



## STAFF REPORT

Application: PZC-19-016

Application Type: Text Amendment  
Section 8.4.I – Bed & Breakfast

Applicant: Dean Brown

Date: December 4, 2019

This report is offered in order to aid the Commission in making a decision regarding a proposed text change to Section 8.4.I of the Zoning Regulations, governing Bed and Breakfasts in the Town of East Hampton.

Please note that the proposed language applies town-wide and is not specific to Mr. Brown's property. While the Bevin House B&B is currently the only B&B in East Hampton, this regulation would be available for any future B&B owners at any location.

The text amendment as proposed allows the Commission broad discretion when reviewing Special Permit applications. The proposal is a reasonable accessory use to an existing B&B and provides a framework allowing an owner/operator to host events without the risk of non-compliance while keeping guests safe and the surrounding neighborhood residential in nature and unaffected by the events.

As discussed during a previous application, a bed and breakfast use is residential in nature. It is important to know that the building and fire codes specify a Bed & Breakfast as a residential use and include it in the residential code sections. Subsection (a) of the proposed regulation specifies that the only persons allowed on the interior of the building are guest occupants of the B&B. Guests to any event that are not guests of the house would not be allowed to enter into the house or any other structure on the property at any time for any reason.

Guests of outdoor events cannot enter the buildings, and therefore will not have access to facilities. The Commission may want to consider adding language which requires exterior facilities in some fashion be provided (there are alternatives to the standard portable toilet typically seen on construction sites). Alternatively, this can be dealt with at the time the Special Permit application.

Staff recommends special attention to subsection (c) regarding amplified sound. These events would be entirely on exterior portions of the property. Amplified sound has the potential to be disruptive to neighboring property owners and should be carefully considered. The regulation as proposed would allow up to 18 events per year, once per week on Friday, Saturday, or Sunday. This has the potential to create a situation where an outside event is occurring in a residential neighborhood once a week for over four months. Enforcement would be challenging due to events being primarily on weekends.

The Commission may want to consider including written and email notification to the Fire Marshal in addition to the ZEO in subsection (d). The purpose of this would be to allow emergency personnel knowledge of an event in an area where one would not typically be expected.