

TOWN OF MONTGOMERY, VERMONT
MONTGOMERY DEVELOPMENT REVIEW BOARD
UNAPPROVED MINUTES

Thursday September 28, 2023 @ 5:30 pm

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

Applicants: Christine Netski and Jeffrey Rhodin (absent). Applicants submit a letter, dated 8/31/2023, authorizing Karen Frascella (present) to act as their agent for the hearing. Harvey and Lisa Chaffee (present)

Visitors: No visitors in attendance

Meeting was called to order at 5:30 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 one has claimed interested party status. The hearing is conducted at the Public Safety Building in the Conference room located at 86 Mountain Rd in Montgomery Ctr.

Hearing 1 began at 5:33 pm

- DRB Hearing - Christine Netski and Jeffrey Rhodin have submitted an application for Conditional Use approval to change the use of an existing single-family dwelling to a lodging establishment for short term rental. The property is identified as Parcel ID 21.010X, with 10.1 acres at 305 Fisher Rd. 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 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 8/30/2023; Notice of hearing which includes a list of abutting property owners, posted in 3 places and town website on 8/31/2023 and printed in the St. Albans Messenger on 9/1/2023; Letter to the DRB dated 8/31/2023 authorizing Karen Frascella to act as agent for the applicants at hearing; copy of survey map of applicants property; Evidence of Property insurance from Vermont Mutual Ins. Co, dated 8/30/2023; St of Vt, Short Term Rental Safety, Health and Financial Obligations form, completed 8/30/2023; Vt Division of Fire Safety Considerations for Short term Rental operators form; Copy of Lister's property card, including sketch.

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Karen Frascella, acting as an agent for the applicants, spoke to the Board. Applicants would like to use their property for short term rental and personal use. They have submitted proof of insurance and believe necessary permits are in place. They will have someone in place to oversee the property when rented. Karen and one other person will have a key. They also will provide an information booklet at the rental. The dwelling has 3 bedrooms and 2 full bathrooms.. They no longer have a bedroom in the basement as referenced in the notes on the Lister's cost report. The fireplace is no longer operational. They will use propane heat. They would like to use mostly as a ski rental. It was stated that second floor windows have the minimum height and width in case of fire. Parma asks if any Board members have questions. Questions include where is the applicants primary residence? They live in Colorado and travel to Vermont often.

Hearing ends at 5:45 pm.

Second hearing begins at 5:47 pm

2. **DRB Hearing - Harvey and Lisa Chaffee have submitted an application for Conditional Use Approval to change the use of an existing accessory dwelling to a lodging establishment for short term rental. The rental space is attached to an existing single-family dwelling on Parcel ID 58.061X of 42 acres at 2178 Hazens Notch Rd. The parcel lies in both the Rural Residential and the Conservation 1 Zoning Districts. The existing structure is on the portion of the parcel within the Rural Residential Zoning District where a lodging establishment requires Conditional Review and Approval.**

Parma gave the oath to 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 Include: Notice of Hearing including abutting property owners, posted in 3 places and town website on 8/31/2023 and printed in the St Albans Messenger on 9/1/2023; Application to DRB dated 9/7/2023; Application for Building/Zoning Permit dated 7/19/2023; Copy of survey map showing property lines and location of buildings; email between applicant and Zoning Administrator; copy of 2023 tax bill; print out of property card from town website including sketch.

Applicants wish to use 800sq ft attached second floor apartment for short term rental. It will be used for guests, family and friends. The main dwelling is 2 story with 3 bedrooms and 2 full bathrooms. Total rental space is on the second floor and part of the main dwelling, which has a separate entrance. It is one room which includes a bedroom, bathroom and kitchenette. There is a separate door to the bathroom. They will have short term rental insurance through Coop insurance and rent through Airbnb. They will only rent when they are home. There are 3 windows in the rental space with approximately 12 ft to the ground. They have sufficient parking space for their home and rental space.

Hearing ends at 5:55 pm.

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Parma explained the Board will go into deliberations and a decision would be mailed within 45 days.

Motion was made and seconded to enter deliberations at 5:58 pm. So moved. Motion and second to exit deliberations at 6:45 pm.

DRB Hearing 1 - Christine Netski and Jeffrey Rhodin

Sue made a motion and was seconded to APPROVE Conditional Use to change the use of and existing family dwelling at 305 Fisher Rd to a lodging establishment for short term rental of a single family home consisting of 3 bedrooms, all above grade, with the following conditions:

- a) **Maximum of 6 guests, including children**
- b) **Minimum of 4 parking spaces**
- c) **Must get rental insurance**
- d) **No overnight camping**
- e) **Quiet hours between 10 pm and 6 am**
- f) **House rules must be posted on the premises**
- g) **911 location must be posted in a visible location**
- h) **Property must be registered with the State of Vermont for rooms and meals**
- i) **There must be a minimum of 1 fire extinguisher, smoke detector and CO detector on each floor. Also a smoke/CO detector in each bedroom**
- j) **A contact person within 25 mile radius in case of a problems**
- k) **No overnight parking on the street**
- l) **If renters have pets must obey Montgomery town leash laws**
- m) **No parties or large events**

Role Call Vote: Parma - YES; John- YES; Sue - YES; Mary - YES; Lynda - YES Motion passed

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DRB Hearing 2 - Harvey and Lisa Chaffee

Parma made a motion and was seconded to APPROVE Conditional Use of an existing accessory dwelling at 2178 Hazens Notch Rd to a lodging establishment for short term rental with the following conditions:

- a) Maximum of 2 overnight guests, including children**
- b) Minimum of 2 parking spaces designated for rental unit**
- c) Must get rental insurance**
- d) No overnight camping**
- e) Quiet hours between 10 pm and 6 am**
- f) House rules must be posted on the premises**
- g) 911 location must be in a visible location**
- h) Property must be registered with the State of Vermont for rooms and meals**
- i) There must be a minimum of 1 fire extinguisher, smoke detector and CO detector on each floor. Also smoke/CO detector in each bedroom**
- j) A contact person within 25 mile radius in case there is a problems**
- k) No overnight parking on the street**
- l) If renters have pets must obey Montgomery town leash laws**
- m) No parties or large events**

Role Call Vote: Parma - YES; John- YES; Sue - YES; Mary - YES; Lynda - YES Motion passed

Lynda made a motion and was seconded to adjourn at 7:49 pm. Motion passed 5-0

Respectfully submitted:

Lynda Cluba, Clerk