

ARTICLE 2. ZONING DISTRICTS

Section 2.1 Establishment of Zoning Districts & Map

(A) The Town is hereby divided into the following zoning districts as described in the accompanying tables (Tables 2.1 - 2.7) and shown on the official zoning map and associated overlays:

- Village District
- Industrial District
- Mixed Use District
- Medium Density Residential District
- Rural Residential District
- Conservation District
- Flood Hazard Overlay District

(B) The location and boundaries of each zoning district are depicted on the official “Town of Middlesex Zoning Map” and the most current National Flood Insurance Program maps, which are incorporated by reference and are a part of these regulations.

(C) The official zoning map and overlays shall be located in the Middlesex Town Office, and shall be identified by the signatures of the Select Board (SB), as attested to by the Town Clerk.

Section 2.2 Application of District Standards

(A) All uses and structures, unless specifically exempted under Section 7.3 or otherwise specified in these regulations, must comply with all prescribed standards for the district in which they are located, as set forth in Tables 2.1 - 2.7.

(B) All uses and structures not specifically allowed under, or exempted from, these regulations are prohibited.

Section 2.3 Zoning District Standards

Tables 2.1 - 2.7 set forth the stated purposes and allowed uses and specific standards for each zoning district. Additional district standards pertaining to conditional uses are in Section 5.4, and for planned residential or planned unit developments in Section 5.7. Standards applicable to specific uses are also set forth in Article 4.

**TABLE 2.1
VILLAGE DISTRICT**

(A) Purpose. The purpose of the Village District is to allow for a concentrated mix of residential, cultural and commercial uses within the Town's traditional community centers in a manner that respects the historic settlement pattern of a compact village surrounded by rural countryside.

(B) Permitted Uses:

1. Accessory Dwelling
2. Accessory Structure (to a permitted use)
3. Agriculture
4. Bed & Breakfast
5. Cemetery
6. Dwelling/Single Family
7. Dwelling/Two Family
8. Funeral Home
9. Group Home (6 or fewer residents)
10. Home Child Care
11. Home Occupation
12. Personal Service
13. Place of Worship
14. Private Club
15. Professional/Business Office

(C) Conditional Uses: (See Article 5, Section 5.4)

1. Accessory Structure/Use (to a conditional use)
2. Bank/Financial Institution
3. Community Center
4. Cultural Facility
5. Day Care Center
6. Dwelling- Multi-Family
7. Health Clinic
8. Home Industry
9. Hotel/Motel
10. Lumberyard
11. Mixed Use
12. Public Facility/Utility
13. Rail Siding
14. Recreation Facility (Indoor)
15. Recreation Facility (Outdoor)
16. Residential Care Facility
17. Restaurant [excluding drive-through]
18. Retail between
19. School
20. Transit/Transportation Facility
21. Telecommunications Facility
22. Veterinary Clinic

(D) Dimensional Standards (unless otherwise specified for a particular use):	
Minimum Lot Size	10,000 square feet
Minimum Frontage	70 feet
Minimum Setback/Front	35 feet
Minimum Setback/Side	10 feet
Minimum Setback/Rear	10 feet
Minimum Setback/Side and Rear for Accessory Structure	5 feet
Maximum Height	35 feet
Minimum Setback from Water	75 feet

**TABLE 2.2
MIXED-USE DISTRICT**

(A) Purpose. The purpose of the Mixed-Use District is to provide an opportunity for residential development and compatible non-residential uses in a compact manner in an area with convenient access to major transportation corridors and proximity to Middlesex Village.

(B) Permitted Uses:

1. Accessory Dwelling
2. Accessory Structure (to a permitted use)
3. Agriculture
4. Bed & Breakfast
5. Campground
6. Day Care Center
7. Dwelling/Single Family
8. Dwelling/Two Family
9. Dwelling/Multi-Family
10. Forestry
11. Group Home
12. Home Child Care
13. Home Occupation

(C) Conditional Uses: (See Article 5, Section 5.4)

1. Extraction of Earth Resources
2. Home Industry
3. Light Industry
4. Mixed Use
5. Mobile Home Parks
6. Professional/Business Office
7. Public Facility/Utility
8. Recreation Facility [Indoor]
9. Recreation Facility [Outdoor]
10. Telecommunications Facility
11. Restaurant (Limited to 75 seats, no drive-through facilities)
12. Research & Development Facility

(D) Dimensional Standards (unless otherwise specified for a particular use):	
Minimum Lot Area per Principal Structure and/or Dwelling Unit	One (1) structure per two (2) acres
Minimum Lot Size	as approved in accordance with Section 5.4
Minimum Frontage	100 feet, or as approved per Section 5.4
Minimum Setback/Front	75 feet from the center of the road; 50 feet from any interior road.
Minimum Setback/Side	25 feet, or as approved per Section 5.4
Minimum Setback/Rear	25 feet, or as approved per Section 5.4
Minimum Setback/Side and Rear for Accessory Structure	20 feet
Maximum Height	35 feet
Maximum Building Gross Floor Area	25,000 square feet
Minimum Setback from Water	75 feet

(E) Supplemental District Standards

1. All subdivisions shall be reviewed and approved as a Planned Residential or Planned Development (PRD or PUD) in accordance with section 5.7

**TABLE 2.3
INDUSTRIAL DISTRICT**

(A) Purpose. The purpose of the Industrial District is to encourage a variety of industrial, manufacturing and appropriate commercial and residential uses in locations that have historically been used for such uses, are served by good highway access, and that will have minimal negative impact on surrounding properties and the rural character of the community.

(B) Permitted Uses:

1. Accessory Structure (to a permitted use)
2. Agriculture
3. Forestry
4. Group Home
5. Home Child Care
6. Home Occupation
7. Recreation (Outdoor)
8. Research & Development Facility
9. Professional/Business Office
10. Veterinary Clinic

* within an existing single family dwelling

(C) Conditional Uses: (See Article 5, Section 5.4)

1. Accessory Dwelling
2. Accessory Structure/Use (to a conditional use)
3. Bulk Fuel Storage
4. Contractor's Yard
5. Day Care Center
6. Dwelling/Multi-Family
7. Dwelling/Single Family
8. Dwelling/Two Family
9. Hazardous Waste Facility
10. Home Industry
11. Kennel
12. Light Industry
13. Lumberyard
14. Manufacturing
15. Motor Vehicle Repair Services
16. Public Facility/Utility
17. Rail Siding
18. Recreation Facility (Indoor/Outdoor)
19. Salvage Yard
20. Sanitary Landfill
21. Sawmill
22. Telecommunications Facility
23. Transfer Station
24. Trucking Terminal
25. Warehouse/Storage Facility

(D) Dimensional Standards (unless otherwise specified for a particular use):	
Minimum Lot Size	1 acre
Minimum Frontage	100 feet
Minimum Setback/Front	50 feet
Minimum Setback/Side	25 feet
Minimum Setback/Rear	25 feet
Minimum Setback/District Boundary [non-residential use]	75 feet
Maximum Height	35 feet
Minimum Setback from Water	75 feet
Minimum Setback for Accessory Structure	20 feet

**TABLE 2.4
MEDIUM DENSITY RESIDENTIAL DISTRICT**

(A) Purpose. The purpose of the Medium Density Residential District is to accommodate medium density residential development and compatible uses in areas of town that are well served by public roads and good access to community facilities and services, and are generally more appropriate for such uses and settlement patterns than in surrounding rural and conservation districts.

(B) Permitted Uses:

1. Accessory Dwelling
2. Accessory Structure (to a permitted use)
3. Agriculture
4. Bed & Breakfast
5. Cemetery
6. Dwelling/Single Family
7. Dwelling/Two Family
8. Forestry
9. Group Home
10. Home Child Care
11. Home Occupation

(C) Conditional Uses: (See Article 5, Section 5.4)

1. Accessory Structure (to a conditional use)
2. Community Center
3. Cultural Facility
4. Day Care Center
5. Dwelling/Multi-Family (only in PRD under Section 5.7)
6. Extraction of Earth Resources
7. Greenhouse/Nursery
8. Home Industry
9. Mobile Home Park
10. Residential Care Facility
11. Place of Worship
12. Public Facility/Utility
13. Recreation Facility (Outdoor)
14. School
15. Telecommunications Facility

(D) Dimensional Standards (unless otherwise specified for a particular use):	
Minimum Lot Size	2 acres
Minimum Area per Unit	2 acres
Minimum Frontage	200 feet
Minimum Setback/Front	75 feet
Minimum Setback/Side	50 feet
Minimum Setback/Rear	50 feet
Minimum Setback/Rear (Accessory Structure)	10 feet
Maximum Height	35 feet
Minimum Setback from Water	75 feet

**TABLE 2.5
RURAL RESIDENTIAL DISTRICT**

(A) Purpose. The purpose of the Rural Residential District is to promote agriculture and forestry and preserve rural resources and natural features and to permit low density residential development in appropriate locations.

(B) Permitted Uses:

1. Accessory Dwelling
2. Accessory Structure (to a permitted use)
3. Agriculture
4. Cemetery
5. Dwelling/Single Family
6. Dwelling/Two Family
7. Forestry
8. Group Home
9. Home Child Care
10. Home Occupation

(C) Conditional Uses:(See Article 5, Section 5.4)

1. Accessory Structure (to a conditional use)
2. Bed & Breakfast
3. Extraction of Earth Resources
4. Home Industry
5. Kennel
6. Mobile Home Park
7. Public Facility/Utility
8. Recreation Facilities (Outdoor)
9. Telecommunications Facility

(D) Dimensional Standards (unless otherwise specified for a particular use):	
Maximum Overall Density	One (1) dwelling per five (5) acres (See Article 6.2(C))
Minimum Lot Size	2 acres (See Article 6.2(C))
Minimum Frontage (lot less than 5 acres)	200 feet
Minimum frontage (lot 5 acres or greater)	300 feet
Minimum Setback/Front	75 feet
Minimum Setback/Side	50 feet
Minimum Setback/Rear	50 feet
Minimum Setback/Rear (Accessory Structure)	50 feet
Maximum Height	35 feet
Minimum Setback from Water	75 feet

**TABLE 2.6
CONSERVATION DISTRICT**

(A) Purpose. The purpose of the Conservation District is to protect significant natural and agricultural resources and headwater streams by limiting development in areas with steep slopes, shallow soils, large tracts of wildlife habitat, valuable timber and scenic hills and ridgelines. They are also generally distant from public services and facilities and as a result, are difficult and costly to access.

(B) Permitted Uses:

1. Accessory Dwelling
2. Accessory Structure/Use (to a permitted use)
3. Agriculture
4. Dwelling/Single Family
5. Forestry
6. Group Home
7. Home Child Care)
8. Home Occupation

(C) Conditional Uses: (See Article 5,Section 5.4)

1. Accessory Structure/Use (to a conditional use)
2. Bed & Breakfast
3. Extraction of Earth Resources
4. Home Industry
5. Mixed Use
6. Public Facility/Utility
7. Recreation [Outdoor]
8. Telecommunications Facility

(D) Dimensional Standards (unless otherwise specified for a particular use):	
Maximum Overall Density	One (1) dwelling unit per 10 acres (See Article 6.2 (C))
Minimum Lot Size	4 acres (See Article 6.2 (C))
Minimum Frontage	400 feet
Minimum Setback/Front	75 feet
Minimum Setback/Side	50 feet
Minimum Setback/Rear	50 feet
Minimum Setback/Rear (Accessory Structures)	20 feet
Maximum Height	35 feet
Minimum Setback from Water	75 feet

**TABLE 2.7
FLOOD HAZARD AREA OVERLAY DISTRICT**

(A) Purpose. The purpose of the Flood Hazard Area Overlay District is to (1) protect public health, safety, and welfare by preventing or minimizing hazards to life and property due to flooding, and (2) to ensure that private property owners within designated flood hazard areas are eligible for flood insurance under the National Flood Insurance Program (NFIP).

(B) Permitted Uses:

1. Agriculture
2. Home Child Care*
3. Forestry
4. Home Occupation*
5. Group Home*

* within an existing single family dwelling.

(C) Conditional Uses: (See Article 5, Section 5.4)

All other uses allowed within the underlying zoning district, except for contractor s yards, salvage yards, and solid and hazardous waste management facilities, which are specifically excluded from this district.

(D) District Standards

1. Where the standards of this overlay district differ from underlying district standards, the more restrictive shall apply.
2. Uses permitted within the Flood Hazard Area Overlay District include agriculture and forestry, undeveloped open space, and those uses generally allowed within existing single family dwellings which do not require structural alterations (i.e., home child care and home occupations).
3. Mandatory state [§ 4412] and federal [44 CFR §§ 60.3 and 60.6] requirements for continued eligibility in the National Flood Insurance Program, including but not limited to associated structural standards, definitions, administrative and variance requirements, are hereby adopted by reference and shall be applied to all development in this district; accordingly:
 - a. Applications for development within the Flood Hazard Area Overlay District must include information required under Section 5.6.
 - b. Development in the Flood Hazard Area Overlay District shall be subject to flood hazard area review standards under Section 5.6, in addition to applicable requirements of the underlying zoning district.
 - c. Requests for variances for development within the Flood Hazard Area Overlay District must meet the requirements of Section 5.6 in addition to variance requirements under Section 7.6.
 - d. Permits, certifications and variance actions for development within the Flood Hazard Area Overlay District shall be recorded by the Zoning Administrator (ZA) in accordance with Section 7.8.