

Montgomery Planning Commission Meeting Minutes

Special Meeting

Public Safety Building

October 22, 2024 6:00pm

Present: Alissa Hardy, Joe Sherman, Patrick Calecas, Narissa Furtado-Cordeiro

Guests: Emily Kloffft (Northwest Regional Planning Committee)

Meeting called to order at 6:08

1. Additions/deletions to agenda.

- none

2. Approval of the September 10, 2024 meeting minutes.

- Patrick motioned to approve minutes as written, 2nd by Joe (3-0)

3. Short-term rental ordinance.

- Definitions provided by Emily including optional conditions (See Appendix A).
- STR definition based on state language with exemptions for lodging establishments and owner-occupied structures.
- Planning Commission may want to consider a separate noise ordinance if there isn't a town ordinance for noise. Short-term rental quiet hours our provisions for certain zoning districts.
- Is there a need to have additional leash law in Montgomery related to STR's? - Current ordinance is to have control and recall of dog.
- Exclusion of overnight camping noted in section 6d exists to avoid tent or camp set up in addition to individuals renting a short-term rental structure. Campground definition excludes primitive camping (see "other definitions" in Appendix A).
- Definitions would go into Zoning/bylaws. Would include definitions in bylaws but conditions would go into an ordinance.
- Cap on short term rentals? Emily to look at Stowe's ordinance to see if there is a cap included.

- Emily to draft ordinance and send to Planning Commission based on definitions and conditions. Patrick to send early draft to Emily.

4. Plan to publicize public outreach event.

- January 13th or 14th depending on when the Grange is available, 6pm start time.
- Emily provided announcement draft for public outreach event (see Appendix B)
 - i. Emily to address following edits:
 - ii. Adjust wording to reflect vision for the future of Montgomery vs. just housing growth - “What’s your vision for the future of Montgomery”?
 - iii. Provide more general introduction paragraph – “We are in the beginning steps of updating our bylaws and want to hear from you” or “We are building a roadmap of what to do and your voice will help provide direction”. Emily to re-write announcement based on broader scope than housing.
 - iv. First bullet under discussion to reflect direction of more general vision, what residents would like to see included in updated bylaws.
- Plan to distribute posters/flyers for outreach before holidays - Emily to put together flyers/posters for next meeting so PC can post locally by early December.
 - i. Additional posting ideas:
 1. Ask Liz to post on Facebook page and front porch forum.
 2. Flyers for Montgomery Elementary school parents (student handouts).
 3. Suzanne’s newsletter - (end of November, beginning of December). Alyssa to make intro for Emily.
 4. Option to put together a press release for the St. Albans Messenger, may or may not be posted depending on space available in paper. Emily to put together a press release for PC to review.
 5. December Craft show at Montgomery Elementary
 6. Winter farmers market
 7. Emily can put out poster board in front of Grange the day before if it’s on Tuesday (Jan 14).

5. Plan for Zoning Administrator annual review.

- Alissa to reach out to Kim about conducting review together. Alissa will contact Ellen to see when Ellen is available (with two weeks' notice) and will plan to follow the format of previous performance review.

6. Public comment.

- None

7. Other business.

- Patrick - Wednesday November 6th, Montgomery Conservation committee is hosting flood resilience presentation which could be of interest to Zoning Commission. Overlaps with PC interests for zoning - new housing developments.

8. Future agenda items.

- Review of outreach materials
- Review presentation updates for outreach based on recent developments.
- Update on review for Zoning Administrator Review

Meeting Adjourned 7:07

Meeting Minutes submitted by Narissa Furtado-Cordeiro, Planning Commission Secretary

Short-Term Rental Definitions

Short-Term Rental

Short-Term Rental or “STR” or “Short-Term Rental property” means any lease or rental of residential real property, including a furnished house, condominium, or other dwelling room or self-contained Dwelling Unit, or a portion thereof, to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year, excluding:

1. Commercial lodging establishments with three or more individually rented guest rooms or units or where food is prepared onsite, such as hotels, motels, inns and bed and breakfasts
2. Owner-occupied residential structures with two or fewer rental rooms. An owner-occupied residential structure is a dwelling in which a person resides as their legal residence for more than one half of a year (183 days) and registers as their address for tax and government identification purposes.

Possible Conditions to Include in Short Term Rental Ordinance (Based on current DRB conditions)

1. Dwelling Unit Capacity: A short-term rental shall have no more than 2 occupants per approved bedroom plus 2 additional occupants. For example, a 3-bedroom dwelling can be rented to eight total guests, including children.
 - a. The number of approved bedrooms is determined by a state Wastewater and Water Supply Permit or, if applicable a state Land Use (Act 250) permit. For septic systems built before 1975, the best evidence of the number of bedrooms on December 31, 2006 shall be used to determine the number of approved bedrooms.
2. Safety: All short-term rentals shall provide a copy of the “Short term Rental Safety, Health and Financial Obligations” form and shall confirm that a copy of the form is displayed in each short-term rental unit.
 - a. For short-term rentals with an occupancy of more than 8 guests, an inspection report from the Division of Fire Safety shall be required.
3. Insurance: The operator shall provide proof of insurance coverage specific to the short-term rental use.
4. Designated Operator: Each short-term rental shall assign a designated operator who must be available by phone at all times that the Short-Term Rental is in use. The

designated operator shall be located within a 25 miles radius of the Short-Term Rental. An owner may be the designated operator.

5. Parking: A minimum of 1 off-street parking space per bedroom is required. On-street parking is not permitted.
6. Rules: Each short-term rental operator shall post a list of rules in each rental, which shall include:
 - a. Quiet hours are between 10 PM and 6 AM. [Note: Could not find a current Montgomery sound ordinance, if it exists this is what should be referenced here]
 - b. [Note: There is a note about Montgomery leash law, I could not find a specific summer leash law for Montgomery in town ordinances, does this exist?]
 - c. Large parties and events are not allowed.
 - d. No overnight camping.

Other Definitions

Lodging Establishment: A building or buildings containing 3 or more rooms which are rented for commercial purposes, such as sleeping units for transient visitors, with each sleeping unit consisting of at least a bedroom and use of a bathroom. Included are hotels, motels and motor lodges.

Bed and Breakfast: A single unit dwelling in which a resident owner or permanent occupant provides short-term lodging and meals to transient paying guests .

Campgrounds: An area available for overnight vacation or recreational purposes, including areas for one or more tents, yurts, lean-tos, cabins or recreational vehicles (RVs). Primitive camping is not regulated. Campsites may need water, toilet facilities and/or a dumping station for 4 or more campsites.

Montgomery Bylaw Update

What's your vision for the future of housing growth in Montgomery? The Planning Commission is updating its bylaws and wants to hear from you!

[Date & Time]

Location: Montgomery Grange
57 Main Street/Route 188
Montgomery Center, VT 05471

As housing prices continue to rise, we are examining how zoning and ordinance changes could support more housing options while protecting our natural resources.

Join us for a community workshop on the updated bylaws on [Date & Time] at the Montgomery Grange where we will discuss:

- Expanding the Village 2 Zoning District to support housing growth while protecting the environment of Montgomery
- Potential regulation of short-term rentals

Your input can help shape the future of our town—don't miss out! There will be pizza and light refreshments. Questions? Email eklofft@nrpcvt.com.