

STATE OF VERMONT

SUPERIOR COURT

ENVIRONMENTAL DIVISION  
Docket No. 23-ENV-00086

Stanion-McDermid CU Appeal )

**STIPULATED PROPOSED ORDER**

**NOW COME** the Town of Montgomery (“the Town”), by and through its attorneys Tarrant, Gillies & Shems, PLC, and Ian Stanion-McDermid (“Appellant”) and hereby stipulate and agree that the Court issue the following order in the above captioned matter:

1. Appellant seeks conditional use approval to change the use of an existing cabin located at 181 West Hill Road in Montgomery to a Lodging Establishment.
2. The cabin is a pre-existing nonconforming structure because it is in the River Corridor Area overlay district.
3. The cabin is served by an existing wastewater and potable water supply system, which is subject to Vermont Department of Environmental Conservation Wastewater System and Potable Water Supply Permit #WW-6-2890. Based on information provided by the Appellant, the water supply and wastewater systems are in good order and sufficient to support use of the cabin as a Lodging Establishment.
4. Appellants’ request is approved, and Appellant shall be issued a Conditional Use permit as a Lodging Establishment, subject to the following conditions:
  - a. No external construction is allowed on the exterior of the cabin that would increase the height, size, or footprint of the cabin. Normal maintenance and repair, however, shall be allowed.

- b. Appellant shall obtain short-term rental insurance and provide proof of short-term rental insurance to the Town prior to renting the cabin. Proof of insurance shall be provided to the Town annually.
- c. If Appellant offers the Cabin for rent outside of AirBnB (which automatically collects and remits tax to the State on behalf of its operators), Appellant shall register with the State of Vermont for rooms and meals tax.
- d. Appellant shall fill out and file with the Town a Vermont fire safety form.
- e. Appellant shall maintain a minimum of one fire extinguisher, and one smoke detector and CO2 detector in the cabin.
- f. Appellant shall provide and maintain water and wastewater services to the cabin consistent with Wastewater System and Potable Water Supply Permit #WW-6-2890.
- g. Appellants shall provide heating that is sufficient to maintain a temperature of at least 60 degrees in the cabin at all times the cabin is rented.
- h. The following information must be posted in the cabin:
  - i. House rules.
  - ii. 911 location posted in a visual location.
  - iii. Information for contact person(s) within 25-mile radius.
- i. The cabin may only be occupied by two guests at a time.
- j. No overnight parking on the street.
- k. Quiet hours between 10 pm and 6 am.
- l. No overnight camping outside of the cabin.
- m. If renters have pets, they must obey Montgomery Town leash laws.

n. No parties or large events.

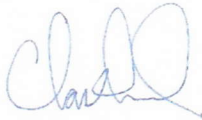
**APPELLANT**



\_\_\_\_\_  
Ian Stanion-McDermid

Dated at Montgomery Vermont, this 15<sup>th</sup> day of December 2023

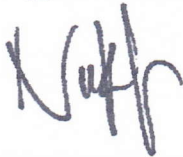
**TOWN OF MONTGOMERY**



By: \_\_\_\_\_  
Charles Hancock, Chair, Montgomery Selectboard

Dated at Montgomery Vermont, this 21 day of December 2023

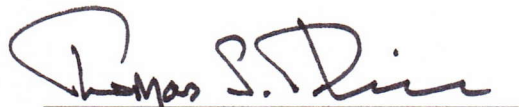
Approved as to form:



\_\_\_\_\_  
Nicholas Low, Esq.,  
Attorney for Town of Montgomery

Dated at Montpelier Vermont, this 20th day of December 2023

**SO ORDERED:**

  
\_\_\_\_\_  
Hon. Thomas S. Durkin

Dec. 22, 2023  
Date