

TOWN OF MONTGOMERY, VERMONT
MONTGOMERY DEVELOPMENT REVIEW BOARD
UNAPPROVED MINUTES

Thursday, August 24, 2023 @ 5:30 pm

Board Members: *Parma Jewett, Chair; Lynda Cluba; Suzanne Wilson; Mary Garceau*

Applicants: *Matt Tryhorne, Mary Tryhorne (absent)*

Interested Parties: *None*

Visitors: *None*

Meeting was called to order at 5:33 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. She offered anyone seeking interested party status as defined in 24 V.S.A. Sect. 4465 (b) to state their name. No interested parties present. The hearing is conducted at the Public Safety Building in the Conference room located at 86 Mountain Rd in Montgomery Ctr.

DRB Hearing - Matt and Mary Tryhorne have submitted an application for Conditional Use approval to change the use of an accessory dwelling to a lodging establishment for short term rental. The property is identified as Parcel ID S118.031X, 2.00 acres located at 880 South Main St in Montgomery Center. This is in the Rural Residential Zoning District. A lodging establishment in the Rural Residential Zoning District requires Conditional Use Review and approval.

Parma gave the oath to all the applicants. She asked if any board member felt they had a conflict of interest. No response.

Evidence submitted by the Zoning Administrator noted as A1 includes: Application to DRB dated 6/25/2023; Notice of hearing which includes a list of abutting property owners, posted in 3 places on August 4, 2023 and printed in the St. Albans Messenger on 8/7/2023 and 8/8/2023; a partial copy of a survey prepared 8/19/1982 showing the property lines and location of the main dwelling and accessory dwelling; a copy of Section 2 of the Lister card updated 6/11/2014 and a copy of the property card from Montgomery Town website showing values, sketches and a description.

Evidence submitted by the Applicant noted as A2 includes: A printout given to guests at their previous rental house, titled "Welcome to Hill Farm House" with their contact information, etc.

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Applicant has an accessory dwelling on their property which previously had been used as a long term rental. The dwelling has been empty for over a year and needs renovations. The accessory dwelling is a 1 story mobile home with 2 bedrooms and 1 full bath. They do not plan on adding on when renovating. The driveway is shared and close to the main dwelling. They plan on renting in the fall and winter. They do not plan on renting in the summer as they would like privacy during those months. They have previously rented a house through Airbnb and felt they have some experience with short term rentals. Applicant states the rental space will have room for 2 cars. Parma states the Zoning regulations require a minimum of 3 parking spaces which includes 1 space and an additional space for each bedroom. Applicant asks if registering with the state for rooms and meals tax is different for Airbnb? Parma explains that Airbnb does not collect rooms and meals tax. Applicant also states they have purchased rental policy insurance from Coop Insurance. The applicants reside full time on the property. Parma also explains the Montgomery Zoning regulations state 2 persons for each bedroom is allowed. Sue read the usual conditions the Board requires for short term rentals but explains those conditions may be changed according to the property being used a short term rental.

Parma asked if any Board members had questions for the applicant. No questions were asked.

Hearing ends at 5:54 pm.

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

Lynda made a motion and was seconded to go into deliberations at 5:56 pm. Sue made a motion and was seconded to exit deliberations at 6:10 pm.

Parma made a motion and was seconded to **APPROVE** Conditional Use to change the use of an accessory dwelling to a lodging establishment for short term rental with the following conditions:

- ◆ Number of overnight guests is 4
- ◆ Minimum of 3 parking spaces for guests
- ◆ Must have short term rental insurance policy
- ◆ No overnight camping.
- ◆ Quiet hours between 10pm and 6am.
- ◆ House rules must be posted on the premises
- ◆ 911 location must be posted in a visual location.

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- ◆ Property must be registered with the State of Vermont for rooms and meals
- ◆ There must be a minimum of 1 fire extinguisher, smoke detector and CO detector on each floor as well as a smoke detector and CO detector in each bedroom
- ◆ A contact person within 25 mile radius in case of a problem
- ◆ No overnight parking on the street
- ◆ If renters have pets they must obey Montgomery town leash laws
- ◆ No parties or large events

Roll Call Vote: Parma – YES; Lynda – YES; Sue – YES; Mary – YES. Motion passed 4-0

2. Approve minutes: 6/22/2023 – Wojcik, Owens – Lynda made a motion and was seconded to amend the minutes to include Zoning Administrator Ellen Fox as present during this hearing. Motion passed 4-0. Parma made a motion to approve the minutes as amended; Motion passed 4-0. **7/27/2023 – Fiske** – Parma made a motion and was seconded to approve the minutes as written. Motion passed 2-0. Lynda and Mary abstained as they were not present at the hearing.

3. Other Business – No other business was discussed.

Lynda made a motion and was seconded to adjourn at 6:21 pm. Motion passed 4-0.

Respectfully submitted: Lynda Cluba, Clerk