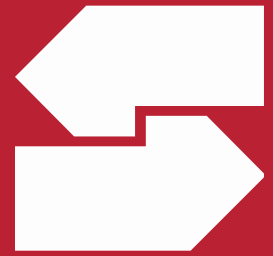


FOR SALE

12,900 SF Industrial & Retail Buildings
92 East Main Street (Rte.123), Norton, MA



Bldg. & Lot Size:	12,918 SF +/- in Three Buildings on 6.40 Acres (3 Acres +/- of Uplands – Subject to Verification by Buyer). Buildings Consist of 3,773 SF Retail & Shop, 2,600 SF Four Bay Industrial and 6,545 SF Retail and Automotive Repair.
Utilities:	Electric (two separate services), Municipal Water, On Site Septic (One or Both Septic Systems will need to be Upgraded), Oil Heat.
Zoning:	VC – Village Commercial.
Outdoor Storage:	Property was cleared prior to 1996. Additional permitting maybe required. See Norton ConCom.
Real Estate Taxes:	\$12,938.00
Location:	Just Over a Mile to Exit 27 on Route 495.
For Sale:	\$1,890,000.



**SOUTHEAST
COMMERCIAL
REAL ESTATE, INC**

MICHAEL BABINI
Southeast Commercial Real Estate, Inc.
3131 Cranberry Highway, P.O. Box 570
East Wareham, MA 02538

| 508.846.1800
| mbabini@comcast.net
| southeastcommercialre.com





Front View Building 3 Midway Auto Parts



Side View Building 3 Midway Auto Parts



Rear View Building 3 Midway Auto Parts



Front View Building 1 Former Garden Equipment



Side View Building 1 Former Garden Equipment



Front View Building 2



Street View Subject on Right



Signage (Owned by Midway)



Interior Building 3 Midway Auto Parts



Interior Building 3 Midway Auto Parts



Interior Building 3 Midway Auto Repair



Building 3 Restroom



Building 1 Interior



Building 1 Interior Second Floor



Building 1 Interior Rear Area



Building 2 Heating



Building 2 Interior



Building 2 Interior



Rear Developed Parcel



Rear Developed Parcel



Rear Developed Parcel



Street View Undeveloped Parcel on Left



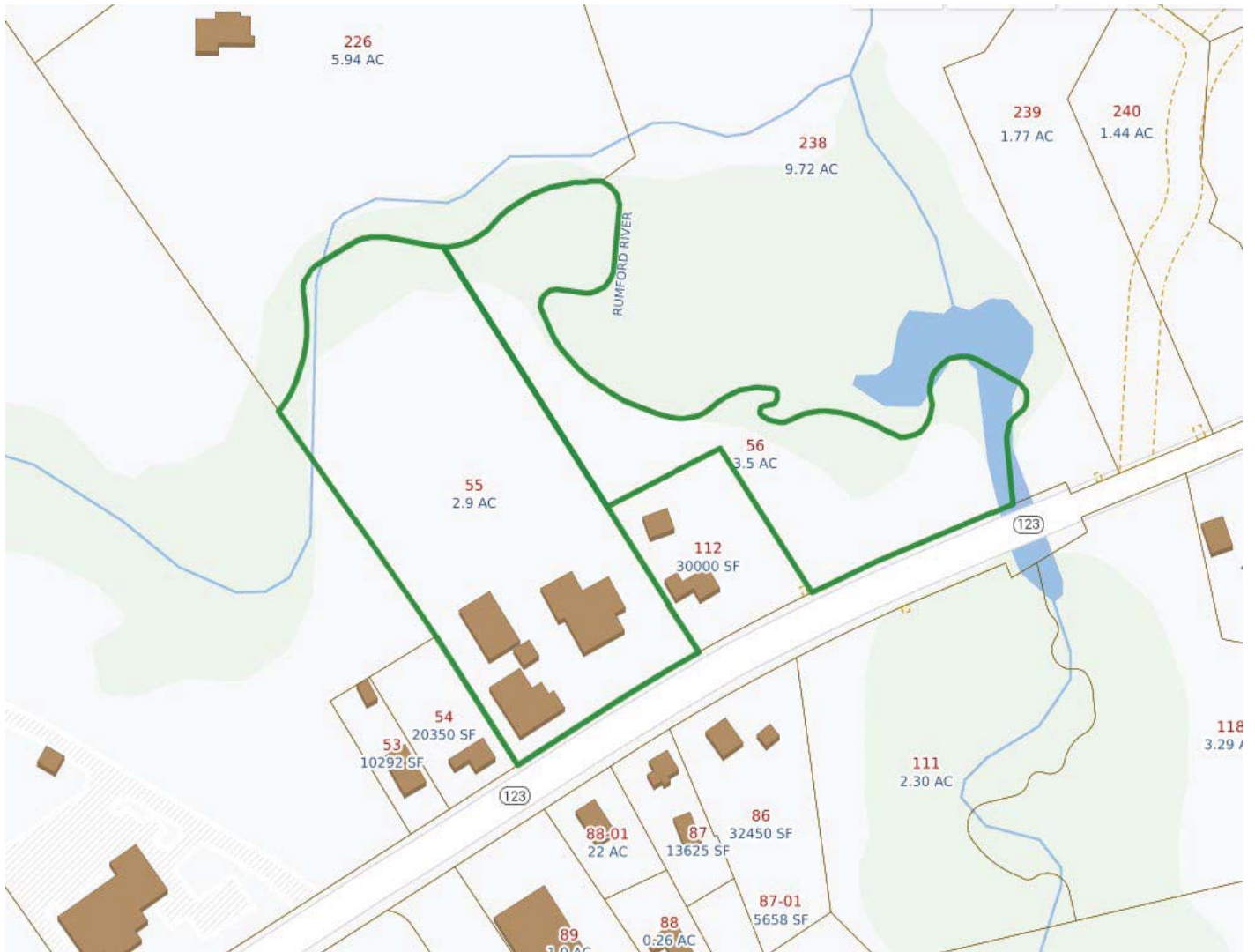
Undeveloped Parcel

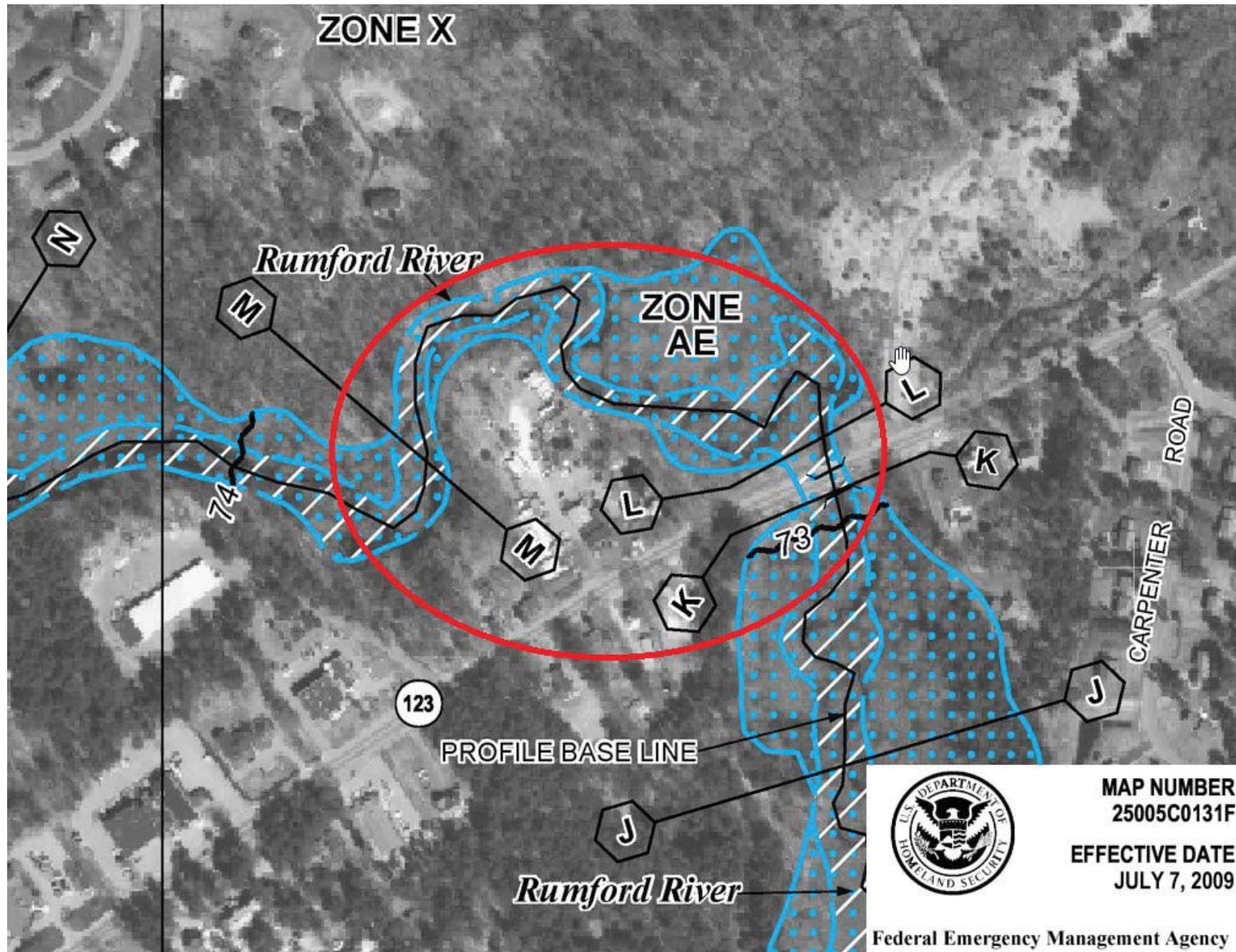


Undeveloped Parcel-Rumford River

The property which is located in the Town of Norton, Massachusetts within Bristol County. It is comprised of two contiguous assessor parcels identified by the Town of Norton as Map 17 Lots 55 and 56 and has a street address of 92 East Main Street. It is more specifically described in the legal descriptions found in two deeds both dated March 2, 1994 and recorded at the Northern Bristol County Registry of Deeds in Book 5954, Pages 209 and 210. According to the referenced deeds the owner of record is the 92 East Main Street Realty Trust. According to a concept plan prepared by Beals Associates dated January 2023, it has 6.40± acres (278,784± square feet) of land area. The subject has two non-contiguous courses of frontage, 234.33± feet and 260± feet, along East Main Street.

The site is improved with three detached buildings built in stages between 1940 and 1980. Building 1 is located at the southwest corner of the parcel with visibility from East Main Street. It is wood framed retail and garage building with a partial basement and two overhead doors with office space located on the partial second level previously used as a garden equipment showroom and repair shop. According to the assessor property record card, it has 3,773 square feet of gross building and net rentable area (GBA and NRA) and was built in 1970. Building 2 is located directly behind Building 1 and has no visibility from the street frontage. It is a slab on grade insulated industrial steel framed building with four drive-in overhead doors previously used as an auto body shop and warehouse. Currently it is utilized as auxiliary storage for the auto parts store (Building 3). According to the assessor property record card it has 2,600 square feet of GBA and NRA and was built in 1980. Building 3 is located opposite of Building 1 with visibility from East Main Street. It is a one- and two-story brick and masonry slab on grade building with six drive-in overhead doors currently used as a retail auto parts store and an auto repair shop. According to the assessor property record card, it has 6,545 square feet of GBA and NRA and built in 1940. As of the date of the appraisal, Building 1 is currently vacant and Buildings 2 and 3 are occupied by the local tenants Midway Garage and Midway Auto Supply on a month-to-month or tenant-at-will basis. The combined GBA and NRA, which includes second floor finished space, is 12,918± square feet. Other site improvements include paved asphalt parking areas, sheds, lawn areas, shrubs, trees, and chain-link fencing. The site is improved with three detached buildings built in stages between 1940 and 1980. Building 1 is located at the southwest corner of the parcel with visibility from East Main Street. It is wood framed retail and garage building with a partial basement and two overhead doors with office space located on the partial second level previously used as a garden equipment showroom and repair shop. According to the assessor property record card, it has 3,773 square feet of gross building and net rentable area (GBA and NRA) and was built in 1970. Building 2 is located directly behind Building 1 and has no visibility from the street frontage. It is a slab on grade insulated industrial steel framed building with four drive-in overhead doors previously used as an auto body shop and warehouse. Currently it is utilized as auxiliary storage for the auto parts store (Building 3). According to the assessor property record card it has 2,600 square feet of GBA and NRA and was built in 1980. Building 3 is located opposite of Building 1 with visibility from East Main Street. It is a one- and two-story brick and masonry slab on grade building with six drive-in overhead doors currently used as a retail auto parts store and an auto repair shop. According to the assessor property record card, it has 6,545 square feet of GBA and NRA and built in 1940. As of the date of the appraisal, Building 1 is currently vacant and Buildings 2 and 3 are occupied by the local tenants Midway Garage and Midway Auto Supply on a month-to-month or tenant-at-will basis. The combined GBA and NRA, which includes second floor finished space, is 12,918± square feet. Other site improvements include paved asphalt parking areas, sheds, lawn areas, shrubs, trees, and chain-link fencing.





BEALS EXISTING CONDITIONS PLAN WITH WETLANDS AND BUFFERS



92 East Main Street
Norton, Massachusetts

BEALS ASSOCIATES
2 FARM PLAZA SUITE 200 NORTON, MA 01913
PHONE 508-444-1131
PLANNING • ENGINEERING • CREATIVE ANALYSIS

0 20 40 80 SCALE: 1"=40'



Existing Conditions
November, 2022

Key: 4462

Town of NORTON - Fiscal Year 2023

12/10/2022 10:32 am SEQ #: 4,160

CURRENT OWNER		PARCEL ID		LOCATION	
BEANE GERTRUDE ANN TRUSTEE 92 E MAIN ST REALTY TRUST 36 SKYLINE DR LYMAN, NH 03585		17-55-0		92 EAST MAIN ST	
TRANSFER HISTORY		DOS	T	SALE PRICE	BK-PG (Cert)
BEANE GERTRUDE ANN TRUSTE BEAN BRUCE E		03/29/1994	F QS	1 5954-209 1513-810	

CD	T	AC/SF/UN	Ngh	Infl1	Infl2	ADJ BASE	SAF	Infl3	Lpi	VC	CREDIT AMT	ADJ VALUE
103	S	46,620	C5	1.00	100	197,200	1.00	100	1.00	C5	1.00	211,050
203	A	1,000	C5	1.00	100	69,600	1.00	100	1.00	C5	1.00	69,600
303	A	0,830	C5	1.00	100	9,800	1.00	100	1.00	C5	1.00	8,130

TOTAL	2,900 Acres	ZONING	FRNT	0	ASSESSED	CURRENT	PREVIOUS
Ngh	C5	NOTE			LAND	288,800	275,000
Infl1	FACTOR 100		BUILDING	269,700	254,500		
Infl2	PHY 100		DETACHED	38,000	34,400		
			OTHER	178,900	168,800		
				TOTAL	775,400	732,700	

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD
PAV	A	1.00	50 0.50		12,000	2.00	12,000
C06	A	1.00	50 0.50		280	16.00	2,200
SP2	A	1.00	40 0.60 4X6 & 4X7		52	177.00	5,500
DGF	A	1.00	40 0.60 18X21		378	54.50	12,400
MBH	L	0.80	50 0.50 SHOP 8X48		384	30.72	5,900

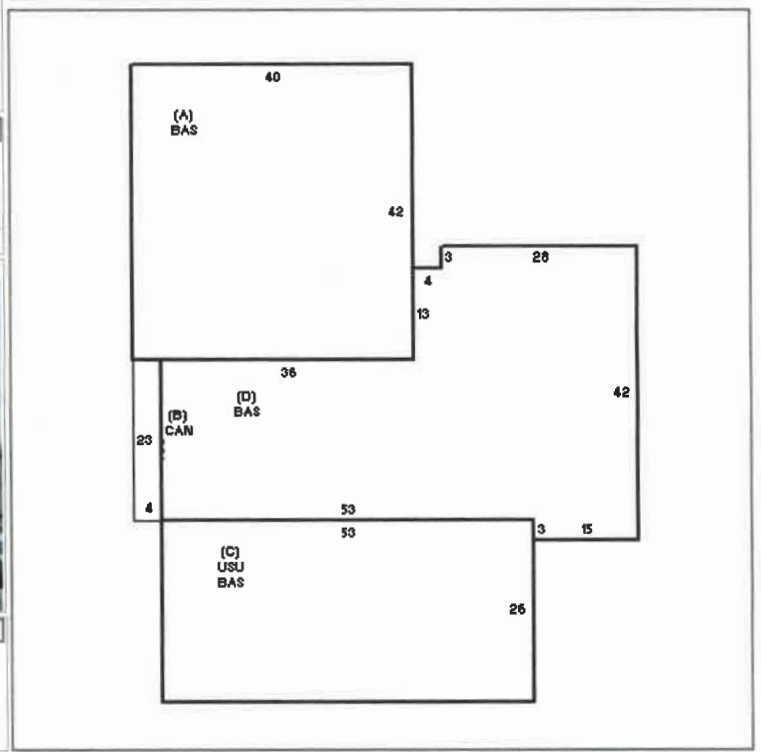


BUILDING	CD	ADJ	DESC	MEASURE	2/26/2008	DF
MODEL	5		CIM-5			
STYLE	52	0.57	SERVICE GARAGE [58%]	LIST	2/26/2008	DF
QUALITY	A	1.00	AVERAGE [100%]			
FRAME	1	1.00	WOOD FRAME [74%]	REVIEW		

ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN
FOUNDATION	2	SLAB	1.00	A	BAS	L	BASE AREA	1,680	1979	62.98	105,804
EXT. COVER	4	VINYL	1.00	B	CAN	N	CANOPY	92		15.50	1,426
ROOF SHAPE	4	FLAT/SHED	0.98	C	BAS	L	BASE AREA	1,378	1940	62.98	86,785
ROOF COVER	11	MEMBRANE	1.02	C	USU	L	UP-STRY UNF	1,378	1996	30.90	42,586
FLOOR COVER	9	CONCRETE	0.95	D	BAS	L	BASE AREA	2,109	1940	62.98	132,822
INT. FINISH	6	MINIMUM	0.95								
HEATING/COOL	15	SUSPENDED	0.95								
FUEL SOURCE	1	OIL	1.00								

CLASS	CLASS%	DESCRIPTION	BN ID	BN	CARD			
3320	100	AUTO REPAIR		1	1 of 3			
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%
22-0019	04/13/2022	3	ALT-ROOF/WIN	9,500				0
16-540	11/01/2016	27	ALTERATIONS-	13,000	08/22/2017		100	100
06-467	11/27/2006	3	ALT-ROOF/WIN	10,000	12/01/2006	JK	100	100
06-327	08/14/2006	3	ALT-ROOF/WIN	20,000	12/31/2006	JK	100	100
02-380	09/16/2002	3	ALT-ROOF/WIN	10,000	07/07/2003	LML	100	100

YEAR BLT	1940	SIZE ADJ	1.000
NET AREA	6,545	DETAIL ADJ	0.480
\$NLA(RCN)	\$56	OVERALL	1.000
CAPACITY	UNITS	ADJ	
STORIES	1	1.00	
% HEATED	100	1.00	
% AIR COND	26	1.01	
% SPRINKLER	0	1.00	




YEAR BLT	1940	SIZE ADJ	1.000	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	369,423
NET AREA	6,545	DETAIL ADJ	0.480	FOUNDATION	2	SLAB	1.00	A	BAS	L	BASE AREA	1,680	1979	62.98	105,804	CONDITION ELEM	CD
\$NLA(RCN)	\$56	OVERALL	1.000	EXT. COVER	4	VINYL	1.00	B	CAN	N	CANOPY	92		15.50	1,426	EXTERIOR	G
				ROOF SHAPE	4	FLAT/SHED	0.98	C	BAS	L	BASE AREA	1,378	1940	62.98	86,785	INTERIOR	A
				ROOF COVER	11	MEMBRANE	1.02	C	USU	L	UP-STRY UNF	1,378	1996	30.90	42,586	CDN/APP	A
				FLOOR COVER	9	CONCRETE	0.95	D	BAS	L	BASE AREA	2,109	1940	62.98	132,822		
				INT. FINISH	6	MINIMUM	0.95										
				HEATING/COOL	15	SUSPENDED	0.95										
				FUEL SOURCE	1	OIL	1.00										

EFF.YR/AGE	1988 / 33
COND	27 27 %
FUNC	0
ECON	0
DEPR	27 % GD 73
RCNLD	\$269,700

Key: 4462

Town of NORTON - Fiscal Year 2023

12/10/2022 10:32 am SEQ #: 4,162

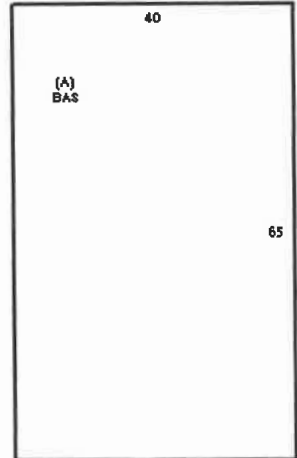
CURRENT OWNER		PARCEL ID	LOCATION				CLASS	CLASS%	DESCRIPTION			BN ID	BN	CARD					
BEANE GERTRUDE ANN TRUSTEE 92 E MAIN ST REALTY TRUST 36 SKYLINE DR LYMAN, NH 03585		17-55-0	92 EAST MAIN ST				3320	100	AUTO REPAIR			3	3 of 3						
TRANSFER HISTORY		DOS	T	SALE PRICE	BK-PG (Cert)	PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%					
CD	T	AC/SF/UN	Ngh	Infl1	Infl2	ADJ BASE	SAF	Infl3	Lpi	VC	CREDIT AMT	ADJ VALUE							
TOTAL		ZONING		FRNT		ASSESSED		CURRENT	PREVIOUS										
Ngh		NOTE				LAND		65,400											
Infl1						BUILDING													
Infl2						DETACHED													
						OTHER													
						TOTAL													
TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO 02/26/2008											
																			
BLDG COMMENTS																			
BUILDING	CD	ADJ	DESC			MEASURE													
MODEL	5		CIM-5			LIST													
STYLE	53	0.36	STORAGE [100%]			REVIEW													
QUALITY	L	0.70	LOW COST [100%]																
FRAME	4	0.98	METAL [100%]																
YEAR BLT	1980	SIZE ADJ	1.000	ELEMENT		CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	89,615	
NET AREA	2,600	DETAIL ADJ	0.298	FOUNDATION		2	SLAB	1.00	A	BAS	L	BASE AREA	2,600	1980	34.47	89,615	CONDITION ELEM CD		
\$NLA(RCN)	\$34	OVERALL	1.000	EXT. COVER		19	PREFAB METAL	1.00											A
CAPACITY		UNITS	ADJ	ROOF SHAPE		1	GABLE	1.00											A
STORIES	1	1.00	ROOF COVER		10	METAL	1.00											A	
% HEATED	100	1.00	FLOOR COVER		9	CONCRETE	0.95												
% AIR COND	0	1.00	INT. FINISH		6	MINIMUM	0.95												
% SPRINKLER	0	1.00	HEATING/COOL		15	SUSPENDED	0.95												
				FUEL SOURCE		1	OIL	1.00											
EFF.YR/AGE		1988 / 33																	
COND	27	27 %																	
FUNC	0																		
ECON	0																		
DEPR	27	% GD																73	
RCNLD	\$65,400																		

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Key: 4462

Town of NORTON - Fiscal Year 2023

12/10/2022 10:32 am SEQ #: 4,161

LEGALS

CURRENT OWNER		PARCEL ID	LOCATION	
BEANE GERTRUDE ANN TRUSTEE 92 E MAIN ST REALTY TRUST 36 SKYLINE DR LYMAN, NH 03585		17-55-0	92 EAST MAIN ST	
TRANSFER HISTORY		DOS	T	SALE PRICE BK-PG (Cert)

CLASS	CLASS%	DESCRIPTION	BN ID	BN	CARD			
3320	100	AUTO REPAIR		2	2 of 3			
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%

LAND

CD	T	AC/SF/UN	Ngh	Infl1	Infl2	ADJ BASE	SAF	Infl3	Lpi	VC	CREDIT AMT	ADJ VALUE
----	---	----------	-----	-------	-------	----------	-----	-------	-----	----	------------	-----------

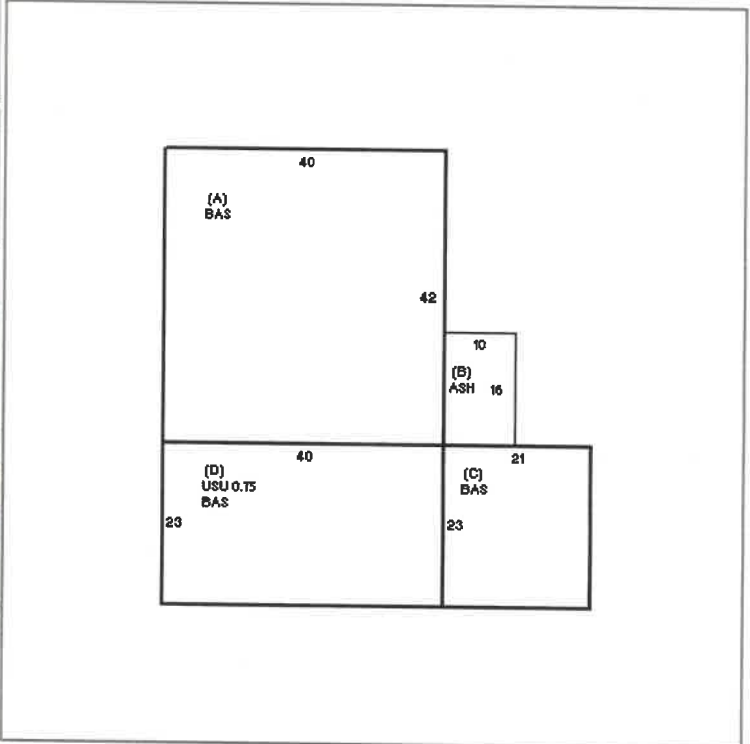
TOTAL	ZONING	FRNT	ASSESSED	CURRENT	PREVIOUS
Ngh	NOTE		LAND	113,500	
Infl1		BUILDING			
Infl2		DETACHED			
			OTHER		
			TOTAL		

DETACHED

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO
								02/26/2008



BUILDING	CD	ADJ	DESC	MEASURE	LIST	REVIEW	8/25/2017	RJM	BLDG COMMENTS
MODEL	5		CIM-5						MIDWAY POWER EQP
STYLE	53	0.36	STORAGE [100%]						
QUALITY	A	1.00	AVERAGE [100%]						
FRAME	4	0.98	METAL [100%]						



BUILDING

YEAR BLT	1970	SIZE ADJ	1.000	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN
NET AREA	3,773	DETAIL ADJ	0.301	FOUNDATION	2	SLAB	1.00	+	BAS	L	BASE AREA	3,083	1970	44.39	136,858
\$NLA(RCN)	\$41	OVERALL	1.000	EXT. COVER	4	VINYL	1.00	B	ASH	N	ATT SHED	160		22.20	3,552
				ROOF SHAPE	1	GABLE	1.00	D	USU	L	UP-STRY UNF	690	1970	21.78	15,030
				ROOF COVER	1	ASPH/CMP SHIN	1.00								
				FLOOR COVER	9	CONCRETE	0.95								
				INT. FINISH	6	MINIMUM	0.95								
				HEATING/COOL	15	SUSPENDED	0.95								
				FUEL SOURCE	1	OIL	1.00								

TOTAL RCN	155,440
CONDITION ELEM	CD
EXTERIOR	G
INTERIOR	A
CDN/APP	A
EFF.YR/AGE	1988 / 33
COND	27 27 %
FUNC	0
ECON	0
DEPR	27 % GD 73
RCNLD	\$113,500

Key: 3892

Town of NORTON - Fiscal Year 2023

12/10/2022 10:32 am SEQ #: 3,638

LEGAL

CURRENT OWNER				PARCEL ID				LOCATION			
BEANE GERTRUDE ANN TRUSTEE				17-56-0				0 EAST MAIN ST			
92 E MAIN ST REALTY TRUST				TRANSFER HISTORY				DOS T SALE PRICE BK-PG (Cert)			
36 SKYLINE DR				BEANE GERTRUDE ANN TRUSTE				03/29/1994 F 5954-210			
LYMAN, NH 03585				BEANE BRUCE				QS 2890-145			

CLASS	CLASS%	DESCRIPTION			BN ID	BN	CARD
1300	100	DEV LAND					1 of 1
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st %

LAND

CD	T	AC/SF/UN	Ngh	Infl1	Infl2	ADJ BASE	SAF	Infl3	Ldi	VC	CREDIT AMT	ADJ VALUE
100	S	80,000 R60	1.00	100	1.00	100	1.00	135,440	0.57	100	1.00	RM1 0.80
300	A	1.663 R60	1.00	100	1.00	100	1.00	4,200	1.00	100	1.00	ELP 1.00

DETACHED

TOTAL	3.500 Acres	ZONING	FRNT	0	ASSESSED	CURRENT	PREVIOUS
Ngh	NGH 2	NOTE			LAND	148,300	134,800
Infl1	FACTOR 100		BUILDING	0	0		
Infl2	PHY 100		DETACHED	0	0		
			OTHER	0	0		
			TOTAL		148,300	134,800	

BUILDING

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO

BUILDING	CD	ADJ	DESC	MEASURE	BLDG COMMENTS
MODEL				LIST	
STYLE				REVIEW	
QUALITY					
FRAME					

YEAR BLT	NET AREA	\$NLA(RCN)	SIZE ADJ	DETAIL ADJ	OVERALL	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN

TOTAL RCN	
CONDITION ELEM	CD
EFF. YR/AGE	
COND	
FUNC	
ECON	
DEPR	% GD
RCNLD	

NORTON, MASSACHUSETTS, ZONING BY-LAW

As adopted under Article 6 of the Warrant for the
April 16, 1974 Special Town Meeting
And approved by the
Attorney General of the Commonwealth
On August 15, 1974, amended under
Article 10 of the Warrant for the June 20, 1978
Special Town Meeting
(as amended)

August 6, 1979
May 7, 1980
June 6, 1981
June 5, 1982
December 5, 1983
May 19, 1984
November 26, 1984
May 13, 1985
May 19, 1986
May 2, 1988
February 13, 1989
October 3, 1990
May 13, 1991
June 8, 1992
October 4, 1993
May 9, 1994

June 5, 1995
June 3, 1996
September 30, 1996
October 20, 1997
June 8, 1998
September 27, 1999
June 7, 1999
May 8, 2000
October 1, 2001
October 8, 2003
October 20, 2004
May 9, 2005
October 5, 2005
May 8, 2006
October 11, 2006
June 8, 2009

June 7, 2010
May 13, 2013

October 7, 2013

Prepared by the Norton Citizens Zoning By-law Committee assisted by the Southeastern Regional Planning and Economic Development District (1974) and the Norton Planning Board.

Adopted as amendment replacing “By-Laws Governing the Use of Lands and Buildings”, adopted by Special Town Meeting, November 22, 1954.

NORTON ZONING BY-LAW

ARTICLE III - ZONING MAP AND DISTRICTS

- 3.1** As shown on the map entitled, "Zoning Map of the Town of Norton, Massachusetts", dated June 7, 1999, adopted hereby and specifically by reference incorporated in and made a part of the by-law, the Town of Norton is hereby divided into the following districts:
- a. Residential Eighty - which may be abbreviated as R-80.
 - b. Residential Sixty - which may be abbreviated as R-60.
 - c. Residential Forty - which may be abbreviated as R-40.
 - d. Village Commercial - which may be abbreviated as VC.
 - e. Commercial - which may be abbreviated as C.
 - f. Industrial - which may be abbreviated as I.
 - g. Wetland Protection - which may be abbreviated as WP.
- 3.2** The original tracing of the Zoning Map of the Town of Norton, Massachusetts, which may consist of one or more sheets, shall be identified as such by the statement reading as follows: "This is to certify that this is the official Zoning Map of the Town of Norton, Massachusetts, adopted as a part of the Norton, Massachusetts Zoning By-law of 1974 on April 16, 1974, by vote of the Norton Town Meeting under Article 6 of the Warrant" signed by the majority of the Board of Selectmen and attested by a signature of the Town Clerk and the imprint of the Town Seal. The original tracing shall be held in custody of the Town Clerk, who shall cause to be prepared and certify copies thereof and may charge a reasonable fee thereof. Notwithstanding the existence of copies or prints, the original tracing, including the amendments of any explanatory matter thereon shall be the official Zoning Map of the Town of Norton.
- 3.3** The Zoning Map may be amended from time to time by vote of the Town Meeting in the same manner as the Zoning By-law and such amendments, adding, deleting or modifying district lines and designations or dimensions of districts shall be made on the Zoning Map as soon as possible upon the approval of the amendments by the Attorney General, together with a notation on the map signed by the Town Clerk and indicating the date of the Town Meeting vote, the number of the warrant article and in brief the substance of the amendment, but the failure to show an amendment on the map shall not affect its validity.

- 3.4** In the event that the Zoning Map becomes damaged, destroyed, lost or difficult to read because of the nature of amendments, the Town Meeting may, in the manner provided for the adoption and amendment of the Zoning Map, replace it with a new Zoning Map.
- 3.5** Unless otherwise shown on the Zoning Map, the boundaries of districts shall be the center lines of streets, railroad baselines, mean water lines or rivers, brooks and ponds, or lines parallel to, and dimensioned district from the center lines of streets or mean water lines, but no change in street or lot boundary lines or water courses and bodies subsequent to the adoption of the Zoning Map shall have the effect of changing or relocating district boundaries from their original location.

NORTON ZONING BY-LAW

ARTICLE IV - USE REGULATIONS

4.1 In each district, **except Village Commercial**, only the principal and the accessory uses enumerated herein and the uses necessarily or customarily incidental and accessory to such permitted principal uses shall be permitted including without limitation the accessory signs and off-street parking in accordance with the provisions of the By-law, and subject to applicable conditions and limitations. **In the Village Commercial district more than one principal use is allowed on a single lot subject to applicable dimensional regulations.** Streets, public sewer facilities, public wastewater pumping stations and easements for public services are permitted uses in all districts.

Y - use permitted within the district **(uses allowed by right may require a Special Permit if they are above certain thresholds. See Article XV-Site Plan Review)**

N - use not permitted within the district

SP - Special Permit needed for use within the district

ZONING DISTRICTS						
ALLOWED USES						
	R-80	R-60	R-40	VC	C	I
PRINCIPAL USES						
4.2 Residential Uses						
Single-family dwelling	Y	Y	Y	Y	N	N
Single-family dwelling with accessory apartment provided that the appearance of a single-family home is maintained and Board of Health requirements are met.	Y	Y	Y	Y	N	N
Duplex	SP	SP	SP	SP	N	N
Common driveway	SP	SP	SP	SP	SP	SP
Multi-family dwelling (excluding cluster development)	N	N	SP	SP	N	N
Cluster Development	SP	SP	SP	N	N	N
Housing for the elderly	SP	SP	SP	SP	SP	N

	R-80	R-60	R-40	VC	C	I
Tourist or Rooming House	SP	SP	SP	Y	N	N
Bed and Breakfast	SP	SP	SP	Y	Y	N
Mobile Home Park	N	N	N	N	N	N
Mobile Home (temporary)	SP	SP	SP	SP	N	N
Institutional, educational facilities	Y	Y	Y	Y	SP	SP
Religious facilities	Y	Y	Y	Y	SP	SP
Hospitals, nursing or convalescent homes	SP	SP	SP	SP	SP	N
Public or government buildings or uses	SP	SP	SP	Y	Y	N
Private nursery school, day care center	Y	Y	Y	Y	Y	Y
Non-Profit, membership owned health or recreational club Including country club serving residents of Norton	N	N	N	Y	Y	N
Fraternal lodge or other non-profit civic use Serving residents of Norton	N	N	N	Y	Y	N

	R-80	R-60	R-40	VC	C	I
PRINCIPAL USES (continued)						
4.3 Open Space, Agriculture and Recreational Uses						
Public parks, playgrounds	Y	Y	Y	Y	Y	N
Horticulture, floriculture and minor agriculture	Y	Y	Y	Y	Y	Y
Cemetery	Y	Y	Y	Y	Y	Y
Recreational day camps	Y	Y	Y	Y	Y	N
	R-80	R-60	R-40	VC	C	I

Public recreations areas	Y	Y	Y	Y	Y	N
Golf course	SP	SP	SP	SP	SP	N
Health or recreational club	N	N	N	SP	Y	SP
Outdoor lighting for non-residential use in excess of thirty (30) feet in height	SP	SP	SP	SP	SP	SP
Farms, Orchards, nursery, green house agriculture and tree farms	Y	Y	Y	Y	Y	Y
Farms, livestock,(excluding swine), horses, poultry, and rabbits if confined or caged (over 50) on five or more acres.	Y	Y	Y	Y	Y	Y
Farms, livestock, (excluding swine), horses, poultry, and rabbits if confined or caged (over 50) on less than five acres.	Y	SP	SP	N	N	N
Rabbits and poultry confined or caged (50 or under) on five acres or more	Y	Y	Y	Y	Y	Y
Rabbits and poultry confined or cages (50 or under) on less than five acres	Y	SP	SP	SP	SP	SP
Kennel, veterinary hospital	Y	N	N	SP	Y	SP
Roadside stands for agricultural, horticultural products, a major portion of which is grown on the premises by Resident proprietor.	Y	Y	Y	Y	Y	Y
4.4 COMMERCIAL USES						
Administrative, professional offices	N	N	N	Y	Y	Y
	R-80	R-60	R-40	VC	C	I

Banks, financial institutions	N	N	N	Y	Y	Y
Retail stores, shops, trade services	N	N	N	Y	Y	Y
Home craftsman shops (no employees)	SP	SP	SP	Y	Y	N
Hotel, motel	N	N	N	SP	Y	Y
New or used cars, trailer or boat sales	N	N	N	N	Y	Y
Funeral home	N	N	N	SP	Y	N
Home occupation-professional offices except veterinary, providing that no more than three persons are employed in addition to resident and that no more than 25% of the total floor area is devoted to such office.	SP	SP	SP	Y	Y	N
Home occupation-custom work in home or accessory building by resident with no more than one other person regularly employed and not more than 25% of floor area regularly devoted to such use and there is no exterior storage of display of products, materials, or equipment.	Y	Y	Y	Y	Y	N
Home occupation-including professional offices, providing there are no employees other than residents and there is no visible exterior storage of products, materials or equipment.	Y	Y	Y	Y	Y	N
Repair and service shops including auto repair provided that work is done in an enclosed building and there is no long-term outside storage of wrecked cars and including welding, auto body repair, soldering and painting incidental to automobile repair.	N	N	N	Y	Y	Y
Electronic Message Center (EMC)	N	N	N	SP	SP	SP

	R-80	R-60	R-40	VC	C	I
PRINCIPAL USES						
4.4 COMMERCIAL USES (Continued)						
Wholesale offices, showrooms with no on-site storage	N	N	N	Y	Y	Y
Bus or railroad terminal, passenger station	N	N	N	Y	Y	Y
Commercial parking facilities	N	N	N	Y	Y	Y
Gasoline filling/service station, carwash	N	N	N	SP	Y	Y
Campsite	N	N	N	N	N	N
Commercial recreational facilities, tennis and other playing courts, not including drive-in theaters and no less than 150 feet from nearest residential boundary.	N	N	N	SP	Y	Y
Restaurants, night clubs and other places serving food or beverages.	N	N	N	Y	Y	Y
Drive-Through Facility	N	N	N	SP	SP	SP
Wireless communication facility (located on a monopole)	N	N	N	N	SP	SP
Wireless communication facility (on existing structure, excluding monopole)	Y	Y	Y	Y	Y	Y
Body Art Establishment	N	N	N	N	N	SP
Adult entertainment including adult motion picture theaters, adult bookstores and activities defined in Chapter 272, Section 31 of state laws.	N	N	N	N	N	SP*
	*If 1000 feet from all other zoning districts and cemeteries and 500 feet from like uses					

	-					
	N	N	N	N	N	SP
Registered Medical Marijuana Dispensary						
	R-80	R-60	R-40	VC	C	I
Allowed-by-right principal uses as enumerated in Section 4.4 Commercial Uses with ten-thousand (10,000) or more square feet or floor area or twenty-five (25) or more parking spaces (see Section 4.8 for detailed explanation.)	SP	SP	SP	SP	SP	SP
4.5 INDUSTRIAL USES						
Research, technical laboratories	N	N	N	SP	SP	Y
Warehouse, storage and distribution facilities	N	N	N	SP	SP	Y
Wholesale offices or showrooms with storage on premises	N	N	N	SP	SP	Y
Sales of new or used construction or materials handling equipment, farm implements and machinery	N	N	N	N	SP	Y
Light processing and fabrication	N	N	N	N	SP	Y
Factories, manufacturing firms	N	N	N	N	N	Y
Machine intensive processing, fabrication and assembly	N	N	N	N	N	Y
Auto body repair, paint, soldering or welding shop	N	N	N	N	N	Y
Earth removal	SP	SP	SP	SP	SP	SP
Allowed-by-right principal uses as enumerated in Section 4.5 Industrial Uses with ten-thousand (10,000) or more square feet of floor area or twenty-five (25) or more parking spaces (see Section 4.8 for detailed explanation.)	SP	SP	SP	SP	SP	SP

4.6 Any use which would be harmful, detrimental, hazardous, offensive, or would tend to reduce property values in the district where it is located by reasons of excessive dust, dirt, glare, odor, fumes, smoke, refuse, noise, vibration, electric or electronic interference, air or water pollution, danger of explosion, radiation, fire or any other reason is hereby prohibited whether or not enumerated around the uses otherwise permitted in any district.

4.7 Referencing section 10 of the Solid Waste Act of 1987, no facility as defined in Section 150A of Chapter III of the Massachusetts General Laws, as amended, shall be permitted, sited, or expanded within the Town of Norton, unless such facility is entirely within a locus zoned for Industrial Use and unless said facility is not prohibited by the ordinances and By-laws of the Town of Norton in effect as of July 1, 1987, and unless all permits and licenses required by law have been issued to the proposed operator. In addition, no such facility located on a locus zoned for Industrial Use shall be permitted, sited, or expanded if such locus is, in whole or in part, located within recharge areas of surface drinking water supplies as shall be reasonably defined by rules and regulations of the Department of Environmental Quality Engineering, or within areas subject to Section 40 of Chapter 131 of the Massachusetts General Laws and the Regulations promulgated thereunder, as amended, or within areas within the zone of contribution of existing or potential public supply wells as defined by said department. Any facility located in an Industrial Zone shall require a Special Permit issued by the Special Permit Granting Authority after public hearing, said Special Permit shall be issued for a term not to exceed 24 months, and shall impose reasonable conditions on the construction and operation of the facility which shall include prior site approval from the Board of Health. Said Special Permit shall be renewable after hearing subject to such reasonable conditions on the operation of the facility, as the Special Permit Granting Authority shall then impose, for additional terms not to exceed 24 months each. Whereas such a facility was prohibited throughout the Town of Norton under other ordinances and by-laws in effect on July 1, 1987, nothing herein shall be construed to allow such a facility in a locus zoned for Industrial use before or after July 1, 1987. The provisions of this by-law shall be severable, and the invalidity of any provision hereof shall not invalidate any other provision.

4.8 A Special Permit shall be required for the construction of any Commercial or Industrial building which equals or exceeds 10,000 square feet in area; for any addition to an existing building which causes the building to equal or exceed 10,000 square feet in area; and, for the construction of any additional freestanding building which causes all combined buildings to equal or exceed 10,000 square feet in area. **In addition, once 10,000 square or more of combined square footage has received a Special Permit, a further Special Permit shall be required each time that an addition or new building is proposed that would result in new square footage of 5,000 square feet or more.** In any case, where an addition or new building is less than 1,000 square feet in area, a Special Permit will not be required irrespective of the combined total area.

4.9 A. PURPOSE

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning By-law, a Medical

Marijuana Treatment Center is not a permitted use in the town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning by-law regarding regulation of medical marijuana treatment centers and other uses related to medical marijuana. The Town intends to and does hereby adopt a temporary moratorium on the use of land and structures in the Town of Medical Marijuana Treatment Centers so as to allow the town sufficient time to engage in a planning process to address the effects of such structures and uses in the town and to enact by-laws in a manner consistent with sound land use planning goals and objectives.

B. DEFINITION

“Medical marijuana Treatment Center” shall mean a “not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.”

C. TEMPORARY MORATORIUM

For the reasons set forth above and notwithstanding any other provision of the Zoning By-law to the contrary, the town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the town shall undertake a planning process to address the potential impacts of medical marijuana in the town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Centers and related uses, and shall consider adopting new Zoning By-laws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

Rivers Protection Act Questions & Answers

Read MassDEP's guide to the Massachusetts Rivers Protection Act of 1996.

Rivers Protection Act Q&A

What is the purpose of the Massachusetts Rivers Protection Act?

In 1996 the Massachusetts Legislature passed the Massachusetts Rivers Protection Act, more formally known as "An Act Providing Protection For the Rivers of the Commonwealth". This important law amends the Wetland Protection Act, MGL Chapter 131 Section 40, and provides protection to rivers by regulating activities within a newly established wetland resource area known as the Riverfront Area. This Act identifies eight purposes, which are the same as the Wetlands Protection Act's interests: protection of private or public water supply, protection of groundwater, flood control, prevention of storm damage, prevention of pollution, protection of land containing shellfish, protection of wildlife habitat, and protection of fisheries. The Rivers Protection Act establishes a state policy for protecting the natural integrity of the Commonwealth's rivers and to establish open space along rivers. Copies of the Rivers Protection Act Regulations may be obtained from the State House Bookstores or downloaded [here](#).

Does the Act make any provisions for funding the purchase of open space?

The Rivers Protection Act has designated \$30 million for the acquisition of land bordering rivers and streams.

How does the Act affect the wetland regulations?

Besides amending the Wetlands Protection Act, it also directs MassDEP to revise the wetland regulations by establishing procedures and performance standards for Riverfront Areas. MassDEP also is directed to establish fees for conservation commissions for administration of the Rivers Protection Act.

Does MassDEP provide technical assistance and training for conservation commissions on the Act?

Conservation commissioners now have the authority and responsibility to regulate activities within the Riverfront Area under the wetland regulations, 310 CMR 10.00. MassDEP has developed an outreach program for conservation commissions on the provisions of this law. In addition, the Rivers Protection Act identifies no less than \$100,000 per year for a period of up to five years for technical assistance to conservation commissions.

What area does the Act protect?

It protects a newly established wetland resource area - the Riverfront Area.

What is the Riverfront Area?

In most municipalities the Riverfront Area is 200 feet wide and is measured from each side of the river from the mean annual high water line outward horizontally and parallel to the river. However, the Riverfront Area is 25 feet in:

- Municipalities with a population of 90,000 people or more;
- Municipalities with a population density of greater than 9,000 people per square mile;
- Areas designated by the Secretary of the Executive Office of Environmental Affairs as a "densely developed area";
- Certain identified land within Waltham and Milton (see Section 18, "riverfront area", in the Rivers Protection Act).

The municipalities with a population of 90,000 or more people or a population density of 9,000 people per square mile (according to the 1990 U. S. Census) are: Boston, Brockton, Cambridge, Chelsea, Everett, Fall River, Lawrence, Lowell, Malden, New Bedford, Somerville, Springfield, Winthrop and Worcester

Does the Riverfront Area have a regulated buffer zone?

No, the Rivers Protection Act clearly states that there is no Buffer Zone associated with the Riverfront Area.

How is "river" defined in the Act?

Any river or stream that is a naturally flowing body of water that empties into any ocean, lake, or other river and that flows throughout the year.

How is the mean annual high water line determined?

For non-tidal rivers this line can be identified by changes in soils or vegetation between predominantly aquatic and terrestrial areas. Permanent water marks left on bridge abutments, boulders, and vegetation or scouring also can be indicators.

For tidal rivers, the mean high water line is the same as that found in the wetland regulations at 310 CMR 10.23.

Does the Act identify standards for reviewing proposed projects?

Two standards are specified in this Act. First, no permit shall be granted for work in the Riverfront Area that would result in a significant adverse impact on the Riverfront Area for the eight purposes. Second, no permit shall be granted if there is a practicable and substantially equivalent economic alternative to the proposed project with less adverse impacts to the eight purposes.

How are these review standards applied?

The Rivers Protection Act clearly states that projects be located outside the Riverfront Area if they will result in significant adverse impacts to the eight purposes and when a practicable alternative is available. If a practicable alternative is available that could locate a project out of the Riverfront Area it should be chosen. If there is no practicable alternative to locating the project in the Riverfront Area, impacts must be minimized and mitigated so there are no significant adverse impacts to the Riverfront Area. If it is determined that the project will have significant adverse impacts to the Riverfront Area, the project should be denied.

If any part of the Riverfront Area is Salt Marsh or Bordering Vegetated Wetlands (BVW) the strict standards of the wetland regulations that currently exist for these two wetland resource areas also should be used.

What is a practicable alternative under this law?

An alternative is practicable if it is available and capable of being done after taking into consideration:

- Costs and whether such costs are reasonable or prohibitive to the owner;
- Existing technology; and
- Logistics in light of the overall project purposes.

What should be the scope of alternatives?

Generally the scope of alternatives to be considered should be commensurate with the scale, purpose and impacts of the proposed activity.

For activities associated with access for one dwelling unit the alternatives considered must be limited to the lot, provided the lot is on file with the registry of deeds as of August 1, 1996.

For the creation of real estate subdivisions and other activities, the alternatives analysis must be limited to the area of:

- The subdivided lots;

- Any parcels out of which the lots were created;
- Any other parcels adjacent to or adjacent through other parcels formerly or presently owned by the same owner at any time on or after August 1, 1996; or
- Any land which can reasonably be obtained.

When evaluating whether ownership can be obtained, the costs and whether such cost is reasonable or prohibitive to the owner, existing technology, the proposed use, and logistics in light of the overall project purposes are to be considered.

Who must identify the impacts of a project or activity?

The burden of proof is on the applicant. The applicant needs to show, by a preponderance of the evidence, that a project will not have significant adverse impacts to the Riverfront Area and the purposes of the Rivers Protection Act.

When are Notices of Intent subject to this new law?

Projects for which a Notice of Intent has been submitted after August 7, 1996 are subject to the Rivers Protection Act.

Are there filing fees for projects proposed in the Riverfront Area?

If the Riverfront Area includes one of the existing wetland resource areas or the Buffer Zone the filing fees identified at 310 CMR 10.03(7)(c) continue to apply. If the Riverfront Area does not include any wetland resource areas, there is no filing fee until MassDEP revises the wetland regulations.

Are there activities or projects that are exempt from the Act?

Certain activities and areas are exempt, **grandfathered**, or covered by other regulations, as summarized below. Project proponents should refer to the regulations at 310 CMR 10.58(6) to make this determination.

- Activities that are currently exempt from the Wetlands Protection Act (e.g., agriculture, aquaculture, forestry, mosquito control projects);

- Minor activities within the riverfront area meeting the requirement of 310 CMR 10.02(2)(b)1. or 2.;
- The following areas, activities, or structures in existence as of August 7, 1996: any excavation, structures, clearing, driveways, landscaping, utility lines, rail lines, publicly owned airports or marine cargo terminals, bridges over two miles long, septic systems, or parking lots; **We recommend you contact the Norton ConCom to discuss your project.**
- Work that has begun on or before November 1, 1996 for the expansion of any structure, airports and marine cargo terminals owned by a political subdivision;
- Projects that have prepared and submitted on or before November 1, 1996 a draft environmental impact report pursuant to MEPA, MGL c.30 s.62B. (MassDEP may grant an extension of this time limit at the written request of the applicant and for just cause);
- Projects for which a building permit has been filed on or before October 1, 1996 and the permit has been granted on or before April 1, 1997. The conservation commission may grant one extension of no more than 60 days upon written request of the applicant and for just cause;
- Projects for which a definitive plan has been approved or endorsed on or before August 1 1996 pursuant to the subdivision control law, MGL c.41 s.81U;
- Activities subject to a protective order pursuant to MGL c.21 s.17B, the Scenic Rivers Act;
- Activities associated with wastewater treatment plants and their related structures, conveyance systems and facilities;
- Activities subject to a Chapter 91 Waterways license or permit, or authorized under Chapter 91 by a special act prior to 1973;
- Any riverfront area that is now or formerly associated with historic mill complexes including but not limited to mill complexes in Holyoke, Taunton, Fitchburg, Haverhill, Methuen, and Medford; or
- The renovation of cranberry bogs that have been abandoned since 1959 on property currently in agricultural use.

Is the renovation of abandoned cranberry bogs subject to the Act?

The Rivers Protection Act exempts the renovation of abandoned cranberry bogs from the Wetlands Protection Act and all other state laws. However, the Rivers Protection Act directs MassDEP to develop a permitting process and regulations for this activity that is separate from the Wetlands Protection Act but which will protect the eight interests of the Wetlands Protection Act. The Rivers Protection Act also states that the renovation of abandoned cranberry bogs shall not adversely impact the habitat of endangered or threatened species defined by the Natural Heritage and Endangered Species Program; be located within a defined Zone II aquifer; be located within an Area of Critical Environmental Concern (ACEC); or contain a navigable stream as defined in the Chapter 91 waterways regulations

Does the Act affect proposed local ordinances, bylaws or regulations regarding agriculture or aquaculture?

Municipalities must provide notice of proposed ordinances, bylaws, or regulations, that address agriculture or aquaculture to the Farmland Advisory Committee seven days prior to the municipalities' public hearing.

Portuguese & Spanish Translations

See links below.

Additional Resources

[Text of the Rivers Protection Act](https://archives.lib.state.ma.us/bitstream/handle/2452/30374/1996acts0258.pdf) (<https://archives.lib.state.ma.us/bitstream/handle/2452/30374/1996acts0258.pdf>)

[310 CMR 10.00: Wetlands Protection Act Regulations](/regulations/310-CMR-1000-wetlands-protection-act-regulations) (</regulations/310-CMR-1000-wetlands-protection-act-regulations>)

[Rivers Protection Act Q&A Spanish Translation](https://www.mass.gov/doc/rivers-protection-act-qa-spanish-translation-0/download)

(<https://www.mass.gov/doc/rivers-protection-act-qa-spanish-translation-0/download>) (Spanish, PDF 34.25 KB)

[Rivers Protection Act Q&A Portuguese Translation](https://www.mass.gov/doc/rivers-protection-act-qa-portuguese-translation-0/download)

(<https://www.mass.gov/doc/rivers-protection-act-qa-portuguese-translation-0/download>) (Portuguese, Portugal, PDF 29.33 KB)

About the Massachusetts Rivers Protection Act

(<https://www.mass.gov/doc/about-the-massachusetts-rivers-protection-act/download>) (English, PDF 220.51 KB)

KEY ORGANIZATIONS

MassDEP Wetlands Program



[All Topics \(/topics/massachusetts-topics\)](#)

[Site Policies \(/site-policies\)](#)

[Public Records Requests \(/topics/public-records-requests\)](#)

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