



**Planning & Development**  
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**Memo**

Date: January 8, 2019

To: Board of Selectmen

From: Planning & Code Enforcement Offices

Re: Ordinance Change Proposal – Exempt Farm Stands and Lemonade Stands

**Proposal:** Exempt Farm Stands and Lemonade Stands from requiring site plan approval or Home Business permits.

**Reasons:**

Homeowner operated farm stands and lemonade type stands operated by minors would currently require site plan or a Home Business permit approval. The following ordinance changes are proposed to exempt such minor/incidental uses from Town permitting; similar to the existing exemptions for a School Bus Shelter and Public Transportation Shelter.

**Proposed Ordinance Changes:**

§145-10. Definitions.

**FARM STAND (NON-COMMERCIAL)**

A free standing structure not more than 100 square feet in footprint area and not more than 10 feet in building height used for the sale of agricultural or livestock/poultry products grown or raised on the property where the structure is located.

**FOOD STAND (NON-COMMERCIAL)**

A free standing structure not more than 50 square feet in footprint area and not more than 10 feet in building height used by a minor person (under the age of 16) for the sale of items such as lemonade, cookies, etc.

**§145-47.3. Non-Commercial Farm Stands and Food Stands**

- A. A single Farm Stand (non-commercial) which is accessory to an existing residential use, may be placed within required right of way setbacks as set forth in Article V and is not subject to the requirements of Article X or §145-51.
- B. A Food Stand (non-commercial) may be placed within required right of way setbacks as set forth in Article V and is not subject to the requirements of Article X or §145-51.