



**TOWN OF DIGHTON**  
**PLANNING BOARD**  
**979 SOMERSET AVENUE**  
**DIGHTON, MA 02715**  
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Jeff Carvalho, Chairman  
Daniel Higgins, Vice Chairman  
Christopher Cunha, Clerk  
Joseph Figueiredo, Member  
Robert J. Woods, Member

RECEIVED  
Town Clerk-Dighton, MA

APR 09 2025

Time: 4:07 PM  
By: RE

**TOWN OF DIGHTON**  
**NOTICE OF PUBLIC HEARING**

In accordance with the provisions of Chapter 40A, Section 5, M.G.L. the Dighton Planning Board will hold a Public Hearing on Wednesday, May 7, 2025 at 7:00 p.m. at the Old Town Hall, 1111 Somerset Avenue, Dighton, MA to review and receive public comments concerning the proposed amendments to the Dighton Zoning Bylaws adopted October 30, 2023. The proposed amendments are identified below in terms of subject matter. The item designation(s) given have been assigned by the Planning Board for identification purposes only. Article numbers will subsequently be established by the Selectmen for the Warrant.

**ITEM 1. ACCESSORY APARTMENTS ~ ZONING BYLAW**

To see if the Town will vote to delete in its entirety Section 2500. ACCESSORY APARTMENTS and replace with a new Section 2500. ACCESSORY DWELLING UNITS, or take any action thereon.

**ITEM 2. HOME OCCUPATIONS AS OF RIGHT – ZONING BYLAW**

To see if the Town will vote to delete in its entirety Section 2340. Home Occupations as of Right and replace with a new Section 2340, modify and add the terms and definitions in proper alphabetical order to SECTION VI. DEFINITIONS, to italic all words within the Section 2340 that are defined in SECTION VI. DEFINITIONS, and modify Appendix A Use Regulation Schedule, or take any action thereon.

**ITEM 3. HOME OCCUPATIONS BY SPECIAL PERMIT – ZONING BYLAW**

To see if the Town will vote to delete in its entirety Section 2350. Home Occupations by Special Permit and replace with a new Section 2340, modify and add the terms and definitions in proper alphabetical order to SECTION VI. DEFINITIONS, to italic all words within the Section 2340 that are defined in SECTION VI. DEFINITIONS, and modify Appendix A Use Regulation Schedule, or take any action thereon.

**ITEM 4. TABLE OF DIMENSIONAL REQUIREMENTS – ZONING BYLAW**

To see if the Town will vote to amend Section 2620. Table of Dimensional Requirements to more clearly define water or sewer connection, or take any action thereon.

A copy of the complete proposed text is available at the office of the Town Clerk or the Planning Board at 979 Somerset Avenue, Dighton, MA during regular business hours. Copies of the proposed text may be requested by email at [keasterday@dighton-ma.gov](mailto:keasterday@dighton-ma.gov) or by visiting the Town of Dighton Planning Board's website. Any person interested or wishing to be heard should appear at the time and place designated for the public hearing.

DIGHTON PLANNING BOARD  
Jeff Carvalho, Chairman

**Article \_\_:** To see if the Town will vote to delete in its entirety Section 2500. Accessory Apartments and replace it with a new Section 2500. Accessory Dwelling Units, as follows:

## **2500. ACCESSORY DWELLING UNITS**

### 2510. Purpose.

The purpose of this Section 2500 is to allow for Accessory Dwelling Units (ADUs) as defined under MGL Ch. 40A, Section 1A, to be built as-of-right in Single-Family Residential Zoning Districts in accordance with Section 3 of the Zoning Act (MGL Ch. 40A), as amended by Section 8 of Chapter 150 of the Acts of 2024, and the regulations under 760 CMR 71.00: Protected Use Accessory Dwelling Units. This zoning provides for by-right ADUs to accomplish the following purposes:

2511. Increase housing production to address local and regional housing needs across all income levels and at all stages of life.

2512. Develop small-scale infill housing that fits in context of zoning districts that allow single-family housing while providing gentle/hidden density.

2513. Provide a more moderately priced housing option to serve smaller households, households with lower incomes, seniors, and people with disabilities.

2514. Enable property owners to age in place, downsize, or earn supplemental income from investing in their properties.

### 2520. Use Schedule.

2531. ADUs are allowed as a matter of right in the Residential and Business Zoning Districts, subject to the requirements of this Section. ADUs are prohibited in all other districts. (SEE Appendix A).

2532. ADUs may not be used as Short-Term Rentals, as such term is defined in G.L. c. 64G, §1 or otherwise rented for a period shorter than thirty-one (31) days.

### 2530. General Provisions for All ADUs

#### 2531. Code Compliance

- a. ADUs shall maintain a separate entrance from the Principal Dwelling sufficient to meet safe egress under the Building Code and Fire Code.
- b. ADU construction shall comply with 310 CMR 15.000: The State Environmental Code, Title 5 regulations for a Single-Family Residential Dwelling in the Single-Family Residential Zoning District in which the Protected Use ADU is located.

### 2540. Protected Use ADUs

The Zoning Enforcement Officer shall approve a Building Permit authorizing Protected Use ADU installation and use within, or on a Lot with, a Principal Dwelling in a Single-Family

Residential Zoning District, including within, or on a Lot with, a Pre-Existing Nonconforming Structure, if the following conditions are met:

2541. Dimensional Standards

- a. Protected Use ADU shall not be larger than a Gross Floor Area of 900 square feet or  $\frac{1}{2}$  the Gross Floor Area of the Principal Dwelling, whichever is smaller.
- b. A Protected Use ADU on a Lot with a Single-Family Residential Dwelling Unit shall not have more restrictive dimensional standards than those required for the Single-Family Residential Dwelling Section 2600 Dimensional Regulations for Principal Structures or accessory structure Section 2700 Dimensional Regulations for Accessory Structures within the same district, whichever results in more permissive regulation.
- c. A Protected Use ADU on a Lot with a Principal Dwelling that is not a Single-Family Residential Dwelling Unit shall not have more restrictive dimensional standards than those required for its Principal Dwelling Section 2600 Dimensional Regulations for Principal Structures, or Single-Family Residential Dwelling Section 2600 Dimensional Regulations for Principal Structures, or accessory structure Section 2700 Dimensional Regulations for Accessory Structures within the same district, whichever results in more permissive regulation.

2542. Off-Street Parking. Up to one additional off-street parking space shall be required for Protected Use ADUs located outside the  $\frac{1}{2}$ -mile radius of a Transit Station. No off-street parking is required for Protected Use ADUs located within a  $\frac{1}{2}$ -mile radius of a Transit Station.

2550. Special Permit for Local ADUs.

The Special Permit Granting Authority shall approve a Special Permit and Site Plan Review authorizing a Local ADU installation and use within or on a Lot with a Single-Family Residential Dwelling in a Single-Family Residential Zoning District if the following conditions are met:

2551. Dimensional Standards

- a. Local ADUs must be larger than 900 square feet or there must be a Protected Use ADU already built on the same property.
- b. Local ADUs shall not be larger than 35% of the total gross floor area of the single-family dwelling before conversion, exclusive of staircase and entrance area.
- c. Local ADUs shall comply with the following dimensional standards for both the structure and the Lot in accordance with Section 2600 Dimensional Regulations for Principal Structures and Section 2700 Dimensional Regulations for Accessory Structures.

2552. Off-Street Parking. A minimum of one (1) additional off-street parking space shall be required for Local ADUs.

2560. Special Permit for Multiple ADUs on a Lot

More than one ADU on a Lot in a Single-Family Residential Zoning District in which a Protected Use ADU is already located shall require a Special Permit and Site Plan Review from the Special Permit Granting Authority. The additional ADU shall be classified as a Local ADU.

2570. Nonconformance

2571. A Protected Use ADU shall be permitted within, or on a Lot with, a Pre-Existing Nonconforming Structure so long as the Protected Use ADU can be developed in conformance with the Building Code, 760 CMR 71.00, and state law.

2572. A Protected Use ADU shall be exempt from any required finding under M.G.L. c. 40A §6.

2573. A finding under M.G.L. c 40A §6, that the extension or alteration of the pre-existing nonconforming structure is not substantially more detrimental than the existing nonconforming use to the neighborhood, shall be made by the Special Permit Granting Authority in an as-of-right process, without requiring a Special Permit or other discretionary waiver.

2580. Administration and Enforcement.

2581. The Planning Board shall be the Special Permit Granting Authority.

2582. The Zoning Enforcement Officer shall administer and enforce the provisions of this Section 2500.

2583. No building shall be changed in use or configuration without a Building Permit from the Building Inspector.

2584. No building shall be occupied until a certificate of occupancy is issued by the Building Inspector, where required.

2585. The Zoning Enforcement Officer shall apply the Dover analysis as articulated in the standards in 760 CMR 71.03(3)(a), to any request for a Protected Use ADU Building Permit and shall waive any zoning requirement that the Zoning Enforcement Officer finds to be unreasonable under the Dover analysis.

And to modify and add the following terms and definitions in proper alphabetical order to SECTION VI. DEFINITIONS

**Accessory Dwelling Unit (ADU).** A self-contained housing unit, inclusive of sleeping, cooking, and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that maintains a separate entrance, either directly from

the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the Building and Fire Code for safe egress. ADUs may be detached, attached, or internal to the Principal Dwelling. General references to ADUs in this by-law include both Protected Use ADUs and Local ADUs.

**Design Standards.** Clear, measurable and objective provisions of zoning, or general ordinances or by-laws, which are made applicable to the exterior design of, and use of materials for an ADU when those same design standards apply to the Principal Dwelling to which the ADU is an accessory.

**Dwelling Unit.** A single-housing unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. This can include a housing unit within a single-family, duplex, or multi-unit development.

**EOHLC.** The Executive Office of Housing and Livable Communities.

**Gross Floor Area.** The sum of the areas of all stories of the building of compliant ceiling height pursuant to the Building Code, including basements, lofts, and intermediate floored tiers, measured from the interior faces of exterior walls or from the centerline of walls separating buildings or dwelling units but excluding crawl spaces, garage parking areas, attics, enclosed porches, and similar spaces. Where there are multiple Principal Dwellings on the Lot, the GFA of the largest Principal Dwelling shall be used for determining the maximum size of a Protected Use ADU.

**Local ADUs.** An ADU that is not a Protected Use ADU but includes rules specific to Municipality or cross-reference to any existing or proposed zoning for Local ADUs.

**Lot.** An area of land with definite boundaries that is used, or available for use, as the site of a structure, or structures, regardless of whether the site conforms to requirements of zoning.

**Modular Dwelling Unit.** A pre-designed Dwelling Unit assembled and equipped with internal plumbing, electrical or similar systems, in compliance with the Building and Fire Code, prior to movement to the site where such Dwelling Unit is affixed to a foundation and connected to external utilities; or any portable structure with walls, a floor, and a roof, designed or used as a Dwelling Unit, transportable in one or more sections and affixed to a foundation and connected to external utilities.

**Pre-Existing Nonconforming Structure.** A structure that does not conform to zoning.

**Principal Dwelling.** A structure, regardless of whether it, or the Lot it is situated on, conforms to zoning, including use requirements and dimensional requirements, such as setbacks, bulk, and height, that contains at least one Dwelling Unit and is, or will be, located on the same Lot as a Protected Use ADU.

**Protected Use ADU.** An attached, detached or internal ADU that is located, or is proposed to be located, on a Lot in a Single-Family Residential Zoning District and is not larger in Gross Floor Area than  $\frac{1}{2}$  the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller, provided that only one ADU on a Lot may qualify as a Protected Use ADU. An ADU that is nonconforming to zoning shall still qualify as a Protected Use ADU if it otherwise meets this definition.

**Short-Term Rental.** An owner-occupied, tenant-occupied, or non-owner occupied property as defined in M.G.L. c. 64G § 1, including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed and breakfast establishment, where: (i) at least 1 room or unit is rented to an occupant or sub-occupant for a period of 31 consecutive days or less; and (ii) all accommodations are reserved in advance; provided, however, that a private owner-occupied property shall be considered a single unit if leased or rented as such.

**Single-Family Residential Dwelling Unit.** A structure on a Lot containing not more than one Dwelling Unit.

**Single-Family Residential Zoning District.** Any zoning district where Single-Family Residential Dwellings are a permitted or an allowable use, including any zoning district where Single-Family Residential Dwellings are allowed as of right, or by Special Permit.

**Transit Station.** A Subway Station, Commuter Rail Station, Ferry Terminal, or Bus Station.

- a. A Bus Station includes any location serving as a point of embarkation for any bus operated by a transit authority.
- b. A Subway Station includes any of the stops along the Massachusetts Bay Transportation Authority Red Line, Green Line, Orange Line, Silver Line, or Blue Line, including any extensions or additions to such lines.
- c. A Commuter Rail Station includes any commuter rail station operated by a Transit Authority with year-round service with trains departing at regular time intervals, rather than intermittent, seasonal, or event-based service.
- d. A Ferry Terminal includes any location where passengers embark and disembark from a ferry service with year-round service with ferries departing at regular time intervals, rather than intermittent, seasonal, or event-based service.

And to amend Appendix A – Use Regulation Schedule of the Zoning Bylaws by adding a new row for Accessory Dwelling Unit under Residential Uses, noting that the use is allowed (Y) in the Residential and Business Districts but also adding a footnote that states “See Section 2500 for additional requirements for Accessory Dwelling Units.”

## APPENDIX A

### USE REGULATION SCHEDULE

PRINCIPAL USE	Residential	Business	Open Space/Recreation	Industrial	Industrial Overlay District	Marijuana Overlay District
<b>A. Residential Uses</b>						
1. Single-family dwelling	Y	Y	N	N	N	N
2. Two-family dwelling	SP	SP	N	N	N	N
3. Accessory dwelling units <sup>1</sup>	Y	Y	N	N	N	N
4. Conversion of single-family to two-family dwelling	SP	SP	N	N	N	N
5. Multi-family dwelling	N	N	N	N	N	N
6. Lodging or boarding house	N	SP	N	N	N	N
7. Conservation Subdivision	SP	SP	N	N	N	N
8. Assisted living facility	SP	SP	N	N	N	N
9. Kennel, Residential	Y	Y	N	N	N	N
<b>B. Exempt and Institutional Uses</b>						
1. Use of land or structures for religious purposes	Y	Y	Y	Y	Y	Y
2. Use of land or structures for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation	Y	Y	Y	Y	Y	Y
3. Family day care home	Y	Y	SP	N	N	N
4. Adult day care facility	Y	Y	SP	N	N	N
5. Child care facility	Y	Y	Y	Y	Y	N
6. Use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture, on a parcel of more than five acres in area (not to include the cultivation of Medical Marijuana)	Y	Y	Y	Y	Y	N
7. Facilities for the sale of produce, wine and dairy products, providing that during the months of June, July, August, and September of every year, or during the harvest season of the primary crop, the majority of such products for sale, based on either gross sales dollars or volume, have been produced by the owner of the land containing more than five acres in area on which the facility is located	Y	Y	Y	Y	Y	N

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<sup>1</sup> See Section 2500 for additional requirements for Accessory Dwelling Units

**APPENDIX A**  
**USE REGULATION SCHEDULE**

PRINCIPAL USE	Residential	Business	Open Space/Recreation	Industrial	Industrial Overlay District	Marijuana Overlay District
8. Cemeteries, private	Y	Y	SP	N	N	N
9. Municipal facilities	Y	Y	Y	Y	Y	N
10. Essential services	SP	SP	SP	SP	SP	N
<b>C. Commercial Uses</b>						
1. Nonexempt agricultural use	SP	SP	SP	SP	SP	N
2. Nonexempt farm stand for wholesale or retail sale of products	SP	SP	SP	SP	SP	N
3. Nonexempt educational use	SP	Y	SP	SP	SP	N
4. Animal clinic or hospital; kennel	SP	SP	N	N	SP	N
5. Private club or lodge	N	Y	SP	SP	SP	N
6. Nursing or convalescent home	SP	Y	N	N	N	N
7. Funeral home	Y	Y	SP	SP	SP	N
8. Motel or hotel	N	Y	N	N	N	N
9. Retail stores and services not elsewhere set forth	N	Y	N	N	Y	N
10. Motor vehicle sales and rental	N	Y	N	N	N	N
11. Motor vehicle general and body repair	N	Y	N	N	N	N
12. Motor vehicle light service; car wash	N	Y	N	N	N	N
13. Restaurant	N	Y	SP	N	SP	N
14. Restaurant, drive-in	N	Y	N	N	N	N
15. Business or professional office, including medical (not to include RMDs)	N	Y	N	N	Y	N
16. Bank, financial agency	N	Y	N	N	SP	N
20. Indoor commercial recreation	N	Y	N	N	Y	N
21. Outdoor commercial recreation	SP	Y	SP	SP	SP	N
22. Golf course	Y	Y	SP	SP	SP	N
23. Personal service establishment	N	Y	N	N	SP	N
24. Major commercial project	N	SP	N	SP	SP	N
25. Wireless communications facility	N	N	N	SP	SP	N
26. Commercial greenhouse, wholesale or retail <u>not including the cultivation of Medical Marijuana</u>	Y	Y	SP	Y	Y	N
27. Bed and Breakfast	SP	SP	SP	N	N	N

## APPENDIX A

### USE REGULATION SCHEDULE

PRINCIPAL USE	Residential	Business	Open Space/Recreation	Industrial	Industrial Overlay District	Marijuana Overlay District
28. Contractor's yard or landscaping business on a parcel in the "R" district larger than ten acres, or elsewhere larger than two acres, with or without principal residence	SP	SP	SP	SP	SP	N
29. Marina	N	Y	SP	Y	Y	N
30. Commercial parking lot	N	Y	SP	Y	Y	N
31. Registered Marijuana Dispensary; Marijuana Establishment	N	N	N	N	N	SP*
32. Medical Services – Medical clinic, Doctors' offices, Community Hospital	N	Y	N	N	Y	Y
<b>D. Industrial Uses</b>						
1. Earth removal	SP	SP	SP	SP	SP	SP
2. Light manufacturing	N	N	N	Y	Y	Y
3. Wholesale, warehouse, self-storage mini-warehouse, or distribution facility	N	Y	N	Y	Y	Y
4. Manufacturing	N	N	N	Y	Y	Y
5. Manufacturing, hazardous materials produced, used or stored on premises	N	N	N	SP	SP	SP
6. Junkyard or automobile graveyard	N	N	N	N	N	N
7. Transport terminal	N	N	N	SP	SP	SP
8. Large scale ground mounted solar photovoltaic installation pursuant to section 4600	SP	Y	N	Y	Y	Y
9. Small scale ground mounted solar photovoltaic installation pursuant to Section 4600	SP	Y	N	Y	Y	Y
10. Marijuana Cultivator pursuant to Section 2900	N	N	N	SP	SP	SP
11. Marijuana Product Manufacturer pursuant to Section 2900	N	N	N	SP	SP	SP
12. Registered Marijuana Dispensary without Retail pursuant to Section 2900	N	N	N	N	N	SP

\*Allowed by Special Permit in limited areas of the Marijuana Overlay District, excluding those portions in the Industrial Overlay districts. See Section 2918

**RECEIVED**  
Town Clerk-Dighton, MA

APR 09 2025

Time: 4:08 pm  
By: [Signature]

**ARTICLE \_\_\_\_ : To see if the Town will vote to delete in its entirety Section 2340 Home Occupations as of Right and replace it with a new Section 2340 Home Occupations as of Right.**

**2340. Home Occupations as of Right.**

Business owners of home business occupations are required to fill out and sign a Home Occupation/Home Business form and submit it to the Town Clerk for their records. Businesses or professions incidental to and customarily associated with the principal residential use of premises may be engaged in as an accessory use by a resident of that dwelling; provided, however, that all of the following conditions shall be satisfied. **Premises governed by HOA agreements, deed restrictions, covenants, or lease restrictions shall be further restricted by those agreements.**

2341. The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto **which is on the same lot or on an adjoining lot in common ownership which has been in existence at least five (5) years, without an extension thereof.**

2342. Not more than thirty (30%) percent of the combined floor area of the residence and any qualified accessory structures shall be used in the home occupation provided, however, that no exterior alteration of the building shall be permitted to accommodate the home occupation.

2343. No person not a member of the household shall be employed on the premises in the home occupation.

2344. The home occupation shall not serve clients, customers, pupils, salespersons, or the like on the premises.

2345. There shall be no sign, exterior display, no exterior storage of materials, and no other exterior indication of the home occupation, or other variation from the residential character of the premises.

2346. No disturbance shall be caused, nor shall the home occupation use or store **inflammable or hazardous materials in quantities greater than associated with normal household use.**

2347. Traffic generated shall not exceed volumes normally expected in a residential neighborhood.

2348. There shall be no offensive noise, vibration, smoke, cinders, dust, fumes, gases, smoke, radiation, or other particulate matter, odors, heat, humidity, glare, excessive refuse or waste materials, or other objectionable effects.

2349. All heavy equipment (e.g., tractor trailers, semi-trailers, or construction equipment) must be either garaged or screened with plantings or fencing to at least the height of the equipment. One commercial vehicle which is not heavy equipment and which is not more than two tons in rated capacity may be parked outdoors on the property.

And to modify Appendix A Use Regulation Schedule

Revisions to Appendix A Use Regulation Schedule

C. Commercial Uses	Residential	Business	Open Space/Recreation	Industrial	Industrial Overlay District	Marijuana Overlay District
1. Nonexempt agricultural use	SP	SP	SP	SP	SP	N
2. Nonexempt farm stand for wholesale or retail sale of products	SP	SP	SP	SP	SP	N
3. Nonexempt educational use	SP	Y	SP	SP	SP	N
4. Animal clinic or hospital, kennel	SP	SP	N	N	SP	N
5. Private club or lodge	N	Y	SP	SP	SP	N
6. Nursing or convalescent home	SP	Y	N	N	N	N
7. Funeral home	Y	Y	SP	SP	SP	N
8. Motel or hotel	N	Y	N	N	N	N
9. Retail stores and services not elsewhere set forth	N	Y	N	N	Y	N
10. Motor vehicle sales and rental	N	Y	N	N	N	N
<b>11. Motor vehicle general and body repair at Home Occupations of at least two acres on a parcel in the "R" district</b>	SP	N	N	N	N	N
11a. Motor vehicle general and body repair <b>not elsewhere set forth</b>	N	Y	N	N	N	N
12. Motor vehicle light service; car wash	N	Y	N	N	N	N
13. Restaurant	N	Y	SP	N	SP	N
14. Restaurant, drive-in	N	Y	N	N	N	N
<b>15. Business or professional office, including medical (not to include RMD's) at Home Occupations on a parcel in the "R" district</b>	SP	N	N	N	N	N
15a. Business or professional office, including medical (not to include RMD's) <b>not elsewhere set forth</b>	N	Y	N	N	Y	N
16. Bank, financial agency	N	Y	N	N	SP	N
20. Indoor commercial recreation	N	Y	N	N	Y	N
21. Outdoor commercial recreation	SP	Y	SP	SP	SP	N
22. Golf course	Y	Y	SP	SP	SP	N
<b>23. Personal service establishment at Home Occupations on a parcel in the "R" district</b>	SP	N	N	N	N	N
23a. Personal service establishment <b>not elsewhere set forth</b>	N	Y	N	N	SP	N
24. Major commercial project	N	SP	N	SP	SP	N
25. Wireless communications facility	N	N	N	SP	SP	N
26. Commercial greenhouse, wholesale or retail, not including the cultivation of Medical Marijuana	Y	Y	SP	Y	Y	N

27. Bed and breakfast	SP	SP	SP	N	N	-N
28. Contractor's yard or landscaping business on a parcel in the "R" district larger than ten acres, or elsewhere larger than two acres, with or without principal residence	SP	SP	SP	SP	SP	N
29. Marina	N	Y	SP	Y	Y	N
30. Commercial parking lot	N	Y	SP	Y	Y	N
31. Registered Marijuana Dispensary; Marijuana Establishment	N	N	N	N	N	SP*
32. Medical Services – Medical clinic, Doctors' offices, Community Hospital	N	Y	N	N	Y	Y

RECEIVED  
Town Clerk-Dighton, MA

APR 09 2025

Time: 4:09 PM  
By: DC

**ARTICLE \_\_\_\_ : To see if the Town will vote to delete in its entirety Section 2350 Home Occupations by Special Permit and replace it with a new Section 2350 Home Occupations by Special Permit.**

**2350. Home Occupations by Special Permit.**

Business owners of home business occupations are required to fill out and sign a Home Occupation/Home Business form and submit it to the Town Clerk for their records. Businesses or professions incidental to and customarily associated with the principal residential use of premises **or artisan manufacturing** may be engaged in as an accessory use by a resident of that dwelling upon the issuance of a special permit by Board of Appeals; provided, however, that all of the following conditions shall be satisfied. **Premises governed by HOA agreements, deed restrictions, covenants, or lease restrictions shall be further restricted by those agreements.**

2351. All of the requirements of §§2341, 2342, **and** 2347, **2348, and 2349.**

2352. Not more than three (3) persons not a member of the household shall be employed on the premises in the home occupation.

2353. The visibility of exterior storage of materials and other exterior indications of the home occupation, or other variation from the residential character of the premises, shall be minimized through screening and other appropriate devices. Signs advertising the home occupation shall not exceed one square foot in area.

2354. Required zoning setbacks may be increased as a condition of the Special Permit for any activity that could potentially detract from the residential area. Potentially detracting activities include, but are not limited to: employee parking areas, loading zones, and storage sheds. Additional screening may also be required to shield these accessory uses from abutting residential lots or street view.

2354 2355. Parking generated by the home occupation shall be accommodated off-street, other than in a required front yard.

2355 2356. No disturbance, as defined in §3410 **and** §3420, shall be caused. The use or storage of **inflammable** or hazardous materials in quantities greater than associated with normal household use shall be subject to design requirements to protect against discharge to the environment.

2356 2357. Automotive service shops operating out of a residential property may have no more than two (2) garaged vehicles to be serviced or repaired located on the premises at any one time.

2358. Waiver of Compliance. The special permit granting authority may, upon written request of the applicant, waive any of the requirements of §2350 where the project involves relatively simple development plans or constitutes a minor site plan.

And to modify and add the following terms and definitions in proper alphabetical order to SECTION VI. DEFINITIONS

**Artisan Manufacturing.** Production of goods by the use of hand tools or small-scale, light mechanical equipment occurring solely within an enclosed building where such production requires no outdoor operations or storage, and where the production, operations, and storage of materials related to production occupies no more than 1000 square feet of gross floor area. Typical uses have negligible negative impact on surrounding properties and may include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing.

And to modify Appendix A Use Regulation Schedule

## Revisions to Appendix A Use Regulation Schedule

C. Commercial Uses	Residential	Business	Open Space/Recreation	Industrial	Industrial Overlay District	Marijuana Overlay District
1. Nonexempt agricultural use	SP	SP	SP	SP	SP	N
2. Nonexempt farm stand for wholesale or retail sale of products	SP	SP	SP	SP	SP	N
3. Nonexempt educational use	SP	Y	SP	SP	SP	N
4. Animal clinic or hospital, kennel	SP	SP	N	N	SP	N
5. Private club or lodge	N	Y	SP	SP	SP	N
6. Nursing or convalescent home	SP	Y	N	N	N	N
7. Funeral home	Y	Y	SP	SP	SP	N
8. Motel or hotel	N	Y	N	N	N	N
9. Retail stores and services not elsewhere set forth	N	Y	N	N	Y	N
10. Motor vehicle sales and rental	N	Y	N	N	N	N
<b>11. Motor vehicle general and body repair at Home Occupations of at least two acres on a parcel in the "R" district</b>	<b>SP</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>
11a. Motor vehicle general and body repair <b>not elsewhere set forth</b>	N	Y	N	N	N	N
12. Motor vehicle light service; car wash	N	Y	N	N	N	N
13. Restaurant	N	Y	SP	N	SP	N
14. Restaurant, drive-in	N	Y	N	N	N	N
<b>15. Business or professional office, including medical (not to include RMD's) at Home Occupations on a parcel in the "R" district</b>	<b>SP</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>
15a. Business or professional office, including medical (not to include RMD's) <b>not elsewhere set forth</b>	N	Y	N	N	Y	N
16. Bank, financial agency	N	Y	N	N	SP	N
20. Indoor commercial recreation	N	Y	N	N	Y	N
21. Outdoor commercial recreation	SP	Y	SP	SP	SP	N
22. Golf course	Y	Y	SP	SP	SP	N
<b>23. Personal service establishment at Home Occupations on a parcel in the "R" district</b>	<b>SP</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>
23a. Personal service establishment <b>not elsewhere set forth</b>	N	Y	N	N	SP	N
24. Major commercial project	N	SP	N	SP	SP	N
25. Wireless communications facility	N	N	N	SP	SP	N
26. Commercial greenhouse, wholesale or retail, not including the cultivation of Medical Marijuana	Y	Y	SP	Y	Y	N

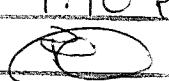
27. Bed and breakfast	SP	SP	SP	N	N	N
28. Contractor's yard or landscaping business on a parcel in the "R" district larger than ten acres, or elsewhere larger than two acres, with or without principal residence	SP	SP	SP	SP	SP	N
29. Marina	N	Y	SP	Y	Y	N
30. Commercial parking lot	N	Y	SP	Y	Y	N
31. Registered Marijuana Dispensary; Marijuana Establishment	N	N	N	N	N	SP*
32. Medical Services – Medical clinic, Doctors' offices, Community Hospital	N	Y	N	N	Y	Y

RECEIVED

Town Clerk-Dighton, MA

APR 09 2025

Time: 4:10 pm

By: 

ARTICLE \_\_\_\_: To see if the Town will vote to amen section 2620. Table of Dimensional Requirements to more clearly define water or sewer connection, or take any action thereon.

**APPENDIX B**  
**TABLE OF DIMENSIONAL REGULATIONS**

DISTRICT OR USE	Min. Lot Area (sq. ft.)	Min. Lot Frontage (ft.)	Min. Front Setback (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Max. Bldg. Coverage (% of lot)	Min. Distance between bldgs. (ft.)	Max. Bldg. Ht. (ft.)	Max. # of Stories	Max. Ht. Of Projections (ft.)	Other Requirements
Single family dwelling, all districts	35,000	175	55	15	15	25	10	35	2.5	40	Lots without <b>Town</b> water or sewer connection (one required) shall have a min. area of 43,560 sq. ft. and 250' of frontage
Other permitted uses in Residence District	35,000	175	55	15	15	25	10	35	2	65	Same as above
Other permitted uses in Open Recreation District	35,000	175	55	15	15	15	10	35	2.5	40	
Other permitted uses in Business District	18,750	150	75	30	30	30	10	35	1	65	
Other permitted uses in Industrial District	60,000	250	100	100	75	35	10	65	Any	65	Side yard of 50' required when abutting land zoned Ind.

## NOTES TO TABLE

1. For accessory structure requirements, see §2700.
2. Front yard requirement measured from center of public way.
3. Projections included chimneys, towers, spires, antennae, water tanks, and other structures carried above the roofline not used for human occupancy. Greater height for such features may be authorized by special permit from the Zoning Board of Appeals

RECEIVED  
Town Clerk-Dighton, MA

APR 09 2025

Time: 4:10 pm  
By: RR