

COMMONWEALTH OF MASSACHUSETTS

TOWN OF TOPSFIELD



ZONING BY-LAW

The document contained herein is a copy of the original Topsfield Zoning By-Law with amendments up to and including amendments of the Annual Town Meeting of May 05, 2009. Said amendments have been adopted by town meeting vote, subsequently approved by the Attorney General and in effect May 05, 2009.

All inquiries relating to zoning should be directed to the Inspector of Buildings at 978-887-1522 during business hours. The Inspector of Buildings acts as the Town of Topsfield's Zoning By-Law enforcement officer.

Article references contain herein are for informational purposes only.

The Town of Topsfield has enacted General By-Laws, not included herein, of related topics that include: Soil Removal By-Law, Scenic Road By-Law, Demolition Delay By-Law, Wetlands By-Law, Right To Farm By-Law, and Storm Water Management and Erosion Control By-Law.

Copies of the official Town zoning map are on file in the Board of Assessors' Office and available for purchase there.

Office of The Town Clerk
Updated & Re-Printed

TOWN OF TOPSFIELD

ZONING BY-LAW

TABLE OF CONTENTS

	Page No.
PREAMBLE	1
ARTICLE I DEFINITIONS	2
ARTICLE II ESTABLISHMENT AND DESCRIPTION OF DISTRICTS	12
2.01 Classes of Districts	12
2.02 Lots in Two (2) Districts	12
2.03 Business District Highway	12
2.04 Business District Village	13
2.05 Central Residential District	13
2.06 Outlying Residential and Agricultural District	13
2.07 Inner Residential and Agricultural District	14
2.08 Zoning Map	14
2.09 Business Park District	14
2.10 Elderly Housing District	14
A. Great Hill Elderly Housing District	14
B. English Commons of Topsfield Elderly Housing District	16
C. New Meadows Golf Course Elderly Housing District	19
2.11 Business District Highway North	20
ARTICLE III USE REGULATIONS	21
3.01 Applicability of Use Regulations	21
3.02 Permitted Uses	21
Table of Use Regulations	22
3.03 Uses Subject to Other Regulations	25
3.04 Table of Use Regulations (<i>See Page 22 for Table</i>)	25
3.05 Nonconforming Uses	25
3.06 Uses in Business Park District (<i>includes ORA uses</i>)	25
3.07 Uses in Residential Districts	25
a. Professional offices	
b. Home occupations	
c. Museum Rental of	
3.08 Uses of Public Address Systems or Loudspeakers	26
3.09 Uses in the Business Village District	26
a. Principal uses	
b. Mixed uses	
c. Buffer strips	
d. Parking requirements	
3.10 Prohibited Uses	27
3.11 Uses in the Business District Highway North	27
A. Purpose and intent	
B. Principal uses	

	C. Mixed uses	
	D. Pedestrian walkways	
	E. Buffer strips	
	F. Parking requirements	
	G. Site plan review	
	H. Density and dimensional standards	
	I. Uses in buildings, groupings and portions of	
	J. Conditions	
	K. No accessory units for storage	
3.12	Uses in the Business District Highway	28
	A. Purpose and intent	
	B. Principal Uses	
	C. Mixed Uses	
	D. Pedestrian walkways	
	E. Buffer s	
	F. Parking requirements	
	G. Site plan review	
	H. Density and dimensional standards	
	I. Uses in buildings, groupings and portions of	
	J. Conditions	
	K. No accessory units for storage	
3.13	Parking of Automobiles (<i>CR, IRA, ORA</i>)	29
3.14	Parking of Automobiles (BH, BHN, BV, BP)	30
3.15	Additional Accessory Uses (<i>storage of motor vehicle, trailer, boat</i>)	30
3.16	Elderly Housing District	30
	A. Permitted Uses And Special Permit Uses	
	B. Accessory Uses	
	C. Special Permit and Site Plan Approval	
	1. Standards	
	2. Application	
	D. Procedure	
	E. Grant of Approval	
	F. Additional Provisions	

ARTICLE IV DIMENSIONAL AND DENSITY REGULATIONS 34

4.01	Applicability of Dimensional and Density Regulations	34
4.02	Table of Dimensional and Density Regulations (<i>See Page 46</i>)	34
4.03	Reduction of Lot Areas	34
4.04	Deleted by vote at the May 5, 1981 Town Meeting	34
4.05	Buffer Strips (<i>non-residential adjacent to residential</i>)	34
4.06	Accessory Buildings (<i>dimensional & density requirements</i>)	35
4.07	Other General Dimensional and Density Provisions	35
	ANR Lots - <i>Requirements for creation of</i>	36
	Common Driveway	36
4.08	Minimum Buildable Area	37
4.09	Open Space Development Plan	38
4.10	Business Park District Conditions (<i>for development of a tract of land into a business park</i>)	40
4.11	Installation and Maintenance of Wind Energy Conversion Systems	41
4.12	Parking (<i>general, off street, minimum requirements & setback</i>)	43
	Table of Dimensional And Density Regulations	44

ARTICLE V	ADMINISTRATION AND ENFORCEMENT	46
	5.01 Enforcement Officer and Duties	46
	5.02 Permit Granting Authority and Special Permit Granting Authority	46
	5.03 Previously Approved Permits	48
	5.04 Special Permits	48
	5.05 Deleted by vote at the May 5, 1981 Town Meeting	49
	5.06 Violations	49
	5.07 By-Law Construction	50
	5.08 Validity and Separability	50
ARTICLE VI	FLOOD PLAIN DISTRICT	51
	6.01 Permitted Uses	51
	6.02 Required Lot Area, Width, Yards, Coverage, Height	52
	6.03 Flood Plain District Description	52
	6.04 Flood Plain Districts--Prohibited Uses	52
	6.05 Flood Plain Districts--Removal of Earth Products Prohibited	52
	6.06 Invalid or Inoperative	52
ARTICLE VII SPECIAL REGULATIONS		53
	7.01 Site Preparation	53
	7.02 Soil Transport Within Approved Subdivision	53
	7.03 Temporary Accessory Apartment Special Permit By-Law	53
ARTICLE VIII	IPSWICH RIVER PROTECTION DISTRICT	57
	8.01 Ipswich River Protection District Description	57
	8.02 Permitted Uses	57
	8.03 Special Permits	57
	8.04 Invalidity, Severability	58
ARTICLE IX	SITE PLAN REVIEW	59
	9.01 Purpose	59
	9.02 Granting Authority	59
	9.03 Projects Requiring Site Plan Review	59
	9.04 Exemptions from Site Plan Review	59
	9.05 Procedure	60
	9.06 Submission Requirements	60
	9.07 Standards for Review	62
	9.08 Enforcement	63
ARTICLE X	PHASED GROWTH ----- THIS BY-LAW HAS EXPIRED	64
ARTICLE XI	GROUNDWATER PROTECTION DISTRICT	65
	1.0 Purpose	65
	2.0 Scope of Authority	65
	3.0 Definitions	65

4.0	Establishment and Delineation of Groundwater Protection District	66
4.1	District Boundary Disputes	66
5.0	Severability	66
6.0	Use Regulation	66
6.1	Permitted Uses	66
6.2	Prohibited Uses	67
6.3	Uses and Activities Requiring a Special Permit	68
7.0	Procedures for Issuance of Special Permits	68
7.1	Action by the Special Permit Granting Authority	69
7.2	Rules and Regulations	69
8.0	Standards for Special Permit uses in the Groundwater Protection District	69
9.0	Violations of Groundwater Protection District Bylaw	70
ARTICLE XII	WIRELESS TELECOMMUNICATIONS FACILITY BYLAW	72
12.1	Definitions	72
12.2	Use	72
12.3	Purpose and Intent	72
12.4	Major Wireless Telecommunications Facilities (Major WTF)	73
12.5	Minor Wireless Telecommunications Facilities (Minor WTF)	74
ARTICLE XIII	SIGN REGULATIONS	75
13.1	Purpose	75
13.2	Definitions	75
13.3	Special Permit Granting Authority	75
13.4	General Regulations	75
13.5	Permitted Signs	77
	Table of Dimensional Regulations / Maximum Dimensions	78
13.6	Non-Conforming Signs	78
ARTICLE XIV	SCENIC OVERLAY ZONE	80
14.1	Purpose	80
14.2	Description of District	80
14.3	Scope of Authority	80
14.4	Uses in the Scenic Overlay Zone	80
14.5	Developmental Standards	80
14.6	Severability	81

**GUIDELINES AND PERFORMANCE STANDARDS
FOR ACTIVITIES
SUBJECT TO THE PROVISIONS
OF THE TOWN OF TOPSFIELD
ZONING BY-LAW**

APPENDIX ZA:1	ZONING GUIDELINES	82
ZA:1-1	Preamble	82
ZA:1-2	Definitions	82
ZA:1-3	Standards	82
ZA:1-3.1	Compliance With All Standards Required; Exception	82
ZA:1-3.2	Legal	82
ZA:1-3.3	Traffic	82
ZA:1-3.4	Parking	83
ZA:1-3.5	Town Services	83
ZA:1-3.6	Pollution Control	83
ZA:1.3.7	Nuisances – <i>Noise etc.</i>	83
ZA:1-3.8	Existing Vegetation	83
ZA:1-3.9	Amenities	83
ZA:1-3.10	Town Character	83