



Planning & Development
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Memo

Date: January 7, 2019

To: Board of Selectmen

From: Planning & Code Enforcement Offices

Re: Ordinance Change Proposal – Revise Definition of Home Business

Proposal: Revised definition of Home Business

Reasons:

The intent of §145-51 was to allow a home owner to operate a small scale business at their home. As an owner occupied business, the owner would be sensitive to neighbor concerns and responsive to complaints. The current language of the ordinance implies but does not specify a business owner must occupy the home business location. An appeal to the Zoning Board of Appeals was upheld which allowed a business owner/land owner to operate a business at a location and rent the dwelling unit to another party. The intent of §145-51 was not to create two rentable units, one for a business and one as a dwelling. The goal of the ordinance changes is to eliminate this loop hole.

Proposed Ordinance Changes:

§145-10 Definitions.

BUSINESS, HOME

Any activity conducted **by the occupant of a dwelling unit** for financial gain which is carried on in said dwelling unit or structure accessory to said dwelling unit.

§145-51. Home Business

A home business is permitted as an accessory use **by the occupant of** a dwelling unit if it complies with the following standards: