

Town of Sunderland Planning Commission Board Meeting
Wednesday December 27, 2023 6:00 PM
Draft Minutes

Members in Attendance:

Ben Travis
Michael Pugliese
Gordon Dossett
Robert Zeif (*Chair*)
David Kiernan

Others in Attendance:

Mia Smith- Secretary

1. Call to Order by Rob Zeif at 6:00 pm.
2. Introduction of Board Members and speakers: David Kiernan, Gordon Dossett, Michael Pugliese, and Ben Travis. Mia Smith, secretary. One member of the public (son of Michael Pugliese).
3. Additions / Deletions to the agenda- none.
4. Approval of Minutes – October 24, 2023
 - Put off to the next meeting because the board did not access the last draft.
5. Zoning Administrator (ZA) Update
 - Previous ZA resigned abruptly.
 - David Kiernan volunteered to work as interim ZA.
 - David Kiernan retiring from Shaftbury, Rob asks David what his interest is.
 - David responds that he is interested in a “retirement job”, would like to sit down with the select and planning board members to find out why predecessors walked out, to understand problems with the current structure of the job.

Move into executive session at 6:05 pm.

Mover: David Kiernan
2nd: Michael Pugliese
Result: Passed

Move out of executive session at 6:11 pm.

- Gordon Dossett commends selectboard for communication re: recommendations of planning board for ZA. Makes a motion for two members of each board to meet with interim ZA.

Mover: Gordon Dossett

2nd: Ben Travis

Result: Passed

- David Kiernan explains that trash ordinance complaints go to civil court through the Sheriff and onto County courts. Can be made by any citizen through Sheriff office (not Constible, who has no enforcement power). This Ordinance is not enforceable by the ZA, because it's a personal complaint, so ZA would become a third party.
- Rob Zeif says that the Selectboard will have to decide if the Trash Ordinance stands and to clarify enforcement.
- Rob Zeif asks whether a ZA can remain on the Planning Commission Board. Merrill Bent (town council) says it is still permissible.
- Rob Zeif says that an outcome of proposed meeting between boards and ZA could create outlines for citizens to understand channels of power or communication to make change.
- David Kiernan asks about enforcement of health officer ordinances.

6. Town Village update

- Selectboard adopted the plan, with Janet Hurley in the audience, and gave guidance on next steps.
- Janet Hurley moved to the next step, communicating with state officials.
- Main component is inclusion of the church. Rob Zeif had discussion with head of Trustees about the church being used by the town. Rob Zeif recommended ARPA funds for restoration.
- Church Trustees met with Selectboard to ask for funds so that it could be used for community meeting place, issue is figuring out how to fund if Trustees are a private/unincorporated entity.
- Rob Zeif concludes that Town Village Designation would help to fund restoration of the Sunderland Church.
- As soon of town receives designation from the state, then next steps will be made on seperate zoning ordinance for area.

- Dave Kiernan offers working on town bylaws, along with zoning of the new village area in 2024 (Municipal Planning Grant, hiring BCRC). Sunderland bylaws need updating, and at minimum indexing.
- Rob Zeif asks for board to think about recommendations about aesthetics for town village zoning.
- David Kiernan explains the benefits of getting designation, using Shaftbury's designation as an example. Restoration and development money for things like general stores or coffee shops, etc.

7. Town Signs Update

- Rob Zeif reminds board of Sunderland School's artwork ideas for town sign. Once one of the images is chosen then it will be rendered by a professional.
- Gordon Dossett says that he spoke with Dixie Zens about possibilities, there were renderings of similar ideas (wildlife, bridge, Randall cows, etc). Choose one of the themes and come up with ideas between boards to have artist then render it.
- More residents will participate if town ideas are being used and voices are being heard.
- Gordon Dossett wonders if there are artists, landscape architects, etc. in the town that could be used/hired/invited to contribute now and in the future.

8. Short Term Rental (STR) Update

- Previous ZA, Mike Tuller, voiced issues with bylaws.
- Rob Zeif asks if the fire inspector should be included within the language. David Kiernan responds that the proposal has already been vetted by the town council. The idea of the fire safety aspect was supposed to be self endorsed.
- The idea of bringing on a fire inspector, hired by town, brings the liability onto the town.
- If you are building for a rental property, you have to go through fire safety protocols/training. If you are renting a home that has previously been owned and resided in, or just renting a room, then there is no way to enforce it, besides self certification.
- Rob Zeif asks about including a fire inspection as part of the STR certification process. Michael Pugliese and David Kiernan respond that an issue might be that they will then be recommending renovations that a homeowner can't afford.
- No towns besides Burlington have inspectors certifying STR.
- Ben Travis asks if the Health Inspector can do this. David Kiernan responds that all fire safety has to be done by trained Fire Inspector.

- Rob Zeif says he doesn't want town to be onerous on residents who want to use their buildings to make income, but that the board shouldn't hesitate on making regulations that are best for safety.
- Rob Zeif asks if there is any interest in addressing residents that will only be STR (e.g. investment properties).
- Dave Kiernan says he is opposed to people buying and renting residences as STRs. Except he is more against restrictions on land ownership, hence restrictions of noise/destruction during rental use so that owners can continue to use their properties while coexisting with neighbors/community.
- Rob Zeif asks for guidance from board on proposed STR bylaw: do nothing, push forward proposed bylaw, take time to amend it, other?
- David Kiernan recommends to table it to March, let the legislature start and see what is proposed. In the meantime he plans to meet with a local representative.
- Gordon Dossett suggests that after lots of hard work and consideration, then they should pass it, and make a plan to revisit it and revise it if need be. David Kiernan changes his mind and agrees, saying that if state legislation doesn't get to it it would leave the town with no regulation on STRs.
- Gordon Dossett motions to approve proposal for STR bylaws, to move onto a warned public meeting.

Mover: Gordon Dossett

2nd: Ben Travis and Michael Pugliese

Result: Passed

9. Discussion regarding 2024 issue focus

- Focus on/clean up town bylaws and zoning for proposed Town Village.
- Gordon Dossett recommends that the board should make a presentation during the Town Meeting on some of the issues that have been happening. (e.g. village center planning meetings, STR bylaws) to keep residents in the loop.
- More town involvement, town pride, getting to know each other.
- Town involvement working with the selectboard/planning board through email or listserv.
- David Kiernan makes a motion to concentrate on completing STR bylaw, review all current bylaws, village designation bylaw and zoning, establishment of new town signs, working with selectboard to improve resident involvement.

Mover: David Kiernan

2nd: Ben Travis

Result: Passed

10. Old Business- none.

11. Public Comment – Visitors / Concerned Citizens- none.

12. Next Meeting January 17, 2024

13. Adjourn at 7:15 pm

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