

ARTICLE II USE AND INTENSITY REGULATIONS

2.1 Establishment of Districts.

2.1.1 The Town of Milford is hereby divided into the following types of districts:

General Residential.....	RA
Single-Family Residential.....	RB
Rural Residential.....	RC
Rural Residential.....	RD
Business Park.....	BP
Central Commercial.....	CA
Neighborhood Commercial.....	CB
Highway Commercial.....	CC
Central Industrial.....	IA
Highway Industrial.....	IB
Highway and Neighborhood Industrial.....	IC

In addition to the above districts, the Town of Milford has adopted a Water Resource Protection District, comprised of Water Resource District 1 (WR1) and Water Resource District 2 (WR2). Reference should be made to Article VII for further information concerning these overlay districts.

The boundaries of these districts are defined and bounded on the maps accompanying this By-Law and on file with the Clerk of the Town of Milford, entitled "Milford, MA - Zoning" and "Milford Central Area - Zoning", both dated July, 1989 and "Water Resource Protection District", dated May 1992. Those maps and all explanatory matter thereon are hereby made a part of this By-Law.

2.1.2 Except when labeled to the contrary, boundary or dimension lines shown approximately following or terminating at street, railroad, or utility easement center or layout lines, boundary or lot lines, or the channel of a stream, shall be construed to be actually at those lines; when shown approximately parallel, perpendicular, or radial to such lines shall be construed to be actually parallel, perpendicular, or radial thereto. When not locatable in any other way, boundaries shall be determined by scale from the map.

2.1.3 Where a district boundary line divides any lot existing at the time such line is adopted, the regulations for any district in which the lot has frontage on a street may be extended not more than thirty feet into the other district.

2.2 Use Regulations.

2.2.1 No buildings or structure shall be erected or used and no premises shall be used except as set forth in the "Use Regulation Schedule". Symbols employed shall mean the following:

- P - A permitted use
- O - An excluded or prohibited use
- A - A use authorized only upon the issuance of a special permit by the Board of Appeals as specified in Section 1.10, above
- S - A use authorized only upon the issuance of a special permit by the Planning Board as specified in said Section 1.10, above

2.2.2 Where an activity might be classified under more than one of the following uses, the more specific classification shall determine permissibility; if equally specific, the more restrictive shall govern.

2.3 Use Regulation Schedule.

ACTIVITY OR USE	DISTRICT										
	RA	RB	RC	RD	BP	CA	CB	CC	IA	IB	IC
<u>AGRICULTURAL USE</u>											
On parcels of five (5) or more acres:											
Agricultural & related uses exempt under G.L. c.40A, Sec. 3.	P	P	P	P	P	P	P	P	P	P	P
On parcels of less than five (5) acres:											
Farm without live stock or fowl	O	P	P	P	O	O	O	O	P	P	P
Greenhouse with retail sales ¹	O	O	O	O	O	P	P	P	P	P	P
Greenhouse with wholesale only	O	P	P	P	O	O	P	P	P	P	P
Roadside stand, temporary	O	A	A	A	O	P	P	P	P	P	P
Roadside stand, permanent ¹	O	O	O	O	O	P	P	P	P	P	P
Livestock or fowl	O	O	O	O	O	O	O	O	O	P	P
<u>RESIDENTIAL USES</u>											
Single-family Dwelling	P	P	P	P	O	O	P	O	O	O	O
Two-family Dwelling	A ²¹	O	O	O	O	O	A ²¹	O	O	O	O
Congregate Retirement Living Facility ^{1, 12}	O	A	A	O	O	O	O	O	O	O	O
Multi-family Dwelling	O	O	O	O	O	O	O	O	O	O	O
Trailer ^{5,10}	O	O	O	O	O	O	O	O	O	O	O
Trailer Park	O	O	O	O	O	O	O	O	O	O	O
<u>INSTITUTIONAL USES</u>											
Municipal Use ¹	P	P	P	P	P	P	P	P	P	P	P
Religious Use ¹	P	P	P	P	P	P	P	P	P	P	P
Nursery School ¹	P	P	P	P	O	P	P	P	P	P	P
Other Commercial Schools ¹	O	O	O	P	O	P	P	P	P	P	P
Other Schools ^{1, 11}	P	P	P	P	P	P	P	P	P	P	P
Cemetery	A	A	A	A	O	P	P	P	P	P	P
Hospital ¹	P	A	A	A	O	O	O	O	O	O	O
Nursing, convalescent, or rest home ¹	A	A	A	A	O	O	O	O	O	O	O
Assisted Living Facility ^{1, 14}	S	S	S	S	O	S	S	S	S	S	S
Philanthropic Institutions	A	A	A	A	O	A	A	A	A	A	A
Public Utility with service area	O	O	A	A	P	O	O	O	P	P	P
Public Utility without service area	P	P	P	P	P	P	P	P	P	P	P
Club or lodge ^{1, 4}	A	A	A	A	O	P	P	P	O	O	P
Adult Day Care Facility ¹	A	A	A	A	O	O	O	A	O	O	O

2.3 Use Regulation Schedule. (continued)

ACTIVITY OR USE	DISTRICT										
	RA	RB	RC	RD	BP	CA	CB	CC	IA	IB	IC
<u>RECREATIONAL USES</u>											
Camping, commercial	O	O	O	O	O	O	O	O	O	O	O
Camping, supervised	O	A	A	A	O	O	O	O	O	O	O
Games of Chance ¹⁶	O	O	O	O	O	O	O	O	O	O	O
Golf Course ¹	P	P	P	P	P	O	P	P	P	P	P
Indoor commercial recreation ¹	O	O	O	O	O	P	P	P	P	P	P
Outdoor commercial recreation ¹	O	O	O	O	O	O	O	P	O	O	O
Sportsman's club, game preserve ¹	O	O	O	O	O	O	P	P	P	P	P
Public Stables ¹	O	O	A	A	O	O	O	O	O	O	O
<u>BUSINESS USES</u>											
Business or Professional Offices ¹	O	O	O	O	P	P	P	P	P	P	P
Professional Buildings ¹	O	O	O	O	P	P	P	P	P	P	P
Financial Institution ¹	O	O	O	O	S	P	P	P	P	P	P
Check Cashing Facility	O	O	O	O	O	O	O	O	O	O	O
ATM, walk-up/drive-thru ¹	O	O	O	O	S	S	S	P	P	P	P
Computer Technology											
Research / Development ¹	O	O	O	O	P	O	O	O	P	P	P
Electronic Data Storage Centers ¹	O	O	O	O	P	O	O	O	P	P	P
Internet Service Providers ¹	O	O	O	O	P	O	O	O	P	P	P
Business Incubators (non-retail) ¹	O	O	O	O	P	O	O	O	O	P	O
Conference/Convention Center ¹	O	O	O	O	P	O	O	O	O	P	O
Food Service as Secondary Use ^{1,19}	O	O	O	O	S	O	O	O	O	P	O
<u>COMMERCIAL USES</u>											
Boarding or rooming house ¹	O	O	O	O	O	A	A	O	O	O	O
Motel, hotel ¹	O	O	O	O	O	A	A	A	A	A	A
Adult Entertainment Enterprises ^{1,15}	O	O	O	O	O	O	O	O	O	A	A
Animal Kennel or Hospital ¹	O	O	A	A	O	O	P	P	P	P	P
Funeral Home ¹	O	O	O	O	O	P	P	P	P	P	P
Commercial Car Wash ^{1,2}	O	O	O	O	O	O	A	A	O	O	A
New Motor Vehicle/Boat sales/rental ¹	O	O	O	O	O	O	P	P	A	P	P
Used Motor Vehicle/Boat sales/rental ^{1,20}	O	O	O	O	O	O	A	A	A	A	A
Motor Vehicle/Boat service/repair ^{1,20}	O	O	O	O	O	O	A	A	A	A	A
Printing Shop ¹	O	O	O	O	O	P	P	P	P	P	P
Restaurant ¹	O	O	O	O	O	P	P	P	P	P	P
Retail sales or service ¹	O	O	O	O	O	P	P	P	P	P	P
Wholesaling without storage	O	O	O	O	O	P	P	P	P	P	P
Wholesaling with storage ¹	O	O	O	O	O	O	P	P	P	P	P
Flea Market ¹	O	O	O	O	O	O	O	A	A	A	O
Transportation Terminal ¹	O	O	O	O	O	O	P	P	P	P	P
Attendant-Service Gasoline Stations ¹	O	O	O	O	O	A	A	A	A	A	A
Self-Service Gasoline Stations	O	O	O	O	O	O	O	O	O	O	O
Massage Parlor	O	O	O	O	O	O	O	O	O	O	O
Juice Bars	O	O	O	O	O	O	O	O	O	O	O
Drive Through Windows	O	O	O	O	S	S	S	P	P	P	P

2.3 Use Regulation Schedule. (continued)

ACTIVITY OR USE	DISTRICT										
	RA	RB	RC	RD	BP	CA	CB	CC	IA	IB	IC
<u>INDUSTRIAL USES</u>											
Manufacturing, processing, research ¹	O	O	O	O	O	O	O	A	P	P	P
Asphalt Plants ¹⁸	O	O	O	O	O	O	O	O	O	O	O
Bulk storage ¹	O	O	O	O	O	O	O	O	P	P	P
Contractors yard ¹	O	O	O	O	O	O	O	O	P	P	P
Granite Quarrying	O	A	A	A	O	O	O	O	P	P	P
Earth Removal ³	O	A	A	A	O	O	A	A	A	A	A
Junk Yard	O	O	O	O	O	O	O	O	O	A	O
Warehouses ¹	O	O	O	O	O	O	O	P	P	P	P
Radio Transmission	O	O	O	O	P	O	O	O	P	P	P
Steam Laundry or Dry Cleaning Plant ¹	O	O	O	O	O	O	O	O	P	P	P
Hazardous Waste Facility	O	O	O	O	O	O	O	O	S	S	S
Gas fueled power generation plant	O	O	O	O	O	O	O	O	O	A	O
Power generation plant fueled by oil, coal or fuel other than gas	O	O	O	O	O	O	O	O	O	O	O
<u>OTHER PRINCIPAL USES</u>											
Temporary structures	P	P	P	P	P	P	P	P	P	P	P
Airport	O	O	O	O	O	O	O	O	O	O	O
Helistop ¹	O	O	O	O	P	O	O	O	P	P	P
Wireless Communications Link ¹⁷											
Indoor ¹	P	P	P	P	P	P	P	P	P	P	P
Building Mounted	A	A	A	A	A	A	A	A	A	A	A
Free Standing	O	O	O	O	A	O	O	A	A	A	A
<u>ACCESSORY USES</u>											
Home occupation (see Section 3.3)	P	P	P	P	O	P	P	P	P	P	P
Off-Street Parking:											
2 non-commercial vehicles per dwelling unit ^{6,7}	P	P	P	P	O	P	P	P	P	P	P
1 commercial vehicle not over 1 ½ ton ⁶	P	P	P	P	O	P	P	P	P	P	P
Residential animals	A	A	A	A	O	O	A	A	A	A	O
Scientific Research ⁸	A	A	A	A	A	A	A	A	A	A	A
Supplemental Apartment ⁹	A	A	A	A	A	A	A	A	A	A	A
Above Ground Storage Tanks ^{1,13}	O	O	O	O	P	O	P	P	P	P	P

¹ Subject to Site Plan Review in accordance with Section 1.15, above.

² Provided that the Board of Appeals specifically finds that there is adequate drainage of water and chemicals, and that no drainage will adversely affect the environment.

³ See Section 3.7

⁴ Clubs and lodges, the chief activity of which is customarily carried on as a business, are prohibited in any residential zoning district.

⁵ On Special Permit, issued by the Board of Appeals, a trailer may be temporarily occupied by persons engaged in the erection or construction of their own dwelling on the same premises for a period not to exceed one year. A trailer may be temporarily occupied by persons who are engaged in the repair of their own dwelling after such dwelling was damaged by fire, storm or other causes, if the trailer so occupied is located on the same premises as the damaged dwelling. Such occupancy shall not exceed six months; however, that period may be extended for not more than an additional six months by the Building Commissioner for good cause shown.

⁶ Off-street parking customarily incidental to a residential use only.

⁷ Increase to 4 non-commercial vehicles for a detached single-family house.

⁸ Only if such use is accessory to activities which are permitted as a matter of right, and only if the Board of Appeals specifically finds that such use does not substantially derogate from the public good.

⁹ Any Special Permit issued shall lapse in the event that title to the principal building in which the supplemental apartment is created is transferred from the owner of said principal building at the time of issuance to any other person not his spouse. Any such Special Permit shall lapse within three years of the date on which it is granted, subject to renewal.

¹⁰ Trailers may be authorized accessory to temporary recreational uses otherwise authorized by the Board of Selectmen and temporarily in connection with on-going construction projects. Upon Special Permit issued by the Board of Appeals, a trailer may be utilized as an accessory structure (and use) to a primary hospital use.

¹¹ All structures and activity areas appurtenant to the primary use shall be located at least 100 feet from abutting residentially zoned or utilized land.

¹² See Section 3.12 for standards of development for congregate retirement living facilities.

¹³ Above Ground Storage Tanks shall be subject to the setback regulations of the applicable district, and shall be adequately screened.

¹⁴ An Assisted Living Facility shall not be developed on a site unless the site is serviced by municipal sanitary sewage facilities. An Assisted Living Facility shall not be developed in a building which houses a commercial, industrial or retail activity, unless such activity is otherwise permitted in the underlying district, or, if not otherwise permitted, is for the convenience of the residents and is accessible only from inside the facility, and in either case, only as such uses are specifically permitted by decision of the special permit granting authority.

¹⁵ Adult Entertainment Enterprises subject to the requirements of Section 3.14 herein.

¹⁶ This restriction is limited to Games of Chance or similar entertainment or amusement operated through audio or video broadcast or closed circuit transmission, except at an establishment that possesses an All Alcoholic or Wine and Malt License pursuant to M.G.L. c.138, Section 12.

¹⁷ Subject to the provisions of Article VIII.

¹⁸ On Special Permit issued by the Zoning Board of Appeals, Portable Asphalt Plants may be erected and operated on a temporary basis as may be required in conjunction with site development in the IB and IC Zoning Districts.

¹⁹ Food service including indoor restaurants may be permitted as secondary (i.e. accessory) uses but only within a building occupied by a principal permitted use and only by Special Permit issued by the Planning Board. Hours of operation of such use shall be limited to between 6:00 a.m. and 6:00 p.m.

²⁰ Permitted without special permit only as an accessory use to, and on the same premises as a New Motor Vehicle dealership.

²¹ Two-family Dwellings on lots of 12,000-16,000 sq.ft. of area require a special permit as per Section 3.13 herein. Two-family Dwellings on lots of 16,000 sq.ft. of area or greater are allowed as of right.