

Connery Associates

Memorandum

To Chatham Planning Board
Fr: Connery Associates
Re: Request for Definitions

April 12, 2005

The following list of definitions was prepared in November of 2004. It was subsequently used in our discussions for the West Chatham Neighborhood Business District. It represents the definitions presented to date. For our on going discussions concerning the Downtown area and the "Crowell Road commercial area" we are assuming the definitions below and the definitions that exist in the current bylaw are in play. However, as we proceed through the various line item uses any recommendations for changes in current definitions are encouraged, and in some instances recommendations for new definitions or changes to existing definitions will be presented by us. When we complete a first pass of the new commercial districts we recommend another review of all definitions to be sure the new use allowances are consistent with your thoughts regarding how each term is defined.

DEFINITIONS

Word or Phrase

Definition

ACCESSORY USE:

An activity incidental to and located on the same premises as a principal use conducted by the same person or his agent. No use shall be considered "accessory" unless functionally dependent on and occupying less land area than the principal use to which it is related and occupying less than one quarter as much habitable floor area as that of the principal use.

AGRICULTURE:

Agriculture shall be as defined in G.L. c.128, Section 1A, including agriculture, aquaculture, floriculture or horticulture.

ASSISTED LIVING FACILITY:

One or more dwellings structurally configured to serve the elderly or persons with disabilities, having no units containing more than two bedrooms, and for which there is contract assurance of support services, such as meals, housekeeping, social services, health services or transportation.

BUS STOP/SHELTER:

A structure located at a legally permitted bus stop designed for the assembly of bus passengers.

BUS TERMINAL:

A structure that serves bus passengers upon departure and arrival, including waiting areas, drop-off/pick-up zones, and the storage and repair of buses as an accessory use.

CHILD CARE FACILITY:

A licensed public or private non-residential program that provides for the care of school-age children when not attending

Word or Phrase	Definition
	school or pre-school children by someone other than members of the child's own family, including full-day day care centers, part-day preschool programs and nursery schools, private kindergartens and before and after school programs.
COMMERCIAL RECREATION:	A business establishment engaged in providing recreation facilities to the general public for a fee. INDOOR COMMERCIAL RECREATION is limited to athletic clubs, tennis clubs, squash clubs, health and fitness clubs, swim clubs, and similar recreation and fitness activities.
COMMERCIAL STORAGE:	A building used for private storage of household, business or personal property for a fee.
CONGREGATE RESIDENCE	Any building or portion thereof for occupancy by other than a family or by more than one family, containing facilities for living, sleeping and sanitation, and shared or common facilities for eating and cooking. A congregate residence may be a shelter, a convent, monastery or dormitory, but does not include jails, hospitals, nursing homes, hotels or rooming houses.
CONTINUING CARE RETIREMENT COMMUNITY:	A managed development that provides housing, services and nursing care to persons over 55 years of age; and which includes independent living units, assisted living units, nursing home accommodations, and accessory medical, support services, food services, and recreational uses; and for which there is a legal agreement that assures life care to residents and support services appropriate to each type of housing.
FOOD SERVICE ESTABLISHMENT:	RESTAURANT: A food service establishment where food is prepared, served and consumed on the premises, including seating accommodations for all patrons to be served at any one time. It may include a bar or lounge area that is accessory to the primary restaurant use. "Restaurant" does not include an establishment that operates exclusively or principally as a caterer, a food processing establishment, a retail food store, or a take-out food service establishment, nor does it include drive-through service. TAKE-OUT FOOD SERVICE: A food service establishment where food is prepared and sold at retail but not consumed on the premises, such as a deli or sandwich shop, but does not include drive-through service.
HOSPITAL:	An acute-care medical facility providing in-patient and ambulatory care services, licensed by the Massachusetts Department of Health under G.L. c.111, Section 51.
INDEPENDENT ELDERLY HOUSING:	An attached or detached dwelling that is restricted for occupancy by persons over 55 years of age.
KENNEL:	Premises used for the harboring and/or care of more than three dogs or other domestic non-farm animals three months old or over. Use shall be so classified regardless of the purpose for

Word or Phrase	Definition
LUMBER AND CONSTRUCTION SUPPLY SALES:	which the animals are maintained or whether fees are charged. A business establishment engaged in the sale of lumber and related construction products inside a building, including the sale and storage of products outside the building as an accessory use.
MARINA (OR BOATYARD):	A facility, located on or partially on water, providing for the storage, servicing, fueling, berthing and securing of ten or boats and marine supplies.
MEDICAL CLINIC:	An institution or place providing medical, surgical, dental, restorative or mental hygiene services to persons not residing therein, licensed as a clinic by the Massachusetts Department of Public Health under G.L. c. 111, Section 51.
MOTOR VEHICLE SERVICE STATION:	A business establishment engaged primarily in retail sale of fuels and lubricants and/or washing of motor vehicles, including repair services or other sales or services except for the sale or new or used cars or auto body repair.
NURSING HOME:	Premises for the care of three or more persons, licensed by the Massachusetts Department of Public Health under G.L. c.111, Section 71.
PHILANTHROPIC USE:	An endowed or charitably supported non-profit religious or non-sectarian activity maintained for a public or semi-public use.
PRIVATE NON-PROFIT CLUB OR ORGANIZATION:	Premises or buildings of a non-profit organization exclusively serving members and their guests for recreational, athletic, or civic purposes, but not including any vending stands, merchandising, or commercial activities except as required generally for the membership and purposes of such club.
RESTAURANT:	See FOOD SERVICE ESTABLISHMENT: RESTAURANT.
ROADSIDE STAND:	Premises for the sale of agricultural products.
TAKE-OUT FOOD SERVICE:	See FOOD SERVICE ESTABLISHMENT: TAKE-OUT FOOD SERVICE.
VETERINARY CLINIC:	A licensed establishment providing primarily out-patient medical treatment for animals, including operating facilities, recovery and laboratory facilities incidental thereto.