

Proposed Amendment to Section 8.4.1 to add a new subsection 19 (in red):

**I. Bed & Breakfast.**

This Section of the regulations is intended to allow for the offering of overnight accommodations and breakfast to travelers for a fee in residential areas where a home has structural and/or site characteristics which lend themselves to a Bed and Breakfast - type setting. It is not the intent of these regulations to allow Bed and Breakfast establishments in conventional residential developments settings in town. It is the intent of this Section to insure that Bed and Breakfast operations do not infringe upon the privacy, peace and tranquility of surrounding residents nor decrease the aesthetic or real value of surrounding properties. Bed and Breakfast operations as defined in these regulations may be permitted in Residential Zones as a Special Permit, under Section 9.2 of these regulations provided that in addition to these regulations the following requirements must be met. The applicant shall provide written confirmation from the Health Official, Building Official and Fire Marshall that all requirements of the applicable Health, Building and Fire Codes, as they apply the Bed and Breakfasts, can be met.

1. Maximum length of stay per guest is 14 days
2. Bed and Breakfasts must be owner – operated and be the principle residence of the owner. The applicant must be the owner at the time of the application.
3. The Bed and Breakfast shall be an accessory use of an owner occupied residence and include of all requirements of the zoning regulations
4. The Bed and Breakfast establishments shall be contained within the existing footprint of the residence
5. No more than 50% of the floor area of the residence shall be used for guest sleeping accommodations. This provision shall not apply to outbuildings used as part of the bed and breakfast establishment, however, under no circumstances shall an outbuilding contain more guestrooms than the owner occupied principal residence
6. No building addition or free standing building shall be constructed in order to accommodate or otherwise make room for the bed and breakfast establishment, except for additions for structures required under local or State Health and Safety codes. An existing outbuilding may accommodate rooms, but shall not be added on to or enlarged, provided it conforms to the minimum yard requirements of the respective zone.
7. Exterior alterations may be made to existing buildings or structures in order to preserve a valuable historic property, promote adaptive reuse of buildings, or comply with local State health and safety code requirements. However, in all cases,

such alterations must be considered minimal exterior modifications of the building or structure which are compatible with the character of the area, ensure the residential character of the buildings, and preserve the existing features of the building.

8. Additions to the residence for primary use of the residence are allowed provided they are not an expansion of the Bed and Breakfast establishment
9. No more than 3 guest rooms rated for double occupancy are permitted in a structure which the owner is a resident
10. There shall be a maximum of two (2) guests per room (18 or older)
11. Complete bathrooms shall be provided at a rate of one per two guest rooms
12. Access to each guest room shall be via a main entrance or foyer within the residence. No guest room shall have a separate exterior access except as may be required by fire or building code or where an outbuilding is to be used. The Commission may grant a waiver for an additional access/s by a  $\frac{3}{4}$  vote of the entire membership
13. The owner of the Bed and Breakfast Establishment shall make the Guest Book available to the Town, which shall record the lengths of stay, at the request of the Zoning Officer within 10 days of written receipt for same
14. The lot shall be of adequate size and shape to provide one parking spot for each guest room, employee and property owner screened from public view and preferably located to the rear of the residence where possible.
15. The Commission may require fencing, earth berms, evergreen vegetation or other buffers to reduce visual conflicts with neighbors
16. No guest, employee or owner parking shall be located on the street
17. Bed and Breakfast establishments shall be permitted no more than one suitable free standing sign to identify the property, provided the area of the sign does not exceed 6sq feet as measured on one side, which shall contain no lighting with the exception of indirect lighting which shall be specifically reviewed and subject to approval as part of the Special Permit review for its consistency and compatibility with the area in which the Bed and Breakfast is located (revision effective July 8, 2006).



18. A waiver for the number of guest rooms may be allowed with a  $\frac{3}{4}$  vote of all of the members of the Commission members, where the Commission determines that the structure and size of property will not impact abutting property owners.

19. The Commission may allow, by Special Permit, events to be held at a Bed and Breakfast, such as meetings, classes, luncheons, wine tasting, weddings and other private parties, in according with the following specifications, and as further limited by the Commission based on the criteria of these regulations and the character of the site and the neighborhood:

- a. Indoor events restricted to the occupants of the Bed & and Breakfast in accordance with the Building and Fire Codes, as amended; no more than two times per week; no single event to commence before 8 o'clock in the morning nor to end later than 11 pm on Friday or Saturday and 9 pm on all other evenings; and no more than one indoor event per day.
- b. Outdoor events not to exceed 30 persons, no more than one time per week and no more than eighteen (18) times per year, no single event to commence before noon nor to end later than 11 pm on Friday or Saturday and 9 pm on Sunday. Outdoor events shall only be allowed on Friday, Saturday, or Sunday. Setup for events may commence no earlier than one hour prior to the start of the event and shall be completed no more than one hour after the end of the event. Outdoor events shall not utilize any indoor space or facilities unless permitted by applicable building and fire codes.
- c. Outdoor events may have amplified sound provided that such amplified sound terminate no later than 10 pm on Friday or Saturday and 8 pm on Sunday.
- d. Prior to any indoor or outdoor event, the owner shall provide written notice (including by email) to the Zoning Enforcement Officer of such event including the date and nature of the event, the number of persons attending, whether there will be amplified sound, and the hours during which the event will occur and amplified sound will commence and terminate.
- e. Parking shall be provided in accordance with Section 7.1 of these Regulations.