

## SECTION III: GENERAL USE REGULATIONS

### 3.0 SCHEDULE OF USE REGULATIONS

3.0.1 Except as provided elsewhere in this bylaw, no building or structure shall be constructed, and no building, 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. The restrictions and controls intended to regulate development in each district are set forth in Table 3.0 Middlefield Schedule of Use Regulations:

Y	-	Yes - Use Permitted
SP	-	Use Allowed by Special Permit from Zoning Board of Appeals
N	-	No - Use Prohibited

Uses permitted by right and uses permitted by the granting of a special permit shall be in conformity with all intensity regulations and any other pertinent requirements of this Bylaw. Uses Permitted through the Special Permit process are not guaranteed the issuance of a permit.

3.0.2 Floodplain and Westfield River Protection District Uses  
See Section 5.0, the Floodplain and Westfield River District, to determine what uses are permitted.

**Table 3.0**

#### USE REGULATIONS, TOWN OF MIDDLEFIELD

Bylaw Number	TYPES OF LAND USE	STANDARDS AND CONDITIONS	ZONING DISTRICTS	
			Agricultural Residential	Business
<b>3.01</b>	<b>INSTITUTIONAL USE</b>			
3.010	Religious, education or municipal		Y	Y
3.011	Child care facility		Y	Y
3.012	Hospital, sanitarium, convalescent home		SP	SP
3.013	Family Day Care Home		Y	Y

Y = Yes, permitted

N = No, not permitted

SP = Permitted by Special Permit

**Table 3.0 USE REGULATIONS, TOWN OF MIDDLEFIELD**

Bylaw Number	TYPES OF LAND USE	STANDARD and CONDITIONS	ZONING DISTRICTS	
			Agricultural-Residential	Business
<b>3.02</b>	<b>AGRICULTURAL USE</b>			
3.020	Farming, horticulture, floriculture, or viticulture	Must be on parcels of more than 5 acres in districts not zoned for agriculture	Y	Y
3.021	Agricultural uses on parcels less than 5 acres in size		Y	SP
3.022	Riding stable		Y	Y
3.023	Commercial raising of swine or furbearing animals	Provided such activity is carried on at least 500 feet from any property line or highway	Y	Y
3.024	Nursery Truck Gardening Greenhouses Maple Sugar Production		Y Y Y Y	Y Y Y Y
3.025	Display and sale of natural products	Must be raised in the region	Y	Y
<b>3.03</b>	<b>RESIDENTIAL USE</b>			
3.030	Detached one-family dwelling		Y	Y
3.031	Renting of rooms or furnishing of board	Not more than 6 persons in a dwelling regularly occupied for A-R purposes	Y	Y
3.032	Mobile Home Parks		N	N
3.033	Private Club	Must not be conducted for profit	SP	Y
3.034	Conversion of a one-family dwelling into a two-family dwelling	Single family dwelling must have existed at the time of adoption of zoning bylaw	SP	SP
3.035	Temporary mobile home or manufactured home	Allowed for one year while rebuilding a home destroyed by fire or other natural disaster	Y	Y
3.036	Mobile home use during construction of a building on premises	Whether or not placed on a foundation for a temporary office or residence. Permitted for no longer than 6 months	SP	SP
<b>3.04</b>	<b>BUSINESS USE</b>			
3.040	Aviation field		SP	SP
3.041	Golf course		SP	SP
3.042	Ski tow		SP	SP
3.043	Gravel, loam, sand and stone removal	See Section 4.4 for details in the business district	SP	SP
3.044	Office, bank, newspaper, job printing establishment		N	SP
3.045	Hotel, motel, restaurant		N	SP
3.046	Any Wholesale or retail business, research laboratory, service of a public utility, or light manufacturing	In the business district	N	SP
3.047	Automobile service station, repair shop, storage garage, or salesroom		N	SP
3.048	Place of amusement or assembly		N	SP
3.049	Club conducted for profit		N	SP

Y = Yes, permitted

N = No, not permitted

SP = Permitted by Special Permit

**Table 3.0**

**USE REGULATIONS, TOWN OF MIDDLEFIELD  
continued**

Bylaw Number	TYPES OF LAND USE	STANDARDS AND CONDITIONS	ZONING DISTRICTS	
			Agricultural Residential	Business
3.05	ACCESSORY USE	Except as provided below, accessory uses or structures shall be permitted if located on the same parcel as the main building or use, is incidental to the main or permitted use, and is subordinate to the main building or use.		
3.050	Signs	Only one sign allowed in addition to political signs permitted by right. See Section 4.5 for details	Y	Y
3.051	Political signs		Y	Y
3.052	Home Occupation	Use restricted to customary home occupation in a room or rooms in a dwelling and conducted by resident occupants of a recognized profession, plus up to two non-resident employees. Use must be subordinate to residential use.	Y	Y
3.052	Use by resident artisan or craftsman	Only a resident artisan or craftsman may use a portion of his dwelling or an accessory building in connection with his art or craft, provided that such activity is not detrimental to the neighborhood and that no more than two persons who are not residents of the premises may be employed in connection with this accessory use.	Y	Y
3.053	Activities necessary in connection with scientific research or scientific development	Must not substantially derogate from the public good. Must be accessory to activities permitted as a matter of right whether or not performed on the same parcel as activities permitted as a matter of right.	SP (ZBA)	SP (ZBA)
3.054	Use by resident tradesperson	A resident tradesperson may use a portion of his /her dwelling or an accessory building in connection with his trade, provided that such activity is not detrimental to the neighborhood and that no more than two persons who are not residents of the premises may be employed in connection with this accessory use.	Y	Y
3.055	Home-based businesses with more than 2 non-resident employees, or otherwise exceeding definitions 3.052 and 3.054	See Section 4.7 for Standards and Conditions.	SP	SP

\*For detailed regulations in the Floodplain and Westfield River Protection District, see Section V.

Y = Yes, permitted

N = No, not permitted

SP = Permitted by Special Permit

### 3.1 INTENSITY REGULATIONS (DIMENSIONS)

All uses permitted by right as well as uses allowed by Special Permit shall be in conformity with the intensity regulations set forth in Table 3.1 Intensity Regulations. No existing lot shall be changed in size or shape so as to result in the violation of requirements set forth in Table 3.1.

Table 3.1

#### INTENSITY REGULATIONS (DIMENSIONS)

District	Use	Minimum Lot Dimensions		Minimum Yard Dimensions (Set-back Requirements)			Maximum Height of Buildings see note(a)		Maximum % Coverage Including Accessory Building(s)	Minimum First Floor Area Feet
		Area in Sq Feet	Frontage in Feet	Front in Feet	Side in Feet	Rear in Feet	Number of Stories	Feet		
Agricultural-Residential	Single Family Dwelling	88,000	200	40	40	40	2½	35	30%	no minimum
	All other permitted uses	88,000	200	40	40	40	2½	35	30%	no minimum
Business	All Business Uses	44,000	200	25	25 see note (b)	20 see note (c)	2½	35	30%	500
	Single-Family Dwelling	88,000	200	40	40	40	2½	35	30%	no minimum
	All other uses	44,000	200	25	25	20	2½	35	30%	

**NOTES:**

(a) Height: The limitation on height of buildings shall not apply in any district to chimneys, ventilators, spires, or any other ornamental features which are in no way used for living purposes. Excluded from this provisions are farm barns and silos, and towers which are limited to fifty (50) feet in height.

(b) Side Setback: Side-yard dimensions will be fifty (50) feet when adjacent to Agricultural/Residential District

(c) Rear Setback: Rear-yard dimensions will be fifty (50) feet when adjacent to Agricultural/ Residential District

Note: For driveway standards see the state building code, and Section 4.6 of this Bylaw.

## 3.2 NON-CONFORMING USES

The lawful use of any structure or land existing at the time of the enactment or amendment of this Bylaw may be continued even though such structure or use does not conform with the provisions of the Bylaw. This use or structure is, however, subject to the following conditions:

- 3.2.1 Discontinuance: A non-conforming use that has not been used for a period of two (2) years shall not be re-established and any future use shall conform with this Bylaw.
- 3.2.2 Changes: A non-conforming use shall not be changed to any other non-conforming use, and once changed to a more restrictive or conforming use, it shall not be permitted to revert to its previous use.
- 3.2.3 Alteration or Extension: Pre-existing non-conforming structures or uses may be extended or altered when the Zoning Board of Appeals finds that such extension, alteration or change is not substantially more detrimental to the neighborhood than the existing non-conforming use.
- 3.2.4 Reconstruction: A non-conforming structure that has been damaged or destroyed by fire, flood, hurricane or other accidental cause, may be repaired or reconstructed and used as before, provided such restoration is begun within six (6) months and does not exceed the size of the original non-conforming structure unless enlargement is allowed by the Zoning Board of Appeals as outlined above.

## 3.3 RESIDENTIAL LOT OF RECORD

Any increase in area, frontage, width, yard, or depth requirements of this Bylaw shall not apply to a lot for single and two-family residential use if at the time of recording or endorsement of such lot, whichever occurs sooner, the following conditions were met:

- 3.3.1 The lot was not held in common ownership with any adjoining land.
- 3.3.2 The lot conformed to the applicable zoning requirements at the time it was recorded or endorsed.
- 3.3.3 The lot had at least 5,000 square feet of area and 50 feet of frontage.