

**PLANNING COMMISSION
MEETING MINUTES
Wednesday, October 5, 2022, at 6:00 PM**
Town of Fairlee Town Hall
Grange Room
75 Town Common Road
Fairlee, VT 05045
and on Zoom

Wednesday, October 5, 2022

CALL TO ORDER:

Rob Chapin, Chair, called the meeting to order at 6:02 PM.

PRESENT

Commission Members: Rob Chapin, Chair (present); Sarah Berger, Vice Chair (absent); Susanne Pacilio (present); Miranda Clemson (present); Tim Danen (present); Smith Reed (present); Jane Chambers (present). A quorum was met.

Zoning Administrator: Chris Brimmer

Minutes Clerk: Joanna Bligh

Visitors:

In Person: Donna Richardson.

Online: Laura Tucker.

REVIEW OF MEETING MINUTES

MOTION #1: Tim Danen moved, and Smith Reed seconded the motion to approve the Minutes from **August 3, 2022**, as amended.

Voice Vote: All in favor. None opposed. None abstained. The motion passed unanimously.

MOTION #2: Tim Danen moved, and Miranda Clemson seconded the motion to approve the Minutes from **September 7, 2022**, as amended.

Voice Vote: All in favor. None opposed. None abstained. The motion passed unanimously.

STAFF AND PUBLIC COMMENTS:

- Brimmer reported on an Administrative Permit he wrote for renovations to a house north of the Village, in which there will be two units – a two-bedroom apartment upstairs and a one-bedroom apartment downstairs.
- Brimmer discussed plans with the Aloha Foundation director who will be addressing the Development Review Board (DRB) with a site plan for renovating the tent camp structures into buildings to be used for emergency shelters in case of storms.

SCOPING DISCUSSION

Brimmer suggested that the Planning Commission have a roundtable discussion on the changes to the Bylaw with residents in November and a Public Hearing in December.

Pacilio requested addressing the use of fertilizer on the lake shore, which is a factor in the increase of phosphorous in the lake. Pacilio noted that lawn cleanup often includes blowing leaves into the lake, and wake boats stir up the shallow waters of Lake Morey. Brimmer suggested that the members make a list of concerns relating to the lake shore, and he will send it to the State Department of Natural Resources.

§3.1.4.1 Lake Fairlee Area

Brimmer noted that the permitted uses and Bylaws for both lakes shall be similar. Brimmer noted the following, which eliminated Class A Lots around Lake Fairlee:

- All lots around Lake Fairlee (Town of Fairlee–owned area) are Class B lots (frontage 150 feet, 40,000 square feet per principal use, and lakeshore setback of 50 feet).
- For a conditional-use permit, the DRB cannot say No, but can approve with conditions.

§3.1.4.2 Lake Morey Area

Brimmer recommended language to be removed under Permitted Uses, including eliminating permits for renovations that change the number of bedrooms, for one-family seasonal dwellings, and for summer camps.

§5.3 Conditional Uses

Short-Term Rentals

Brimmer stated that any short-term rental shall be included on the conditional-use list, and any new construction will be reviewed by the DRB.

Brimmer recommended new language of performance standards for DRB conditional-use approval for members' review, including the requirement of a Wastewater and Potable Water permit from the State and no increase in the number of bedrooms.

For short-term rentals, the DRB's conditional-use approval would include new performance standards, including Fire Safety Division and Department of Labor and Industry inspections, payment of meals and room tax with annual review, and seasonal usage of 22 weeks per year.

Brimmer asked for consensus from the members for this new language, and the members agreed.

Public Discussion:

Donna Richardson asked about the enforcement mechanism for oversight of short-term rentals. Brimmer noted that it is difficult unless there is a Town ordinance and a complaint. Chair Chapin noted that the ordinance is instituted by the Selectboard.

Short-Term Rental Definition

Brimmer provided a definition:

A rental of any residential home or accessory building for stays of less than a month (30 days) [that] do not have onsite management and are not regulated as commercial uses or residential businesses or services.

Reed suggested adding “lakeside rentals” to the definition. Brimmer provided a list of criteria related to short-term rentals for discussion, including a certificate of compliance from the Town and the number of bedrooms determined by State wastewater permits.

Next Meeting:

- Regularly scheduled meeting with invitations to lakeside residents to be held on Wednesday, November 2, 2022, at 6:00 PM.

ADJOURN

MOTION #3: Tim Danen moved, and Susanne Pacilio seconded the motion to adjourn the meeting at 7:48 PM.

Voice Vote: All in favor. None opposed. None abstained. The motion passed unanimously.

*Transcribed by
Joanna Bligh, Minutes Clerk*