

**TOWN OF NEEDHAM
2011 ANNUAL TOWN MEETING
ARTICLE 11 CONSENSUS LANGUAGE AMENDING THE ZONING BY-LAW**

1. INSERT A NEW DEFINITION UNDER SECTION 1.3 AT THE APPROPRIATE ALPHAPETICAL LOCATION

“A Farmers Market is an outdoor activity **which is comprised predominantly of an outdoor activity** ~~organized by a non-profit corporation or non-profit association~~ whereby a) farmers ~~or their employees~~ display and sell **(i) items that have been produced on farms they operate or (ii) items that have been produced on other farms through a farmer-agent relationship,** (such **items to include** as food, flowers, plants, firewood, preserves, baked goods, soaps, wool products and similar items), **such sales to be directly to the public and not through wholesale vendors, by the farmer, the farmer’s employees, or farmer-agents, and b) bakery establishments display and sell their baked goods, such sales to be directly to the public and not through wholesale vendors, by the bakery establishment, its employees, or farmer-agents. A farmer-agent is defined as a farmer who is acting on behalf of another farmer (or bakery) on the basis of a direct contractual relationship between such farmer (or bakery) and there is no intermediary.** ~~and vendors employed by establishments located elsewhere within the Town of Needham sell baked goods made in Needham, such sales to be directly to the public by the farmer or the farmer’s employee or the bakery establishment or its employee and not through wholesale vendors.”~~

2. INSERT NEW USE CATEGORY UNDER AGRICULTURE in Table 3.2.1 and Table 3.2.2:

“Farmers Market, not to exceed once a week, during the season from May 15 to November 30, which may take place on existing parking areas serving **one of the following** ~~other~~ uses: **(i) municipal/public uses, (ii) religious and educational uses protected by MGL Chapter 40A, Section 3 or (iii) in a commercially zoned district commercial uses,** provided that the special permit granting authority determines that **in addition to other necessary findings under Section 7.5.2 of the By-Law** adequate parking and loading areas are maintained to serve such other uses during the Farmers Market.”

3. INSERT SP in all zoning districts in Table 3.2.1 and Table 3.2.2 for the above use.

Or take any other action relative thereto.