

REGULATIONS

PLANNING BOARD REGULATIONS FOR PERFORMANCE ZONE 1

1. General Guidelines and Submission Requirements
2. Ground and Surface Water Protection
3. Nuisance Factors
4. Traffic Generation
5. Site Design
6. Definitions

Adopted July 26, 1995

1.1Purpose and Authority: The following regulations explicate the Performance Zone 1 By-Law as amended as Section 4.7 to the Sterling Protective By-Law. The Sterling Planning Board (hereinafter the "Board") is the reviewing and approving agency for these regulations. All Performance Uses or Special Permit Performance Uses require Board review and approval since, whether or not they are a subdivision, they permit greater use and density flexibility than the Non-Performance by-right uses allowed in this district. Thus, all Performance Uses and Special Permit Performance Uses are types of special permits. Thus, the Board is authorized by M.G.L. c. 40A § 9 to adopt these regulations relative to the approval of Performance Uses or Special Permit Performance Uses.

Below are general guidelines that should be followed in determining which procedural requirements apply to a proposed development. Begin with Step 1, and follow the instructions in each step. Steps 3 and 4 may be performed simultaneously and submitted together.

1.2Step 1. Applicability Determination: Determine the Applicability of these Performance Zone 1 Regulations to the proposed project by first determining the Use Classification, according to Section 4.7.2 of the Performance Zone 1 By-Law.

a.If the proposed project is a Prohibited Use, the project may not be constructed in Performance Zone 1.

b.If the proposed project is a Non-Performance Use, these regulations do not apply.

c.If the proposed project is a Performance Use or a Special Permit Performance Use, go to Step 2. However, a proposed project may be exempt from certain requirements of these Regulations, as will be determined in Step 2 (preliminarily) and in Step 4 (definitively).

1.3Step 2. Preliminary Site Plan Submission: Submit Preliminary Site Plan for approval. This Step is optional, but is strongly encouraged. The submission of such a plan will enable the applicant, the Board, other municipal agencies, and owners of properties abutting the proposed project to discuss and clarify how well the requirements of Performance Zone 1 are met before a Definitive Site Plan is prepared. Therefore, it is strongly recommended that a Preliminary Site Plan be filed in every case before any other plan is filed.

1.3.1Submission Requirements: A Preliminary Site Plan of development may be submitted by the applicant for discussion and approval by the Board. Such a Plan shall consist of preliminary estimates and/or plans for Step 4 below, not necessarily stamped by a registered engineer. Eight copies of plans and calculations shall be submitted to the Planning Board. The Planning Board shall forward one copy of the plans and calculations to each of the following for their review and report to the Planning Board: the Building Inspector, the Selectmen, the Conservation Commission, the Board of Health, the Department of Public Works, and, if involving business or industrial development, the Industrial Development Commission. The Board shall consider reports of other agencies before making a decision to approve or disapprove the Preliminary Site Plan. The plans may be drawn in any media and at any scale that shows sufficient detail to be effectively evaluated by the Board. All information required in Step 4, 1.5.4 a. of these regulations for the Definitive Site Plan is also requested for the Preliminary Site Plan. Written notice shall be given to the Town Clerk by hand delivery or registered mail that the applicant has submitted such a Preliminary Site Plan for review. The applicant shall pay a non-refundable administration and review fee of \$250.00 for submission of a Preliminary Site Plan. There is no charge for preliminary discussions with the Board. If the proposed project is substantial enough to for the Planning Board to require review assistance from an engineer, then the difference between the engineer's estimate review fee and \$250.00 is payable before submission is considered complete.

1.3.2Approval: Within forty-five days after submission of a Preliminary Site Plan, the Board shall notify by certified mail the applicant and the Town Clerk either that the Plan has been approved, or that the Plan has been approved with modifications suggested by the Board or agreed upon by the person submitting the Plan; or that the Plan has been disapproved, and in the case of disapproval, the Board shall state in detail its reasons therefor. Such approval does not constitute approval of a Definitive Site Plan, but does facilitate the procedure in securing final approval of the Definitive Site Plan.

a.If the Preliminary Site Plan is disapproved, revise plans and resubmit with new fee.

b.If the Preliminary Site Plan is approved, proceed to Step 3.

1.4Step 3. Subdivision Determination: Determine if the proposed project is a subdivision according to M.G.L. c. 41, § 81 L. This definition of "subdivision" is included in Section 6. Definitions, of these Regulations.

a.If the proposed project is a subdivision, follow the requirements in Rules and Regulations Governing the Subdivision of Land, Sterling, Massachusetts, with the exception that these Performance Zone 1 regulations take precedence over Section III. B. 2. (l) of the aforementioned subdivision regulations, which may be omitted. Whenever there is a conflict, these Performance Zone 1 Regulations take precedence. Then proceed to Step 4.

b.If the proposed project is not a subdivision, proceed to Step 4.

1.5Step 4. Definitive Site Plan Submission:

1.5.1Contents: Site plans and calculations shall be submitted for the following: 1) Ground and Surface Water Protection, 2) Hazardous Materials and Nuisance Factors, 3) Traffic Analysis, and 4) General Site Design. Site plans may be combined except for Traffic Generation, which must be shown on a separate plan. Details of submission for each of these plans are contained in Sections 2.0 through 5.0 below.

1.5.2Submission Requirements: Definitive Site Plans shall be stamped by a registered engineer and shall be drawn in permanent black ink upon tracing cloth or mylar or any other material acceptable by the registry of deeds. If the proposed project is also a proposed subdivision, the Plan must also be stamped by a registered surveyor. The Plans shall be at a scale of one inch equals forty feet, or such other scale as the Board may accept to show details clearly and adequately. Sheet sizes shall be 24" x 36". Eight copies of plans and calculations shall be submitted to the Planning Board. The Planning Board shall forward one copy of the plans and calculations to each of the following for their review and report to the Planning Board: the Building Inspector, the Selectmen, the Conservation Commission, the Board of Health, the Department of Public Works, and, if involving business or industrial development, the Industrial Development Commission. The Board shall consider reports of other agencies before making a decision to approve or disapprove the Definitive Site Plan. Written notice shall be given to the Town Clerk by Hand delivery or registered mail that the applicant has submitted such a Definitive Site Plan for review. The applicant shall pay a non-refundable administration fee of \$200.00 plus \$100 per lot, and a review and consulting fee of \$1,500.00 plus \$500 per lot. If cost estimates from the engineer indicate the review will exceed the review and consulting fee, the submission will not be considered complete until the excess has been paid. If the proposed project is also a subdivision, a pooling of review fees may be requested at the Board's discretion if both the Definitive Site Plans for Subdivision and Performance Zoning are substantially similar. The review process will begin only when the submission is complete, including payment of all fees. All unexpended review and consulting fees will be refunded.

1.5.3Approval: Within sixty days after submission of a Definitive Site Plan, the Board shall notify by certified mail the applicant and the Town Clerk either that the Plan has been approved, or that the Plan has been approved with modifications suggested by the Board or agreed upon by the person submitting the Plan, or that the Plan has been disapproved, and in the case of disapproval, the Board shall state in detail its reasons therefore. By mutual agreement by the Board and the Applicant, this process may serve to complete the review.

1.5.4Required Information: All Plans shall contain the following information :

a.Preliminary and Definitive Site Plans: Information shall include:

- boundaries, north point, scale;
- title block: applicant's name, date, name and address of record owner;
- names of all abutters as they appear in the most recent certified tax list;
- existing and proposed lines of streets, ways, lots, easements, public or common areas within the project;
- locations of existing and proposed buildings on the property;
- locations and names of existing streets bounding or near the project; and
- suitable space to record the action of the Board and the signatures of the members of the Board.

b. Definitive Site Plans Only: Information shall include:

- on all plans and documents: stamp, name and address of a registered engineer, and surveyor if a subdivision, with the exception of the Site Design Plan which may substitute a registered landscape architect for the engineer, and the Traffic Plan which must be stamped by a traffic engineer or planner.
- all information required in Section 4.7.5 of the Performance Zone 1 By-Law and Sections 2 through 5 of these Performance Zone 1 Regulations.

If the proposed project is also a subdivision according to M.G.L. c. 41, § 81 L, the Definitive Site Plan may be combined with the Definitive Plan required by the Rules and Regulations Governing the Subdivision of Land, Sterling, Massachusetts, Section III B.

1.5.5 Special Permit: The applicant shall provide the necessary documentation for the Board to determine if the proposed project is a Special Permit application due to its exceeding any of the performance standards in Section 4.7.5 of the Performance Zone 1 By-Law. If the proposed project is a Special Permit use, follow the procedures in Section 1.6 of the Sterling Protective By-Law, with the exception of 1.6.1 and 1.6.3 which are replaced by Section 4.7.6.6 of the Performance Zone 1 By-Law.

1.5.6 Exempt Use: The applicant shall provide the necessary documentation for the Board to determine if the proposed project is exempt from any of the performance standards in Section 4.7.5 of the Performance Zone 1 By-Law. Such exempt uses (if any) are listed at the end of each sub-subsection of Section 4.7.5. If the proposed project is exempt from any of the performance standards in Section 4.7.5 of the Performance Zone 1 By-Law, a Definitive Site Plan and calculations do not have to be submitted for the those standards.

2.0 GROUND AND SURFACE WATER PROTECTION

We encourage that all ground and surface water protection measures in this Section 2.0 be shown on one Ground and Surface Water Protection Site Plan which shall include all information required by the individual site plans listed below. In addition to the requirements listed in Section 4.7.5.2 of the Performance Zone 1 By-Law, the following requirements shall be met.

2.1 Impervious Surfaces

2.1.1 Site Plan: Applicants shall submit a site plan showing the proposed location of all man-made impervious surfaces and the percentage of impervious surfaces, along with an explanation of the method of calculating the percentage of the total lot area of impervious surface. Pervious pavement should be considered to be impervious surface unless a performance bond is posted for a dollar amount and performance duration satisfactory to the Planning Board.

2.1.2 Special Permits: Special Permit Performance Uses may not exceed 50% impervious surface cover of the total lot area, and shall be required to employ mitigation measures for controlling storm water runoff.

2.1.3 Performance Guarantees: Special Permit Performance Uses proposing impervious surface in excess of 20% should be required to post a Performance Guarantee in an amount not to exceed the cost of the Town's construction of the necessary mitigation measures required before certification of occupancy.

2.2 Storm Water Runoff

2.2.1 Site Plan: Applicants shall submit a site plan showing the proposed location and details of all Best Management Practices (BMP's) (see Section 6.0 Definitions) for storm water runoff management which are addressed by the Storm Water Management Plan.

2.2.2 Storm Water Management Plan: Applicants shall submit an analysis of the hydrology and hydraulics of the site demonstrating

volume and flow using the latest edition of the Natural Resource Conservation Service National Engineering Handbook, Section 4 - "Hydrology", Technical Release 20 (TR20) "Hydraulic Model," or Technical Release 55 (TR55) "Urban Hydrology for Small Watersheds", or other methods acceptable to the Board. This analysis shall be coordinated with the Storm Water Site Plan, which is in accordance with the Performance Standards in Section 4.7.5.2 (b) (i) of the Performance Zone 1 By-Law. This plan shall demonstrate volume, flow, discharge points, and water quality characteristics using professionally acceptable methods. The proposed storm water management measures shall meet or exceed an 80% pollutant removal of the annual load of total suspended solids. Suggested management measures listed in order of preference include, but are not limited to:

- 1) sheet flow through a buffer area, then infiltration through appropriate means as approved by the Board;
- 2) flow attenuation through the use of open vegetated swales and natural depressions;
- 3) retention structures; and
- 4) detention structures.

Detention and retention structures should not have a design water depth greater than three feet or slopes steeper than 4:1. A minimum of a four foot separation from the bottom of retention and infiltration devices and seasonal high water table should be maintained.

Catch basins should have a minimum of a five foot inside diameter, a four foot deep sump, and be fitted with oil and gasoline separators and sediment traps. Management plans should also employ BMP's as appropriate to remove 85% of all suspended solids in the first flush.

2.2.3 Special Permits: In addition to the above, Special Permit Performance Uses shall provide calculations and proof of legal permission regarding the diversion of runoff onto adjoining property within the district.

2.2.4 Performance Guarantees: At the discretion of the Planning Board, applicants may be required to post a Performance Guarantee to cover the Town's cost of installation and maintenance of storm water best management practices (required before certification of occupancy) should the applicant fail to meet his obligations.

2.2.5 References: The following sources are recommended as additional references for designing BMP's for controlling storm water runoff and erosion:

- Commonwealth of Massachusetts, June 1993. Massachusetts Nonpoint Source Management Manual, "The Megamanual", A Guidance Document for Municipal Officials. Massachusetts Department of Environmental Protection. Boston, Mass. Pub. No. 17356-500-500-6/93-67.00.
- Schueler, Thomas R., July 1987. Controlling Urban Runoff: A Practical Manual for Planning and Designing Urban BMP's. Metropolitan Washington Council of Governments. Washington, D.C. Pub. No. 87703. To be used in conjunction with the following:
- Schueler, Thomas R., March 1992. A Current Assessment of Urban Best Management Practices, Techniques for Reducing Non-Point Source Pollution in the Coastal Zone. Metropolitan Washington Council of Governments. Washington, D.C.. Pub. No. 92705.

2.3 Erosion

2.3.1 Site Plan: Applicants shall submit a site plan showing the proposed location of all land disturbances, and all BMP's for erosion control which are addressed by the Erosion Control Plan. If the applicant can show to the satisfaction of the Board that there will be no erosion problem, the Board may waive the requirement for an Erosion Control Plan.

2.3.2 Erosion Control Plan: In addition to the erosion control standards of the Sterling Protective By-Law, 3.3.2, applicants shall submit an erosion control plan coordinated with the Storm Water Management Plan. The Erosion Control Plan shall include a description of all proposed land disturbance, the proposed sequence of construction, and a description of proposed BMPs and stabilization measures. The plan shall also include provisions to stabilize disturbed areas in which activity has temporarily or permanently ceased and which will remain unvegetated for greater than two weeks. Stabilization shall consist of mulching and seeding, or the application of jute mesh or other appropriate measures. Areas where disturbance will recommence within two weeks do not require stabilization. Lots or subdivisions that are one acre or more in area should install sediment basins during construction until the area is stabilized. When a basin is not attainable, sediment traps, silt fences, or equivalent

measures shall be installed. The plan shall also contain measures to prevent construction vehicles from tracking soil off the site and include measures to reduce dust generation.

2.3.3 Special Permits: There are no Special Permits for relaxation of Performance Standards.

2.2.4 Performance Guarantees: At the discretion of the Planning Board, applicants may be required to post a Performance Guarantee prior to commencement of development activities to cover the Town's cost of installation and maintenance of erosion control best management practices.

2.3.5 References: See 2.2.5 above and Section 3.2.2.3 of the Sterling Protective By-Law.

2.4 Hazardous or Toxic Materials

2.4.1 Site Plan: Applicants shall submit a site plan showing the proposed location of all generation and storage of hazardous or toxic materials, including structures for the containment of spills that may occur during the delivery, transfer, and loading of hazardous and toxic materials on the site. Also included shall be the location and specifications of all spill containment and mitigation measures.

2.4.2 Spill Contingency Plan: All applicants except very small quantity generators (as defined in the Performance Zone 1 By-Law), and applicants dealing with materials incidental to normal household use, shall submit a written spill contingency plan acceptable to the Planning Board, and updated as appropriate to implement the provisions of Section 4.7.5.2 (d) of the Sterling Protective By-Law. This plan shall specify measures for prevention, control, and response to discharges, and other emergencies involving hazardous and toxic materials. It should address coordination with the Sterling Fire Department personnel regarding proper procedures for responding to discharges, and other emergencies involving hazardous and toxic materials.

2.4.3 Special Permits: There are no Special Permits for relaxation of Performance Standards.

2.4.4 Performance Guarantees: Performance Guarantees will not be required, since this is covered by the individual insurance carriers of applicants dealing with hazardous materials.

3.0 NUISANCE FACTORS

3.1 Submission Requirements

3.1.1 General Requirements: Any proposed use which might, in the opinion of the Planning Board, potentially violate the nuisance Performance Standards contained in Section 4.7.5.3 shall submit a site plan and calculations proving that the proposed use will be in compliance with the nuisance Performance Standards for air quality, noise, and light. All nuisance Performance Standards may be addressed on one site plan, or may be combined with another site plan when appropriate and not confusing.

3.1.2 Special Permits: There are no Special Permits for relaxation of Performance Standards.

3.1.3 Performance Guarantees: Performance Guarantees will not be required, since this would be dealt with through cease and desist orders.

3.2 Additional Lighting Guidelines

Lighting should be controlled in both height and intensity to help meet the lighting Performance Standards in 4.7.5.3 (d). To help achieve the lighting Performance Standards, the following guidelines are recommended:

a. Light levels at the lot line should not exceed 0.2 foot-candles, measured at ground level.

b. Roadway, circulation and parking areas should have a minimum illumination of 0.5 footcandles and a maximum of 1.0 footcandles distributed so as to allow uniform illumination.

- c. Other higher illumination levels appropriate to a specific activity or site such as recreational areas, building entrances, loading docks and the like, shall be allowed.
- d. Where there is a mix of residential and commercial uses, light standards should be restricted to a maximum of 20 feet in height.
- e. All lighting should be designed so as to avoid casting light skyward.
- f. Roadway, circulation and parking areas should be limited to Type 2 and Type 3 luminaires with a maximum mounting height of 30 feet.
- g. All lighting (except for security purposes) should be turned off between 11:00 p.m. and 6:00 a.m., except for businesses operating during these hours.

4.0 TRAFFIC GENERATION

4.1 Submission Requirements for By-Right Performance Uses

Applicants for Performance Uses shall submit a description of proposed uses and an analysis of average daily trip ends as derived from the current edition of the ITE Trip Generation manual.

4.2 Submission Requirements for Special Permit Performance Uses

4.2.1 General Submission Requirements: Applicants for Special Permit Performance Uses shall submit a current capacity traffic analysis of the district roadways and intersections identified in the Performance Standards. The analysis shall follow these guidelines:

- a. Determine the current capacity of the roadways and intersection and how much additional traffic may be accommodated within the Performance Standards.
- b. Trip tables for any approved projects in the district or immediate environs should be included in the background volumes.
- c. Additional acceptable capacity will be expressed as new trip ends, which will be apportioned to the district on a per-acre basis. The proposed development will be evaluated against this per-acre figure.
- d. No use may exceed the new trip ends apportioned to its site, unless the Planning Board determines that mitigation measures or other considerations will substantially meet the intent of Section 4.7.5.4 of the Performance Zone 1 By-Law.
- e. Analysis shall also consider the performance of new traffic generated by the proposed development and its specific impact on the district roadways and intersections.
- f. Traffic analysis shall include a detailed description of the proposed project, a scaled plan showing the existing and proposed layout lines, building footprints, parking lot areas, driveways, the relation of the proposed site layout to the existing rights-of-way, and intersection sight distances, in conformance with the AASHTO Manual, A Policy on Geometric Design of Highways and Streets, 1990, or the most recent available edition.
- g. Analysis shall provide existing average annual weekday and A.M. and P.M. peak hour traffic volumes for Route 140 north of Dana Hill Road, Route 140 South of Dana Hill Road, Dana Hill Road east of the I-190 underpass, and the intersection of Route 140 and Dana Hill Road. Retail uses shall also include Saturday peak hour conditions. Volume data should be no more than two years old.
- h. In addition to existing capacity and level of service analysis for the roadways and intersection, delay, volume/capacity ratio, and queue length should be included. Weave, merge, ramp, and road segment analysis should be included as applicable.

For a summary of the traffic analysis procedures, see the flowchart on the next page. All analyses should be performed according to the procedures in the latest available edition of the Highway Capacity Manual. Unadjusted rates from the latest available edition of the ITE Trip Generation manual should be used. Any other rates may be used upon prior approval by the Planning Board. All vehicle trips to or from the project site through all access points should be documented. Applicants may include limited, site-specific mitigation measures. Mitigation should also include decreasing the size or density of the project.

4.2.2 Performance Guarantees: Performance Guarantees may be required at the discretion of the Planning Board for Special Permit Uses, in order to cover the Town's cost of completing the initially required mitigation measures should the applicant not meet his obligations.

4.2.3 References

- Transportation Research Board, 1994. Special Report 209 (Highway Capacity Manual). Third edition.
- Institute of Transportation Engineers (ITE), 1991. Trip Generation. Fifth edition.
- American Society of State Highway and Transportation Officials (AASHTO), 1990. A Policy on Geometric design of Highways and Streets.

The above references are available for review in the Transportation departments of the Central Massachusetts Regional Planning Commission in Worcester (508-756-7717), or the Montachusett Regional Planning Commission in Fitchburg (508-345-7376).

5.0 SITE DESIGN

5.1 General Site Design

All applicants for a Performance Use building permit shall submit to the Planning Board a scaled site plan showing the location and dimensions of all existing and proposed lot lines, buildings, setbacks/buffer yards, landscaping, parking, driveways, and roads. In addition, if requested by the Planning Board, a rendering of the proposed buildings shall be submitted.

5.2 Site Plan Review

Determine if the proposed project requires site plan review according to Section 4.7.5.5(h) of the Performance Zone 1 By-Law. If the

proposed project requires site plan review, follow the procedures outlined in Section 1.2.5.2 of the Sterling Protective By-Law, except that the Planning Board rather than the building inspector shall be the reviewing and approving agency.

5.3 Buffer Yard Guidelines

The objective of buffering requirements is to provide visual screening of a minimum of 70% opacity up to 7 feet within five years of installation, in order to visually screen development from abutting properties. The buffering materials themselves must also be aesthetically pleasing in the judgement of the Board.

5.3.1 Planting Requirements: All buffer yards shall contain a minimum of an average of the following for every 25 feet of lot line:

- one non-columnar evergreen tree which is a minimum of 6 feet tall when planted, and
- three shrubs of a mixture of evergreen and deciduous species to be approved by the Board, which will reach at least 6 feet in height at maturity and are a minimum of 2 feet tall when planted.

The above vegetation may be planted anywhere within the width of the buffer yard, but a staggered line is preferred. Performance Guarantees may be required to ensure survival and maintenance of the required landscaping. Applicants are encouraged to plant deciduous trees in addition to the required evergreen trees. The required plantings may be substituted by existing vegetation that meets the requirements.

5.3.2 Non-Vegetative Screening: Appropriate screening materials may be substituted for some of the required landscaping, at the discretion of the Board. Appropriate screening materials must be at least 6 feet high and may include, stone walls, wooden fences, and earthen berms if judged aesthetically pleasing by the Board. A combination of screening materials may be used to produce the desired effect of visually screening abutting properties in an aesthetically pleasing way. For example, the vegetation height and density requirements may be reduced at the discretion of the Board if vegetation is used on top of an earthen berm, or to soften an opaque fence.

5.3.3 Buffering Waivers: These buffering requirements may be reduced at the Board's discretion if the proposed development will be so aesthetically pleasing as to require minimal screening.

5.4 Cartway Specifications

A cartway shall follow the specifications in Section 4.7.9 of the Sterling Protective By-Law, and Sections II A. Definitions and Section IV B. Streets of the Rules and Regulations Governing the Subdivision of Land, Sterling, Massachusetts.

6.0 DEFINITIONS

The following definitions apply to specialized words or terms associated with these Performance Zone 1 Regulations. All the definitions in Section 4.7 Performance Zone 1 of the Sterling Protective By-Law also apply.

- Best Management Practices (BMPs). Structural, nonstructural and managerial techniques that are recognized to be the most effective and practical means to prevent and reduce nonpoint source pollutants. Best management practices should be compatible with the productive use of the resource to which they are applied and should be cost effective.
- Board. The Sterling Planning Board.
- First Flush. The delivery of a disproportionately large load of pollutants during the early part of storms due to the rapid runoff of accumulated pollutants. This shall be considered the volume of runoff generated by a 6 month 24 hour storm.
- Shrub. A relatively small, woody plant with several stems (instead of a single trunk as with most trees).

•Subdivision. The division of a tract of land into two or more lots including resubdivision. When appropriate to the context, this shall relate to the process of subdivision or the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law if, at the time when it is made, every lot within the tract so divided has frontage on (a) a public way or a way which the town clerk certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, or (c) a way in existence when the subdivision control law became effective in Sterling, having, in the opinion of the planning board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. Such frontage shall be of at least the amounts required by the Sterling Performance Zone 1 By-Law, Section 4.7.5.5 (a) (iii). Conveyances or other instruments adding to, taking away from, or changing the size and shape of, lots in such a manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect in Sterling into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision. (Adapted from: M.G.L. c. 41, § 81L.)

