

ZONING COMMISSION
NOANK FIRE DISTRICT 1
10 WARD AVENUE
NOANK, CT 06340

Approved Minutes of the Special Meeting

THIS MEETING WAS HELD IN EXECUTIVE SESSION FOR THE COMMISSION TO CONSULT WITH ITS COUNSEL ABOUT DRAFT PROPOSALS FOR REGULATING SHORT TERM RENTALS IN THE NOANK FIRE DISTRICT. PUBLIC VIEWING AND LISTENING DURING THE EXECUTIVE SESSION WAS PRECLUDED.

Date: Tuesday, March 23, 2021

Time: 7:00 - 9:00 PM

Consistent with Governor Ned Lamont's directives on the use of remote meeting technology during the coronavirus pandemic, this meeting was held remotely via the "Zoom App." The recording is available at the following link:

<https://www.youtube.com/playlist?list=PLp4s6RQGCh5T9l68DGPVVGpN4hWxQqRqQ>

All meeting documents are available at the following link, and can be accessed from a laptop or desktop computer without a Microsoft user account or password. Use of a mobile phone may require establishing an account.

<https://1drv.ms/u/s!ArWm4wCa4MFlxhAGdM-XcTaKwFlt?e=DYeBhg>

Call to Order 7:00 pm

Commission Members present: Rick Smith (Chair), Beth Steele (Vice Chair), Blake Powell, Art Tanner and Dana Oviatt. Alternate member Larry Dunn was present. Alternate Lynne Marshall was present. Commission Counsel John Casey was in attendance.

The Chairman read the rules for holding remote meetings into the record. The Chairman read the Public Explanation of Executive Session Rules and invited the following persons to participate in the Executive Session: All Commissioners, Rick Smith, Beth Steele, Blake Powell, Art Tanner, Dana Oviatt, Counsel John Casey and elected alternate Commissioners, Larry Dunn and Lynne Marshall. Alternate Commissioners Dunn and Marshall have been authorized continually by the Commission to participate in deliberations without voting privileges unless they're seated for an absent member.

Action: Motion: to continue meeting in Executive Session to discuss Counsel's communication concerning draft Short-Term Rental regulations. (Tanner/Oviatt) **Approved** 5:0

Chairman Smith advised public viewers, if any, that they can leave the meeting at their discretion and re-enter following the Executive Session, or they can be placed in the Zoom meeting waiting room and will be called back at the end.

7:04 pm - Commission moved into Executive Session

8:44 pm - Resumption of Public Special Meeting

The Chairman stated for the record that the Commission only discussed items related to the purpose of the calling of the Executive Session and it made no decisions and it took no votes. He advised also that the next time the Commission would discuss this would be in a public session at the next meeting, whenever that may be.

Alternate Commissioner Dunn asked when the next meeting was.

Commissioner Tanner advised it is scheduled for April 20, 2021.

Chairman Smith suggested, with the next meeting being almost a month away, that Commissioners be thinking of a number of things. One being Alternate Commissioner Lynne Marshall's suggestion that they look back on the Statement of Purpose page and make sure it actually reflects where they are now, having drafted it 9 months ago. He suggested that's a task they could use as a "staff draft concept" – get ideas to him for any revisions they feel ought to be made and he will put them together and circulate them back out. He advised that if any changes were made to the consolidated views, that would be done by a debate in a public meeting. He also put forward that the Commissioners think also of separating the Statement of Purpose page from the regulation itself. It still would be part of the application packet, because they will have to provide a justification document.

At this point, Chairman Smith asked Counsel Casey if it was necessary to write a paragraph justification for each measure sequentially alongside the document.

Counsel Casey instructed that it was not necessary to go to that length.

Chairman Smith restated that a consolidated justification for "why we're doing what we're doing" is sufficient along with some key provisions.

Counsel Casey answered yes, it will be a record of the Commission's reasons for its proposals where discussion of each element of the regulation will go on to the record and will be a justification for specific things that you feel need to be explained.

Alternate Dunn suggested he and Alternate Marshall present at the next meeting, the results of the vendor analysis for determining what elements are in fact measurably enforceable and which elements aren't. He also asked Counsel Casey if the vendors should be referred to by their company names or not.

Counsel didn't think it mattered if the company names were used.

Alternate Dunn asked that the presentation be put on the next meeting's agenda.

Commissioner Smith asked Counsel Casey if there was any reason that would require the Commission to be in Executive Session for the presentation.

Counsel Casey confirmed that the presentation is not a Request for a Proposal for services at this point so there would be no reason for Executive Session.

Commissioner Smith asked Counsel Casey if the Commission would be required to seek competitive bids if a decision was made to hire a monitoring company.

Counsel Casey advised that he didn't have the answer to that question and that it would have to be asked of the Executive Committee.

Chairman Smith then asked Alternate Dunn and Marshall if they were OK with where the discussion on the vendor analysis is now and they had no issues.

Alternate Dunn restated that the vendor analysis presentation should be on the next agenda.

Chairman Smith said that if there was anything that any of the vendors did not want to be said in public, that it not be said.

Alternate Dunn stated that any input from the vendors that they did not want to be public information would be labeled "confidential" or "not for disclosure", on the document and so far, there has been no indication of anything being marked "confidential" or "not for disclosure". He saw no issues with that.

Chairman Smith reminded the Commissioners that if a document is discussed at a public meeting, Zoom meeting rules stipulate that it be placed on the screen and would then serve as a video record of the document. He also mentioned that the documents would be on the OneDrive for public viewing. He wanted to be sure the vendors were aware of the Commission's legal obligations.

Alternate Dunn said that he would notify the vendors and didn't see any issues.

Chairman Smith asked if there was anything else for the good of the order.

None noted.

Action: Motion (Oviatt/Steele) – Adjournment

Approved 5:0

Adjournment: Meeting adjourned at 8:51 pm

Recorded by: Susan Weber, Clerk