

ARTICLE XV
Special Provisions and Restrictions

§ 200-87. Environmental performance regulations.

- A. Any use permitted by right or by special permit in any district shall not be conducted in a manner as to cause any dangerous, noxious, injurious or otherwise objectionable emissions. These include but shall not be limited to: fire, explosion, radioactivity or other hazard; noise or vibration; smoke, dust, odor or other such forms of environmental pollution; electrical or electromagnetic disturbances; glare; liquid or solid refuse or wastes. Neither shall they cause to be emitted any energy and/or matter in such an amount as to adversely affect the public health, safety, welfare or convenience.
- B. In addition, no use permitted by right or by special permit in any district shall be conducted so as to provide conditions conducive to the breeding of microorganisms capable of causing disease, or of their vectors, such as insects and rodents.
- C. The following shall also govern:
 - (1) All activities and all storage of flammable and explosive materials at any point shall be provided with adequate safety devices against fire and explosion and adequate fire-fighting and fire-suppression devices and equipment in accordance with the current requirements of the Town of North Reading;
 - (2) Activities that emit dangerous radioactivity, at any point, shall be controlled in accordance with all regulations of the Nuclear Regulatory Commission, and with pertinent state and federal laws and regulations;
 - (3) No electrical, electromagnetic, and/or mechanical disturbances adversely affecting the operation, at any point, of any equipment necessary for the public health, safety or welfare, shall be permitted;
 - (4) No discharge, at any point, of any material in such a way, nature or temperature as can contaminate or elevate the water temperature in any season more than two (2) degrees Fahrenheit above normal in the immediate area of discharge into any body of water, running stream, groundwater supply or wetland area, shall be permitted. Neither shall such discharges cause the emission of dangerous or objectionable matter, and/or the accumulation of wastes conducive to the breeding of microorganisms capable of transmitting disease, or of their vectors, such as insects or rodents. Nor shall such discharges or emissions be detrimental to flora or fauna, except in conformance with the standards approved by the State Department of Public Health;
 - (5) No emission of visible smoke of a shade darker than No. 1 on the Ringlemann Smoke Chart as published by the U.S. Bureau of Mines shall be permitted, except:
 - (a) For a period or periods aggregating four (4) minutes in any thirty (30) minutes when No. 2, but not darker, is allowed; and

- (b) For a period or periods aggregating three (3) minutes in any fifteen (15) minutes of No. 3, but not darker, when cleaning, when building a new fire, or when breakdown of equipment occurs;
- (6) No emission which can cause any damage to health, of animals or vegetation, or which can cause excessive soiling, at any point, and in no event any emission of any solids, liquids, or vapors in concentrations exceeding 0.3 grains per cubic foot of conveying gas or air shall be permitted;
- (7) No objectionable odor greater than that caused by 0.001202 grain per thousand cubic feet of hydrogen sulfide shall be permitted;
- (8) All other discharges or releases of air contaminants into ambient air space not governed by the above regulations shall be subject to the standards set forth in the latest edition of Regulations for the Control of Air Pollution in the Metropolitan Air Pollution Control District, as published by the Massachusetts Department of Health, Division of Environmental Health;
- (9) Maximum permissible sound pressure levels at specified points of measurement for noise radiated continuously from a facility between 9 p.m. and 7 a.m. shall be as follows:

Maximum Permissible SPL Table
[Amended 10-2-2000 OTM by Art. 16, approved 3-29-2001]

Frequency Band (cycles per second)	Sound Pressure Level (Decibel re 0.0002 dyne/cm²)
20 - 75	69
75.1 - 100	54
100.1 - 300	47
300.1 - 600	41
600.1 - 1,200	37
1,200.1 - 2,400	34
2,400.1 - 4,800	31
4,800.1 - 10,000	28

- (a) For either of the two conditions described below {Subsection C(9)(a)[1] or one, and only one, of the corresponding adjustments to each of the actual decibel levels given above shall be allowed:

[1] Daytime (7 a.m. to 9 p.m.) operation only: +5.

[2] Noise source, emitting sound that is not smooth and continuous and operating less than twenty (20) percent of any hour period: +5.

- (b) The sound pressure level shall be measured at any point along the property line with a sound level meter and octave analyzer that conforms to the latest specifications published by the American Standard Association, New York, NY.

- (c) Noise-making devices which are maintained and utilized strictly to serve as warning devices are excluded from these regulations;
- (10) No direct or reflected electromagnetic radiation, whether from floodlights, from high-temperature processes such as welding, or from other such sources, shall be permitted when it is determined that it will be hazardous or obnoxious; and
- (11) No lighting shall be permitted that is not installed in a manner that will prevent direct light from shining onto any street or adjacent property.
 - (a) Direct or indirect lighting shall not cause total illumination in excess of 1.0 foot candles when measured at any point vertically above the boundary of a residence district or any residential property or right-of-way line of any public way.
 - (b) The above regulations shall not apply to municipal street lights.

§ 200-88. House trailers, camping trailers and mobile homes.

A. [Amended 11-6-1978 OTM by Art. 12, approved 2-6-1979] House trailers, camping trailers and mobile homes shall be permitted only for the following uses and only in accordance with the regulations set forth in this section and ~ 200-36:

- (1) Storage.
 - (a) A travel trailer, camping trailer, camper or self-contained motor home owned by a property owner or lessee may be stored or parked on the premises of said owner or lessee during periods of non-use in any residential district;
 - (b) A house trailer or mobile home owned by a property owner or lessee may be stored or parked on the premises of said owner or lessee for a period of non-use not to exceed ninety (90) days provided that notification is furnished to the Building Inspector within seventy-two (72) hours after arrival of the house trailer or mobile home. Such notification may be given orally or in writing and the Building Inspector shall enter it upon his records. During this ninety-day period it shall not be hooked up to any utilities. The Building Inspector shall be notified upon the removal of a house trailer or mobile home.
- (2) Guest stationing. Any property owner or lessee in any residential district may accommodate one (1) house trailer or mobile home of a non-paying guest for a period not to exceed thirty (30) days in any one (1) calendar year, provided that:
 - (a) Notification of guest stationing is furnished to the Building Inspector with seventy-two (72) hours after arrival of the house trailer or mobile home. Such notification may be given orally or in writing, and the Building Inspector shall enter it upon his records and if requested shall issue a permit to the guest. The notification shall include name of guest, full home address, period for which guest stationing is desired and proposed location. No extension of a permit for guest stationing may be granted;

- (3) **[Amended 4-4-1994 ATM by Art. 21, approved 7-26-1994]** Emergency use. The Building Inspector may approve a temporary use of a house trailer or mobile home for commercial or residential purposes on the site where a need for rebuilding has been created by a need for major renovation or reconstruction, natural catastrophe, fire, flood or explosion. A permit for such emergency use must be acquired from the Building Inspector. A permit for the use of a house trailer or mobile home for commercial rebuilding shall be valid for a period of sixty (60) days and may be extended upon request if the Building Inspector is satisfied that the rebuilding is proceeding in good faith. A permit for temporary emergency use of a house trailer or mobile home by an owner and occupier of a residence shall be valid for a period not to exceed twelve (12) months while the residence is being rebuilt. Upon completion of the rebuilding, the permitted emergency use is no longer permitted; and
- (4) Temporary business use. The Building Inspector may approve the temporary use of a house trailer or mobile home for office, storeroom or shop use in connection with construction work in any zoning district provided that:
 - (a) A permit for such temporary use shall be required from the Building Inspector. To obtain said permit, the construction firm or its representatives shall file a statement which shall include the name of the firm, its home office address, the estimated period of stationing requested and the proposed use of the house trailer or mobile home. Said permit shall be valid for a period of sixty (60) days and may be extended upon request for sufficient reason;
 - (b) The Building Inspector shall be notified upon the removal of a house trailer or mobile home.

B. Additional regulations.

- (1) Any house trailer, camping trailer or mobile home not registered to operate on public highways must be located so as to comply with the dimensional and density regulations for an accessory building situated in the zoning district where the house trailer, camping trailer or mobile home is located; and
- (2) Any sanitary facilities to be used shall be connected to a disposal system approved by the Plumbing Inspector and the Board of Health.

§ 200-89. North Reading Housing Authority multi-family housing. [Amended 10-6-1983 OTM by Art. 24, approved 12-7-1983; 4-9-1984 ATM by Art. 24, approved 6-15-1984]

A building or group of buildings operated by a public agency, having three (3) or fewer independent dwelling units, each having a room or suite of rooms with its own bathroom and toilet facilities, for occupancy by a family unit consisting of one (1) or more persons, such building or group of buildings having separate kitchen facilities for the preparation and serving of meals to residents thereof and their guests (but not to the public), and at the option of the owner, lounge rooms for the common use of the residents thereof, and their guests, also in connection therewith, the parking of automobiles and such other accessory uses as are customary, all subject to conformity with the following Subsections A and B of this section:

- A. No building or other structure shall be erected or placed on a lot containing less than forty thousand (40,000) square feet in area.
- B. In all other respects, the dimensional and density regulations for the district in which the use is proposed shall apply. (See the Table of Dimensional and Density Regulations.)⁸

§ 200-90. Multi-family residential. [Added 10-4-1984 OTM by Art. 14, approved 1-8-1985]

A building or group of buildings having four (4) or more independent dwelling units, each having a room or suite of rooms with its own bathroom and toilet facilities and kitchen and cooking facilities, for occupancy by a family unit consisting of one (1) or more persons and in connection therewith, the parking of automobiles in accordance with Article XIII and such other accessory uses as are customary, all subject to conformity with the following Subsections A through I of this section.

- A. No building or other structure shall be erected or placed on a lot containing less than forty thousand (40,000) square feet in area;
- B. There shall be provided a land area of not less than three thousand five hundred (3,500) square feet located within the RM District for each dwelling unit;
- C. Each lot shall have a frontage of at least seventy-five (75) feet on a street. Said frontage shall be on a street as defined under Chapter 41, Section 81L as follows:
 - (1) A public way or a way which the Town Clerk certifies is maintained and used as a public way; or
 - (2) A way shown on a plan approved and endorsed under the Subdivision Control Law; or
 - (3) A way in existence on or before September 19, 1944, having, in the opinion of the Community Planning Commission, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon;
- D. No building or addition to any building, including accessory buildings, shall be erected or placed on a lot which will result in the covering of that portion of the lot located within the RM District by buildings of more than twenty (20) percent of the portion of the lot in the RM District;
- E. No building shall exceed two and one-half (2 1/2) stories in height;
- F. No building or structure shall be located within thirty (30) feet of any property boundary line abutting a street or within twenty (20) feet of any other property boundary line;

⁸Editor's Note: The Table of Dimensional and Density Regulations is included at the end of this chapter.

- G. Screening and buffering shall be provided in accordance with the provisions of § 200-64 and the provisions of § 200-87 as applicable to multi-family development, except that the area between a property boundary line abutting a street and a line thirty (30) feet from and parallel thereto shall be kept open and in lawn or landscaped, unparked on and unbuilt upon except for driveways and walks. Any other provision to the contrary notwithstanding, the area between any other property boundary line and a line ten (10) feet from and parallel thereto shall be kept open and in lawn or landscaped, unparked on and unbuilt upon;
- H. All parking and loading facilities shall be suitably landscaped. Such landscaping shall be designed to minimize the impact of the parking area upon adjacent property and within the lot by the use of existing vegetation to the extent practicable and new trees, shrubs, walls, fences and other landscape elements. In the case of parking facilities for more than forty (40) spaces, at least five (5) percent of the area within the limits of the parking facilities shall be set aside for landscaped areas and such areas shall be provided with a minimum width of ten (10) feet, curbing and shade trees;
- I. No provision of this Zoning Bylaw concerning height regulations or area regulations shall apply to this use except as set forth in this section.