

2010 Medway Annual Town Meeting Warrant Article – Summary Overview

Article #37 – Zoning Bylaw – Home Based Businesses

Sponsor: Planning and Economic Development Board

Type of Article: Zoning Bylaw Amendment

Summary - This article proposes new regulations regarding home based businesses. The article specifies the purpose of the regulations and establishes reasonable performance standards for by-right home based businesses in Medway's ARI and ARII zoning districts. It also provides an option for a special permit from the ZBA when a home based business exceeds the specified standards.

Background: The Zoning Bylaw's present text regarding *customary home occupations* in the ARI and ARII zones is outdated. It allows home occupations by right for doctors or dentists or other members of recognized professions, but it does not define *recognized professions*. No performance standards are provided as to what is acceptable. The bylaw also states that the ZBA may authorize (by special permit) the use of a room in a dwelling or accessory building for a customary home occupation. Again, the bylaw is absent a definition for *customary home occupation*.

Reason/Purpose for Article: The Planning and Economic Development Board feels these regulations are archaic in this day and age. The current text is definitely not business friendly and does not provide much guidance to the Building Commissioner to interpret. In practice, we know there are MANY businesses operating from homes in Medway that have not secured a special permit.

Many if not most home based businesses are pretty benign and it would be just fine to allow them by right in either of Medway's residential zoning districts. However, some types of home based businesses generate customer traffic and may impact the neighborhood. The recommended approach addresses this by establishing certain minimum performance standards for operating a "by right" home based business in a residential zone, standards which protect the primary residential purpose. The regulations also provide a special permit option for certain home based businesses which may exceed those standards. This allows it to be reviewed more closely and conditions imposed to protect the residential character.

Estimate of the revenue or expense impact to the Town: None

How does this article align with overall town planning goals? Consistent with the master plan.

Any interdependence between or among this article and others? None

Concerns/issues/expected opposition? None anticipated.