

## **SECTION X. DEFINITIONS:**

In this Bylaw, the following terms and constructions shall apply unless a contrary meaning is required by the context or is specifically prescribed in the text of the Bylaw. Words used in the present tense include the future. The singular includes the plural and the plural includes the singular. The word "shall" is mandatory and "may" is permissive or discretionary. The word "and" includes "or" unless the contrary is evident from the text. The word "includes" or "including" shall not limit a term to specified examples, but is intended to extend its meaning to all other instances, circumstances, or items of like character or kind. The word "lot" includes "plot," and the word "used" or "occupied" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied." The words "building," "structure," "lot," or "parcel," shall be construed as being followed by the words "or any portion thereof." The word "person" includes a firm, association, organization, partnership, company, or corporation, as well as an individual. Terms and words not defined herein but defined in the Commonwealth of Massachusetts State Building Code shall have the meaning given therein unless a contrary intention is clearly evident in this Bylaw.

Accessory apartment. See "Dwelling."

Accessory building: A subordinate building located on the same lot as the main, or principal building or principal use, the use of which is customarily incidental to that of the principal building or use of the land.

Accessory use: A use customarily incidental to that of the main or principal building or use of the land.

Agriculture: As defined in M.G.L. c.128A, "agriculture" includes farming in all of its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping of horses as a commercial enterprise, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur-bearing animals, and any forestry or lumbering operations, performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparations for market, delivery to storage or to market or to carriers for transportation to market. When conducted on five or more acres of land, agriculture so defined is an exempt use under M.G.L. 40A, § 3.

Agricultural use, nonexempt: Agricultural use of property on less than five acres of land.

Alterations: As applied to a building or structure, a change or rearrangement in the structural parts or in the exit facilities, or an enlargement whether by extending on a side or by increasing in height, or the moving from one (1) location or position to another.

Attached single-family dwelling ("townhouse"): See "Dwelling."

Auto filling or service station: A building or part thereof with not more than three service bays, where the principal activity is the sale of motor vehicle fuel and related products and services; or a car wash. All maintenance and service, other than minor service and emergency repairs, shall be conducted entirely within a building. For purposes of this Bylaw, auto filling or service station shall not include an auto repair shop or auto body shop.

Auto body shop: Establishment where the principal service is the repair and painting of automobiles, motorcycles, trailers, recreational vehicles, farm equipment or similar motor vehicles, provided that all but minor repairs shall be conducted entirely within a building.

Auto repair shop: Establishment where the principal service is the mechanical repair, excluding body work, of automobiles, motorcycles, trailers, recreational vehicles, farm equipment or similar motor vehicles, not including an auto service station.

Boarding house: A dwelling or part thereof in which lodging is provided by the owner or operator to more than four (4) boarders. Where four (4) or more unrelated individuals rent a dwelling, it shall be considered a boarding house.

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

Building coverage: That percentage of the lot or plot area covered by the roof area of a building or buildings.

**Building height:** The vertical distance from the finished grade to the highest point of the roof. Not included are spires, cupolas, antennae, or similar parts of structures which do not enclose potentially habitable floor space. Additional height regulations may apply in some zoning districts; see section VI.

**Building, principal:** A building in which is conducted the main or principal use of the lot on which said building is situated.

**Child care (or day care) facility:** A day care center or school-age child care program, as those terms are defined in M.G.L. c. 28A, § 9.

**Club or lodge, private:** Buildings, structures and premises used by a nonprofit social or civic organization, or by an organization catering exclusively to members and their guests for social, civic, recreational, or athletic purposes which are not conducted primarily for gain and provided there are no vending stands, merchandising, or commercial activities except as may be required generally for the membership and purposes of such organization.

**Commercial recreation, outdoor:** Drive-in theatre, golf course/driving range, bathing beach, sports club, boathouse, game preserve, or other commercial recreation carried on in whole or in part outdoors, except those activities more specifically designated in this Bylaw.

**Cultural use (“cultural establishment”):** A non-profit charitable museum, art gallery, library, facility or hall for live performing arts productions (“legitimate theatre”), or similar use.

**Dwelling:** A building designed and occupied as the living quarters of one (1) or more families. In this Bylaw, “dwelling” includes the following classes:

**Detached single-family dwelling:** A detached residential dwelling unit designed or intended or used exclusively as a single housekeeping unit for one family, with common cooking and living facilities.

**Attached single-family dwelling (“Townhouse”):** A residential building of at least three (3) but not more than six (6) one-family attached dwelling units, with sidewalls separated from other dwelling units by a fire wall or walls. Each townhouse unit may be owned by a separate owner and shall have individual at-grade access.

**Two-family dwelling:** A detached residential building designed or intended or used exclusively as the home or residence of two families. For purposes of this Bylaw, a two-family dwelling includes (1) a building containing two dwelling units joined side by side, sharing a common wall for all or substantially all of its height and depth, i.e., a duplex in which no part of one dwelling unit is over any part of the other dwelling unit, or (2) a house containing two dwelling units, in which part of one dwelling unit is over part of the other dwelling unit. A two-family dwelling does not include a detached single-family dwelling with an accessory apartment.

**Multi-family dwelling:** A building designed or intended or used as the home or residence of three or more families, each in a separate dwelling unit, living independently of each other and which may have a common right in halls and stairways; with the number of families in residence not exceeding the number of dwelling units provided.

**Mobile home:** Any vehicle or object on wheels designed and constructed or reconstructed or added to by means of accessories or facilities to permit the use and occupancy thereof for human habitation; whether resting on wheels, jacks or other foundations and shall include the type of vehicle commonly known as a mobile home, which shall mean a dwelling unit built on a chassis and containing complete electrical, plumbing and sanitary facilities and designed to be installed on a temporary or permanent foundation for permanent living quarters.

**Accessory apartment:** A dwelling unit subordinate in size and accessory to an owner-occupied, detached single-family dwelling. The apartment may be located within the single-family dwelling or in a building accessory thereto, such as an attached or detached garage or barn.

**Earth removal:** Extraction of loam, topsoil, sand, gravel, clay, glacial till, silt, rocks, boulders, ledge, and other earth materials pursuant to Section XX of these by-laws. (*Amended May 12, 2015*)

**Educational use, nonexempt:** Educational facilities not exempted from local regulation by M.G.L. c. 40A, § 3.

**Erect:** To build, construct, reconstruct, move upon, or conduct any physical development of the premises required for a building; to excavate, fill, drain, and the like preparation for building shall also be considered to erect.

**Essential services:** Services provided by a public service corporation or by governmental agencies through erection, construction, alteration, or maintenance of gas, electrical, steam, or water transmission or distribution systems and collection, communication, supply, or disposal systems whether underground or overhand, but not including wireless communications facilities. Facilities necessary for the provision of essential services include poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment in connection therewith.

**Exempt use.** Any use for which communities are prohibited from requiring a special permit or otherwise restricting a use in any zoning district, except for reasonable dimensional controls that do not interfere with or obstruct such use, as defined in M.G.L. c.40A, § 3 or this Bylaw.

**Family:** Any number of individuals living and cooking together on the premises as a single housekeeping unit.

**Family day care home:** Any private residence operating a licensed facility under M.G.L. c. 28A, § 9.

**Farm stand, nonexempt:** Facility for the sale of produce, wine and dairy products on property not exempted by M.G.L. c. 40A, § 3.

**Floor area, gross:** The total square feet of floor space within the outside dimensions of a building including each floor level, without deduction for hallways, stairs, closets, thickness of walls, columns, or other features.

**Floor area ratio (FAR):** A mathematical expression determined by dividing total floor area of a building by the area of the lot on which it is located. For example, a one acre lot with a FAR of .75 could contain 32,670 square feet of gross floor area ( $43,560 \times .75 = 32,670$ ).

**Funeral home:** Facility for the conducting of funerals and related activities such as embalming.

**Impervious:** Any area impenetrable by surface water.

**Institutional use:** Public or private, non-profit facilities serving the general public, such as municipal, educational, religious, cultural or social uses.

**Light manufacturing:** Fabrication, assembly, processing, finishing work or packaging, employing only electric or other substantially noiseless and inoffensive motor power, utilizing hand labor or quiet machinery and processes, and free from neighborhood disturbing agents such as odors, gas, fumes, smoke, cinders, refuse matter, electromagnetic radiation, heat or vibration; and with no outside storage of materials or finished goods.

**Lot:** A continuous parcel of land with legally definable boundaries.

**Lot area:** The horizontal area of the lot exclusive of any area in a street or recorded way open to public use.

**Lot, corner:** A lot with two (2) adjacent sides abutting upon streets or other public spaces.

**Lot frontage:** A lot line coinciding with the sideline of a street, which provides legal rights of vehicular access to the lot, said line to be measured continuously along a single street. (*Amended May 12, 2009*)

**Lot line:** A line dividing one lot from another or from a street or any public place.

**Lot, width of:** The horizontal distance between side lot lines, measured parallel to the lot frontage at the front yard setback line.

**Manufacturing:** A use engaged in the basic processing and manufacturing of materials, or the manufacture from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products.

**Mobile home:** See "Dwelling."

**Motel or hotel:** A building or buildings intended and designed for transient, overnight or extended occupancy, divided into separate units within the same building with or without a public dining facility. If such hotel or motel has independent cooking facilities, such unit shall not be occupied by any guest for more than four (4) continuous months, nor may the guest reoccupy any unit within thirty (30) days of a continuous four-month stay, nor may the guest stay more than six (6) months in any calendar year. No occupant of such hotel or motel may claim residency at such location.

Municipal facilities: Facilities owned or operated by the Town of Princeton.

Multi-family dwelling. See "Dwelling."

Nursing home or rest home: An extended or intermediate care facility licensed by the Department of Public Health under M.G.L. c.111, § 71 to provide full-time convalescent or chronic care for hire, and may include a licensed adult day care center.

Personal service establishment: A facility providing personal services directly to consumers, such as hair salon, barber shop, dry cleaning, print shop, photography studio, and the like.

Private non-profit club or membership organization: Premises or buildings of a non-profit organization exclusively serving members and their guests for social, recreational, athletic, or civic purposes, but not including any vending stands, merchandising, or commercial activities except as required generally for the use of the club membership and the purposes of such club.

Professional or business office: A building or part thereof, for the transaction of business or the provision of services exclusive of the receipt, sale, storage, or processing of merchandise.

Repair shop: A building used for the repair of appliances, office equipment, bicycles, lawn mowers or similar equipment.

Research laboratory ("research and development"): An establishment or other facility for carrying on investigation in the natural, physical or social sciences, or engineering and development as an extension of investigation with the objective of creating end products.

Restaurant: A building, or portion thereof, containing tables and/or booths for at least two-thirds (2/3) of its legal capacity, which is designed, intended and used for the indoor sales and consumption of food prepared on the premises, except that food may be consumed outdoors in landscaped terraces, designed for dining purposes, which are adjuncts to the main indoor restaurant facility. The term "restaurant" shall not include "fast-food restaurant" or "drive-through restaurant."

Restaurant, fast-food: An establishment whose principal business is the preparation of food from a limited menu and selling the same directly to the customer in a ready-to-consume state, using throw-away food packaging, with ordering and sales typically conducted at a counter or a drive-through and pick-up window.

Restaurant, drive-through: A restaurant from which patrons may receive food or beverages through a window or other fixed station while remaining in their vehicles; including fast-food restaurants, coffee shops, ice cream shops, and similar food establishments with drive-up windows.

Sandwich Shop, Deli, Coffee Shop: A food service establishment, which may be mobile, where food is prepared and sold at retail and may or may not be consumed on the premises, such as sandwiches, soups, salads, pizza, coffee or baked goods, or other individually proportioned food items. For purposes of the By-law, a sandwich shop, deli, or coffee shop may include a walk-up service window, but does not include a fast-food restaurant or a drive through restaurant. (*Amended May 10, 2016*)

Retail Store: A building for display and sale of merchandise at retail, such as the following, which will serve as illustrations only and are not to be considered exclusive: drug store, newsstand, food store, candy shop, dry goods and notions store, antique store or gift shop, hardware store, household appliance store, furniture store, florist, optician, music and radio store. As used in this Bylaw, retail does not include adult entertainment establishments. A retail store may have one or more vendors within it and may occupy one building or a portion of a building.

Solid waste disposal facility: Refuse transfer station, composting plant, solid waste recycling operation and any other works or use approved by the Massachusetts Department of Public Health and the Princeton board of Health for processing, handling, treating, and disposing of solid or liquid waste materials, including garbage, rubbish, junk, discarded bulk items, and sludge but not raw sewage, and similar waste items.

Street: An accepted town way, or a way established by or maintained under county, state, or federal authority, or a way established by a subdivision plan approved in accordance with the subdivision control law, or a way determined by the planning board to have sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.

**Structure:** A combination of materials assembled at a fixed location to give support or shelter, such as a building, framework, retaining wall, tent, reviewing stand, platform, bin, fence, sign, flagpole, recreational tramway, or mast for radio antenna or the like.

**Temporary structure:** A structure without any foundation or footings to be removed within a twelve-month time period. Said structure shall conform to the requirements of the Table of Dimensional Requirements and shall receive a permit from the building inspector.

**Two-family dwelling:** See “Dwelling.”

**Wholesale trade:** A business for the sale of commodities in quantity to retailers for resale or for further processing, including associated warehouse or outdoor storage and distribution facilities.

**Yard:** A space open to the sky, located between a building or structure and a lot line, unoccupied except by fences, walls, poles, paving, and other customary yard accessories.

**Yard, front:** A yard extending the full width of the lot and situated between the property line where it borders the street right of way line and the nearest point of the building. *(Amended May 15, 2012)*

**Yard, rear:** A yard the full width of the lot and situated between the rear line of the lot and the nearest part of the main building projected to the side line of the lot.

**Yard, side:** A yard situated between the nearest point of the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

*(Section X - Amended February 26, 2008, Amended May 15, 2018)*