

ZONING

350 Attachment 1

Town of Dalton

Table of Use Regulations

[Amended 9-22-2008 STM by Art. 4; 9-22-2008 STM by Art. 5;
9-22-2008 STM by Art. 7; 10-18-2010 STM by Art. 12; 5-5-2014 ATM by Arts. 20, 23;
5-2-2016 ATM by Art. 17; 5-7-2018 ATM by Art. 3; 5-2-2022 ATM by Art. 14]

KEY:

- NP = Prohibited use
- P = Use permitted by right
- S = Use authorized by Select Board
- PA = Use authorized by special permit from Board of Appeals
- PB = Use authorized by special permit from Planning Board
- PS = Use authorized by special permit from Select Board
- PR = Use authorized by right with site plan review

Principal Permitted Uses	Residential				Business		Industrial			Special Requirements
	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
A. Residential Uses										
1. New one-family detached dwelling	P	P	P	P	NP	NP	NP	NP	NP	
2. New two-family dwelling	NP	PA	PA	PA	NP	NP	NP	NP	NP	§ 350-53
3. New multifamily dwelling with six or fewer units on a lot	NP	NP	PA	PA	NP	NP	NP	NP	NP	§ 350-54
4. Conversion of existing dwelling to accommodate not more than six dwelling units	NP	PA	PA	PA	PA	PA	NP	NP	NP	§ 350-55
5. Conversion of existing nonresidential building or portion thereof to accommodate one or more dwelling units	NP	PA	PA	PA	PA	PA	NP	NP	NP	§ 350-56
6. Motels, hotels or inns	NP	NP	NP	NP	PA	PA	NP	NP	NP	
7. Lodging, bed-and-breakfast, boarding- or tourist house	PA	PA	PA	PA	NP	PA	NP	NP	NP	
8. Mobile home as a temporary dwelling	PA	PA	PA	PA	NP	PA	PA	PA	NP	§ 350-57
9. Mobile home park	PB	PB	PB	PB	NP	NP	NP	NP	NP	Art. XIII
10. Assisted living residence	PA	PA	PA	PA	NP	PA	NP	NP	NP	
11. ADU attached to or within existing dwelling, or ADU in existing detached structure	P	P	P	P	P	P	NP	NP	NP	

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Principal Permitted Uses	Residential				Business		Industrial			Special Requirements
	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
12. Newly constructed detached ADU	PA	PA	PA	PA	PA	PA	NP	NP	NP	

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Principal Permitted Uses	Residential				Business		Industrial			Special Requirements
	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
B. Community, Educational and Recreational Uses										
1. Religious or educational use on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic, or by religious sect or denomination, or by nonprofit educational corporation	P	P	P	P	P	P	P	P	P	
2a. Public utilities facilities	PA	PA	PA	PA	PA	PA	PA	PA	PB	Art. XVI
2b. Municipal facilities	PA	PA	PA	PA	PA	PA	PA	PA	NP	
3. Private schools, colleges, kindergarten, nursery school, not exempt under MGL c. 40A, § 3	PA	PA	PA	PA	NP	NP	NP	NP	PB	
4. Hospitals, clinics, health centers, nursing, rest, or convalescent homes, welfare centers	PA	PA	PA	PA	NP	PA	NP	NP	NP	
5. Private nonprofit membership club or lodge	PA	PA	PA	PA	PA	PA	NP	NP	NP	
6. Outdoor sports facility such as golf courses, country clubs, tennis clubs, riding rings, boat livery, ski tow	PA	PA	PA	PA	NP	NP	NP	NP	NP	
7. Recreational facility owned or operated by an agency of the Town or other government	PA	PA	PA	PA	NP	NP	NP	NP	NP	
8. Funeral parlor or undertaking establishment	NP	PA	PA	NP	NP	NP	NP	NP	NP	
9. Cemetery	PB	PB	PB	PB	NP	NP	NP	NP	NP	
10. Camping facilities	PA	NP	NP	PA	NP	NP	NP	NP	NP	§ 350-59
11. Child care facility	P	P	P	P	P	P	P	P	P	
12. Family day-care home	PA	PA	PA	PA	PA	PA	PA	PA	PB	

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	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
C. Office, Retail and Consumer Service Establishments										
1a. Business, professional or governmental offices	PA	PA	PA	NP	P	P	NP	NP	PR	Art. XVI
1b. Banks, retail	PA	PA	PA	NP	P	P	NP	NP	NP	
2. Stores, salesrooms showrooms for the conduct of retail business, services and shops for custom work provided display, storage and sales are conducted within a building	NP	NP	NP	NP	P	P	P	P	PB	
3. Restaurants and other places serving food and beverages to be consumed within the building or off the premises	NP	NP	NP	NP	P	PA	NP	P	NP	
4. Restaurants and other places serving food and beverages to be consumed on the premises	NP	NP	NP	NP	PA	PA	NP	PA	NP	
5. Automotive sales and services, automotive repair shops, public garages, taxi service or car washes	NP	NP	NP	NP	NP	PA	PA	PA	PB	Art. XVI
6. Bulk storage and/or sale of petroleum products	NP	NP	NP	NP	NP	NP	NP	NP	PB	Art. XVI
7. Car and truck washes	NP	NP	NP	NP	NP	NP	NP	NP	PB	Art. XVI
8. Dog kennel or veterinary hospital; buildings used for such purposes shall not be closer than 100 feet from lot boundaries	PA	NP	NP	NP	PA	NP	PA	NP	NP	
9. Lumber yards or construction contractor's or building material and supply yards serving retail trade, provided that all merchandise stored in the open is screened from ground level view from any abutting street or property	NP	NP	NP	NP	NP	NP	PA	PA	NP	

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Principal Permitted Uses	Residential				Business		Industrial			Special Requirements
	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
10. Theater, moving-picture houses, bowling alleys, billiard rooms, dance halls, roller-skating rinks, public gymnasiums, places for conducting boxing or prize fighting, and similar commercial amusement places	NP	NP	NP	NP	NP	PA	PA	PA	NP	
11. Neighborhood retail center	NP	NP	NP	NP	PB	PB	NP	NP	NP	§ 350-58
12. Planned unit office or research center	NP	NP	NP	NP	PB	PB	PB	PB	PR	§ 350-60
13. Personal wireless facilities and towers	PA	PA	PA	PA	PA	PA	PA	PA	PB	Art. XIV
14. Adult entertainment establishments	NP	NP	NP	NP	PA	PA	NP	NP	NP	
15. Printing, publishing or data processing	NP	NP	NP	NP	PA	PA	PA	PA	PR ≤ 40,000 s.f. structure PB > 40,000 s.f. structure	Art. XVI
16. United States Postal Service or private courier service facility	NP	NP	NP	NP	PA	PA	PA	PA	PB	Art. XVI
17. Medical or dental laboratory and/or medical research and associated facilities	NP	NP	NP	NP	PA	PA	PA	PA	PR ≤ 40,000 s.f. structure PB > 40,000 s.f. structure	Art. XVI
18. Medical marijuana dispensary	NP	NP	NP	NP	PA	PA	PA	PA	PB	Art. XI
19. Marijuana retailer	NP	NP	NP	NP	PA	PA	PA	NP	NP	Art. XI Art. XII

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	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
D. Industrial, Manufacturing and Storage Uses										
1a. Manufacturing use	NP	NP	NP	NP	NP	NP	PA	PA	PR ≤ 40,000 s.f. structure PB > 40,000 s.f. structure	Art. XVI
1b. Industrial use	NP	NP	NP	NP	NP	NP	PA	PA	PR ≤ 40,000 s.f. structure PB > 40,000 s.f. structure	Art. XVI
1c. Heavy manufacturing and industrial facility, including facility for the manufacture of paper and other pulp based related products	NP	NP	NP	NP	NP	NP	PA	PA	PB	Art. XVI
2. Wholesale business or storage use in an enclosed structure, not to include the bulk storage of trash or garbage	NP	NP	NP	NP	NP	NP	P	P	PR ≤ 40,000 s.f. structure PB > 40,000 s.f. structure	Art. XVI
3. Removal of earth materials such as topsoil, sod, loam, peat, humus, clay, sand, gravel or rock except as provided in Subsection F(10) herein	PB	NP	NP	PB	NP	NP	NP	NP	NP	§ 350-61 Art. XVI
4. Solid waste disposal and recycling	PB	NP	NP	PB	NP	NP	PA	PA	PB	§ 350-62 Art. XVI
5. Sawmill	PB	NP	NP	PB	NP	NP	PA	PA	NP	Art. XVI
6. Newspaper or job-printing establishment	NP	NP	NP	NP	PA	PA	PA	PA	PR ≤ 40,000 s.f. structure PB > 40,000 s.f. structure	Art. XVI

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	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
7. Enclosed assembly, bottling, packing or finishing plant, not to include food products	NP	NP	NP	NP	PA	PA	PA	PA	PR ≤ 40,000 s.f. structure PB > 40,000 s.f. structure	Art. XVI
8. Radio or television station transmitting facilities or other communication uses	NP	NP	NP	NP	PA	PA	PA	PA	PA	Art. XVI
9. Mold making and molding use	NP	NP	NP	NP	PA	PA	PA	PA	PR ≤ 40,000 s.f. structure PB > 40,000 s.f. structure	Art. XVI
10. Trucking or bus terminals	NP	NP	NP	NP	NP	NP	PA	PA	PB	Art. XVI
11. Dry-cleaning or laundry establishments	NP	NP	NP	NP	P	P	P	P	PR ≤ 40,000 s.f. structure PB > 40,000 s.f. structure	Art. XVI
12. Food processing facility	NP	NP	NP	NP	PA	PA	PA	PA	PB	Art. XVI
13. Anodizing facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	
14. Large scale photovoltaic installation	PB	NP	NP	PB	PB	PB	PB	PB	PB	Art. XI
15. Adult marijuana uses including: manufacturer, independent testing laboratory, research facility, indoor craft marijuana cooperative, indoor cultivation facility, micro-business or transporter (within an enclosed building)	NP	NP	NP	NP	NP	NP	PA	PA	NP	Art. XI Art. XII

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	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
E. Agricultural Uses										
1. Farms, including orchards, trees, agriculture, animals, and/or poultry, not including marijuana cultivation, providing:	P	P	P	P	P	P	P	P	P	
a. A site of five or more acres shall be required for such farming.										
b. Building used for animal husbandry shall not be closer than 100 feet to lot boundaries										
c. All grounds used for pasturing or other purposes involving unrestrained animals shall be properly fenced.										
2. Farming, commercial under five acres not involving animals or poultry, not including marijuana cultivation	PA	PA	NP	PA	NP	NP	NP	NP	NP	
3. Greenhouses, plant nurseries or florist when not accessory to a farm, not including marijuana cultivation	PA	PA	PA	PA	P	P	P	P	PB	
4. Outdoor marijuana cultivation	PA	NP	NP	NP	NP	NP	NP	NP	NP	Art. XI Art. XII

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	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
F. Permitted Accessory Uses										
1. Any structure or use customarily incidental and subordinate to the principal permitted use in the district	P	P	P	P	P	P	P	P	P	Art. IX Art. XVI
2. Private garage or off-street parking for private automobiles registered at the premises	P	P	P	P	P	P	P	P	P	§ 350-38 Art. X
3. The use of a room or rooms in a dwelling for customary home occupation, or practice of a profession conducted by a resident of the premises	P	P	P	P	P	P	P	P	P	§ 350-39
4. The renting of rooms or the furnishing of meals by a resident of the premises	P	P	P	P	P	P	P	P	P	350-39A
5. The keeping of domestic animals provided they are not raised for commercial purposes and that accessory buildings or enclosures for such animals shall be set back from any lot line at least twice the minimum yard set forth in Art. VI	P	P	P	P	P	P	P	P	P	Art. VI § 350-38 Art. XVI
6a. The display and sale at a roadside stand or otherwise of natural products, the major portion of which are raised on the premises	P	P	P	P	P	P	P	P	P	§ 350-38
6b. The display of articles at tag sales, scheduled so as not to constitute a business use, with no more than two such occurrences per year	S	S	S	S	NP	NP	NP	NP	NP	

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	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
7a. Off-street parking of not more than one vehicle used for commercial purposes, per lot, owned by a resident of the premises, not exceeding 1 1/2 tons capacity or 24 feet in length, except in enclosed structures	P	P	P	P	P	P	P	P	P	
7b. Off-street parking of more than one vehicle used for commercial purposes, per lot, owned by a resident of the premises, not exceeding 1 1/2 tons capacity or 24 feet in length, except in enclosed structures	PA	PA	PA	PA	PA	PA	P	P	P	
8. Storage or parking of trucks or trailer trucks exceeding 24 feet in length or 1 1/2 tons capacity	PA	PA	PA	PA	PA	PA	P	P	P	
9. Seasonal storage of equipment owned by residents of the premises, such as boats, travel trailers, pickup campers, motorized campers, tent trailers, provided that at no time will such parked or stored equipment be occupied or used for living, sleeping, or housekeeping purposes. If kept outdoors, it shall be parked or stored no closer to the street line than the actual building setback and shall not be parked within 10 feet of the side or rear lot lines.	P	P	P	P	P	P	P	P	P	

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	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
10. The removal of earth materials such as loam, sand, gravel, clay or stone when required in connection with the following operation:	P	P	P	P	P	P	P	P	P	
a. The erection of a building or any other construction for which a permit has properly been issued.										
b. Municipal or government construction or operation										
c. Construction of a private street and grading in accordance with approved subdivision plans										
d. Any accessory use incidental to a permitted use including cultivation of land, planting, landscaping or drainage of land										
11. Any accessory use to a by-right use, whether or not on the same parcel, which is necessary in connection with scientific research and development or related production provided the Board of Appeals finds that the proposed accessory use does not substantially derogate from the public good	PA	PA	PA	PA	PA	PA	PA	PA	P	
12. Swimming pools. Article IX applies	P	P	P	P	PA	PA	PA	PA	PA	
13. Drive-through facility for banks, financial institutions and car washes only. All other uses are specifically excluded	P	P	P	P	PA	PA	PA	PA	PB	

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Principal Permitted Uses	Residential				Business		Industrial			Special Requirements
	R-1	R-2	R-3	R-4	B-1	B-2	I-1	I-2	PIDD	
G. Specifically Excluded Uses										
1. Radioactive waste disposal. No land within any use district in the Town of Dalton may be used for the collection, treatment, storage, burial, incineration or disposal of radioactive waste, including but not limited to wastes classified as low-level radioactive waste	NP	NP	NP	NP	NP	NP	NP	NP	NP	