

**Town of Amherst Planning Commission
Minutes
December 7, 2022**

A meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill on December 7, 2022, at 7:00 P.M. in the Council Chambers of Town Hall at 174 S. Main Street.

It was noted that a quorum was present as indicated below:

P	June Driskill	P	Janice N. Wheaton
P	William Jones	P	John Vandervelde
P	Anne Webster Day	P	Nathaniel Holden Chase
A	Clifford Hart		

Town Manager Sara McGuffin, and Clerk of Council Vicki K. Hunt in her capacity as Secretary, were also present.

The Chair opened the floor for citizen comments.

There being no one present to speak no comments were made.

Mr. Vandervelde made a motion that was seconded by Mr. Jones to approve the minutes of the November 2, 2022, meeting.

There being no discussion, the motion carried 5-0-1 according to the following:

June Driskill	Aye	Anne Webster Day	Aye
Janice Wheaton	Abstain	John Vandervelde	Aye
William Jones	Aye	Nathaniel Holden Chase	Aye
Clifford Hart	Absent		

Town Manager McGuffin gave a report on a possible amendment to the Town’s Zoning Ordinance, Table of Uses, Short Term Rental Property, to allow short term rentals in certain residential districts with a Special Use Permit. “Short-term rental” means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy (Town Code §24-2; Code of Virginia §15.2-983). Unlike a bed and breakfast, short term rentals are not occupied by the owner during rental periods. Staff requests the Commission determine whether to amend the Table of Uses for short term rentals to either a permitted use or a special use in residential districts R-1 and R-2 with a recommendation to Town Council.

The Chair opened a duly advertised public hearing at 7:06 p.m. on whether to amend to the Town’s Zoning Ordinance, Table of Uses, Short Term Rental Property, to allow short term rentals in certain residential districts.

There being no one present who wished to speak on the matter, the public hearing was closed at 7:06 PM.

Mr. Jones made a motion that was seconded by Ms. Wheaton to defer the matter to the matter for further discussion and consideration.

After discussion, the motion failed 3-3 according to the following:

June Driskill	Aye		Anne Webster Day	Nay
Janice Wheaton	Aye		John Vandervelde	Nay
William Jones	Aye		Nathaniel Holden Chase	Nay
Clifford Hart	Absent			

Ms. Day made a motion that was seconded by Mr. Chase to make a recommendation to Town Council to amend the Town's Zoning Ordinance, Table of Uses, Short Term Rental Property, for short term rentals as a special use permit in residential districts R-1 and R-2.

After discussion, the motion failed 3-3 according to the following:

June Driskill	Nay		Anne Webster Day	Aye
Janice Wheaton	Nay		John Vandervelde	Aye
William Jones	Nay		Nathaniel Holden Chase	Aye
Clifford Hart	Absent			

Town Manager McGuffin gave a report on an application submitted by Timothy and Emily Wynn to rezone 117 Pine Street (Tax Map 96A414 3940) from R-2 to B-1, with conditions, to allow a short term rental business on the property. The rezoning request is intended for the purpose of having a short term rental property with rezoning from R-2 to B-1 for the time period in which they own the property only.

Ms. Wynn was present to answer questions.

The Chair opened a duly advertised public hearing at 7:32 p.m. on whether to rezone 117 Pine Street (Tax Map 96A414 3940) from R-2 to B-1, with conditions.

There being no one present who wished to speak on the matter, the public hearing was closed at 7:37 PM.

Mr. Jones made a motion that was seconded by Ms. Wheaton to defer the matter to the January 2023 meeting for further discussion and consideration.

After discussion, the motion carried 5-1 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Janice Wheaton	Aye		John Vandervelde	Aye
William Jones	Aye		Nathaniel Holden Chase	Nay
Clifford Hart	Absent			

Town Manager McGuffin gave a report on an application submitted by Timothy and Emily Wynn for a special use permit to allow short term rental on property described as 117 Pine Street (Tax Map 96A414 3940).

The Chair opened a duly advertised public hearing at 7:46 p.m. on an application for a special use permit to allow short term rental on property described as 117 Pine Street (Tax Map 96A414 3940).

There being no one present who wished to speak on the matter, the public hearing was closed at 7:46 PM.

After discussion, Mr. Vandervelde made a motion that was seconded by Ms. Wheaton to defer the matter to the January 2023 meeting of the Planning Commission for further discussion and consideration.

After discussion, the motion carried 6-0 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Janice Wheaton	Aye		John Vandervelde	Aye
William Jones	Aye		Nathaniel Holden Chase	Aye
Clifford Hart	Absent			

Mr. Vandervelde made a motion that was seconded by Ms. Wheaton to defer the matter of consideration of an amendment of the Town's Zoning Ordinance, Table of Uses, Short Term Rental Property, for short term rentals as a special use permit in residential districts R-1 and R-2 to the January 2023 meeting of the Planning Commission for further discussion and consideration.

The motion carried 6-0 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Janice Wheaton	Aye		John Vandervelde	Aye
William Jones	Aye		Nathaniel Holden Chase	Aye
Clifford Hart	Absent			

Town Manager McGuffin gave a report on an application for rezoning 123 Lee Street to B-1 for short term rental and on a special use permit to allow short term rental (Air B&B). Staff recommended setting public hearings on the matters.

Mr. Jones made a motion that was seconded by Mr. Vandervelde to set public hearings at the February 2023 meeting of the Planning Commission on an application to rezone 123 Lee Street to B-1 for short term rental, and on a special use permit to allow short term rental (Air B&B), as recommended by staff.

After discussion, the motion carried 6-0 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Janice Wheaton	Aye		John Vandervelde	Aye
William Jones	Aye		Nathaniel Holden Chase	Aye
Clifford Hart	Absent			

There being no further business, on motion of Ms. Wheaton which was seconded by Mr. Jones and carried 6-0, the meeting adjourned at 7:49 PM, according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Janice Wheaton	Aye		John Vandervelde	Aye
William Jones	Aye		Nathaniel Holden Chase	Aye
Clifford Hart	Absent			

June Driskill, Chairperson

Attest: _____