

BED & BREAKFAST

Special Permit.

Provided that each of the following conditions and requirements are met, the Board of Appeals may issue a special permit for a bed and breakfast home to be conducted in a detached single-family dwelling unit in the following districts: Single Family Residence District A, Single Family District B, Single Family District C, Multi-Family District A, Multi-Family Residence B, Business District, Commercial Recreation "A" District, Commercial Recreation "B" District, Commercial Recreation "C" District.

General Conditions and Requirements.

No bed and breakfast home, new or pre-existing, shall be operated without first being granted a special permit from the Board of Appeals and a certificate of occupancy from the Building Commissioner and the Board of Health. Each bed and breakfast home in existence on the effective date of this provision is not a non-conforming use, is in violation of the zoning by-laws, and is not entitled to remain in operation without the issuance of a special permit and certificate of occupancy.

A bed and breakfast home is an accessory use and the primary use of the dwelling unit shall remain as a single-family residence.

Within each detached single-family dwelling unit issued a special permit and a certificate of occupancy for a bed and breakfast home, there may be a maximum of three (3) bedrooms, which are rented as bed and breakfast units. As an accessory use, the bed and breakfast home shall not occupy more than 45 per cent of the gross floor area of the dwelling unit.

The special permit for a bed and breakfast shall be issued only to the owner of the property and shall not be transferable. Any changes in ownership of the property shall require a new special permit. The special permit may be revoked if any of the conditions and/or requirements listed in this section are violated, as determined by the Building Commissioner and/or Board of Health, and upon a finding by the Board of Appeals.

A certificate of occupancy is required prior to the commencement of the bed and breakfast home operation and shall state the maximum allowable occupancy of same, which shall be determined by the Board of Health on a case-by-case basis.

Food for a fee may be served only to overnight guests. In some instances, the State Sanitary Code requires that a residential kitchen permit be obtained from the Board of Health.

Bed and breakfast homes serving continental breakfast only are not considered food establishments and need not obtain a food establishment permit. For the purpose of this section, continental breakfast is defined as: beverages; fresh, frozen, and commercially processed fruits; baked goods; cereals; homemade or commercial jams, jellies, honey and maple syrup; cream; butter; and commercially manufactured hard cheeses, cream cheese and yogurt.

Bed and breakfast homes serving full breakfast shall obtain a residential kitchen permit from the Board of Health.

Signage shall be limited to one attached wall or window sign, not to exceed three square feet, mounted on the building and one ground sign, single or double-faced, permanently anchored five feet or less above grade, as approved by the Building Commissioner, not to exceed three square feet per face, not to be internally illuminated, not located so as to obstruct traffic visibility across street corners, and located no closer than five feet to any lot line.

The architectural character of the dwelling shall be maintained as a single-family home.

The dwelling unit containing the bed and breakfast home shall be designed so that the exterior appearance of the structure remains that of a single-family dwelling. Alterations, revisions, or additions to the structure are permitted provided the architectural character of a one-family dwelling is maintained and all other requirements of this by-law are met. Exterior changes shall be reviewed by the Design Review Board.

Procedures.

Each application for a special permit shall be accompanied by:

A site plan showing all existing and proposed structures and appurtenances, any changes to existing grade, and all boundary/property lines and easements. A certified plan may be required by the Building Commissioner.

A floor plan, drawn to scale, of the dwelling showing each of the bed and breakfast units and the access to, and egress from, each such unit, and each unit's relationship to an adequate bathroom. The area(s) where breakfast is to be prepared and served shall be designated.

An off-street parking plan showing that one off-street parking space per bed and breakfast unit shall be provided on the site, or that adequate off-street parking can be provided without causing undue burden to the neighborhood. Off-street parking shall be prohibited from the prescribed building front setback area and restricted to the sides and rear of the premises.

A written statement from the town Treasurer/Collector stating that all municipal encumbrances are current or under proper agreement.

A presentation of all proposed exterior structural changes sufficient to show that the architectural character of the dwelling is maintained as a single-family home.