
ZONING & PLANNING - MASSACHUSETTS

Hume Lake Christian Camps, Inc. v. Planning Board of Monterey

Supreme Judicial Court of Massachusetts, Suffolk - June 7, 2023 - N.E.3d - 2023 WL 3855265

Nonprofit Christian organization appealed planning board's denial of its application to build a recreational vehicle (RV) campground on its property, contending the proposed campground fell within Dover Amendment's limits on the ability of municipalities to "regulate or restrict the use of land or structures for religious purposes."

The Land Court Department entered judgment in part for organization. Board appealed, and organization cross-appealed. The Supreme Judicial Court on its own initiative transferred the case from the Appeals Court.

The Supreme Judicial Court held that:

- Primary or dominant purpose of housing families at proposed RV campground would be to serve organization's religious mission;
- Primary or dominant purpose of housing volunteers and seasonal staff at RV campground would be to facilitate the operation, maintenance, and improvement of organization's religious family camp; and
- Primary or dominant purpose of religious family camp was to serve organization's evangelical mission, rather than recreation.

Primary or dominant purpose of religious family camp was to serve nonprofit Christian organization's evangelical mission, rather than recreation, and thus recreational vehicle (RV) campground for camp fell within Dover Amendment's limits on the ability of municipalities to "regulate or restrict the use of land or structures for religious purposes"; camp attendees were required to participate in two chapel sessions each day and to receive religious instruction, camp's guest retreats were available only to organizations that agree to abide by a schedule that included religious components, nonbelievers were allow to attend camp programs in the service of proselytization, and recreational activities boosted interest in the camp's religious offerings.

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