Planning Board
Meeting Minutes
Board Room, 41 South Main Street
February 18, 2020

Members Present: Judith Esmay, Nancy Carter, Iain Sim, Brian Edwards,
Alternates Present: Jarrett Berke, Paul Simon, Beth Esinhart
Staff Present: Rob Houseman, Vicki Smith
Others Present: Jolin Kish

BERKE, ESINHART and SIMON were appointed to serve as voting members of the Board.

Residential Institution
The Board discussed who might be excluded from living in a residential institution. No one needing supervised care is intended to be excluded. This use is not intended to accommodate undergraduate students as there are many other residential situations available to students. SIM made a motion to take the amended residential institution definition to public hearing on March 3. EDWARDS seconded the motion. The motion was unanimously approved with BERKE abstaining.

Solar Energy Systems
The Board decided to add the words “In all other zoning districts except the D and I zoning districts” to the amendment. EDWARDS made a motion to take the amended proposal to public hearing on March 3. ESINHART seconded the motion. The motion was passed unanimously with BERKE abstaining.

Bed and Breakfast
This version of the amendment has been corrected to address a few typos. The Board decided that the standard should be one guest per .375 acres instead of .375 acres per guest. The word “guest” was added to the heading “Maximum no. of bedrooms”. Approval of Bed and breakfast as a use requires both Special Exception and Site Plan reviews. There is a requirement for ADA parking. BERKE asked why there is a land requirement for bed and breakfast. The Board could not determine why there is a land requirement, but proposed a formula that reflects what is already in the Ordinance. On a motion by EDWARDS and a second by CARTER, the Board unanimously approved the motion to take the proposed changes to bed and breakfast to public hearing on March 3, 2020. BERKE abstained from the vote.

Short-Term Rental
Short-term rental amendments (un-hosted vs hosted) will be separately presented at public hearing.

EDWARDS asked if the definition of dwelling, owner-occupied should be modified by replacing “continuously” with “continually”. SIM asked if any work had been done on definition of owner-occupied or principal residence? Work had not been done.

SIM wondered if staff has the tools to effectively regulate short-term rentals. Staff does maintain a database of long-term rentals and responds to complaints. Mr. Houseman described the difference between enforcement of code issues and behavioral issues with regard to rental properties. SIM is concerned about the ability to maintain neighborhood character once short-term rentals are permitted uses. He was adamant that an enforcement mechanism be in place. The Selectboard has not
considered short-term rental enforcement at all. CARTER is in favor of going forward with at least hosted short-term rental. ESINHART is reluctant to delay especially since residents have learned how lucrative short-term rentals can be. ESMAY would like to consider an overlay zone maybe limiting STRs to within walking distance of the college.

KISH is not in support of unlimited hosted STR. She recommends starting with a small number of days.

EDWARDS reviewed Section 519.3.

Mr. Houseman again reviewed enforcement mechanisms used in regulating long-term rentals. ESMAY is concerned about who clocks the 30 days in order to be sure owners are respecting the limits proposed in the amendment. There are communities who use Host Compliance services to monitor density, location, and timing. Mr. Houseman has not been able to connect with Host Compliance to determine if they can actually provide the services we envision needing.

GP and F are districts with seasonal residences so the Board has proposed allowing hosted and un-hosted STRs. Requiring a Special Exception in other districts for un-hosted periods is a way to notify neighbors. In addition, licensing is necessary in order to ensure safety in the rental units.

ESMAY suggested modifications to both sections 519.5 and 519.6 with “rental period” is replaced by “total of”. The proposed Section 519.7 is consistent with the section on accessory dwelling unit. SIMON thinks that 365 days per year of hosted STR may be too much. He recommends reducing the number of days for hosted and increasing the number of days for un-hosted. The thirty-day limit is suggested in order to make STR not financially desirable for investor-ownership. In Hanover, the average number of STR rooms is 34 un-hosted and 12 hosted. The impacts of STs in the RR district are very different because of the larger acreages.

ESINHART proposed allowing 90 hosted days and 30 un-hosted days. Her reasoning was that those limits would help maintain the character of residential neighborhood and keep it from feeling like a business district.

BERKE noted that the Board must consider people who do not show up at meetings. He wanted to make Hanover accessible for people of all incomes. He did not want the conversation controlled by wealthy individuals who don’t want STR in their neighborhood.

Jolin Kish thought that the unlimited hosted STR was too much. SIM was not in favor of any STR until enforcement mechanisms were in place. EDWARDS prefers a 90-day limit. CARTER agreed with EDWARDS. ESMAY tried to summarize positing that there is consensus on a limit on un-hosted STR. She wanted to sort out the primary dwelling definition. She felt that the amendments were not ready for public hearing.

Jolin Kish wondered why STR can only occur in single-family dwellings. She gets requests for staying in her multi-family units. ESINHART offered that with densely spaced units, one can expect problems with noise. She thought that if things work with single-family, then the Board could work on multi-family STR as a future step. ESMAY thought that the loss of community is more pressing in multi-family units because units are so close.
The Board decided to continue discussion of STR on March 3. Staff will work on confirming the services of Host Compliance and the issue of primary residence.

**Downtown Commercial and Lodging**

ESMAY prefers that the second floors stay residential. There was no support for this amendment, so it was dropped.

**Storage of Natural Material**

SIM suggests amending the definition of maintenance yard by removing the 10,000 square feet. The Board supported removing Section 518 and amending the definition of maintenance yard.

*EDWARDS mad a motion to take the amendment deleing Section 518 to public hearing. SIM seconded the motion. The Board unanimously approved the motion. SIM made a motion to delete “10,000 or more square feet exclusive of access ways” from the definition of maintenance yard. EDWARDS seconded the motion. The Board unanimously approved the motion.*

**Development of Regional Impact 401 Mount Support Road**

The Board focused their comments on impacts to Hanover. CARTER was delighted that there will be extended public transit service. However, there is still a gap as there is no weekend or early morning service.

SIM noted that the Board really did not have enough information to formulate a full assessment of impacts to Hanover as the devil is in the details. In addition to Inadequate AT service, he wondered if the residents would be additional graduate students or existing graduate students. He wanted to know where the college would provide parking for people in Hanover. Mr. Houseman added that Route 120 is intimidating for even experienced cyclists as the bicycle lane is narrow and in the winter, snow is in the bicycle lane. SIM said that we need to know if the housing is meant to accommodate a greater number of students, the frequency of the shuttle bus, what provision will be made for car parking in Hanover, which cycling routes are intended and if any opportunity exists to make those routes better for cyclists. ESINHART wanted to know if the housing is for families or just single students? She noted that there are no amenities for children. The project will be served by the Lebanon waste-water treatment plant.

The Bike/Ped Committee will also comment. They will encourage an integrated comprehensive approach for this project plus two other projects. The impact in and through Hanover and Lebanon of the additional traffic generated by the three projects should be considered. Local roads are being used for commuting due to congestion around I 89 and I 91. As for the other projects, no one knew if they were being built for graduate students or staff, or both.

**Minutes of January 28 and February 4, 2020**

A modification was suggested to the minutes of January 28, 2020. *SIM made a motion to approve the amended minutes of January 28, 2020. ESINHART seconded the motion. The motion was unanimously approved with BERKE abstaining.*

A modification was suggested to the minutes of February 4, 2020. *CARTER made a motion to approve the amended minutes of February 4, 2020. SIM seconded the motion. The motion was unanimously approved with BERKE abstaining.*

Meeting adjourned at 10:11 PM.
Respectfully submitted,
Vicki Smith
Scribe Pro-Temps