

Town of Montgomery

Development Review Board

PO BOX 356 MONTGOMERY CTR, VT 05471

FINDINGS AND DECISION

APPLICATION FOR CONDITIONAL USE PERMIT

November 19, 2025 @ 5:30 pm

INTRODUCTION AND PROCEDURAL HISTORY

This proceeding involves an application submitted by Bitnick Holdings, LLC, member Nicholas Dill for Conditional Use approval to change the use, from a single family dwelling to a lodging establishment for short term rental. The application is for an existing structure on Parcel ID# 33.064X of 15.5 acres at 2145 Gibou Rd. This is in the Rural Residential Zoning District. A lodging establishment in the Rural Residential Zoning District requires conditional use approval

- A Public Hearing was warned for November 19, 2025.
- Notice of the Hearing was posted on November 3, 2025 at Montgomery Village Post Office, Montgomery Public Safety Building, Sylvester's Market, Montgomery Town Website and published in *The St. Albans Messenger* on October 31, 2025.
- No person(s) have requested status as interested parties as prescribed by 24 V.S.A. § Section 4465, and under the TOWN OF MONTGOMERY ZONING BY-LAWS AND REGULATIONS, Article 9, interested person (a) the party owning title to the subject property and (b) a person owning or occupying property in the immediate neighborhood who can demonstrate a physical or environmental impact on the person's interest under the criteria reviewed.
- This application was considered by the Montgomery Development Review Board at a Public Hearing on November 19, 2025 at the Montgomery Public Safety Building, Conference room.
- Present at the Hearing were Development Review Board Members: Parma Jewett (Chair), Suzanne Wilson, John Kuryloski, Mary Garceau and Barry Kade. Also present was: Sarita Khan, Agent for the applicant, Nicholas Dill. Mr. Dill provided authorization for Sarita Khan per email. Nicholas Dill was not present at the hearing. Visitors included: Lynda Cluba, Clerk.
- At the outset of the hearing, Parma Jewett, Chair of The Development Review Board afforded an opportunity for persons wishing to speak to sign and take the oath. All parties wishing to offer testimony were sworn in. All affirmed.
- She also asked if any Board members felt they had a conflict of interest. No response.
- The meeting was called to order at 5:35 pm.

FINDINGS

Based on the Application, sworn testimony, exhibits, and other evidence the Development Review Board makes the following findings:

- A. The subject property is a 15.5 acre lot, located at 2145 Gibou Rd in the Town of Montgomery Ctr, Vermont, identified as Parcel ID #33.064X.
- B. This property is located in the Rural Residential Zoning District as described on the Town of Montgomery Official Zoning Map on record at the Town of Montgomery Municipal Office and Section 3 of the Town of Montgomery Zoning By-Laws and Regulations.

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C. The application requires review under the following sections of the Montgomery Zoning By-Laws:

1. Article 4, Section 4.1 Zoning Permits (A) Applicability
2. Article 5, Section 5.1 Conditional Use Approval
3. Article 5, Section 5.1 (E) 1-5 Review Standards
4. Article 5, Section 5.1 (F) Conditions
5. Article 6, Section 6.7 (A) Off Street Parking
6. Article 9, Definitions, Lodging Establishment

FINDINGS OF FACT

- The Applicant is an authorized member of a Corporation which is filed in Vermont.
- Sarita Khan is authorized to represent the applicant for the hearing. Authorization was received by the Zoning Administrator per email.
- Sarita Khan will act as the agent for the rental and will put together house rules and follow any requirements for a short term rental.
- She states Mr. Dill's parents had used the property as a vacation home and have passed.
- The application states the property is currently a vacation home, which is underused. The house sits empty much of the time as Mr. Dill resides in Bermuda.
- The Town of Montgomery property record card lists the property as a 4 bedroom, 3.5 bath house located at 2145 Gibou Rd.
- The property has a long driveway with a large parking area at the top.
- All parking will be on the premises.

DECISION

Based upon the findings, the Montgomery Development Review Board **APPROVES** the application for Conditional Use at 2145 Gibou Rd, Montgomery Ctr, Vermont.

Mary made a motion and was seconded to **APPROVE** the request for Conditional Use to change the use, from a single family dwelling to a lodging establishment for the purpose of short term rental with the following conditions:

- a. The applicant must present a completed Short Term Rental, Safety, Health and Financial Obligations form provided by Vermont Dept. of Health.
- b. The applicant must provide a statement from GeneralStar insurance that the policy has personal liability coverage for renters.
- c. Maximum of 8 overnight guests, including children.
- d. Minimum of 5 parking spaces.
- e. Must provide proof of short term rental insurance.
- f. No overnight camping.

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- g. Quiet hours between 10 pm and 6 am.
- h. House rules must be posted on the premises.
- i. 911 location must be posted in a visual location.
- j. Property must be registered with the State of Vermont for rooms and meals tax, unless rentals are through an online platform that collects taxes.
- k. There must be a minimum of 1 fire extinguisher, smoke detector and CO detector on each level. Also a smoke/CO detector in each bedroom.
- l. 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.
- m. If renters have dog(s), Montgomery Town leash laws must be obeyed.
- n. No parties or large events.
- o. All bedrooms must have egress according to Vermont Dept. of Health, short term rental regulations.

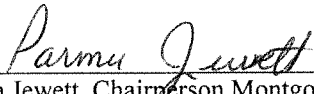
Roll Call Vote: John - YES; Suzanne - YES; Mary - YES; Parma - YES; Barry - YES. Motion passed 5-0

A copy of this decision shall be mailed to the Applicant by certified Mail, and a copy shall be mailed to every person claiming interested party status at the hearing.

An Interested Person may appeal a decision of the Development Review Board to the Environmental Division, in writing, within thirty days of the date the decision was issued.

If no appeal of the decision is filed within the thirty (30) day appeal period, all parties shall be bound by the decision and shall not thereafter contest it. 24 V.S.A. § Section 4472 (d).

Dated at Montgomery Center, Vermont, this 25 day of December, 2025.



Parma Jewett, Chairperson Montgomery Development Review Board