



## Minutes

### Planning Commission November 11, 2020, via Zoom 5 PM

**Present:** David Miltenberger, Christine Armstrong, Ellen Celnik, Kent Hansen, Jerilyn Virden, Linda Romans, Brett Stanciu, Carol Fairbank, Peter Romans, Linda Ely, T. Breen, Day Patterson, Lise Armstrong, Vince Cubbage.

**Absent:** None.

**Meeting called to order at 5:01 p.m.**

**Approve October's Meeting Minutes:** Motion to approve by David, seconded by Christine, carried.

**Greensboro COVID-19 Response Plan/GSERT Update:** In response to increasing community need, the committee mailed a postcard recommending avoiding unnecessary travel. Other measures include strengthening public education about the requirements of home quarantining, access to the town's emergency number and home delivery, and encouraging mask-wearing and social distancing. Information will be available on the town's website.

### Greater Greensboro Task Forces Update

- **Wastewater Infrastructure Task Force:** The Vermont Department of Environmental Conservation grant was signed. The first phase will explore the feasibility of three different areas: the Bend, the village, and the perimeter of Caspian Lake. The second will estimate costs and design.
- **Walking/Biking Paths Task Force:** No new updates.
- **Lake Water Quality Task Force:** The SGW is applying for a Lake Champlain Watershed Basin Grant, in conjunction with a conservation group in Newport. A booklet, 50 Ways to Save Caspian Lake, is planned to be updated and distributed in all lakeside homes next summer.
- **Connected Greensboro Task Force:** High speed internet project is making progress via NEK Community Broadband. Updates and minutes can be found on the CUD website - [www.nekbroadband.org](http://www.nekbroadband.org). In December, the front classroom in the town hall will be open to the public for free internet



use. PPE and furniture have been ordered. A private space is planned for telemedicine needs. More info will be posted shortly in the usual channels.

### **Bylaw Assessment Teams Update**

- **Eligo Shoreland Visit:** Linda, David, and Brett met with seven landowners on November 10, on the east side of Eligo Lake. The present landowners wanted more environmental protection for that area than is afforded in the Rural Lands District, but did not want the minimum lot size reduced to one acre. The visiting members will consult the Town Plan and write a report.
- **Temporary and Permanent Signs:** A draft has been written, but discussion was tabled until the next meeting due to time constraints.
- **Lakeshore District Revisions:** The community was thanked for its patience. In addition to committee members Linda, Christine, and David, appreciation was expressed for Jennifer Lucas and Dan Predpall. The Lakeshore District bylaw revisions and the Short-term Rental Ordinance were written in conjunction with the Town Plan's vision to protect Greensboro's natural resources and the town's rural character. Carol screenshared the bulleted list, and David outlined the following proposed changes.

1. The Purpose Statement in 2.7B more explicitly describes the need to protect Lakes Eligo and Caspian water quality and shoreline while retaining a mixture of residential/summer homes.
2. Residential care, group homes, and residential child care was removed from permitted use as this seemed odd in the Shoreland District. Accessory dwellings and structures, agriculture, forestry, and home occupation remain.
3. An attorney's advice has been requested for whether short-term rentals are a permitted or conditional use.
4. House size is measured from interior walls to interior walls, instead of exterior walls. This is more lenient, as some green-minded homeowners build very well-insulated houses. 2,500 SF remains the maximum size.
5. The height of any structure is now measured to the roofline. In previous bylaws, it was measured to any height, including chimneys. That was deemed unreasonable. 6. No portion of a structure within 50' of the lake can increase in height beyond 15', which is the



height of a boathouse. Any portion of the structure behind that 50' line may increase in height.

7. More robust mitigation will be required by the DRB if a nonconforming structure is allowed to become more nonconforming.

8. One accessory dwelling and one accessory structure is allowed per lot. 20' is the maximum height.

9. Accessory dwelling units are restricted to 900' SF maximum, or 30% of the primary dwelling, whichever is greater. Porches and decks are excluded.

10. It is recommended that, if accessory dwellings or structures are razed and rebuilt, to move them back from the lake if at all possible.

11. Added one required parking space per accessory dwelling unit and two parking spaces per family dwelling unit.

12. Standards were added for docks to prevent encroachments on the lake. One dock per lot; 300 SF.

13. Additional standards were included for conditional uses for the DRB to use as tools or incentives. Lighting standards were removed from the initial draft.

14. & 15. More stringent guidelines were given regarding water quality protection and preventing run-off from cutting along the lakeshore. An Intent to Cut form is now required with a point system for guidance. A \$25 permit will be required with supporting documentation.

16. Standards were added about how much impermeable substance can be on a lot: a maximum of 20% impermeable surface on all parcels; 60% or more cannot be cleared.

16. More detailed requirements were added for DRB applications. Lighting will be considered now by the DRB.

17. Additional monitoring will be required in building permits, including a Certificate of Compliance.



A No Mow Zone was included in the original draft, but has been removed. An educational approach is planned to provide people with better information to help landowners understand that mowing to the lake edge is harmful to water quality.

**Public Comment:** None.

- **Rental Management Ordinance Update:** Carol screenshared the Short-term rental document. David noted the impetus behind this ordinance is that short-term rentals create a much greater intensity in the use of the lake. The ordinance intends to maintain the environmental integrity and the community nature of the lake, while keeping in mind the interests of landowners and renters.

The committee will propose to the Selectboard that the 1% local rooms tax is revenue that should stay in the municipality and applied to water quality, outdoor recreation, environmental education, and administration of the ordinance. This ordinance will apply to short-term rentals (less than 30 days) in all districts.

Noted points:

- Short-term rentals refer to entire structures, not rooms rented. A permit is required. Subletting is not permitted.
- Permits require, in part: contact info; notification to renters if a shared dock is rented; an initial \$200 fee, followed by an annual \$10 fee; notification to adjacent landowners; compliance with Health and Fire Safety codes; payment of state and municipal taxes; adequate parking; proof of insurance; and to be available for inspection.
  - Fines will be levied for noncompliance.
  - Rental units may not advertise occupancy in excess of the occupancy determined by a dwelling's wastewater permit. The state permits an occupancy of two occupants for the first three bedrooms, one occupant for each additional bedroom. Sleeping porches are not bedrooms.
- Wastewater is a major concern. Systems must be in good repair and be serviced every four years.



The commission discussed the proposal for a minimum rental of seven consecutive days and decided to restrict rentals to a seven-day minimum in the Lakeshore District to decrease intensity around the lake, but not to place a minimum on other districts.

**Public Comment:** Day Patterson commended the committee and asked when the full text of the proposed bylaw changes will be made public?

The full text will be available in the near future after revisions are made. The Vermont League of Cities and Towns advises:

- Amended bylaws are drafted by the Planning Commission
- 15 days prior to first public hearing a report stating compatibility with Town Plan and proposed bylaw is delivered to the Planning Commissioner of each

adjoining municipality, the Executive Director of Regional Planning

Commission, and VT Department of Housing and Community Affairs.

- The Planning Commission holds at least one public hearing on proposed bylaws
  - Bylaws are sent to the Selectboard for further review and adoption
  - The Selectboard holds at least one public hearing
  - The Selectboard may make minor changes 14 days prior to a final public hearing. Substantial change requires another public hearing and the proposed bylaw is sent back to the PC for rewriting
  - The Selectboard may adopt the proposed bylaws at a meeting effective after 21 days, unless the electorate petitions for an Australian ballot to be held within 20 days
  - Or, the Selectboard may vote to adopt proposed bylaws via Australian ballot
- **Housing Committee Update:** The committee plans to meet with Rural Edge on November 19 to discuss their proposition. In December, the committee will update with progress regarding a proposed collaboration with Habitat for Humanity.

By consensus, the Commission agreed to pause for public comment in future meetings after each agenda item.

**New business:** None.



**Next meeting:** The next Planning Commission Meeting will be December 9, 2020 at 5 p.m. and will be held online. This meeting will include an additional public comment segment for landowners who would be affected by the Extended Village zoning proposal. The timeline for voting on proposed bylaw changes will be discussed.

**Adjourn:** A motion was made by David to adjourn, and was seconded by Kent. Meeting adjourned at 7:52 p.m.

Respectfully submitted,

Brett Stanciu, Zoning Administrator