

Wilmington Selectboard Meeting Minutes April 2, 2024

Present: Tom Fitzgerald, John Gannon, Vince Rice, Tony Tribuno, Sarah Fisher (regular meeting only)

Others Present: Scott Tucker, Jessica DeFrancesco, Marshall Dix, Charlie Foster, Hugo Gomes, Morgan Rathblat, Kevin Seaman, Ivy Kirby, Chryl LaFlamme, Jake Moore, Jessica Roberts, Arthur Rogers, Evan Steiner, Therese Lounsbury, John Lebron, Gretchen Havreluk, John Redd, JD Roberto, Bryce Boyer, Volodymyr Hartsev, Kristofor Rahmas, Greg Savino, Cliff Leinonen, Zofia Lavoie, John and Rachel Lazelle, Ted Schmidt, Dennis Musso, Dawn Lowe, Thomas Elkind, James Castorline

1. Zoning Hearing Continuation from March 12, 2024

- Zoning Ordinance Public Hearing Reconvened at 5:30 pm.
- Received recommendations from town attorney regarding definitions of short-term rentals and lodging.
- Article 4; De-couple lodging and short-term rentals. With this clarification, "Lodging" would be removed from Residential and Resort-Residential districts as it was never intended to have lodging in this area. In the Village district, lodging is only a conditional use. Short-term rentals in the districts are in permitted or conditional use based on number of guest rooms. Resort-Commercial/Residential and Commercial-Residential; lodging is conditional use only.
- Article 7, Section 730 D4. Added parking for STR at .75 spaces for every guest room. Amended spaces under lodging to 1.25 spaces for every guest room.
- Used State Statutory definitions for Lodging and Short-Term Rentals.
- JD Roberto; was it 3 bedrooms or less in the village and 4 or more in the others? Correct. Is it clear what a guest room is? There is a definition for it. Is there a grace period for owners to get in compliance? It will be effective in 21 days. Nothing can be referred to the DRB until the 21st day. Receipt of an application will pause enforcement. What is conditional use and how does it work? It is set by state statute. The conditions vary depending on applications, but conditions are listed in Article 7. Cost of permit and length it is good for. Administrative permits are one and done (it runs with the land). Change of use will require a new permit.
- A letter was received from some lodge owners with suggestions for lodging and STR's.
- Permits are recorded.
- Jake Moore; STR's are going to be given a permit for use in residential areas? No limit on number of STR permits issued? Feels the Town needs a registry and more regulation. The state (Fire Marshal) will be doing inspections on properties. He read a statement to the Board.
- Kevin Seaman; what is necessary for the permitting process? It is just like all other town permits. They need State wastewater permits. The Fire Marshal should inspect based on size of rentals. The Town has no authority to inspect for safety. What if permits for septic are different than what they are renting? That would be looked at and they would need a new state wastewater permit. Like Jake, he asks the Board to put in some restraints on Residential District properties.
- John Lebron said that in 2015 the board removed STR's from Residential Districts.

- Is there a way to pass permits on to the state so that they know they should be paying meals and room? Some of that is already on the forms with the Vermont State Fire Marshal and if they are registered with AirBnB.
- Thomas Elkind; concerned that the board hasn't considered a new way to restrict rather than number of guest rooms.
- Brenda Waldron; What if you want to do short-term part of the year and long-term part? You can apply for mixed-use.

Fitzgerald moved to closed the hearing at 6:22 pm, Tribuno second; all in favor.

Regular meeting opened at 6:22 pm

2. Visitors, Public Comments, Possible Changes to the Agenda
3. Approve Minutes of March 19, 2024
 - Rice moved to approve the minutes of March 19, 2024, Tribuno second; 4-0; Fisher not present.
4. Zoning Ordinance
 - Gannon stated the he feels we are in a good position with the current changes. The Board has responded to a lot of the testimony and made changes from it; though not all of it. STR's only attribute to 3.6% of rentals in the state. He appreciates the testimony and this is only a starting point. The Planning Commission can take it up again, as can the Selectboard. Gannon moved to approve the proposed zoning ordinance as presented, Rice second; all in favor.
5. Action Items
 - Tribuno moved to approve granting Voices of Hope a National Opioids Settlement distribution through their fiduciary in the amount of \$850.63 to help abate the effects of the opioid epidemic on our community, Rice second; all in favor.
 - Rice moved to accept a Building Resilient Infrastructure and Communities Grant to update the Local Hazard Mitigation Plan, in the amount of \$9862.50 with a match of \$3287.50, Tribuno second; all in favor.
6. Highway Equipment
 - Fisher moved to approve the quote from Rose Ledge Companies in the amount of \$105,853.94 to refurbish the 2016 International tandem dump truck, Rice second; all in favor.
 - Dodge would not price a vehicle due to lack of inventory. This includes a trade-in. Tribuno moved to approve the quote from Ford of Greenfield in the amount of \$29,529 to replace the 2018 Dodge Ram pickup with a 2024 Ford pickup as well as the quote from Valley Welding in the amount of \$16,057.73 for upfitting lights, camera, snowplow and flatbed body for the Ford pickup, Rice second; all in favor.

Fitzgerald moved to enter into Liquor Commission at 6:42 pm, all in favor.

7. Liquor Commission
 - Rice moved to approve a Request to Cater and Open Container Exemption for an event at Ratu's on April 8, 2024 from 2-5 pm, catered by Wilmington Inn, and
 - A First-, Third- and Outside Consumption Renewal for Pipe Dream LLC and WI Foster LLC, Tribuno second; all in favor.

Out of Liquor Commission at 6:44 pm.

8. Other Business/Correspondence

9. Select Board Members Comments

10. Town Manager's Updates

- Master Planning project is underway.
- Hitt application appeal; E-Court trial took place today. Judgement came out and the order was sent to us. The court upheld the DRB decision.
- FEMA; gross cost to repair the parking lot was \$6254.44; federal share will be 75%.
- Water AMP draft review has taken place.
- Service line inventory is nearly complete; less than 30 to go.
- Muddy roads and potholes are being taken care of as much as they can. Sidewalks have been pretreated in anticipation of the upcoming storm.

Meeting adjourned at 6:53 pm.

Respectfully Submitted,
Jessica DeFrancesco

Approved by the Wilmington Selectboard:

Thomas Fitzgerald, Chair

John Gannon, Vice Chair

Vince Rice, Clerk

Sarah Fisher

Tony Tribuno