

C. PROHIBITED USES

All uses that pose a present or potential hazard to human health, safety, welfare, or the environment through emission of smoke, particulate matter, noise or vibration, or through fire or explosive hazard, or glare are expressly prohibited in all zoning districts. In addition, the following uses are expressly prohibited in all zoning districts.

- a. Abattoir and commercial slaughtering;
- b. Manufacturing and storage of corrosive, poisonous or malodorous acids and chemicals;
- c. Cement, lime, gypsum and plaster-of-Paris manufacture;
- d. Fertilizer manufacture or fat rendering in manufacture of tallow, grease, and oils;
- e. Glue, size and gelatin manufacture;
- f. Petroleum and kerosene refining or distillation and derivation of by-products;
- g. Manufacture, use, storage, transport or treatment, disposal and/or processing of explosive, toxic or hazardous materials;
- h. Smelting and reduction of metals or ores;
- i. Asphalt plants;
- j. Concrete batch plants;
- k. Reclamation and reprocessing of asphalt and/or concrete;
- l. Lumber mills;
- m. Raising and breeding of fur bearing animals;
- n. Yard for storage and sale of used building and junk materials;
- o. Billboards;
- p. Any other use that produces disturbing or offensive noise, vibration, smoke, gas, fumes, odors, dust or other objectionable or hazardous features;
- q. Automobile Storage as a principal use;
- r. Vehicle Storage Yard;
- s. Truck Terminal;
- t. Landscape Business;
- u. Contractor Yard or Shop.

No use variance shall be granted for any prohibited use set forth in this subsection, within any zoning district in the Town of Framingham.

Nothing in this Zoning By-law shall prohibit or regulate any use in contravention of M.G.L. c. 40A, §3 or any other applicable state or federal law.

D. HOME OCCUPATIONS

Home occupations as accessory uses within single family dwellings are subject to the following conditions:

- (1) The home occupation shall be clearly incidental and secondary to the use of the dwelling as a residence, shall be located within the dwelling unit or a single accessory building, and shall not change the residential character thereof.
- (2) The area utilized for the purpose of the home occupation shall not exceed the smaller of (a) twenty-five per cent of the total floor area of the dwelling unit or (b) four hundred square feet.
- (3) No non-resident employees shall be allowed in a home occupation..

- (4) Not more than three customers, clients, pupils, or patients for business or instruction shall be present at any one time. Customers, clients, etc. shall be present only between the hours of 8:00 a.m. and 9:00 p.m., Monday through Saturday.
- (5) There shall be no exterior display or storage of goods or materials, and no exterior indication of the home office or occupation other than one non-illuminated identification sign not to exceed two square feet in area.
- (6) There shall be no noise, vibration, glare, fumes, odors, or electrical interference beyond that which normally occurs in a residential area.

E. PLANNED REUSE

1. Purpose and Intent

It is the intent of this district to permit and encourage the appropriate reuse of land and buildings that are no longer needed or suitable for their original use, and to permit reuses which are compatible with the character of the neighborhood and which take into consideration the interests of abutters, neighbors and the public, especially where the site abuts a residential area or the building(s) merit preservation. The provisions of this section shall apply only to land and buildings in municipal ownership on the date of Town Meeting action placing land in this district.

2. Use Regulations

No building or structure shall be used or arranged or designed to be used in any part and no change shall be made in the use of land or premises except for one or more of the following purposes:

- a. All uses permissible by right or by special permit in a Single Residence District subject to the same lot size, frontage, and setback regulations as residences in the R-3 Single Residence District.
- b. Multi-family or single-family residences at a density greater than that permitted by Section II.E.2.a., subject to the Special Reuse Permit provisions of Section II.E.3.
- c. Medical, professional, business, banking, or research and development offices, subject to the Special Reuse Permit provisions of Section II.E.3.
- d. Retail service establishments or retail stores, including shops for making articles to be sold at retail on the premises, subject to the Special Reuse Permit provisions of Section II.E.3.

3. Special Reuse Permit Provisions

a. Requirement

In all instances where a Special Reuse Permit is required by this Section, no structure shall be erected, enlarged or used and no land shall be used except in conformity with said Permit. The Zoning Board of Appeals (ZBA) shall be the permit granting authority for such Permits.

b. Application Procedure

Prior to the filing of an application subject to this Section, the applicant shall submit plans to the Building Commissioner who shall advise the applicant as to the pertinent sections of the Zoning By-Law. The applicant shall then submit five copies of the application to the ZBA which shall forthwith transmit one copy each to the Town Clerk, the Engineering Department, the Planning Department, and the Planning Board. Such agencies shall, within 30 days of receiving said copy, submit a report containing recommendations and the reasons therefor to the ZBA, and may recommend conditions deemed appropriate for the proposed use. The ZBA shall not render a decision on any such application until said recommendations have been received and considered, or until the 30-day period has expired, whichever is earlier. Failure of such agencies to submit their respective recommendations shall be deemed lack of opposition thereto. The conduct and notification of hearings and decisions on applications under this Section shall be in accordance with the procedures for all special permits in M.G.L. Ch. 40A, §9.