

**Minutes for Zoning Board of Adjustment  
September 25, 2014**

**Roll Call**

Present for the hearing were Donahue, Ruttenberg, Bailey, and Skinner. Michele Braun was present as Clerk.

Members of the public present included:

Diane & Steven Martin – *466 Steele Hill, East Roxbury*

Renée Beebe – *44 Winter Street*

Shirley Melville- *12 Shaw Circle*

Gretchen Dunn - *122 Winter Street*

**Approval of Minutes 140828:** Ruttenberg moved to approve minutes of Meeting 140828 as written; Bailey seconded the motion. **The motion passed 5-0-0.**

**Approval of Minutes 140904:** Remove strikethrough October 15<sup>th</sup> date and leave clean November date. Bailey moved to approve minutes of Meeting 140904 with edit; Skinner seconded the motion. **The motion passed 5-0-0.**

**Hearing 140925-1:** Diane Martin and Ann Turner have applied to use their property at 68 Winter Street as a vacation home rental. The home would be rented by one person/family at any one time, for stays of variable duration, throughout the year.

Mrs. Martin's parents lived in the house since the early 1970's, both worked at Norwich University, and hosted many NU visitors. Her father died five years ago. Mrs. Martin wants to rent the home to visitors, and believes this use of the property would improve the neighborhood. There is parking for three cars. Visitors will add to the local economy and improve the community. Mr. Martin is already a landlord, with a storage business and multiple long-term rental properties, so they are not new to the property rental business. Mrs. Martin went to Northfield High School, and her children went to Northfield High School.

Bailey asked how the property would be advertised.

Mrs. Martin stated that she planned to create a web page, and list it on B&B web sites and other internet sites. She noted that there aren't a lot of rooms available for short-term rentals in Northfield.

Smith asked about the target audience and length of stay, and whether visiting professors might be a possibility.

Mrs. Martin listed Norwich University alumni, parents of students, maybe some skiers. She added that the new entry to the hockey arena is dedicated to her parents, and alumni and other Norwich affiliates remember her parents well and fondly, and would like to stay in their former home. She plans on having no minimum required length of stay; and hopes most visitors will stay for a weekend or a week. She would like to have visiting professors; longer stays are easier as far as cleaning, changing sheets, etc.

Ms. Beebe stated that she has children, the neighborhood includes retirees and families. She asserted that this use would cause traffic to increase. The visitors wouldn't be invested in the neighborhood, and wouldn't respect the neighbors. She asked what her recourse would be if visitors are rowdy. Five rowdy groups per year would be a lot to have to deal with.

Ms. Melville has lived in the neighborhood since 1968, except when deployed overseas. She has loved the neighborhood because it is a neighborhood. She asserted that renting houses out changes a neighborhood; she is concerned about people coming in and out.

Ms. Dunn stated that this would be a change of venue for the neighborhood. Now, the neighborhood is retired people and family homes, kids run and play in street, it is the joy of Northfield. A tourist property would be un-vetted people with no vested interest in the neighborhood. People who rent for a year have a vested interest in having good relations with their neighbors; there is more accountability.

Mrs. Martin responded to the neighbors' comments. It is not entirely a neighborhood of retirees, the house next door is owned by the grandparents of Norwich cadets, and five cadets live there. They are very nice boys. Renée Beebe has an apartment that she rents by the year. People staying at the house would be paying a good amount, and that should exclude riff-raff and low-quality people. The visitors will be people with the means to travel. Mr. and Mrs. Martin will be in town, and will respond immediately to any issues; they live in East Roxbury, five miles away, and will not travel, because they are caring for Mrs. Martin's mother.

Ms. Beebe acknowledged that she has apartment, that there is a house with cadets, and that there is another rental property on the street, where new tenants have just moved in.

Mrs. Martin – guests do have interest in behaving well, if they want to rent again. The guests may have less interest in neighborhood, but Martins have rested interest. Have been here many years. N.U. is growing, other businesses are being lost, need this to help economy.

Smith asked why they chose this business model; they could sell the property or rent it long-term.

Mrs. Martin stated that she wants a new challenge, and thinks it will be fun to run a vacation house. Her father didn't want her to sell it, and she and her husband want to retire there. They want the rental income to improve the property.

Ms. Dunn asked whether this use requires a variance, and whether this approval goes with the property if the property is sold.

Smith replied that Tourist Home is an allowed use in district, with conditional use approval.

Mrs. Martin replied that it is their intention to keep the house in her family.

Ruttenberg asked whether there are conditions that would address the neighbors' concerns and be acceptable to the owners.

Dunn stated that there are unwritten rules of every community. On their street, these include looking out for Shirley, Mo (age 103), and kids sliding on the street. Tourists won't know these rules.

Mrs. Martin stated that she is planning to have a notebook with information on local attractions, and would include the rules of house for visitors.

Beebe asked Mrs. Martin to consider long-term rental.

Mrs. Martin replied that the Tourist Home use would make more money, which would pay for updates to the house, and also meet a need in community. She and her husband have a lot of experience with renters, and it can cost thousands of dollars, and take six months to evict difficult tenants. Changes in tenants every year can be trying, too.

Ruttenberg shared that she previously lived in a neighborhood that was a mixture of more stable, seasonal, short-term, and long-term rentals, and it was fine. The ZBA can place strict rules on the use; what do neighbors feel need to be rules?

Ms. Melville stated, in regard to parking, the visitors can't park on the street, there is not enough room.

Mrs. Martin stated that she plans to meet arriving visitors at the house with the key. The house can sleep a limit of six people, plus a baby.

Skinner felt the conversation was going far astray of what the Board can do.

7:40 pm – public hearing closed

Donahue pointed out the alternative: a long-term rental could have five unrelated people with five cars, parking on the street, police coming to ticket the cars, at the very least. The proposed use is allowable, and it is not out of character for the neighborhood. There are alternatives that could be much worse.

Smith read the definition of Tourist Home, and reiterated that the board can place conditions that respond to community concerns.

Bailey proposed conditions:

1. There will be a limit of six adult occupants;
2. There will be no on-street parking; and
3. The owner will establish rules to maintain respect of neighborhood.

Smith added that the availability and responsiveness of the owners is important, but there may not be a practical way to make it a condition.

Mrs. Martin stated that they are used to being available 24/7 to tenants on Pleasant Street, Cross Street, and other properties. She will make their cell phone numbers available to neighbors.

Ruttenberg asked whether pets would be allowed; the Martins are still discussing this between themselves.

Ruttenberg moved to approve motion with conditions proposed by Bailey (above); Bailey seconded the motion. **The motion passed 5-0-0.**

Bailey moved to adjourn; **the motion passed 5-0-0.**

**These minutes were approved at the October 23, 2014 meeting of the Zoning Board of Adjustment, and serve as the record of decision in the matters considered above.**

**Please note: An appeal of this decision may be taken by filing, within 30 days of the date of this decision, a notice of appeal and the required fee by certified mail with the Superior Court, Environmental Division. (See V.R.E.C.P. 5(b).) A copy of the notice of appeal also must be mailed to the Town of Northfield at 51 South Main Street, Northfield, VT 05663. (See V.R.E.C.P. 5(b)(4)(A).) Please contact the Environmental Division at [www.vermontjudiciary.org](http://www.vermontjudiciary.org) or at (802) 951-1740 for more information on filing requirements, deadlines, fees and address.**