

**PLANNING BOARD
WORK SESSION
MEETING MINUTES**

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

Place: Town Hall, 856 Main Road

Call to order: A work session meeting of the Westport Planning Board was called to order at 4:06 PM by Chairman, Jim Whitin.

ATTENDEES

Chairman Jim Whitin, Vice-Chair Bob Daylor, and members, Mark L. Schmid, Town Planner Michael Burris, and Assistant Town Planner - Amy Messier.

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 that funds are not available for additional staff for permitting and inspection services.

Burris pointed out the revisions that were made where the Building Department would issue a certification with limited zoning standards. 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, supported current rental properties having grandfathering rights. 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.

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

Motion

Daylor moved to amend the motion by striking the words “bed and breakfast” from Sections 9.10.3.B and 9.10.4.B. and forward the amendments outlining a certification process in the Zoning By-Laws to be administered by the Building Department, to the Select Board for consideration at the 2024 Annual Town Meeting. Seconded by Bullard with Schmid, Whitin, Daylor, and Bullard in favor

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 motioned to present a second warrant article that would only 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, with all members 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.

Motion

Daylor moved to close the Planning Board public hearing for Short-Term Rental By-Law. Seconded by Schmid with Daylor, Whitin, and Bullard in favor.

2. East Beach: General discussion regarding the damage to East Beach from the 1/9/2024 storm event and Short/long-range response.

Whitin briefly outlined the history of how the town has dealt with East Beach over the years, including the grants that were denied to preserve it. They reviewed pictures from the latest three storms in 2024.

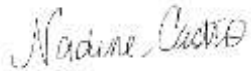
Whitin asked if the town must maintain egress to Horseneck Beach.

Sean Leach, 521 Division Road, was concerned about the exposed tight tanks that are installed along the ocean side and within the layout of the road. As the Head of the Beach Committee, he mentioned the Beach Committee proposed moving the town-owned section of the road, raising the road, installing culverts to remove some of the pressure should the waves come up and over, and having parking on the south side of the town beach.

ADJOURNMENT

The Board members unanimously adjourned at 8:53 p.m.

Respectfully submitted,



Nadine Castro, Assistant Town Planner II

NOTE: *Agenda is subject to change*