



TOWN OF WEST BOYLSTON ZONING BOARD OF APPEALS

140 Worcester Street * West Boylston MA 01583 * zba@westboylston-ma.gov

Declaration of Covenants for Home Occupation Special Permit

Date: _____

I declare that the conduct of _____
(name of business, profession, occupation or trade)

at _____ is allowed as a home
(address)

occupation under Sections 3.2.H.2 and 3.5 of the West Boylston Zoning Bylaws (see below).

(print owner's name)

(signature)

Such right to the above home occupation use is allowed pursuant to a special permit granted by the West Boylston Zoning Board of Appeals on _____
(date of special permit)

subject to the conditions stated therein, and this right shall cease upon sale of the property or upon transfer of title of the dwelling or if the use allowed by the special permit has ceased for a period of one year.

Sections 3.2.H.2 and 3.5 of the West Boylston Zoning Bylaws allow a home occupation (as defined in Section 3.5.A) within a residential building by an owner with a special permit from the Zoning Board of Appeals, where the owner may convert a portion of the dwelling for home occupation use subject to the following criteria and standards:

- 1) 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.
- 2) One sign not to exceed two (2) square feet in area, which shall be attached to a building, is permitted but only to display the occupant's name and occupation.
- 3) The home occupation shall not generate traffic, parking, sewage, water use, or noise in excess of what is normal in the neighborhood.

- 4) No more than twenty-five (25) percent of the floor area of the residence shall be used for the purpose of the home occupation.
- 5) No more than one (1) non-resident of the dwelling may be employed in the home occupation. An off-street parking space shall be provided for the home occupation employee, in addition to those required for residential use.
- 6) The home occupation shall not create a hazard to persons or property, result in electrical interference, or become a nuisance.
- 7) The home occupation shall not discharge any hazardous substance as defined in Section 2.6 of the Town of West Boylston Zoning Bylaws.
- 8) A special permit for a home occupation shall terminate upon the sale of the property or transfer of title of the dwelling or if the use allowed by the special permit has ceased for a period of one year. The permit holder shall notify the Building Inspector within thirty (30) days of the sale or transfer.
- 9) Upon receiving a special permit, the owners must file on the subject property a Declaration of Covenants at the Worcester District Registry of Deeds. The Declaration shall state that the right to the Home Occupation use allowed by this special permit shall cease upon transfer of the title. A time stamped copy of the recorded Declaration shall be provided to the West Boylston Zoning Board of Appeals.

IN WITNESS WHEREOF, we the property owner(s) and the Zoning Board of Appeals of West Boylston have hereunto set our hands and seals this ____ day of _____, 20____.

Property Owner Signature

Property Owner Name(s)

Acceptance by a Majority of the
Zoning Board of Appeals of West Boylston

Acknowledgment must be completed by the Property Owner(s)

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss _____, 20 ____

Then personally appeared before me the above-named owner, _____,
and proved to me through satisfactory evidence, which was in the form of
_____, to be the person whose name is signed above, and
acknowledged the foregoing instrument to be his/her free act and deed, before me,

Notary Public

My commission expires: _____

****NOTE: OWNER(S) MUST SUPPLY A COPY OF THE ZBA VOTE SHEET AND
DECISION AND THE CERTIFICATE OF NO APPEAL WHEN HE/SHE/THEY
APPEAR BEFORE THE REGISTRY OF DEEDS WITH THIS FORM.**