

ZONING

145 Attachment 1

**Town of Belchertown
Schedule of Use Regulations**

[Amended 3-20-1995 STM by Art. 15; 3-3-1997 STM by Art. 25; 11-17-1997 STM by Art. 19; 11-17-1997 STM by Art. 21; 3-16-1998 STM by Art. 5; 5-8-2000 ATM by Art. 20; 5-14-2001 ATM by Art. 24; 5-13-2002 ATM by Art. 22; 5-12-2003 ATM by Art. 26; 5-10-2004 ATM by Arts. 27 and 29; 1-14-2008 STM by Art. 8; 5-12-2008 ATM by Art. 17; 5-9-2011 ATM by Art. 16; 5-14-2012 ATM by Art. 26; 5-12-2014 ATM by Arts. 19, 21]

Note: For all commercial, industrial and multiple dwelling construction and exterior alterations, refer to § 145-27. Section 145-27 takes precedence over this schedule of uses.

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	Zone District										
	VR	AG-B	LR	MDR	AG-A	B-2	B-1	I	MHP	LI	BNC
Residential Uses											
1. Single-unit dwelling (excluding mobile home)	Y	Y	Y	N	Y	N	Y	N	N	N	See § 145-77
2. Construction of two-unit dwelling	SP/Z	SP/Z	SP/Z ¹	Y	SP/Z	N	SP/Z	N	N	N	See § 145-77
3. Multiple-unit dwelling	N	N	N	PA	N	N	N	N	N	N	See § 145-77
4. Conversion of a single- and two-unit dwelling into multiple-unit dwellings of not more than 4 units	SP/Z	SP/Z	N	Y	SP/Z	N	SP/Z	N	N	N	See § 145-77
5. Accessory apartment	SP/P	SP/P	SP/P	N	SP/P	N	N	N	N	N	See § 145-77
6. Mobile home park	N	N	N	N	N	N	N	N	PA	N	See § 145-77
7. Open space community development	Y	Y	N	N	Y	N	N	N	N	N	See § 145-77
8. Common drive development	SP/P	SP/P	SP/P	N	SP/P	SP/P	SP/P	SP/P	N	SP/P	See § 145-77
9. Special purpose dwelling	SP/Z	SP/Z	SP/Z	N	SP/Z	N	N	SP/Z	N	N	See § 145-77
10. Second floor residence over a permitted business ²	SP/Z	SP/Z	N	N	SP/Z	N	SP/Z	N	N	N	See § 145-77
11. Construction of three- and four-unit dwellings on estate lots as provided under § 145-26	SP/Z	SP/Z	N	Y	SP/Z	N	N	N	N	N	See § 145-77
12. Boardinghouse or lodging house ³	SP/Z ⁴	SP/Z ⁴	N	N	SP/Z ⁴	SP/Z	SP/Z	N	N	N	See § 145-77
13. Continuing care retirement community	SP/P	N	N	SP/P	SP/P	SP/P	SP/P	N	N	SP/P	See § 145-77
	PA			PA	PA	PA	PA			PA	See § 145-77
14. 55-and-over housing	SP/P	SP/P	N	SP/P	N	N	N	N	SP/P	N	See § 145-77
	PA	PA		PA					PA		

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	Zone District										
	VR	AG-B	LR	MDR	AG-A	B-2	B-1	I	MHP	LI	BNC
Open/General Uses											
1. Agricultural, as defined in § 145-2, uses on parcels of land with more than 5 acres ⁵	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See § 145-77
2. Agricultural, as defined in § 145-2, uses on parcels of land with 5 acres or less in area ⁵	SP/Z	SP/Z	SP/Z	N	Y	SP/Z	N	N	N	N	See § 145-77
a. Commercial livestock, dairy or poultry farm	N	SP/Z	N	N	Y	N	N	N	N	N	See § 145-77
b. Roadside farm stand	SP/Z	Y	N	N	Y	Y	Y	N	N	N	See § 145-77
c. Smokehouse, sugarhouse	N	SP/Z	N	N	Y	SP/Z	SP/Z	PA	N	PA	See § 145-77
d. Commercial greenhouse	N	SP/Z	N	N	Y	Y	Y	PA	N	PA	See § 145-77
e. Commercial boarding stables or riding academy	N	SP/Z	N	N	SP/Z	N	N	N	N	N	See § 145-77
3. Forestry, wood harvesting, tree farm or nursery	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See § 145-77
4. Conversion of native logs produced on site, using either:											
Permanent sawmills; or	PA ⁶	PA ⁶	PA ⁶	PA ⁶	PA	PA	PA ⁶	PA	PA ⁶	PA	See § 145-77
Portable sawmills	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See § 145-77
5. Reservation, wildlife preserve, other conservation use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See § 145-77
6. Noncommercial country club, organized camping grounds	N	N	N	N	SP/Z	N	N	N	N	N	See § 145-77
7. Commercial camping, hunting or sport fishing grounds or ponds	N	N	N	N	SP/Z	N	N	N	N	N	See § 145-77
8. Commercial outdoor recreation and motorized recreation, including, but not limited to, ski grounds, golf course, <i>driving</i> range, motocross course, snowmobile course, go-kart track, race track and other outdoor entertainment requiring outdoor areas and parking (for agritourism, see 15)	N	N	N	N	SP/Z	SP/Z	N	N	N	SP/Z	See § 145-77
9. Outdoor sales area with stalls, booths and parking, such as flea market and antique fair	N	N	N	N	SP/Z	SP/Z	N	N	N	SP/Z	See § 145-77
10. Loam removal for commercial purposes	N	N	N	N	SP/P	SP/P	SP/P	SP/P	N	SP/P	See § 145-77
11. Removing and processing gravel and other extractive operations	SP/P	SP/P	SP/P	SP/P	SP/P	SP/P	SP/P	SP/P	SP/P	SP/P	See § 145-77

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	Zone District										
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Open/General Uses											
12. Commercial or private aviation landing strip or heliport	N	N	N	N	SP/Z	N	N	SP/Z	N	SP/Z	See § 145-77
13. Accessory uses or activities in connection with scientific research, scientific development or related production activities permitted as of right	N	SP/Z	N	N	SP/Z	SP/Z	SP/Z	SP/Z	N	SP/Z	See § 145-77
14. (Reserved)											
15. Agritourism, as defined in § 145-2	N	Y	N	N	Y	Y	Y	N	N	N	See § 145-77
Business Uses											
1. Home occupation	Y ⁸ SP/Z ⁹	Y ⁸ SP/Z ⁹	Y ⁸ SP/Z ⁹	Y ⁸	Y ⁸ SP/Z ⁹	Y	Y	N	N	N	See § 145-77
2. Small store (under 2,500 square feet) for retail sale of merchandise, provided all display, storage and sales of material are conducted within a building and provided there be no manufacturing or assembly on the premises	N	N	N	SP/Z ¹⁰	SP/Z	Y	Y	N	N	N	See § 145-77
3. Medium store (between 2,500 square feet and 5,000 square feet)	N	N	N	N	N	Y	PA	N	N	N	See § 145-77
4. Large store or mall (total floor space over 5,000 square feet)	N	N	N	N	N	PA	N	N	N	PA	See § 145-77
5. Convenience store	N	N	N	N	N	Y	Y	N	N	N	See § 145-77
6. Combination convenience store/motor vehicle service station/gasoline islands	N	N	N	N	N	PA	SP/Z	N	N	N	See § 145-77
7. Service businesses (personal business, professional) serving local needs, such as barber shops, shoe repair, self-service laundry or dry cleaning pickup agency, tailoring or other similar uses with less than 2,500 square feet of floor space	N	N	N	SP/Z ¹¹	N	Y	Y	N	SP/Z ¹²	N	See § 145-77
8. Service businesses between 2,500 square feet and 5,000 square feet of floor space	N	N	N	SP/Z ¹¹	N	Y	PA	N	SP/Z ¹²	N	See § 145-77
9. Service businesses with more than 5,000 square feet of floor space	N	N	N	N	N	PA	SP/P PA	N	N	SP/Z	See § 145-77
10. Business, financial or professional offices with less than 2,500 square feet of floor space	SP/Z	SP/Z	N	SP/Z ¹¹	SP/Z	Y	Y	N	N	PA	See § 145-77

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Business Uses												
11. Business, financial or professional offices with 2,500 square feet to 5,000 square feet of floor space	N	N	N	N	N	Y	PA	PA	N	PA	See § 145-77	
12. Business, financial or professional offices with more than 5,000 square feet of floor space	N	N	N	N	N	PA	SP/P PA	PA	N	PA	See § 145-77	
13. Offices and clinics for medical, psychiatric or other health services for examination and treatment of persons as outpatients, including only laboratories which are part of such office or clinic with 2,500 square feet or less of floor space	N	SP/Z	N	N	SP/Z	PA	PA	N	N	PA	See § 145-77	
14. Offices and clinics, as above (No. 13), with over 2,500 square feet of floor space	N	N	N	N	N	PA	SP/P PA	N	N	PA	See § 145-77	
15. Office, retail, restaurant ¹³ complex with studios and residential apartments with less than 2,500 square feet of floor space	N	N	N	N	N	Y	Y	N	N	PA	See § 145-77	
16. Same as No. 15, but with ¹³ floor space between 2,500 and 5,000 square feet	N	N	N	N	N	Y	PA	N	N	PA	See § 145-77	
17. Same as No. 15, but with ¹³ floor space between 5,000 and 20,000 square feet	N	N	N	N	N	PA	SP/P PA	N	N	PA	See § 145-77	
17.1 Same as No. 15, but with floor ¹³ space greater than 20,000 square feet	N	N	N	N	N	SP/P PA	SP/P PA	N	N	PA	See § 145-77	
18. Overnight lodging												
18A. Inns ¹⁴	N	SP/Z ⁴	N	SP/Z	SP/Z ⁴	PA	PA	N	N	N	See § 145-77	
18B. Bed and breakfast ¹⁴	SP/Z	SP/Z	N	N	SP/Z	N	SP/Z	N	N	N	See § 145-77	
18C. Motels (up to 25 units)	N	N	N	N	N	PA	SP/P PA	N	N	N	See § 145-77	
18D. Motels (more than 25 units)	N	N	N	N	N	SP/P	N	N	N	N	See § 145-77	
18E. Hotels, conference centers	N	N	N	N	N	SP/P PA	N	N	N	SP/P PA	See § 145-77	

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Business Uses											
19. Restaurant seating under 75 persons	N	N	N	N	SP/Z	Y	Y	N	N	N	See § 145-77
20. Restaurant seating 75 or more persons	N	N	N	N	N	Y	PA	N	N	N	See § 145-77
21. Bars, pubs, taverns, lounges and nightclubs (establishments primarily serving alcoholic beverages to be consumed on the premises)	N	N	N	N	N	Y	SP/Z	N	N	N	See § 145-77
22. Wholesale business and storage in a roofed structure with less than 2,500 square feet of floor space	N	N	N	N	N	PA	PA	PA	N	PA	See § 145-77
23. Wholesale business and storage in a roofed structure with 2,500 or more square feet of floor space	N	N	N	N	N	PA	N	PA	N	PA	See § 145-77
24. Veterinary office, animal hospital	N	SP/Z	N	N	SP/Z	Y	SP/Z	N	N	PA	See § 145-77
25. Commercial kennel	N	SP/Z	N	N	SP/Z	SP/Z	N	SP/Z	N	N	See § 145-77
26. Truck stops	N	N	N	N	N	SP/Z	N	SP/Z	N	SP/Z	See § 145-77
27. Plumbing, electrical or carpentry shop	N	N	N	N	N	Y	PA	SP/Z	N	PA	See § 145-77
28. Printing, binding, publishing and related arts and trades with less than 2,500 square feet of floor space	N	N	N	N	N	Y	PA	SP/Z	N	PA	See § 145-77
29. Printing, binding, publishing and related arts and trades with 2,500 square feet or more of floor space	N	N	N	N	N	PA	SP/P PA	SP/Z	N	PA	See § 145-77
30. Motor vehicle service station, motor vehicle repair shop	N	N	N	N	N	SP/Z	SP/Z	SP/Z	N	SP/Z	See § 145-77
31. Motor vehicle salvage	N	N	N	N	N	N	N	SP/Z	N	N	See § 145-77
32. Motor vehicle sales and rental	N	N	N	N	N	PA	SP/P PA	N	N	N	See § 145-77
33. Commercial transportation ¹⁵	N	N	N	N	N	PA	PA	PA	N	PA	See § 145-77
34. Performing arts center, including cinema, auditorium and theater	N	N	N	N	N	PA	SP/P PA	N	N	PA	See § 145-77
35. Indoor sport and athletic facilities with less than 5,000 square feet ¹⁶	N	N	N	N	N	Y	PA	N	N	PA	See § 145-77

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Business Uses											
36. Indoor sport and athletic facilities 5,000 square feet and over ¹⁶	N	N	N	N	N	PA	SP/P PA	N	N	PA	See § 145-77
37. Amusement arcades	N	N	N	N	N	SP/Z	SP/Z	N	N	N	See § 145-77
38. Commercial parking areas and garages	N	N	N	N	N	PA	PA	N	N	PA	See § 145-77
39. Meeting halls, places of assembly, club conducted for profit	N	N	N	N	SP/Z	PA	PA	N	N	PA	See § 145-77
40. Funeral establishment	SP/Z	SP/Z	N	N	N	PA	PA	N	N	N	See § 145-77
41. Store for retail sale and distribution of lumber and building materials wherein the merchandise is stored in the open, provided that all merchandise is screened from ground level view from any abutting residential (use) property	N	N	N	N	SP/Z	Y	SP/P PA	N	N	PA	See § 145-77
42. Public rental self-storage unit or building	N	N	N	PA	N	Y	PA	SP/Z	SP/Z ¹²	SP/Z	See § 145-77
43. Wireless communications facilities	N	SP/P	N	N	SP/P	SP/P	SP/P	SP/P	N	SP/P	See § 145-77
44. Adult bookstore; adult motion picture theater; adult paraphernalia store; adult video store; and establishment which display live nudity	N	N	N	N	N	SP/S ¹⁷	N	N	N	N	See § 145-77
45. Business and technology park	N	N	N	N	N	SP/P	N	SP/P	N	SP/P	See § 145-77
46. Commercial solar photovoltaic installation	SP/P	PA	SP/P	SP/P	PA	PA	PA	PA	SP/P	PA	See § 145-77
47. Medical marijuana off-site dispensary (MMOD)	N	N	N	N	N	SP/P and PA	N	N	N	N	See § 145-77
Industrial Uses											
1. Scientific research and development including manufacturing, instruction and other activities clearly incidental thereto	N	N	N	N	N	N	N	SP/Z	N	SP/Z	See § 145-77
2. Light manufacturing, fabrication assembly and Processing	N	N	N	N	N	SP/Z	N	PA	N	PA	See § 145-77
3. Lumber milling yard and similar operations requiring bulk storage of materials outside of a structure	N	N	N	N	N	N	N	PA	N	N	See § 145-77
4. Fuel storage plant	N	N	N	N	N	N	N	SP/Z	N	N	See § 145-77

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Industrial Uses											
5. Contractor's yard	N	N	N	N	N	SP/Z	N	PA	N	N	See § 145-77
6. Bottling plant	N	N	N	N	N	SP/Z	N	PA	N	PA	See § 145-77
7. General manufacturing and industrial uses not commonly considered hazardous or noxious	N	N	N	N	N	N	N	PA	N	SP/Z	See § 145-77
8. Hazardous waste facility as defined in MGL c. 21, § 2	N	N	N	N	N	N	N	PA	N	N	See § 145-77
9. Medical marijuana treatment center (MMTC)	N	N	N	N	N	N	N	SP/P and PA	N	N	See § 145-77
Government, Institutional and Public Service Uses											
1. Nonprofit educational	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	See § 145-77
2. Municipal use	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	See § 145-77
3. For-profit educational	N	N	N	N	N	PA	PA	PA	N	PA	See § 145-77
4. Religious use	PA	PA	PA	Y	Y	Y	PA	Y	Y	Y	See § 145-77
5. Hospital	N	N	N	N	SP/Z	SP/Z	SP/Z	N	N	SP/Z	See § 145-77
6. Private club, not conducted for profit	N	N	SP/Z	N	SP/Z	N	SP/Z	N	N	N	See § 145-77
7. Parks	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See § 145-77
8. Museum	Y	SP/Z	N	N	SP/Z	N	SP/Z	N	N	N	See § 145-77
9. Library	SP/Z	N	N	N	SP/Z	N	SP/Z	N	N	N	See § 145-77
10. Art gallery, craft center	N	N	N	N	SP/Z	Y	Y	N	N	N	See § 145-77
11. Convalescent home/nursing home	SP/Z	SP/Z	N	PA	SP/Z	N	SP/Z	N	N	SP/Z	See § 145-77
12. Laboratory or research facility with 2,500 square feet or less floor space	N	N	N	N	N	PA	PA	PA	N	PA	See § 145-77
13. Laboratory or research facility with more than 2,500 square feet floor space	N	N	N	N	N	PA	N	PA	N	PA	See § 145-77
14. Government offices with 2,500 square feet or less floor space	N	N	N	N	N	PA	PA	N	N	PA	See § 145-77

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Government, Institutional and Public Service Uses											
15. Government offices with more than 2,500 square feet of floor space	N	N	N	N	N	PA	N	N	N	PA	See § 145-77
16. Child-care facilities as defined by MGL c. 28A, § 9, as amended	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See § 145-77

NOTES:

- ¹ Two-unit dwelling allowed in the Lakes Residential District with a special permit from the Zoning Board of Appeals only on an estate lot as provided in § 145-26.
- ² Allowed only in existing structures in the VR Zone.
- ³ A boardinghouse or lodging house shall sublet no more than 12 rooms. There shall be no separate cooking facilities. The owner or manager shall reside on the premises.
- ⁴ Inns and lodging houses are restricted to existing buildings in the VR, AG-B and AG-A Zones.
- ⁵ Except insofar as such activities may be exempt under MGL c. 40A, § 3.
- ⁶ Conversion of native logs into salable lumber, using either permanent or portable sawmills allowed, with site plan approval from the Planning Board in accord with § 145-27 only on parcels of more than five acres of area.
- ⁷ Conversion of native logs into salable lumber, using either permanent or portable sawmills allowed, with site plan approval in accord with § 145-27 from the Planning Board on parcels of more than five acres of area; or with a special permit granted by the Board of Appeals in accord with § 145-69, on parcels of five acres or less in area.
- ⁸ Must comply with § 145-25; home occupations permit issued by the Zoning Enforcement Officer.
- ⁹ Must comply with § 145-25; home occupations permit issued by the Board of Appeals.
- ¹⁰ Retail businesses or services appurtenant to a planned development.
- ¹¹ Professional offices to provide services within a planned development.
- ¹² Commercial uses appurtenant to a mobile home park, intended primarily to serve park residents.
- ¹³ Not more than 30% of the floor space of all buildings on the parcel may be residential.
- ¹⁴ There shall be no separate cooking facilities in guest rooms. Meals may be provided to overnight lodgers. Inns may include a restaurant as a secondary use. The owner or manager of a bed and breakfast shall reside on the premises.
- ¹⁵ One vehicle may be kept on an individual lot in the Lakes and Village Residential Districts, and two vehicles as defined in S. 1.1, may be kept in the Agricultural-A and -B Districts on an individual lot; more than these allotments shall be deemed to be a fleet of commercial transportation vehicles and must be kept in Limited or General Business Districts, or in the Limited Industrial or Industrial Districts.
- ¹⁶ Indoor sport and athletic facilities include gyms, fitness centers, health clubs and spas, ice rinks, roller rinks, bowling lanes, game arenas and similar facilities. Exempt are such facilities strictly accessory to a principal use, such as a hotel or office or apartment complex.
- ¹⁷ No adult use shall be allowed to display for advertisement or other purpose any signs, placards or other materials to the general public on the exterior of the building or on the interior where the same may be seen through glass or other like transparent material any sexually explicit figures or words as defined in MGL c. 272, § 31. This Zoning Bylaw prohibits the issuance of such special permits to any person convicted of violating the provisions of MGL c. 119, § 63, or c. 272, § 28.