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**TOWN OF CHESTER
PLANNING COMMISSION
October 2, 2023 Minutes**

Commission Members Present: Cathy Hasbrouck, Hugh Quinn, Tim Roper, and Barre Pinske at Town Hall.

Selectboard Members Present: Arne Jonynas, Heather Chase, Lee Gustafson, Arianna Knapp, and Peter Hudkins.

Staff Present: Preston Bristow, Zoning Administrator/Town Planner, at Town Hall; Susan Bailey, Recording Secretary, via Zoom.

Citizens Present: Kathy Giurtino and Bill Lindsay at Town Hall; and Steve Mancuso and Robert Nied via Zoom.

Call to Order

Chair Hugh Quinn called the meeting to order at 6:30 p.m.

Agenda Item 1, Review and Approve Minutes from August [sic] 18, 2023, meeting

Hugh noted the first agenda item had an error and was supposed to be September instead of August. Tim moved and Cathy seconded a motion to approve the September 18, 2023, minutes. Tim had one change on page 7, line 20: 50 kw should be 15kw. The minutes were approved, as amended.

Agenda Item 2, Citizen Comments

Barre said he was a member of the Black River Community Coalition whose goal was to address the culture surrounding drugs and alcohol and focus on young people. Lauren Ingersoll heads it for the area. Barre said their first meeting was last Tuesday and someone associated with the school nurse program mentioned that without a laundromat in town, kids were coming to school with dirty clothes, so the school installed a washer and dryer. Some of the kids don't have hot water so they allowed them to shower at school. Barre said they discussed family, school, and a third place for kids to gather that was child oriented. Barre spoke to Garrison about using the old Jiffy Mart and he liked the idea. In Springfield, the kids have created a space to gather that is specifically drug and alcohol free. Barre wanted them to be aware they live in a town that doesn't have a laundromat which creates difficulty for some citizens, and he wasn't aware of it. Barre hoped they could address these issues and was shocked when he learned of them.

Agenda Item 3, Joint Discussion with Selectboard on STR Regulation Landscape

Hugh proposed they look at the yellow status document first and get updated on what was happening from an application point of view. He said the other document outlined various options and what towns in Vermont are doing. When they got to the document, Hugh wanted to go through each regulation, so people understood what it was and what it was attempting to do. Once they had

1 clarity, they could open it up for broader discussion. Preston said the yellow sheet was the same
2 format he reported from at the last meeting. Last time they received 50% and only 54 letters had
3 gone out. They've sent out 7 more since then. Granicus had a few sites they couldn't locate that
4 Chester had, and Shawn Cunningham had made it a hobby to track down short-term rentals. They
5 have now contacted 61 people they believe have short-term rentals. The number of hosted at the
6 last meeting was 43% and now it was 32%. Preston previously said he thought the hosted people
7 would respond sooner and that seemed to be the case. They would send out a second letter which
8 would be a firm reminder to those who hadn't registered. Arne asked how Granicus was going and
9 Preston said Hugh had volunteered to be the Granicus contact and had emailed them and the
10 response received was she had been on vacation. Hugh said he received an out of the office
11 message from the project manager who got back to him and was following up on the actions items
12 and hoped to have an answer this week. Hugh will follow up this week. They are dealing with the
13 project manager whose responsibility is to keep track and report status so, at the very least, she
14 should be able to do that.

15
16 Arianna asked if email was an option and Cathy said they didn't have their email addresses. Preston
17 said that was one of the major reasons why they want people to register so they have their contact
18 information. Currently, they only have the information from the Grand List.

19
20 Barre asked how many dwellings were in Chester. Cathy said 1600 and of that number,
21 approximately 800 had homestead filings. Arne asked how many kitchens and Cathy said there
22 were 1600 or 1700. Barre asked if there were 3,200 residents and Cathy agreed.

23
24 Heather asked if they had advertised in the Telegraph or elsewhere that they were accepting
25 registrations. Preston said they hadn't, but the Telegraph had run articles and he received calls
26 after they ran. Preston said they could consider advertising. Cathy added that some of the people
27 who applied were not on Granicus' list, so they hadn't received a letter. Heather added that some
28 may only do short-term rentals during ski season and thought it would be good to have some
29 publicity in addition to the written articles.

30
31 Hugh said for properties that don't list all the time, Granicus constantly checks, and Chester would
32 be made aware of new listings. Heather said the company had not been forthright and thought they
33 should get word out in other ways. Hugh agreed.

34
35 Arianna wondered what prompted the creation of the ordinance and what the need was. Arne said
36 it was the concern of citizens. Arianna thought the biggest concerns fell into 3 categories: the bad
37 acting guests who could cause issues; the depletion of housing stock for affordable housing; and
38 the appropriate municipal level of regulation. She thought the original regulation was to address
39 citizens' concerns about the unmonitored growth of short-term rentals and Hugh agreed. Hugh
40 said they couldn't determine if they had a problem without having information, so the first step
41 was to get data and include the basic health and safety matters, understand who was doing it and
42 how to contact them, and understand the health and fire regulations they were required to meet.
43 Once they had that information, they would see what was next. Arianna said it felt like they put
44 the plan in place and continued to receive citizens' concerns and they were renewed with more
45 concerns. The response from the community didn't seem to be driven by the ordinance but had to
46 do with the quality of life in Stone Village or the loss of inventory in the community. Arne said

1 part of it was once they got into the topic; they discovered other things related to it. Arianna wanted
2 to focus the discussion, so their ideas made sense. Hugh said when the ordinance was proposed
3 and approved, some thought it wasn't going far enough and in addition to collection of data, wanted
4 regulation or there would be parties and the erosion of neighborhoods and housing stock problems.
5 Hugh said short-term rental operators felt they should leave them alone and do nothing. And that's
6 how they started with choosing something that wasn't completely ignoring the issue but not going
7 to the other extreme of banning them but rather collecting the information to decide how to address
8 it. Hugh said some citizens felt it wasn't good enough and the continued message was it was great
9 they were doing something, but it wasn't doing anything to stem the proliferation of short-term
10 rentals in the town which may be a problem. Arianna agreed that's what she was hearing around
11 town. She wondered what they should start looking at as a group because she remembered when
12 she was a candidate for Selectboard that they were told to read the town plan as a guide for the
13 Selectboard. Arianna had recently re-read the town plan and the neighborhoods were beautifully
14 laid out and the community has a great love and concern for the Stone Village. She said someone
15 had suggested looking at STRs by neighborhood and she wondered if doing it that way would
16 address the concerns of the community more specifically. Hugh thought it was a great question
17 and the Selectboard was in a tough position to figure out the right thing to do. Hugh wanted to take
18 a few minutes and run down the list which represented by and large what most municipalities in
19 Vermont and across the country had done or were attempting to do. As far as what the community
20 needed to be happy, Hugh said they had heard about the issues in Stone Village and other parts of
21 town and the only thing he had to say was people who live other places have similar concerns and
22 he didn't believe addressing one pocket of the town was the right approach.

23
24 Lee is a huge proponent of gathering data and knew it felt like they weren't doing anything while
25 they were waiting for data to come in but what data had been received had provided a better insight
26 into what was going on. Lee originally had heard there were 82 short-term rentals, and they were
27 at 61, which was 75% of the original number. Lee said they may get more responses so the number
28 could be greater, but the data was showing something they didn't understand before. The other
29 piece of data Lee wanted was the number of complaints Chester Police Department had received
30 about short-term rental wild parties and disturbances. Preston noted that Julie had checked with
31 the police who are not aware of ever receiving any complaints about short-term rentals. Preston
32 said he was in Killington, who was the Beast of the East, when their short-term rental ordinance
33 rolled out and there were parties going on in Killington. Preston has heard a lot of comments about
34 the awkwardness of never knowing your neighbor and people coming and going and people with
35 summer tires getting stuck on the roads, but he couldn't point to a single call he's received about
36 a late-night party that was really upsetting to him, so they needed to be careful because they didn't
37 have any hard evidence about partying. Hugh said Granicus has a complaint hotline where people
38 can call and complain, and it was part of the package Chester purchased in the contract with
39 Granicus. Preston said they may ask Granicus to start advertising the hotline. Lee said someone
40 had raised issues with the registration form at the Selectboard meeting. Preston said he and Cathy
41 were already considering changes to the form to make it easier to fill out.

42
43 Steve Mancuso had a question but there were technical difficulties, so it was not heard.

44
45 Hugh started going through the list and the first item was basic registration and there were no
46 questions regarding it. The second was the owner limit which suggested a regulation that would

1 limit the number of short-term rentals someone could operate. Hugh thought Burlington allowed
2 one hosted and one un-hosted. Hugh said the impact assessment column helped explain why they
3 would consider it and what the effects would be. It would discourage investors from purchasing
4 several properties to operate as short-term rentals. Hugh noted if he had made a note indicating
5 more complex STR administration it implied it wasn't trivial to figure out how to track and enforce.
6 Some of the line items were easy to track and enforce while others required more time and labor,
7 which would involve Preston and Cathy unless Granicus has the capability in their software. Day
8 limit was the third item which limited the number of days a short-term rental could operate. Preston
9 said Woodstock's was very restrictive. It was wide-open during foliage but not the rest of the year.
10 Hugh has seen a range from a handful of days to around 100. Hugh said they were designed to
11 discourage people who wanted to flip properties and short-term rent them to make money.

12
13 The next was a residency requirement and was complex because people view residency differently.
14 Some view it as living there year-round and some as where their primary residency is or where
15 they live most of the time. Some require short-term rentals to be in their primary residence and
16 some require them to be present when the house is rented. The ordinance defines hosted as a room
17 or group of rooms located with a host's primary residence, accessory dwelling, or cabin on the
18 premise of the host's primary residence. Chester's definition doesn't require the owner to be on-
19 site when the property is rented but it must be the primary residence. Unhosted for Chester is
20 furnished house, condominium, or apartment, or accessory dwelling, or cabin that is not the host's
21 primary residence or on the premise of the host's primary residence. Hugh thought this regulation
22 was close to what other towns do. If they only allowed hosted, it was likely where the owner lived
23 and was part of their house or an accessory dwelling or was where, for tax reasons, you declare it
24 your primary residence. Preston noted some people owned adjacent property and they allowed
25 them to identify as hosted in the spirit of the rule because they lived in town and were being
26 supportive. Preston pointed out the owner could be away when their other house was rented. Barre
27 said Manhattan had modified their short-term rental regulations to require the host to be present in
28 the home for the duration of the rental sharing living quarters with their guests. Barre said they
29 were all aware Airbnb began by college guys putting an air mattress in their room and renting it
30 out and had evolved to a business where people were buying homes to do it. Hugh added he had
31 seen places combine a resident requirement and day limit. Hugh said some towns don't care about
32 the fact it's your primary residence, but when you're renting, you need to be present.

33
34 The next one was a short-term rental limit, whether it was 60 or 70 units or 10%, and decide the
35 limit and determine a way to fairly allow people who live in Chester to get a short-term rental
36 registration. Some towns set a limit and have a lottery to decide who gets registration for a period
37 before they hold another lottery. These regulations create barriers for people whose sole purpose
38 in purchasing a property is to create a short-term rental. The short-term rental waiting period was
39 on the Vermont Short-Term Rental Alliance website. It suggested when a house was sold
40 restricting it from becoming a short-term rental, which would discourage investors and wouldn't
41 work for people who try to make money off short-term rentals.

42
43 Fees and taxes would be an option to accept that short-term rentals are a reality and try to make
44 money from them and then re-invest it into workforce housing. Hugh had just read about it. He
45 wasn't suggesting they do it, but it was an option. Stowe has several short-term rentals and imposes
46 the options tax so last year they made \$550,000 from the options tax on short-term rentals. 80% of

1 Stowe's houses are second homes. Hugh said some places have chosen to take advantage of the
2 short-term rental business to generate revenue for the town which can then be used to help solve
3 the housing problem.

4

5 The last one was financial incentives. Hugh included it after he discussed with Preston an article
6 about Woodstock creating funds and offering financial incentives for property owners to agree to
7 long-term renting instead of short-term renting, creating more long-term rentals. Preston said
8 Woodstock had a local options tax and had run quick numbers for Chester just with the businesses
9 in town and didn't see where it would generate a lot of revenue. Preston added that Woodstock
10 does have the local options tax which generated enough money to offer the long-term rental
11 incentive and had one or two takers, but it wasn't overwhelming.

12

13 Peter, referring to the yellow sheet, thought if you were renting it shouldn't matter, because it made
14 the enforcement difficult. He said if you are renting or advertising, you're a short-term rental and
15 for less than 14 days a year would be hard to figure out. Peter said the market was saturated and it
16 was easy to be under 14 days and renting for 180 days per year was a lot of rentals. Hugh thought
17 and Preston confirmed that 14 days was defined by the state. Preston supposed they could choose
18 a different definition, but he had piggybacked off the state. Preston noted there were 4 people that
19 said they rent less than 14 days per year and knew one of them rents over the Christmas and New
20 Year holiday while they are away. Another said they ask high prices, so they don't get many renters
21 and were fine with that. Arianna, said to Peter's point, the home was available to rent for more
22 than 14 days per year, but it had not been rented for more than 14 days so it was an administrative
23 issue. It was up and advertised on every single site. Preston agreed they were relying on their word.
24 Hugh understood 14 days was difficult to enforce but they weren't the first town to encounter this.
25 Lee wondered how they would enforce it and what was best for the residents and suggested short-
26 term rentals must be offered by Chester residents. Lee thought it would solve a lot of problems,
27 including people purchasing properties to flip them into short-term rentals. Arne didn't think there
28 should be any regulation on hosted and said 20 years ago there were over 25 hotels, inns, and bed
29 and breakfasts and there weren't any regulations or requirements, although most did the safety
30 requirements and they were allowed because they were hosted. Arne agreed with Lee and that
31 there shouldn't be any burdens on residents. When it turned into a business, is where Arne drew
32 the line. Arne asked if inns and hotels were allowed in all districts of town and if the same
33 restrictions should apply to unhosted short-term rentals. Arne didn't want to put anymore burden
34 on people who had a hosted Airbnb or accessory dwelling unit. Lee thought there were some
35 thoughts necessary for someone who has a house and an ADU or owns the house next door. Cathy
36 was concerned about residences and those who live in Chester and said you could rent a house and
37 have an Airbnb and when they allow that, they get people to stay in an empty building and frequent
38 the stores. She didn't think it was necessary to require ownership only that they live there. Cathy
39 didn't think they had to be strict about the definition of hosted and require they be in the same
40 building. Lee referenced New York City's broken window policy and when it went into effect, a
41 whole lot of empty buildings were fixed. Lee wasn't saying Chester had the same issue but
42 wondered what was best for the community and how to encourage people who live and work in
43 Chester to afford it. Lee thought it would solve a lot of issues and help people to afford to live
44 there. Tim said the role of government was to provide services and protection for the people and
45 if people couldn't afford to live there, that was a problem. A typical scenario in Tim's mind was
46 someone of retirement age on a fixed income who had an accessory dwelling unit should be

1 permitted to rent it out as a short-term rental or a long-term rental and provided incentives to do
2 that. Tim said the flip side was taking steps to remove the business model of, I like Chester and
3 can't afford to live here but want to retire here someday, so I'll short-term rent it out in the
4 meantime, which drives up the cost of real estate. Tim thought both were detrimental to a young
5 family starting out and Tim didn't know how he would make it today if he were in that position.
6 Tim appreciated them grounding it in that position. Heather appreciated that they started it in
7 October. Heather referred to the crawl, walk, run approach, and said some things were running.
8 She didn't think they had the data yet. Heather said years ago, 40% of the housing stock was
9 second homeowners and wondered how many it was now. Cathy said it was about 50% because
10 around 800 parcels were declared homesteads and there were about 1600 kitchens in town. Tim
11 disagreed with the percentage because a homestead could also have rentals, so he thought they
12 needed to be careful. Heather thought they needed to look at it more. If people were renting their
13 second homes they already owned, she didn't want the percentage to increase and didn't want big
14 organizations to come in and buy swaths of land. Heather recognized that people who stayed in
15 short-term rentals were also part of the economy as they frequented local businesses. She thought
16 before they did that, they needed more information and numbers before they eliminated all non-
17 hosted short-term rentals. She didn't want to see the percentage of second homeowners increase.
18 Heather also thought a waiting period after purchasing a property would help to discourage big
19 investors and corporations and liked the idea of imposing a limit.

20
21 Barre said a limited supply of housing and people short-term renting more than long-term burdens
22 the town. Barre is trying to grow a business and wanted to see an ice cream shoppe and people
23 working in Smitty's and saw it as an issue of being able to afford to work here. Average income
24 people can't afford to live and work in Chester. Barre said they live in a resort area and there was
25 an economy to having guests. Barre said it brought up the Housing Committee which brought up
26 another issue that people didn't know how to build anymore. Barre thought it was complicated and
27 having friends who owned homes and didn't live here, he wanted to support them but at the same
28 time, if he wanted workers for his business, he wouldn't have them if they couldn't afford to live
29 here. When places like Aspen are setting limitations because people are being taken advantage of,
30 he wasn't so opposed to making those drastic decisions happen because it was upsetting the apple
31 cart. Barre noted people from Chester were at Dairy Joy having a burger and ice cream which is
32 something they couldn't get in Chester. Barre saw Bellows Falls had a workforce that didn't exist
33 in Chester. Lee said nothing they were discussing affected long-term rentals. Lee thought to have
34 affordable housing, they needed affordable housing or long-term rentals that were affordable and
35 wondered how to incentivize that. Lee thought if they had a plethora of short-term rentals and a
36 dearth of long-term rentals, something was wrong with that picture and wondered how they help
37 people see the advantages of a long-term rental. Lee thought part of the problem was because
38 renters have all the rights and landlords have zero rights and that needed to be fixed. Barre said his
39 building was big, but he couldn't handle having a tenant who didn't pay rent or was giving him a
40 bad time. Anyone who has lived in his building has lived there rent-free so they could walk his
41 dog and then he could kick them out if there was a problem. Barre saw no incentive to long-term
42 renting when four times the money could be made by short-term renting the same property.

43
44 To Heather's point, Hugh said if they took away unhosted, they would hurt second homeowners.
45 Short-term rent had only been around for 10 or 15 years so nobody could understand the benefit
46 economically as there wasn't enough data. Heather thought a place that was completely empty due

1 to it being a second home would help the town's economy when people were staying in it. But she
2 didn't want an increase in second homeowners. Barre said they lacked affordable housing. Barre
3 wondered if there was more energy put into affordable housing, would it change the supply and
4 demand element. Barre said Kathy Giurtino had mentioned in North Conway, hotel chains were
5 buying out 9 or 10 houses at a time for rentals and suggested they impose limits on that happening
6 in Chester. Kathy heard Marriott has 350 properties in Vermont and Hugh clarified Marriott did
7 not own the properties but is the hosting platform. Kathy thanked Lee for his earlier comment and
8 said whatever decision they made, the priority interest needed to be for the residents and those who
9 live here and contribute to the community. Currently there are four houses on North Street in
10 transition. One of them was purchased this summer with the intent of living there and it didn't
11 work out as expected so it is being rented as a short-term rental. The closing was delayed for
12 another house and the new owners will rent it out as an Airbnb with plans to retire here which
13 Kathy didn't think would happen until she was 99 at which time, she won't care what they do.
14 Kathy said it was fine to say you were going to retire there but 20 or 30 years down the road was
15 ridiculous. The Stone Inn had just sold, and Kathy didn't know the new owners' intentions. Kathy
16 mentioned the kids were already cleaning the Curran house out and it would be put on the market.
17 Kathy was concerned that if something wasn't done, people would still buy these places and turn
18 them into Airbnbs. If Kathy was in the market to buy a home and was new to town, she would
19 look for another street where there weren't so many short-term rentals or a different community.
20 She wouldn't buy a house next to an unhosted short-term rental because she would want neighbors.
21 Kathy loved the idea of not being able to rent the property out unless the owner was in it. Kathy
22 asked if the neighbors had a voice for conditional use and Preston said they could offer their
23 opinion and attend the public hearing, but they didn't get to make the decision. Kathy said the
24 voice of the neighbors should be stronger than someone new to the area wanting to purchase a
25 property and rent it out as a short-term rental. Hugh thought the DRB would view it differently if
26 they realized a lot of neighbors were unhappy, but it wouldn't be denied automatically. Kathy grew
27 up in Perkinsville and was gone for 50 years and moved back. She had always loved Chester and
28 Perkinsville is no longer the community it used to be, so it made sense to her to move to Chester,
29 where it is a full community. She said they built a house and it's their biggest asset and she was
30 afraid in 10 years they wouldn't have any neighbors. Kathy wanted to see the brakes put on
31 unhosted short-term rentals. She thought the people who live in the town are the ones who should
32 have a voice and not someone from the outside with money who can buy sight unseen over the
33 internet to turn it into an unhosted short-term rental.

34
35 Hugh said while Kathy was speaking, he realized he had skipped one of the options, the notion of
36 zoning limits. Hugh said some towns require a conditional use review to obtain a license to have
37 a short-term rental which allows the community to participate in that process. Hugh said some
38 towns designate areas where short-term rentals are permitted.

39
40 Arianna read Robert Nied's comment from Zoom, after Ariana's comment regarding specific
41 neighborhoods, Robert strongly felt that "Treating residential neighborhoods differently implies
42 residents in one neighborhood have more agency and more right to a certain quality of life than
43 another neighborhood. Applying the regulations differently in different areas opens the town to
44 suggestion that regulations are being applied arbitrarily and would be confusing to both residents
45 and those who want to run a STR as a business. Regulations should be applied consistently to all
46 residential neighborhoods." Arianna pointed out that it was related to what they had just described.

1 Tim read Steve's comment, "What's best for the town of Chester?" is a good question. We live in
2 a tourist state, in a tourist community. Much of the state's zoning doctrines follow suit. So here
3 we have Chester's constituency, wanting to make good on it from their own homes, as a 'home
4 biz' these are the very same folks struggling to find a way to pay Town taxes."

5
6 Tim said he knew of a landlord who gets verifiable references before she rents to someone and as
7 soon as triggers come in place, she has the paperwork and acts as her own legal representative and
8 moves people out who aren't paying rent. Tim wanted to point out there was a way to evict people
9 who don't pay their rent because they need more long-term rentals. Tim thought there was a supply
10 and demand issue and a set of people who want to retire to Vermont in their 40s and are planning
11 and wouldn't be able to afford to buy here without doing a short-term rental. If the ability was
12 removed for them to do that, it would open the market up to locals theoretically. Arne wanted to
13 clarify that he didn't want to close the door completely on unhosted rentals but wanted that area
14 of short-term rentals to be the one regulated and held more accountable than hosted. Lee pointed
15 out they had 5 ½ more months to figure it out and suggested they evaluate the data received. Lee
16 suggested they consider the impacts of regulating the unhosted more heavily than the hosted. Lee
17 thought it would be their job on that side of the table to figure out what made the most sense. Lee
18 referenced Steve's point about the obnoxious party-oriented rentals and the data from Preston
19 indicated it either didn't exist or was not as big a problem as it could have been so from that
20 perspective, they had protocol in place to deal with it. Hugh agreed. Barre added that STR
21 platforms make it work because they do the marketing, provide insurance, and handle refunds, and
22 the hosts and guests get ratings, and if you screw up, you're done, so that is one of the reasons
23 people decide to do those things and it makes it easier and safer for both transactional parties.
24 Barre thought they would have less parties because they wouldn't get to rent again.

25
26 Peter said an ordinance has more backtracking strength than a zoning regulation. Peter owns a STR
27 and the cost to bring a property up to code is a lot. Peter said it will cost him \$25,000 to bring his
28 property up to code. The State of Vermont regulation to let someone rent is astronomical. Peter
29 thought that was their biggest limiter. Arianna asked for clarification and Peter said if there were
30 over 8 occupants, they would need to meet the state codes. Tim noted for over 8, the ordinance
31 requires they provide the fire marshal inspection. Tim wanted to know how they currently know
32 when someone purchases a house and quietly puts it on the Airbnb platform. Preston noted
33 Granicus is still scrubbing the internet so he thought that's how they would know. They also
34 mentioned that Shawn Cunningham of The Chester Telegraph has been keeping track of them.
35 Barre said it's all online and they were paying a company \$20,000 to do it and he and his friend
36 did it in one night. Cathy said it is a fast-changing picture and she doesn't have the time to spend
37 constantly checking the internet and Granicus is doing that. Cathy added that the registration time
38 is a process and that is costing the town money not having it.

39
40 Kathy Giurtino said people will be blackballed by Airbnb if they mess up but there was a whole
41 gray area that she has experienced where things happen that don't make you call the police. They
42 are intrusive and diminish your quality of life and cause you concern. Kathy said you can't contact
43 the owner because they're not around and even if someone isn't allowed to return because of their
44 behavior, the weekend has already been spoiled and the situation has happened. Kathy thought
45 that was a reason why it is so important for neighbors to have a say because they may not want to
46 live next door to that. She said police numbers were incidental because so much else is involved.

1 Hugh said they could all agree they were struggling with the vendor, and it would either work itself
2 out or they would find a new vendor. The stuff they've contracted for is the stuff that's important
3 foundational work. To Kathy's point, with the hotline, you can register a complaint through the
4 system, and they will track which properties in Chester are party houses. Hugh also agreed with
5 Cathy Hasbrouck that while people can search who has a STR listing on a platform, it is only a
6 point in time, and changes regularly. Hugh said Preston and Cathy have done a lot of work getting
7 registrations in place and it would all go online and be automated, and the vendor would take the
8 burden off what they're doing now. Hugh expected over time the kinks would get worked out. It
9 would streamline their ability to contact hosts to register. Hugh added that it wasn't just the data
10 they were receiving but all the stuff surrounding it to make the ordinance work and to enforce it.

11
12 Peter said if he rented his house as a long-term rental for one person, he would have to have the
13 fire marshal and the electrical inspector inspect it but under the current ordinance, if he short-term
14 rents it to 8 people or less, none of that is necessary. Peter said long-term rentals were being
15 penalized and Tim thought that was a good point and asked how well the state enforces it. Tim
16 considered buying a 3 unit in Chester and ultimately decided not to buy it and said he would be
17 shocked if a state fire marshal or electrical inspector had ever set foot in it. One of the reasons Tim
18 had decided not to buy it was because of all the work necessary to make it somewhere he would
19 want to live. Tim asked if the state was up on it and Peter said the state's enforcement had been
20 extremely lax for years and in the past 3 years has greatly improved. The fire marshal was only
21 inspecting for fire code and life safety but now they are supposed to be educated in BOCA. Tim
22 asked if the state was actively inspecting rental properties and Peter said new rentals. Preston said
23 in terms of short-term rentals, that was the value of the ordinance. Preston's impression was that
24 if the state wasn't alerted, they weren't actively inspecting, and Peter added they were way
25 understaffed to which Preston agreed. Peter said to do it properly, they need more staff. Hugh said
26 the exception wasn't you were exempt from doing the right thing but that you self-attest. Hugh
27 said the short-term rental operator self-attests to the checklist saying their place is safe and they
28 have the right number of smoke alarms, insurance, and they sign it. If none of those things are true,
29 there is some liability for the operator. Hugh clarified it wasn't a free pass for 8 and under guests.
30 Arne asked if it required proof of commercial insurance. Preston said the ordinance requires they
31 have insurance, but the host platform offers insurance, so Preston thought it was toothless. Barre
32 said one of the things they hadn't discussed encouragement to have a short-term rental. Barre won
33 the unique Airbnb structure with some of his friends but couldn't facilitate it with them and make
34 a deal the way he had hoped. They won a \$100,000 prize and are building it now. Barre is working
35 on adventure stay structures with a bear and owl and thought if they encouraged people to make
36 specific structures for short-term rentals, they would increase the demand, encourage tourism, but
37 not use the housing stock in the Stone Village. Barre thought the rules should include a clause for
38 adventure stay or newly purpose built short-term rental structures because they weren't affecting
39 their current housing limit. Hugh thought that made sense.

40
41 Hugh said a few towns had basic registration like Chester and a few towns had resident
42 requirements and hosted only. Hugh thought the takeaway was there was a ton of activity in most
43 towns, but Chester was a little ahead because they had something in place while most were trying
44 to figure out something to do. Cathy asked if Burlington was being sued. Hugh had heard that and
45 said Burlington was mostly hosted and maybe one unhosted permitted and a clause for registered
46 vacation homes, which Hugh didn't know what that meant in Burlington. Kathy Giurtino said

1 when she spoke with the people in Burlington, they said for a multi-unit building, you could have
2 one short-term rental provided you had one as an affordable housing rental and the rest were
3 hosted. Hugh asked if anyone recalled Burlington being taken to court. Heather had heard there
4 were a lot of lawsuits. Hugh heard that at least one of the lawsuits in New York was dismissed.
5 Arne said New York has a lot of ordinances which get challenged.

6
7 Arne said the clock started ticking October 1st and the more voices they had at the table, like the
8 Planning Commission, the more it helped. Arne wasn't sure if they would go the ordinance route
9 or through the Planning Commission but was glad that they had started the discussion earlier than
10 later and thanked the Commission for letting them join. Arne noted the Selectboard would not
11 meet on Wednesday but would meet on the third Wednesday of October. Preston said the Vermont
12 Digger had an article on September first stating a dozen citizens are suing the City of Burlington
13 over their short-term rental ordinance. Preston added that one of the attorneys was Liam Murphy
14 who was well known. Heather thought it was good to observe.

15
16 (The Selectboard left the meeting. – 8:27 p.m.)

17 18 **Agenda Item 4, Status on Upcoming 10/16 Public Hearing for Village District UBD Updates**

19
20 Hugh knew Cathy was doing all the work for the transmission of everything and asked if it had
21 happened. Cathy said it had not and asked if Jason said anything about the reporting form. Preston
22 didn't know. Cathy said the work involved was a reporting form that summarized what was being
23 done and needed it before she transmitted everything. Cathy said if anyone had time, she needed
24 to contact the 9 towns to confirm that their Planning Commission Chairs were the ones on the list
25 she had and that she could reach them. Tim asked for the list of towns and phone numbers, and he
26 would call and get the information. Cathy and Preston understood that Jason was swamped with
27 work the same as they are. Cathy noted that not all towns were open daily. Tim asked if it meant
28 they couldn't have the hearing and Preston said if it was properly warned, the hearing could
29 happen. Hugh noticed the public hearing notice was on the Chester website, but not the documents.
30 Hugh said they should include the link to the documents when advertising the public hearing on
31 the town website. Cathy would follow-up with Amie the next day. Hugh asked if they wanted to
32 do a press release about the public hearing and the changes. Preston said he would use bullet points
33 of what it was, like in the past. Hugh wondered if they should write something to the Selectboard
34 that would be a one-to-two-page summary and part of the package so a citizen could get the gist
35 of it without reading 50 pages. Hugh was looking for a decent high-level summary of what they
36 were doing. Preston agreed it was appropriate to provide one. Barre thought, as public servants
37 doing all the work, that they were entrusted to have the meeting and provide people an opportunity
38 to ask questions and learn what was going on, but it was a lot of work to have an executive
39 summary and he didn't know who in Chester would read it. Barre understood that Hugh, coming
40 from the corporate world, would want an executive summary but didn't think people in small-town
41 Chester with 800 homesteads would care and that the work wasn't necessary. Hugh thought it was
42 a valid question but thought as a group, they could put an executive summary together with a few
43 hours of work. Hugh thought the public and the Selectboard will have a difficult time processing
44 the work the Commission had done without the summary. Tim thought it would be well worth a
45 few hours of work to help people understand. Hugh was volunteering to write it but didn't think
46 he could do it as efficiently as Preston. Hugh thought where there was water and sewer, they were

1 creating more density, reducing lot sizes, having more housing density and why they were doing
2 it the Commission understood but someone attending the meeting may not, so an executive
3 summary would provide those answers. Hugh thought the zone translation summary was
4 important. The question Hugh put to Jason in an email was that he wanted to see was a property
5 that used to be R20 and now was in Neighborhood and to explain the translation. Ultimately, they
6 may be able to do that, but Jason said he couldn't get that level of work done in time for the hearing,
7 but he didn't say it was impossible. Hugh said there was a discussion about when overlay was an
8 issue, so he asked for a list. Cathy said they hoped a map could unload into a list. When Jason
9 explained the level of effort to create it, Hugh abandoned pursuing it for now. Hugh thought a
10 press release and executive summary would be helpful. Preston could start on them tomorrow.
11 Hugh said they still didn't have the last version of UDBs posted. Cathy really wanted the section
12 name on the page but had not yet received a response from Jason or Malia. Hugh wondered if they
13 could post something without it and go back later and fix it. Cathy said it wasn't just posting but
14 they needed something for the DRB. Preston said they needed someone who knew how to link
15 tables of content with pages in Word and agreed it was foolish to be unable to move forward
16 because someone lacked the expertise.

17
18 Hugh wanted to make sure they were prepared to respond. They weren't reviewing this round of
19 changes with the DRB or meeting with them before the public hearing. Cathy said they wouldn't
20 want to. Hugh said they were jammed up with the quarry and Preston agreed. Hugh wondered if it
21 would make sense for him to reach out to Bob and notify him changes would be coming and
22 provide him with a draft and an executive summary and ask them to attend the public hearing.
23 Preston thought that was a great approach and instead of tying up the DRB's time and inviting
24 them to the hearing. Preston noted Bob was back in Chester. Hugh didn't want to be perceived as
25 being non-inclusive but understood logistically, a dedicated meeting wouldn't work. Preston said
26 Peter once said he wouldn't vote for anything if it hadn't been reviewed with the DRB. Preston
27 suggested offering to meet with the DRB if they could find time and Hugh agreed.

28

29

Agenda Item 5, Adjournment

30

31 Cathy moved to adjourn, and Tim seconded the motion. The motion carried unanimously. The
32 meeting was adjourned at 8:48 p.m.