

ZONING BY-LAWS

OF THE

TOWN OF NORFOLK



Unanimously Voted at

Special Town Meeting

Held On

September 14, 1945

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SECTION 1.

In pursuance of the authority conferred by Sections 25 to 39A, inclusive of Chapter 40 of the General Laws (Ter. Ed.) and for the purpose of promoting the health, safety, convenience, morals or welfare of the inhabitants of Norfolk by lessening congestiton in the streets; securing safety from fires, panic or other dangers; providing adequate light and air; preventing the overcrowding of land, and with a view to encouraging the most appropriate use of land; avoiding undue congestion of population; facilitating the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and by other means in accordance with a comprehensive plan now, therefore The ByLaws of the Town of Norfolk are hereby amended by adding the following:

Definitions

A. "Lot"—a lot is a parcel of land occupied or intended to be occupied by one building or use, with its accessories, and including the open spaces accessory to it, which is defined in a deed or plan recorded with Norfolk Deeds or Registered with the Norfolk Registry District. No land which is within the boundaries of a street, accepted, proposed, or dedicated, shall be included in determining lot areas.

B. "Erected"—shall include altered, rebuilt, remodelled or moved.

C. "Frontage"—is that distance between the side lines of a lot, measured along the set-back established in Section, on corner lots the owner may elect on which street the same shall front.

SECTION 2

For the purpose of general designation only, the Districts may be named as follows:

1. Residential: Business Districts at or near the following: Route 1A; Main Street; at or near the Norfolk Depot on Rockwood Road to the corner of Boardman Street and Rockwood Road.

1. Residential: All land in Norfolk not set off and included in a Business or Industrial District.

2. Business: Business Districts at or near the following: Route 1A; Main Street; at or near the Norfolk Depot on Rockwood Road to the corner of Boardman Street and Rockwood Road.

3. Industrial: Main Street; Route 1A;

a. A parcel of land bounded Southerly by Miller Street 500 feet Easterly by Myrtle Street, 300 feet Northerly by a line parallel with the Southerly boundary and 300 feet therefrom Westerly by a line parallel with the Easterly line and 500 feet therefrom.

b. A parcel of land on the Easterly side of Myrtle Street containing .807 acres as shown on plan of land belonging to Mrs. J. B. Anthony recorded with Norfolk Deeds 1106 page 392 and described in metes and bounds by deed recorded with Norfolk Deeds Book 1681 page 253.

SECTION 3

Use regulations

In a residential district no building shall be erected which is designed or intended to be used for mercantile mechanical, manufacturing or other commercial use on land situated in a residential district, except as hereinafter provided.

1. Permitted uses.

The following are permitted in a residential district: private dwelling house; municipal, educational, religious uses, agricultural, greenhouse or nursery including the sale of produce similar to that raised on the premises; poultry or stock raising; telephone exchange; ice storage or harvest; licensed inns; cemetery; private club not conducted for profit; Accessory use on the same lot with and customarily incident to any of the above permitted uses and not detrimental to a residential neighborhood. Any of the following uses shall be considered "accessory use";

1. The renting of rooms to not more than 4 persons.
2. Furnishing table board to not more than 5 persons.
3. Garage for not more than 3 automobiles
4. Storage of 1 commercial vehicle (except from vehicles).

Any of the following uses provided the use is not injurious, noxious or offensive to the neighborhood and only if authorized by the Board of Appeals:

Aviation Field. Fur Farm. Riding Stable. Stone Quarry.
Soil, loam sod, sand or gravel removal.

Signs.

1. Real estate sign advertising rental, lease or sale of the premises and not exceeding 12 sq. ft. in area.
2. Sign or bulletin board incidental to a permitted use and not exceeding 12 sq. ft. in area unless authorized by the Board of Appeals, and in no case to exceed 16 sq. ft. in area.

3. Sign advertising authorized accessory use and not exceeding 1 sq. ft.

EXCEPTION

The Board of Appeals may authorize the conversion of a single family dwelling, in existence at the time of the adoption of this By-Law, to accommodate two families.

SECTION 4

Business District Uses

In a Business District no building shall be erected and no building or premises shall be used for any purpose injurious, noxious or offensive to a neighborhood by reason of the emission of odor, fumes, dust, smoke vibration noise or other cause nor for any purpose except;

1. Any use permitted in residential district.
1. Hotel or lodging house. Restaurants.
3. Filling station garage, or storage of automobiles.
4. Municipal Use.
5. Newspaper or job printing.
6. Office or bank.
7. Retail or wholesale stores or any and all establishments wherein goods and services, or either of them, are sold, rented or offered directly to the consumer, customer or other patron.
8. Tailor shops, plumbing and heating establishments, place of amusement or assembly, trailer or overnight camps, barber shops, bakery.
9. Bowling alley paint shop, beauty parlor

SECTION 5

Industrial District Uses.

In an Industrial District no building shall be erected and no building shall be used for any purpose injurious, noxious or offensive to a neighborhood by reason of the emission of odor, fumes, dust, smoke, noise or other cause, vibration, industrial waste except:

1. Any use permitted in Sections 3 and 4.
2. Manufacturing, employing unobjectionable motive power, utilizing hand labor or quiet machinery and processes, if authorized by the Board of Appeals.

SECTION 6

Non-Conforming Uses

1. Continuation of non-conforming uses. Any lawful building or use of a building or premises or part thereof existing at the time

this By-Law or any amendment thereto is adopted may be continued although such building or use does not conform to the provisions thereof and such building or use may on the approval of the Board of Appeals be extended throughout such premises, provided such use has not been discontinued for a period of one year.

2. **Change of non-conforming uses.** The Board of Appeals may permit any non-conforming use to be changed to any specified use not more detrimental or objectionable to a neighborhood.

3. **Limitation of restoration.** No non-conforming building which has been damaged by fire or other causes to the extent of more than 80% of its assessed value shall be repaired or rebuilt except in conformity with this By-Law unless the Board of Appeals so authorizes.

SECTION 7

HEIGHT REGULATIONS

RESIDENCE DISTRICTS

(a) The limit of height of all buildings in all residence districts shall be two and one-half stories, not to exceed thirty-five feet.

(b) The limitations of height in feet shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, pent-houses and other necessary features usually carried above roofs, nor to towers or spires of churches and other buildings if such features are in no way used for living purposes.

BUSINESS AND INDUSTRIAL DISTRICTS

The limit of height in business and industrial districts shall be two and one-half stories, not to exceed thirty-five feet.

SECTION 8

AREA REGULATIONS

In residence districts as provided in Section 3 land laid out after the adoption of this By-Law shall provide for each dwelling a minimum frontage of one hundred feet and a minimum lot area of ten thousand square feet. Lots shown on any plan duly recorded by deed or plan at the time this By-Law is adopted may be used.

SECTION 9

PERCENTAGE OF LOT COVERED

The percentage of lot which may be covered by any building used for dwelling purposes shall in no instance exceed the following maximum provisions:

(a) One-family: 25 percent. And no dwelling shall be erected within twenty-five feet of the side line of any street, nor within ten feet of a side lot line; nor within twenty-five feet of any rear lot line.

(b) In Business and Industrial districts no buildings shall be erected so that it covers more than 70 percent of the lot.

SECTION 10

ADMINISTRATION

Inspector of Buildings:

1. The Board of Selectmen, forthwith upon the adoption of this By-Law shall appoint some suitable person to be Inspector of Buildings. Such appointee shall hold office at the pleasure of the Board of Selectmen, and until his successor is appointed and accepts office.

2. The Inspector of Buildings shall enforce the provisions of this By-Law and exercise the powers and duties as provided in Section 29 of Chapter 40 of the General Laws (Ter. Ed.) as amended.

3. All applications for building permits shall be in writing and shall be accompanied by a plan drawn to a scale and showing the size and dimensions of the lot or lots to be built upon, the streets, and other premises that it abuts, the size and location of the buildings to be erected or altered. The application shall set forth the use or uses proposed or intended and such other information as requested by the Inspector of Buildings.

1. **Certification of Occupancy.** No premises or buildings or part thereof hereafter erected or altered wholly or partly, in use or structure, or the open spaces pertaining to which are in any way reduced, shall be used until the Inspector of Buildings shall have certified on the building permit, or, in case no permit is issued, shall have issued a certificate of occupancy specifying the use to which the premises or the building upon being sufficiently completed to comply with the provisions and regulations relating thereto may be put.

2. **Board of Appeals** Within 30 days after the adoption of this By-Law, the Board of Selectmen shall appoint a Board of Appeals of five members for terms of such length and so arranged that the term of one appointee will expire each year, and two associate members appointed in like manner, which shall act on all matters within its jurisdiction under this By-Law in the manner prescribed in Section 30 of Chapter 40 of the General Laws, as amended, and subject always to the rule that it shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property value that it shall permit no building or use injurious, noxious, offensive or detrimental to a

neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

3. **Other Regulations.** This By-Law shall not interfere with or annul any by-law, rule, regulation or permit, provided that, unless specifically excepted, where this By-Law is more stringent it shall control.

4. **Validity.** The invalidity of any section of provision of this By-Law shall not invalidate any section or provision hereof.

MATHEW J. PHELAN
WALTER T. HOLMES
EDWARD E. HALE
Selectmen.

A true copy, Attest:
GEORGE F. CAMPBELL,
Town Clerk.

The foregoing By-Law is hereby approved.

CLARENCE A. BARNES,
Attorney General.

Boston, Mass., Sept. 27, 1945

