

TOWN OF MONTGOMERY, VERMONT

**MONTGOMERY DEVELOPMENT REVIEW BOARD
UNAPPROVED MINUTES**

Thursday, June 27, 2024 @ 5:30 pm

Board Members: *Parma Jewett, Chair; John Kuryloski, Vice Chair; Suzanne Wilson; Mary Garceau; Barry Kade; Lynda Cluba, Clerk*

Applicants: *Ivan Illyushchenko, Ludmilla Debord (absent); Karen Soule*

Interested Parties: *Oberland Valley Property Owners Assoc.; Wes Skidmore - President*

Visitors: *Talia Roberts, Debra Gemme and Toni-Rose Bustos*

Meeting was called to order at 5:30 pm.

Parma explained the process of how the meeting will be conducted. The hearing is recorded. She introduced the Board members and gave the Oath to all witnesses. She asked if any board members felt they had a conflict of interest. No response. All must state their name before speaking.

DRB Hearing 1 reconvened from May 23, 2024. - Ivan Illyushchenko and Ludmilla Debord have submitted an application for Conditional Use approval for a change of use, from a single family dwelling to a lodging establishment for short term rental. The application is for an existing structure on *Parcel ID A18.001X of 1 acre at 164 Oberland Valley Rd Ext. This is in the Village 2 Zoning District. A lodging establishment in the Village 2 Zoning District requires Conditional Use Approval. The parcel is within the river corridor. Improvements to existing structures in the river corridor require Hazard Area Review. The public hearing will a combined review for Conditional Use and Hazard Area Review.

***The parcel ID and physical address have been corrected from the DRB application.**

Additional evidence requested by the Board at the hearing on 5/23/24 was submitted by the Applicant and noted as A3 includes: Names of 2 contact persons located within 25 miles, and photos of the driveway, river and egress windows. Applicant states the 2 contact persons are a couple, and if both contacts are away he also has a cleaning lady who he will ask as a backup. He believed only 1 contact person was required. The couple lives in Jay Village. He also states the driveway is 15 ft wide and approximately 100 ft from the river. He has a 1000 gal septic and CO fire extinguishers on the property. The hearing ends at 5:36 pm.

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DRB Hearing 2- Karen Soule has submitted an application for Conditional Use approval for change of use from a single family dwelling to a salon, offering personal services. The application is for an existing Mobile Home that sits on 21.6 acres with Parcel ID #7.006 and is located at 37 Black Falls Rd. A personal service establishment in the Village 2 Zoning District requires Conditional Use approval. The structure is within the river corridor and the special flood hazard area,. Improvement to an existing structure in the river corridor or special flood hazard area requires Hazard Area Review. The hearing will be a combined review for Conditional Use and Hazard Area Review.

Hearing begins at 5:37 pm

Evidence submitted by the Zoning Administrator noted as A1 includes: Notice of Public Hearing and a notice to abutting property owners; Application to DRB received on 4/26/2024; Application for Building/Zoning permit received 4/26/2024; Vermont Agency of Natural Resources map of the property and an assessment card from the lister files.

Applicant states she would like to have a nail salon. She will make no additions to the property. She does not want to have a rental unit and does not want to leave it empty. She may want to re side the mobile home and make cosmetic repairs. She owns the adjoining property and feels parking would be available across the road in her pasture or at the MHO next door which she also owns and has gotten permission from the tenants to use their driveway.

Parma asks if any board members have questions. Questions include how many bedrooms are in the MHO. She states there are 2 bedrooms. She was also asked what changes does she plan on in the interior. She states she will do pedicures in the kitchen and have her desk in the living room. She will leave the bath and use one of the bedrooms for storage. She plans on no physical changes except cleaning and painting. She believes she will need to add more plumbing. She was asked if she would need a sign. She stated she would and the board informed her she would need to apply to the Zoning Administrator. No other questions from the board.

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

Hearing ends at 5:55 pm.

A motion was made and seconded to enter deliberations at 6:08 pm. So moved. The board exited deliberations at 6:41 pm.

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DRB hearing 1- Ivan Ilyushchenko and Ludmilla Debord.

John made a motion and was seconded to **APPROVE** the request for Conditional Use to change the use of a single family dwelling located at 164 Oberland Valley Rd Ext, to a lodging establishment for the purpose of a short term rental with the following conditions.

1. **Maximum of 4 overnight guests, including children.**
2. **Minimum of 3 parking spaces.**
3. **Must provide rental insurance.**
4. **No overnight camping.**
5. **Quiet hours between 10 pm and 6 am.**
6. **House rules must be posted on the premises.**
7. **911 location must be posted in a visual location.**
8. **Property must be registered with the State of Vermont for rooms and meals tax. If applicant offers the cabin for rent outside of AirBnb (which automatically collects and remits tax to the State of Vermont on behalf of its operators), applicant shall register with the State of Vermont for rooms and meals tax.**
9. **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.**
10. **A contact person must be available within a 25 mile radius at times when the property is rented. Contact information must be visibly posted on the premises.**
11. **All parking must be in designated areas on the premises, when rented.**
12. **If renters have dog(s), Montgomery town leash laws must be obeyed.**
13. **No parties or large events.**

The Board finds no impact on the river corridor

Roll call vote: Parma - abstain, Suzanne - YES, John - YES, Mary - YES, Barry - YES. Motion passed. 4 - 0.

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DRB hearing 2 - Karen Soule

John made a motion and was seconded to **APPROVE** the application for Conditional Use for change of use from a single family dwelling to a salon, with the following condition.

- 1. Must be a minimum of 2 parking spaces on the premises.**

Roll call vote - Parma - YES, Suzanne - YES, John - YES, Mary - YES, Barry - Yes. Motion passed 5-0.

Other business - no other business was discussed. No short term rental definition was discussed.

John made a motion and was seconded to adjourn at 6:59 pm. So moved.

Respectfully submitted,

Lynda Cluba, Clerk