

**TOWN OF ANDOVER**  
**SELECT BOARD PUBLIC HEARING MINUTES**  
**February 8, 2024**

**Select Board Members Present:** Chris Plumb, Richard Griswold, Robin Trask, & Melissa Gates-Perry

**Select Board Members Absent:** Susan Leader

**Public present:** Dave & Jean Peters, George & Deb Moser, Ray Makul, Hank Mauti, Dexter Brown, Richard Ingersoll, Joe Fromberger, Kelly Gibson, Jonathan Stevens, Jason Rasmussen of MARC, Patrick Cody & Rebekah Fontaine of *Okemo Valley TV* & Jeanette Haight, clerk.

**1. Call Select Board meeting to order:** Chris Plumb called the meeting to order at 6:30 p.m. He explained the Board was looking for feedback on the question of adding short-term rentals (STRs), as defined by the State of Vermont, to the existing list of Conditional Uses in the Andover Zoning Regulations.

**2. Public Comment:** Joe Fromberger asked if the Select Board had decided whether to require currently existing STRs to acquire a Conditional Use Permit should the voters pass the question. The members answered that yes, all STRs would be required to apply for a conditional use permit. Should the vote pass, all existing STRs would have 120 days to apply for the permit. Joe said he felt enforcement will be a problem. Dave Peters said enforcement is a problem now as all STRs are currently against the Zoning Regulations. Joe disagreed saying there are a “nonconforming use”. Ray Makul asked how many STRs there are in Andover. Robin Trask said she didn’t know, but Jonathan Stevens later stated it is between 25 and 30. Ray said having a vote without knowing the rules/conditions is like buying a car without knowing the price. Melissa Gates-Perry said the “rule” would be that all STRs would need to apply for a conditional use permit, which would allow the town to have owner information among other things. Melissa also discussed the potential legality of limiting numbers of STRs or imposing other restrictions on only some STRs, but not all. Joe Fromberger spoke briefly of ordinances adopted by many towns with very specific regulations for STRs. Hank Mauti reiterated that no “laws have been written yet”. He suggested making sure STR owners keep careful records of their renters, like a hotel does. Robin said platforms like Airbnb have that information. Ray shared a copy of Londonderry’s STR ordinance which he said balances the needs of the community with those of business (STR) owners. He also asked about rules for STRs and Robin said the State has rules that owners must follow. Jean Peters asked who enforces the State rules and how they can be enforced if we don’t know who owns STRs in town. Robin said the State enforces its rules and this would be a first step in having STR-owner information. Melissa then talked about the Select Board having this question before them since the first meeting they had together & how they have spent a lot of time talking to many people trying to figure out a fair way to do something and said adding STRs to Conditional Uses is a “first step”. She said they could then work with Joe Fromberger of the Planning Commission to craft more parameters. In response to Ray’s comment about how people use their property, Robin said there is nothing in the current Zoning Regulations preventing people from renting out their homes, regardless of the length of time, or anything that allows it either. She also said it is not her place to tell people how to use their property. Ray discussed putting an ordinance before the voters. Richard clarified ordinances can be adopted by the Select Board as can Zoning Regulations without voter input but he and the rest of the Board felt it was important to put it before the voters. Hank noted there would be a lot of questions about this topic at Town Meeting. Jason Rasmussen of the Mt Ascutney Regional Planning Commission talked about the State’s oversight of STRs through its Department of Public Safety as well as the Health Department. He also went over the things the Planning Commission looks at when considering an application for a Conditional Use Permit. Joe Fromberger noted a conditional use permit gets issued and remains with the land permanently and wondered if the Board had considered that. It was asked if a time limit or ownership limit could be written into a conditional use permit. Joe said he had “asked that question and was told to have an attorney craft the language to make sure it’s legal.” Joe also explained the difference between a Conditional Use Permit & an ordinance is the CU permit goes with the land, whereas an ordinance applies to the current owner.

**10. Adjourn:** The meeting adjourned at 7:05 p.m.

Respectfully submitted,

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Jeanette Haight, Clerk of the Board

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Approved by:

Chris Plumb, Chair

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Andover Select Board