

**TOWN OF MONTGOMEY, VERMONT
DEVELOPMENT REVIEW BOARD
UNAPPROVED MINUTES FOR MEETING OF SEPTEMBER 25, 2025**

Board Members Present: John Kuryloski Vice Chair , Barry Kade, Sue Wilson and Charlie Snedcor, Absent: Parma Jewett and Mary Garceau

Members of the Public: none

Interested Persons: Lynda Cluba (agent for applicants, Hearing No.1) and Chris Wojcik (for applicants in Hearing No. 2)

Meeting Came to Order at 5:30 p.m. by Vice-Chair John Kuryloski at 5:30 p. m.

1. Minutes of 5/22/2025. No action was taken.
2. John Kuryloski (vice chair) introduced the members of the board. Interested parties for both hearings were sworn in. Board members were asked if they had a conflict of interest. Each responded in the negative.

3. Hearing No. 1
Morgan Cluba and Anthony Gervais 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#00005.007X of 5.53 acres at 220 Green Mountain Road. This is in the Village 2 Zoning District. A lodging establishment in the Village 2 Zoning District requires Conditional Use Approval.

A packet from the zoning administrator was submitted as Exhibit A. It contains a copy of the Notice published in the Messenger of September 5, 2025; a list of adjoining landowners to whom certified letters were mailed; the Application, dated September 2, 2025; sketch of the property; listers' card; 2 aerial views

A letter authorizing Lynda Cluba to represent the applicants was submitted and accepted as was a letter from the applicants responding to the criteria considered by the Board. A copy of the insurance policy was submitted and accepted, showing that "landlord liability" is included, as is "vacation rental".

Lynda presented a document to the Board stating how criteria will be addressed.

Lynda Cluba stated that the owners currently live in Washington State. They plan to use it as their second home when visiting Vermont and to rent it as an STR exclusively with Air BNB.. They are requesting a maximum of 8 guests, as it is a 4 br house with 10 potential parking spaces. They are requesting 4 spaces.

Lynda to be contact. Elliot when she is unavailable.

Fire safety issues and insurance were discussed.

Hearing No. 1 ended at 5:45. The Board went into deliberative session.

At 6:02 the Board came out of executive session.

Unapproved Minutes of September 25, 2025

Sue Wilson moved to approve as a Condition Use with the following conditions, as stated in the letter from Lynda under the heading of “DRB Requirements”:

1. 8 guests total (maximum allowed).
2. Space for 4 cars maximum. No off street parking.
3. Currently have rental insurance
4. No overnight camping will be allowed.
5. Quiet hours will be 10pm-7am, are provided to guests in our information/house rules message sent upon booking, and also will be physically posted inside the home.
6. House rules will be physically posted inside the home.
7. 911 and all emergency contact information will be physically posted inside the home
 - a. We will have this posted on a laminated sheet on the front of the kitchen fridge.
8. To be listed on Airbnb exclusively. If otherwise rented must register STR listings with VT State Rooms and Meals.
9. Fire extinguishers and Smoke/CO detectors will be present in all required locations
 - a. Additionally the home will meet VT Division of Fire Safety regulations, as inspected and verified by VT State Fire Marshall.
10. Whenever rented there shall be a local contact, within 25 miles. Initial contact will be Lynda Cluba. When Lynda is not available, Elliot Cluba to serve.
11. No parking on the street will be allowed and will be posted in the house rules.
12. No pets.
13. No parties or large events.
14. Water and Septic to comply with DEC regulations.
15. Every floor has at least one entry door, and all rooms have a secondary egress (windows meeting a minimum size). Entire home has/will be inspected and improved by VT Division of Fire Safety for safe egress.

The vote was 4-0. The motion passed.

4. Hearing No. 2. Jeremy Owens, Sarah Wojcik, Michelle Owens, and Chris Wojcik 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 existing structure is on parcel ID# 00007.046X of 11.25 acres at 1409 North Hill Road. This is in the Rural Residential Zoning District. A lodging establishment in the Rural Residential Zoning District requires Conditional Use Review and Approval.

A packet from the zoning administrator was submitted as Exhibit A-2, containing the Notice as posted, mailed to adjourners, and published in the Messenger; Application to the DRB, dated 8/29/25; Lister Cards, including a sketch of the layout of structures; Travelers insurance document showing coverage for “Home-Sharing Host Activities Coverage Landlord.”

Testimony and discussion concerning posting of house rules, 911 information, etc.; fire and safety standards.

At 6:20 the hearing ended.

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The Board went into deliberative session at 6:22.

At 6:28 the Board came out of deliberative session. John moved to grant Conditional Use approval for the Owens and Wojcik application with the following conditions:

1. 16 point sheet to be submitted, consistent with requirements
2. Wojcik to submit evidence of authorization to represent the LLC.

Votes: 4 approved. Passed

moved to adjourn at 6:29

Note: Wojcik submitted the 16 point sheet (attached). Those points are included as conditions of approval.

John moved to adjourn at 6:29.

Respectfully submitted,
Barry Kade (acting) Secretary

Montgomery Vermont - Development Review Board STR Requirements

220 Green Mountain Rd, Montgomery

Anthony and Morgan currently operate a STR (Airbnb) at their primary residence in Washington state. They have been operating it for 4 years and are designated “superhosts” with a 4.95 (out of 5) star rating. That rental is a 3BR home with an 8-person maximum, and they are drawing information from that experience along with knowledge and understanding of the Montgomery RDB guidelines for STRs.

Morgan Cluba grew up in Montgomery, her parents (John & Lynda Cluba), and brother (Elliot Clua) and his family all currently reside in Montgomery. Morgan and Anthony’s plan is to spend part-time residency in the home located at 220 Green Mountain Rd, and host short term rentals when not occupying the home to offset mortgage costs. Their intent is to participate in the community, spend more time with their family, preserve the small-town qualities of Montgomery, while also providing a high-caliber STR rental that contributes to the local economy. They are mindful of the STR impacts on local housing; and because they would still be using this home for their use while in Montgomery, it would not be available for local housing. Furthermore, they will be creating cleaning jobs, as well as contributing to the local economy by hiring local contractors for remodel work, and any future service needs.

DRB Requirements:

1. 8 guests total (maximum allowed).
 - a. WA experience: average party size is 4-5, with average 2-3 adults and 1-2 children.
2. Space in driveway allows for 10+ cars. Maximum allowed in Airbnb listing would be 4

- a. WA experience: average is 1 car, with sometimes 2 cars, for an 8-person space.
3. Currently have rental insurance
4. No overnight camping will be allowed.
5. Quiet hours will be 10pm-7am, are provided to guests in our information/house rules message sent upon booking, and also will be physically posted inside the home.
6. House rules will be physically posted inside the home.
7. 911 and all emergency contact information will be physically posted inside the home
 - a. We will have this posted on a laminated sheet on the front of the kitchen fridge.
8. We plan to only list on Airbnb. Airbnb registers STR listings with VT State Rooms and Meals.
 - a. According to the VT Tax website: *If you only rent on a platform and receive no other rents, you do not need to register for a rooms tax account or collect tax yourself.* (Source: <https://tax.vermont.gov/business/industry/short-term-rentals>).
9. Fire extinguishers and Smoke/CO detectors will be present in all required locations
 - a. Additionally the home will meet VT Division of Fire Safety regulations, as inspected and verified by VT State Fire Marshall.
10. Contact: Lynda Cluba - (802) ###-####
11. No parking on the street will be allowed and will be posted in the house rules

12. The rental will have a no-pet(s) policy.
 13. No parties or large events will be allowed.
 14. Drinking water is a private well located on the property. Septic is a 4BR On-Site Septic System, inspected and maintained.
 15. No river corridor.
 16. Every floor has at least one entry door, and all rooms have a secondary egress (windows meeting a minimum size). Entire home has/will be inspected and improved by VT Division of Fire Safety for safe egress.
- Airbnb collects and remits Rooms and Meals taxes to the Vermont Department of Taxes for listings on their platform under a single meals and rooms tax ID number: MRT-10126712.
 - We plan to only list the rental on Airbnb as a single unit, and thus do not require a Lodging License (source: <https://www.healthvermont.gov/environment/food-lodging-program/lodging-establishments>)

DRB STR Issues Addressed for 1409 North Hill Rd.

Thursday, September 25, 2025 7:52 PM

1. Number of overnight guests: 4
2. Number of Vehicles allowed on the property when rented: 2
3. Have Rental Insurance: Yes
4. No Overnight Camping
5. Quiet Hours 9:30 PM - 6:00 AM
6. House Rules will be posted prominently on the premises.
7. 911 location will be posted prominently on the premises.
8. Vermont Meals and Rooms tax will be paid by a third party (Air B&B).
9. There are a minimum of 1 Fire extinguisher & Smoke/CO detector on each floor as well as a smoke/CO in each bedroom.
10. Contact within 25 m. Sarah Borodaeff P. 802 - 595-9690 A.1275 Regan Rd, Montgomery Center, VT 05471
11. There will be no overnight parking on the street.
12. No pets will be allowed.
13. No parties or large events will be allowed.
14. Water and septic systems are provided.
15. Fire escape/number of doors & windows: 3 doors & 15 windows
16. No firearms discharged.
17. No Fireworks detonated.