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## NOTICE OF HEARING

POSTED IN ACCORDANCE WITH THE PROVISIONS OF  
The Town of Plympton Municipal Bylaws

**Planning Board**  
Name of Committee

Place of Hearing: Small Meeting Room

Date: Tuesday 04/16/19  
Day of Week Date (mm/dd/yy)

Time: 6:15 PM

### AGENDA ATTACHED OR SUBJECTS TO BE DISCUSSED LISTED BELOW:

In accordance with the Massachusetts General Laws Chapter 40A Section 5, the Zoning act, you are hereby notified of a public hearing to amend the Town of Plympton Land use Regulations Zoning By-Law.

The Town of Plympton By-Law review committee in conjunction with the Plympton Planning Board will conduct a public hearing to review proposed amendment

**Updated Definitions of the Land uses described in Schedule of Uses Table of Plympton's Zoning By-Laws to be Proposed by the Plympton By-Law Review Committee May 2019**

**Signature:**

Deborah Anderson

**Date:** 3/28/19

## LEGAL NOTICE

### TOWN OF PLYMPTON



#### PLANNING BOARD NOTICE OF PUBLIC HEARING

In accordance with the Massachusetts General Laws Chapter 40A Section 5, the Zoning Act, you are hereby notified of a Public Hearing to amend the Town of Plympton Land Use Regulations Zoning By-Law.

The Town of Plympton By-Law Review Committee, in conjunction with the Plympton Planning Board, will conduct a public hearing on Tuesday, April 16, 2019 at 6:15 p.m. at the Plympton Town House, small meeting room, 5 Palmer Road, Plympton to review the proposed amendment.

Updated Definitions of the Land Uses described in the Schedule of Uses Table of Plympton's Zoning By-Laws to be Proposed by the Plympton By-law Review Committee May 2019

Article \_\_\_\_ To see whether the Town will vote to amend the Zoning Bylaws Article 11 Definitions by adding the following language at the beginning of that Article:

#### Residential

**Dwelling Unit** - Any building or part thereof erected or used for occupancy as a place of continuous residence for an individual or family. A dwelling unit is one or more rooms designed as separate living quarters with cooking, sleeping and sanitary facilities for one (1) individual or one (1) family. This definition does not include a trailer, however mounted.

**Dwelling, One-family** - A building housing a single dwelling unit designed to be used as living quarters by one family.

**Dwelling, Two-family** - A building containing two (2) dwelling units, designed to be used as living quarters by two families, with each unit containing its own, sleeping, cooking and sanitary facilities.

**Dwelling, Multi-family, for Elderly and Handicapped Persons** - A building containing more than two (2) dwelling units, with each unit containing its own sleeping, cooking and sanitary facilities.

**Guest House** - An accessory use residential building with plumbing that contains its own sleeping and sanitary facilities, and does not have cooking facilities or kitchen cabinets, is not let for compensation, and which is clearly an accessory use to the principal dwelling unit.

**Mobile Home (temporary)** - A Mobile Home (temporary) is defined as a moveable or portable dwelling unit built on a chassis to be moved from site to site, designed for connection to utilities when in use, and designed without necessity of a permanent foundation for year-round living. A travel or vacation trailer is not to be considered a mobile home.

#### Commercial

**Adult Uses** - Adult Uses: Adult Book Stores; Adult Clubs; Adult Mini-Motion Picture Theaters; Adult Paraphernalia Stores and Adult Video Stores all as more specifically defined herein.

**Animal Day Care, Training and Grooming** - Premises used for the commercial harboring of more than

three dogs or other domestic non-farm animals three months old or older. Uses include the day care of animals between the hours of 7:00 AM to 8:00 PM throughout the week and weekend. Training and grooming facilities may also be utilized within the primary building. Medical, ambulatory or hospital facilities requiring a licensed veterinarian are not permitted. The primary building must have the capacity to house all the animals on the property within the building at any time during operating hours. Outside exercise areas of dog runs must be enclosed with a minimum five-foot-high solid fence. No more than four dogs will be permitted in a dog run at one time. A kennel permit will be required for this use and restricted on an annual basis. Disposal of animal waste must comply with state and local board of health regulations.

**Fur Bearing Animal** - Animals usually kept and raised for the use and sale of their skins and fur.

**Bank** - A facility for the extension of credit and the custody, loan, or exchange of money, with no more than one drive in window.

**Bed and Breakfast Establishment (including conversion of an existing dwelling to a Bed and Breakfast Establishment)** - A private residence or building with no more than 5 guest rooms which includes a breakfast in the room rate, and which serves breakfast to overnight guests only.

**Boat Livery** - A boathouse or dock on a lake or other body of water, where boats are let out for hire (rental), on an hourly, daily, or weekly basis. Boats may be powered or sail craft or human powered such as rowboats, paddle boats or inflatable boats.

Facility for Boat Sales and Rental, including storage, maintenance, and repair of boats - Facility for Boat sales and rental, including storage, maintenance, and repair of boats less than forty (40) feet in length, provided no boats shall be visible from a public or private way.

**Brewery, Distillery, Winery Production with Tasting Room (farm)** - A business located in a building where the primary use is for the production and distribution of malt, spirituous, or vinous beverages with a tasting room and which holds a Commonwealth of Massachusetts issued farmer series production license. Any such facility that sells alcoholic beverages to be consumed on premises shall have a Commonwealth of Massachusetts issued farmer series pouring license approved by the local licensing authority. The facility may host marketing events, special events, and factory tours. The facility may only sell beverages produced by, and commercial goods branded by, the brewery, distillery, or winery. The facility may sell permitted beverages by the bottle to consumers for off-premises consumption.

**Brewery, Distillery, Winery Production with Tasting Room (non-farm)** - A business located in a building where the primary use is for the production and distribution of malt, spirituous, or vinous beverages with a tasting room. The facility may host marketing events, special events, and factory tours. The facility may only sell beverages produced by, and commercial goods branded by, the brewery, distillery, or winery.

**Commercial Riding Stable** - An establishment where instruction in riding, jumping and/or showing is offered and where horses may be boarded and cared for and where the general public may be given riding and/or driving lessons on horses owned by the establishment.

**Clinic/Medical Office** - Clinics or offices for medical, psychiatric, or other health services for the examination or treatment of persons as outpatients, including laboratories that are part of such clinic or office.

**Commercial Vehicle** - Any truck, including but not limited to step vans and cube vans, bus, or a registered motor vehicle including but not limited to passenger car, pickup truck, or passenger van on which is affixed any writing or logo to designate the business or professional affiliation of said vehicle, or where tools of said business or professional affiliation are visibly stored on the exterior of the vehicle, or a recreational vehicle used in conjunction with a business. A pickup truck not used for commercial uses and on which there is no writing or logo to designate a business or professional affiliation and which does not have tools visible on the outside shall not be considered a commercial vehicle for purposes of the by-law.

**Commercial Vehicle Storage (more than ten (10))** - The routine garaging or parking overnight of Commercial Vehicles.

**Corn Maze** - A collection of paths, typically from an entrance to a goal, cut out of a corn field for amusement purposes.

**Dogs: Breeding and Sale** - The breeding of personally owned dogs provided that selling, trading, bartering or distributing such dogs shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops.

**Formula Fast Food Restaurants** - A restaurant establishment, required by contractual or other arrangements to offer standardized menus, ingredients, food preparation décor, external façade, or uniforms, which sells on premise prepared, ready-to-consume food or drink primarily through a combination of in-car, window, drive-through, or over-the-counter service.

**Funeral Home** - A building used for preparing the deceased for burial or cremation and arranging and managing funerals. A funeral home may include an attached funeral chapel.

**Gasoline Station** - An establishment for the sale of motor vehicle fuel and related products and services, including a convenience store if an integral part of the gasoline station. All maintenance and service, other than minor service and emergency repairs, shall be conducted entirely within a building. No gasoline station shall be located within 2,600 feet of another gasoline station.

**General Service Establishments** - A facility providing general services such as appliance or equipment repairs, furniture or upholstery repairs, and shops for trades or crafts, but excluding motor vehicle services of any kind.

**Indoor Commercial Recreation, Concentrated** - A commercial recreation use conducted entirely within a building with potentially significant external impacts on the surrounding neighborhood. Such uses include bowling alleys, skating rinks, billiard halls, gymnasiums, racing tracks, and shooting ranges.

**Indoor Commercial Recreation, Light** - A commercial recreation use conducted entirely within a building and having minimum external impacts on the surrounding neighborhood. Such uses include assembly halls, auditoriums, exhibit halls, performance theaters and art centers.

**Inn** - including conversion of existing dwelling to an Inn - A building or group of buildings containing no more than twelve (12) guest rooms without individual cooking facilities for transient occupancy and let for compensation. A restaurant, reception and dining room, and/or related retail and consumer services may be provided for public use within the building or buildings.

**Laboratory/Research Facility** - Laboratory or research facility for medical, dental, technical or scientific uses and uses accessory to them (but excluding direct services to patients) provided that all uses are in enclosed buildings.

**Massage Service Establishments** - 1. Massage: Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of external parts of the human body with the hands or with the aid of any mechanical or electrical apparatus or appliances, with or without such supplementary aids such as rubbing alcohol, liniment, antiseptics, oils, powders, creams, lotions, ointments or other such similar preparations commonly used in the practice of massage under such circumstances that it is reasonably expected that the person to whom the service is provided, or some third person on his or her behalf, will pay money or give any other consideration or any gratuity therefor.  
2. The practice of massage shall not include the following individuals while engaged in the personal performance of duties of their respective professions:

a. Physicians, surgeons, chiropractors, osteopaths, or physical therapists, who are duly licensed to practice their professions in the Commonwealth of Massachusetts.  
b. Nurses who are registered under the laws of the Commonwealth of Massachusetts.  
c. Barbers and beauticians who are duly licensed under the laws of the Commonwealth of Massachusetts, except that this exclusion shall apply solely to the massage of the neck, face, scalp and hair of the customer or client for cosmetic or beautifying purposes.

**Outdoor Commercial Recreation, General** - A commercial recreation land use primarily conducted outside a building, characterized by potentially moderate impacts on traffic, the natural environment and surrounding neighborhood. Such uses may include athletic fields, paintball course, miniature golf, pitch and putt, skateboard park, tennis club, basketball courts, batting cages and driving ranges.

**Outdoor Commercial Recreation, Light** - A commercial recreation land use primarily conducted outside a building, characterized by minimal impact on traffic, the natural environment, and surrounding neighborhood. Such uses may include botanical garden, hiking trails, historic sites, picnic areas and cross-country ski areas.

**Overnight Cabins** - Individual one-story structure of no more than 256 sq. feet, located on a lot consisting of at least five acres, containing an owner-occupied residence with no more than two such cabins per acre (not to include the 1.5 acres allocated to the primary residence).

**Personal Services Establishment** - A facility providing personal services, such as a hair salon, barber shop, tanning beds, print shop, photography studio, tailor shop, shoe repair, self-service dry cleaning or pick-up agency, in every case an indoor operation but not including massage services.

**Private Club** - Facilities used by members only for a purpose such as, but not limited to, a fraternal, social, or recreational purpose, including a health club. Provided (1) that no parking area or active outdoor recreation area is nearer to any lot line than the Front Yard depth required by this bylaw for the lot, and (2) that there are no accommodations for spectators nor outdoor floodlights nor any activity which is in itself noisy.

**Professional Office** - Office of a lawyer, engineer, architect, real estate broker, insurance agent, consultants, writers or other similar professionals, not accessory to a main use.

**Parking Lot or Garage** - Any area or structure used for parking automobiles containing between 5 and 20 individual parking spaces.

**Renting of Rooms (4 Person Limit)** - Private rooms in an owner-occupied dwelling unit without individual cooking facilities, for transient occupancy and let for compensation.

**Restaurant** - A building or portion thereof, which is designed, intended and used for sales and consumption of food prepared on the premises. Food may be consumed within the building, outdoors in areas designated for dining purposes which are adjacent to the main indoor restaurant facility or for off-premises consumption, but in all circumstances expressly excluding Formula Fast Food Restaurants.

**Retail Store** - An establishment with not more than 10,000 square feet in net floor area selling merchandise within a building to the general public. Said merchandise is not intended for resale. A Retail Store may have one or more vendors within it. A garden center, florist, or commercial greenhouse may have open-air display of horticultural products.

**Vehicle Body Shop** - Establishment where the principal service is the repair and painting of automobiles, trucks, boats, motorcycles, trailers, recreational vehicles, farm equipment or similar motor vehicles having a maximum gross vehicle weight of 12,000 pounds, provided that all but minor repairs shall be conducted entirely within a building and there shall be no on-site storage of vehicles for longer than ninety (90) days.

**Vehicle Repair** - An establishment where the principal service is the mechanical repair, excluding body work, of automobiles, trucks, boats, motorcycles, trailers, recreational vehicles, farm equipment or similar motor vehicles having a maximum gross vehicle weight of 12,000 pounds, provided that all but minor repairs shall be conducted entirely within a building and there shall be no storage of vehicles for longer than ninety (90) days.

**Wholesale Store** - An establishment or place of business primarily engaged in selling or distributing merchandise to retailers, to individuals, commercial or professional business customers or to other wholesalers or acting as an agent or broker for such individuals or companies.

#### Industrial

**Contractor** - A person or company that undertakes a contract to provide materials or labor to perform a service to do a job.

**Contractor's Yard** - A premises used by a building contractor, general contractor or subcontractor for storage of equipment and supplies, fabrication of subassemblies and parking of operative wheeled or tracked equipment.