

Wednesday April 10, 2024 6:00 PM
Meeting Notes

Members in Attendance:

Robert Zeif (*Chair*)

David Kiernan

Ben Travis

Others in Attendance:

Mia Smith- Secretary

David Pollock

Andrew McKeever

Dixie Zens

1. Call to Order by Rob Zeif at 6:04 pm.
2. Introduction of Board Members and speakers by Rob Zeif: David Kiernan, Rob Zeif, Ben Travis.
3. Additions / Deletions to the agenda- none.
4. Approval of Minutes –March 27, 2024
 - Pushing to next meeting
5. Zoning Administrator (ZA) Update
 - Hideaway Lane meeting tomorrow, occupancy permit coming up.
 - Residential Building Energy Standards (RBES) affects participant occupancy. ZA is looking into how other towns are facilitating it. Challenge is that it's one form, builders usually have many contractors, they aren't compatible with work sites/building work.
 - Inquiries about STRs, especially with people looking to buy new homes.
6. Short Term Rental By-law discussion
 - Last meeting the STR bylaw was reviewed, a motion made and bylaw passed onto the Selectboard for review. Additions from the special meeting were held off for later.
 - STR hearing on May 7th at 6:30 pm with the Selectboard.
 - David Kiernan shares the two points that came up during the special meeting: first that rentals to construction workers (itinerant labor), acting like a hotel rather

than a recreational STR. The town counsel is drafting additional language based on existing laws.

- Would like to restrict the number of bedrooms allowed in an STR, in Wilmington they are trying to limit it to four. Won't be retroactive on existing properties.
- Dixie Zens asks how many STRs currently exist that have more than four bedrooms. David Kiernan says he doesn't know.
- Question asked about regulation on how many visitors to STR are allowed for an "occasion", which is double the number of allowed occupants (e.g. four bedrooms = 8 occupants = 16 visitors total, at any one time).
- Rob Zeif confers with the board about the process of adding two new points to the bylaw.
- Rob Zeif clarifies and moves to vote on specific points:
- Ben moves to limit STRs to recreational use, disallowing hotel-like use at town councils urging.

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

- David Kiernan motions to limit bedrooms to four bedrooms, existing STRs are exempt, but would have to come into compliance with property transfer.

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

- Rob Zeif clarifies with an example: if a homeowner has a 5 bedroom house, they can only rent 4?
- David Kiernan responds that yes, due to regulations and risk of fire, insurance, etc, four bedrooms will be the maximum.
- Dixie Zens asks if there are requirements for rentals to have fire alarms, etc.
- Andrew McKeever asks if there needs to be a registry, Rob Zeif responds that yes, and an annual fee.
- David Kiernan says they haven't decided the fee, that it should be nominal, that it is up to the Selectboard to decide.
- Ben Travis clarifies that the only grandfathering is for the number of bedrooms, but not for "hotel use".
- David Pollock appreciates access to information on the town website, has done some research and applauds the board for using existing and tried-and-true language that exist, rather than "reinventing the wheel". He believes that the bylaws should be the least restrictive as possible. He asks a hypothetical question about someone trying to rent his house to make some extra money.
- David Kiernan says that the regulations are for those that don't follow the rules.

- Rob Zeif says that the problem is that when you have residential areas where people are trying to have quiet lives, now you could have ⅔ of those homes being unoccupied by owners, now being used as STRs. So the bylaws are to help uphold the character of a neighborhood, to protect residential areas.
- David Pollock reiterates an owner-occupied example having to go through the rigamarole of STR registration.
- Rob Zeif says that there's two sides of the bylaw: first, to protect the character of neighborhood, but second to protect the guests. The bylaw ensures that information has been conveyed to the homeowner that smoke detectors, fire alarms, access/egress etc. have been managed and properly displayed.
- David Pollock asks if there can be an exemption for people who don't present a problem.
- Rob Zeif responds that the bylaw is trying to guarantee rules and safety, for the protection of the guests, and that the owner understands and follows safety regulations.
- David Kiernan responds that this is the same argument used by a lobbying group in Montpelier. And the state legislators have yet to pass a law managing the STR problem, and as Vermont follows [Dillion's Rule](#), the town of Sunderland Planning Board is making a bylaw to protect homeowners and renters.
- David Pollock says that maybe some regulations are necessary, but why can't there be exemptions, and that the town should get out of a renters business.
- David Kiernan says that this is one of the last towns in the county, and the point is to ensure protections.
- David Pollock says to leave alone "mother-daughter" rentals, and owner-occupied rentals.
- Rob Zeif thanks the point and responds that STRs are businesses, that the board did intend to be the least restrictive, and that this is a draft and there will be a public meeting with the Selectboard on May 7th at 6:30 pm.

7. Old Business

- Ben Travis asks about the proposed gun range.
- David Kiernan and Rob Zeif say it's prohibited, David Kiernan says that he hasn't received a proposal or heard about it since.
- Rob Zeif asks to clarify what a gun range is considered. David Kiernan says that if you have set up a target and are firing at it, it's considered a gun range.
- David Kiernan clarifies that there is no permitted use in residential zones.
- Dixie Zens shares the approved sign idea, and asks for approval of the planning board.
- Planning board all like the final.
- Rob Zeif asks Dixie Zens about making a combination meeting, and Dixie Zens says that they will decide at the May 7th meeting.

8. Public Comment – Visitors / Concerned Citizens
9. Next Meeting May 22, 2024
10. Adjourn at 6:50 pm.

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