



**Economic Development Subcommittee  
Agenda & Meeting Packet**  
October 18, 2023

Meeting will be held at the **Municipal Building**  
Council Chambers, 2nd Floor  
355 East Central Street  
5:30 PM

**A NOTE TO RESIDENTS:** All citizens are welcome to attend public board and committee meetings in person. Meetings are also live-streamed (and archived) by Franklin TV on the [Franklin Town Hall TV YouTube channel](#). Meetings are also shown live and on repeat on Comcast Channel 9 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens are welcome to continue to participate remotely via phone OR Zoom.

The Link to access the meeting via Zoom for the October 18, 2023 EDC meeting is below:

- Zoom Link [HERE](#) -- Then click "Open Zoom".
- Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/88512634420>
- Call-In Phone Number: Call 1-929-205-6099 and enter **Meeting ID # 885 1263 4420** --Then press #
- Participants are muted upon entry into the Zoom platform and will not be able to unmute themselves without permission from the Zoom host. To request permission to unmute, please use the "raise hand" function on your Zoom screen.

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**Agenda:**

1. Discussion: Home Occupation Bylaw
  - a. [Staff memo](#)
2. Discussion: 40R

This is a meeting of the Franklin Town Council Sub-Committee; under the Open Meeting Law, this subcommittee is a separate "public body" from the Town Council. Therefore, unless the Town Council has separately notified and posted its own meeting, Councilors who are not members of this subcommittee will not be permitted to speak or otherwise actively participate @ this meeting, although they may attend and observe. This prohibition is necessary to avoid the potential for an Open Meeting Law Violation

# **FRANKLIN PLANNING & COMMUNITY DEVELOPMENT**

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## **MEMORANDUM**

**TO: JAMIE HELLEN, TOWN ADMINISTRATOR**  
**FROM: BRYAN W. TABERNER, AICP, DIRECTOR**  
**RE: REVIEW OF HOME OCCUPATION BYLAW ISSUES AND REQUIREMENTS**  
**CC: MARK G. CEREL, TOWN ATTORNEY; AMY LOVE, TOWN PLANNER;**  
**GUS BROWN, ZONING ENFORCEMENT OFFICER**  
**DATE: SEPTEMBER 22, 2023**

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The Department of Planning & Community Development (DPCD) was asked to “Research changes to the home occupation bylaw”. In response DPCD conducted research into home occupation best practices and what other Massachusetts communities have for regulations, and compared to the Town of Franklin’s home occupation regulations. In addition, during the last weeks of FY23 the Town hired Barrett Planning Inc., and as part of a larger zoning project, assessed home occupation bylaw issues. Below is a summary of our combined work.

### Franklin’s Home Occupation Bylaw, and Related Zoning Regulation

The Town of Franklin’s home occupation bylaw, §185-39 Uses accessory to dwellings, has the following subsections:

- A. Home professional office.
- B. Home occupation.
- C. Parking.

In 2009 Town staff completely rewrote §185-39, and Zoning Bylaw Amendments 09-637 and 09-638 were approved by Franklin Town Council on December 16, 2009. §185-39 has been included as Attachment A; also included in the Attachment are related definitions from 185-3, and Use Regulations Schedule Part VII, Accessory Uses.

### Home Occupation Research

Research on home occupation regulations from other Massachusetts communities (see Attachment B) show that there are several issues addressed by most communities. A short list of issues commonly addressed are as follows:

- Owner or operator of the home-based business shall reside on the premises.
- Maximum percentage of the habitable floor area of the principal residence, and or accessory structures.
- Hours of operation.
- Is the home occupation (or specific uses) allowed by right or special permit.
- Number of persons in addition to family members employed.
- No on site retail sales.

- No display of goods visible from outside of the principal residence.
- Restrictions on storage of material or products outside of the principal residence.
- External structure alterations to the principal residence (or an accessory building) are either prohibited, or if allowed will not deviate from the residential character.
- The appearance shall not exhibit any exterior indication of the home-based business from the street.
- Equipment, machinery, processes or materials shall not have detrimental impacts or objectionable characteristics on the neighborhood, due to emission of odor, gas, smoke, dust, noise, electrical disturbance.
- Required off-street parking, in addition to required residential parking.
- Number and size/type of vehicles.
- Location of parking and accessory structures.
- Restriction on deliveries or shipment of packages.
- Signage.

Franklin's home occupation related regulation within the Town's Zoning Bylaw addresses all issues listed above. According to Building Commissioner Gus Brown, the current home occupation bylaw and related zoning regulation are up to date and address almost all home occupation related businesses. The one exception is cooking or preparation of food within a residence. Occasionally home owners ask if cooking products for profit is allowed. If allowed in the specific zoning district, the "food manufacturing or processing use" would need to meet the same regulations needed in a commercial or industrial establishments, including a grease trap and commercial kitchen. These issues are better addressed by Building Commissioner Gus Brown, Health Director Cathleen Liberty, and Town Engineer Michael Maglio.

With your permission I would like to present the above information to the Economic Development Subcommittee, and request members identify which specific issues related to the Town's home occupation bylaw need to be addressed. If an amendment is required DPCD can develop in a timely manner.

Please let me know if you have questions or need additional information. We look forward to discussing the issues at the next EDC Meeting.

## **Current Home Occupation Bylaw**

### **§185-39 Uses accessory to dwellings.**

[Amended 12-16-2009 by Bylaw Amendment 09-638]

#### **A. Home professional office.**

(1) A professional office is permitted within the principal residential building of a member of a licensed profession, provided:

- (a) The professional office does not violate the definition provided in §185-3, Definitions.
- (b) The building or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to exterior appearance, emission of odor, gas, smoke, noise, dust, light, electrical disturbance, or any other deleterious effects to the neighborhood. The Zoning Enforcement Office shall determine whether a professional office is objectionable or detrimental to the residential character of a neighborhood.
- (c) All required parking shall be provided off street. Parking lots that hold four or more cars shall not be located within the front yard and shall require screening vegetation or stockade fencing that prevents the parked cars from being seen from the street or by residents of abutting properties. This requirement only applies to parking associated with the professional office and not normal resident parking of registered vehicles.
- (d) No more than two other persons shall be employed on the premises.
- (e) No more than 25% of the total floor area, not to exceed 400 square feet, shall be devoted to such use.
- (f) Regular hours of operation shall not start prior to 7:00 a.m. or close after 8:00 p.m. The Zoning Board of Appeals may extend hours of operation, provided that the extended hours of operation do not violate Subsection A(1)(b). No commercial deliveries or pick-ups shall be made on Sundays.
- (g) A sign shall be permitted, provided that it is no larger than three square feet in size.
- (h) There is compliance with all other applicable bylaws, regulations, permits and agreements.
- (i) No noxious or hazardous material or chemicals may be used or stored in quantities greater than those typically associated with routine single-family residential use.

(2) A building which is accessory to a dwelling and which was in existence as of the date of adoption of this bylaw provision may be authorized by the Zoning Board of Appeals (ZBA) for use as an office or workroom for the conduct of a professional office by residents thereon, provided that the ZBA determines that the conditions in Subsection A(1)(a) through (i) are satisfied.

#### **B. Home occupation.**

(1) A home occupation is permitted within the principal residential building, provided that there is demonstrated compliance with each of the following conditions:

- (a) The home occupation does not violate the definition provided in §185-3, Definitions.
- (b) The building or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to exterior appearance, emission of odor, gas, smoke, noise, dust or light, electrical disturbance, or any other deleterious effects to the neighborhood. The Zoning Enforcement Office shall determine whether a home occupation is objectionable or detrimental to the residential character of a neighborhood.
- (c) Only persons who reside on the premises shall be employed in the home occupation.
- (d) Not more than 25% of the total floor area or 300 square feet, whichever is smaller, shall be regularly devoted to such home occupation.

(e) There shall be no retail sale of articles, except for items principally produced on the premises or maintained in connection with and incidental to such merchandise or service provided by the home occupation.

(f) Vehicles entering or exiting the property shall not be a nuisance or impediment to the normal activities within the residential neighborhood as determined by the Zoning Enforcement Officer.

(g) A sign shall be permitted, provided that it is no larger than three square feet in size.

(h) All required parking shall be provided off street and other than in a required front yard, and shall not occupy more than 35% of the lot area. Parking lots that hold four or more cars shall require screening vegetation or stockade fencing that prevents the parked cars from being seen from the street or by residents of abutting properties. This requirement only applies to parking associated with the home occupation and not normal resident parking of registered vehicles.

(i) Hours of operation shall not start prior to 7:00 a.m. or close after 8:00 p.m. The Zoning Board of Appeals may extend hours of operation, provided that the extended hours of operation do not violate Subsection B(1)(b). No commercial deliveries or pick-ups shall be scheduled on Sundays.

(j) There is compliance with all other applicable bylaws, regulations, permits and agreements.

(k) No noxious or hazardous materials or chemicals may be used or stored in quantities greater than those typically associated with routine single-family residential use.

(2) A building which is accessory to a dwelling and which was in existence as of the date of adoption of this bylaw provision may be authorized by the ZBA for use as an office or workroom for the conduct of a home occupation by residents thereon, provided that the ZBA determines that the conditions in Subsection B(1)(a) through (k) are satisfied.

### **C. Parking.**

(1) This section only applies to detached garages or outdoor storage areas that are used in conjunction with a professional office, home occupation or other commercial enterprises within a residential district. This section does not apply to detached or attached garages that are used only for the private residential use of a single-family or two-family residence.

(2) A private accessory garage or outdoor vehicle storage area is permitted within a residential district, provided it meets the following requirements:

(a) No more than three motor vehicles shall be parked or stored in an accessory garage or an outdoor vehicle storage area within a residential district.

(b) No more than one commercial vehicle between 6,000 and 15,000 pounds gross vehicle weight (GVW) shall be parked or stored in an accessory garage or an outdoor vehicle storage area within a residential district. No vehicles over 15,000 pounds GVW shall be parked or stored in an accessory garage or outdoor vehicle storage area within a residential district without a special permit from the ZBA. A special permit shall be based upon a finding that the premises shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to exterior appearance, emission of odor, gas, smoke, noise, dust or light, electrical disturbance, or any other deleterious effects to the neighborhood.

(c) An outdoor vehicle storage yard within a residential district shall not be permitted within the normal front yard setback of the residential district.

(d) An outdoor vehicle storage area within a residential district shall have screening vegetation or stockade fencing that prevents the parked cars from being seen from the street or by the neighbors who reside on abutting properties.

## **Related Definitions from §185-3, Definitions**

### **HOME OCCUPATION**

A home-based business owned and operated by a full-time resident of a residential dwelling which can be conducted without the need for a commercial space. The following businesses shall not be permitted as home occupations: automotive sales, rental, lease, fueling, service, repair including collision, or restoration; the cooking or preparation of food for profit; medical or dental facilities (see definition of "home professional office" below); any type of industrial use. A home office is also permitted for resident business owners such as contractors, landscapers, mobile cleaners or installers, provided that all equipment, supplies and vehicles are stored inside the residence or in a garage, and no more than two nonresident vehicle owners park at the property. There shall not be any materials or debris related to the activity stored outdoors. In addition, the business must comply with § 185-39B(1) and (2).

[Amended 12-16-2009 by Bylaw Amendment 09-637]

### **HOME PROFESSIONAL OFFICE**

A home-based office owned and operated by a full-time resident of a residential dwelling as the principal employee in a profession such as medicine, dentistry, engineering, accounting, architecture or law (attorney). In addition, the business must comply with § 185-39A(1) and (2).

[Added 12-16-2009 by Bylaw Amendment 09-637]

### **ACCESSORY BUILDING OR STRUCTURE**

A building or other structure that is incidental, subordinate and reasonably related to the principal building on the property and is physically detached from the principal building. Accessory buildings and structures must be on the same property as the building to which they are accessory.

[Added 8-8-2018 by Bylaw Amendment 18-810]

### **ACCESSORY USE**

A use of land found on the same parcel as the principal use, but incidental, subordinate and reasonably related to the principal use.

[Added 8-8-2018 by Bylaw Amendment 18-810]

## Home Occupation Bylaw Research

Below are several examples of home occupation definitions and regulations from other Massachusetts communities.

### **Tewksbury:**

HOME OCCUPATION: A business that is clearly and customarily incidental to, and conducted within, a dwelling unit or in a building or other accessory structure by a resident thereof, such as a room or rooms as a professional office or personal service or a studio or for other customary home occupation. (*Section 2, Definitions*)

### 7.2 HOME OCCUPATION

A. In any Residential district, a customary home occupation, incidental to the principal residential use, is permitted as of right only if all of the following conditions are met:

1. No nonresident shall be employed therein;
2. There shall be no stock in trade kept nor commodities sold on the premises except for goods produced by the owner of the business or by immediate family members residing on the premises;
3. Not more than 25% of the existing gross floor area of the dwelling unit in the principal building, not to exceed 600 square feet, is devoted to such use;
4. There shall be no display of goods or wares visible from the street;
5. All advertising devices visible from off the lot are specifically prohibited;
6. No equipment, machinery, or materials other than types normally found in or compatible with a dwelling shall be allowed;
7. The buildings or premises occupied shall not have a detrimental impact on the neighborhood due to exterior appearance, emission of odor, gas, smoke, dust, noise, electrical disturbance, or in any other way. In a structure containing more than one dwelling unit, the use shall not become objectionable or detrimental to any residential use within the structure;
8. Any such building shall include no feature of design not customary in buildings for residential use; and,
9. The minimum required parking for the residential use shall not be reduced or made unusable by the home occupation.

B. Home Occupation by Special Permit. A home occupation may be allowed by special permit issued by the Zoning Board of Appeals, provided that it:

1. Fully complies with subsections (A)(4), (A)(6), and (A)(7) above;
2. Is conducted within a dwelling solely by the person(s) occupying the dwelling as a primary residence and, in addition to the residents of the premises, by not more than one additional employee;
3. Does not exhibit any exterior indication of its presence, or any variation from residential appearance, except for a sign or name plate in conformance with Section 6.2.
4. A special permit for such use is granted by the Zoning Board of Appeals, subject to conditions including, but not limited to, restriction of hours of operation, maximum floor area, off-street parking, and maximum number of daily customer vehicle trips. Such special permit shall be limited to 5 years, or the transfer of the property, whichever first occurs.

## **Attleboro:**

### **Home Occupation Business**

Purpose: A business operating in a residential dwelling shall be defined as a home occupation business. Such businesses shall include catering, dressmaking, fine arts studios, insurance, real estate, offices for architects, engineers, land surveyors, lawyers, and medical professionals, and other uses not herein specified but consistent with the purpose and intent of this section.

*(Attleboro defines home occupation within § 17-10.4, the section with home occupation regulations. The City requires a special permit for home occupations in all districts except for an innocuous home office: (a) home office business that entails the use of typical office equipment such as computers, facsimile machine, copiers, telephones and other similar office equipment, (b) bookkeeping, (c) computer programming, computer assisted graphic design, web site design, and (d) the use of a home address for the purpose of a business office address ...)*

## **Natick**

**Home Occupation/Customary Home Occupation:** An occupation such as professional offices, studios, laboratories, and workshops which may specifically include the following occupations (not by way of limitation): seamstress, tailor, milliner, hair care facility, realtor, legal services, dental or medical care facility, art, craft or music instruction, provided that:

- (a) Only one person other than members of the family residing on the premises shall be simultaneously engaged in such occupation,
- (b) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of the building area of the dwelling unit shall be used in the conduct of the home occupation;
- (c) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding two (2) square feet in area, non-illuminated, and mounted flat against the wall of the principal building;
- (d) No home occupation shall be conducted in any accessory building;
- (e) There shall be no sales other than goods produced or assembled on the premises in connection with such home occupation nor public display of goods or wares;
- (f) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation beyond such normal volume shall be met off the street and other than in a required front yard;
- (g) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, smoke, dust, odors, heat, unsightliness, or electrical interference detectable to the family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises;
- (h) There is no exterior storage of materials or equipment including automotive parts and construction equipment; and
- (i) There is no external structural alterations which is not customary in a residential building.

**Home Occupation/Customary Home Occupation Dog Kennel:** A “Home Occupation/Customary Home Occupation,” compliant with that term and meaning as defined in Town of Natick - Zoning Bylaw Section I/Article I, Section 200\* except allowing partial outdoor conduct by such home occupation as necessary for proper dog care, used for boarding, holding, day care, overnight stays or training of dogs that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such dogs, or engaged in the business of breeding dogs for sale or exchange to wholesalers, brokers or pet shops in return for consideration



**Foxborough:**

*From Section 3.2, Accessory Uses:*

3.2.2.Home occupation, intensive. An intensive home occupation is permitted by special permit as set forth in the Table of Use Regulations in the principal residence or in an accessory building, subject to the following standards:

1. The business must not produce noise or other objectionable characteristics beyond the limits of the lot; and
2. The area devoted to the home occupation shall not exceed 40% of the habitable floor area of the principal residence; and
3. Necessary off-street parking shall be provided; and
4. No more than two persons in addition to family members residing in the residence may be employed within the principal residence or in an accessory building; and
5. Storage of material or products outside of the principal residence is prohibited; and
6. The making of external structure alterations to the principal residence or an accessory building is prohibited.

3.2.3.Home occupation; nonintensive. A nonintensive home occupation is permitted as of right as set forth in the Table of Use Regulations in the principal residence or in an accessory building, subject to the following standards:

1. The business must not produce noise or other objectionable characteristics beyond the limits of the lot; and
2. The area devoted to home occupation may not exceed 400 square feet total in the habitable area of the principal dwelling and the accessory building and shall not exceed 20% of the habitable area of the dwelling; and
3. Not more than one vehicle dedicated or used in conjunction with the occupation may be parked on the property and said vehicle shall be registered and routinely driven on public streets and lawful to any other requirements of these bylaws; and
4. No employees are permitted in conjunction with this employment; and
5. No customers or business associates are permitted to regularly visit said dwelling or in any manner transact any business from the dwelling; and
6. Routine deliveries of packages shall be less than 70 pounds; and
7. Storage of materials or products outside of a principal building is prohibited; and
8. The making of external structural alterations which are not customary in residential buildings is prohibited; and
9. No signage concerning the home occupation is permitted; and
10. Not more than two residents may be engaged in the same or related home occupation.

**Marlborough:****Home Office/Home occupation:**

An occupation customarily conducted in the place of residence of the operator or of a professional person, or in a building accessory thereto, such as dressmaking, millinery, home cooking, handcraft, specialized cultivation and propagation of houseplants, insects, fish, birds and animals, limited to one litter at a time, or the offices of a physician, surgeon, dentist, real estate agent, teacher, clergyman, artist, lawyer, architect, musician, landscape architect, land surveyor, city planner, broker, engineer, beautician or member of any other recognized profession, including an office for an off-premises business, provided that not more than three persons are engaged in the activity on the premises at any one time.

*(Section 2, Definitions. Note that Marlborough allows home occupations as of right in all districts.)*

## **Westborough:**

Home Occupation shall mean a business or profession engaged in within a dwelling or its accessory building by a resident thereof as a use accessory thereto. (*Article 5, Definitions*)

### **4400. ACCESSORY USES AND STRUCTURES**

4410. HOME OCCUPATIONS. Home occupations are permitted only if conforming to the following conditions:

4411. Floor area used for the home occupation shall not exceed 25% of the floor area of the dwelling or 30% of the combined floor area of the dwelling plus any accessory structures used in the home occupation.

4412. Not more than one person not a member of the household shall be employed on the premises in the home occupation.

4413. There shall be no exterior display, no exterior storage of materials and no other exterior indication of the home occupation or other variation from the residential character of the principal building other than a sign as provided in Section 3331 (d).

4414. No offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced. 4415. Traffic generated shall not exceed volumes normally expected in a residential neighborhood.

4416. Parking generated shall be accommodated off-street, but not more than two (2) spaces shall be in a required front yard.

4417. Should any home occupation create any variation from the normal activity within the neighborhood, the hours of operation shall be limited to 8:00 A.M. to 9:00 P.M. with Sundays to be days of no operation.

4418. One-day yard or garage sales are permitted only upon written permit from the Selectmen. Should any premises be used more frequently than two (2) days in one year for the purpose of a yard or garage sale, the sale shall be considered a home occupation and be governed by the regulation set forth in these Bylaws under Section 4410 through 4417.

## **Mansfield:**

**Home occupation:** any use which is conducted solely by the inhabitants of the building and carried on strictly within the principal building. The occupation shall be situated in the same dwelling used by the person as their private residence. Any such home occupation shall not be detrimental or objectionable to the residential character of the neighborhood, including but not limited to the altering of the exterior appearance of said building, increasing vehicular traffic, cause the emission of odor, gas or smoke, cause glaring or unshaded lights, excessive dust, noise, or cause electrical disturbances, including interference with the reception of television transmissions. An accepted off-street parking plan shall be provided where additional vehicles will be attributed to the home occupation.

(*From § 230-3.5 Classification of business uses.*)

## Medway

*Note: Medway ZBL Section 8 is Special Regulations.*

### 8.3. HOME-BASED BUSINESS

- A. Purposes. The purposes of the Home-Based Business bylaw are to provide for the conduct of home occupations in a residential or mixed-use district while preserving the residential character of the premises and preventing adverse effects on the neighborhood.
- B. Applicability. A Home-Based Business shall be allowed by right as shown in Table 1 if it meets the requirements of this Section 8.3.
- C. Definitions. See Section 2 Definitions herein for definitions of: Home-Based Business and Gross Vehicle Weight Rating (GVWR) and Outdoor Storage.
- D. Basic Requirements.
  - 1. The business use is subordinate to the primary residential use of the premises. No more than 20 percent of the gross floor area of the dwelling and any accessory structures, up to a maximum of 1,000 square feet of gross floor area, shall be used for the home-based business.
  - 2. Other than as specified in Items D.5, 6, 7, and 8, there shall be no visible evidence of the home-based business from the street or an adjacent lot. A home-based business shall be conducted entirely indoors within the principal dwelling on the lot or a building accessory thereto.
  - 3. There shall be no outdoor storage associated with the home-based business. Accessory structures such as sheds, detached garages, and barns may be used for unheated storage of the home-based business's stock in trade, commodities, tools, equipment, or products.
  - 4. Not more than one non-resident shall be employed on the premises at any time, and the maximum number of customers on the premises at any given time shall not exceed the number that can be accommodated in one passenger vehicle.
  - 5. The maximum number of off-street parking spaces for employee and customer parking shall be two.
  - 6. Off-street parking spaces for vehicles and trailer associated with the home-based business shall not be located within the standard zoning setbacks of the property except for those on already existing driveways or established parking areas at such time as the home-based business is established. No additional curb cuts are permitted.
  - 7. There shall be no outside parking of more than two Class 3 motor vehicles and no motor vehicles rated Class 4 and above as defined by gross vehicle weight rating (GVWR), and no more than one registered trailer with a maximum bed length of 18 feet, associated with the home-based business.
  - 8. There shall be no change in the exterior appearance of the dwelling or accessory building used for the home-based business. Any new building constructed for the business shall not deviate from the residential character of the area. No signs shall be permitted for a home-based business except as provided in Section 7.2.2 of this Zoning Bylaw.
  - 9. No equipment or process shall be used in the home-based business which creates noise, vibration, odor, fumes, gas, smoke, dust, or electrical disturbance detectable to the normal senses off the lot.
  - 10. A home-based business shall not generate any solid waste or sewage discharge in volume or type greater than that associated with a typical residential use.
  - 11. Deliveries or pick-ups of supplies or products for the home-based business are allowed between 8 am and 8 pm. Vehicles used for such delivery and pick-ups shall be limited to those that customarily serve residential neighborhoods.
  - 12. The owner or operator of the home-based business shall reside on the premises.

- E. There is no limit to the number of home-based businesses that may occupy a single dwelling unit, provided that the cumulative total of the area used for home-based businesses on the premises shall not exceed Paragraph D (1) above.
- F. Special Permits. A home-based business that does not comply with all of the above standards shall only be allowed by special permit from the Zoning Board of Appeals. Special permits granted hereunder shall be based upon the criteria in Section 3.4.
- G. Registration. Pursuant to G.L. c. 110, Sections 5-6 and Chapter 227, § 5A, most home-based businesses are required to register with the Town Clerk and obtain a Business Certificate before commencing business operations.

## **Section 2, Definitions**

**Home-Based Business:** An occupation or business activity conducted and/or managed in whole (or in part) within a dwelling or structure accessory thereto by a person residing on the premises which results in the sale or provision of a product or service. A home-based business is an accessory use, incidental and subordinate to the primary residential use of the property. (.)

**Gross Vehicle Weight Rating (GVWR):** The value specified by the manufacturer as the loaded weight of a single vehicle including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo but excluding that of any trails, as established by the National Highway Traffic Safety Administration, U.S. Department of Transportation.  
(Added 11-16-15)

**Home-Based Business:** An occupation or business activity conducted and/or managed in whole (or in part) within a dwelling or structure accessory thereto by a person residing on the premises which results in the sale or provision of a product or service. A home-based business is an accessory use, incidental and subordinate to the primary residential use of the property.  
(Amended 11-16-15)

**Outdoor Storage:** The outside storage or display, as an accessory use, of materials, supplies, goods or manufactured products, equipment, machinery, vehicles, and pallets, produced or used by the principal use of the property, for more than a twenty-four hour period. Also includes cargo storage containers and membrane structures which are located on the premises.  
(Added 11-14-16 and amended 11-18-19)