

**P: River Protection District (Rpd).**

(adopted 2/3/93)

1. The purposes of this district are to preserve, protect and enhance the scenic beauty, wildlife habitat, and natural resources of the Westfield River and adjacent land, to prevent pollution of its waters, and to minimize [erosion](#) and sedimentation. To achieve these purposes, structures and uses within the district shall be installed and conducted with the minimum feasible disturbance of existing terrain, vegetation, and wildlife.

2. This District is an overlay district. Except as provided below, the provisions of the underlying district, including the dimensional requirements, shall continue to apply. Where the RPD overlaps the Floodplain District, which is also an overlay district, the provisions for the two districts shall be combined as provided in Sec. F below.

3. The RPD shall consist of all land within 150 feet of the [riverbank](#) (see definitions) of the Main, West, Middle, and East Branches of the Westfield River, except for land in the Open Public Land District, and certain other lots in Huntington Center, or owned by the Town of Huntington, all as shown on the Zoning Map. The RPD shall also not extend beyond any [street](#) line (see definitions) which is less than 150 feet from the [riverbank](#).e

4. Use regulations in the River Protection District:

a. Permitted uses and structures:

1. Use categories IV A 1a, 1b, & 1c (uses exempt under MGL 40A, to the extent of the exemption, public uses under authority of the Town of Huntington, non-commercial outdoor recreation, and [agriculture](#) other than [animal husbandry](#)).

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ii. Conservation of water, plants, and wildlife; wildlife management areas.

b. Uses requiring special permit:

1. One single family [house](#), and structures and uses accessory thereto, as provided in the use table, IV B 1a, IV C 1a and IV C 1b. If a portion of the [lot](#) lies outside the RPD, the required finding, in addition to those set forth in Sect. V B, is that in the judgment of the issuing [Board](#) it is unfeasible, or would involve a substantial hardship, financial or otherwise, to place the structures applied for wholly on such portion outside the RPD. "In granting special permit the issuing [Board](#) shall attach such conditions as it deems warranted by the purposes set forth in A. above, including provisions concerning the siting of the [house](#), accessory structures, State Environmental Code Title V, waste disposal system, permissible construction methods and allowable landscaping (if any)."

iii. Hydroelectric power facilities under Sect. IV D 5b.

iv. After special permit has been granted, the expansion of the footprint of a principal [structure](#) by more than 15% in area, or of an accessory [structure](#) by more than 50% in area shall require further special permit.

c. Use Restrictions:

1. [The Massachusetts Wetlands Protection Act provides that no person may remove, dredge, [fill](#) or alter terrain or vegetation within 100 feet of a [riverbank](#) without a Negative Determination of Applicability or Order of Conditions from the Conservation Commission.] In issuing such a determination or order with respect to a non-exempt activity within the RPD, the Commission shall, in addition, impose such restrictions or conditions as it deems needed to minimize the removal of vegetation and disturbance of terrain consistent with the use, and to prevent a significant adverse effect on the scenic quality or wildlife habitat of the area.

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ii. No commercial forest cutting shall occur within 50 feet of the [riverbank](#). In the remaining area of the district, no more than 50% of the existing forest shall be cut.

d. Nonconforming uses and structures,

Nonconforming uses and structures which are protected under MGL 40A Sec. 6 (the so-called `grandfather clause') may continue; however, any new [structure](#), or the enlargement of the footprint of a lawfully nonconforming principal [structure](#) by more than 15% in area, or of an accessory [structure](#) by more than 50% in area shall constitute a "substantial extension" under the meaning of MGL 40A Sec. 6, and require a special permit as provided in Sec. VI A below.

e. Prohibited uses and structures:

All uses and structures not provided for above are prohibited. Specifically forbidden is the excavation of land except as Incidental to work for which permit or special permit has been granted under Sections 2, 3, or 4 above.

5. Procedures for special permit (in addition to those set forth elsewhere) On receipt of an application for special permit, a copy shall be sent to the Conservation Commission, and the issuing [Board](#) shall not act on the application until written report has been received from them or until 35 days have elapsed.

6. Overlap with the floodplain district: Where the River Protection and the Floodplain District overlap:

a. Use regulations shall be as in the RPD. (See Sec. D above.)

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b. Requirements, required findings and procedures for permits and special permits shall combine the provisions of both districts. (See Sections D 2a & 2c, and D 4 above, and Sections 4, 5, & 6 in IV J.)