

# **WATERBURY PLANNING COMMISSION**

## **Approved Minutes**

**Monday, November 28, 2022**

Planning Commission: Martha Staskus (Chair), Kati Gallagher (Vice Chair), Mary Koen, Dana Allen

Staff: Steve Lotspeich (Planning and Zoning Director, Zoning Administrator)

Public: None

The Chair opened the meeting at 7:01 p.m. at the Steele Community Room, 28 N. Main St. and via ZOOM.

### **AGENDA REVIEW AND MODIFICATIONS**

There were no adjustments to the agenda.

### **ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC**

There were no members of the general public present and no announcements were made.

### **REVIEW AND APPROVAL OF PRIOR MEETING MINUTES**

The draft minutes for the meeting held on November 14, 2022, were reviewed.

#### **MOTION:**

Dana Allen moved and Kati Gallagher seconded the motion to approve the minutes for November 14, 2022, as amended.

VOTE: The motion was approved 4 – 0.

### **CONTINUED REVIEW OF DRAFT UNIFIED DEVELOPMENT BYLAW – PHASE #1 (UDB-P1)**

The Specific Use Standards, Section 1607.1, Multi-family Dwellings, was discussed further. Concerning Sub-section 4.2.1.B, Open Space from the parent UDB document, Steve researched possible open space and private/semi-private outdoor living space requirements in other municipal bylaws. The only example of similar bylaws he was able to find was for the City of Barre which adopted the same language regarding Open Space as the draft parent UDB document for Waterbury.

The main paragraphs in 4.2.1.B(1) and (2) were re-worded and recorded by Martha. It was confirmed that sub-sections 4.2.1.B(1)(a), (b), and (d) should be included in Section 1607.1.

Sub-section 1607.1.4, Mixed-Use Buildings in the UDB-P1 was discussed. The following language was agreed on by consensus: 1. “Walls and/or floors that separate residential and non-residential portion of the building will be sound-proofed;” and 2. “Entrance(s) to the dwelling units will be separated from the public and service entrance(s) to the non-residential portions of the building;” and 4. “Common open space, as required above, will be separated and screened from areas of the property accessible to the general public and from service areas.” will be included. The third sentence in the sub-section will be deleted. That sentence states: “Impact of service and waste collection areas (noise, light, odors, etc.) on building residents will be minimized;”

The Specific Use Standards for Accessory Dwellings, Section 1607.2, were discussed. It was agreed by consensus that the following change will be made to Sub-section 1607.2.1: 6. “Not exceed 1,400 square feet or 50% of the habitable floor area of the primary dwelling....”

Section 1707.7, Bed & Breakfast, was discussed. The bylaw that states: “Not have more than 4 bedrooms that are used to houseguests;” was questioned. Steve will research other municipalities’ zoning bylaws to see how they limit the number of bedrooms.

Section 1607.8, Inn, was discussed. It was agreed by consensus that the language in Sub-section 1607.8.4 is changed to read: “An Inn may have a sign that shall have no more than two (2) faces and shall not exceed twenty-four (24) square feet.”

Section 1607.9, Short Term Rental, was discussed.

Steve gave an overview of how some municipalities regulate short term rentals. Some municipalities have a registry for short term rentals that is required in a short term rental ordinance that in Waterbury’s case would be adopted by the Select Board. This may be a good place to start in addressing the short term rental issue in Waterbury and for collecting local data.

These are three ways that short term rentals can regulated through zoning:

- a) Requiring them to be owner occupied with a lower threshold of administrative development review and permitting.
- b) Not requiring that they be owner occupied with a higher level of review that may include conditional use review through the Development Review Board.
- c) A combination of these two approaches depending on ownership and occupancy.

The purpose and value for regulating short term rentals and possibly having a registry may include the following:

- a) To protect the character of the area that surrounds short-term rentals.
- b) To protect the public safety for the occupants of the short term rentals.
- c) To address the concern about the availability of long-term housing for residents.

It was suggested that one possible first step would be to hold a public hearing on the topic of short term rentals. The hearing could be held under the auspices of the Select Board, Planning Commission, and the Housing Task Force.

Steve will follow up by sending the Planning Commission the Village of Woodstock Short Term Rental Ordinance. Steve will also research how the municipalities regulate short term rentals including at a minimum, Stowe, Montpelier, and Burlington, and will report back on the findings.

The target for the next meeting will be to complete the review of the Specific Use Standards up to Section 1608, Performance Standards.

## **OTHER PLANNING COMMISSION BUSINESS**

Planning & Zoning Director’s Report:

Steve reported on the following:

- a) Two applications for multi-family housing are currently either under review or scheduled for review by the Development Review Board: 102 S. Main St., an addition to an historic building for a total of nine units, and 37 High St., a proposed building that will have nine units.
- b) The search process for a new Executive Director for the Central Vermont Regional Planning Commission is underway and 18 applications have been received.

- c) With Steve retiring in March, 2023, his position is planned to be advertised early in 2023. The Planning Commission will be involved in the interview process due to the role to the Zoning Administrator that is currently part of the position. Planning Commission members expressed concern that the search process should start very soon. Steve will communicate this concern to the Municipal Manager and new Deputy Municipal Manager.

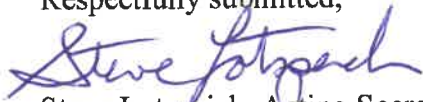
#### **NEXT MEETINGS**

The next regular PC meeting is scheduled for Monday, December 12, 2022 at 7:00 p.m. It was agreed to shift the following meeting from Monday, December 26th to Wednesday, December 28<sup>th</sup> due to the Christmas holiday.

#### **ADJOURNMENT**

The PC meeting was adjourned at 9:16 p.m.

Respectfully submitted,

  
Steve Lotspeich, Acting Secretary