

**Wholesale**-A business providing goods or services through various distribution channels primarily to other businesses such as retailers, wholesalers or other subordinate services. [adopted May 2017]

**Zoning Bylaw Section 2: Districts**

**Section**

**2.0 Establishment of Districts**

**2.1 Types of Districts**

For purpose of the bylaw, the Town of Brimfield is hereby divided into the following types of use districts:

- Residential
- Agricultural-Residential
- Business
- Industrial
- Flood Plain (see Zoning Section 3.10)
- Multiple Dwelling District for the elderly

**2.2 Location of Districts**

Said districts are located and bounded as shown on a map entitled "Zoning Map of Brimfield, Massachusetts." The Zoning Map, with all explanatory matter thereon, and as it may hereafter be amended from time to time, is hereby made a part of this bylaw, accepted by the Town Meeting of May 8, 1978, under Article 23 and filed with the town Clerk on the same date. [amended May 2012] \*NB the 1978 Zoning Map was revised and accepted May 1987. The most recent revision of the Zoning Map was accepted May 2010.

**Zoning Bylaw Section 3: District Use Regulations**

**Section**

**3.0 District Use Regulations**

**3.1 General**

Except as provided in Section 5.1.1 hereof, no building or structure shall be constructed, and no structure or land, or part thereof shall be used for any purpose or in any manner other than for one or more of the uses hereinafter set forth as permitted in the district in which such building, structure or land is located, or set forth as permissible by special permit in said district and so authorized.

**3.2 Residential Districts—Permitted Uses**

Permitted Uses:

- 3.2.1** Detached one-family dwelling
- 3.2.2** Religious, education or municipal use
- 3.2.3** Hospital, sanitarium, convalescent home
- 3.2.4** Renting of rooms or furnishing of board for not more than four (4) persons in a dwelling regularly occupied for residential purposes.
- 3.2.5** Accessory uses customarily incidental and secondary to the residential use, including but not limited to the following:
  - 3.2.5.1** Use of a room or rooms in a dwelling or accessory buildings for a customary home occupation conducted solely by a resident with no more than two persons besides the resident, in the practice of a recognized profession. [amended May 2015]
  - 3.2.5.2** Uses of premises or building thereon in connection with his trade by a resident artisan who works primarily away from the premises, such as a carpenter, electrician, painter or plumber, provided that no manufacturing or business requiring heavy machinery or substantially continuous employment by carried and that no evidence of the use be visible or audible to the public or abutters.
  - 3.5.5.3** Display of a sign pertaining to a use permitted on the premises with a total area of not more than six (6) square feet. [adopted March 1975]

**3.3 Residential Districts—May Be Permitted by Board of Appeals**

Uses which may be permitted by the Board of Appeals in accordance with the regulations appearing in Section 11.2.2 of this bylaw.

- 3.3.1** Private club not conducted for profit.
- 3.3.2** Conversion of a one-family dwelling existing at the time adoption of this bylaw into a two-family dwelling.
- 3.3.3** Elderly Housing Communities: The Board of Appeals may grant a special permit, pursuant to Section 11.2.2, for elderly housing communities, subject to the following:
  - 3.3.3.1** Elderly Housing Communities shall consist of detached, single-family dwellings with or without a garage and one community building.
  - 3.3.3.2** Notwithstanding any other provision in these Bylaws, multiple single-family dwellings may be constructed on one lot within Elderly Housing Communities, provided that the total number of such structures shall not exceed one for each acre of lot area.
  - 3.3.3.3** Each lot and/or dwelling shall be deed-restricted for ownership and occupancy by persons 55 years of age or older. The form of such deed restriction shall be approved by the Board of Appeals and Town Counsel and attached to and incorporated within the special permit.

**3.3.3.4** The Board of Appeals may impose such other reasonable conditions as it deems appropriate and shall require the applicant to obtain Site Plan approval from the Planning Board. [section c added May 2005]

**3.3.3.5** Elderly Housing Community shall be on one parcel or on contiguous parcels of land totaling at least five (5) acres in size. [section c added May 2005 and amended May 2007]

### **3.4 Agricultural-Residential Districts—Permitted Uses**

Permitted Uses:

**3.4.1** All uses permitted in a Residential District

**3.4.2** Farm or nursery, including the display and sales of natural products raised in the town and the raising of stock except as limited by Section 3.5 below.

**3.4.3** Accessory uses

**3.4.4** The raising of hogs, pigs, or fur-bearing animals provided such activity is carried on at least 500 feet from any property line.

**3.4.5** Parking of vehicles relative to flea markets as defined in General Bylaws, Chapter 5. [adopted February 1998]

**3.4.6** The outdoor rental of space to merchants for the purpose of buying, selling, or bartering merchandise on the premises, to the same extent permitted in the business district, in that area of the Agricultural-Residential District bounded as follows: southerly by Route 20; easterly by the Warren Road; westerly by Crystal Brook; and northerly by a line parallel to Route 20 at a depth not to exceed 500 feet which extends easterly from the northerly limit of the Business District at Crystal Brook to the Warren Road. [adopted October 1984]

**3.4.7** The outdoor rental of space to merchants for the purpose of buying, selling, or bartering merchandise on the premises, relative to flea market, to the same extent permitted in the Business District in that area of the Agricultural-Residential District which is abutting the Route 20 Business District at a depth not to exceed 1000 feet from US Route 20 State Highway Bounds. [adopted February 1998]

### **3.5 Agricultural-Residential Districts—May be Permitted by Board of Appeals**

Uses which may be permitted by the Board of Appeals in accordance with the regulations appearing in Section 11.2.2 of this bylaw:

**3.5.1** Golf course, boat livery, riding stable and ski tow

**3.5.2** Private club not conducted for profit

**3.5.3** Soil, gravel, loam and sand removal in the following cases only:

**3.5.4** The materials removed will be used by the Town of Brimfield or any department or agency thereof.

**3.5.5** Removal will be limited to not more than one thousand (1,000) cubic yards total from a lot.