

ARTICLE V

USE REGULATIONS

Section 5.01 Applicability of Use Regulations - Except as in the Zoning Enabling Act or in this Bylaw, no building, structure, or land shall be used except for the purposes permitted in the district as described in this Section. Any use not listed shall be construed to be prohibited.

Section 5.02 Permitted Uses - In the following Table of Use Regulations, the uses permitted by right in the district shall be designated by the letter (P). Those uses that may be permitted by Special Permit in the District, in accordance with Article X, shall be designated by the letter (S). Uses designated (-) shall not be permitted in the district.

Notwithstanding any other provision of this Bylaw, the following lots owned by the Town may be used for beach parking, for residents and nonresidents, during the months of May, June, July, August and September of each year. Marshfield Assessors Map Lots M05-05-86 Beach Street and M07-03-01, Dyke Road. Any provisions of this Bylaw which may be deemed to require that such lots be paved prior to such use shall not apply thereto. The provisions of Article VIII of this Bylaw shall not apply to such use.

Section 5.03 Uses Subject to Other Regulations - Uses permitted by right or by special permit shall be subject, in addition to use regulations, to all other provisions of this Bylaw.

There shall not be any business operation for vehicle repair for profit or gasoline or oil service facilities or any repair made to any motor vehicles, except on a lot occupied by a permitted automotive use. Any gasoline or oil facilities shall be at least 25 feet from any lot line.

Notwithstanding any other provisions of this Bylaw, the following uses shall be prohibited in the recharge areas of surface water drinking supplies as defined by the Massachusetts Department of Environmental Protection and as shown on the Marshfield Zoning Map as amended, and in areas within the zone of contribution of existing or potential public supply wells as defined by said Department:

- a) Sewage treatment plant
- b) Sanitary landfill
- c) Incinerator
- d) Application and storage of sludge and/or septage

The B-1 zoning district shall be considered a Mixed-Use District as defined within this Bylaw. Allowable uses within a Mixed-Use District are as shown in the underlying zoning districts in which the use is proposed as shown in the Table of Use Regulations unless otherwise specified herein.

Section
5.04

Table of Use Regulations - See table on accompanying pages which is declared to be a part of this Bylaw. In addition, uses are subject to Articles XI, XIII and XV where appropriate.

TABLE OF USE REGULATIONS

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
<u>RESIDENTIAL</u>													
1. One-family detached dwelling	P	P	P	P	-	S	P	P	-	-	-	-	P
2. Open Space Residential Development (see Section 11.04)	S	S	S	S	-	-	-	-	-	-	-	-	S
3. Age Restricted Adult Village (See Section 11.08)	S	S	S	S	-	-	-	-	-	-	-	S	S
<u>COMMUNITY FACILITIES</u>													
1. Church or other religious purposes	P	P	P	P	P	P	P	P	P	P	P	P	P
2. Educational purposes which are religious sectarian, denomination or public	P	P	P	P	P	P	P	P	P	P	P	P	P
3. Nursery School	P	P	P	P	-	-	-	-	-	-	-	S	S
4. Public park, conservation area and preserved open spaces including areas for passive recreation, but not including active recreational facilities	P	P	P	P	P	P	P	P	P	P	P	P	P
5. Nonprofit recreational facility, not including a membership club	S	S	S	S	S	-	S	S	-	-	S	S	S
6. Country, hunting, fishing, tennis, or boating club	S	S	S	S	-	-	S	S	-	S	S	S	S
7. Day camp or other camp for children	S	S	S	S	-	-	-	-	-	-	-	-	-
8. Town building except public works equipment garage	P	P	P	P	P	P	P	P	-	P	P	P	S
9. Cemetery	S	S	S	-	-	-	-	-	-	-	-	S	-

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
10. Public libraries, museums, historical association or society, nonprofit cultural institutions	P	P	P	P	P	P	P	P	P	-	-	P	S
11. Hospital, sanitarium or philanthropic institutions	S	S	S	-	-	-	-	-	-	-	-	S	-
12. Nursing, rest or convalescent home not to exceed 24 beds per acre	S	S	S	S	-	S	-	-	-	-	-	S	-
13. Town equipment garage	-	S	-	S	-	P	-	-	-	P	P	P	-
14. Public utility including water filter plant, sewage treatment plant and refuse facility	S	S	S	S	S	S	S	S	-	S	S	S	S
15. Essential services	P	P	P	P	P	P	P	P	P	P	P	S	S
16. Golf course or facility	S	S	S	-	-	-	S	S	-	-	S	S	-
17. Skating Rinks (indoor or outdoor), or other indoor athletic facilities	-	-	-	-	-	S	-	-	-	S	-	S	S
<u>AGRICULTURAL</u>													
1. Agriculture, horticulture, and floriculture, including marine agriculture and the catching and taking of marine flora and fauna and the seeding of catchment areas; except a greenhouse or stand for retail sale	P	P	P	P	P	P	P	P	P	P	P	P	P
2. Year-round greenhouse or stand for wholesale and retail sale of agricultural or farm products raised primarily on the same premises	S	S	S	P	S	-	P	-	P	P	S	P	S(1)
3. Temporary (not to exceed erection or use for period exceeding five months in any one year) greenhouse or stand for retail sale of agricultural or farm products raised primarily on the same premises	P	P	S	P	-	-	S	-	P	P	S	P	S(1)

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
4. Raising and keeping of livestock, horses and poultry, not including the raising of swine or fur animals for commercial use	P	P	P	S	-	-	-	-	-	-	-	-	S(1)
5. Commercial stables, kennels or veterinary hospital in which all animals, fowl or other forms of animal life are completely enclosed in pens or other structures	S	-	-	S	S	S	-	-	S	-	-	-	S(1)
6. Noncommercial forestry and growing of all vegetation	P	P	P	P	P	P	P	P	P	P	P	P	P
7. Commercial forestry	S	S	-	-	-	-	-	-	-	S	S	S	S(1)
8. Year-round greenhouse or stand for wholesale and retail sale of agricultural or farm product	-	-	-	P	-	P	-	-	-	-	-	P	-(1)
(1) Applies to only lots under five acres in size.													
<u>RETAIL AND SERVICE</u>													
1. Retail establishment selling principally convenience goods including, but not limited to: food, drugs and proprietary goods (but not including the sale of gasoline).													
a. With a maximum floor area limitation of 8,000 sq. ft. for any single establishment	-	-	-	-	P	S	P	P	-	-	-	S	S
b. With no limitation with respect to floor area	-	-	-	-	S	-	-	-	-	-	-	S	S
2. Retail establishment selling general merchandise, including but not limited to dry goods, apparel and													

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
accessories, furniture and home furnishings, home equipment, small wares, and hardware and including discount and limited price variety stores													
a. With a maximum floor area limitation of 8,000 sq. ft. for any single establishment	-	-	-	-	P	S	S	S	-	-	-	-	S
b. with no limitation with respect to floor area	-	-	-	-	S	-	-	-	-	-	-	-	-
3. Eating and drinking places not including drive-in establishments	-	-	-	S	P	P	P	P	-	-	-	S	S
4. Drive-in eating establishments	-	-	-	-	S	S	-	S	-	-	-	-	S
5. Sales by vending machines as a principal use	-	-	-	-	P	P	-	S	-	-	-	-	P
6. Establishment selling new or new and used automobiles and trucks, new automobile tires and other accessories, aircraft, motorcycles and household trailers	-	-	-	S	-	P	-	-	-	-	-	-	-
7. Establishment selling boats and boat accessories	-	-	-	-	-	P	P	P	-	-	-	-	-
8. Establishments selling, renting aircraft and aircraft accessories or repairing aircraft	-	-	-	-	-	S	-	-	-	-	P	-	-
9. Hotels and motels	-	-	-	S	-	S	-	-	-	S	S	S	S
10. Bank	-	-	-	P	P	P	P	P	P	-	-	-	S
11. Other personal and consumer service establishment	-	-	-	P	P	P	P	P	-	-	-	S	S
12. Funeral establishment	-	-	-	P	P	P	-	-	P	-	-	-	S
13. Membership Club	S	S	S	P	P	P	-	P	-	-	S	S	S
14. Professional and business													

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
offices and services													
a. With a maximum floor area limitation of 8,000 sq. ft. for any single establishment	-	-	-	P	P	P	S	S	P	P	P	S	S
b. With no limitation with respect to floor area	-	-	-	-	S	S	S	-	S	S	S	S	S
15. Governmental offices and post offices	-	-	-	S	P	S	S	S	S	S	P	-	S
16. Gasoline Sales, automotive repair, automobile service station or garage (not including a junkyard or open storage of abandoned automobiles or other vehicles), and including the sale of convenience goods, including but not limited to food, drugs and proprietary goods	-	-	-	S	-	S	S	-	-	-	-	-	-
17. Boat marina or boat yard	-	-	S	-	-	-	-	P	-	-	-	-	-
18. Miscellaneous business repair	-	-	-	S	P	S	-	-	-	S	-	S	S
19. Motion picture establishment outdoor	-	-	-	-	-	S	-	-	-	-	-	-	S
20. Motion picture establishment indoor	-	-	-	-	S	S	-	S	-	-	-	-	S
21. Other amusement and recreation service, outdoor except amusement parks	-	-	-	-	-	S	-	S	-	-	-	-	S
22. Other amusement and recreation service, indoor except coin-operated amusement devices	-	-	-	-	S	S	-	S	-	-	-	S	S
23a. Communications Tower containing Wireless Communications Facilities (in compliance with height requirements of Section 6.10) (See Section 11.12)	S	S	S	S	S	P	P	P	P	P	P	S	P

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
23b. Other Communications Tower containing wireless Communications Facilities (See Section 11.12)	S	S	-	-	-	S	-	-	-	S	S	S	-
24. Commercial parking lot (See Article VIII)	-	-	S	S	P	S	P	S	-	S	S	S	S
25. Filling of land or water area (See Section 11.03)	S	S	S	S	S	S	S	S	S	S	S	S	S
26. Planned business development (See Section 11.05)	-	-	-	-	S	S	S	S	-	-	S	S	S
27. Construction of drainage facilities (other than essential services or damming up or relocating any watercourse, water body or wetland)	S	S	S	S	S	S	S	S	S	S	S	S	S
28. Residential Business	-	-	-	P	-	-	-	-	-	-	-	-	-
29. Adult Entertainment	-	-	-	-	-	-	-	-	-	S	-	-	S(1)
<u>WHOLESALE, TRANSPORTATION AND INDUSTRIAL</u>													
NOW GENERAL BYLAW ARTICLE 20													
1. Removal of soil, loam, sand, gravel, quarry or other earth material													
2. Processing and treating of raw materials including operations appurtenant to the taking, such as grading, drying, sorting, crushing, grinding and milling operations (See Section 11.02)	-	-	-	S	S	S	-	-	-	S	S	-	-
3. Construction industry including suppliers	-	-	-	P	S	P	-	-	-	P	-	S	S
4. Manufacturing	-	-	-	-	-	-	-	-	-	S	-	S	S
5. Bakery, laundry	-	-	-	-	S	P	-	-	-	-	-	S	S
6. Motor freight terminal and	-	-	-	-	-	-	-	-	-	P	-	P	-

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
warehousing													
7. Bus passenger terminal	-	-	-	-	P	P	-	-	-	P	-	P	-
8. Heliport	-	-	-	-	-	-	-	-	-	S	P	S	-
9. Airport and airport facilities	-	-	-	-	-	-	-	-	-	-	P	-	-
10. Other transportation services	-	-	-	-	S	S	S	S	-	S	S	S	-
11. Wholesale trade and distribution	-	-	-	-	-	S	-	-	-	S	-	S	S
12. Open storage of raw materials, finished goods, or construction equipment and structures for storing such equipment	-	-	-	P	-	P	-	-	-	S	-	S	-
13. Research offices or establishments devoted to research and development activities													
a. With a maximum floor area limitation of 8,000 sq. ft. for any single establishment	-	-	-	S	-	P	-	-	P	P	P	S	S
b. with no limitation with respect to floor area	-	-	-	-	-	S	-	-	S	S	S	S	S
14. Planned industrial development (See Section 11.06)	-	-	-	-	-	-	-	-	-	S	S	S	S
15. Dry Cleaning Plant	-	-	-	-	S	P	-	-	-	S	-	S	-
16. Automobile graveyards and/or junkyards	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>ACCESSORY USES</u>													
1. Home occupation (See Section 11.07)	S	S	S	P	P	P	P	P	-	-	-	-	S
2. Private day nursery or kindergarten, provided it shall not occupy more than 40 percent of the gross floor	P*	P*	P*	P*	-	-	-	-	-	-	-	-	P*

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
area of the structure and there shall be a minimum of 75 square feet of outside play area for each enrolled child													
3. Accessory professional office of a licensed medical or dental practitioner, lawyer, engineer, optometrist or public accountant in an existing dwelling	S	S	S	P	P	P	P	P	P	-	-	-	S
4. Accessory building such as a greenhouse, tool shed, private swimming pool, or similar accessory structure. Subject to provisions of Article VI.	P	P	P	P	P	P	P	P	-	S	P	S	P
5. Accessory private garage for not more than three noncommercial motor vehicles, and, except on a farm, not more than one-half ton rated or less in size commercial motor vehicle	P	P	P	P	P	P	-	P	-	-	-	-	P
6. Accessory storage of a trailer, unregistered automobile, boat or accessory marine agriculture equipment provided: it shall either be stored within a principal or accessory building or not less than 25 feet from any front lot line and 10 feet from any side lot line and it shall not be used for dwelling or sleeping purposes. Maximum number - two trailers and autos and boats.	P	P	P	P	P	P	-	P	-	-	-	-	P
7. Accessory repair and storage facilities in any retail sales or consumer established provided: it shall not occupy more than 25 percent of the gross floor	-	-	-	P	P	-	P	P	-	-	-	-	S

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
area													
8. Accessory outside storage clearly necessary to the operation and conduct of a permitted principal wholesale, transportation, industrial and/or commercial use	-	-	-	S	S	S	S	S	-	P	P	P	S
9. Accessory manufacturing use provided: it shall not occupy more than 25 percent of the gross floor area of the building; and it shall not be located within 100 feet of any "R" district or within 50 feet of any street lot line	-	-	-	P	S	P	-	-	-	P	P	P	S
10. Accessory building to a non-residential principal use occupied by a person employed on the premises and his immediate family, unless such structure is located in the rear of the principal building and has no immediate street frontage	-	-	-	S	P	S	P	S	-	S	S	S	P
11. Newsstand, barber shop, dining room or cafeteria and similar accessory services only for occupants or users thereof within a hotel, office or industrial building, hospital containing more than 50 sleeping rooms, or transportation terminal facility	P	P	P	P	P	P	P	P	S	P	P	S	P
12. Up to two lodging units in an existing dwelling	P	P	P	P	S	S	S	P	-	-	-	-	P
13. Accessory signs subject to the provisions of Article VII	P	P	P	P	P	P	P	P	P	P	P	P	P
14. Accessory off-street parking and loading spaces as required in Article VIII	P	P	P	P	P	P	P	P	P	P	P	P	S

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
15. Licensed Day Care Centers	P	P	P	P	P	P	P	P	P	P	P	P	S
16. Trailers: To be used as a temporary office in connection with a construction project provided that the use is authorized by the Board of Selectmen and further provided that the trailer is not used for family habitation; trailers to be parked and occupied for a period of not more than six (6) months by the owner of the premises provided that the use is authorized by the Board of Selectmen and further provided that such owner is in the process of constructing or reconstructing a house thereon for his own occupancy and further provided that there are suitable facilities for running water and sanitary sewage disposal as approved by the Board of Health and further provided that not more than one six month extension is granted; trailers to be parked and occupied for family use for a period of not more than ten (10) days provided that the use is authorized by the Board of Selectmen and further provided that there are suitable facilities for running water and sanitary sewage as approved by the Board of Health. For the purpose of this Bylaw, a trailer shall be defined to be any trailer-type body, whether mobile or immobile.	P	P	P	P	P	P	P	P	P	P	P	P	P
17. Agricultural - Raising	P	P	P	P	-	-	-	-	-	-	-	-	P

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
and keeping of livestock, horses and poultry, not including the raising of swine or fur-bearing animals for commercial use													
18. Accessory noncommercial kennel upon any lot occupied by an owner or tenant as a dwelling house provided that all dogs kept on such lot must be owned by the occupant	P	P	P	P	P	P	P	P	P	P	P	P	P
19. Accessory Apartment (See Section 11.09)	S	S	S	-	S	S	-	-	-	-	-	S	P
20. Accessory commercial parking lot to be operated only during the time the Marshfield Fair is being conducted each year, such parking lot to be used solely for the purpose of providing parking for persons attending the Marshfield Fair.	P	P	P		P	P	P	P	-	-	-	-	
21. Accessory Barn: Accessory barn for non-commercial use for agriculture, horticulture, floriculture, and related storage purposes.	P	S	S	-	-	-	-	-	-	-	-	-	S
22. Accessory Communications Tower to a non-residential use (in compliance with height requirements of Section 6.10)(See Section 11.12)	S	S	S	S	S	P	P	P	P	P	P	P	P
23. Accessory Communications Tower to a non-residential use (Not in compliance with height requirements of Section 6.10)(See Section 11.12)	S	S	S	-	S	-	-	-	-	S	S	-	-
24. Wireless	S	S	S	S	S	P	P	P	P	P	P	S	P

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRPD
Communication Facility (placed on existing tower complying with Section 6.10)													
25. Wireless Communications Facility (located on a tower not in compliance with Section 6.10 or other non-residential structure)	S	S	S	S	S	S	S	S	S	S	S	S	S
26. Automatic Teller Machines, excluding drive through facilities.	-	-	-	-	P	P	P	P	-	-	-	P	-

(Amended Section 5.04 ARAV use 5/1/08 Article 22 2008 ATM)