

MEETING MINUTES
MUNICIPALITY OF WOODSTOCK, VERMONT
WOODSTOCK PLANNING COMMISSION
31 The Green
Woodstock, VT 05091

The Woodstock Planning Commission held a public meeting on Wednesday, January 17, 2024, to discuss the following:

Members present: Frank Horneck (Chair), Nicole Green, Ben Pauly, Mary Margaret Sloan, Brad Lawrence, Matt Driscoll

Public present: Laura Powell, Derek Demas, David Hill, Michael Peters, Susan Fuller

Staff present: Steven Bauer

Administrative Tasks

1. Call to Order – Frank Horneck called the meeting to order at 6:00pm.
2. Adjustments to Agenda – Steven Bauer added a welcome to new Planning Commission member Matt Driscoll. Frank Horneck removed the Planning Calendar item from the agenda until after the Town meeting day.
3. Approve Minutes – 12/3/23
Ben Pauly motioned to approve the minutes as printed.
Nicole Green seconded the motion.

Vote 5-0. Approved.

On Going Business – Short Term Rental Regulation Draft Review

The commission rewrote the purpose statement and discussed the various definitions in the regulations.

Bedroom definition – The regulations currently state maximum occupancy at 2 people per bedroom, capped at 6 people total. Steven Bauer mentioned proposed fees are \$500 per bedroom but what counts as a bedroom? Ben Pauly suggested basing fees on total occupancy rather than bedrooms. Laura Powell suggested an occupancy of 2 persons per bedroom plus 2 guests and prefers an occupancy-based fee. Could base fee for max occupancy on Fire Marshall's determined max occupancy. Steven Bauer will discuss with David Green to determine how the max occupancy is calculated.

Application – The application will be online, and all materials will be uploaded. Derek Demas mentioned Airbnb has a tax account for meals and rooms tax. Laura Powell indicated the meals and rooms tax is a state requirement and David Hill confirmed the tax is for the state, and the town should not be involved in that process.

Annual permit process – Proposing 105 total permits with 40 owner-occupied and 65 non-owner-occupied permits per year. Mary Margaret Sloan asked that the ratio be equal. Ben Pauly explained that 105 total permits came from 5% of total housing units and is set up to allow everyone with a current permit continued use. Laura Powell explained the current breakdown is

roughly 25% owner occupied and 75% non-owner occupied; however, estimates and are just a snapshot in time.

Annual Permit Process – Timeline - The Planning Commission will vote on new STR bylaws in March, adoption by legislative bodies in April, existing permit holders application window opens in July, window opens for remaining permit applications in September. The annual permit year runs January – December.

Standards – Steven Bauer explained could possibly use the same standards as the Vermont Short Term Rental Alliance. Ben Pauly suggested adding the definition of bedroom. Steven Bauer will discuss maximum occupancy with the fire chief rather than using per bedroom occupancy.

Fees - Ben Pauly suggested fee of \$250/occupant rather than \$500/bedroom and keeping renewal fee the same as 1st year fee. Mary Margaret Sloan thinks the fee is too high as an annual fee since Bed & Breakfast owners don't have an annual fee. Ben Pauly and Frank Horneck support the proposed annual fees. Laura Powell explained Bed & Breakfasts do not impact housing supply the same way. Steven Bauer reminded that if the owner is renting under 14 days per year, a permit is not required.

Enforcement, penalties – Current and proposed fine is \$200 per day. May revoke permit if 3 substantiated complaints are received within 12-month window.

Public Comment

Susan Fuller explained the number of permits allowed and the proposed fees create an advantage to 2nd homeowners. Steven Bauer confirmed there is no limit to the number of times allowed to rent in the proposed regulations. Susan suggested an unlimited number of permits to owner-occupied and suggested the commission needs more data and facts before making this decision.

Michael Peters asked about the requirement of registering as a business with the Secretary of State and Steven Bauer responded it is one way to determine the registered agent for the property. Matt Driscoll suggested self-certification may be a better option. Michael Peters recommended the owner-occupied permits should be unlimited and felt 105 total permits is too uncertain.

Brad Lawrence asked the number of permits currently in compliance and Laura Powell confirmed there are roughly 65 permits in compliance. The 105 figure came from historical permits and searching various platforms and 5% of current housing stock based on 2100 units.

Derek Demas asked if STR units located in the R5 and Forest Reserve district that were grandfathered in prior to 2019 count towards the 105 permits? Ben Pauly responded that those grandfathered units should not count towards the 105 total and the goal is everyone who is permitted now should be included, if in compliance. Derek asked if people who are compliant now can be grandfathered in, and Steven explained they can opt to stay under current rules but

will need granted a permit that counts towards 105. Derek Demas felt the proposed annual application fees are high and the commission should consider a higher penalty fee.

David Hill calculated that potential fees for the 105 permits could total \$275,000 a year. Steven mentioned fees may not generate the entire \$275k, it could be much less. Fees can be revised if it generates enough to cover expenses such as software, a new employee and potential litigation expenses.

Mary Margaret Sloan is in favor of reducing fees for owner occupied units and increasing fees for non-owner occupied. The commission can discuss the fee options at the next meeting.

Other Business

None

Adjournment

Mary Margaret Sloan motioned to adjourn the meeting.
Ben Pauly seconded the motion.

Vote 6-0. Approved.

Meeting adjourned 8:51pm