

SHORT-TERM RENTAL COMMITTEE MEETING MINUTES

Date/time of Meeting: January 18, 2024, at 4:00 p.m.

Place: Town Hall, 856 Main Road

Call to order: A public meeting of the Short-Term Rental Committee was called to order at 4:06 PM by Vice-Chair, Mark L. Schmid.

ATTENDEES

Mark L. Schmid, Gerry Coutinho, Robert Daylor, Tanja Ryden

ABSENT

Roger Menard

Chair's Announcement – Under M.G.L. Chapter 30A, section 20(f) – The meeting was recorded.

1. The Planning Board worked with the Short-Term Rental Committee to revise the Committee's draft short-term rental bylaw that was considered at the Planning Board's January 9, 2024, public hearing (continued to February 6, 2024, at 6:30 p.m.). The entirety of the draft bylaw was considered for revision:
 - i. Zoning Bylaw Section 9.8: Bed and breakfast and short-term rental.
 - ii. Definition for short-term rentals, section 3.
 - iii. Amend the table of use regulations, section 5.1.
 - iv. Amend Parking Regulations, section 8.3.

Whitin stated that the Planning Board and Short-Term Rental have determined three (3) options: use the same draft regulations amendments, conduct a certification process, or do nothing. Per Whitin, the Town Administrator advised not to move forward at this time due to budget constraints.

Burris pointed out the minor revisions that were made where the Building Department would issue the permit, allowing non-residents to have a maximum of one short-term rental permit and Westport residents to have a maximum of two (2). He also discussed the violation provisions. Bullard argued that due to the impact on septic systems, the Board of Health should issue the permits, not the Building Department. He also disagrees with the town administrator that regulations should be implemented and that establishing a fee schedule for Short-Term Rental would provide funding for additional staff to issue permits and monitor. Ms. Tanja Ryden stated that the Board of Health would withdraw from the permitting process due to limited staff and not having the support of the Town Administrator to hire additional personnel.

Virginia Buchanan, the owner of five rental properties, was concerned that some of her properties do not have legal bedrooms and inquired if current rental properties would be grandfathered in.

Nicole Plante, owner of Even Keel Realty located at 803 Main Road, favored a grandfathering because of the non-conforming bedrooms. She also expressed that she was not in favor of the one-week time limit and asked the board to reconsider a shorter time limit.

Gerry Mullen, who resides at 168 Cherry and Webb Lane, inquired about whether Paquachuck Inn is bound by any regulations. The Inn is legally operating under the restrictions that were established by the Zoning Board of Appeals (ZBA) and the court-ordered rules. However, Coutinho commented that the Paquachuck Inn is not subject to this by-law.

Motion

Daylor moved to forward the amendments of the Town Zoning By-Laws to the Select Board for consideration at the 2024 Annual Town Meeting. Seconded by Bullard.

Ms. Ryden suggested removing the language in Section 9.10.3.B & 4B under General Requirements because they are not being regulated under this By-Law.

Amended Motion

Daylor amended the previous motion to strike language from Section 9.10.3.B. from the “Short-Term Rental” document General Requirements that “No tenant or lessee shall let or sub-let a short—term rental” and Section 9.1.4.B. Violation Provisions that “Short-term rentals that are the subject of three or more negative findings, as issued by the Inspector of Buildings, of violations of this section within a six month period, or three or more violations of any municipal ordinance or state law or code relating to zoning requirements, excessive noise, improper disposal of trash, disorderly conduct, or other similar conduct within a six month period shall be ineligible for short-term rental use for a six month period immediately following the third violation. Seconded by Bullard with Daylor, Whitin, and Schmid in favor.

This amended motion is to be forwarded to the Select Board for consideration at the 2024 Annual Town Meeting.

Motion

Daylor motioned to modify Section 5 Use Regulations to the 5.1 table of use regulations by adding in “*the residential section Short-Term Rentals to be an allowed use Residential/Agricultural, Business, and Unrestricted District.*” Seconded by Schmid, Whitin, Daylor, and Bullard in favor.

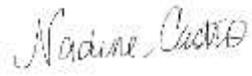
Sean Leach, who resides at 521 Division Road, expressed his concern that presenting the Use Regulations during the Town Meeting could potentially result in amendments that cater to the interests of a particular group of individuals, leading to the creation of a By-Law that would not be favored by the town.

ADJOURNMENT

Motion

Ms. Ryden moved to adjourn the Short-Term Rental Committee meeting. Seconded by Coutinho with Ms. Ryden, Schmid, and Daylor in favor.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nadine Castro".

Nadine Castro
Assistant Town Planner II

DRAFT