



Special Selectboard Meeting Minutes

Tuesday, February 25, 2020

Present: Steve Finneron, Chairman
Jim Haff
Chuck Claffey

Chet Hagenbarth, Town Manager

Citizens:

Whit Montgomery	Mark Dinges
Steve Finer	Karen McKillop
David McKillop	Bonnie Kirchner
Matthew Ostek	Preston Bristow
Curt Peterson, Mountain Times	Susan Walker
Gary Roth, Fire Chief	Kimberly Hampton
Vito Rasenas	Lucrecia Wonsor
Ken Wonsor	Brett Williamson
Bob McGovern	Pam Hodge
Kirsten Lathop	Michelle Lord
Bob Lazzera	Jane Ramos
Kait Hummel	Patty McGrath
Murray McGrath	Tricia Carter
Heidi Bomengen	Dick Bomengen
Jody Chudrik	Steve Selbo
Andrew Giedh	Maureen Prencipe
David Rosenblum	Jeremy Raynar
David McComb	Lucy Gaston
Richard Gaston	Beth Kwart
Kurt Kwart	Lauren McMichael
Roger Rivera	Andy Salamon

AGENDA

1. Call to Order
2. Approval of the Agenda
3. PUBLIC HEARING NOTICE – PROPOSED AMENDMENTS TO KILLINGTON ZONING BYLAWS:
SECTION 407 - SHORT-TERM RENTAL OF DWELLING UNIT
4. Other Business
5. Executive Session, if necessary
6. Adjourn

1. Call to Order

CH Finneron called the meeting to order at 6:30 pm.

2. Approval of the Agenda

A motion to approve the Agenda as presented was approved, UNANIMOUS.

**3. PUBLIC HEARING NOTICE – PROPOSED AMENDMENTS TO KILLINGTON ZONING BYLAWS:
SECTION 407 - SHORT-TERM RENTAL OF DWELLING UNIT**

The public were welcomed and since only the Planning Commission had been privy to citizen input so far, the Selectboard opened the floor. A motion to allow non-residents to speak at Selectboard Meeting was approved, UNANIMOUS.

Amid concern by the Public that a few bad apples were spoiling things for everyone TM Hagenbarth produced a report depicting 91 different ads for 8-bedroom rentals and displayed a live rental website illustrating some examples. According to the Towns' Grand List, there are only approximately ten 8-bedroom homes in Killington.

Negative effects were discussed by this misuse; special emphasis on Health & Safety issues- including fires, egress, fire truck and ambulance access, wastewater capacities and neighboring wells, insurance claims, plowing & maintaining roads, and general nuisance complaints.

It was clarified that no changes were being made to existing State, Federal and Local regulations but a framework of rules needed to be put into place in order to regulate these standards.

There was disconcert among the Public that these agencies were not communicating better with each other and with the General Public regarding necessary permits. Whilst the Town assured citizens that this program was creating a process to educate, it was also noted from the floor that citizens renting their homes and properties for income were in-fact in business, and as such should endeavor to gather all the information necessary to make their own business a success.

There was clarification that, according to the Division of Fire Safety, renting to over 8 people would require a change of use from residential to lodging and above 16 is deemed a hotel. While the execution of the relevant permits might allow a shift from residential to lodging, a hotel would be unable to operate in a zoned residential area. Clean slate is deemed invalid once changes are made to a building.

It was assured that enforcement would not be limited to short-term rental violations; commercial lodges and ski houses would be held to the same standards.

There was further discussion around the day-to-day operation of the program, its costs and the plans for enforcement.

Since updates were required, it was resolved a new public hearing be held and that the proposed zoning bylaw amendments under consideration would also include the following changes:

- a) Clarification that Zoning Permits for Short-Term Rentals shall be referred to as "Short-Term Rental Registrations", and that *definitions* be laid out;
- b) Registration of Short-Term Rental units with an occupancy of 8 or less shall be by self-certification, and registration of Short-Term Rental units with a capacity of more than 8

occupants shall require that copies of required documents be submitted to the zoning administrator.

- c) Proposed Section 407(3) be stricken and revised to reflect that Short-Term Rental Registrations with an occupancy of 8 or less shall be by self-certification.
- d) Vermont Act 250 permits be listed as a required document, as applicable, under proposed Section 407(2).
- e) Short-Term Rentals with a Dwelling Unit Capacity greater than 16 or more occupants shall be a "Hotel/Lodge" use and only allowed in a Zoning District which allows "Hotel/Lodge" use.
- f) The proposed Zoning Bylaw Amendments will be warned in two versions, the first defining Dwelling Unit Capacity for Short-Term Rentals as allowing an increase of an additional two occupants, and the second providing no increase in additional occupants for Short-Term Rentals.

A motion to warn a Public Hearing on **March 17th, 2020** at 6:30 pm, convened by the Killington Selectboard at the Sherburne Memorial Library on the "Proposed Amendments to Killington Zoning By-Laws – Definitions, Section 417 Accessory Dwelling Unit and Section 640 Certificate of Occupancy or Use" was approved, UNANIMOUS.

4. Other Business

There was no other business.

5. Executive Session, if necessary

The Selectboard entered into executive session to discuss contracts at 8:25 pm and exited at 9:05 pm; no action taken.

6. Adjourn

The meeting was called to adjournment at 9:07 pm.