

ARTICLE III

ESTABLISHMENT OF ZONING DISTRICTS

Section 3.01 Division into Districts - The Town of Marshfield, Massachusetts hereby divided into eleven zoning districts to be designated as follows:

<u>Full Name</u>	<u>Class</u>	<u>Short Name</u>
Residential - Rural	Residential	R-1
Residential - Suburban	Residential	R-2
Residential - Waterfront	Residential	R-3
Residential Business	Business	RB
Business – Mixed-Use	Business	B-1
Business - Highway	Business	B-2
Business - Neighborhood	Business	B-3
Business - Waterfront	Business	B-4
Office Park	Business	OP
Industrial	Industrial	I-1
Airport	Industrial	A

Zoning districts shall include the land within any lake, pond, stream, or other water body, lying therein, and shall include land under navigable waters as far as the ownership thereof and the jurisdiction of the Town of Marshfield extend under any other provisions of the law.

Section 3.02 Superimposed Zoning Districts - An Inland Wetlands Zoning District, a Coastal Wetlands Zoning District, a Water Resource Protection District, a Planned Mixed-Use Development District, a Storm Water Management Overlay District and a Flood Plain Zone are considered to be superimposed over the other districts shown on the Zoning Map, as a recognition of the special conditions which exist in such areas. See Article XI, XIII and Article XV for applicable regulations.

Section 3.03 Zoning Map - The location and boundaries of the Zoning Districts are hereby established as shown on a map titled "Zoning Map of the Town of Marshfield, Massachusetts" dated May 5, 2008 with revisions through May 5, 2008 which accompanies and is hereby declared to be part of this Bylaw. The authenticity of the Zoning Map shall be identified by the signature of the Town Clerk, and the imprinted seal of the town under the following words: "This is to certify that this is the Zoning Map of the Town of Marshfield, Massachusetts, referred to in the Zoning Bylaw of the Town of Marshfield, Massachusetts, which was approved by the Town on May 5, 2008 with revisions through May 5, 2008."

Section 3.04      Changes to Map - Any change in the location of boundaries of a Zoning District hereafter made through the amendments of this Bylaw shall be indicated by the alteration of such map, such changes to be dated and authenticated as prescribed in Section 3.03. The map thus altered is declared to be part of this Bylaw thus amended. The Town Clerk shall be responsible for drafting such changes on the Zoning Map. Such changes shall be made within 14 days of the final approval of the Attorney General's Office. The Zoning Map shall be drawn to a scale of 1" equals 1,000' with ink on stable material and shall be located in the office of the Town Clerk. Photographic reductions of this large-scale map may serve as copies of the Zoning Map.

Section 3.05      Boundaries of Districts - Where any uncertainty exists with respect to the boundary of any district as shown on the Zoning Map the following rules apply:

1. Where a boundary is indicated as a street, railroad, power line, watercourse or other body of water, it shall be construed to be the center line or middle thereof, or where such boundary approximates a town boundary, then to the limits of the town boundary.
2. Where a boundary is indicated as following approximately or parallel to a street, railroad, power line, watercourse or other body of water, it shall be construed to be parallel thereto and at such distance therefrom as shown on the Zoning Map. If no dimension is given, such distance shall be determined by the use of the scale shown on the Zoning Map.
3. Where a dimensioned boundary coincides within ten feet or less with a lot line, the boundary shall be construed to be the lot line.
4. Where a boundary is indicated as intersecting the centerline of a street, railroad, power line, watercourse or other water body, it shall be construed to intersect at right angles to said centerline, or in the case of a curved centerline, at right angles to the tangent to the curve at the point of intersection.
5. The boundary limits of the Coastal and Inland Wetlands Districts are not described by dimensions. Distance shall be determined by the use of the scale shown on the Zoning Map. If simple scaling cannot ascertain whether or not the parcel of land in question falls within the boundaries of the Coastal and Inland Wetlands Districts, the Building Inspector will determine by field inspection the location of the parcel with respect to the District. In such determination, the Building Inspector shall be guided by the Conservation Administrator; if he is not available then a Conservation Commissioner, and where such guidance is given, it shall become part of the record.

If the Building Inspector fails to accept the guidance of said Administrator or Commissioner, he shall state in the record in writing, his reasons for such action.

Notwithstanding the foregoing, the Planning Board shall make determinations of boundaries with respect to Flood Plain Zones pursuant to Article XV.

6. The abbreviation "PL" means property line as shown on the Town Assessors Maps as in effect at the effective date of this Bylaw. The abbreviation "PL" when used in conjunction with a subsequent amendment to this Bylaw, shall mean a property line as shown on the Town Assessors' maps as in effect at the effective date of such amendment.
7. The abbreviation "CL" means centerline and "CI" means center of intersection.
8. Where an applicant or owner asserts that there is any error in the boundaries of the Water Resource Protection District as shown on the Zoning Map, the burden of proof shall be on such person to demonstrate by clear and convincing evidence that the Zoning Map does contain such an error and to demonstrate where the said boundaries should correctly be located.

Where the boundaries of the Water Resource Protection District as shown on the Zoning Map are so challenged, the permit granting or special permit granting authority may engage the services of appropriate scientists and/or engineers to determine the boundaries of the Water Resource Protection District in accordance with the definition contained in Section 13.03 (2) of this Bylaw. The reasonable costs of such services shall be borne by the applicant or property owner.

(Section 3.02 Superimposed Zoning Districts Amended April 2006 ATM)  
(Section 3.03 Zoning Map Amended May 5, 2008 ATM)