

Hazardous Materials Proposed Bylaw Amendment

Article II Definitions

2XXXX Incidental Component – TBD

2XXXX Hazardous Materials – add *See Toxic and Hazardous Material*

2XXXX Life Sciences - *advanced and applied sciences that expand the understanding of human physiology and have the potential to lead to medical advances or therapeutic applications including, but not limited to, agricultural biotechnology, biogenetics, bioinformatics, biomedical engineering, biopharmaceuticals, biotechnology, chemical synthesis, chemistry technology, diagnostics, genomics, image analysis, marine biology, marine technology, medical devices, nanotechnology, natural product pharmaceuticals, proteomics, regenerative medicine, RNA interference, stem cell research and veterinary science.*

[note: this definition is from MGL Chapter 23I, (for the creation of The Massachusetts Life Sciences Center), Section 2, Definitions and is the same one as proposed in the Citizens Petition]

2XXXX Laboratory – TBD [purpose here is to capture laboratory uses that might not be included in R&D, such as medical clinics. Presumably these uses might include biohazards, so would be regulated under the revised footnote 3/12 in all Districts.]

Suggested definitions:

1. A room or building equipped for scientific experimentation or research. b. An academic period devoted to work or study in such a place.
2. A place where drugs and chemicals are manufactured.
3. A place for practice, observation, or testing.

2XXXX Medical Facilities – TBD – [if town is going to have medical clinics. Hospital, Convalescent, nursing homes and rest homes are currently allowed in our use table in B and B1 and by Special Permit in OP and IC. Will need the footnote regarding hazardous materials and hazardous waste.]

2XXXX Research Laboratory with incidental assembly or manufacture – TBD – [this is mentioned in the Maynard ordinance as allowed in their Industrial District and in their Health Care/Industrial District.

2XXXX Biosafety Level - *A specific combination of work practices, safety equipment, and facilities which are designed to minimize the exposure of workers and the environment to infectious agents. The biosafety levels are:*

- Level 1 -- This level applies to agents that do not ordinarily cause human disease.*
- Level 2 -- This level is appropriate for agents that can cause human disease, but whose potential for transmission is limited.*

Level 3 -- This level applies to agents that may be transmitted by the respiratory route which can cause serious infection.

Level 4 -- This level is used for the diagnosis of exotic agents that pose a high risk of life-threatening disease, which may be transmitted by the aerosol route and for which there is no vaccine or therapy.

[Source: https://www.medicinenet.com/biosafety_level/definition.htm]

Light Manufacturing – Expand existing definition TBD

[suggest adding threshold limits on:

- 1) energy use,
- 2) water usage and
- 3) wastewater discharge
- 4) building size.

Exceeding those limits would disqualify the use as Light Manufacturing.]

Article IV Use Regulations

Table 4003 [uses TBD] [note language is similar to Town of Maynard Zoning Bylaw]:

Add the following footnote: No Building, structures or premises shall be used for laboratories with a bio-safety rating that exceeds Biosafety Level 2, as established by the United States Department of Health and Human Services, Public Health Service, Centers for Disease Control and National Institutes of Health (“CDC-NIH”) under guidelines set forth in the most current edition of CDC-NIH publication entitled “Bio-Safety in Microbiology and Biomedical laboratories”, including appendices, addenda and replacement thereto.

[Link to the CDC-NIH publication at https://www.cdc.gov/labs/pdf/SF_19_308133-A_BMBL6_00-BOOK-WEB-final-3.pdf]

Use Regulations

**4003(4) BUSINESS/INDUSTRIAL
USES (Continued)**

DISTRICTS

	AR	R1	B	B1	OP	TC	IC
Research & Development	N	N	Y ³	Y ³	Y ³	N	SP ³

**4003(4) BUSINESS/INDUSTRIAL
USES (Continued)**

DISTRICTS

	AR	R1	B	B1	OP	TC	IC
Wholesale operations	N	N	Y ⁹	Y ⁹	SP ⁹	N	Y ⁹
Light Manufacturing	N	SP ^{10, 12}	Y ^{11, 12}	Y ^{11, 12}	Y ¹²	N	Y ¹²
Manufacturing	N	N	N	Y ^{11, 12}	N	N	Y ¹²

Revised Footnote on Use Table (to replace Footnote 3 and 12)

^{3, 12} Provided that these operations do not use *toxic or* hazardous materials except as an incidental part of their business. ~~nor in quantities greater than would normally be used in 90 days, and in accordance with the existing state and federal regulations and the Federal Resource Conservation & Recovery Act.~~ The operation shall provide adequate facilities for storage, containment, and safety precautions for the hazardous materials used *in accordance with the existing state and federal regulations for the toxic or hazardous materials used. Toxic or* hazardous materials wastes shall be *stored and* disposed of *in accordance with state regulations including, but not limited to, 310 CMR 30.000 and federal regulations including, but not limited to, the Resource Conservation and Recovery Act.* Hazardous materials wastes shall be disposed of off-site by a state-registered hazardous waste *transport and* disposal contractor(s).