

Montgomery Planning Commission Meeting Minutes

Regular Meeting

Public Safety Building

September 8, 2026 - 6:00pm

Present: Amy Sekol, Diane Sherman, Kim Morrill, Patrick Calecas; Alissa Hardy attended via phone

Public:

Meeting called to order at 6:05 pm

1. Welcome Members of the Public and Guests

Members of public in attendance: Efe Miller (of New York); Ridge Bishop (of Richford); Peter Locher

2. Additions/Deletions to the Agenda

Move item seven up to become fourth item to accommodate guests

3. Review & Approve the Minutes from the Planning Commission Meeting held on August 11, 2026

Kim motioned to approve the minutes, Alissa seconded, passed 4-0-1

4. Discuss a property owner's request to change the elevation requirements for CON 1 and CON 2

Efe explained his request. He would like Montgomery to treat all of Alpine Haven the same as Westfield in terms of identifying it as all a residential zoning district. He indicated the portion of Alpine Haven in Westfield is all residential. He indicated the portion of Alpine Haven in Montgomery is partially Village 2 and Conservation 1 and Conservation 2. He indicated his property is approximately 11 acres – 7 acres in Village 2 with the remaining 4 acres in Conservation 1 and 2.

Efe indicated that, in the alternative, he would like Montgomery to change its zoning districts throughout the Town to make everything below 2,500 feet in elevation a residential zoning district. He indicated that Act 250 applies after 2,500 feet in elevation.

Discussion followed, with the Planning Commission identifying the following main points:

- Following input from the Conservation Commission and considerable public involvement, in the 2016 revision to the zoning regulations, a significant amount of land in Montgomery that had been zoning as residential became Conservation 1.
- The development of Alpine Haven preexisted the changes to zoning districts made in 2016. As a result the decision at the time was that some of the land in Alpine Haven that would have been a conservation district under the new criteria was retained as residential.
- The change requested by Efe would have broad impact throughout Montgomery.
- Montgomery's Town Plan was recently revised, and it currently identifies that elevations above 1,600 feet in elevation are protected. Efe's request, if granted, appears to require a change to the Town Plan prior to any changes in the zoning district boundaries.
- The Planning Commission is currently working on revisions to the Zoning Regulations, and the Town Plan was recently revised prior to the current work on the Zoning Regulations. Efe can request a change to the Town Plan by providing reasons for such a change at a future meeting of the Planning Commission. The Planning Commission would then consider the request and vote on whether to recommend such a change to the Selectboard.
- The typical timeline for review of the Town Plan is every 8 years.

Efe clarified that he can do what he seeks to do on his property without a change and that he plans to start building next summer after receiving input from the zoning administrator on what he is allowed to build.

5. Brief discussion – next steps associated with the Short-Term Rental Registry Ordinance

The Selectboard is working on an application for the short-term rental ordinance as well as a notice for all property owners. The Selectboard may need to finalize the documents prior to the next Planning Commission meeting.

Kim motioned that Alissa and Diane provide feedback on the application and notice, Amy seconded, passed 5-0-0.

If the next Planning Commission meeting is prior to the finalization of the documents, the draft will be provided to all Planning Commission members.

6. Continue review of the current draft of Montgomery’s Zoning Regulations/By-Laws

Emily from the Northwest Regional Planning Commission had circulated a revised draft of the Zoning Regulations to the Planning Commission on Thursday of last week that was meant to incorporate all prior, identified changes. The draft has a date of 9/8/2026 and is attached as a supplement to these meeting minutes.

Because not all Planning Commission members had the opportunity to review the recent draft, a special meeting will be scheduled to complete the Planning Commission’s review and allow time for Emily to incorporate our final changes prior to the regular October meeting where we’ll review the final draft. Dates selected for meeting are Thursday, September 24 at 6pm, or, if the building is not available, Tuesday, September 22. Patrick will ask the Zoning Administrator if she can attend one of the upcoming meetings.

Planning Commission discussed potential edits for clarification and consistency that Diane had identified. Diane will send changes that are purely administrative to Emily and will ask the Zoning Administrator additional questions.

Planning Commission identified that the following changes should be made:

- In Table 4, remove reference to exempt uses, including footnotes; add a footnote referencing the relevant portion of Section 4.1 so that it aligns with the treatment of exempt uses in Section 4.2; and add a catch-all to Section 4.1(2) to address uses that are consider by statute to be part of a “permitted single-family residential use” with a reference to the sections that address them (e.g., Section 7.4, 7.5, and 7.6)
- Update the heading in Section 6.1(B) and the language in Section 6.1(B)(1) and (2) to recognize that this portion of the regulations pertains to all destroyed structures, not just destroyed non-conforming structures.
- In Section 7.6(B), remove criterion 4 and add a final criterion that reads: “The Home Occupation does not otherwise have an undue adverse effect upon the character of the area.”
- In Section 7.6(B), replace criterion 5 with language that replicates the allowance for signs for residential uses that do not require a permit (see below)
- In Section 7.16(A)(2):

- Replace a) with “Signs for residential uses not exceeding four square feet in size and not exceeding six feet in height above ground level”;
- Replace c) with “Historic markers not exceeding four square feet in size and not exceeding six feet in height above ground level”; and
- In the table under (B) replace “Home Occupation” with “Home Business”
- Replace Section 7.13 with the following re-write, which is purely clarification, and remove the reference to 50 years from the definition for this use, pending any further changes identified at the upcoming special meeting:

Section 7.13: Adaptive Re-Use Multi-Household Dwellings (5-6 Units)

- A) **Purpose.** The allowance for the adaptive reuse of existing structures for 5 to 6 dwelling units is intended to encourage the reuse, restoration, and rehabilitation of existing structures within the Town of Montgomery.
- B) **Standards.** Adaptive Re-Use Multi-Household Dwellings (5-6 units) shall be no less than 50 years old as of the date of a complete application and shall meet the standards of 7.12(B)-(D) as well as conditional use review.
- C) **Application Requirements.** In addition to application requirements for conditional use review, the application for an Adaptive Re-Use Multi-Household Dwelling (5-6 units) shall include proof that the structure is at least 50 years old and an elevation drawing showing the existing view and proposed renovations for all walls that are proposed to have alterations, including new or altered windows or doors.
- D) The adaptive re-use of an existing structure for other uses, including a Multi-Household Dwelling (3-4 units), is not subject to this section but is subject to the requirements in this Regulation that apply to the proposed use.

Diane identified lack of clarity and consistency in current definitions for short-term rental, lodging establishment, and bed and breakfast; discussion tabled until special meeting to allow members to consider best approach.

7. Review Open Meeting Law and Conflict of Interest Policy

Conflict of interest policy was discussed at a prior meeting. The Town Clerk has provided the Planning Commission with a link to an open meeting law video produced by the Vermont Secretary of State.

Planning Commission discussed watching the video at an upcoming meeting, possibly a special meeting with a date TBD.

8. Other Business

None

9. Public Comment

None

10. Future Agenda Items

September's special meeting will focus on final changes to the current draft of the zoning regulations to provide to Emily.

October's regular meeting will focus on final review of the zoning regulations.

Special meeting to watch open meeting law video with date TBD.

Motion to adjourn made by Amy at 8:27 pm

Minutes prepared by: Diane Sherman