



Minutes

Planning Commission Hearing for Public Comments

August 24, 2021, at the United Church of Christ, Fellowship Hall, and Virtually

Present in person: Carol Fairbank; Brett Stanciu; MacNeil; Day Patterson; John O. Mitchell; Rick Lovett; Nan Perron.

Virtual attendees: Linda Romans; Christine Armstrong; Jennifer Lucas; Gary Circosta; Maureen Mitchell; Peter Romans; Rusty Newhouse; Tim Nesbit; Greg Lewis; Ellen Celnik.

Absent Members: Jerilyn Virden; Kent Hanson.

Carol called the meeting to order at 6:01 p.m.

Christine Armstrong outlined the proposed Short Term Rental bylaw (Appendix 1). Carol opened the floor to public comments. John Mitchell said he manages his family's property on the North Shore Road. He asked if the Commission is sticking to the condition that no more people can be in a dwelling once the wastewater occupancy limit is reached. He noted this requirement is vague, overly broad, and unenforceable. It's a violation of civil and human rights not to have visitors. Christine replied that the goal is to prevent more occupancy than the wastewater can handle.

Jennifer Lucas read a statement (Appendix 2). She suggested the Planning Commission should hold informational sessions about each item on the Short Term Rental checklist and explain how they will be enforced.

Rusty Newhouse asked about current regulations and enforcement of short term renting within the Shoreland Protection District. He asked what would be the enforcement plan for any additional regulation and noted it doesn't seem like a good idea to move further without an enforcement plan. Christine replied that the Commission had discussed a time period to allow people to get on board. The ZA should work with people. Then, if renters aren't in compliance, there's a \$100 a day fine. Linda said there is nothing written in the bylaws currently that prohibits STRs. Some discussion revolved around whether renting is a business. Linda noted that initially renters need to fill out a form. Rentals cannot be advertised above their wastewater capacity to protect water quality. Further discussion ensued regarding enforcement. Peter said the town has not enforced rentals as a business in the Shoreland Protection District before, but the intent now is to bring them into compliance through enforcement.

Day Patterson, who has a seasonal home on Black's Point, said parking at short term rentals is a problem in his area. He would like the ZA to inspect properties and confirm that parking spaces are realistic spaces. John Mitchell voiced concerns that a homeowner would have to hire an engineer to determine



wastewater capacity. Rusty Newhouse repeated his concern regarding enforcement. Jennifer Lucas disputed a statement that STRs are a business. John Mitchell said his parents rented sixty years ago. People rent to pay tax bills. Carol repeated that written comments should be sent to zoning@greensborovt.org.

The next **regular meeting is Tuesday, September 7, at 5 p.m.** at the Greensboro Free Library. This will be a hybrid meeting.

The Commission adjourned at 6:48 p.m.

Respectfully submitted,

Brett Stanciu, Zoning Administrator

Appendix 1

Greensboro Planning Commission Short-Term Rental of Residential Property **Intent of Short Term Rental Bylaw**

This bylaw seeks to protect the town's natural resources and residential districts while acknowledging the opportunity offered by STR's. The intent of this bylaw is:

1. To protect our abundant natural resources;
2. To establish a balance between the desire of homeowners to rent their residential properties to STR visitors for compensation and the desire of homeowners to preserve the residential character and livability traditional to residential neighborhoods;
3. To equitably manage the STR use of residential properties in the Town of Greensboro; and
4. To promote the safety of occupants of short-term rentals.

(A) Short-Term Rental: "Short term rental" means a furnished house, condominium, or other dwelling room or self-contained dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year.

(B) Short Term Rental Requirements:

1. Short Term Rental of Property in all Districts requires a Greensboro zoning permit.



2. The contact information required by 18 V.S.A. 4467: the owner's name, phone number, mailing address, and an emergency contact number of the owner or a designated owner representative for the dwelling unit, shall be posted in plain sight within the dwelling unit.
3. The owner of the dwelling unit or the owner's designated, geographically proximate representative shall be available and on call 24 hours a day, seven days a week to manage the property.
4. The Vermont Short-Term Rental Safety, Health and Financial Obligations Form, as required by 18 V.S.A. 4468(b), shall be completed and posted within the STR in plain sight. A second copy of the form shall be filed with the zoning administrator.
5. The owner shall obtain the educational information packet regarding Short-Term Rentals provided by the Vermont Division of Fire Safety. See 18 V.S.A. 4468(a).
6. Accurate occupancy limits shall be included in all advertisements of STR.
7. Vermont law requires the owner of a Short-Term Rental (STR) be responsible for the collection and payment of applicable Vermont Tax. More information at <http://tax.vermont.gov/business-and-corp/meals-and-rooms-tax/short-term-rentals>.
8. All vehicles associated with the Short-Term Rental of a property, including guests of the short-term renter(s), shall have designated off-road parking and not use shared private driveways, private roads, or public highways.
9. An STR permit does not run with the land. A change of ownership shall require a new STR permit.
10. Provisions must be in place for timely trash removal after each rental.

(C) Rental Requirements in the Shoreland Protection District in addition to (B)1-10 cited above:

1. If the STR shares a dock with other owners in the community, then the STR agreement shall set forth the terms and conditions of usage of the shared dock and shall require the renter to abide by the same.
2. No STR may be advertised for large destination events such as parties, conferences, weddings, fundraisers, reunions, or catered events. The

Dwelling Unit Capacity of the Dwelling Unit limits the total number of people that may make use of the STR, including guests or invitees of the renter.

(D) Permit Application Requirements:

1. The Vermont Short Term Rental Safety, Health and Financial Obligations Form, as required by 18 V.S.A. 4468(b).



2. Declaration of occupancy is based on the number of approved bedrooms as determined by a Wastewater Permit or Lister Card.
3. An accurate drawing of the subject property that depicts and identifies the following information: location of proposed STR on lot; location of all other buildings; location of the septic system; number and location of all parking spaces, including designated off-site parking.
4. A Meals and Rooms Tax ID Number from the Vermont Department of Taxes as required by 32 V.S.A. 9282.

Appendix 2

Jennifer Lucas's statement:

STR COMMENTS 8-24-21

1. As a Landlord, I am in favor of a proposed STR regulation in Greensboro. I believe that with proper regulation, the quality of the lake, renters health and safety, and landlords will be protected.
2. I would urge the Commission to revert to **at least** a 3 day minimum in the Shoreline district during the summer months. A 1 day minimum is untenable from both a renter's and a landlord's perspective: the cost of a 1 day rental for lakeshore property, including cleaning fees, would be prohibitive, few if any landlords would be willing to rent for only 1 day given the difficulty of finding cleaning help and managing turnover, and the period of occupancy would basically be just overnight. Renters need a few days to understand the rules of the lake. Additionally, the IRS views high turnover "rentals" as businesses, not rentals. Businesses are not allowed in the Shoreline area.
3. I would urge the Commission to control overuse by limiting occupancy based on the design capacity of the septic system, and take # bedrooms out of the equation. The design capacity is specific: 70 gal/per person/day. If the design capacity is unknown, a certified statement regarding capacity from a septic engineer should be required.
4. I endorse the requirement to adhere to and post the Vermont rental checklist. I for one, am grateful that this process has alerted me to these requirements, as it has provided clear guidance for maintaining a safe and healthy place for my guests. Posting the checklist tells my guests that I care about their health and safety. And to avoid paying the VT 9% Rooms tax is tax evasion.

I believe some property owners may be in for some surprises. Smoke and CO alarms must be sited and wired according to age of building. Windows in sleeping rooms must be a certain height above floor and a minimum size. Heating systems must be inspected every 2 years. Guard rails must conform to min standards. I do not contest any of these requirements. I suggest that the Planning Commission hold information sessions that explain each of the items on the checklist in detail and how they will be enforced.



5. And for landlords concerned that limiting occupancy, upgrading health and safety features, and paying taxes, will limit their revenue, I believe that is unfounded. Caspian Lake and Greensboro is a VERY desirable vacation spot, and these measures can only improve the attractiveness of rental property.