

**PLANNING COMMISSION
MEETING MINUTES
Wednesday, November 16, 2022, at 6:00 PM**
Town of Fairlee Town Hall
Grange Room
75 Town Common Road
Fairlee, VT 05045
and on Zoom

Wednesday, November 16, 2022

CALL TO ORDER:

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

PRESENT

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

Zoning Administrator: Chris Brimmer

Minutes Clerk: Joanna Bligh

Ex officio: Peter Berger

Visitors:

Online

Dashielle Rae
Lynne Fitzhugh
Bill Minard

REVIEW OF MEETING MINUTES

MOTION #1: Tim Danen moved, and Miranda Clemson seconded the motion to approve the Minutes from **June 1, 2022**, as written.

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

MOTION #2: Tim Danen moved, and Smith Reed seconded the motion to approve the Minutes from **November 2, 2022**, as written.

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

STAFF AND PUBLIC COMMENTS:

- Brimmer announced that he spoke with Gwynn Zakov, Esq., municipal policy advocate, at the Vermont League of Cities and Towns (VLCT) about incentivizing residential septic changes in the Bylaw, and suggested formulating a municipal ordinance that would trigger state review. Brimmer noted that the Town pays dues to VLCT, which is a lobbying arm for municipalities.

OLD BUSINESS

Short-Term Rentals: Lake Morey Bylaw Amendment Proposals

Chair Chapin stated that the Commission is to vote on the final language of the Bylaw Amendments so that the Planning Commission can pass the document to the Selectboard for their review.

Brimmer introduced §3.1.4 Lake Area and recommended bifurcating the Lake Morey and Lake Fairlee because the nature of the settlement patterns is different.

§3.1.4.1 Lake Fairlee Area

Brimmer noted that Lake Fairlee has large lots on the lakeshore and few nonconformities. Brimmer recommended that the current zoning for Lake Fairlee will not change, except for the issues affecting water quality, such as landscaping practices.

Brimmer continued that the heightened regulations on Lake Fairlee are removed, but short-term rentals (STR) are on the conditional use list.

§3.1.4.2 Lake Morey Area

Brimmer stated that on Lake Morey, the single-family dwelling construction was removed from Permitted Uses, and all seasonal dwellings are written as nonconforming. The definition of STR on Lake Morey was rewritten as “Short Term Rental [Lake Morey lakeshore] -- The rental for stays of less than 32 days of any residential housing unit or accessory building that is not regulated as commercial use or residential business or service.”

Discussion continued related to the definition of a housing unit, and the problematic advertising of STR space of more than two persons per bedroom.

§5.3 Conditional Uses

Related to STRs, the Commissioners discussed the definition of a bedroom, the term “envelope,” parking regulations, and the number of weeks approved for STRs.

MOTION #3: Tim Danen moved, and Susanne Pacilio seconded the motion to accept the Bylaw Amendments for §3.1.4.1 Lake Fairlee Area, §3.1.4.2 Lake Morey Area, and §5.3 Conditional Uses as revised.

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

Discussion:

- Clemson suggested providing new lake residents or renters with a Welcome packet to inform them about the lakeshore conventions and regulations.
- Reed noted that the Lake Morey Foundation is preparing a document to distribute to lakeshore residents on responsible ownership.

NEXT MEETINGS:

- Development Review Board meeting, Tuesday, November 22, 2022, at 7:00 PM.
- Regularly scheduled Planning Commission meeting, Wednesday, December 7, 2022, at 6:00 PM.

ADJOURN

MOTION #3: Tim Danen moved, and Miranda Clemson seconded the motion to adjourn the meeting at 7:53 PM.

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

*Transcribed by
Joanna Bligh, Minutes Clerk*