

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting
Wednesday December 13, 2023**

Present:

Selectboard Members: Lisa Hagerty, William Adams, Nick Donza, Jo Sabel Courtney, Paco Aumand
In Person attendees: Mila Lonetto, Shannon Buhler, Tom Kastner, Charlotte Kastner, Drew Clymer,
Marina Meerburg, Alison Karosas
There were 18 participants on Zoom.

Call to Order

Ms. Lisa Hagerty called the meeting to order at 5:02pm.

Approve the Agenda

On a motion by Mr. Paco Aumand, seconded by Ms. Jo Sabel Courtney, the Board approved the Agenda as presented.

Executive Session

On a motion by Ms. Courtney, seconded by Mr. Nick Donza, the Board went into Executive Session at 5:03pm to discuss Personnel.

On a motion by Mr. William Adams, seconded by Ms. Courtney, the Board came out of Executive Session at 5:33pm.

Consent Agenda

1. Minutes of 11/27/23
2. Minutes of 11/29/23
3. Fire/EMS Merger Follow Up
4. Selectboard Meeting Policy Amendments
5. Stowe Jazz Festival Special Event Permit
6. Water/Sewer Allocation: 59 Mountain Road
7. Homeland Security Communications Grant
8. Liquor Consent Items

On a motion by Mr. Adams, seconded by Ms. Courtney, the Board approved the Consent Agenda as presented.

Stowe Mountain Resort Winter Season Update

Ms. Shannon Buhler, Stowe Mountain Resort General Manager, provided the Selectboard a winter season update for Stowe Mountain Resort. She stated that the Mountain opened on 11/17/23, She reported that they are fully staffed for the winter season, utilizing staff housing both at the resort and at other properties in town. Ms. Buhler also noted that improved app functions include allowing guests to use their phone as their lift ticket. She also noted that an ADA accessible gondola cabin has been wrapped with artwork to promote accessibility at the Mountain and will be revealed this coming weekend. In addition, a replacement deck has been added to the base lodge with an accessible ramp. As part of the Epic Promise Foundation, Stowe Mountain Resort has funded \$35,000 in grants to local non-profit organizations, including Lamoille Food Shelf, the Family Center, Salvation Farms, Lamoille Housing Partnership and more.

The Board asked about the paid parking program started last winter, which is continuing this year with no changes, with paid parking on weekends and holidays until 2pm. It was noted that they did not continue the season parking pass this year, as there was a focus on making parking equitable and fair to all. Last

year there was a significant increase in carpooling and Mountain Road Shuttle ridership, indicating that the incentive has worked to reduce traffic on Mountain Road.

Mr. Donza asked about the status of uphill, Ms. Buhler explained that the policy has been posted on the website and while uphill is allowed, it is only on specific trails each day depending on the grooming needs. Ski Patrol has been working to keep guests only on the allowed trails for safety reasons.

No action was taken at this time.

Proposed Zoning Amendments Work Session #4

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, 11/8/23, and 11/29/23 meetings. This work session was focused on allowing the Selectboard to go through the proposed amendments related to the Bylaw Modernization Grant, Cannabis and other miscellaneous amendments recommended by the Planning Commission. Ms. McShane went through the following amendments:

Section 2.3 – Amended to incorporate Site Plan Review as a stand alone review item for the DRB when other reviews are limited by Act 47 changes.

Section 2.5 – Zoning Permit Exemptions – the Planning Commission has recommended, at the request of the Stowe Trails Partnership, to make trail features such as bridges and other surface features exempt from Zoning, as well as trail kiosks. Ms. McShane noted that historically people have not obtained permits for these structures and would like to be consistent with practice. The Board questioned the width limits for exempt bridges and structures being 14' wide, which Ms. McShane reported was related to ADA requirements, and the consensus was that the Board was okay with this proposed amendment as is. This section also included an amendment to include the demolition of fences or accessory structures in exemptions as they do not require a permit to build and should not need one to remove.

Section 2.7 – Minor modifications are proposed to the Site Plan Review clarifying and improving the function of the rules. This has been reviewed by the Town Attorney.

Section 3.4 – Proposed amendment to exempt dumpsters, recycling and screening from Lot Size requirements.

Section 3.6 – Amended standards for split lots that can increase clarity for DRB decision making.

Sections 3.7 & 3.8 & 3.16– These sections were modified to separate the Site Plan Review and Conditional Use Review by the DRB. By separating these review processes, it allows the DRB to maintain Site Plan Review authority on projects that would be exempt from Conditional Use Review under Act 47.

Section 4.20 – This is a new addition to the Zoning Regulations which incorporates the Interim Zoning for Cannabis Establishments that was approved by the Selectboard in October 2022. There have been a few adjustments from the Interim Zoning, which includes allowing Teir 1-3 Manufacturing in all districts that allow light industry, inclusion of a new Propagation License created by the Cannabis Control Board, and removing regulation related to outdoor cultivation as the State Statute has clarified that they are considered agriculture and no longer under Town regulation.

Section 4.21 – This section has been amended to provide clarity on properties with more than 1 use.

Section 4.22 – This section relates to Drive-Throughs, which had previously been limited only to banks, but proposed change are to include pharmacies. It was noted that only limited pharmacy items would be permitted to be sold through the drive-through.

Section 6.1 – This section was updated to remove pharmacies from prohibited use of drive-throughs, to include indoor cannabis cultivation tiers 4-6, and clarifying helipads to include all aircraft.

Table 6.1 – This table was updated to clarify instances where more than 1 building is allowed in mixed-use.

Tables 6.2 & 6.3 – Ms. McShane provided an updated document to the Board with minor corrections from the previously proposed changes to these tables. She noted that updates include the VC-10 district, which includes the historic downtown, has limitations on height so as not to overshadow historic structures such as the Memorial Building, but increased height is allowed off of Main Street. The Table also allows more building coverage in designated growth centers, which was a suggestion from the Bylaws Modernization Grant to promote compact development in growth centers. It was discussed if in the future the Planning Commission might consider incentivizing workforce housing through more permissive standards, which Ms. McShane indicated was possible but would require clearly defining workforce housing.

Table 6.3 – Proposed amendments include increasing density in areas serviced by municipal water & sewer.

Section 10.9 – Amendments to provide clarity for HPC and DRB review related to height waivers in historic districts.

Section 13.4 – The Planning Commission has recommended that they remove the 3 acre minimum for land areas in PUDs, which must include at least 3 dwelling units. Having no required minimum would allow for more residential infill projects. Again the Board suggested including clarifying to include workforce housing or year-round housing.

Section 14.11 – The proposed amendment would allow for sandwich board signs on Main Street porches/decks even if they are less than 50’ off the Town Right of Way.

The Board then discussed proposed amendments to section 4.1, which is related to Accessory Dwelling Units. The proposed amendments include a limitation on new ADUs in which either the primary residence or the ADU must be owner occupied or rented on a yearly basis. Ms. Mila Lonetto, chair of the Planning Commission, explained that the intended purpose of this proposed amendment was to incentivize utilization of ADUs as year-round housing. It was noted that this is the only language in the Zoning Amendments which relates to Short-Term Rentals and limitations on them, which Ms. Lonetto stated was because the Planning Commission was advised that an ordinance pertaining to STRs was a better place for most STR regulations.

On a motion by Mr. Donza, seconded by Ms. Courtney, the Board removed the language in Section 4.1 (H).

On a motion by Mr. Donza, seconded by Ms. Courtney the Board advanced the Proposed Zoning Bylaw Amendments to a Public Hearing to be warned for January 10, 2024.

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. At the 11/29/23 meeting, Mr. Safford presented the Board a draft STR ordinance that requires a registry for all STRs, and tonight he presented the ordinance with amendments -requested by the Selectboard at that meeting.

Mr. Adams requested time to present an idea of a hybrid regulatory approach which would include both a police ordinance pertaining to STRs and regulation through Zoning. The Board discussed advancing an ordinance to a Public Hearing for approval soon, so that the Town could move forward with a registry. At a future date the Selectboard could work with the Planning Commission on what proposed amendments

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to the Zoning Bylaws regarding STRs. Mr. Adams' proposal for Zoning Regulations included three separate permit types for STRs – those that are existing currently, resident-occupied STRs and non-resident-occupied STRs, proposing that existing STRs would become a non-conforming use, resident-occupied STRs would require administrative review and non-resident-occupied STRs would require conditional review. He noted that requiring a review would mean someone would evaluate parking, etc. Ms. Lonetto asked the Board to consider limitations on the DRB time and ability to provide conditional review on more projects.

Ms. Beth Gadbois asked what process the Town would use for finding a third-party registration company, which Mr. Safford indicated would be through an RFP process or through a purchasing consortium as allowed in the Town's Purchasing Policy.

No action was taken at this time.

Manager's Report

Mr. Safford provided the Board with the 1st Quarter Rooms, Meals & Alcohol Tax as well as Local Sales Tax, noting that the RMA tax was a record number for this quarter and up 10% from the previous year. The Sales Tax totaled \$275,531 in its first quarter in effect, putting the Town in-line with the projected \$700,000 in FY24.

Mr. Safford provided the Board with the Town of Stowe Energy Committee Report, Town Attorney's Fees update, LCPC Legislative Breakfast at the Akeley Memorial Building, Mountain Road Shuttle information and an Executive Summary on the Status of Libraries in Vermont.

Mr. Aumand reported that he attended the Lamoille County Dispatch budget meeting, and that there is a projected 2.8% increase.

Mr. Donza requested that the Selectboard discussion on beaver control be added to an agenda in January.

There being no further business, Chair Hagerty adjourned the meeting at 9:42pm.

Minutes respectfully submitted by Abigail Bourgeois.

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