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To see if Town Meeting will vote to amend the Zoning By-Laws, Article 16 to include the following changes:

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ARTICLE 16: Definitions

For the purpose of this By-Law certain terms and words shall have the following meanings. Words used in the present tense include the future, the singular number includes the plural, the plural the singular, the word "used" or "occupied", include the words "designed", "arranged", "intended" or "offered", to be used or occupied, the words "building", "structure" "lot", "land", or "premises" shall be constructed as though followed by the words or any portion thereof, and the word "shall" is always mandatory and not merely directory. Terms and words not defined herein but defined in the State Building Code or Subdivision Regulations shall have the meanings given therein unless a contrary intention clearly appears. Words not defined in either place shall have the meaning given in [The Merriam-Webster Dictionary, Current Edition](#) ~~Webster's Unabridged Dictionary, Third Edition.~~

1-FAMILY DWELLING:

(See Section 340 Use Definitions)

2 FAMILY DWELLING:

(See Section 340 Use Definitions)

3 TO 4 FAMILY DWELLING:

(See Section 340 Use Definitions)

5 OR MORE FAMILY DWELLING:

(See Section 340 Use Definitions)

ABANDONMENT:

The visible or otherwise apparent intention of an owner to discontinue a use or structure, or removal of the characteristic equipment or furnish used in the performance of the non-conforming use, without its replacement by similar equipment or furnishings, or the replacement of the non-conforming use or building by a conforming use or building for a period of two years or more.

ACCESSORY STRUCTURE:

A structure that is accessory to and incidental to that of the principle structure and that is located on the same lot.

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ACCESSORY USES TO SCIENTIFIC RESEARCH, SCIENTIFIC DEVELOPMENT, OR RELATED PRODUCTION ACTIVITIES:

(See Section 340 Use Definitions)

ADULT CABARET:

Any establishment which provides live entertainment for its patrons, which includes the display of nudity, as that term is defined in Chapter 272, Section 31 of the General Laws.

ADULT MOTION PICTURE THEATER:

An enclosed building used for presenting material distinguished by an emphasis on matter depicting, describing, or relating to sexual conductor sexual excitement as defined in Chapter 272, Section 31 of the General Laws.

ADULT STORE:

An establishment which has more than 10 percent of its gross floor area or a substantial/significant portion of its stock in trade, books, magazines, photographs, videos, computer software, computer discs, and other matter which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in Chapter 272, Section 31 of the General Laws.

ADULT USE:

(See Section 340 Use Definitions)

AGRICULTURAL USES:

(See Section 340 Use Definitions)

ALTERATION:

Any construction, reconstruction or other action resulting in a change in the structural parts of height, number of stories or exits, size, use, or location of a building to other structure.

ANIMAL KENNEL:

(See Section 340 Use Definitions)

ANTENNA TOWER:

A self-supporting structure tapering from base to top and without anchor guy wires that support a platform and/or structure for the purposes of wireless communications. An auxiliary building housing electronics and communications equipment is permitted as part of this use.

ANTENNA, DIRECT BROADCAST:

(See Section 340 Use Definitions)

APARTMENT IN MIXED USE BUILDING:

(See Section 340 Use Definitions)

APARTMENT, ACCESSORY:

(See Section 340 Use Definitions)

APARTMENT (Apartment House, Apartment Dwelling):

(See 2, 3 and 5+ family dwelling)

APPLICANT:

An Owner or the Owner's agent or representative. The term "Applicant" shall also mean a petitioner or appellant under the By-laws.

ASSISTED LIVING FACILITY:

A facility licensed by the State that provides housing and services for individuals who cannot or choose not to live independently.

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AUXILIARY COMMUNICATIONS BUILDING:

An unmanned, self-contained structure housing electric and communication equipment, which shall not be more than 600 square feet in area, and not more than 12 feet in height.

AVIATION FIELD:

(See Section 340 Use Definitions)

BANKS:

(See Section 340 Use Definitions)

BASEMENT:

~~A portion of a building partly below grade which has more than one-half of its height, measured~~ from finished floor to finished ceiling above the average finished grade of the ground adjoining the building. A basement is not considered a story unless its ceiling is six feet or more above the average finished grade.

BED AND BREAKFAST:

(See Section 340 Use Definitions)

BOWLING ALLEY:

An establishment that devotes more than 50 percent of its gross floor area to bowling lanes, equipment and playing area.

BUILDING AREA:

The aggregate of the maximum horizontal plane area of all buildings on a lot measured to their outer walls, including porches, enclosed porches, enclosed stairs, decks, bay windows and balconies.

BUILDING COVERAGE:

The building area expressed as a percentage of the total lot area.

BUILDING LINE:

The line, parallel to the street line, which passes through the point of the principal building nearest to the front lot line.

BUILDING, ACCESSORY:

A detached building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

BUILDING, ATTACHED:

A building having any portion of one or more walls in common with an adjoining building.

BUILDING, DETACHED:

A building having open spaces on all sides.

BUILDING, PRINCIPAL:

A building in which is conducted the principal use of the lot on which it is located.

BUILDING:

A combination of any materials, whether portable or fixed, having a roof, and enclosed within exterior walls or firewalls; built to form a structure for the shelter of persons, animal or property. For the purpose of this definition, "roof" shall include any awning or any similar covering, whether or not permanent in nature.

BUSINESS, RETAIL:

(See Section 340 Use Definitions)

BUSINESS, WHOLESALE:

(See Section 340 Use Definitions)

BY-LAWS:

The Town of Wareham Zoning and General By-Laws, including any amendments or modifications as well as applicable Rules and Regulations.

CAMPGROUND:

(See Section 340 Use Definitions)

CELLAR:

A portion of a building, partly or entirely below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, below the average established finished grade of the ground adjoining the building. A cellar is not deemed a story.

CEMETERY:

(See Section 340 Use Definitions)

CLUB, GOLF:

(See Section 340 Use Definitions)

CLUB, MEMBERSHIP:

A social, sports or fraternal association or organization, which is used exclusively by members and their guests and is not conducted as a gainful business.

CLUB, TENNIS:

(See Section 340 Use Definitions)

CLUSTER DEVELOPMENT:

A division of land into lots for use as residential building sites where said lots are arranged into one or more groups having area and yard measurements less than the minimum required in the Table of Dimensional and Density Regulations. These clusters of groups shall be separated from adjacent property and other groups of lots by intervening "common land". The number of lots over the entire tract of land shall not exceed the number of lots permitted under normal application of the area regulations of the zone in which the tract of land is located.

CONDOMINIUM:

An arrangement of dwelling units that may or may not be located in one building but which are located within one parcel of land comprised of a common estate and individual unit estates. For the purpose of this By-Law, a "Condominium" and "Town House" shall be designed and treated in the same manner as an "Apartment" or "Multi-Family Dwelling" depending upon the number of units and shall be subject to the same zoning restrictions as said apartment or multi-family dwelling.

CONFERENCE CENTER:

(See Section 340 Use Definitions)

CONVENIENCE STORE:

A small retail establishment, usually located within or associated with another use that offers for sale convenience goods, such as prepackaged food items, tobacco, periodicals, and other household goods.

COTTAGE:

A small frame, one-family dwelling

DAY CARE CENTER:

(See Section 340 Use Definitions)

DISTRICT:

A zoning district as established by this By-Law, as delineated on the Zoning Map.

DRIVE-IN ESTABLISHMENT:
(See Section 340 Use Definitions)

DRIVEWAY:
An open space, located on a lot, which is not more than 24 feet in width for access to a garage, or off-street parking or loading space.

DRY CLEANING ESTABLISHMENTS:
(See Section 340 Use Definitions)

DWELLING UNIT, SEASONAL:
A dwelling unit that cannot be occupied on a year-round basis without alteration(s) being made requiring a permit from the Building-Inspectional Services Department.

DWELLING UNIT:
One or more living or sleeping rooms arranged for the use of one or more individuals living as a single housekeeping unit with cooking, living, sanitary, and sleeping facilities.

DWELLING, MULTIPLE FAMILY:
(See 2, 3 and 5+ family dwelling)

DWELLING, YEAR-ROUND:
Any dwelling which is suitable for human occupancy on a permanent, year-round basis and meets the requirements of the Massachusetts State Building Code and State Health Code for a dwelling.

DWELLING:
A privately or publicly owned, permanently fixed structure, containing a dwelling unit or dwelling units. The terms "one-family" "two-family" or "multi-family" dwelling shall not include hotel, lodging house, hospital, membership club, trailer, mobile home or dormitory.

EDUCATIONAL USES, EXEMPT:
(See Section 340 Use Definitions)

ELDERLY OR SENIOR HOUSING:
Congregate housing units principally for persons 55 years or older. May have common areas and dining services, and may have medical services, but is not an assisted living facility for those people who cannot or choose not to live independently.

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ESSENTIAL SERVICES:

Services provided by public utility or governmental agencies through erection, construction, alteration or maintenance of underground or overhead gas, electrical, steam or water transmission and distribution systems; and collection, communication, supply or disposal systems. Facilities necessary for the provision of essential services include poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, and other similar equipment and accessories in connection therewith. Specifically excluded from this definition are buildings necessary for the furnishing of adequate service by such public utility or governmental agencies for the public health, safety or general welfare.

EXCEPTION:

The use of a structure or lot, or any action upon a premises, which may be permitted under this By-Law only upon application to and the approval of the Board of Appeals.

FAMILY:

An individual or two or more persons related by blood or marriage living together as a single housekeeping unit and including necessary domestic help such as nurses or servants and further including not more than three lodgers or roomers taken for hire. A group of individuals not related by blood or marriage, but living together as a single housekeeping unit may constitute a family. For purposes of controlling residential density each such group of five individuals shall constitute a single family.

FARM STAND OR ROADSIDE STAND:

(See Section 340 Use Definitions)

FILLING STATIONS:

(See Section 340 Use Definitions)

FISH PROCESSING PLANTS:

(See Section 340 Use Definitions)

FLOODWAY:

The floodway is that portion of the available flow cross section that cannot be obstructed without causing an increase in the water-surface elevations resulting from a flood with a 100-year average return period of more than a given amount.

FLOOR AREA RATIO:

The relationship between the total amount of usable floor area that a building has, or has been permitted for the building, and the total area of the lot on which the building stands. This ratio is determined by dividing the total, or gross, floor area of the building by the gross area of the lot.

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FLOOR AREA, GROSS OR TOTAL:

The sum of areas of the several floors of a building measured from the exterior faces of the walls. It does not include cellars, unenclosed porches or attics not used for human occupancy or any floor space in accessory buildings or in the main building intended and designed for accessory heating and ventilating equipment.

FRONTAGE:

The property line dividing a lot from a street providing access to the lot measured from one side lot line to the other. In cases of corner lots, the total shall include the distance between both side lot lines and the radius measurement of the corner if applicable

GOLF COURSE:

(See Section 340 Use Definitions)

GRAVEL, LOAM, SAND OR STONE REMOVAL:

(See Section 340 Use Definitions)

GENERAL LAWS:

The General Laws of the Commonwealth, including all applicable amendments and revisions to the corresponding chapters and sections of any recodification or rearrangement of statutes adopted subsequent to the adoption of the By-law.

GUEST HOUSE:

(See Section 340 Use Definitions)

HAZARDOUS WASTE FACILITY:

(See Section 340 Use Definitions)

HEALTH OR ATHLETIC FACILITY:

(See Section 340 Use Definitions)

HEIGHT:

The distance from the average ground elevation as defined in 780 CMR, Massachusetts Building Code, to the highest structural member of the building. For structures other than buildings, height shall be measured from the mean grade of the natural ground around the structure to the highest point on the structure.

HOME OCCUPATION:

(See Section 340 Use Definitions)

HORTICULTURE:

(See Section 340 Use Definitions)

HOSPITAL:

(See Section 340 Use Definitions)

HOTEL:

(See Section 340 Use Definitions)

INCIDENTAL USE:

Premises to which it pertains.

INDUSTRIAL:

(See Section 340 Use Definitions)

INTERMEDIATE CARE CENTER:

(See Section 340 Use Definitions)

JUNK:

Any worn out, castoff, or discarded articles or materials which are ready for destruction or disposal or has been collected or stored for salvage or conversion to some use. Any article or material which, unaltered or unchanged or without further reconditioning, can be used for its original purpose as readily as when new, shall not be considered junk.

JUNKYARDS:

(See Section 340 Use Definitions)

LARGE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION:

A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC. Included in this definition are canopy-mounted systems, where a structure is used to raise the solar photovoltaic system above grade, which, when meeting the minimum rated nameplate capacity of 250 kW DC, shall be considered a large-scale ground-mounted solar photovoltaic installation.

LAUNDROMATS:

(See Section 340 Use Definitions)

LIGHT MANUFACTURING:

(See Section 340 Use Definitions)

LOADING SPACE:

Any off-street space at least twelve (12) feet in width, fifty (50) feet in length and with a vertical clearance of at least fourteen (14) feet, having an area of not less than thirteen hundred (1,300) square feet which includes access and maneuvering space used exclusively for loading and unloading of goods and materials from one vehicle.

LODGING UNIT:

One or more rooms for the use by one or more individuals not living as a singular housekeeping unit and not having cooking facilities. A "Lodging Unit" shall include rooms in boarding houses, tourist houses, or rooming houses.

LOT COVERAGE:

The maximum percent of lot area allowed to be covered by buildings, parking areas and driveways (regardless of surface) and all impervious surfaces.

LOT DEPTH:

The mean horizontal distance between the front lot line and the rear lot line.

LOT FRONTAGE:

Lot lines, or in the case of corner lots, the distance between one side lot line and the midpoint of the corner arc length. (Amended 4/28/87)

LOT LINE, FRONT:

The property line dividing a lot for a street (right-of-way). On a corner lot the owner shall designate one street line as the front lot line.

LOT LINE, REAR:

The lot line opposite from the front lot line.

LOT LINE, SIDE:

Any lot line not a front or rear lot line.

LOT WIDTH:

The horizontal distance between the side lot lines as measured parallel to the street line at the minimum front yard depth required by this By-Law at the building line and at all points between.

LOT, CORNER:

A lot at the point of intersection of and abutting on two or more intersecting streets, the interior angle of intersection of the street lot lines, or in case of a curved street, extended lot lines, being not more than 135 degrees.

LOT, THROUGH:

An interior lot, the front and rear lot lines of which abut streets; or a corner lot, two opposite lines of which abut streets.

LOT:

An area or parcel of land or any part thereof, not including water area, in common ownership, designated on a plan duly filed by its owner or owners as a separate lot and recorded in the Plymouth County Registry of Deeds.

MANUFACTURED HOME PARK:

(See Section 340 Use Definitions)

MANUFACTURED HOME:

(See Section 340 Use Definitions)

MANUFACTURING:

(See Section 340 Use Definitions)

MARIJUANA ESTABLISHMENT

A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or other type of licensed marijuana related business as defined according to State Regulations; 935 CMR 500, et seq., including any subsequent updates.

MARINA:

(See Section 340 Use Definitions)

MARINE CONNECTED USES:

(See Section 340 Use Definitions)

MEDICAL MARIJUANA TREATMENT CENTER

Any medical marijuana treatment center, as defined under state law, as a not-for-profit entity (as defined by Massachusetts law only), that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

MOBILE HOME PARK:

A parcel of land upon which two or more mobile homes or house trailers are parked or intended to be parked for living purposes.

MOBILE HOME:

(See Manufactured Home)

MOTEL:

(See Section 340 Use Definitions)

MOTOR VEHICLE SALES:

(See Section 340 Use Definitions)

MOTOR VEHICLE SERVICE:

(See Section 340 Use Definitions)

NEIGHBORHOOD GROCERY STORE:

(See Section 340 Use Definitions)

NON-CONFORMING BUILDING OR LOT:

A building or lot that does not conform to a dimensional regulation prescribed by this By-law for the district in which it is located or to regulations for signs, off-street parking, off-street loading, or accessory buildings but which building or lot was in existence at the time the regulation became effective and was lawful at the time the building or lot was established.

NON-CONFORMING USE:

A use of a building or lot that does not conform to a use regulation prescribed by this By-law for the district in which it is located, but which was in existence at the time the use regulation became effective and was lawful at the time it was established.

NONCONFORMING STRUCTURE:

A structure lawfully in existence or lawfully begun at the time of the enactment of this By-Law or any amendment thereof.

NONCONFORMING LOT:

A lot that is not in accordance with all provisions of this By-Law, but that lawfully existed at the effective date of this By-Law or conformed to all dimensional requirements of the By-Law prior to any amendment thereof.

NON-PROFIT RECREATION:

(See Section 340 Use Definitions)

NURSING HOME:

(See Section 340 Use Definitions)

OFFICE:

(See Section 340 Use Definitions)

ON-SITE SOLAR PHOTOVOLTAIC INSTALLATION:

A solar photovoltaic installation that is constructed at a location where other uses of the underlying property occur. The exception is canopy-mounted systems, where a structure is used to raise the solar photovoltaic system above grade, which, when meeting the minimum nameplate capacity of 250 kW DC, shall be considered a large-scale ground-mounted solar photovoltaic installation.

OPEN SPACE:

The space on a lot unoccupied by buildings, unobstructed to the sky by man-made objects other than walks, swimming pools, and terraced areas, not devoted to streets, driveways, or off-street parking or loading spaces and expressed as a percentage of total lot area.

OUTDOOR ADVERTISING:

(See Section 340 Use Definitions)

OVERNIGHT CABIN:

An overnight cabin is any cabin, trailer or any building, tent, or structure, house, car or automobile trailer used for or adaptable to use for living quarters.

OWNER:

A party or/ parties that possess the exclusive right to hold, use, benefit-from, enjoy, convey, transfer, and otherwise dispose of an asset or property.

PERMIT GRANTING AUTHORITY:

The Select Board, Zoning Board of Appeals or Planning Board, as the case may be for those uses or purposes prescribed in the Zoning By-laws, including but not limited to those under Articles 3, 5 and 15 of the By-laws.

PHOTOVOLTAIC:

The technology that uses a semi-conductor material to convert light directly into electricity.

PLACE OF ASSEMBLY:

(See Section 340 Use Definitions)

PLANNING DEVELOPMENT:

A development involving the construction of two or more principal buildings on the same lot for any permitted use.

PUBLIC SERVICE OR OTHER PASSENGER STATIONS:

(See Section 340 Use Definitions)

RATED NAMEPLATE CAPACITY:

The maximum rated output of electric power production of the photovoltaic system in Direct Current (DC).

RECREATION, COMMERCIAL FACILITIES:

(See Section 340 Use Definitions)

RECREATION, COMMERCIAL INDOOR:

A commercial recreational land use conducted entirely within a building.

RECREATION, COMMERCIAL OUTDOOR:

Primarily participant uses conducted in open or partially enclosed or screened facilities.

RELIGIOUS USES:

(See Section 340 Use Definitions)

RESIDENTIAL CLUSTER DEVELOPMENT:

(See Section 340 Use Definitions)

RESTAURANT:

(See Section 340 Use Definitions)

RIDING STABLE:

(See Section 340 Use Definitions)

RULES AND REGULATIONS:

Rules and Regulations including any additions or modifications issued by the applicable Zoning Board of Appeals, Planning Board or Select Board for the administration of their respective powers under the By-laws including the conduct of its business and otherwise carrying out the purposes of Ch. 40A and Ch. 41 of the General Laws.

SALVAGE YARDS:

(See Section 340 Use Definitions)

SEASONAL CONVERSION:

(See Section 340 Use Definitions)

SERVICE ESTABLISHMENTS:

(See Section 340 Use Definitions)

SERVICES, PERSONAL:

Establishments primarily engaged in providing individual services generally related to personal needs, such as beauty and barbershops, and tailor shops.

SIGN, BUSINESS:

A sign used to direct attention to a service, product sold or other activity performed on the same premises upon which the sign is located.

SIGN, DIRECTIONAL:

A sign guiding or directing traffic, not exceeding (3) square feet.

SIGN, GENERAL ADVERTISING:

Any sign advertising products or services other than products or services available on the lot on which the sign is located, or any sign which is not located within 200 feet of the building or other structure at which the products or services advertised thereon are available.

SIGN, IDENTIFICATION:

A sign used simply to identify the name, address, and title of an individual family or firm occupying the premises upon which the sign is located.

SIGN, ROOF:

A sign erected on or affixed to the roof of a building.

SIGN, FREE STANDING:

A sign erected on or affixed to the land including any exterior sign not attached to a building.

SIGN, SURFACE AREA OF:

For a sign, either free-standing or attached, the area shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or closed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself. For a sign consisting of individual letters, designs, and symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest quadrangle which encompasses all of the letters, designs and symbols. One side only of a flat, back-to-back sign shall be counted.

SIGN, TEMPORARY:

A sign erected or placed for a period not to exceed thirty (30) days for the purpose of notifying availability of a new service, product, or facility. Such sign shall not exceed 12 square feet

SIGN, WALL:

A sign affixed to the exterior wall of a building and extending not more than 15 inches therefrom.

SIGN:

Any structure or device either temporary or permanent, used as, or which is in the nature of an advertisement, announcement, or direction, or is designed to attract the eye by any means. The following shall not be considered signs within the context of this By-Law:

1. Flags and insignia of any government except in connection with commercial promotion;
2. Legal notices or informational signs erected or required by government bodies;
3. Temporary signs erected for a charitable or religious cause;
4. Temporary signs inside display windows, covering not more than 20% of window area;
5. Standard gasoline pumps bearing the name, type, and price of gasoline either upon the pump surface or an attached area not exceeding 1.5 square feet.

SITE PLAN REVIEW AUTHORITY:

The Zoning Board of Appeals or Planning Board as the case may be, designated by the By-laws to conduct eSite pPlan Rreview.

SOLID WASTE FACILITY:

(See Section 340 Use Definitions)

STORAGE FACILITIES:

(See Section 340 Use Definitions)

SPECIAL PERMIT GRANTING AUTHORITY:

The Select Board, Zoning Board of Appeals or Planning Board as the case may be, designated by the By-laws and Ch. 40A, Section 4A of the General Laws for the issuance of special permits.

STORY, HALF:

A story under a gable, hipped or gambrel roof, the floor area of which does not exceed two-thirds of the floor immediately below when measured where the vertical distance between the floor and ceiling is four (4) feet or more.

STORY:

That part of a building comprised between a floor and the floor next above. If a mezzanine floor area exceeds one-third of the area of the floor immediately below, it shall be deemed to be a story. A basement shall be classified as a story when its ceiling is six or more feet above the average finished grade.

STREET:

A way, which is dedicated or devoted to public use by legal mapping or by any other lawful procedure. A street includes all public ways, a way which the Town Clerk certified is maintained and used as public way, a way shown on a plan approved and endorsed in accordance with the "Subdivision Rules and Regulations" of Wareham, Massachusetts, and a way having in the opinion of the Planning Board sufficient width, suitable grades and adequate construction to provide for needs of vehicular traffic thereon or served thereby, and for the installation of municipal services to serve such land and the buildings to be erected thereon.

STRUCTURE, NONCONFORMING:

A structure lawfully existing at the effective date of this By-Law, or any subsequent amendment thereto, which does not conform to one or more provisions of this By-Law.

STRUCTURE:

A combination of materials assembled at a fixed location to give support or shelter, such as building, bridge, trestle, tower, framework, retaining wall, tank, tunnel, tent, stadium, reviewing stand, platform, bin, fence, sign, flagpole, dock or the like.

THEATRE:

A building or part of a building devoted to showing motion pictures, or for dramatic dance, musical, or other live performances.

TOWN:

The Town of Wareham

TOWN BY-LAWS

The Town of Wareham By-laws

TRANSPORTATION TERMINAL

(See Section 340 Use Definitions)

TRUCKING TERMINALS:

(See Section 340 Use Definitions)

UPLAND:

All land not defined herein as wetland.

USE, ACCESSORY:

A use incidental and subordinate to the principal use of a structure or lot, or a site, not the principal use, which is located on the same lot as the principal structure. Accessory use by area shall be interpreted not to exceed 40 percent of the area to total use of the structure and/or lot on which it is located.

USE, NONCONFORMING:

A use lawfully existing at the time of this By-Law, or any subsequent amendment thereto, which does not conform to one or more provisions of this By-Law. Non-conformity may be either of use or dimension.

USE, PRINCIPAL:

The main or primary purpose for which a structure or lot is designed, arranged, or intended or for which it may be used, occupied, or maintained under this By-Law. Any other use within the main structure or the use of any other structure or land on the same lot and incidental or supplementary to the principal use and permitted under this By-Law shall be considered an accessory use.

USE, SUBSTANTIALLY DIFFERENT:

A use which by reason of its normal operation would cause readily observable differences in patronage, service, appearance, noise, employment or similar characteristics from the use to which it is being compared.

USE:

The purpose for which a structure or lot is arranged, designed, or intended to be used, occupied or maintained.

UTILITY, PUBLIC:

(See Section 340 Use Definitions)

VETERINARY HOSPITAL:

(See Section 340 Use Definitions)

WETLAND:

Any bank, freshwater wetland, coastal wetland, beach, dune, flat, marsh, meadow, or swamp bordering on the ocean or on any estuary, creek, river, stream, pond, or lake or from land under said waters or land subject to tidal action. The meaning of words used in this definition of a wetland shall be as defined in Chapter 131, Section 40 of the General Laws and in 310 C.M.R. 10.00, Wetland Protection.

WIRELESS _____ COMMUNICATIONS FACILITY:

(See Section 340 Use Definitions)

WIRELESS COMMUNICATIONS SERVICES:

The provision of personal wireless services such as cellular telephone, personal communications and enhanced specialized mobile radio services; but not including the provision of video programming through over-the-air television broadcast signals, multi-channel multi-point distribution services, or direct broadcast satellite services.

[REMAINDER OF SECTION IS UNCHANGED]

Or take other action.

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