

HOUSE No. 4279

By Mr. Cohen of Newton, petition of R. Lisle Baker for legislation to clarify the zoning ordinances or by-laws relative to religious and educational usage. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-One.

AN ACT AMENDING THE ZONING ACT TO CLARIFY ITS APPLICATION TO RELIGIOUS AND EDUCATIONAL USES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 The first sentence of the second paragraph of chapter 40A,
- 2 section 3 is amended to read as follows:
- 3 "No zoning ordinance or by-law shall regulate or restrict the
- 4 interior area of a single family building nor shall any such ordi-
- 5 nance or by-law prohibit, regulate or restrict the use of land or
- 6 structures for religious purposes or for educational purposes on
- 7 land owned or leased by the commonwealth or any of its agencies,
- 8 subdivisions or bodies politic or by a religious sect or denomina-
- 9 tion, or by a nonprofit educational corporation; provided, howev-
- 10 er, that such land or structures may be subject to reasonable
- 11 regulations concerning the bulk and height of structures and deter-
- 12 mining yard sizes, lot area, setbacks, open space, parking, and
- 13 building coverage requirements, and further, provided, however,
- 14 that such land or structures may be regulated and restricted within
- 15 all residentially zoned districts.

