

Town of Arrowsic
Minutes of Special Planning Board Meeting
March 13, 2023 at ~ 7:00 PM
Video Conference via Zoom

Attending: Jennifer Geiger (PB Chair); Roger Heard (PB); Vicky Stoneman (PB); Jim Davis (PB); Joe Bonnett (PB alt); Mike Kreindler (resident and former CEO); Karin Sadtler (resident)

Resignation

The Board Chair announced that Board member, Matt Caras, had resigned from the Planning Board effective immediately. There was some dismay about this announcement as Matt was a valued Board Member and an excellent Secretary.

The Chair asked Alternate Board Member, Joe Bonnett, to take on the role of voting Board Member for this meeting in Matt's absence. She will check on the procedure to make Joe a full Board Member going forward. It was mentioned that the Planning Board needs now to find 2 Alternate Members as it has been short one for several years.

LD 2003/Accessory Dwelling Units (ADUs)

Following the March 6 meeting, the Planning Board Chair circulated to Planning Board members a draft proposed LD 2003/ADU ordinance amendment reflecting what appeared to be the view of the majority of the Planning Board members and others in attendance at this meeting (the "Proposed Amendment"). The Planning Board members were to review it prior to the meeting tonight. The purpose of the special meeting tonight is to make any further modifications needed to the Proposed Amendment and then to determine whether the Planning Board wishes to submit the Proposed Amendment to the Select Board for its consideration.

The Board worked through each line of the Proposed Amendment and the related 3 definitions with much discussion over terminology, the intent of LD2003, and how to work with some of the vagueness in LD2003. There was a range of opinion and subsequent discussion on how strict the Proposed Amendment should be.

Several points worth noting are:

- 1) it was unclear whether LD2003 requires only 1 ADU be allowed per lot or if it allows for 2 Accessory Dwelling Units ("ADUs"), one inside or attached to the Primary Dwelling and one detached, per lot. The Board Chair was going to follow up with the State to determine which is correct;
- 2) it was the Planning Board's consensus on the LD2003 language that if an ADU cannot meet dimensional and setback requirements currently in place, except for lot size, then it could not be built;
- 3) given the complicated nature of ADUs, it was decided that applications to build an ADU must come to the Planning Board for approval;
- 4) it was decided that an ADU cannot be rented for less than 90 days to support the intent of LD2003 to create more long term housing. There was considerable discussion on whether 90 days was too long a time period and it should be changed to 28 days to match the State's definition of a short term rental but ultimately, the decision was to keep the 90 days;
- 5) it was mentioned that the Climate Resilience Partnership, of which Arrowsic is a member along with 4 other nearby towns, has applied for a grant to study water viability on Arrowsic and how to protect its fresh water supply. This would be helpful in better understanding the drain on water resources that more housing density might cause.
- 6) There is a precedent in determining "sufficient potable water" for the Proposed Amendment in that the Subdivision Ordinance calls for the similar analysis of sufficient potable water.
- 7) ADUs will be put into Table 1 of the Zoning Ordinance in section 6 underneath Residential Dwelling Units with a B&C/PB in each of the 4 districts, requiring anyone creating/building an ADU to obtain a building permit from the CEO and a conditional use permit from the Planning Board.

Once the Planning Board members deemed the draft to be complete, a vote was taken by the Board on approving each section. Upon motion made by Roger Heard for adoption of the definition of Accessory Dwelling Unit, which

motion was seconded by Joe Bonnett, adoption of the definition was approved (Heard, Stoneman, Bonnett and Davis voting in favor). Next, upon motion made by Roger Heard for adoption of Section 3.6.5 Accessory Dwelling Units and Table 1 ADU entry, which motion was seconded by Joe Bonnett, adoption of the Section 3.6.5 and the Table 1 entry was approved (Heard, Stoneman, Bonnett and Davis voting in favor) with the contingency that the “or” in section b would be changed to “and” if the Chair determines from her discussions with the State that 2 ADU’s are indeed allowed per lot.

Members then discussed the Definitions for Commercial Use and Home Business. There was considerable discussion of the proposed new definition of Commercial Use as set forth in the Proposed Amendment, which includes some restrictions on the short term rental of any dwelling unit (not just accessory dwellings). The discussion centered on whether the limitations are too restrictive, where some board members felt the limitations were too restrictive and others felt they gave a nice balance, allowing short term rentals to occur but keeping a strong focus on longer term housing as well as maintaining the character and functioning of the community.

After coming to agreement on the verbiage, a motion was made by Roger Heard for adoption of the Commercial Use definition, which motion was seconded by Joe Bonnett. Adoption of the Commercial Use definition was approved (Heard, Stoneman and Bonnett voting in favor). Jim Davis recused himself from the vote due to his monetary interest in the decision as a short term rental owner. A motion was then made by Vicky Stoneman for adoption of the Home Business definition, which motion was seconded by Joe Bonnett. Adoption of the Home Business definition was approved (Heard, Stoneman and Bonnett voting in favor). For the same reason, Jim Davis recused himself from this vote as well. There was then another motion made by Roger Heard to replace the Home Business definition in the Performance Standards 3.7.1 a) of the Zoning Ordinance with the proposed revised definition, which motion was seconded by Joe Bonnett. Adoption of the revised Home Business definition in the Performance Standards 3.7.1 a) was approved (Heard, Stoneman and Bonnett voting in favor). Jim Davis recused himself from the vote again for the same reason.

The Chair will include the ADU definition, Section 3.6.5 and the Table 1 ADU entry as Warrant Article 1 and the Commercial Use definition and revised Home Business definition (the latter to go in the Definitions section as well as the Performance Standards section) as Warrant Article 2. She will submit the 2 Warrant Articles to the Select Board and Town Attorney to review. Any comments from either will be reviewed by the Planning Board for possible modification of the Warrant Articles. The Chair will ask the Select Board to choose a date as soon as practical for a town public hearing on the 2 Warrant Articles, hopefully in April. Feedback from the public hearing may be incorporated into the Warrant Articles and then they will be submitted to the Annual Report for the Town Meeting where the Warrant Articles will be voted on by town members.

Adjourned at 9:51 PM