



**TOWN OF STOWE
PLANNING COMMISSION
Meeting Minutes
October 16, 2023**

The Town of Stowe Planning Commission held a meeting on **Monday October 16, 2023**, starting at 5:30 p.m. The meeting was held at the Stowe Town Office with remote participation available via Zoom. The meeting began at 5:30 pm.

Members present included Mila Lonetto, Bob Davison, Chuck Ebel, Jill Anne, Heather Snyder, Neil Percy, Brian Hamor, and John Muldoon. Also present was Sarah McShane (staff), Larry Lackey, and Billy Adams.

The meeting was called to order by Chair M.Lonetto at 5:30 pm.

Adjustments to the Agenda & Public Comments on Non-Agenda Items

None

Review Prior Meeting Minutes [10/02/2023]

C.Ebel motioned to approve the minutes from October 2nd. B.Davison seconded. The motion passed unanimously.

Housing and Short-Term Rental Discussion

Discuss what, if any, recommendations the Planning Commission would like to make to the Selectboard.

M.Lonetto introduced the discussion. H.Snyder suggested identifying the purpose and/or objectives for a short-term rental ordinance. C.Ebel asked whether the other Commission members agreed that the town should adopt an ordinance for short term rentals. Members agreed that the Commission should recommend to the Selectboard the adoption of a short-term rental ordinance. Using his neighborhood as an example, C.Ebel highlighted private covenants in residential associations that restrict the number of days a dwelling can be rented. M.Lonetto suggested the Commission first discuss the goals of a possible ordinance; she shared the ideas compiled by her and B.Davison.

- Collect data for future decisions about further regulation
- Encourage "good neighbor" behavior (noise, parking, trash, etc.)
- Require compliance with all local and state fire safety and health regulations
- Fund implementation and enforcement of registry
- Reduce overall number of short-term rentals or expansion of short-term rentals to ease infrastructure burdens
- Allow homestead residents to rent part of home/ADU (or entire home for a certain amount of time)
- Discourage ownership by non-resident investment entities
- Address the existence of commercial enterprise in residential zoning districts (i.e., overuse of water/sewer allocations, large unscreened parking lots, numbers of cars, etc.)

N.Percy asked how short term rental traffic differs from long term rental traffic. Members commented that short-term rentals often exceed the occupancy of a typical single-family dwelling which requires additional municipal water and sewer resources. B.Hamor suggested that the focus should be keeping short-term rentals in zoning districts which allow lodging. B.Davison shared his feelings that a separate ordinance is the better tool since it can be retro-active compared to zoning regulations. H.Snyder

referenced the letter from Mark Frier and noted the town is having trouble filling positions like Police Officers, as well as paying for school improvements. B.Davison estimated that there are 1200 property owners responsible for paying for school improvements. J.Muldoon summarized his comments and noted that the scope of the issue is not fully understood in a reliable way. The need for workforce housing, building community, and increased traffic are additional concerns.

Members discussed the character of the community and how transients are often not vested in the community. N.Percy shared his feelings that Stowe has not had a community for many years. M.Lonetto shared comments mentioned during the prior Selectboard meeting about Stowe being a victim of its own success. N.Percy felt the town should not roll back short-term rentals and noted they increase the value of his property which is part of his retirement plan. He felt that the current trend is being blamed on the housing shortage. H.Snyder shared that the conditions have changed drastically with the advent of Air B & B. N.Percy favored not regulating or restricting short-term rentals.

B.Hamor inquired about researching which properties are short term renting and distinguishing between second homes and short term rentals. N.Percy asked would such information be obtained. Members discussed fees in Burlington and Provincetown and the Short-Term Rental Alliance – Good Neighbor Rules.

S.McShane shared Larry Lackey's submitted comments and suggested the Commission consider amendments to reflect some of his suggestions. L. Lackey explained his comments. Members agreed the wording in footnote 4 of Table 6.2 should be amended to reflect 'elevation' rather than the term 'height' and that the footnote should not apply in the LVC district. The Commission also agreed that the existing lodging density in MRV & LVC should be kept as is. Staff will make the agreed upon corrections and include as an addendum to the recommendations submitted to the Selectboard. Billy Adams suggested the Commission consider opportunities to incentive long term rental units on upper floors of mixed-use buildings in VC-10. He also mentioned the Stowe Motel, recent lodging occupancy, and asked whether additional lodging units should be allowed in some districts.

L. Lackey shared his comments on the need to address who the accountable/responsible person is and felt such a provision was more appropriate for short term rental ordinance. He inquired about ways to ensure the existing, and the many units to be built, are not consumed by short-term rentals; he shared his thoughts that the additional density allowed under Act 47 should be for year-round housing, consistent with the legislative intent. He suggested for the Commission to look for opportunities to increase the availability of year-round housing and be mindful of the quality of life for residents. He felt the Commission's proposal was on the right track but could have prohibited short term rentals in residential districts; he noted that residential districts are not intended for commercial lodging uses. Commercial uses in residential districts leads to a loss of identity and congestion. Members discussed the ADU provisions and suggested that maybe the property owner needs to declare at the time of application which unit will be rented and which one will be owner-occupied/rented long-term.

J.Muldoon shared his recent findings from a California municipality that has a fee-based registry. The fees generated by short-term rentals are used to rebate/incentive persons/families that are long term renting. N.Percy added that the long-term rental bureaucracy in Vermont is part of the reason why people are switching to short term rentals. B.Hamor shared his personal experiences from long-term renting. B.Davison spoke of Sand Point, Idaho and short-term rental ordinance requiring owner occupancy/primary residence; he noted the constitutionality issues involving regulatory takings. He suggested that any ordinance needs to include goals and legitimate purpose/objectives. He added that

the ordinance cannot take all economic value away which could result in a taking challenge. He suggested using model language to try it on for size.

C.Ebel noted that based on his research short-term rental regulations across the nation are entirely at the community level. M.Lonetto suggested having two provisions: one for residential districts and one for commercial districts. B.Hamor suggested that the primary focus should be impacts on residential districts. C.Ebel suggested short term rentals to be treated as lodging. Members discussed prior zoning amendments for short-term rentals. J.Muldoon suggested an amnesty period and added that it might not take a lot of change since it's already out of balance. M.Lonetto discussed the available levers and prior discussions.

Billy Adams shared comments from prior DRB minutes when reviewing Building C, traffic, and parking. He discussed the impact of development at Spruce Peak, the RIPPLE agreement, impact fees, land conservation, etc. He noted the success of SAA and tourism, Stowe Land Trust and land conservation. He suggested that the town needs an advocate for housing that can compete with SAA and land conservation; he would support a community housing organization. B.Hamor asked whether the Town would consider a private /public partnership to develop housing. Billy Adams shared his personal thoughts that a housing authority could help coordinate such efforts; he shared a recent example from St. Albans using tax increment financing/TIF district.

Members discussed parking associated with short-term rentals. Members discussed the differences between short-term rentals and second homes. N.Percy added that taxes are very expensive and property owners should be allowed to earn income from renting their property. M.Lonetto asked whether a few members wanted to work together to refine the possible problems, goals, and objectives. J.Muldoon and B.Hamor agreed to work on it together. Members agreed to hold a special meeting on Monday October 30th for further discussion.

The meeting adjourned.

Respectfully submitted,

Sarah McShane, Planning & Zoning Director