

Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting
Wednesday November 29, 2023

Present:

Selectboard Members: Lisa Hagerty, William Adams, Nick Donza, Jo Sabel Courtney, Paco Aumand
In Person attendees: Hannah Sterner, Chris Moroch, Mark Gilkey, Larry Lackey, Jeff Jackson, Mary Skelton, Suzie & Chris Grimes, Jaime Williams, Kelly Shaw, Alison Karosas, Chris Guerra, Beverly Beshler, Lisa Mugford, Jed Lipsky, Paul Sullivan, Heather Coburn Snyder, Brian Simer, Mila Lonetto, Mary Monteith, Missy Burgess, Nancy Krakouer, Alison Beckwith, Willie Noyes, Deb Longe, Anna Golanto, Chandler Matson, Carrie Simmons, Jeff Clarke
There were 42 participants on Zoom.

Call to Order

Ms. Lisa Hagerty called the meeting to order at 5:00pm.

Approve the Agenda

On a motion by Mr. William Adams, seconded by Ms. Jo Sabel Courtney, the Board approved the Agenda, adding Liquor Consent Items to the Consent Agenda as item A-5.

Executive Session

On a motion by Ms. Courtney, seconded by Mr. Adams, the Board went into Executive Session at 5:04pm to discuss Personnel.

On a motion by Mr. Nick Donza, seconded by Ms. Courtney, the Board came out of Executive Session at 5:28pm.

On a motion by Mr. Donza, seconded by Ms. Courtney, the Board appointed Mark Gilkey to the Sowe Electric Commission to fill a seat vacated by Ms. Heidi Scheuermann.

Consent Agenda

1. Minutes of 11/8/23
2. Recreation Summer Camp Fees
3. Interfaith Holiday Display
4. PFAs Class Action Lawsuit Opt-Out
5. Liquor Consent Agenda

On a motion by Mr. Adams, seconded by Mr. Donza, the Board approved the Consent Agenda as amended, pulling the Liquor permits for Arandas for more information.

New and Increased Community, Economic and Social Services Appropriations

The Board has set this time aside to hear from non-profits in the community who are requesting new or increased appropriations from the Town of Stowe for the FY'25 budget season.

Stowe Area Association – SAA currently receives \$20,000 and is requesting an increase of 20% to \$24,000 in FY'25. Ms. Mary Monteith, Membership Manager, presented the request noting that SAA is driving factor in economic tourism in Stowe, which has been seeing record numbers of Local Option Tax receipts. She outlined that SAA provides marketing for Stowe, as well as booking reservations for its member hotels, and runs the Stowe Visitors Center which includes two public restrooms. She explained that SAA recently developed a new three-year Strategic Plan which includes three pillars: Destination Stewardship, which includes a task force to launch a new website, working with Stowe Arts & Culture Council, and partnering with Green Mountain Transit to support the Mountain Road Shuttle;

sustainability of SAA and membership growth. She also noted that SAA has a focus on inclusivity. Ms. Monteith spoke to increased costs of running the Visitors Center, including an increase of 30% in the cost to maintain the bathrooms. Mr. Safford noted that the Town provides financial support in the amount of \$28,000 for the public restrooms through a different line item in the Town of Stowe budget, not out of appropriations.

Stowe Farmers Market – Ms. Hannah Sterns, Market Manager, provided an overview of the Stowe Farmers Market, which is making a new request for \$10,000 in funding from the Town of Stowe. She noted that the Farmers Market has been in existence for 30 years, but recently organized as a non-profit in 2021. She explained that the original location became unavailable for use in 2020, and the Market moved to a new location in the Stowe Motel fields, where it has operated for the last three seasons. This new location provides better parking but has increased rental costs, going from \$10,000 in 2022 to an anticipated \$15,000 in 2024. The rental costs are currently covered by membership fees from vendors, but this has become unsustainable. Costs to run the Market outside of rental fees includes the payment to the Market Manager, providing porta lets and parking attendants. Ms. Sterns stated that the Market has proven to be a valuable resource to the Town bringing in large numbers of visitors and locals, and that many Markets across the state receive funding support from the -municipalities in which they are located. She noted that there is a waiting list for vendors, which is currently maxed at 40 per week, and of those about 5 are Stowe vendors. When selecting vendors the Market Board looks for product mix and market needs, with an emphasis on agriculture.

Vermont Foundation for Recovery – Ms. Lisa Mugford, director of VFoR, provided an overview of their increased request. She noted that they were not aware of the policy to cap increases at 20%, and that while their original request was to increase funding from \$1,000 to \$1,500, they would reduce their request to increase to \$1,200 to fit into the 20% guidelines. She explained that VFoR provides sober living homes throughout Vermont, with one home in Lamoille County that can house up to 5 women at a time. Residents are required to pay rent and show they are working towards their recovery, as well as volunteer or work at least 20 hours per week. The money from the Town funding is used to assist people moving into VFoR by providing scholarships for first and last week rent. She also noted that most of their funding comes from State and Federal programs, fundraising and grants, with the Town of Essex providing \$10,000 in appropriations.

No action was taken at this time.

Proposed Zoning Amendments Work Session #3

Planning and Zoning Director Ms. Sarah McShane presented to the Board the Planning Commission's Proposed Zoning Amendments as a continuation of the discussions at the 10/25/23 and 11/8/23 meetings. This work session was focused on allowing the Selectboard to go through the proposed amendments related to Act 47, a State Law that impacted Zoning Regulations with immediate effect. These changes are now being incorporated into the proposed amendments. Ms. McShane went through the following amendments:

Section 2.11 – 2D outlines who has the right to petition as an Interested Person in hearings, matching the legal definitions of Act 47. 4D specifies that Interested Persons cannot appeal decisions based on “undue adverse effect on character of the area” in residential developments.

Section 2.14 – 4C gives new language that limits Development Review Board decisions, noting they cannot impose restrictions beyond the allowed Zoning Regulations in specific districts.

Section 3.14 – Affordable Housing Density Bonus – this was an existing section of the Zoning Regulations, however it has never been used. Act 47 broadened the allowing of Affordable Housing from the Stowe-defined growth zones to include any areas serviced by municipal water & sewer. This section also allows for increased density and an extra story of development if at least 20% of the building will be for Affordable Housing. In an effort to assure that this extra floor allowed by Act 47 did not overpower

existing historical structures on Main Street the Planning Commission has recommended that the additional floor be either subsurface parking or a 3/12 pitched roof.

Section 4.1 – Accessory Dwellings – this language has been updated to follow the Act 47 statutory language, increasing the square footage of an ADU to be 2,500 square feet or 30% of the total living area of the single-family dwelling.

Section 4.12 – This section now includes Emergency Housing Shelters as a Protected Public Use as defined by Act 47.

Section 4.23 – This is a new section titled “Areas Serviced by Municipal Water & Sewer Infrastructure” which essentially created a new overlay district defined by Act 47 regulations. Ms. McShane noted that the definitions to meet Act 47 currently conflict with the existing Stowe Town Plan, including some RR zoning districts which do have municipal water/sewer, that are currently designated to be low density will now, to meet Act 47, allow up to 5 housing units per acre. She noted that the Town did include restrictions on development where there are steep slopes of 15% or more.

Table 15.2 – Minimum Parking Requirements – Act 47 has reduced the number of required parking spaces in residential areas serviced by municipal water/sewer to 1 space per dwelling unit. The Planning Commission has proposed to make the minimum requirement 1 parking space per dwelling unit in all residential districts.

Definitions – a variety of definitions were updated or created to reflect the Act 47 State Statutes.

Mr. Jed Lipsky questioned the impact of increased development through Act 47 on the Town water supplies, which Ms. Lonetto responded was a concern, but not something the Planning Commission was equipped to handle through Zoning Regulations.

A future Work Session will be scheduled to go through the more Proposed Zoning Amendments.

No action was taken at this time.

Selectboard Short Term Rentals Discussion

Chair Hagerty opened the discussion by noting that the Selectboard would be discussing a draft ordinance related to Short Term Rentals (STRs) and that most of the discussion would be within the Selectboard, however they would allow public comment at the end of the discussion if time allowed. Before any ordinance is adopted there will be formal Public Hearings where the public will be invited to give input.

Mr. Safford presented the Board a draft STR ordinance that requires a registry for all STRs, as he was instructed at the 11/8/23 meeting. He noted that this draft uses the State definition of Short Term Rentals and has standard enforcement section that is consistent with all other Town of Stowe ordinances. - Mr. Safford also noted that it is important to incorporate any registry costs into the FY’25 budget, and while fees will be collected to offset expenses there will be initial start up costs prior to fees being collected that needs to be budgeted appropriately. He also noted that once approved, a registry would take approximately 4 months to develop through a third-party vendor.

Mr. Paco Aumand stated that the draft ordinance as written was what the Selectboard had asked for, and that discussion now should be focused on what, if anything, else the Board would like to add to the ordinance. He suggested incorporating the Life Safety requirements for STRs as defined by the State Statute as an educational component to those renting their homes. Mr. Adams questioned what the Board was looking for in a registry, and stated that he had concerns that the purpose of the proposed ordinance was not what he would like to see. He suggested the Board consider other regulatory vehicles such as Zoning Regulations, which would allow “grandfathering” as a way to protect those currently owning STRs. - Mr. Aumand stated that the objectives of STR regulation should be to allow Property Owners the right to utilize their homes for STRs while ensuring Life Safety and restricting STRs from becoming “party houses.” He stated he felt a registry was the best way to accomplish those objectives.

The Board then went through the draft Ordinance, noting that section 2a should add a definition on “Responsible Person” with a time limit on how quickly they can arrive at the STR in the event of an

emergency. The Board agreed with a 30-minute expectation. They then discussed requiring that a Department of Fire Safety Inspection be required for any STR advertised for eight or more guest and a the self-attestation of Life Safety that is required by the State be submitted with the registry. The Board also discussed if they should “recommend” insurance coverage and proof of compliance with taxes as an educational tool but there was not alignment that the Town should wade into those waters It was also suggested that the Town could create a separate brochure that could be sent to all STR registrants with educational information. The Board discussed the fee structure, with agreement that the fees should cover the cost of the registry. Mr. Safford recommended keeping the fee structure as simple as possible from a management perspective. The Board agreed it would look at fee structures in other Towns with registries, noting that Granicus has stated the national average registration fee to be \$250. The Board also discussed if the number of advertised bedrooms should be limited to matching what the house is permitted for through their sewer permits but did not commit to this as records are not complete and the State regulates septic.

The public was then invited to give comments. Ms. Beth Gadbois noted that she would like to see a clear definition of homesteader, but stated she was in support of regulation that would keep the Town as a community. Ms. Suzie Grimes suggested requiring a registration number be posted on the door of all STRs so that it would assist Life Safety in the event of an emergency be able to locate information quickly. Mr. Bryce Simon spoke on behalf of his client Beckwith Rentals, stating concerns that the ordinance could be a slippery slope to expansive regulations on property rights. He also cautioned that the fee structure should not be more than the anticipated cost of the registry. Ms. Beverly Bishop stated that she utilized an apartment in her home as STR for additional income and that she felt a registry should be limited only to owners not occupying the home they are renting.

A future work session will be scheduled to continue working on the draft Short Term Rental Ordinance.

No action was taken at this time.

Manager’s Report

Mr. Safford provided the Board with a survey being conducted by Stowe Land Trust related to the Adams Camp Master Plan.

Mr. Safford provided the Board with two Act 250 Application filings.

There being no further business, Chair Hagerty adjourned the meeting at 9:04pm.

Minutes respectfully submitted by Abigail Bourgeois.

*Note: The video recording of the meeting is available on the town’s website www.townofstowe.org