

**Town of Sunderland Planning Commission Board Meeting  
Wednesday September 27, 2023 6:00 PM**

Members in Attendance:

Ben Travis  
Michael Pugliese  
Debra Clark-Fuentes  
David Kiernan  
Gordon Dossett  
Robert Zeif (*Chair*)

Others in Attendance:

Mia Smith (Secretary)  
Mike Tuller (Zoning Admin)

1. Call to Order by Robert Zeif (chair) at 6:02 pm.
2. Introduction of Secretary Mia Smith, Zoning Admin Mike Tuller and Board Members.
3. Additions / Deletions to the agenda - none
4. Approval of Minutes – August 23, 2023

Mover: Ben Travis  
2nd: Michael Pugliese  
Result: Passed

5. Zoning Administrator Update -
  - Provided update to board of building and septic permits.
  - Subdivision applicant approved by Act 250 for 15 lots, town approved 17 lots. Town may need to re-approve because of conflict with Act 250.
  - Rob Zeif recommends the owner of the subdivision submit a new application so subdivision plans can be reviewed, without a new fee applied.
  - Lot on the Arlington border had requested permission to allow an inspection of their property in connection with the Arlington wastewater project.
  - Arlington wastewater study grant had identified the aforementioned site as a backup site. This was accidental and withdrawn.
6. Short term rental (STR) discussion – review of final draft of proposed bylaw

- Timeline and procedures for the approval process were reviewed, approval can occur at the earliest on January 8, 2024 by the Selectboard.
- David Kiernan reviews draft of bylaws for short term rentals including fines, property rights, and proposed rental regulations.
- Debra Clark-Fuentes asks clarifying questions regarding emergency contacts present in Bennington CO during rental period.
- Mike Tuller asks if the Fire Marshall needs to inspect residences before they are occupied.
- David Kiernan responds that Bylaws create a self-regulated system, with the responsibility falling on the owner, because Fire Inspectors are not able to inspect all rental dwellings.
- Rentals are in violation if they are renting space to more people than their wastewater permit allows.
- Debra Clark-Fuentes asks about town noise ordinance regarding curfew for outdoor activities; David Kiernan recommends adopting Vermont's 11pm "noises in the night" curfew.
- Debra Clark-Fuentes asks if host is not residing on the property, do they need to have a managing agent; David Kiernan responds that if it is functioning as a sub-lease, then they must adopt Short-term rental bylaws; Rob Zeif says lessee needs to have owners permission to sublease/rent; David Kiernan says if property is used as a STR, and subleasing is happening, the tenant is responsible for following town bylaws.
- Any resident with short-term rental will get a copy of the bylaws.
- Gordon Dossett asks if there should be a meeting to review bylaws for clarification and Q & A.
- David Kiernan responds that bylaws will be posted on the webpage. There will be a warning and notification for Planning Commission hearing as well as Select Board Public Hearing.
- Rob Zeif recommends clarification for maximum occupancy and maximum number of people for gathering on paperwork.
- Rob Zeif questions if rental is not in compliance, can the town report non-compliance to short-term listing platforms (e.g. VRBO, airbnb, etc).
- Rob Zeif asks if there is a motion to pass draft of Bylaw.

Mover: Ben Travis  
 2nd: Gordon Dossett  
 Result: Passed  
 Discussion: None

## 7. Old Business -

- Conversation about regulation on publishing warning of new Short-term rental Bylaws in Bennington Banner.

8. Public Comment – Visitors / Concerned Citizens

9. Next Meeting October 25, 2023

10. Adjourn

- Rob Zeif asks if there is a motion to adjourn at 7:06 pm.

Mover: Ben Travis  
2nd: David Kiernan  
Result: Passed