

**Town of Sunderland Selectboard Meeting**  
**Monday April 22, 2024, 7:00 PM**

Members in Attendance:

Dixie Zens  
Todd Lawrence  
Marty Nadler  
Andrew McKeever  
Bruce Mattison

Others in Attendance:

Mia Smith  
Kim Knapp  
Irene Nadler  
Maria Timmerman  
Gordon Dossett

1. Call to Order by Dixie Zens at 7:02 pm. Technical issues with Zoom, working out the bugs for the next meeting.

2. Introduction of Board Members: Todd Lawrence, Marty Nadler, Dixie Zens, Andrew McKeever, Bruce Mattison. Secretary Mia Smith, Gordon Dossett from Planning Commission.

3. Approval of the minutes of April 8th, Selectboard Meeting

Mover: Marty Nadler  
2nd: Todd Lawrence  
Result: Passed

4. Public Comment- none.

5. Sunderland Church Restoration Update – Marty

- Meeting with Janet Hurley from BCRC and Beebee Bullock from the Arlington Common.
- Recommended contacting Vermont Community Development Program for their grants.
- Need historical review, environmental feasibility review.
- General Lebinski at Preservation Trust who can recommend more grants.

- Will be meeting with Rupert General Trust who helped restore the Rupert General Store.
- Northshire Community Land Trust will be discussing the possibility of purchasing property as 501c3. Spoke with Seth Bongartz, who is chair, and he is in support of making restoration happen.
- Marty Nadler says there is a strong connection between Hill Farm and Church as they could use both facilities for events (e.g. weddings).
- Kim Knapp asks if Hill Farm attempted to acquire the church when he bought the Inn.
- Marty Nadler says that Hill Farm owns River House and the Canoe Rental property, both within the new village center.

#### 6. ARPA Funds Update – Marty

- Survey results are in and tabulated. They came in Health and Safety first, Improved fiscal responsibility second, then improved quality of life third.
- Todd Lawrence asks if town garage for equipment is included in Sunderland Infrastructure.

#### 7. Road Liaison Report – Bruce

- Bike path is well on its way.
- Cleaned up after the storm. Did put a patch on the road by the Sunderland School, where the tree came down on a line.
- Dixie Zens asks a question about the quote of \$17k for the one piece of barrier to be repaired. Bruce Mattison doesn't remember and says that the state has strict regulations for safety, especially on the bridge.
- Bruce Mattison says that the bike path will be done first, then they will do the paving over it.

#### 8. Emergency Management Coordinator's Report – Todd

##### – 1. Discuss & Approve the Local Emergency Management Plan (LEMP)

- Todd Lawrence edited contacts, made addition of Morgan Kelly as Emergency Management Coordinator.
- Once signed and adopted, to be sent to BCRC, then onto state.
- Dixie Zens asks for motion to adopt Emergency Management Plan

Mover: Marty Nadler  
2nd: Bruce Mattison  
Result: Passed

- Next state emergency management meeting in May.

#### 9. Energy Committee Update – Andrew

- Green Up Day, Sat May 4th. Bag pick up at Sunderland Town Hall.

#### 10. CUD Update – Andrew- none.

#### 11. BCRC, BCSWA Update – Dixie

- Opening in the middle of May, call/or online to make an appointment to dispose of household hazardous waste.
- List of what they accept on Sunderland Website.

12. The Planning Commission will propose a new “Short Term Rental” ([STR](#)) ordinance for the Selectboard’s consideration. A special meeting with both the Selectboard and the Planning Commission will be held on May 7th, 6:30 PM at Town Hall. This meeting has been warned and advertised for Public comment.

- Dixie Zens introduces proposal for ordinance to control STR in Sunderland. Special Meeting May 7th, 6:30 pm, for STR bylaw.
- Dixie Zens asks Gordon Dossett to clarify regulation about hosts that are tenants.
- Gordon Dossett first gives an overview, saying that the bylaw was a consensus that there needs to be ordinances to manage use of housing stock. The bylaw is a cautious start, without making it too contentious for folks who are renting for income, or visiting by renting. The state is working on legislating, but the Planning Commission wanted to make something to help manage the situation.
- In answer to Dixie Zens’ questions, the meaning of “host” as tenant is a person who resides in a home, and is using part of it as a rental (vs. living outside of the state, and renting out the residence)
- Maria asks the difference between airbnb and VRBO. The difference between being a host that resides alongside rental versus renting an entire residence.

- Gordon Dossett says that maybe there needs to be a definition, that there either needs to be a Host/owner present and living on the premise, or someone to stand in, like a property manager. This is so that there is someone local to answer in case of emergency.
- Andre McKeever clarifies by reading a portion of bylaw about an absentee owner.
- Todd Lawrence asks if the document on the website is up to date.
- Dixie Zens asks about the difference between a whole unit vs a partial unit (part 18.7).
- Todd Lawrence reads part 18.7 about registering the whole property, without living onsite. Or living onsite, and renting out up to 3 units as a partial unit.
- Dixie Zens asks about the board's insight on the two proposed additions to the bylaws.
  - **limit STRs to recreational use, disallowing hotel-like use** (at town councils urging).
  - **limit bedrooms to four bedrooms**
- Explain the reasoning behind 4 bedroom limitations, being that the bylaw states maximum capacity of STR during events to be double the regular occupancy (e.g. four bedrooms=eight guests, sixteen total guests allowed for event at STR)
- Gordon Dossett says this allows for residents to use the homes for gatherings, but people coming into town will have to book facilities (e.g. Hill Farm) to manage a large gathering.
- Bruce Mattison wonders if there are any residences that are large enough for big gatherings.
- Gordon Dossett says one of the reasons is to head off development of large buildings. This is partially based on publications in the development sector rating the Green Mountains as an area to focus on.
- Marty Nadler asks if there is a list of the existing b&bs so that when the bylaw goes into effect, the town will know which houses are grandfathered.
- Gordon Dossett says that no list exists, that there is not a good registration system.
- Bruce Mattison asks if someone has 4 tiny houses, would each house be listed separately, or would it qualify as one. Dixie Zens says he remembers reading a house and one other structure is allowed under the bylaw.
- Irene Nadler asks if it would be helpful to have people renting their home register in case of emergency. Dixie Zens clarifies that the bylaw requires that.
- Marty Nadler adds that a list of current airbnbs, prior to bylaw, is necessary to know which properties will be grandfathered.
- Irene Nadler asks if there is anything included about noise level. Dixie Zens says 11pm to 7am. (same as the town/state noise ordinance)

- Maria Zimmerman asks who will enforce the bylaw. Dixie Zens says there are some town and state fines that are outlined and residences have to comply.
- Gordon Dossett says that there is legislation moving at the state level that will help to support this, and work to enforce the bylaws. A main concern was to ensure healthful environments and safe systems (through use of [STR registration](#)).
- Todd Lawrence says it seems like a good balance of the right to host vs. folks trying to use it as a money making enterprise. He says that 4 bedrooms seems like a reasonable amount of bedrooms. His question is how to parse out STR versus hotels as they are defined in the towns land bylaws.
- Dixie Zens asks for any more input on restricting STR to 4 bedrooms and recreational use only.
- Bruce Mattison asks if there is restriction of bedrooms for Inns. Todd Lawrence gives an example of Hill Farm Inn, which also rents as STR.
- Gordon Dossett says that the definition specifies what constitutes an STR, which did not intend to include commercial property.
- Dixie Zens asks for motion to restrict STR's to 4 bedrooms and recreational use only.

Mover: Marty Nadler

2nd: Todd Lawrence

Result:

- Brief discussion on meaning of “recreational”
- Todd Lawrence asks if it makes sense to regulate for only recreational use, what's the difference if families are on vacation and coming and going, or someone is renting for a corporate reason?
- Gordon Dossett says the reason that it was brought to the Selectboard as an addition was that the folks that lived next to a STR being misused found it disruptive and that it was more of a commercial undertaking.
- Gordon Dossett says that there are also hotels and motels around, if a business like Fidium needs rooms for workers, why not support commercial hotels?
- Dixie Zens says that if there are no problems, then this addition to the bylaw is only necessary if there is an enforceable complaint.
- Kim Knapp asks what the Fidium laborers were driving, were they trying to park commercial vehicles in front of the STR?
- Marty Nadler says using selective enforcement may not be fair (quiet workers vs a raucous family).
- Dixie Zens says the bylaw has regulations about behavior that is applied to any renter.
- Todd Lawrence adds a final thought that if there is town registration with contact info, then complaints will go back to hosting platforms, and home owner will face consequences.

- Todd Lawrence moves to amend, removing recreational specification, but specifying restricting to 4 bedrooms.
- Dixie Zens repeats the addition of a restriction for a maximum of 4 bedrooms to the bylaw.

Mover: Marty Nadler  
 2nd: Bruce Mattison  
 Result: Passed

- Dixie Zens repeats the addition to specify recreational use only. He believes it would be hard to enforce.

Mover: Marty Nadler  
 2nd: None  
 Result: Tabled

- Special Meeting May 7th at 630. Both Select Board and Planning Board to answer questions.

### 13. Zoning Administrator Report – David Kiernan- none.

- a. Existing and new permits status

### 14. Old Business-

- a. Review “Welcome to Sunderland” Signage

- Mike Pugliese is working on getting the signs made. No specific price.
- Bruce Mattison asks if they decided on a size. He says Arlington’s is ~3’x3’.
- Dixie Zens says maybe 4’x4’ or 4.5’x4.5’.

- b. Dog Issue- none.

- c. Summer Town Gathering for a luncheon – suggested by the Planning Commission will be discussed at the special meeting on May 7th.

### 15. New Business-

- Marty Nadler explains the Village Trust Initiative, available for 20 communities of less than 5k residents. \$10 million stimulation project created by Patick Leahy.

- Spoke with Janet Hurley who thought it would be appropriate for Sunderland Church restoration.
- Application needs to be filled out by Selectboard, but they need a motion to pursue.
- Dixie Zens asks for a motion to pursue Village Trust Initiative application, with BCRC.

Mover: Marty Nadler  
 2nd: Andrew McKeever  
 Result: Passed

- Bruce Mattison asks if the board had agreed not to put money toward the church. Is this a 100% grant (vs. matching).
- Dixie Zens recommends that the board look into the details. Marty adds that Janey Hurley said she will take the point on the process.
- Dixie Zens specifies that the town does not want to own or maintain the church.
- Marty Nadler says that the increased rate for the Sheriff is \$70 to \$72.50 per hour. He says that the board is to discuss the town's needs and desires and then they can relay it to the Sheriff to plan for the next contract year.
- A copy of Arlington Annual Report is available
- Town Clerks submission of ARPA funds through the annual report was certified.
- Dixie Zens asks for motion for Bruce Mattison to sign excess weight permit.

Mover: Todd Lawrence  
 2nd: Marty Nadler  
 Result: Passed

- Todd Lawrence attended a presentation on the Kelley's (of Kelley Stand Rd). A recording may be available on Bennington Historical website.
- Special Meeting for STR's on May 7th at 6:30, at town hall.

16. Executive session, if necessary

17. Review of Correspondence/Signing of warrants.

18. Next Regular Business Meeting for the Sunderland Selectboard will be May 13, 2024 7PM

19. Adjourn at 8:19 pm.

Mover: Marty Nadler  
2nd: Andrew McKeever  
Result: Passed

Join Selectboard Zoom Meeting

<https://us02web.zoom.us/j/87184733867?pwd=ckxkc3ZscUw5ZmZpMUZGWIRsT0ExZz09> Meeting ID: 871 8473 3867 Passcode: 974264

**PUBLIC HEARING: May 7th, 2024 at 6:30PM [Short Term Rental bylaw hearing public notice](#)**