

## **Each section of the town ordinance which affects this application will be itemized and addressed**

### **5.3.1 Home Occupation**

This proposed home occupation is within a low density neighborhood of single family homes with tree and vegetation as screening to all abutters but the homes across the street. Being elevated and in consideration of the business being primarily in the home and playtime being predominantly in the backyard, out of sight of the neighbors, I believe this business would be of no nuisance to the existing neighborhood as it stands.

1. The home occupation will be conducted mostly in the living room, dining room, and utilize the upstairs bathroom of the house. It uses all the same square footage and although conducted there, is secondary to the use as a dwelling.
2. Only myself and my boyfriend live here with our child.

*One non-family member Will be employed.*

3. See above
4. No changes to the building outside of fire and life safety changes have or will be conducted to the house.
5. No occupational materials will be stored outside
6. 4 more vehicles can be parked in the driveway outside of residential space and use, as well as 2 spots in front of the house against a stone wall that is set back from the road. In these spaces a vehicle is 2 feet into the roadway but allows plentiful room for residents of the area to move around them as needed. *Minimal parking is needed as parents drop off and pick up quickly, except for the non family employee.*
7. *The allotment for children on the proposed license is a maximum of 12, including my child, which brings the total number of parents that may come to the home occupation at 8 cars. These 8 cars will visit the home and use the roadway twice a day during varied times and will not create traffic, especially since Holt Road is a dead end street.*
8. *Building and fire inspections have already been conducted and will be conducted again to amend the necessary change.*
9. If this business outgrows its use and space, it will be moved to a commercial area in town.

## **6.6.1 Home Occupation**

- A. The home occupation is not evident from the roadway.
- B. No equipment is stored outdoors, except for outdoor play equipment which is behind the house and out of view of neighbors and the road.
- C. No retail sales are conducted.
- D. No separate structures are built or used for the home occupation.
- E. The home occupation is clearly subordinate and secondary to the primary use of the property as a residence.

## **4.10 Performance Standards**

### **4.10.1 Vibration and Ground Motion.**

There will be no vibration or ground disturbance as the ground is not being disturbed in any way.

### **4.10.2 Noise.**

Being currently zoned in RA, a Residential/Agricultural zone, the proposed everyday use would not exceed normal conversation (55 decibels). However, as the children will be playing outside during an hour or two out of the day, the assumption is this noise falls under impulsive sound. "Impulsive sound" means a repeated sound of short duration characterized by an abrupt onset and rapid decay and occurring at the rate of less than one per second.'

"The requirements of this section shall not apply to the operation or conduct of (1) temporary on-site generators providing emergency power during electrical outages; (2) customary equipment used during daytime construction of permitted structures, such as air compressors or generators; (3) power tools for intermittent residential use and maintenance, such as mowers, chainsaws, snow removal equipment, etc.; (4) permitted events conducted during the prescribed time period; (5) emergency vehicles or equipment or alarm systems; (6) customary agricultural activities during normal working hours; (7) school or church bells or chimes; and (8) blasting activity conducted in accordance with permit requirements."

Although not listed directly as an exception, I believe the occasional yells of children enjoying themselves is much more pleasant to listen to than a lawnmower and would blend with the young children who already reside on Holt Road.

### **4.10.3 Odors.**

There will be no odors generated by this business.

### **4.10.4 Smoke and Airborne Particulates.**

This business will not cause airborne particulates outside typical wood stove of residential use

#### **4.10.5 Discharge of Hazardous or Toxic Materials, Gases or Liquids.**

This business will not create or discharge hazardous materials

#### **4.10.6 Lighting and Glare.**

There will be no additional lighting added to the property.

#### **4.10.7 Signage.**

This business will not have signage

#### **4.10.8-11**

N/A

#### **4.10.12 Exception for Pre-existing Structures, Installations or Use.**

There will be no changes, additions, movements or alterations in any way to the existing structure and therefore, satisfies this section.

### **4.12 Special Exemptions**

1. As outlined in my general application, the home occupation under General Residential/Agricultural does not satisfy section 5.3.1 and would need a special exemption.
2. Because no structural or exterior changes will be made to the lot or home in question, it does not substantially affect the neighborhood to which it belongs.
3. Complies with section **4.10-4.11** as described above
4. Will not cause any change to property values and, moreover, will be an asset to working families looking to move into the neighborhood. *Currently have one neighborhood child enrolled.*
5. As a business with a maximum of 8 cars driving on the road twice during the day at the varied hours, it will not cause traffic.
6. There will be 4 off street parkings spots in the driveway, as well as an additional 2 spots in front of the house set back from the road against a stone wall.

7. No changes will be made aesthetically and will not affect the attractiveness of the town.
8. Meets all affected sections in the town ordinance

## **Proposed Use and Why**

I, Ana Maria Hernandez, would like to amend my license from licensed family day care to licensed family group care.

Although the property is zoned as Residential/Agricultural and would allow for a home occupation, it does so with approval of a special exception as outlined in **5.3**, or more specifically, **5.3.1.**, **5.3.6** (Residential), as well as **4.10** and **6.6.1.** (Residential/Agricultural). The provisions of **5.3.1.** govern home occupations in the RA zone in this instance as it is not in conflict with any requirements outlined under **6.6.1.**. In reference to ordinance 5.3.1.1, (1) In being licensed for 12 children in my proposed care, one which is mine, bringing the total to 11, I cannot stay within the limitations of 5 visits per week to the home occupation counting drop off and pick up and would need a special exception.