



Town of Norwell
Commonwealth of Massachusetts

WARRANT FOR ANNUAL TOWN MEETING

Monday, May 8, 2023

At 7:30 O'clock in the Evening

At the Norwell Middle School, Henry E. Goldman Gymnasium, Main Street

ARTICLE 42: To see if the Town will vote to amend Norwell Town Code, Division 3: Zoning Bylaw, Part 1, Administration and Procedure, Chapter 201, Zoning, Article 1, Purpose, Authority and Definitions and Part 2, District Regulations, Article 9 Intensity of Use Regulations, as follows:

1. Section 201-1.2. Definitions shall be amended by deleting the definition of "STRUCTURE. A," which reads as follows:

STRUCTURE –

- A. ~~Anything constructed or erected, the use of which requires a fixed location on the ground or attached to something located on the ground, including tennis courts, and an artificial or a constructed swimming pool having a depth of water of two feet, but excluding a fence, boundary wall, public utility pole, public utility supporting a device or a structure with less than 64 square feet ground coverage and a height of less than seven feet.~~

and by substituting the following new definition:

STRUCTURE –

- A. The term "Structure" shall mean any physical thing that is constructed or erected and that requires a fixed location on the ground and shall mean any physical thing that is attached to something that requires a fixed location on the ground.
- i. A Structure shall include every type of building or other physical arrangement that gives shelter, including, but not limited to, dwellings, commercial buildings, garages, sheds and farm structures such as barns, chicken coops (including movable coops) and other animal enclosures, silos and storage infrastructure.
 - ii. A Structure shall include the following types of infrastructure: a basketball court, a tennis court, a bocci court (or any other similar type of athletic infrastructure), an artificial (i.e., physically constructed) pool that has a depth of water of two feet or more and any other similar infrastructure.
 - iii. A Structure shall include the siting of HVAC infrastructure and the siting of a generator.

- iv. A Structure shall exclude the following types of infrastructure a boundary wall or retaining wall with less than four feet of height, a chimney, a driveway, a fence with less than seven feet of height, a flagpole, a patio, a public utility pole, a public utility supporting device and similar devices, and a walkway.
and by adding the following new definition:

Structure, Small Detached Accessory. A Small, Detached, Accessory Structure shall mean a Structure that is not attached to a primary Structure and that has 64 or fewer square feet of ground coverage and has a height of less than seven feet and that is used or to be solely as a storage shed or a playhouse or a similar use; however, such a Structure shall be subject to a setback requirement of only a minimum of five feet from any adjacent boundary line.

AND

2. Section 201-9.4. Required Yards. B. Side and rear yards shall be amended by deleting subsection (1) which reads as follows:

and by substituting therefore the following new subsection (1):

- (1) In Residential Districts A and B, any Structure, as defined under §201-1.2, shall maintain a minimum setback of 20 feet from any side or rear line. However, a Structure that has existed since July 7, 1995 may have an addition to it erected or placed that is located less than 20 feet but shall be a minimum of 10 feet, from a sideline. Furthermore, in the Residential District B, where abutting the Business District B-5 at the westerly boundary (measuring 950.80 feet), a Structure shall maintain a minimum setback of 25 feet. Furthermore, in the Residential Districts A and B, any Small Accessory Detached Structure, as defined under §201-1.2, shall be required to maintain a minimum setback of five feet from any adjacent boundary line.
3. and further, that the Town Clerk be authorized to make clerical, editorial, numerical or other adjustments to effectuate the purposes hereof,

or to take any other action relative thereto.

Requested by the Planning Board

The Advisory Board unanimously recommends this article.