

## UPDATED AND APPROVED

Development Review Board Meeting – Dummerston Community Center

October 17, 2017

Attending: Alan McBean, Sam Griffis, Cami Elliott, Dennis Mewes, Chad Farnum, Jen Sargent, Patty Walior & ZA Roger Jasaitis.

Other interested parties: Jean Momaney, Ann Davis, Joann and Ron Tier, Paul and Theresa Chapman, Bev Tier, John Gregory, Carrie Towle, Natalie Blake, Nick Marchese, Lisa Blake, and Gurudham Khalsa.

Meeting called to order at 7:00 by Alan McBean, Chair.

ZA Roger gave details for meeting on 10-24-17. We will have 2 site visits and then hearing at 7:00. Minutes from 9-19-20 meeting approved with updates. Not sure about meeting in Nov. If we have one it will be on the 2<sup>nd</sup> Tuesday, Nov. 14<sup>th</sup>.

Prior to hearing starting Carrie Towle asked about what happens to our decision when Planning Commission comes up with new parameters about short term rentals. Will they be “grandfathered”? Jean Momaney asked about plot plan documentation. She felt that abutters were missing as well as the septic and leach field and water supply information. Think Jean was missing a page as DRB members had that information. John Gregory questioned if we are putting the cart before the horse issuing permits before PC has come up with regulations. Roger informed them all that the zoning bylaw we are using now is sufficient until the PC gets plan.

Hearing called to order at 7:15. Prior to hearing site visit was conducted for Permit # 3485, a Conditional Use approval for short term rental to an existing dwelling. Alan read warning and all interested parties were sworn in. Chad reported that he has done work in the past for Natalie and Nick. This will not be a conflict. Natalie reported that she has a high quality of people that rent her home. She was a little apprehensive in the beginning but Airbnb vets renters and she has

come to enjoy her renters. Some are repeat, they come for holidays, celebrations and family gatherings. Her home is well taken care of and it's been a great experience. She feels that her renters are lovely people, well educated and sophisticated. She did concede that there was one group of college age renters who were loud but feels that it's been fine ever since. She feels that she has taken a building that was run down and turned it into a lovely home. Neighbors have used in the past. She is up to date on all fire, electric and plumbing permits. She is not always on site but her mom and brother live next door and they help if needed. John Gregory stated that he isn't opposed to short term rentals with Airbnb but he is concerned about the change in the Village. His concerns are: Parking is already bad on West St. and this will be making it worse. There are problems with enforcing current regulations and keeping track of who is parking where and when. Another concern is septic requirements. There is not land associated with this property and he feels that the system will be taxed and if it fails it will affect not only Natalie's home but others in the neighborhood. He asked about the safety of renters and if fire trucks would be able to access buildings with parking being in short supply. He is also concerned with safety of the children in the Village with people driving who are not familiar with the neighborhood. Jean Momaney expressed concerns with cars being on both sides of the road on a specific date a couple weeks ago. Natalie said it was a private party of theirs and they were there. She also reported that when they have gatherings they try to shuttle people so there aren't as many cars on the street. Joann Tier stated that while the renters are lovely they don't know how to park. They are often sticking out onto the street. She also is concerned with safety and the ability of rescue or fire to get through. Natalie feels that they are adamant about enforcing their parking. Carrie Towle asked about Fire inspections, septic and well setbacks. She asked if after a decision is handed down are homeowners required to follow the most recent requirements or once they have permit they don't have to follow. She is concerned with the inherent nature of the Village being affected. There is an increase in people and parking has not been positive. Snow creates even more parking issues. Carrie also asked about how the building permit was written. She was curious about the lower part and if that was included. No, permit is only for the top section. Lower is rented long term. If she

wants to change use she would go through process again. Gurudham Khalsa introduced a letter of support with 19 signatures. He wants to emphasize that he doesn't feel traffic and parking is a problem. He in fact has used the home before. Alan read names and letter. Paul Chapman is opposed due to the change in character of Village. With constant turn over there is no opportunity to form relationships or have residents who will become involved with the town. He also has technical questions about setbacks for various utilities. Distance between well and septic, run off contamination and if water supply can support 6 bedrooms. Paul feels he has been asking these questions and still has not gotten an answer. He also is concerned with parking and visibility for turning into driveways. John Gregory encouraged the board to look at other towns who are facing these issues and see what they are doing. He asked if Nick and Natalie sell does the permit run with the land or is it just for them. He asked us to be specific with our restrictions if a permit does continue. Roger informed everyone that DRB can issue conditions on permits and time frames for review. He also stated that members of the community can request a review and a permit can be amended. Natalie's mom said that her daughter is a stickler about parking. She feels they are good neighbors and that this may be a spiritual problem. Sam Farwell, not speaking for the Planning Commission but as a resident of the Village said that the process of reviews makes him feel protected as a resident. He feels that parking has been addressed and it is not a problem. Many of the houses on West St. are nonconforming for parking. He believes that the character is constantly changing, when has it ever stayed the same? He feels that any illegal activity isn't going to come from renters but rather locals. He also thinks maybe the PC should come up with some density limits. Theresa Chapman asked about residential vs. commercial zoning. She stated that the town of Woodstock only allows a set number of days that residents can rent their homes. There is nothing in bylaws about commercial vs. residential. Zoning bylaw 620 defines Commercial as selling materials, goods and wares. She believes that there was a permit from the past that only allowed 2 spaces in front. We couldn't find anything to that effect. Roger and Sam reiterated that neighbors can petition for a review. Chad asked about parking in back, it was granted in 2004. Cami asked if other people have guests that park on both sides of the road. Alan asked about the number of

rentals they have per year. They think about 26 weekends a year and 4-10 days a month during the summer. They strictly rent with Airbnb. Hearing closed at 8:35.

Hearing for permit #3486, request for Conditional Use approval for short term rentals began at 8:40. Prior to this a site visit was conducted at the home of Nick Marchese. Nick feels they have demonstrated that they care for their property. If anything were to happen they would take care of it. Also feels they have addressed the concerns about parking. The perception that they don't live on site is not correct. They do in fact live their most of the time. They often have guests and they do their best to insure that people aren't parking on other people's yards. If there is ever an issue he would like people to come directly to him. He hears the concern about strangers but wonders if this is the biggest concern? He will respect any decision we hand down. He also reported they aren't doing that many short term rentals in his home anymore and they don't have any plans to ramp it back up. Jean M. asked about the work that was being done at the rear of their property. Construction was against condition in previous permit. She is concerned about how they will abide by a new permit. Jean has filed a complaint about parking on town property overnight at the top of Community Center. Sam Farwell asked that his testimony from the first hearing be on record for this one as well. John Gregory asked that we be concerned about potential presidence's that we are setting. Terry Chapman stated that this is not personal and she has no hard feelings, she is just concerned about Village. Paul Chapman again stated that this changes the character. Short term vs. long term translates to vistors vs. members of a community. He is concerned about overuse of septic and how that may affect other residents. Overuse may max their system and force others to pay for a new community system. Hearing closed at 9:00 for deliberations.

Respectfully submitted,

Patty Walior, DRB member