General Laws and the Stow Wetlands Protection Bylaw, Article 9 of the General Bylaws;
  - 1.3.14.2 a Flood Plain/Wetlands District as defined in the Stow Zoning Bylaw;
  - 1.3.14.3 another zoning district in which the principal use of the LOT is not also permitted;
  - 1.3.14.4 an access or right of way easement; and
  - 1.3.14.5 any portion of the site with grades greater than 15%.
- 1.3.15 DWELLING - Any BUILDING, or part thereof, used for habitation for one (1) or more persons, but not including commercial accommodations for transient occupancy or trailers or mobile homes, however mounted.
- 1.3.16 DWELLING UNIT - One (1) or more rooms for cooking, living, sanitary and sleeping facilities arranged for the use of one (1) or more persons living together as a single housekeeping unit, but not for more than five (5) persons unrelated by blood or marriage.
- 1.3.17 ERECTED - Attached, constructed, reconstructed, altered, enlarged or moved. ERECTED shall not mean repainted, cleaned, repaired or maintained. Altered includes changes in the structure or lettering or symbols of the sign, or replacement.
- 1.3.18 EXISTING CONDITIONS - As referred to in this Bylaw means conditions in existence on the date the first publication of notice of this Bylaw appears in accordance with Chapter 40A, Sections 5 and 6 of the Massachusetts General Laws.
- 1.3.19 FAMILY DAY CARE HOME - A FAMILY DAY CARE HOME as defined in the Massachusetts General Laws, Chapter 40A.
- 1.3.20 FENCE - A structure made of wood, wire, metal or other durable material ERECTED so as to serve as an enclosure or a barrier against unobstructed passage from one side to another.

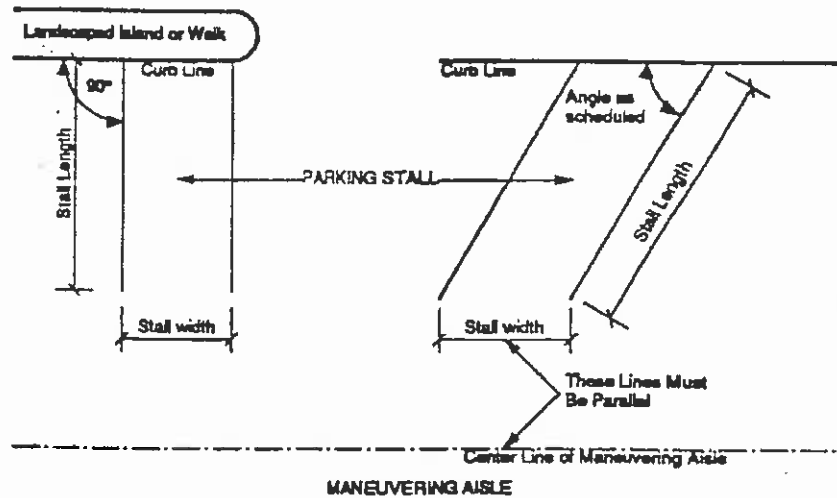
- 1.3.21 FLOOR AREA - The interior FLOOR AREA exclusive of basements, stair wells, halls, bathrooms, corridors, attics, walls, partitions, porches and attached ACCESSORY BUILDINGS.
- 1.3.22 FLOOR AREA, GROSS - The sum of the horizontal areas of the several floors of a BUILDING measured from the exterior face of exterior walls, or from the centerline of a common wall, but not including any space where the floor-to-ceiling height is less than six feet.
- 1.3.23 FLOOR AREA, NET - The sum of the horizontal areas of the several floors of a BUILDING, measured from the interior face of the exterior walls or common wall, but not including stairwells, elevator wells, bathrooms, hallways and corridors, designated and approved building service areas and areas used for a CHILD CARE FACILITY as defined in this Bylaw, provided that such CHILD CARE FACILITY is accessory to a principal use located in the same BUILDING or on the same LOT.
- 1.3.24 FLOOR AREA RATIO - The ratio of the sum of the GROSS FLOOR AREA of all BUILDINGS on a LOT to the DEVELOPABLE SITE AREA of the LOT.
- 1.3.25 GARAGE, PRIVATE - Covered space for the housing of motor vehicles, but not for the rental of more than two (2) stalls for commercial repair or commercial storage.
- 1.3.26 GROUND WATER - All water beneath the surface of the ground.
- 1.3.27 HAZARDOUS MATERIAL - A substance which because of quantity, concentration or physical or chemical characteristics poses a hazard to human health, safety, welfare or the environment, when improperly treated, stored, transported, used or disposed, or otherwise managed; this includes but is not limited to any substance set forth or deemed a HAZARDOUS MATERIAL in Massachusetts General Laws Chapter 21C and 21E, 310 CMR 30.00 of the Code of Massachusetts Regulations or pursuant to any Bylaws or regulations of the Town of Stow.
- 1.3.28 HOTEL, INN, MOTEL, TOURIST HOME or LODGING HOUSE - A BUILDING, or portion thereof, or a group of BUILDINGS on a single LOT, intended to be used for the temporary occupancy of three (3) or more persons who are lodged, with or without meals, and in which major provision for cooking may be made in a central kitchen but may not be in the individual room or suites.
- 1.3.29 IMPERVIOUS SURFACE - A surface impenetrable by water.
- 1.3.30 INTERIOR DRIVEWAY - A travel lane located within the LOT which is not used to directly enter or leave parking spaces. An INTERIOR DRIVEWAY shall not include any part of the ACCESS DRIVEWAY.
- 1.3.31 LOADING SPACE, OFF-STREET - An off-street space or berth, on the same LOT with a BUILDING, for the temporary parking of vehicles while loading or unloading merchandise or material, and which has access to a street, alley or other appropriate means of ingress or egress.

- 1.3.32 **LOT** - An area of land, undivided by any **STREET**, in one ownership with definitive boundaries ascertainable from the most recently recorded deed or plan which is 1) a deed recorded in Middlesex South District Registry of Deeds, or 2) a Certificate of Title issued by the Land Court and registered in the Land Court section of such Registry, or 3) title or record disclosed by any and all pertinent public documents or otherwise established by determination of a court. A corner LOT shall be any LOT abutting on two (2) or more streets at their intersection.
- 1.3.33 **MANEUVERING AISLE** - A travel lane located within the perimeter of a parking area by which motor vehicles directly enter and leave parking spaces.



- 1.3.34 **MARINA** - A public or commercial area with docking facilities for one (1) or more of the following: the launching, docking, storage, or servicing of pleasure boats; docks or related structures for the sale of fuel, boats, or marine accessories.
- 1.3.35 **MEMBERSHIP CLUB** - A private, non-profit organization, **BUILDING** or grounds, to include specifically country clubs and fraternities and other organizations to which membership is limited or controlled.
- 1.3.36 **MINING OF LAND** - The removal of geologic materials such as topsoil, sand and gravel, metallic ores and bedrock.
- 1.3.37 **MULTI-FAMILY DWELLING** - A **BUILDING** for residential **USE**, other than a **DWELLING** conversion, containing more than two **DWELLING UNITS** but not more than 4 **DWELLING UNITS**.
- 1.3.38 **NON-CONFORMING USES, STRUCTURES and LOTS** - A **NON-CONFORMING USE, STRUCTURE** or **LOT** shall be defined in Chapter 40A, Section 6 of the General Laws.
- 1.3.39 **ON-SITE SIGN** - A **SIGN** pertaining to products or activities located or offered at the same location as the **SIGN**.
- 1.3.40 **OPEN SPACE** - An area of natural or landscaped vegetated growth. This may include within said area recreation areas, playing fields, benches, trails, footpaths, bodies of water and certain other surfaces such as gravel, cobblestone, brick, pavers or other similar materials when used to construct impermeable walkways as may be approved by the Special Permit Authority or Site Plan Approval Authority.

- 1.3.41 **PARKING STALL LENGTH** - The longitudinal dimension of the stall measured parallel to the angle of parking.
- 1.3.42 **PARKING STALL WIDTH** - The linear dimension measured across the stall and parallel to the MANEUVERING AISLE.



- 1.3.43 **PERMANENT SIGN** - Any sign other than a temporary sign.
- 1.3.44 **PROCESS WASTES** - Nondomestic, nontoxic, nonhazardous, liquid or solid waste by-products associated with the manufacture or preparation of a product, including but not limited to hardware, dry goods, foodstuffs and printed material.
- 1.3.45 **RECHARGE AREA** - An area in which water is absorbed that eventually reaches the zone of saturation in one or more AQUIFERS.
- 1.3.46 **REFUSE** - All solid or liquid waste materials, including garbage and rubbish, but not including sewage.
- 1.3.47 **QUALIFIED AFFORDABLE HOUSING PURCHASER**- An individual or family with household incomes that do not exceed 80% of the median income (this shall be referred to as "moderate income") or 50% of the median income (this shall be referred to as "low income"), with adjustments for household size, as reported by the most recent information from the United States Department of Housing and Urban Development (HUD) and/or the Massachusetts Department of Housing and Community Development (DHCD).
- 1.3.48 **ROOMING or BOARDING HOUSE** - A **BUILDING** or premises, other than a **HOTEL, INN, MOTEL, tourist court, or LODGING HOUSE**, where rooms are let and where meals may be regularly served by prearrangement for compensation; not open to transient guests; in contrast to **HOTELS, restaurants, and TOURIST HOMES**, open to transients.

- 1.3.49 **SANITARY WASTES** - Waste waters arising from ordinary domestic water use from toilets, sinks and bathing facilities and containing normal wastes. For purposes of this Bylaw, all references to disposable volume(s) of sanitary wastes refer to design standards as outlined in Title V of the State Environmental Code (310 CMR 15.00).
- 1.3.50 **SIGN** - Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trademarks, whether stationary or portable, by which anything is made known, such as are used to designate or locate an individual, a firm, an association, a corporation, a profession, a business, or a commodity or product, which are visible from a public or private street or right-of-way and used to attract attention.
- 1.3.51 **SLOPE** - For the purposes of the erosion control provision, slope shall be measured using the two-foot contours on the topographic map supplied with the site plans. The slope percentage will be the change in elevation divided by the shortest distance between two contour lines. Upon written permission of the permit granting authority, slope percentages may be averaged across specified horizontal distances.
- 1.3.52 **SOLID WASTES** - Any discarded solid material, putrescible or non-putrescible, consisting of all combustible and noncombustible solid material including, but not limited to, garbage and rubbish.
- 1.3.53 **STREET** - A street shall be (1) an approved public way laid out by the Town of Stow, or Middlesex County Commissioners, or the Commonwealth of Massachusetts; or (2) A way which the Stow Town Clerk certifies is maintained by public authority and used as a public way; or (3) a public or private way shown on a plan theretofore approved and endorsed in accordance with the Subdivision control Law; or (4) a way in existence as of June 15, 1956 having in the opinion of the Planning Board sufficient width, suitable grades and adequate construction to accommodate the vehicle traffic anticipated by reason of the proposed use of the land abutting thereon or served thereby and for the installation of municipal services to serve such land and the building erected or to be erected thereon. A public or private way shall not be deemed to be a STREET as to any lot of land that does not have rights of access and passage over said way.
- 1.3.54 **STREET LINE** - The dividing line between a street and a LOT and, in the case of a public way, the street line established by the public authority laying out the way upon which the LOT abuts.
- 1.3.55 **STRUCTURE** - Any construction, erection, assemblage or other combination of materials upon the land, necessitating pilings, footings or a foundation for attachment to the land, swimming pools which require a permit under the Building Code and parking lots, driveways, road and septic systems.
- 1.3.56 **TEMPORARY SIGN** - Any SIGN which is displayed for a continuous period of not more than twenty-one (21) days and not replaced by a SIGN of a similar intent within sixty (60) days.
- 1.3.57 **TRACT OF LAND** - An area consisting of a single LOT or parcel of land, or several contiguous lots or parcels of land.



- 1.3.58 TRAILER or MOBILE HOME - TRAILER or MOBILE HOME shall mean any vehicle or object which is drawn by or used in connection with a motor vehicle and which is so designed and constructed or added to by means of such accessories as to permit the use and occupancy thereof for human habitation, whether resting on wheels, jacks, or other foundations. It shall include the type of vehicle commonly known as MOBILE HOME, containing complete electrical, plumbing, and sanitary facilities and designed to be installed on a temporary or permanent foundation for permanent living quarters.
- 1.3.59 USE, ACCESSORY - Any USE which is incidental and subordinate to a PRINCIPAL USE.
- 1.3.60 USE, PRINCIPAL - The main or primary USE of any land or LOT.
- 1.3.61 WALL - A STRUCTURE of stone, masonry, wood or other durable material constructed so as to retain soils or to serve as an enclosure or barrier against unobstructed passage from one side to another.
- 1.3.62 YARD - An OPEN SPACE, other than an enclosed court, on the same LOT with a BUILDING or group of BUILDINGS, which OPEN SPACE lies between the BUILDING or group of BUILDINGS and a LOT line, and is not occupied or obstructed from the ground upward by a BUILDING or a STRUCTURE.
- 1.3.63 YARD, FRONT - A YARD extending across the full width of the LOT and lying between the STREET LINE of the LOT and the nearest line of the BUILDING. The depth of a front yard shall be the minimum distance between the BUILDING and front LOT line.
- 1.3.64 YARD, REAR - A YARD extending across the full width of the LOT and lying between the BUILDING and the REAR LOT line.
- 1.3.65 YARD, SIDE - A YARD between the side LOT line of the LOT and the nearest line of the BUILDING, and extending from the FRONT YARD to the REAR YARD, or, in the absence of either such YARDS, to the front or rear LOT lines, as may be. The width of a SIDE YARD shall be the minimum distance between the BUILDING and the side LOT line.
- 1.3.66 ZONE OF SATURATION - The subsurface zone occurring below the water table where the soil pores are filled with water and the moisture content equals the porosity.

*A True Copy Attest:*

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Linda Hathaway, Stow Town Clerk

**Form 2 – attachment 3  
Article 9 (B)**

**Final Version of By-law as Amended:**

**TOWN OF STOW  
ZONING BYLAW**

**Section 2.1.2**

2.1.2 Overlay Districts:

Flood Plain/Wetlands District

Water Resource Protection District

Wireless Service Facility District

***Active Adult Neighborhood District***

*A True Copy Attest:*

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Linda Hathaway, Stow Town Clerk

**Final Version of By-law as Amended:**

**TOWN OF STOW  
ZONING BYLAW**

**Section 2.3**

**2.3 Location of Boundaries of Districts:**

- 2.3.1 Where the boundary lines are shown upon said map within the STREET LINES or utility transportation lines, the center lines of such rights-of-way or lines shall be the boundary lines unless otherwise indicated.
- 2.3.2 Boundary lines located outside of such STREET LINES or transmission lines, and shown approximately parallel thereto, shall be regarded as parallel to such lines, and dimensions shown in figures placed upon said map between such boundary lines and such transmission lines are the distance in feet of such boundary lines from the center line of such lines, such distances being measured at right angles to such lines unless otherwise indicated.
- 2.3.3 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 in existence and as recorded at the time of the adoption of or amendment to the Zoning Map.
- 2.3.4 Contour lines used as boundary lines are the elevation above the datum mean sea level as indicated by the U. S. Geological Survey map dated 1952.
- 2.3.5 Soil association lines used as boundary lines are the soil association boundary lines as shown on the Soil Association Map, prepared by the U. S. Soil Conservation Service, dated 1964, on file with the Planning Board.
- 2.3.6 In all cases which are not covered by other provisions of this Section, the location of boundary lines shall be determined by the distance in feet, if given, from other lines upon said map, by the use of identifications as shown on the map, or by the scale of said map.
- 2.3.7 Boundary lines outlining wetlands districts and delineating streams are the lines shown on the IEP (Interdisciplinary Environmental Planning) Wetlands Map, Figure 13, with a scale of 1" = 800', Water Resource Study, Town of Stow, dated October 28, 1977.
- 2.3.8 Boundary lines outlining the flood plain of the Assabet River shall be the limits of the Standard Project Flood Modified delineated on the plan entitled "Flood Plains & Profiles", sheets 2, 3, and 4 of the Assabet River Technical Report, Department of the

Army, Corps of Engineers, dated June, 1966 and on file with the Town Clerk. Boundary lines outlining the flood plain of Heath Hen Meadow Brook shall be the limits of the 100-year design storm flood plain delineated on the plan entitled "Flood Plain - Plan and Profile Heath Hen Meadow Brook, Stow, Massachusetts", by BSC Engineering, Inc., dated February 21, 1975, revised May 2, 1975, and on file with the Town Clerk. The Flood Plain/Wetlands District shall also include all lands designated as Zone A, AO, AH or Zone A1-30 and A99 on the Town of Stow Flood Insurance Rate Map (FIRM), panel 250216-0005, dated August 1, 1979 as amended.

- 2.3.9 Where the limit of the Standard Project Flood Modified, referenced above, is used as a district boundary, the district boundary shall be determined by the elevations delineated on said plan.
- 2.3.10 The boundaries of the Water Resource Protection District are as delineated on a map entitled "Water Resource Protection District Map - Town of Stow, Massachusetts" dated May 1, 1987, at a scale of 1 inch = 800 feet, on file in the office of the Town Clerk.
- 2.3.11 The boundaries of the Wireless Service Facility District are as delineated on a map entitled "Wireless Service Facility District - Town of Stow, Massachusetts" dated January 23, 2001, at a scale of 1 inch = 1,000 feet, on file in the office of the Town Clerk.
- 2.3.12 The boundaries of the Active Adult Neighborhood District are as delineated on a map entitled "Active Adult Neighborhood District - Town of Stow, Massachusetts" dated May 13, 2002, at a scale of 1 inch = 800 feet, on file in the office of the Town Clerk.

*A True Copy Attest:*

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Linda Hathaway, Stow Town Clerk

**Final Version of By-law as Amended:**

**TOWN OF STOW  
ZONING BYLAW**

**Section 8.8**

**8.8 ACTIVE ADULT NEIGHBORHOOD (AAN)**

**8.8.1 Purpose** - Stow cherishes the wisdom and experience of our citizens, and encourages continuity and participation in the town by its residents. This bylaw is intended to provide housing designed for adult residents age 55 and older who no longer want to maintain a single-family home. Preference shall be given to Stow residents and shall be achieved by local preference requirements as established, from time to time, by the Town of Stow. An AAN shall be designed to:

- promote a sense of community among its residents;
- fit into the surrounding neighborhood while minimizing visual impacts;
- be in harmony with the natural terrain and consistent with Stow's rural New England architectural and village traditions;
- promote community through clustering of BUILDINGS, provision of community gathering spaces such as gardens and commons;
- emphasize protection of existing resources on the site, including natural resources, agriculture, recreation, and trail linkages.

**8.8.2 Applicability** - An AAN shall only be permitted by Special Permit, and any amendments thereto from the Planning Board, acting as the Special Permit Granting Authority, in accordance with MGL Ch. 40A, s.9 on land located in the AAN District.

**8.8.3 AAN District**

This district shall be an overlay district and shall include parcels of land depicted on a map dated May 13, 2002 and entitled "Active Adult Neighborhood District", or any amendments thereto. This map is hereby adopted coincident with the adoption of this Bylaw. Development in an AAN District is subject to all provisions of the remainder of the Zoning Bylaw, except to the extent provided in Section 8.8.

**8.8.4 Permitted Uses** - There shall be permitted in any AAN:

**8.8.4.1 Single-family DWELLINGS, single-family DWELLINGS with ACCESSORY APARTMENTS.** For the purposes of this Bylaw, an ACCESSORY APARTMENT shall be considered a DWELLING UNIT; and

**8.8.4.2 MULTI-FAMILY DWELLINGS** that are designed to be consistent in character with the single-family DWELLINGS in the same development. Such MULTI-FAMILY DWELLINGS may be allowed, provided there shall be no more than four (4) DWELLING UNITS in any residential BUILDING; and

**8.8.4.3 Accessory uses and structures incidental to principal uses indicated above.**

**8.8.5 Procedural Requirements**

- 8.8.5.1 Any new AAN and any proposed modification of an AAN shall be allowed only by Special Permit from the Planning Board in accordance with MGL Ch. 40A, s.9, subject to the requirements, conditions and limitations contained herein and in the regulations adopted by the Planning Board.
- 8.8.5.2 **AAN Regulations**  
The Planning Board shall adopt and maintain a set of regulations that contains the necessary policies, procedures, and requirements to implement the provisions of this Section.
- 8.8.5.3 **Application for an AAN Special Permit**  
An application for an AAN Special Permit shall be submitted in writing that meets the requirements set forth herein and all other information that may be required by the Planning Board under its Rules and Regulations.
- 8.8.6 **Dimensional Requirements** - There shall be no minimum LOT area, FRONTAGE, FLOOR AREA RATIO, LOT width or YARD requirements within an AAN or for any LOT or BUILDING within an AAN except as provided in this section. However, an AAN shall comply with the applicable requirements of the Water Resource Protection and Flood Plain/Wetlands Districts. The Planning Board may impose appropriate additional conditions on the location, layout and size of BUILDINGS, STRUCTURES and OPEN SPACE.

An AAN shall be built according to the following dimensional standards:

Minimum TRACT OF LAND area	25 acres
Minimum frontage of TRACT OF LAND	No Minimum Required
Minimum TRACT OF LAND width	No Minimum Required
Minimum SIDE and REAR YARDS of TRACT OF LAND	No Minimum Required
Minimum setback of BUILDINGS, pavement areas other than ACCESS DRIVEWAYS and walk ways from all boundaries of the TRACT OF LAND.	50 feet
Minimum separation between BUILDINGS and/or STRUCTURES	20 feet
Maximum height of Principal and Accessory STRUCTURES	35 feet
Minimum OPEN SPACE	40%
Maximum density	3 DWELLING UNITS per acre of DEVELOPABLE SITE AREA
Maximum DWELLING UNITS per BUILDING	4

8.8.7 **Special Standards**

- 8.8.7.1 No more than 66 on-site DWELLING UNITS may be permitted under an AAN Special Permit. In no case shall the total number of DWELLING UNITS in the AAN Overlay District exceed six percent (6%) of the total number of single family DWELLING UNITS in the Town of Stow.

- 8.8.7.1 Access Roads and Driveways — In the event that the land that comprises an AAN is located in different zoning districts, it shall be a permitted use in each such zoning district not in the Active Adult Neighborhood Zoning District for roadways and driveways to provide access to land and BUILDINGS in the Active Adult Neighborhood Zoning District.
- 8.8.7.2 Each DWELLING UNIT in an AAN shall have at least one separate ground floor entrance/exit, unless the Planning Board permits otherwise as part of its Special Permit. In addition, the Planning Board may establish design guidelines for AANs.
- 8.8.7.3 The Planning Board, in granting a Special Permit for an AAN, may impose reasonable conditions to protect the environment, and the health, safety and welfare of the neighborhood, of residents in the proposed development, and of the general public. Such conditions may include, but shall not necessarily be limited to, requirements for the tertiary treatment of wastewater effluent, the location of wastewater effluent disposal, and necessary limitations on the total number of DWELLING UNITS to prevent negative impacts on the groundwater and other existing or potential water resources.
- 8.8.7.4 DWELLING UNITS for Handicapped Persons – The Planning Board may require that some of the DWELLING UNITS be constructed so as to be suited for access and occupancy by a handicapped person or persons.
- 8.8.7.5 Performance Guarantee - Before the issuance of any building permits for the AAN, the petitioner shall agree to complete the required improvements specified in the decision, such construction and installation to be secured in accordance with performance guarantee requirements of the Town of Stow Rules and Regulations Governing the Subdivision of Land to the extent applicable and/or the regulations adopted pursuant to the Active Adult Neighborhood Bylaw for this purpose. Exceptions to the Regulations that may be adopted pursuant to this bylaw may be authorized by the Planning Board in granting a Special Permit hereunder, provided the Board determines such exceptions are in the public interest and are consistent with the purposes of Section 8.8 of the Bylaw.
- 8.8.7.6 Revisions and Amendments of an AAN Special Permit - Any change, which, in the sole opinion of the Planning Board, would alter the character of an AAN, including, but not limited to, an increase in number of total DWELLING UNITS within the AAN, an increase in the number of parking spaces, a decrease or cessation of any recreation amenities or similar use, structural change or alteration, shall require an amendment of the Special Permit or the filing of an application for a new Special Permit, as the Planning Board may determine.
- 8.8.7.7 Streets and Utilities - All streets and ways, whether public or private, wastewater disposal systems, drainage facilities, drinking water supplies, and utilities shall be designed and constructed in compliance with the Town of Stow Rules and Regulations governing the Subdivision of Land, as amended, whether or not the Active Adult Neighborhood is a subdivision.
- 8.8.8 Occupancy — Each DWELLING UNIT in an AAN shall be occupied by at least one person age fifty-five (55) or older.
- 8.8.8.1 Children under the age of eighteen (18) may not reside in a DWELLING UNIT located in an AAN for more than six (6) months in any nine (9) month period.
- 8.8.9 Occupancy Income Range - The AAN shall be designed to provide housing for occupants earning a broad range of incomes, as defined by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD) for the

Town of Stow. At least 10% of the DWELLING UNITS shall be built, or otherwise provided in accordance with this Bylaw, to sell at a price affordable to low income and/or moderate income QUALIFIED AFFORDABLE HOUSING PURCHASERS and an additional 5% of the DWELLING UNITS shall be built to sell at a price affordable to middle income households, as defined by Executive Order 418 for the Town of Stow. All low income and moderate income and middle income DWELLING UNITS shall contain deed restrictions and comply with the provisions of MGL c. 184, s.31 as to resale price and shall provide for notice of any proposed resale and a right of first refusal to the Town of Stow, prior to any such sale.

- A. Low income or moderate income DWELLING UNITS created under this section shall be restricted as such in perpetuity and comply with the provisions of MGL c.184, s.31. Middle income DWELLING UNITS created under this section shall be restricted as such in perpetuity and comply with the provisions of the Regulations promulgated in accordance with this Section 8.8.
- B. The Planning Board may approve compliance through using the following methods and provisions for affordable dwelling units.
  - i. On-site location - If all AFFORDABLE DWELLING UNITS are to be constructed on-site, then 10% of the DWELLING UNITS shall be for low income or moderate income QUALIFIED AFFORDABLE HOUSING PURCHASERS.
  - ii. Off-site AFFORDABLE DWELLING UNITS - The developer may provide off-site AFFORDABLE DWELLING UNITS from existing Stow housing stock by the conveyance of land and/or building or by providing cash payments in lieu of DWELLING UNITS. If this option is chosen, at least half of the required 10% AFFORDABLE DWELLING UNITS shall be constructed on-site and 150% of the remaining AFFORDABLE DWELLING UNITS provided by one of the following approaches. In all cases, deed restrictions shall be placed on all DWELLING UNITS to provide for AAN restrictions and/or Low/Moderate income restrictions in perpetuity, as the Planning Board may determine.
    - a. Providing off-site DWELLING UNITS - Affordable off-site DWELLING UNITS may be located in an existing DWELLING UNIT, provided that the requirement that said DWELLING UNITS be designated as qualifying low or moderate income DWELLING UNITS under the Subsidized Housing Inventory compiled by the Department of Housing and Community Development (DHCD).
    - b. Conveyance of land and/or buildings – The Developer may donate to the Town of Stow or its designee, and the Town of Stow or its designee may accept land and/or buildings suitable for housing use. The developer shall document fee simple title ownership of said land and/or buildings or a legal right to purchase the same, at the time of application for a Special Permit. Such land and/or building shall have a current appraised fair market value no less than the value determined in accordance with the method below. Donations of land and/or buildings for said purchase shall be conveyed to the Town of Stow, or its designee and shall be used solely for purposes of



providing AAN housing affordable to a QUALIFIED AFFORDABLE HOUSING PURCHASER.

c. Cash Payment - Cash payments may be made in lieu of the above options. The cash payment shall be determined by the following formula:

- Cash Payment = The number of required offsite units times 35% of the average sale price of new construction AFFORDABLE DWELLING UNITS.
- Incremental payments will be made in accordance with the AAN Rules and Regulations. Such cash payments shall be made payable to the Town of Stow. Such payments shall be reserved by the Town of Stow in a separate account, independent and distinct from the Town's general fund, and shall be used solely for the purpose of the creation or continuation of low income and moderate income housing.

C. Restrictive documents - Each low income or moderate income DWELLING UNIT shall be rented or sold, subject to applicable deed covenants, contractual agreements and/or other mechanisms, restricting such features as the USE and occupancy, rent levels, and sales prices of such DWELLING UNITS to assure their affordability.

D. Resale controls - Each low income or moderate income DWELLING UNIT created in accordance with this Section 8.8 shall have limitations governing its resale that must be satisfied before its owners can sell the property. The purpose of these limitations is to preserve the long-term affordability of the DWELLING UNIT and to ensure its continued availability to low income or moderate income households. The resale controls shall be established through deed or lease restrictions or otherwise, subject to approval by the Planning Board, and shall be perpetual and in compliance with the provisions of MGL c. 184, s.31. The Town of Stow, through standard procedures provided by applicable state law, shall establish the resale controls in such a manner so as to be enforceable.

E. Resale Price – Resale price shall be determined at the time of issuance of a Special Permit, in accordance with existing laws that apply to resale of affordable units.

F. Right of first refusal purchase - The Planning Board shall include as a condition of a Special Permit approval, the requirement that the purchaser of an affordable housing DWELLING UNIT created as a result of this Bylaw shall agree to execute a deed rider prepared by the Town of Stow, granting, among other things, the Town of Stow's right of first refusal for a period of not less than one hundred and eighty (180) days to purchase the property or assignment thereof, in the event that despite diligent and documented efforts to sell the property, a subsequent qualified purchaser cannot be located. The offered price to the Town of Stow shall be the lesser value of the resale price, as determined in Paragraph 8.8.9 E above or the appraised value of the DWELLING UNIT determined by a Commonwealth of Massachusetts approved appraiser.

G. Rights and privileges - QUALIFIED AFFORDABLE HOUSING PURCHASERS shall have all rights, privileges and responsibilities given to owners or renters of market

rate DWELLING UNITS, including access to all amenities within the development.

- H. A Special Permit issued under this Bylaw shall include the provision that no building permit shall be issued in reliance on said Special Permit, unless and until the Town of Stow has received written correspondence from the Department of Housing and Community Development (DHCD) that the low or moderate income DWELLING UNITS, authorized as a result of the Special Permit, will be included in DHCD's Subsidized Housing Inventory of low income or moderate income housing DWELLING UNITS for the purposes of compliance with the provisions of Massachusetts General Laws Chapter 40B, §§ 20-23. The correspondence from DHCD must provide documentation that the low or moderate income DWELLING UNITS will be treated as if they were created pursuant to an application for a Comprehensive Permit and qualifying programs thereunder.
- I. Purchaser/tenant selection - Procedures for the selection of purchasers and/or tenants shall be subject to approval by the Town of Stow or its designee.
- J. Timing of commitments - All contractual agreements with the Town of Stow and other documents necessary to ensure compliance with this Section shall be executed prior to and as a condition of the issuance of any Special Permit required to commence construction.
- K. Timing of construction - As a condition of the issuance of a Special Permit under this Section, the Planning Board may set a time schedule for the construction of both low income or moderate income and market-rate DWELLING UNITS. No Certificate of Occupancy shall be issued for any market-rate DWELLING UNIT in a development, subject to the requirements of this Section, until there have been issued Certificates of Occupancy for low income or moderate income DWELLING UNITS in an amount equal to the percentage of low income or moderate income UNITS, which are to be constructed in the development or provided off-site.
- L. The above provisions apply to all on-site, off-site, buildings and existing housing stock made affordable with AAN provided funds.

#### 8.8.10 Planning Board Action

8.8.10.1 In evaluating the proposed AAN, the Planning Board shall consider the general objectives of this bylaw and of AAN in particular: the existing and probable future development of surrounding areas, the appropriateness of the proposed layout, the configuration, and use of the OPEN SPACE in relation to the characteristics of the tract of land in question. The Planning Board may grant a Special Permit for an AAN if it finds that the AAN meets the purposes of this Bylaw as set forth herein:

- A. meets the intended purposes of this bylaw as set forth herein;
- B. provides a useful addition to the housing inventory of Stow;
- C. protects and enhances the rural character and environment of Stow;
- D. provides OPEN SPACE which is of a size, shape and location and has adequate access so as to benefit the town and the residents of the AAN;
- E. is appropriate to the natural terrain of the tract of land to be developed;

- F. provides for the convenience and safety of vehicular and pedestrian movement in the development in a manner that is compatible with the narrow, tree-lined country roads of Stow;
  - G. the application sets forth a specific plan for maintenance of all common facilities including but not limited to waste disposal and drainage facilities, roadways and other improvements to be constructed in an AAN;
  - H. will result in the creation of DWELLING UNITS that count toward the Town's "quota" requirements as established by G.L. c.40B, s.20-23;
  - I. complies with all other legal requirements for a Special Permit and the Zoning Bylaw, including those for an AAN; and
  - J. is consistent with the Stow Master Plan or succeeding plan, as amended.
- 8.8.10.2 The Planning Board shall consider the recommendations of the Board of Health, the Conservation Commission and the Town's consulting engineer, and other Boards, Departments and experts, in making said findings.
- 8.8.10.3 The Planning Board may require changes to the "AAN Site Plan" and impose additional conditions, safeguards and limitations, as it deems necessary, to secure the objectives of this Bylaw.
- 8.8.11 The provisions of this Bylaw are severable from each other and the invalidity of any provisions or section shall not invalidate any other provision or section thereof.

*A True Copy Attest:*

\_\_\_\_\_  
Linda Hathaway, Stow Town Clerk

**Final Version of By-law as Amended:**

**TOWN OF STOW  
ZONING BYLAW**

**Section 3.10**

**3.10 Table of Principal Uses**

- 3.10.1 Provisions Applicable to Table of Principal Uses - No land, STRUCTURE or BUILDING shall be used except for the purposes permitted in the district as set forth in this Bylaw and further indicated on the Table of Principal Uses. Each use set forth in the principal use column shall be subject to any conditions or limitations that are set forth in this Bylaw and in the Table of Principal Uses. If there is a discrepancy between the Table of Principal Uses and the text of this Bylaw, the provisions set forth in the text of this Bylaw shall take precedent.
- 3.10.1.1 A use listed in the Table of Principal Uses is permitted in any district denoted by the letter "Y" and is not permitted in any district denoted by the letter "N". If denoted by the letters "SPA", "SPP" or "SPS", the use is permitted only if the designated Special Permit Granting Authority grants a special permit as provided herein and makes such specific findings as may be required by the Bylaw in respect of such use. For the purposes of the Table of Principal Uses, "SPA" shall mean a special permit authorized by the Board of Appeals; "SPP" shall mean a special permit authorized by the Planning Board; and "SPS" shall mean a special permit authorized by the Board of Selectmen.
- 3.10.1.2 Site plan approval in accordance with Section 9.3 is required for a use where the letter "R" appears and is not required wither the letters"NR" appear.
- 3.10.1.3 A special permit is required for any increase in intensity of a site or use for which a special permit is required, except as to lawful pre-existing NON-CONFORMING USES.



Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
ASSISTED LIVING RESIDENCE	N	SPP (9)	N	N	N	N	N	N	(3)
Common Drives	Y	N	N	N	N	N	N	N	R
Active Adult Neighborhood	N	N	N	SPP (10)	SPP (10)	N	N	N	(3)
<b>Institutional Uses</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	N	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>Business &amp; Commercial Uses</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)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
Restaurants	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)
Theaters, Bowling Alleys, Skating Rinks, Clubs or Assem-bly 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 Pro-cessing 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)

**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>
Cafeterias for Employees	N	N	N	SPP	N	N	N	SPP	(3)
<b><u>Industrial Uses</u></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)

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

A True Copy Attest:

\_\_\_\_\_  
Linda Hathaway, Stow Town Clerk



**Form 2 - attachment 3  
Article 9 (H)**

**Final Version of By-law as Amended:**

**TOWN OF STOW  
ZONING BYLAW**

**Section 4.4**

**4.4 Table of Dimensional Requirements**

These requirements shall be satisfied entirely within each district.

Zoning District	Minimum LOT Area In sq. ft.	Minimum LOT Frontage in ft.	Minimum FRONT YARD In ft.	Minimum SIDE YARD in ft.	Minimum REAR YARD in ft.	Minimum OPEN SPACE in percent	Maximum FLOOR AREA RATIO
R/C	40,000	150 (2)	100	50	100	80%	.10
Res	65,340	200 (2)	30	25	40	10%	NR
Bus	40,000	150 (2)	50	None (1)	50 (1)	20%	.30
Comm	40,000	150 (2)	50	25 (1)	50 (1)	30%	.30
Ind	40,000	150 (2)	100	25 (1)	50 (1)	40%	.30
C/B	65,340	200	50	None (1)	40 (1)	30%	.30
R/D	300,000	150	300 (3)	150 (3)	150 (3)	80%	.10

NR = Not Regulated

Footnote to Table of Dimensional Requirements

- (1) If the LOT abuts a residential or recreation-conservation district, whether directly or separated by a public or railroad right-of-way, the side and rear YARDS abutting the residential or recreation-conservation district shall be increased as follows and shall include a 50' landscaped buffer that consists of an opaque screen as defined in Section 7.7.5.1 of the Zoning Bylaw.

Minimum Side or Rear YARD

Compact Business District	50 feet
Business District	50 feet
Commercial District	50 feet
Industrial District	100 feet

- (2) The minimum frontage on Route 117 (Great Road) shall be 200 feet.
- (3) In the Refuse Disposal District, one hundred feet (100') of the FRONT, REAR and SIDE YARDS must be densely planted with natural screening, or otherwise screened. YARD requirements may be waived as a condition of the special permit for that portion of a parcel of land abutting an operational REFUSE disposal facility. Such YARD requirements are to be measured from the LOT boundaries and the outer-most limits of the excavation or any BUILDING for the REFUSE disposal facility.

- (4) Wireless Service Facilities shall be exempt from the provisions of Section 4 but shall be subject to minimum front, side and rear YARD setbacks stated in Section 4.4 and setbacks and other limitations established in Section 3.11 of the Zoning Bylaw.
- (5) An Active Adult Neighborhood shall be exempt from the provisions of Section 4 and shall be subject to minimum front, side and rear YARD setbacks and other limitations established in Section 8.8 of the Zoning Bylaw.

*A True Copy Attest:*

---

Linda Hathaway, Stow Town Clerk

Final Version of By-law as Amended:

TOWN OF STOW  
ZONING BYLAW

Section 4.5

4.5 Special Provisions and Exceptions to Dimensional Regulations

4.5.1 Dimensional Regulations for ASSISTED LIVING RESIDENCE

In the Business District, an ASSISTED LIVING RESIDENCE shall be built according to the following dimensional standards.

minimum LOT area	- 217,800 sq. ft.
minimum LOT frontage	- 200 ft.
minimum LOT width	- As otherwise set forth in this Bylaw
minimum FRONT, SIDE and REAR YARDS	- 50 ft.
minimum setback of pavement areas other than ACCESS DRIVEWAYS and walk ways from the front LOT line	- 50 ft.
minimum separation of BUILDINGS within the LOT	- 20 ft.
maximum height of STRUCTURES	- 35 ft.
minimum OPEN SPACE	- 30 %
maximum FLOOR AREA RATIO (business district only)	- 0.30

- 4.5.1.1 Dimensional Regulation of ASSISTED LIVING RESIDENCES in the Business District shall be subject to FLOOR AREA RATIO.
- 4.5.1.2 All privileges and exemptions provided to single-family residential uses or BUILDINGS under this Bylaw as set forth in Section 3.8.1.11 or otherwise, shall also apply to ASSISTED LIVING RESIDENCES.
- 4.5.1.3 Where the requirements of ASSISTED LIVING RESIDENCES differ from or conflict with other requirements of the Bylaw, the requirements established herein shall prevail. The above requirements shall be met and where appropriate, the Planning Board may impose additional requirements as a condition of the Special Permit.
- 4.5.2 The provisions of Sections 4.1, 4.2 and 4.3 of the Zoning Bylaw shall not apply to Wireless Service Facilities. The height provisions of Section 4.2 shall not apply to Wireless Service Facilities which shall be governed by the provisions of Section 3.11.7.1.
- 4.5.3 The provisions of Sections 4.1, 4.2, and 4.3 of the Zoning Bylaw shall not apply to an Active Adult Neighborhood.

A True Copy Attest:

\_\_\_\_\_  
Linda Hathaway, Stow Town Clerk

