

TOWN OF MONTGOMERY, VERMONT
MONTGOMERY DEVELOPMENT REVIEW BOARD
UNAPPROVED MINUTES

Tuesday November 16, 2021

Members present: *Parma Jewett: Chair, Lynda Cluba, Suzanne Wilson, John Kuryloski, Mary Garceau, Alternate, Mark Brouillette (absent)*

Applicants: *Donna, Josh and Jody Kane, Alice Reighley, Rory Cummings*

Visitors: *Joe Sherman, Ted Jacobs, Mark Kane*

Meeting was called to order at 5:00 pm.

Parma explained the process of how the meeting will be conducted. The hearing is recorded and all who speak must first state their name and be recognized by the Chair.

- 1. DRB Hearing - Donna, Josh and Jody Kane - have submitted an application to expand the conditional use of a single-family dwelling with and addition to the structure. The property is 12.7 acres described as Parcel #12.136X. Parcel is located at 4029 Hill West Rd.in the Conservation I Zoning District, as written in the Town of Montgomery Zoning Regulations; Amended and updated November 2018.** There is currently a single family dwelling located on the property which the applicants use as their permanent residence.
Parma gave the oath to all the applicants. She asked if any board member felt they had a conflict of interest. No response. She also asks if any person requests interested party status as defined in 24 V.S.A. Sect. 4465 (b). No response.
Evidence submitted by the Zoning Administrator noted as A1 includes: Application to DRB dated 10/1/21, a sketch drawn by the applicants which includes the dwelling and proposed addition. Notice of hearing, which includes a list of abutting property owners, posted in 3 places and printed in the St. Albans Messenger on October 29, 2021.

Applicants explained their place is small and they wish to add a bedroom and convert their original bedroom to a family room. They live on the property full time and had applied, and been approved, to change the status of the property from a camp to a single family residence at a hearing on 7/22/21. The proposed addition would be 312 sq. ft. on the back of the house.

Parma asked if any Board members had questions for the applicant. No questions. Parma explained the Board will go into deliberations and a decision would be mailed within 45 days.

Hearing adjourned at 5:05 pm

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Hearing reconvened at 5:07 pm

- 2. DRB Hearing – Alice Reighley applied for a Conditional Use Permit to operate a salon as a home business with a sign. The property is a 10.5 acre piece described as Parcel #242.044X located at 66 Sheldon Farm Rd in the Rural Residential Zoning District, as written in the Town of Montgomery Zoning Regulations; Amended and updated November 2018.**

Parma explained the process of how the meeting will be conducted. The hearing is recorded and all who speak must first state their name and be recognized by the Chair. She has given the oath to the applicants. She asked if any board member felt they had a conflict of interest. No response. She also asks if any person requests interested party status as defined in 24 V.S.A. Sect. 4465 (b). No response.

Evidence submitted by the Zoning Administrator as A1 includes: Application to the DRB dated 10/21/2021, email communication between the applicant and Zoning Administrator, Notice of Hearing, which includes a list of abutting property owners posted in 3 places and printed in the St. Albans Messenger on October 29, 2021.

Applicant explains she wishes to open a salon in her home. She will be open by appointment only, and will place a 2 ½ 'by 1 ½ 'sign by the road in front of her house.

Parma asks if any Board members had questions. John asks if the sign will be illuminated. Response is no. Lynda explained the sign should be a minimum of 10' from the traveled portion of the road. Mary asks if there will be any other employees. Response is no.

Parma asks if visitors had any questions. Joe Sherman asks if she has read the Town Plan. Response is no.

Parma explains the board will go into deliberations and mail a decision within 45 days.

Hearing adjourned at 5:15 pm

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Hearing reconvened at 5:17 pm

- 3. DRB Hearing - Rory and Kathleen Cummings have submitted an application for a Conditional Use Permit. 1) Would like the property listed as multifamily for purposes of appraisal for refinancing and 2) flexibility of renting 2 units as short-term and/or long-term dwellings. The property is 1.4 acres described as Parcel # S118.065X. Parcel is located at 1308 South Main St in the Village 2 Zoning District, as written in the Town of Montgomery Zoning Regulations; Amended and updated November 2018.** There is currently a 2 story dwelling located on the property, which includes the 2 story main dwelling unit; a finished basement. A first floor apartment with 1 bedroom and a 2nd floor apartment with 1 bedroom.

Parma explained the process how the meeting will be conducted. The hearing is recorded and all who speak must first state their name and be recognized by the Chair. She had given the oath to the applicants. She asked if any board member felt they had a conflict of interest. No response. She also asks if any person requests interested party status as defined in 24 V.S.A. Sect. 4465 (b). No response.

Evidence submitted by the Zoning Administrator noted as A1 includes: Application to DRB dated 10/21/21, a Wastewater and Potable Water Supply Permit Effective April 12, 2019. Permittee was Jason P Guild. Approval is with a condition that the landowner must complete construction of the system no later than **December 1, 2020**. System is for an existing three (3) bedroom single family residence with a two (2) bedroom accessory apartment on an existing 1.4 acre parcel, a sketch of the floor plan created by the Listers at reappraisal, a Site Plan dated 8/21/20, Notice of Public Hearing, which includes a list of abutting property owners, posted in 3 places and printed in the St. Albans Messenger on October 29, 2021.

Applicant explains there was an unpermitted apartment he wishes to bring into compliance. The wastewater system has been replaced. He wishes to rent the 2nd story apartment as well as the first floor apartment and will reside full time in the main dwelling. He asks for Conditional Use for a multifamily and would like short-term rentals. He was unsure if he would rent long term as he feels that could be more of a problem as he would have less control over the space.

Parma asked if he plans on renting long term or short term as both are mentioned in his application to the DRB; as a short-term rental unit and multifamily dwelling may contradict one another. If used as a short-term rental the Board may put conditions as to parking and how many persons may be in each unit, among others. She explained some conditions the board has placed on other short-term rentals. She also inquired as to how many people he feels the apartments could accommodate. He stated he had felt he could have room for 10 people in the 2 units for short-term rental.

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Parma also explained that refinancing for appraisal, as written on the application, has nothing to do with the board's decision. Parma asks if any other board members had questions. No other questions. She asks if any visitors had questions. Joe Sherman stated that he would like to see less short-term rentals as rentals for long-term housing is becoming less available. No other questions.

Parma explains that the board will go into deliberations and a decision will be mailed within 45 days.

Lynda made a motion and was seconded to go into deliberations at 5:56 pm. So moved. Sue made a motion and was seconded to exit deliberations at 6:47 pm. So moved.

DRB Hearing 1 – Donna, Josh and Jody Kane

Mary made a motion and was seconded to approve the addition of a 312 sq ft addition to the rear of the existing single family dwelling. Lynda – yes, John – yes, Sue – yes, Mary – yes, Parma – yes. Motion passed.

DRB Hearing 2 - Alice Reighley Sue made a motion and was seconded to approve the application for a salon as a home business. Lynda – yes, John – yes, Sue – yes, Parma – yes, Mary – yes. Motion passed.

DRB Hearing 3 - Rory and Kathleen Cummings As 2 reasons for a Conditional Use was requested on the application the board will make a motion on each.

- 1) Mary made a motion and was seconded by Sue to **approve** Conditional Use for a 3 unit multifamily dwelling with the conditions as follows.
 - a. A minimum of 6 parking spaces shall be provided. Lynda – yes, John – yes, Parma – yes, Mary – yes, Sue – yes. Motion passed.
- 2) John made a motion and was seconded by Sue to **deny** the Conditional Use application for 2 unit short term rentals, as this would require additional Conditional Use for a lodging establishment. Lynda - yes, John – yes, Sue – yes, Parma – yes, Mary – yes. Motion passed

Lynda made a motion and was seconded to adjourn at 7:04 pm. So moved 5-0

Respectfully submitted: Lynda Cluba, Clerk