January 13, 2021

Dear Town of Greensboro's Planning Commission:

Thank you for today's meeting. It was clear that your proposed Short Term Rental bylaw is widely disliked. I was heartened to learn there was a letter signed by 50 people opposing it! I look forward to reading that in the public record. There were no positive comments made from the public, either voiced or written in the chat. It seems that this idea is dead on arrival after tonight.

In the event that you try to resurrect it, I would like to call attention to something Carol Fairbank seemed to understand after I wrote it in the chat only. You should not restrict consideration only to those landowners who are Greensboro voters. First, a significant number of the people forced to rent lake houses in order to maintain them do not live in Greensboro year round, as the lake houses are not habitable year round. For example, I am not a Greensboro voter because I do not live year round in Greensboro. My house is only habitable for 3.5 months a year. I rent my house there for far more of those 3.5 months than I would like in order to pay over $15,000 a year in taxes there. To exclude me would be the definition of taxation without representation. I think Ms. Fairbank understood this eventually, but I wanted to make sure. I know there are others as well.

While it seems that this STR bylaw should be scrapped, David Miltenberger seemed to feel it should be scrapped for a different reason than many others. He felt that because of the public outcry and resulting reductions to the bylaw, you were not accomplishing enough to make it worth it. Many in the chat liked that idea, but not for Mr. Miltenberger's reasons.

I believe you would have far better public response if:

- You define the problem(s). Ms. Armstrong read a long essay to the public at the beginning of the meeting. If one cannot make a point about the need for a bylaw without an essay or some other 12-page document entitled "Rationale for...," that often reflects inadequacy of content. Ms. Armstrong's points were different from Mr Miltenberger's. He was focused on "mass hotels" and "party houses."
- You demonstrate that these clearly identified problems are legitimate with data. Link short term rentals to phosphorus levels. Link short term rentals to lack of safety. Link them to party houses. Link them to mass hotels. Link them to subversive activities, but they cannot be invented activities.
- Identify solutions to named problems that have potential for working. Avoid solutions that create additional problems and hardships.

Ms. Armstrong's suggestion to close the chat feature of the Zoom meeting would serve to limit communication between likeminded community members in future meetings where public comment is by definition very limited. At the moment there are many community members who think this proposed bylaw is terrible, and while that may not be pleasant, you should not limit their communications with each other on this topic. A simple Zoom tutorial could limit Ms. Armstrong's distractions without making the community feel silenced at a time when they already feel grossly misrepresented by the Planning Commission.
Finally, it does not seem reasonable to require full names of the public attending your Zoom meetings while allowing your speaking committee members to hide behind business names and first names only. It is time to recognize the public outcry is deserved and demands the reflection of your committee.

Sincerely,
Katherine Needleman
Maureen Mitchell

Greensboro, VT 05841


Sent to Planning Commission via email to Brett Stanciu, zoning@greensborovt.org

On behalf of myself and my Greensboro property co-owners, E. Siobhan Mitchell and Andrew Mitchell, I write to express our firm objection to the proposed Short-Term Rental Bylaw, draft 1.13.2021 and related documents.

Overview of Comments

This proposed Bylaw seeking to regulate short-term rentals (STRs) in Greensboro is the quintessential solution in search of a problem. Nothing in the Rationale document offers any explanation for why this Bylaw is appropriate in Greensboro, Vermont. Cited references and comparisons to other Vermont town bylaws are not a valid substitute for an actual justification for the circumstances in Greensboro. The Rationale claims its proposal “recognizes some competing interests surrounding the STR industry without stating it in pejorative terms” (at 3, emphasis in original), but the entire essence of the proposed Bylaw is pejorative, both in its approach to so-called “legacy” homeowners offering STRs (despite the claim to “not criticize” them) and the guests who avail of short term rentals. This endeavor perpetuates an unfortunate “us” versus “them” attitude, casting owners and guests of STRs in an negative light by promoting the unsubstantiated notion that they are disrupting the “traditional peace and quiet of their neighborhoods” (Rationale, at 2) and “rural character” (Rationale, at 4) of Greensboro and that this permitting scheme is needed to ensure rentals are conducted “in a responsible manner.” (Rationale, at 3). Before asking “Why Are STRs a Problem?”(Rationale, at 4), the proponents of this Bylaw should first ask “Are STRs a Problem?” I will presume that the proponents are well-intentioned, following the trend embodied in recent enactments of Stowe, Burlington, and others. But we are not like those Vermont ski resort towns and small cities with high demand for nightly hotel accommodations and for which STR regulation addresses a genuine need. The impacts of this Bylaw will be far reaching and create unnecessary burdens for the vast majority of Greensboro property owners who utilize STRs to help make ends meet. We do not need or want a permitting process for Short Term Rentals in Greensboro.

At our family property at 84 Mitchell Place (in the Shireland Protection District on the North Shore, by Huckleberry Rocks), we have rented to vacationing visitors for decades. The fact is that short-term renters are people who appreciate and seek out the same rural character that Greensboro residents and visitors enjoy. We know, because they come to our cottages again and again, waiting patiently in the winter months to make their reservations. We get to know them and their families, including subsequent generations who want to create childhood memories of Greensboro for their children and grandchildren. In the process, we have made lifelong, dear friends. We do this not as a commercial
enterprise, but because we enjoy sharing our love of Greensboro, Caspian Lake, and the Northeast Kingdom with others who feel the same way we do. Since the 1997 enactment of Act 60, our property taxes have increased almost 400% (compared to 62% inflation over the same time period), to the current amount of $23,837.¹ Like many Greensboro lakeshore property owners, we have relied more on short-term rentals to help reduce the financial burden of this annual tax bill, in addition to the high maintenance costs for our rustic cottages and boathouse. This is a reality compounded by the fact that modern jobs and lifestyles afford far less time to spend in Greensboro during the short summer season, which is when most STRs occur. We want to help others access and enjoy Greensboro during times when we are unable to do so ourselves. Despite the high costs of ownership, lakeshore properties, even seasonal residences, remain in high demand, are rarely available for purchase, and are priced out of reach of the vast majority of vacationers. Short-term rentals make such properties accessible and reduce the inequities between those who were fortunate enough to purchase or inherit their family homes and those who were not.

There is no evidence presented that a “commercialized” short-term rental industry exists in Greensboro, or that “ultra STR” rentals (which we interpret as high turnover, less than 7 nights) attract events that are incompatible with the peace and quiet of Greensboro’s residential areas. The last thing we need as property owners is an additional layer of regulation that will impose additional costs on us, both in terms of time and money. We already comply with applicable fire, safety, and health standards imposed by the State. As required by State law, we collect and remit Vermont Rooms Tax to the Department of Revenue and include our account number on the limited advertising we have (not AirBnB). We are responsible property owners who properly maintain the septic systems on our property. Their failure would have an immediate adverse effect on our own usage of our property and our cost of ownership. We therefore do not need the Town to regulate our occupancy and septic system usage. Water quality in Caspian Lake is most adversely affected by sedimentation and runoff from roads and developed land on shoreline areas. See Greensboro Town Plan, rev. July 31, 2018, at 26. The Planning Commission’s efforts would be better served by focusing on actual problems that exist in Greensboro, rather than imaginary ones.

The permitting process appears to establish a program that will require substantial Town resources to implement the permit approval and site inspection program.² Before adopting an unwieldy and burdensome program, the Town should quantify those resource demands and explain why such an allocation of resources is beneficial, in light of other more pressing community needs.

Specific Comments

1. Please use numerical/alphabetical formatting and headings that clearly identify of the sections and subsections at issue. The draft Bylaw lacks sequential numbers and headings. The comments below will attempt to reference by page number, paragraph number, and heading shown in the draft Bylaw.

¹ The goals and purpose of Act 60 are laudable and we support them; that said, this tax burden vastly exceeds what a comparable property tax bill would be for a similarly valued home in other states.
² It appears that hosting friends or other guests gratis or for a nominal rent (e.g. cleaning costs) would trigger the permit requirement. Even those who don’t advertise or normally rent out their property would need to get a permit for any transaction involving rental or third party use of a vacation property that exceeds 14 nights. Is this what the Planning Commission intends? If so, it will unreasonably interfere with property owners’ rights to use their property as they wish.
2. Page 1, Section A. Greensboro property owners have offered short-term rentals for decades and they have never been classified as a “conditional use.” Imposing a permit requirement is simply a bureaucratic burden that provides no additional health, safety, or zoning benefit. The Town should not make short-term rentals subject to a permit requirement. To the extent there is uncertainty about the legality of short-term rentals in the Shoreland Protection District, they should be classified as an outright permitted use. This is because renting out a vacation home for use as a vacation home is indistinguishable from the owner’s use of the home. There is no additional impact (e.g. traffic, parking, septic system use) associated with the STR based on the ownership status of the occupant.

3. Page 1, Section A. Neither Section A nor any other section of the Bylaws defines the standards by which the Development Review Board will review and approve applications for a conditional use permit. This makes it likely that approval/denial of STR permit applications will be arbitrary and capricious. Some Vermont towns, like Killington, require registration instead of a permit application subject to approval. Why did the Planning Commission reject this approach?

4. Page 1, Section (B). A permit to operate an STR is an unnecessary burden, for the reasons stated above in the General Comments. If the Town believes that standards regarding signage and parking need to be established, it can do so without a permit requirement. If the permit requirement is enacted, a phased approach to registering STR properties should be implemented, to allow STRs to continue operations and honor bookings while the initial wave of applications is processed.

5. Pages 1-2, Section B. Permit applications and related Bylaw Provisions.
   
   a. Page 2, Section 1. Vermont law requires completion, but not posting of the Vermont Short Term Rental Safety, Health and Financial Obligation Form. We have already posted the responsible operator’s phone number and Vermont Department of Health and Vermont Division of Fire Safety contact information, as required. What purpose does posting of this form serve and why does the Town want to supersede and go beyond the State’s requirements?
   
   b. Page 2, Section 2. We already have a Vermont rooms tax account and regularly remit collected taxes. We include our account number on the website where we advertise. The Department of Revenue is fully capable of ensuring compliance. What role does the Town have in this area?
   
   c. Page 2, Section 3. Many STRs, like ours, have septic systems that pre-date the 2007 wastewater permit rules adopted by Vermont and are grandfathered in. How does the Town propose to establish capacity limits for such STRs, and will this be a prerequisite to getting a permit to operate? What is a “lister card”? Will property owners have recourse if the Town lister does not issue one or there is a disagreement about capacity?
   
   d. Page 2, Section 4. Site Plan. Preparing a site plan simply imposes additional work on the STR operator, with no improvement of health or safety of the community. It is not appropriate to treat STRs the same as a proposal to alter the site characteristics or structures, or as commencing a “business” that is virtually indistinguishable from normal use and occupancy of a residence.
e. Why are STR operators responsible for obtaining and providing phone numbers of their abutting landowners? Landowners may be unwilling to share or have their phone numbers distributed.

f. Page 2, Section 5. The requirement for a 24-hour on-call emergency contact with geographical proximity is problematic. Does the STR owner have to update the permit application if their contact is on vacation or takes a trip? Is there a continuing obligation to update the permit application when a change in contact occurs? Note that the Bylaw requires the person to be geographically proximate. What does “geographically proximate” mean? The application form omits this language. If the rental property is used seasonally, can the contact be geographically proximate during just the months when rentals occur?

g. Page 2, Section 2. 1% Rooms tax on STR revenues. The Town has not provided any justification for adding a 1% tax on top of the Rooms tax remitted to the State. STR operators do not need the additional burden of accounting for and remitting taxes to the Town. Does the Town need this money? The Town’s annual budget of $2 million will be substantially increased by this revenue and it is not clear what environmental concerns and education and recreation will be funded by this revenue. This tax will simply increase the cost of vacationing in Greensboro, making other towns more attractive to guests.

h. Permission to enter. The Zoning Administrator authorization to enter contains no restrictions. There should be language requiring advance notice to the Owner and such entry must be during reasonable hours (i.e. business hours).

i. Prohibited activities, page 2. This restriction overly broad and unreasonable. Parties, weddings, reunions, fundraisers, and catered events are parts of everyday life in Greensboro and wherever people live and work. The fact is that STRs in Greensboro are used for such events by owners and guests alike. There is nothing inherently problematic or offensive about such events. We don’t advertise our STR as suitable for such events, but we cannot fathom the steps we would need to take to make our property “unavailable” for these events. Applied literally, we should take it out of the rental pool entirely to make it truly “unavailable.” The Planning Commission needs to consider the feasibility of enforcing the requirement not to make a property available for such an event. Is this limited to being silent on advertising? Does the property owner need to affirmatively inquire about the guests’ planned activities? Do we also have to police the property during the rental and take steps to end such usage if it occurs? Must I tell guests (as I did recently for a guest attending a memorial service) that we have excellent local caterers (Craftsberry General Store, take note!) for a reception, however under newly-adopted rules catering is not allowed – they must rely on self-prepared food? Is our 150’ long private beach now unavailable for exchanging vows? Since small and medium parties are ok, let’s get down to the business of defining what constitutes a “large” party. Does it depend on the size of the structure, property, or someone’s subjective view of when a party has one reveler too many? These prohibitions are unfair to the property owner and to guests who seek out places like Greensboro specifically to conduct such events because of its beauty and special connection to those celebration-worthy events -- birth, marriage, death, birthdays, etc.

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3 We have no reason to believe conferences are part of everyday life in Greensboro, but we are not privy to the types of facilities and events taking place in Greensboro. Perhaps Highland Lodge and the People’s Barn would be suitable venues but we are not aware of regular usage as such for conferences.
j. The 3-day minimum rental in the Shoreland Protection District is unreasonable, impractical, and unnecessary. For starters, our peak season really starts on or around July 1 and ends before Labor Day and we have a one-week minimum in July and August. As a matter of policy, we already impose a 3-day minimum in June and September because our cottages, like most on the lake, are poorly suited for nightly rentals. They are too large and rustic to turn over quickly between nightly rental guests. But we know that this is no impediment for persons who choose to use the property for 1 or 2 nights and simply pay for the 3 nights. If the intent is to try to prevent rentals for parties or disruptive uses, this is not an effective method and simply interferes with property owner rights. Finally, while we strive for minimum 3 or 7 night rentals, occasionally gaps in the calendar do happen. Why should we not be able to offer a 1 or 2 night rental, as we have when nearby weddings and festivals are taking place or families are dropping campers off at Circus Smirkus camp? It is ridiculous to have to tell those guests to seek lodging in Craftsbury or Hardwick when we can easily and happily accommodate them and enhance their experience with convenient lodging in a beautiful setting.

k. Dock sharing. We already inform guests of shared usage of our dock among our cottages. It seems unnecessary to require us to post a letter—among the ever growing list of postings—to this effect. We prefer that our interior décor not look like the backroom of a Walmart, littered with HR and employee safety notices.

6. The overall quality of the drafting of the proposed Bylaw is poor. In addition to having a confusing format of numbering and identifying sections and paragraphs, it lacks a section for defining terms used in the Bylaws, e.g., Short Term Rental, geographically proximate, lister card, large parties. Numerous provisions are vague, overly broad, and/or ambiguous. This creates a high likelihood of problematic, if not impossible, enforcement and wasteful expenditure of Town resources. The consultant Brandi Saxton was retained for $1500 (8/8/2020 GPC Meeting Minutes), however she appears to be a land use planner, not an attorney. Improved clarity, organization, and attention to detail in the drafting of a legal document would be highly beneficial.

7. The public notice posting of the draft Bylaw was inadequate. No public notice was posted in the Hardwick Gazette or on the Town website. The only invitation for public comment came from the Greensboro Association email distribution list. Full public participation in the legislative process requires adequate public notice, which in this instance was lacking.

Comments on the Rationale for STR Bylaw

It is very difficult to see how this Bylaw will “encourage and support a wider cross-section of the Greensboro community to realize an income from the STR business.” What the Bylaw proposes is a duplicative permitting scheme that replicates (but does not improve upon) pre-existing State regulatory programs. The goals of protecting lakes from failed septic systems and ensuring that lodging meets applicable health and safety requirements are already accomplished through existing state and local regulation. How the Town’s proposed Bylaw advances this objective is unclear. What is clear is that the proposed Bylaw will make it more burdensome to offer STRs to the public. The DRB will have authority to approve or deny permit applications, without any standards governing such approvals or denials. In the AirBnB era, most opposition to STRs comes from hotel and B&B businesses, which find the STRs’ lack of regulation and lower cost of business due to avoided hospitality taxes and regulation have the effect of interfering with their business. See e.g. Stowe, Burlington, Killington, Ludlow. This is the cited
concern described in the referenced PRS Policy Brief on Short-Term Rental Units: Regulations and Impacts in Vermont. But in Greensboro, there is no suggestion that our sole hotel, Highland Lodge, has lost business due to being uncompetitive compared to STRs. Other concerns derive from having a large volume of condos and apartments that are attractive alternatives to nightly hotel lodgings, but without on-site management to address health, safety, maintenance, and nuisance issues. This is also not the case in Greensboro. Other opposition comes from proponents of affordable long-term housing and the detrimental impact on neighborhoods when housing is converted from long-term to short term, described in the cited article at www.keepneighborhoodsfirst.org/strproblem. But that is equally inapplicable in Greensboro, where most vacation properties are not available for long-term housing, because (a) owners use the property themselves for vacation and rent out when they are not occupying the house and/or (b) the property is not equipped for year-round living. If the Planning Commission has information that STRs are creating nuisances or interfering with the peace and tranquility of our community, they need to come out and say so and provide concrete (non-speculative) justification for this regulation. Only with such evidence can the community evaluate in a meaningful way whether the proposed regulations are proportionate and reasonably tailored to accomplish their goals.

Conclusion

The Planning Commission and Select Board should reject this proposed Bylaw. It is unnecessary and will unreasonably burden Greensboro property owners, year-round and summer residents alike. Even if there are valid concerns about signage, parking, etc., these can be regulated via ordinance or bylaw, without a burdensome permitting process. There is no need to pass this Bylaw and we sincerely hope it does not become law in Greensboro. Based on our decades of experience, this Bylaw would likely interfere with long-standing landlord-tenant relationships. Financially secure property owners not willing to incur the cost and burden of permitting will opt to simply stop renting their properties and take them out of the vacation rental pool. This will reduce the available vacation housing supply, which in turn is more likely to increase rental housing costs. Returning renters finding that their treasured cottage is no longer available are likely to go elsewhere for vacation. Greensboro will become less accessible and less desirable compared to other towns. For those property owners who rely on rental income to offset the high ownership costs, they will face a new bureaucratic permitting process that provides no meaningful benefits for health, safety, and the environment in light of already-existing state laws. We urge the Planning Commission to proceed no further with this unnecessary bureaucratic endeavor.
1/11/2021

To Whom it May Concern:

I hope this letter finds you all well. On behalf of myself, my husband and co-owner, Joan Watrous, I write to express our objection to the proposed Short-Term Rental Bylaw, draft 1.1.

The proposed Bylaw seems to be duplicating what the State of Vermont has already regulated and the imposed taxes would only be creating further hardship for property owners. The cited references in the proposed Bylaw compare Greensboro to other towns, but do not prove that they are necessary to our specific town.

There is not evidence that a “commercialized” short term rental industry even exists in Greensboro. My understanding is that a limited number of homeowners rent on a minimal basis, solely to offset the ever-rising taxes. This has no impact on the one lodge and non-operating Inn in the town. While our family does not seek to rent on a regular basis, we want to have the continued option to do so in accordance with the regulations set forth by the State of Vermont. Imposing a local permit does not facilitate any further health, safety or zoning benefits to the town or renter.

Greensboro property owners have for decades rented their homes without adding any additional impact to the community and or environment. Most homeowners are using the utmost discretion to assure visitors will love and respect our homes and Greensboro the way we do. The current influx in town this year has been due to the COVID19 pandemic and should not be considered to gauge typical impact on the town usage.

Our family and neighboring relatives have owned our property for over 105 years. While we may maintain full time residency elsewhere, Greensboro is home and where our hearts are. We have the utmost respect for our town, lake, and property. While we may be “legacy” property owners, our ancestors before us, have certainly contributed to Greensboro. For the past 100 plus years we have been taxpayers, contributing locally and statewide to the education and resources by paying high taxes and not using the resources. Our family strives to shop locally, employ residents, and protect the integrity of Greensboro. We would much rather put our money into the local economy than in a duplicate tax that will in no way enhance or benefit the town.

In closing, I would like to thank you for your consideration and wish you all a happy and healthy new year.

Regards,

[Signature]

Janine M. Marks/ Jeffreyn Greene
February 6, 2021

Please consider applying all rules equally throughout the area - not a subset to cover only the Shoreland Protection District. Quiet, peaceful time in Greensboro should be an issue for all. Not renting houses for overnight stays, or renting by room or overloading capacity within a house directly impacts the entire community - not just those who live around the lake. The size of one's septic system, while important for the lake's purity, has nothing to do with these decisions. Thank you for your consideration,

Maura Sylvester

January 27, 2021

To the Greensboro Planning Board,

Thank You for allowing us input into the proposed STR bylaw for the Town of Greensboro. The zoom meeting was helpful and cleared up a lot of issues.

My wife Nancy and I own The Stuga in Greensboro, VT. My wife grew up on Caspian Lake and we have a home in Hardwick. We are both realtors for Pall Spera Co. Realtors. The Stuga is a great place for our family and friends to come when visiting the area. We have six grown children and we both come from large families. We also are AirBNB Superhosts with all 5 star ratings.

We post both the tax information as well as the STR Safety, Health and Financial obligations form. We post our contact info and are available 24/7 for any issues. Though after over 100 guests we can honestly say there have been no problems.

We want to go on record as supporting the Proposed STR Bylaw and the 1% fee for water quality, open space acquisition and environmental education around Caspian Lake. As the former Secretary of Environmental Affairs for the Commonwealth of MA, I know full well the importance of protecting this valuable natural resource. It is the economic engine for the Town of Greensboro. Such a fund could prove valuable in protecting and preserving this resource.

I do want to respond to the issue relative to three day minimums, though I know we are exempt under the draft bylaw and this would apply to lake properties. There are a number of our guests who have been in the area for only one night. Such guests are usually dropping their children off to Circus Smirkus or Sterling College.
Guests who come up for a day visit at Hill Farmstead and Jasper Hill and spend the night. We have also had guests who perform at The Highland Center for the Arts who come to play or perform for one night then leave. Maybe an exception for these folks can get you around the opposition to a three day minimum around the lake during the summer and high seasons. We found a three day minimum was easier to manage and clean for ultimately so we now have a three day minimum at the Stuga. We also do not allow tents or outside camping out of respect for our neighbors.

In short, we believe that the Short Term Rental bylaw and fee allow the Town to be proactive and offer our support. Thank You for allowing our input and your service. It's never easy.

Best, Bob and Nancy Durand

January 13, 2021
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In the event that you try to resurrect it, I would like to call attention to something Carol Fairbank seemed to understand after I wrote it in the chat only. You should not restrict consideration only to those landowners who are Greensboro voters. First, a significant number of the people forced to rent lake houses in order to maintain them do not live in Greensboro year round, as the lake houses are not habitable year round. For example, I am not a Greensboro voter because I do not live year round in Greensboro. My house is only habitable for 3.5 months a year. I rent my house there for far more of those 3.5 months than I would like in order to pay over $15,000 a year in taxes there. To exclude me would be the definition of taxation without representation. I think Ms. Fairbank understood this eventually, but I wanted to make sure. I know there are others as well.

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Finally, it does not seem reasonable to require full names of the public attending your Zoom meetings while allowing your speaking committee members to hide behind business names and first names only. It is time to recognize the public outcry is deserved and demands the reflection of your committee.

Sincerely,
Katherine Needleman

Memorandum

TO: Greensboro Planning Commission
FROM: Rick and Linda Ely
RE: Comments on Shoreland Protection Bylaw Draft v02 (12 January 2021)

We are writing in our capacity as private citizens and non-resident landowners in Greensboro to comment on the Proposed Shoreland Protection Bylaw Draft v02 (12 January 2021) (the “PSPB”) posted on the Town’s website for purposes of the Commission’s January 13 meeting. We wish to thank the members of the Planning Commission for their hard work in creating this draft and express our support for sensible zoning regulation within Greensboro.

Generally, we note that the PSPB, in its detail, represents a significant departure from the Town’s existing Shoreland Protection Bylaw. Our review of the draft document, which was published yesterday on the Town’s website, has necessarily been limited because of time constraints. We believe, however, that the PSPB includes a number of significant changes, including some inadvisable provisions, as well as number of drafting flaws. We respectfully recommend to the Commission, therefore, that it ensure that its members have sufficient time to review the PSPB before being asked to vote for its adoption.
Our comments below are presented in the order of the provisions of the PSPB in order to assist Commission members in their review, in advance of the Commission’s meeting later today. We may have additional comments once we have had the opportunity to more carefully review the draft.

2.7.D Applicability. We note that PSPB would require a zoning permit “for all land development within this district not specifically exempted, and for any activity that would...remove vegetation... within 150 feet of the mean water level of Caspian and Eligo lakes.”

- The drafting structure of this provision is such that the words “remove vegetation” are not qualified by the words “not specifically exempted”. In other words, the provision, by its terms, would require the obtaining of a permit before a property owner removes anything constituting “vegetation”. That term is undefined but could include mowing lawns and customary removal of branches that have grown in the way of pathways that should not be subject to permit. We believe this drafting flaw can be corrected by moving the words “not specifically exempted” to the end of the provision, perhaps preceded by the words: “in each case”.

2.7.E Exempt Development. We believe the Commission should consider expanding this list of exempted activities. In particular,

- An exemption should be added to allow for “the removal of vegetative matter permitted elsewhere in this By-law”. This may have been the purpose of subclause (4), “Management of vegetative cover in accordance with Subsection L” but, as subsection L refers to docks, this cross-reference appears to be a drafting error.
- The Commission should specifically reinstate the exemption that appears in Section 8.5 (A) of the current Bylaw for the removal of “trees, saplings, and limbs that threaten personal safety or structures or where removal is reasonably necessary for the maintenance or preservation of surrounding larger trees and shrubs.”

13 January 2021

- The Commission should also reinstate the exemption that appears in Section 8.6 (A) of the current Bylaw for “selective cutting, pruning, removal of excess brush and leaf fall, and appropriate planting.”
- We note that Vermont’s Shoreland Handbook also exempts the removal of invasive species (see: https://dec.vermont.gov/sites/dec/files/wsm/lakes/docs/Shoreland/Ip_ShorelandHandbook.pdf ) . We don’t know whether this is an issue of any magnitude in Greensboro but we certainly would support such an exemption.
- The Commission should add a specific exemption for maintenance of existing docks, and the seasonal installation and removal of temporary docks.

2.7.F Permitted Uses, which require a zoning permit. This provision appears to require a zoning permit for all seasonal docks and to limit those docks to one per 150’ of shoreline, subject to the grandfathering of pre-existing non-conforming uses set forth in Section 3.8 of the existing by-laws. As we note below, we believe that temporary docks that meet any size and density requirements that the Town establishes should not require a permit.
2.7.G Conditional Uses. This provision imposes an obligation to obtain a conditional use permit prior to any short-term rental. For the reasons we have stated in a separate memo to the Commission regarding STRs, we believe this requirement would be cumbersome, overly bureaucratic and far in excess of any measure that might be needed.

2.7.I General District Standards. This provision imposes, for the first time, a 60% vegetative cover requirement in the entire Shoreland Protection District, i.e., outside the 100’ Shoreland Buffer Resource Zone. We believe this is an unreasonable extension of regulation in this area that is radically out of keeping with the current approach in Greensboro and in Vermont generally. We (and we believe our neighbors) support restrictions on development within the Shoreland Buffer Zone and caps on the size of homes and the proportion of impermeable surfaces permitted in the broader Shoreland Protection District. This additional restriction, however, is unnecessary and unprecedented.

Separately, the PSPB no longer contains a definition of “Shoreland Buffer Resource Zone”. This should be added back from the existing bylaw.

2.7.L. District Standards for Docks. Section 2.7.L limits seasonal docks to one per lot, not to exceed 300 square feet in size. We believe this provision is overly restrictive and not in keeping with customary practice on Caspian Lake. For example, the temporary dock at our camp, which we do not believe is large, is 356 square feet. Certainly docks of similar size are common around Caspian Lake. In addition, we know that some of our neighbors have longer shorelines that support more than one dock. We believe this is appropriate. By contrast, the standards adopted by the State of Vermont permit docks:

“provided that the combined horizontal distance of all docks within 100 feet of each other which are owned/controlled by one person does not exceed 50 feet in length and the combined surface area does not exceed 500 square feet “ See: https://dec.vermont.gov/watershed/lakes-ponds/permit/encroachment

We believe the Commission should consider this more flexible type of standard and increase the maximum permitted dock size. In addition, the first sentence of this section should be amended to add at its end “, and any such seasonal dock shall not require a permit under this Bylaw”.

District Standards for Accessory Structures. This paragraph Should be numbered “2.7 M” and the following paragraphs renumbered accordingly.

2.7.M. District Standards for Accessory Dwelling Units. This provision would require that the reconstruction of any ADU within the Shoreland Protection District may not exceed 900 square feet. We believe this restriction is at variance with the Town’s traditional approach to zoning in this area, which is to grandfather existing structures and any reconstruction of those structures. In addition, we believe this provision should provide greater flexibility on lots within the Shoreland Protection district that exceed one acre.

2.7.N. District Standards for Nonconformities. Similar to our comments on Section 2.7I, this provision would extend the State’s Shoreland Best Management Practices outside the 100’
Shoreland Buffer Resource Zone into the entire Shoreland Protection District, including when an existing property owner has engaged in any "development" within the meaning of the ByLaw. Again, we believe this additional restriction is unnecessary and unprecedented.

2.7.P. District Standards for Vegetative Cover. This provision requires the obtaining of an intent to cut permit in the case of any cutting of trees within 150 feet of the lakefront.

- This is effectively a 50% expansion in the depth of the Shoreland Buffer Resource Zone that is included in the current Bylaw. We believe this expansion in unwarranted. Among other things, we note that the current buffer zone of 100' is consistent with the VLCT Model Lake Shoreland Protection District Bylaw (June 2011) and the 100' vegetative buffer recommended by the State of Vermont in its Shoreland Handbook. See: https://dec.vermont.gov/sites/dec/files/wsm/lakes/docs/Shoreland/Lp_ShorelandHandbook.pdf
- In any event, we believe that a landowner proposing to engage in the exempted woodland maintenance activities we have outlined above in response to Section 2.7.E., or those enumerated in Section 2.7.O.(g) (maintenance of cleared openings and lawns) and Section 2.7.P.(1)(e)-(f) (diseased and unsafe trees and bottom 1/3 of branches) should not be required to obtain an "intent to cut permit" from the zoning officer. Homeowners routinely engage in light pruning of trees around paths and camps and, understandably, wish to immediately address dangerous limbs and the like. Placing a permit requirement on these activities is unreasonable and burdensome.

We anticipate that we may have further comments on this proposed by-law as this process moves forward but wanted to give the Commission the benefits of our preliminary thoughts as early in the process as possible.

Respectfully submitted, Rick and Linda Ely

January 12, 2021

To: The members of the Greensboro Planning Commission
From: Margaret Lipscomb, Greensboro Bend

Below is a list of concerns that have been parading through my mind regarding the Extended Village Zoning District. I live on The Bend Road, at about midway. My property straddles Greensboro Brook. Except for the house site, the land is in Current Use, and is not protected in any other way. I consider myself its steward rather than its owner.

Timing
I see the consideration of this zoning bylaw change as important but not urgent. The timing is dreadful and will appear suspicious to some. Little harm will be done if there is a considerable delay.

- The Hardwick Gazette is online only, and I suspect that fewer people subscribe to it than when it was in print. That cuts off news, notices, and Letters to the Editor from many eyes.
Morrisville and Barton weeklies pay little attention to Greensboro affairs. How will news of the planned change get out (really)?

- It is the dead of winter. "Nuff said. Many residents will not appear until spring. Some may skip coming even then, if flying is necessary.
- Covid will probably rule our lives for the rest of the year. Zoom meetings are no substitute for face-to-face hearings on such a serious and permanent change.

Inequality
It cannot be missed that these zoning changes effect only the roads of the town where few or no wealthy residents live. If housing for the employees of Jasper Hill is needed, shouldn’t closer roads, like Craftsbury Road, also be considered? Is this a Trojan horse to open up a quasi-commercial road between the upper and lower villages? Is it thought that no one would care except for those who live here (and we who live on The Bend Road already have the most seriously blighted property in town among us)?

Environment
The Bend Road region is the watershed for Greensboro Brook. If the brook ran towards the lake rather than away from it, would adding a large number of septic systems into this watershed even be considered? It is also the main truck route to and from Route 16. All the milk trucks, Willey’s delivery trucks, and the town gravel trucks (many hundreds of trips each year) pass up and down at 50 mph. (That is too fast, causing them to sometimes use engine brakes, but that is another topic.) There is little shoulder; it is extremely unsafe to park on The Bend Road without using the single pullout area. Cars have crashed into trees on The Bend Road with death resulting; its ditches and drop-offs give little margin for error. A sleepy driver’s car was eviscerated by my mailbox post. It is not a road where you want to increase traffic.

Lot size
From ten acres to two acres is too big a drop. Two acres would have too much environmental impact. Two-acre zoning would have too much unwelcome effect on the type of usage that is likely to appear, and The Bend Road is one of the two “gateway” roads into the center village of Greensboro. Five-acre zoning is reasonable; two-acre zoning is not. I will object as hard as I can to two-acre lots. Someday, when Greensboro has wastewater treatment possibilities, I would like to see an affordable multi-family development here, on a suitably large piece of land. For families or seniors or co-housing. But we would need a wider road, with sidewalks or a safe path to walk or ride a bike. To me that would make a lot more sense than gradually evolving into two acre lots that chop up the land.

Thank you.

Peggy Lipscomb

Tue, Jan 12, 2021 at 2:45 PM

Hi Brett,
We were at the last town hall meeting and as you know we could not voice our concerns because everyone that called in was muted and not able to talk. We will be joining tomorrow night's meeting but wanted to also send you an email with some of our concerns.

Prior to purchasing our land 30+ years ago we chose to establish our home in the rural zone out of town limits. We decided to purchase land with space from our neighbors. We feel changing the zoning will not change affordability. There are still high taxes for everyone. The reasons for affordability are greater than the size of the lots or acreage. For instance, high taxes compared to neighboring towns and the area income are also issues etc. There are other issues too long to list.

Rural Vermont is what makes Vermont. All towns and the state must evolve with the times but we feel this is not a solution.

It seems like this will cater more to businesses and certain individuals and not benefiting current residents or the town.

Dan and Sandy Marotti

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Tue, Jan 12, 2021 at 10:25 AM

As a partial owner in a very old family summer camp on Caspian Lake, I have to convey my feelings about the proposed changes in both the Bylaws and the proposed short term rental Bylaws. Our property on Randolph Road has been held in the family continuously since the 1890's. Through that time all of us have been good stewards of the property and believed that protecting the lake and environment were of paramount importance.

Over my lifetime, the financial and tax burden of ownership has increased so dramatically, relative to any kind of inflationary expectation, that it can make one question the rationale for owning homes that are only usable four months out of the year. With the building of fully functional year round homes in the Lakeshore District, the town of Greensboro has thrown all of these old family camps into a highly assessed pot of non-resident homeowners that the town can conveniently rely on for tax revenue. With about 80% of the tax burden being paid by non-residents in Greensboro, and a tax burden that has been increasing well in excess of inflation, the proposed changes and additional bylaws are an excessive and unnecessary burden.
Renting out a vacation home in Greensboro has long been an acceptable means of making ownership affordable. During my youth in the 1960's it was almost mandatory for many families. In those days it was very common that families could rent for as long as a month. Fewer dual career families and perhaps longer vacations made that possible. Today, however, it is quite rare that people can take that kind of time to rent a vacation home. More recently when we have rented out a cottage, one week is really the most that anyone would want. We did not want short term renters, but the reality of the world dictated it. Short term rentals are also very expensive due to higher insurance and maintenance. Now the proposed short term rental bylaws will require a very expensive permit application process involving STR permit from Greensboro, inspection by the State Fire Marshall, a state wastewater permit, detailed site plans, maybe expensive renovations and such. It appears to be a design to totally discourage renting at all. Homeowners need the flexibility of any length rental to make ownership financially possible. This looks so much a like an effort by resident full time home owners to impose their desire for a gated community at the expense of the non-resident owners. Greensboro does not need this kind of over control.

While I applaud efforts to protect the Lakeshore District in theory, many of the proposed changes to the zoning bylaws really start to over reach. Making short term rental a permitted or conditional use, rather than a right of home ownership, is unnecessary. Dictating the number of parking spaces is unnecessary. Adding standards for exterior lighting, traffic and character of the neighborhood seem unnecessary. Currently, the Lakeshore District already has requirements for tree cutting and pruning. Why does the town believe we should be getting permits to cut down dead or dangerous trees and prune hedges?

With a very old non-conforming property in the Lakeshore District, I am also always concerned that this type of property is protected or grand-fathered to be continually non-conforming. With about two acres on one lot and four dwellings, three of which are within 150 feet of the shoreline, you should be able to understand my worries. In addition, these structures do not meet the new height guidelines. Nor do they meet the dock guidelines. Where in the proposed changes to the Lakeshore District Bylaws are these non-conforming attributes protected. I am fearful that if one had to be razed for structural reasons or was lost due to fire/storm we would not be able to rebuild a similar structure. How is the town maintaining the character of Greensboro by not specifically protecting old camps and structures? These old camps too often are being replaced by year round homes. Does the town just want it to become an expensive enclave? We certainly do not.

Thank you for reading this and passing it on to the zoning board. I hope the zoning board realizes that non-resident homeowners have provided so much to the town over many years. We aim to continue to support Greensboro and it's full time residents, but we need to be heard and helped when it comes to onerous changes to home ownership.
Sincerely,

Roger Ranz

11 January 2021

Memorandum

We are writing in our capacity as private citizens and non-resident landowners in Greensboro to comment on the Proposed Short-Term Rental Bylaw (draft 12/16/20) (the “PSTR”) posted on the Town’s website for purposes of the Commission’s January 13 meeting. We wish to thank the members of the Planning Commission for their hard work in creating this draft and express our support for sensible zoning regulation within Greensboro. Each heading of our comments below is intended to direct the Commission members to the section of the PSTR to which the comments relate.

Intent and Purpose

Generally, we understand that consideration of the PSTR is being driven by a perceived increase in abusive practices affecting the environment or the neighborhood, experienced at houses within the Shoreland Protection District, that are repeatedly rented for very short periods throughout the season as part of a business or investment. As drafted, however, the Bylaw contains virtually no provisions aimed at environmental protection but otherwise casts an overly broad net. If the PSTR is to be adopted, we believe it should be revised to more effectively address environmental protection while otherwise limiting its scope to those rental situations that actually constitute abuses.

The 2nd sentence of the PSTR asserts that it is being considered because “the use of STRs in the community has increased”. We assume from the text of the PSTR that this refers generally to rentals of less than 30 days. We are unaware of any empirical data that supports this assertion and respectfully recommend to the Commission that it consider whether any such data is of a sufficient magnitude and, if so, whether such rentals are of a type, that would justify the adoption of the PSTR at this time. If that data does exist, we recommend to the Commission that it make the data public so as to better inform public debate. In the absence of that data, we question whether a basis exists to justify the Commission’s adoption of the PSTR.

Greensboro has a very long and happy history of repeated week-long rentals of properties to persons who are long-standing participants in the life of the summer community and, in many cases, go on to become second homeowners or even full-time residents. These rentals provide needed income to help defray high property and maintenance costs, and also support a wide range of local businesses and service providers. To place a further administrative and economic burden on this entire market is, in our view, unjustified and inappropriate. Any regulations or by-laws that are adopted should therefore be narrowly tailored to address specific issues that have actually arisen.

In the course of our attendance at prior Planning Commission hearings, as well as in private discussions, we have listened to anecdotes of abuses that arise from rentals of less than a
week. If these anecdotes are borne out by empirical data, we respectfully suggest that the Commission consider limiting any specific regulation to those type of rentals.

The PSTR includes the following sentence: "In response to the growing use of STRs, in September of 2020, the Town of Greensboro adopted regulations to better and more equitably manage them." We are not familiar with these regulations and have been unable to locate a copy of them on the Town’s website. We recommend to the Commission that, if it adopts the PSTR with this sentence included, it should ensure that these regulations are published on the Town’s website so as to better inform public debate.

We understand that the process that has resulted in the PSTR grew in significant part from a desire to limit septic overload in the Shoreland Protection District, and we note that the PSTR continues to assert that it "seeks to protect... natural resources and ensure the protection of these resources". Apart from this language, however, and a brief provision prohibiting occupancy where a wastewater system has "failed", the PSTR contains no operative provisions that would limit septic overload or ensure protection of lake or other natural resources. We respectfully suggest that this is a critical omission in the PSTR as currently drafted.

The PSTR also states that its objectives include “the safety of occupants of short-term rentals.” We are not familiar with any data that would suggest that the safety of rentals in Greensboro is not already sufficiently protected by existing Vermont law, as well as by the good faith responsibility of our neighbors. We strongly recommend to the Commission that it avoid regulating an area where existing regulation and practice already is sufficient.

Definition of Short-Term Rental

The PSTR defines the term "Short-Term Rental" by reference to a period of days, without defining what constitutes a “rental”. As noted in comments submitted prior to your December meeting, we believe rental should be defined to exclude situations that don’t constitute a repeated short-term rental for business purposes. These situations vary but might include payments that are not “rent” in the sense intended by the drafters, for example:

- Payments made solely to reimburse out of pocket costs such as electricity, fuel, trash pick-up, gardening/lawn mowing and house cleaning, as well as other routine maintenance costs. These might occur, for example, when a friend or extended family member is provided use of a house as a courtesy.
- Payments made to a trust or LLC that owns a property by beneficiaries of the trust or members of the LLC or their family members.
- Payments received from family members (given the history of camp ownership in Greensboro, “family members” should extend at least to second cousins and former spouses).

Short-Term Rental Permit Requirement

We believe that the PSTR's requirement for submission of a Conditional Use Permit to the Development Review Board is cumbersome, overly bureaucratic and far in excess of any measure that might be needed to address the abuses that have been asserted. There are a number of less burdensome measures that should be considered. For
example, the Commission might consider piggybacking on Vermont’s existing requirement that each rental location have a separate Vermont Rooms and Meals Tax license (see: https://tax.vermont.gov/business-and-corp/meals-and-rooms-tax/getting-started) and require that a copy of each such license for Greensboro properties be provided to the Zoning Administrator before the commencement of any rental, along with a signed acknowledgement that the rental is subject to whatever restrictions or requirements that the Town determines to adopt.

Completion and Posting of Vermont Short Term Rental Safety, Health and Financial Obligation Form

The inclusion in the PSTR of an obligation to complete and post this form is, in a word, inappropriate. Vermont’s Short-Term Rental Safety, Health and Financial Obligations do NOT apply to individual cottage rentals and there is no obligation in those Obligations for the posting of the form in any rental property. If the intent is to make these obligations apply to individual cottages, we believe this would place an undue burden on property rental as currently practiced in Greensboro.

If the Commission believes that there are specific safety standards that should be adopted (requiring working smoke and carbon monoxide alarms would be an obvious example), any proposed by-law should be narrowly tailored to address these.

Maximum Occupancy

We understand and support the principle of maximum occupancy but we believe the proposed language in the PSTR (“based on the number of approved bedrooms as determined by a Wastewater Permit or Lister card”) falls to articulate any clear standard. If the Commission is seeking to limit the number of people per bedroom, it should do so by specifying a number per bedroom. In addition, and as previously commented, we believe any regulation in this area should exclude children under a specified age and should limit the term “occupancy” to cover only overnight residents.

Site Plan Requirement

We believe the PSTR’s requirement to provide a “[s]ite Plan showing property boundaries, buildings on property, septic location, proposed STR building floor plan and a parking plan” is excessive and burdensome. Speaking in practical terms, how will this information be maintained and accessed and what possible use would it serve?

Prohibitions

A number of these prohibitions are simply inappropriate for a town-wide omnibus regulation. It is not clear, for example, why a short-term rental of a barn outside the Shoreland Protection and Village Districts for purposes of a catered conference or wedding needs to be regulated in this manner at this time. Similarly, an outright ban on RVs, campers and tents serves no discernible purpose when applied to large properties or those far removed from the lake.

Respectfully submitted, Rick and Linda Ely
January 11, 2021
Dear Town of Greensboro’s Planning Commission:

I am writing to oppose your proposed short-term rental bylaws. The basis for my opposition is as follows:

- A global pandemic is not an appropriate time to institute new rules; people are struggling financially and should not be required to submit to new zoning-related visits.
- The financial burden to maintain old family homes, or “Legacy Properties,” as you call them, is already tremendous. Adding additional taxes, while only 1% at this time, is burdensome and will facilitate further tax levies in the future on people already struggling.
- Age discrimination has no part in your documents, nor does any other form of discrimination.
- The Planning Commission’s desire to “maintain character and livability” by limiting outsiders is dangerous and rooted in an embarrassing xenophobic history.
- No data has been shared that proves short-term renters are unsafe, yet this is one of the (current) three reasons for enacting these new bylaws.

We are in the midst of a global pandemic. As a result, many homeowners are newly unemployed or living on reduced income. For example, I am currently making half the salary I made last year and am in a very fortunate position compared to many in my industry, the arts. To institute bylaws that require additional taxation and expenditures on properties is unreasonable, cruel, and displays cluelessness about current events. For public health reasons, homeowners should not be required to allow zoning personnel into their properties, but your proposals display complete lack of understanding of the pandemic. While the long-term financial burdens of the pandemic are yet to be seen, it would make sense to wait until the world has recovered before imposing additional taxation and forcing repairs and other expenditures on these properties.

I have trouble reading all the documents you have written related to this issue; I have not found an organized place to do so, and documents keep changing and multiplying. However, I am aware of a common, insulting theme pervading these proposals: they are intended to help “Legacy Property” owners. This is obviously untrue. We own a house in Greensboro that has been in our family for one hundred years. Due to the ever-increasing tax burden of the house, we bought it from the most recently owning generation who had inherited it. That generation was forced to sell the house, unable to keep it in the family, not for lack of love or interest, but because the tax and maintenance costs are so extreme. While we were able to move financial mountains to make this happen unlike our parents’
generation, we are forced to rent the property in order to maintain ownership. The property is only usable 3.5 months per year, as it is not heated nor insulated. We do not want to rent the property. We do not enjoy having people in the house, having dishes get broken, or having our furniture get moved and closets get disorganized. But we have no choice because the house is otherwise completely unaffordable. Proposing another 1% tax is additionally punitive and a gateway to further tax increases. If you push people like us, barely able to afford to keep the old family house, out of Greensboro, the property will be bought out by rich people, torn down, and fancy new construction will take its place, likely not in the “character” you are seeking.

It is doubtful that you have anyone who owns a “Legacy Property” on your Planning Commission. If you did, they would have rejected your ideas to promote these bylaws as in our interest (your #1 listed purpose) as insulting and condescending. Why, actually, do these proposed bylaws exist? It is more likely to “preserve and protect” “character and livability” from “impacts associated with short term rentals,” your #2 listed purpose. Those impacts are not defined in your documents with data or specifics but are instead vague and open for interpretation.

Your 12-page document, The Rationale for a Greensboro Short Term Rental Bylaw, is embarrassing and spends a good deal of effort shaming other towns’ documents rather than presenting any compelling evidence or data. Page 8 states, “Also the ‘leaf peeping’ visitors are likely to be older and quieter.” Here, we get an insight into one of the Planning Commission’s real intentions, discrimination. On display is blatant age discrimination. If you want older and quieter visitors, new bylaws should be attempted for those things, not additional taxation and zoning visits during a global pandemic. How do you conflate age with quietness? What age is appropriate for visitors? At what age do people become quiet? Have you considered an age limit/range for short-term renters? Why stop there? How about for owners, too?

This sounds all like a joke now, like I’m making a mockery. I am not. It was not long ago that discriminatory clauses were included in our property deeds, considered a part of every day life to just be accepted. Greensboro was embarrassed in national news in 1986 when William Rehnquist’s property deed prohibiting sale or lease “to any member of the Hebrew race” was a headline. My husband’s family, who have been spending summers in Greensboro for over a hundred years, who have many members who now live year-round here, who bury their dead in Greensboro’s cemeteries, have always been made to feel like outsiders as “summer people.” In order to be even “summer people” in Greensboro, they hid their ethnic origins. We only learned recently through DNA and genealogy research, despite “rumors of a few Jewish ancestors,” that the entire bloodline was Jewish. At least one generation may have lived and died without knowing of their ancestry; for sure, they never spoke of it. Of course, the older Greensboro generations were made to hide their ancestry in order to be part of Greenboro’s “character and community.”
What is the demographic of the Planning Commission and Zoning Board? If it is all white people, no Jews, and is seeking in 2021 to continue this sordid history of limiting outsiders with its unsubstantiated claims, this is a concern. These bylaws should be written by a diverse group of people if there is to be any decency in them.

Your document names of one of the three purposes of these bylaws being to "preserve the traditional peace and quiet" of Greensboro’s "residential neighborhoods." I have seen no data, nor do I have any personal observations, of short-term renters being unpeaceful or loud. Surely there are police records that can be shared about the alleged lack of peace from short-term renters. What noise is a result of short-term renters? The only noise I experience is from power boats on Caspian Lake on the weekends. I don’t believe these are driven by short-term renters, but more likely people from the public beach. Perhaps noise regulations should be considered instead if this is a true concern.

The third purported purpose of your of your proposed bylaws is “to ensure the safety of occupants of short-term rentals.” Again, no data about the lack of safety of these people has been shared. Are these people less safe than regular Greensboro homeowners? There must be police/ambulance/911 records demonstrating this lack of safety.

Until data is shown to support lack of peace, quiet, and safety from short-term renters, I view the proposed bylaws of the Planning Commission as discriminatory and based in xenophobia, in line with Greensboro’s history. Unsubstantiated claims about short term renters are an attempt to increase taxes and bureaucracy on already heavily burdened individuals during a global pandemic.

This is shameful; surely there is a better use of your collective time. It is better to do nothing than damage.

Sincerely,
Katherine Needleman

Mon, Jan 11, 2021 at 10:15 AM

To the Greensboro Planning Commission

With all due respect to the hard work that has been performed by the commission and the various committees, we feel that an important opportunity has been missed in regards to transparency as well as the inclusion of other necessary and important voices and points of view at the very outset of this process. Voting on 4 amendments, given the year we’ve all just been through is too much considering the serious impact these could have on our town and all residents, full-time and seasonal, including but not limited to lake water quality and pollution, population density, taxing of infrastructure, water, sewer, traffic, noise, regulation, environmental issues affecting streams, brooks, wetlands, fish and wildlife, increased lake usage and development on and off the lake.

Again, we are very uneasy with how this process has been handled, the lack of transparency and
inclusivity, the number of amendments to be decided on all at once and their very real impact on Greensboro. The greatness of Greensboro begins and ends with residents and voters and seasonal property owners and taxpayers working together for present and future generations.

The process that the GPC is using of voting first and then allowing input is one that puts the cart before the horse. Given these very real concerns, we are asking that there be NO VOTE until the process can be re-visited.

Thank you for your continued vision for our community and your consideration.

Eliza Burnham
Mimi Carter and John Haley
Mary Parker
Jennifer Ranz
Lisa Downing Sartorius
Dede Stabler
Jess and Amy Nichols
Francie and Jeff Bennett
Tim and Jennie Lukens
Jennifer Hunt Nicasio
Tommy and Whitney Sowles
Susan A. Lukens (Alan)
Donald W. Jenkins
John and Meigan Risse
Naomi Ranz-Schleifer
Ann H. Kramer
Sarah and Bob Kasten
Nick and Penny Sowles
Betsy Hunt
Sam Young and Heidi Lauren Duke
Neal Burnham and Susan Cross
John and Michele Mackin
Lisa Yokana and Blake Auchincloss
Melanie and John Clarke
Palma Bickford and Douglas Steely
Gwen and Kenneth “Tod” Mann
Laurie and Richard Petto
Robin and Bill Hardy
David Bishop
Noleen McIntyre
Brad Irwin
Reed and Ann Irwin
Elissa Mackin
Scott and Karen Slater
Kathy Newhouse
Sara Slater and Marty McDonald
Lynn Stegner
Janet Rehnquist
June Bascom
TO: Greensboro Planning Commission

RE: Short Term Rental Bylaw

DATE: January 7, 2021

The proposed Short-Term Rental Bylaws can be summed up three ways:

- First, the Vermont legislature gave authority to local communities to manage short-term rentals in 2020 so the Greensboro Planning Commission looked out at over 100 years of tradition and declared it needed to be regulated.

- Secondly, where is your data? Where are the hard facts and figures that say any of this needed to be regulated? Where are the statistics that show homeowners are renting rooms in their small camps as Air B&B’s? You’ve already stated that there is no evidence of one or two-day rentals. The bylaws you propose attempt to fix a problem that does not exist while infringing on property owners rights and creating onerous rules, regulations, an administrative bureaucracy and additional taxes.

By not allowing rentals of less than 3 consecutive nights between June 15 and September 15 you eliminate a part of the market that want to experience the lake community – perhaps to attend a show at the Art Center- with a Friday through Sunday get-a-way without any data to show how this is detrimental to the community. This is devastating to the potential of a vibrant summer program at the Art Center as well as for parents who want to visit their kids attending Circus Smirkus for the weekend.

- Thirdly, defining and defending 'community standards' as you have done is blatantly offensive. It is divisive, exclusive not inclusive and quite frankly borderlines on racist “red lining” (“we don't want those people renting here”) from people who I would imagine, at least in my experience, are ideologically progressive. No one has to guess about this, you write it again and again, “to uphold community standards”, “protect the community character of Greensboro”, to ‘preserve and protect residential neighborhood character and livability from the impacts that are often associated with short term rentals”. “Short term renters in particular might not be as sensitive (my italics) to neighborly concerns as legacy owners”.

Maybe you’ve forgotten the political storm that was created when the media discovered that Chief Justice Rehnquist’s deed for his Greensboro property, which he admitted to having read, contained a covenant barring its sale to any member of the "Hebrew race.” Won’t it be lovely when national media stumbles across an all-white planning commission instituting Bylaws that keeps our community exclusive to “our community standards” of white people? It is inconceivable that you could be this unaware of the societal changes that are occurring that mark these Bylaws as white privilege.

In addition, “preserving the community” is a misnomer. The Caspian lake community specifically has been forever changed from the robust, vibrant summer resort it once was when families would spend their summers on the lake, sailboat races on Sunday’s, when every kid had a small boat with a 10 hp motor to fish with and to gather with their friends at dusk in the middle of the lake. Today, property taxes are so high- free money for the community- for which we get nothing in return - not a single service- have made it impossible for most homeowners to maintain their property without rental income. Renters don’t support local stores other than Wiley’s. They don’t put boats in the water, they don’t join the Country Club...it's why even on July 4th holidays, the lake is a virtual ghost town. It is literally why the community is dying...just look at resale values. That is the unintended consequence of raising taxes well beyond the level of affordability. The lake community has not
been the same for a generation and it would be helpful if the Commissioners remembered that.

There are so many other concerns with the proposed Bylaws: What homeowners, in their own judgement, have done successfully in the past will now require a STR permit submitted and approved by the Development Review Board before the camp can be rented. If a homeowner is denied a permit is an attorney required to appeal to the Zoning Board?

It is unclear from the documentation if the 1% tax has already been levied. Is that part of the 2018 Bylaws or part of this review? How is it audited? Who’s to say it’s a rental or a guest staying rent free at the camp? And rentals may not start until 30 days from the date of the approval of the permit? How do home owners apply for that early in the season if they are from out of state?

You state want to bring a “balance between the homeowner’s goal for a financial return and the rural character of the community.” That’s already being done, it is called market capitalism and it is and has been good for the community. What you are proposing is an over-regulated nanny state and that hurts everyone.

For the record, we do not, have not and never will rent our camp out.

Thank you for the opportunity to speak out.

David

David Marks

Sat, Jan 9, 2021 at 9:42 AM

To: Greensboro Planning Commission
Re: Proposed By-Law Changes

I have very recently learned that the Greensboro Planning Commission has drawn up four major by-law changes that will affect each and every homeowner in Greensboro. As I understand it, the bylaw proposals are to be voted on and then presented to the Select Board for approval in the very near future. I would like to understand the need for the Commission to be presenting by-law changes with little to no input from the community of Greensboro. First and foremost, what is the urgency for making these permanent changes? What is the problem that is trying to be solved and isn’t there a more community engaged way to address the issues?

I am sending you this letter as someone who has spent summers in Greensboro for 55 years, and has owned a home here for the last 25 years. I would like to
think that the approach to many of these proposals might start with engaging the community so that solutions that are arrived at are embraced by those who will be impacted. For example, doesn't each and every one in Greensboro consider the cleanliness of the lake to be paramount? Let's work together rather than finding ourselves begrudging following rules for which we don't understand the rationale.

Besides being in a worldwide pandemic and more recently an attack on our democracy, it is winter in Greensboro and many homeowners are likely not aware of these changes. I request that the four by-laws be tabled. More time is needed for detailed community review and input. Changes of this magnitude must be fully transparent, and detailed rationale provided.

Sincerely,
Jennifer Nicasio

While we're sure there have been many discussions about the bylaw changes privately, the introduction of the topics into the broader public sphere has been abrupt. If Eligio land owners are already on board with their changes then it is obvious that communication has been achieved in that sphere prior to additional meetings and votes. This should have been duplicated for the rest of Greensboro.

Regarding the 2 acre re-zoning, we absolutely need to decrease the 10 acre requirement to allow for growth. However, the corridors chosen appear to have 2 elements in common -- paved roads and land that is not particularly valuable nor accessible due steepness of much of the terrain or sites of significant marsh/watershed areas. It is doubtful that additional housing could be built on either side of the designated Cemetery Ridge section -- is there even one 2 acre section between the Nursing Home and Young Road that could be exploited due to steep terrain? The amount of marsh and watershed on the lands running alongside Rt 16 and the Bend Road will impede meeting state regulations for water quality and septic design. Where it is drier, there are steep hillsides. Steep hillsides on all these roads will present expensive challenges to any builder. We need affordable and accessible land for affordable housing and/or business growth but we shouldn't allocate them to the worst acreage in the town as if we were setting up a Reservation system. A detailed map of potential 2 acre parcels and their respective terrain, restrictions, and costs with discussion and public evaluation should be published before any action is made toward accepting this proposal. Why not create 2 acres minimum across most of Greensboro?

With regard to Short term rentals and vegetation -- we should ensure that state and town laws already in place are applied and enforced before adding to the burden of the residential properties that are already overburdened with state and town taxes while being disenfranchised from approving taxation and regulation over their property. Education and enforcement of the current regulations is not provided sufficiently nor uniformly applied. Additional burdens on regulations and taxes push this community to rent more often or to sell to richer owners who have none of the social context or joy in the area. We should not rush toward additional regulation and not aspire to be a Woodstock, Lake Sunapee, or Manchester -- all rich and precious. Preserve the area not by creating
a gated community but by thoughtful evenly applied leadership and oversight.

Regards
Palma Bickford
Douglas Steely

Hi Brett,
The draft of the sign ordinance leaves me with so many questions, I don't know where to start...

Most of these rules seem to me to be arbitrary and inconsistent. For example: temporary signs not to exceed 6 feet square are subject to all sorts of restrictions (ie length of time, number of times signs that may be erected per year, etc.) but a sign up to 4 feet square may be displayed on any lot for any length of time. The rules state a commercial enterprise may erect one temporary sign for up to 5 months. I assume this is for seasonal businesses? What about those that operate year round? It is unclear if temporary signs are allowed to be displayed one or two weeks prior to an event? What is the rationale here? And no signs at all in the Lake Shore Protection District? What about those that are already there (ie Aspenhurst or all the camp names posted for Winnimere, Block House Hill, etc). What defines a political sign — Black Lives Matter?, Stop the Steal? Finally, who will be the "sign police" to enforce all this?

I guess for me it boils down to one question: what issue or problem are these proposed regulations attempting to address?

Thank you, again, for clarification of the process and for helping to facilitate community input.

With appreciation,
Jenny Bayles

Thu, Jan 7, 2021 at 6:03 PM

I am a long time homeowner in Greensboro. I am writing in response to the proposed tax and permitting on short term rentals, both of which will directly affect me.
I have read through most of the town's explanations and proposals although I had difficulty accessing some of the links you included (one of them said "access denied"). But I think I have the gist of the proposal and I am glad the tax levied will be used to address various environmental concerns in the community.
But I am dismayed that, given the outsized and disproportionate taxes already levied on out-of-town homeowners like myself, the town is proposing to add another tax as well as the inconvenience and added bureaucracy involved in requiring us to get a permit to rent our homes every year.
I also think it is a strange “solution” if the issue is over renting or having too many people coming into town or whatever has triggered this proposal. (I’ve read the explanation and am still not entirely clear.)

Because if the concern is just about the numbers of renters coming in, I’d ask you to think about why we are all renting so much. Most of us would prefer not to rent our homes so aggressively. We do so because we are trying to hold on to our homes, something that is becoming more and more difficult as our property taxes rise to ever more astronomical amounts. I think I speak for many out-of-town homeowners in my generation, whose parents and grandparents bought cottages around the lake 30, 50, 70 years ago, who are dismayed that the town is seeking to limit our ability to rent — or at least make it more inconvenient — and to levy yet another tax on us.

It is deeply disheartening.

There is not a year that goes by that I do not wonder if I should sell my house in Greensboro. For now, I am hanging on and hoping to pass it on to my two daughters, both of whom have begged me not to sell it. But my heart sinks when I think about what their tax bill is going to look like when the time comes.

As to putting a minimum on the number of nights we will be allowed to rent, I honestly doubt this will affect many people. My rentals are always a week or longer as I believe most people’s are. But if, as you say, it will give people living away from the shoreline more of a chance to rent, I am all for that and have no objection to that part of the proposal.

But I do want to point out that the new tax and permitting proposal also, at least indirectly, benefits homeowners on the shore who are wealthy enough to not HAVE to rent. They will, at the very least, be unaffected by these proposed changes. And I think the town should think about whether that is what they want — to have its summer community be comprised of more of the super wealthy while squeezing out the less affluent legacy owners.

I also want to point to the whole infrastructure of local people who make a significant part of their living off of the rental business in Greensboro, people who could potentially be hurt if you make renting too onerous, and more of us are forced to leave, including property managers caretakers, gardeners, cleaners, lawn-mowers, landscapers, plumbers, builders etc.

Local businesses also benefit from the renters and the “tourists” who come into town, most of whom are wonderful, respectful people. (I know because I have a lot of repeat renters, many of whom I’ve gotten to know. And because of the care and respect with which they treat my house year after year.) Willy’s, The Miller’s Thumb, the Highland Arts Center, the farmer’s markets in both Greensboro and Craftsbury, Pete’s Greens, Circus Smirkus, The Buffalo Mountain Food Coop, The Galaxy Bookstore, all thrive as a result of the summer influx of “renters” as do local institutions like the Greensboro Historical Society and the Library.

Many, many years ago, a good friend of my family’s, a local farmer who grew up in Vermont and was about as much of a Vermont native as a person can be, said “Greensboro is going to kill the goose that laid the golden egg.” He was dismayed and disgusted by the high taxes levied on the “summer people.”

I have often thought about that comment as I struggle to hold on to a property that I deeply love and that connects me to some of the best moments of my life, to my parents who are both buried in the graveyard by the lake, to the years I brought my own small children, and to a town that I respect and love.

I am willing to pay what’s fair.

I want to be a good and respectful part of the community, as well as a good neighbor, and I hope to find ways to contribute to the community in the years to come.

But I don’t want to feel like the golden goose.

For all the reasons stated above, and as someone who has been coming to Greensboro for 50 years, I want to register my strong “vote” against implementing this new tax and permitting process.

Respectfully,

Zoe Carter
I have a camp, and we rent it 3 or 4 times a year to pay for the tax’s, if this 9 percent tax, and inspections get passed, we will sell, and I’m afraid others will also, so now you will have a community for the rich only, a real so to speak gated community, a plantation. Greensboro back in the day was a place for families of all types. 81 percent of the population I believe is out of state, lots of locals have moved to nexted door community’s to avoid these high tax’s and rules. I reach out to the good people of this committee, and please vote no. It’s in your hands, thank you for your time.

John Risse

Thu, Jan 7, 2021 at 7:17 PM

To Whom it May Concern,

I request that the GPC table the four proposed by-law changes and seek more input from the community. These proposals are being pushed through without due input from the greater Greensboro community.

I think the GPC should focus its efforts on a more inclusive and transparent process. To have the public opinion submitted one month after the changes have already been decided is against the democratic process.

Best,

George Bennum

Date: 1-6-21

I'm part of a family that owns some Caspian Lakeshore. Over six generations, we have improved the cottages and protected the natural resources. At times we have rented a cottage to help pay for the upkeep of the property. Recently, the family has grown so that we no longer rent the cottage to accommodate the grandkids.

I believe the proposed short term rental bylaws (STR) are too restrictive and prevent landowners from creatively managing their property for the long term. The bylaws would be extremely difficult to enforce. If there are problems of noise, traffic, "threats to health, safety and welfare of the public" or threats to the "abundant natural resources" than these need to be addressed, by existing rules.

Let’s do a better job of enforcing current rules, before creating new ones. I recommend that the Commission table the proposals to allow for more review and discussion.
Caspian Lake and the shore land district are natural treasures and should be protected. The proposed rules are extensive and need more review. I recommend that the Commission table the changes to allow more study and discussion. How will this be enforced?

Thanks for your consideration.

Beth Ranz Riggs

Tue, Jan 5, 2021 at 1:19 PM

Dear Brett:

Thank you for speaking with me yesterday and providing a few more details about the process the Town of Greensboro is undertaking in updating the Zoning Bylaws.

As I mentioned, we were concerned to receive this week by mail your notice about the Planning Commission’s proposal to place property on the east of Eligo Lake into the Resource District, which will directly affect the 20-acre parcel of land we own off the Bayley Hazen Rd. We purchased this double-lot from Peter Roudebusch decades ago with the plan that we would eventually build a retirement home there with the potential for a separate guest quarters for our children.

Please email me a link to the upcoming Zoning meeting so that I can watch it live, as well as any notices of other related meetings of the Planning Commission, Select Board, etc., and instructions on the procedures for us participating and asking questions in the virtual format.

With the current delays in the USPS, we would very much appreciate copies of any relevant correspondence to be emailed so that we have enough time to review and respond.

We hope that some of our concerns about the proposed changes are addressed and debated in upcoming meetings, including but not limited to

(1) The Scientific Studies supporting the specific 25-acre constraints proposed—even if that means revisiting the evidence-based assumptions and calculations used to define the original Resource District—and an apples-to-apples comparison with the proposed Eligo Lake east expansion. We ask that this also be assessed in comparison to the different acreage guidance (one-acre lots size) for the Shoreland Protection District.

(2) Tax reductions/compensation for reduced value of property that would be placed into the district, including assessments of the impact of these changes to the resale value of parcels like ours, which were purchased with the possibility of dividing acreage into two buildable 10-acre lots. Has the town yet conducted economic impact studies for tax payers who currently own land that would be affected by the proposed changes? What is the process for requesting that this economic impact study be done before public hearings and
any Commission/Select Board votes transpire? Are there eminent domain-type issues that should be considered before any changes that affect personal property rights of current landowners?

(3) How will the proposed Zoning changes affect our ability, specifically, to build two dwellings on our property, to build access roads and bring electricity, to dig wells and create septic fields as there is no public water/sewage that we’re aware of, etc?

How can we access other comments offered to date on this issue? We’d like to be able to view these online, or perhaps as emailed scans if that makes more sense.

We appreciate your help navigating this process.

Sincerely
Tricia and Jim Wasserman

Dear Ms. Fairbank, dear Members of the Planning Commission,

I am writing to give some input of the proposed revised bylaws being considered by the Planning Commission.
My concern is that, given the importance of these topics, the process does not seem very transparent and the call for comments comes very late in the game. My comments are primarily focused on the STRs bylaw but apply to all proposed bylaws as regards the process.

I am one of many long-standing part-time residents with a long family tradition and profound attachment to Greensboro.

Like many others, I am grateful for the hard work done by the various committees working for the town, for the time energy and commitment that this represents.
Like many people in my age bracket, I have seen the changes in Greensboro over time, have experienced the relentless rise in property taxes, have witnessed the difficulties this has caused, have seen the changing summer face of the community as a result of renter influx, have seen the changes in lake quality caused by increased runoff and erosion.
And like any taxpayer, I want rules that are fair, reasonable, and justified.

This is why I feel the need to speak up now. The question of rentals is critical to homeownership on the lake. Having the ability to rent may be the one thing that makes the difference between being able to keep a beloved property and being forced to sell. Greensboro never has been a place where people invest into rental properties to generate income. It is a place that people come to because they cherish it, and as a rule only rent because they are forced to.
Homeowners want to preserve the very qualities that make Greensboro such a special place and are vested in doing everything to protect this environment. The pros and cons of STR should be carefully weighed, and even a quick glance at the proposed changes raises questions as to the underlying logic.

Such measures need proper airing, discussing, economic analysis.

We want to keep people here who understand the uniqueness of Greensboro and contribute to it. And the town needs to value and respect their very important contribution as taxpayers. Very high taxes combined with restrictive and intrusive rental rules suggest that people are only valued as taxpayers, and not considered worthy of having a say in their right to dispose of their property.

In short, there should be a real consultation process, and early on. I would like to see the vote on these proposed new/revised bylaws postponed until adequate consultation can take place.

I am sure that the town and the PC will find a way to do this and find that it is well worth the effort.

Respectfully,

Eliza Burnham

January 3, 2021
Dear Commissioners:

I write in support of the proposal to designate a Resource District in the area east of Lake Eligo as depicted on the "Map for Proposed Eligo Resource District 12.09.2020". I have a Masters degree in forest ecology, am a retired environmental consultant and a seasonal resident of Greensboro.

Please find attached two maps which I constructed from data available on the Vermont BioFinder website (Vermont ANR - BioFinder3), which you might find useful if you are not familiar with BioFinder and Vermont Conservation Design or, if you are, perhaps to save you some time. The striking feature of the proposed resource district is the extensive, relatively unfragmented, forest landscape. Accordingly, most of the proposed district has been mapped by Vermont state biologists as "Highest Priority" or "Priority Interior Forest Block." Essentially, these forests harbor animal and some plant species that require extensive, relatively unfragmented forest habitat; such species are increasingly rare and among the most vulnerable to development pressures.

"Priority Connectivity Forest Blocks," mapped in the area between Harrington and Overlook Roads, and just east of the proposed district, are forest tracts that connect large interior blocks. These forests are considered important for providing potential
corridors for wildlife and plant movement as climate changes and/or as development pressures shrink available habitat. The proposed resource district lies within a critical arc of interior forest and connectivity forest blocks extending across Greensboro, connecting forests west of Greensboro with those east and north (see attached map showing entire town). Consulting ecologist Jesse Mohr (Native Geographic, LLC) identified this arc, in his July 2019 public presentation to the Greensboro Land Trust, as one of seven particularly special natural heritage features of the town.

The forested lands of the proposed resource district abut Eligo Lake and extend into the riparian zone of the stream bisecting the proposed district and flowing into the head of the lake. This stream is labeled “Webber Brook” on the 2003 USGS Caspian Lake quadrangle. Both the lake and Webber Brook riparian area are identified in the Vermont’s Conservation Design database as “Highest Priority Surface Water and Riparian Area,” meaning they are “of critical importance for water quality, flood attenuation, erosion prevention and wildlife movement” (VTANR, BioFinder, Interpreting Results). The combined occurrence of interior forest blocks and high quality riparian/stream/lake habitat enhances the habitat quality of both resources beyond the quality of each if they occurred separately. For example, Eligo supports breeding loons (I observed one pair and a chick, this past summer) which benefit from the lake’s high quality and the undeveloped shoreline on the east shore. Wildlife such as weasels, bobcat and moose need both quality riparian/pond habitat plus relatively unbroken forest.

I hope that I have explained the above adequately; I believe they are important considerations in your deliberations.

Respectfully yours,

John Cannon

Sun, Jan 3, 2021 at 9:45 AM

I am a “Legacy land owner” as you put it in your letter of explanation. I am strongly opposed to the adoption of the STR regulations. Please resist the knee jerk reaction to have government solve all problems. If a problem exists (and I am not sure there is one) can’t we find a small town solution between neighbors rather than a regulatory overreach?

Also, I find the changing of the time of the regular planning commission meeting from after business hours to during the work day to be disingenuous at best.

Please add me to any email list to be informed of the progress of these regulations.

Bill Hardy
To Whom This May Concern,

May it be noted that I am adamantly OPPOSED to every word in the following paragraph:

The first new bylaw entitled Proposed Short-term Rental bylaw will — beginning in 2022 — regulate short-term rentals (STRs) of 30 days or less, will impose a 7-day minimum on all STRs (i.e., if a property is rented for less than a week, it must remain vacant for the remainder of that week), will require that all rental properties be inspected and receive a permit from the Town’s Development Review Board with an annual fee, and will impose an additional 1% tax on rental revenues.

My family has owned a cottage on Caspian for 56 years. The ownership is evenly divided between me and my sister. These comments are solely my own. I do not plan on renting; however, I do not wish someone on the planning Committee legislating me if I so choose. We pay a huge tax for 2 months of use and respect the lake like gold. The planning committee needs to focus on increasing the village’s tax base by inviting new establishments that add to the village’s revenue as opposed to being tax free. The summer population is not the enemy, but an integral part of revenue. Regulating and adding another reason to tax is not adding favor to anyone.

Sincerely,

Kate Harbison Reetz

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Fri, Jan 1, 2021 at 1:58 PM

To: Planning Committee
From: Lenny Schiavone, landowner/Bayley Hazen Rd

-Thoughts and questions on the proposed zoning bylaw re/land East of Eligo Lake, as requested:

1. Why does the plan use roads as boundaries instead of the way the land drains, like from the high points (ridgelines) down towards Eligo?
2. There is other land outside those road boundaries that also drains towards Eligo, (e.g. parts of Overlook Rd) but they are not included, and there is land within the boundary that does not drain into Eligo.

3. Included landowners will suffer negative financial impact from if this proposal were to be enacted.

4. Would affected landowners see any reduction in taxes because of the new restrictions, if this change were to takes place?

5. In general, is acreage in a Resource District (25 acre min.) taxed at a lower rate than land that is 10 acre zoned?

6. How much of the land included in this proposal is presently in current use?

7. Will the proposed resource district plan affect landowners’ forest management plans already in place? If so, how?

8. If enacted, this bylaw would increase the cost of a future housing lot on the West side of TH #23.

Sat, Jan 2, 2021 at 9:16 AM

Good morning and Happy New Year!

Thank you so much for this very informative outline of the process for amending Greensboro’s zoning bylaws. I have been following posts on the Town website, but this makes it clear that there will eventually be a “town vote” and ample opportunities for public comment.

Can you explain when and how a town vote would occur? Is it correct to assume seasonal residents will not have a vote?

I am concerned about the additional restrictions on signs, which are not yet clearly outlined.

Thank you for your hard work!
Best,
Jenny Bayles
I request that the GPC table the four proposed by-law changes and seek more input from the community. As presented, the intention of these proposals and the stated rationale lack focus and data to support these approaches. Furthermore, these proposals undermine and impede creative endeavors and economic enterprise rather than enable and incentivize these basic foundations of a vibrant community.

I think the town of Greensboro does not need any more ordinances or by-laws and would recommend that the GPC focus its efforts on a more inclusive and transparent process. Instead of pursuing more regulations, ordinances, and laws that restrict, over regulate, and apply punitive fines, I would like to see the GPC focus its efforts to encourage educational initiatives and collaborative practices to bring about positive change and reinforce a sense of community.

Sincerely,

Jennifer Ranz

I recently learned that the Greensboro Planning Commission has proposed four major by-law changes that will affect all homeowners in Greensboro. My understanding is these by-law proposals are scheduled to be voted on and then presented to the Select Board for approval in the very near future. It seems that the Commission is pursuing these changes without sufficient opportunity for review and input from the people who will be affected most by the proposed changes — owners of homes on the lake. It is not clear to me why these changes are an urgent matter that warrant being pursued in this manner. I respectfully request that the GPC consider temporarily tabling the proposed by-law changes in order to afford more time for informed community review and input. Although we have never rented out our home and have no current plans to do so, I am nevertheless interested in learning the specific GPC goals that would be directly addressed by the proposed by-law changes and what alternatives were considered.
Thank you very much for your service to the community and best wishes for a healthy and peaceful 2021.

Courtenay Labson

Tue, Dec 29, 2020 at 10:25 AM

TO: Greensboro Planning Commission

RE: Proposed by-law changes

I have recently learned that the Greensboro Planning Commission has drawn up four major by-law changes that will affect each and every homeowner in Greensboro. The bylaw proposals, draconian at best, are to be voted on and then presented to the Select Board for approval in the near future, directly after the holiday season when everyone is preoccupied with the aftermath. The Commission appears to be pushing them through with little to no transparency, and apparently with no input from the people who will be affected most. The question that immediately comes to mind is "Why?"

This letter serves as a request to table the four proposed by-law changes. More time is needed for detailed community review and input. Changes of this magnitude must be fully transparent, and detailed rationale provided. Pushing through measures such as these in the 'dark of night' is simply not appropriate, and not in the best interest of the community-at-large. In short, these measures would erode the fabric of our community.

Thank you in advance.

Sincerely,

Lisa Downing Sartorius

Sun, Dec 27, 2020 at 7:55 AM

Dear Planning Commission,

We were delighted to hear of your desire to place property east of Eligo lake in the Resource District. When we purchased our property on Harrington road, the main reason was its rural, remote nature. The steep terrain, the minimal road infrastructure, lack of winter access all played a role in why we purchased this property. The fact that the Planning Commission has the vision to protect the natural resources in this area is commendable and makes this area sustainable as a wild, ecologically diverse section of Greensboro.
Unfortunately, there already has been some degradation of this area on Lake Road with the filling in of wetlands, aggressive road cutting on steep terrain, erratic logging practices, all without any repercussions. It has been very sad to see this kind of action taking place, much of it on the edge of a very fragile ecosystem of beaver ponds, vernal pools, and swamp.

We feel this action by the planning Commission is appropriate and needed. It will help preserve this section of Greensboro for future generations, in alignment with the town plan. It will also help the town financially by eliminating the need to spend hundreds of thousands of dollars of taxpayers monies to bring the areas roads in step with any major development. Harrington Road in particular is unmaintainable in the winter (ask Perry and Sons and the Road crew about that one), Overlook road is virtually one lane all winter, and Lake Road is an accident waiting to happen with insufficient width, guardrails, and ditching. Local Fire departments would be hard pressed to access any homes in this area during the winter season.

Most importantly however is the preservation of the natural resources of the area. It will ensure generations to come enhanced ecological health and diversity of this area. It represents a district with a significant deer wintering yard, headwaters of several brooks, and home to the only confirmed scat sighting of a catamount in Vermont since the early 1900's.

Again, we are pleased with the direction of the Planning Commission and support this decision 100%.

Sincerely, Harry Miller and Jean Dutton

Thu, Dec 24, 2020 at 11:55 AM

I appreciate the effort of the committee members in preparing the zoning proposal as set forth. Recognizing the changes that we have seen in our community in recent years warrants a fresh look as to how Greensboro adapts. As a year-round resident I want to see the nature of the town that drew me here some 40 years ago preserved. I also recognize that 'the times they are a changing' is a reality. The obvious trick is to find the proper balance. From the comments I've read so far competing interests favor less guidelines and restrictions as proposed. I lean the other way, reasonable regulations and guardrails are necessary in preserving the nature and quality of life in Greensboro as we go forward. I doubt that there isn't any other small town in Vermont that isn't struggling with the same issues. Greensboro is fortunate that we have a committee addressing it. Again, I appreciate your work and I support the proposed zoning regulations.

— Michael Lammert

Thu, Dec 24, 2020 at 9:46 AM

My name is Arthur "Rusty" Newhouse. I have attached a comment on the proposed STR ordinance. My wife and I own a cottage on Caspian Lake. I am an attorney and a strong
believer in individual property rights. I am afraid, however, that the STR situation has
gotten out of control. I do not blame property owners who feel that they must rent to pay
taxes or that just want the extra income. I also do not blame the Town for not enforcing the
current zoning which prohibits commercial activity within the Shoreland district.

I do believe that the modest amount of regulation proposed would go a long way toward
protecting all property owners’ rights as well as the safety of its citizens and quality of our
lake. People would still be able to rent, that will not change.

Thank You
Rusty
Rusty Newhouse

December 23, 2020

I am writing in support of the proposed Short Term Rental Ordinance. There are several
perspectives on this issue. If you are renting your property, it is a business issue. If you are an
owner of property on the lake, it is a quality of life issue. If you are neither it may be political or
business. I am a lifelong member of the Greensboro community and a property owner for over
35 years. Growing up in Greensboro I knew my neighbors, their kids, parents and grandparents. I
am now surrounded by a parade of strangers. I understand that times change but the volume of
cars and people using the rights of way next to my home is out of control.
I have one 25’ROW on each side of my property. The one to the north has 2 docks and a raft and
services 4 off lake properties. To the south, 3 docks within 10’ OF EACH OTHER serve an
additional 5 properties. Some of the properties rent to as many as 3 families at a time and there
can be 30 people using a total of 50’ of lake frontage! Previous renters return to use the ROW’s
after their lease periods. Property owners do not supervise because they are absent. I witness
sundry boats getting put directly into the water without regard to where they have been. People
bathe, wash their hair and their dogs in the lake. The intensity of use is increasing in an alarming
fashion.
In addition to all proposed regulations would favor a 14 day minimum stay (or 7 at the very
least) with appropriate (not overcrowded) occupancy. ROW access should not be a free for all,
but I am not sure how to do that. Certainly, these ROWs should be pedestrian only as they were
probably originally written—unless the property owner designates one or two spaces on their
own property. Shoulder parking on these narrow country roads is not safe and is a nuisance to
those of us who are not transients. These ROWs were originally to provide walking access to the
lake for water or ice, not as public beaches.
Currently the Greensboro Zoning Ordinances prohibit commercial activity in the Shoreland
District. STR’s are commercial activity. In fact, all rentals are prohibited but the Town has
chosen to look the other way, understanding that some owners must rent to recoup some of their
expenses. But there is a reason for zoning and property owners have some expectation of peace
and quite typically not found in a commercial district.
I applaud the Board for taking on this task. I get that property owners may need to rent to pay
some of the highest education/property taxes in the country. Thanks for acknowledging that
intense rentals do more than cover taxes; there are eternal effects on quality of life, water quality and safety that landlords may not realize since they are absent landlords. I bought my home in a quiet, residential neighborhood to enjoy Greensboro's peace and quiet and the lake. I hope some regulation with STR can serve to rescue what is being lost.

Sincerely
Arthur "Rusty" Newhouse

Wed, Dec 23, 2020 at 2:51 PM

I support the new shoreland district bylaws.

I support the proposed STR bylaw—and think a minimum of 7 days is reasonable in the shoreland instead of the 3 night minimum.

I support the Eligio proposal.

Andy Carpenter

Tue, Dec 22, 2020 at 10:40 AM

Dear Planning Commission,

I am writing to oppose the short-term rental bylaws that are proposed.

I have spent parts of the summer in Greensboro throughout my entire life. My family has been spending time in summers in Greensboro for the past 120 years, and I now have many relatives who have become full time residents of Greensboro. My family represents 6 generations of Greensboro residents and summer people.

This proposal is a thinly veiled attempt to "Make Greensboro Great Again." The memories of reliable summer residents year after year, the cocktail parties, and the daily meet-ups at Willey's are great; but those are memories. Times have changed. Women work full time and support the household. Few have the ability to take the entire summer off to spend in Greensboro. The World has changed, and so must Greensboro. The affordability of the camps in Greensboro drew educators and others to Greensboro and Caspian Lake. It is no longer affordable like it was, and placing more burdens on property owners makes it even less so. If we wish to bring back people to Greensboro who can stay for extended periods, we need to work to make the housing more affordable, and creating burdens such as this does exactly the opposite.
Vermont has exceptionally progressive taxation. We pay over double in property tax on the home we spend 4-8 weeks a year in in Greensboro than we do in our home where we send our children to public school; the homes are of similar assessed value. Our renters pay 9% tax on their use of our home on Caspian Lake already. Adding additional burdensome fees and regulations is simply not treating us fairly. Remember, it is the taxes that are already so high that are causing us to be forced into renting our homes out. Why make this more difficult for us?

Let me go through the rationale for the STR bylaws. My comments follow the italicized quotation for the planning commission's document.

The purposes are:
to establish a balance between the desire of property owners to rent their residential properties to short-term rental guests for compensation and the desire of residents to preserve the traditional peace and quiet of their residential neighborhoods;

If there is anywhere more quiet, I don’t know it. Most of the rental homes are not in neighborhoods as I know them, they are in medium to large pieces of property, separated from other properties, and in my experience, it has been the owners of the properties who have caused much more disturbance than any renters. Additionally, the only new and recent noise that I have observed has been an increase in the use of powerboats launched from the public beach. Maybe limiting powerboats should be more of a target if limiting noise is the goal.

to preserve and protect residential neighborhood character and livability from the impacts that are often associated with short-term rentals;

Really? Is this serious? "MGGA" Has there been a rise in crime due to short term rentals that I am unaware of? Impacts associated with short-term rentals is obnoxious, unnecessary and vague. And while I am sure the commission will point at various documents that show that short-term rentals affect the character of an area, so do many other things. This is change and progress. We can’t go back to 1930 or 1950, nor should we want to.

to ensure the safety of occupants of short-term rentals.

Is there any evidence whatsoever that short-term rental occupants have been unsafe? Have there been any reported hospitalizations, fires, ambulance visits, complaints, drownings, or any other such events that should make us concerned about the safety of these occupants? There have been short-term rentals in Greensboro for decades, for generations, and I have never heard of any such event, and certainly not one that can be attributed to a property being a short-term rental. This is more nonsense not founded in reality, but an attempt to come up with a reason other than just trying to Make Greensboro Great Again.

I'm sorry if I offend the commission by saying these things, but I feel passionate about this. What is being attempted here is disingenuous, discriminatory, and rooted in thinly veiled classism, racism, and hate. I know the PC does not see it that way. Greensboro needs to
move forward. Putting these types of restrictions into place, especially during the worst pandemic in a century, is simply wrong.

Greensboro should be welcoming of outsiders and rentals, not restricting and regulating them. We must do everything we can to protect the area and to protect Caspian Lake, but this is not the way.

Sincerely,
Nicholas Mantel, M.D.

Tue, Dec 22, 2020 at 8:46 AM

I have been very impressed with the preliminary recommendations of the Planning Committee. It addresses a crucial community issue—the threat of short-term rentals to the purity of the lake. The small fee charged to renters offers an excellent way to raise funds to protect our shared natural resources. No doubt, you will hear some complaints about new regulations, but this is the time to act for the general welfare of Greensboro.

Yours/T.H. Breen

Mon, Dec 21, 2020 at 3:04 PM

I am a landowner in the Randolph Camps and a life time summer resident of Greensboro. Through this email I am providing public comment to the proposed bylaw to manage short term rentals (STRs) in the Shoreland Protection District (SPD). I fully support the concept of implementing STRs.

If something is not done, there becomes a real possibility of the lake experience being degraded. I have already seen at the Randolph Camps in the last few years an influx of some renters showing little interest in preserving the peaceful nature of the lake. I have seen some cottages fill beyond capacity with people even overflowing to the point where multiple tents scatter across the yards.

I respect that some SPD owners may want or need to rent. I might need to become one of those landlords myself. But if the whole lake experience becomes one where it is overcrowded and obnoxious, then I would probably just want to sell and leave anyway. My old place could then be bought up by another landlord, and further overcrowding could proceed. Without STRs the dominoes will fall and you will be left with a new kind of lake. It will be hard to put that genie back into the bottle.
Do something now. Protect our lake. Institute bylaws for STRs.

Perry C. Howard

Sun, Dec 20, 2020 at 9:10 AM

Dear Zoning Board

I write in support of the STR bylaw regulating short term rentals in Greensboro.

Hugh Knox

Sun, Dec 20, 2020 at 9:14 AM

Dear Board

I write in support of the proposal to change the zoning on the east side of Eligo from 10 to 25 acres.

Hugh Knox

Sun, Dec 20, 2020 at 10:16 AM

To zoning commission:

I have questions/ concerns re to proposed zoning bylaws in the draft shoreline protection, specifically as it relates to seasonal docks. The permitting section states that a permit is required to install a temporary seasonal dock on the lake, to a maximum of “one dock per lot”. It is also discussed in the non conforming section of the proposed draft. I feel that the draft has not adequately addressed properties that have deeded rights of way written into the
deed.
Our property has a 20 ft right of way on the border of our property for specific property
owners who do not have lake frontage, with the intention of allowing them lake access. This
right is written into our deed for the property as well as their deeds (to my knowledge).
They currently install a seasonal dock into the lake to provide egress for their watercraft, as
well as an area to sit, and access the water for swimming.
If the draft only allows on dock per property, this is going to cause problems with all
properties that have these provisions written into the deeds.
I feel that the committee needs to address this issue and clearly state the intention of the
shoreline protection bylaws re docks in relation to non shorefront property owners who
have a legal right to enjoy lake access as written into the property deed.
Please let me know your intentions to this matter.
Second issue: “permit required to install one seasonal dock” How about a permit required to
install “more than one seasonal dock”. I question how you are going to enforce that permit
requirement for “any seasonal dock” installed on Caspian. My guess is most people will
ignore it, you will have issues in enforcement, and what’s the point of installing a bylaw
that is ignored?

Thank you for your time.
Bruce Seel

To: Greensboro Town Planning Commission

2020
From: Rick Ely
RE: Short-Term Rental Bylaw

I am writing in my capacity as a private citizen and non-resident landowner in
Greensboro, in order to comment on the Proposed Short-Term Rental Bylaw (draft
12/9/20) posted on the Town’s website. I want to thank the members of the Planning
Commission for their hard work in creating this draft and express my support for
sensible regulation of rental property within Greensboro.
Prior to preparing this note, I listened to the Planning Commission’s discussions at its
meeting held November 11 and reviewed the draft STR Bylaw produced at that
meeting. I also have briefly reviewed the 12/9 draft of the STR Bylaw and will limit my
comments to that document. Those comments include both conceptual issues and
specific drafting concerns. On the latter, I believe my background as a regulatory
lawyer with several decades of experience provides me with a basis for providing those
comments with a level of drafting expertise that will benefit the final document.
Based on the draft text of the Bylaw and the comments made by the drafters at the
November 9 Planning Commission hearing, it appears that consideration of the Bylaw is
being driven by a perceived increase in abusive practices affecting the environment or
the neighborhood experienced at houses within the Shoreland Protection District that
are repeatedly rented for very short periods throughout the season as part of a business
or investment. As drafted, however, the Bylaw covers a range of situations falling
outside this category. The Bylaw should be revised to limit its scope to those situations likely to give rise to those abuses. Specifically:

- As discussed at the November 9 meeting, the application of the Bylaw should be limited to the Shoreland Protection District. Its application might also be limited to rentals that include use of a shared dock or shared lake access, since that is what appears to have given rise to the bulk of the concerns. It is not clear, for example, why a short-term rental of a barn in North Greensboro for purposes of a catered conference or wedding needs to be regulated in this manner at this time.

- The Bylaw currently applies to all rentals of less than 30 days. Given the very short season during which rentals occur in the Shoreland Protection District, reducing this threshold to two weeks during July and August likely would address the vast majority of abusive practices.

- The Bylaw should not apply to situations that don’t constitute a repeated short-term rental for business purposes. These situations vary but exceptions might include:
  - Rentals below a de minimis threshold. I support the change in the current draft to exclude rentals that do not exceed 14 days in a calendar year. This mirrors the approach taken by the State of Vermont which does not charge rooms and meals tax on rentals of fewer than 14 days each year.
  - The By-law should be revised to make clear that certain payments are not “rent” or part of a “rental”, nor do they constitute a “sub-let” in the sense intended by the drafters. For example:
    Payments made solely to reimburse out of pocket costs such as electricity, fuel, trash pick-up, gardening/lawn mowing and house cleaning, as well as other routine maintenance costs, should not be restricted. These might occur, for example, when a friend or extended family member is provided use of a house as a courtesy.
    Similarly, the shared payment of a rent payment among two or more otherwise permitted occupants should not constitute a “sublet” even if all those occupants are not named on the rental agreement.
    Payments made to a trust or LLC that owns a property by beneficiaries of the trust or members of the LLC or their family members should be excluded.
    Payments received from family members should be excluded (given the history of camp ownership in Greensboro, “family members” should include second cousins and former spouses).

- The Bylaw mandates compliance with “VT Fire and Building Safety Code” and the completion of an inspection by the “State Marshall” for “fire code compliance”. A few observations here:
  - Most structures in Greensboro were built before the adoption of current building and fire codes and are not subject to them, unless they are renovated, so it’s not clear what standard this language is intended to apply.
  - I have briefly reviewed the links included in the Bylaw. It’s not clear to me from this review how one would go about engaging a State Marshall to perform an inspection or what specific work the State Marshall would be asked to perform.
  - Note that there already exist Vermont laws of general application to landlords (e.g., the general warranty of habitability imposed by VSA Title 9, Ch 137, §4457), although those don’t need to be referenced in the proposed Bylaw in order to apply.
I believe that Vermont’s Short Term Rental Safety, Health and Financial Obligations (see: Short Term Rental Safety, Health and Financial Obligations) and Licensed Lodging Establishment Rules (see: Licensed Lodging Establishment Rules) do NOT apply to individual cottage rentals. If the intent is to make these obligations apply to individual cottages, I believe this would place an undue burden on property rental as currently practiced in Greensboro.

If the Commission believes that there are specific safety standards that should be adopted (requiring working smoke and carbon monoxide alarms would be an obvious example), the Bylaw should be narrowly tailored to address these.

With reference to Section C.2., I suggest the Commission take legal advice on whether a bylaw of this type is permitted to limit the expenditure of town revenues in the manner contemplated by the last sentence of this Section. Alternatively, delete the sentence and leave it to the annual vote at Town Meeting, where expenditures are normally approved.

“Occupancy” limits are based on the number of approved bedrooms [in] a Wastewater Permit. This appears to refer to the minimum design flow mandated by state regulations for new septic systems (2 people for the first 3 bedrooms, 1 person for each additional bedroom). A few observations:

Many (most?) septic systems in Greensboro were designed long before wastewater regulations were adopted and were never permitted and have no recognized documentation or design specifications. By comparison, when issuing a lodging license, the state only requires water system documentation for “water systems requiring a permit.”

It would be clearer and less burdensome to simply limit overnight guests to a specified number per bedroom, perhaps excluding children under the age of 12.

“Occupancy” should be defined to mean overnight guests. It should not be the case, for example, that neighbors visiting for a children’s playdate, dinner or cocktails are “occupants”. Bear in mind that “occupancy” is a term of art in certain building codes that often includes all persons physically present in a structure or room at any one point in time, such as the term’s use in Maximum Occupancy Signage.

The requirement for providing a detailed site plan is burdensome in its detail. What benefit is there, for example, in providing a building floor plan or septic location? I believe the drafters should consider reducing the scope of this provision to requiring information that is reasonably likely to be helpful in the administration of this Bylaw.

I note that the Bylaw no longer imposes any septic system requirements (apart from maximum occupancy). I believe, however, that some requirement in this area could assist in assuring lake water quality, perhaps with language along the following lines:

“A permit applicant shall be required (i) to affirm their good faith belief that their wastewater system is in good working order; and (ii) provide documentation that the system has been pumped out or provided comparable maintenance service within the last four years”.

Assuming this Bylaw becomes part of the Zoning by-law, it needs to be re-read against the provisions of the by-law. For example:

In considering an application for a rental permit, can the Town commission an “Independent Technical Review” under §5.12 with the fee payable by the applicant?
• The requirement for a local emergency contact should be revised to include persons within a reasonable radius of Greensboro. If the Commission is willing to have a local manager who lives 150 miles away in Southern Vermont, there is no reason why that manager could not live in a community that is closer in Northern New Hampshire.

• In the final section, the antecedent of "the constraints above" is unclear. As a result, it is not clear whether the seven day limit overrides the 14-day threshold in Section (A). This should be clarified.

• The phrase renting a primary structure "in its entirety" should be rephrased to make clear that it does not apply to rooms and closets that are used for locked storage.

Respectfully Submitted,
Rick Ely

Tue, Dec 8, 2020 at 9:46 AM

Sorry for the delay but as promised here are my thoughts on the current sign policy and how it affects us:

We hung that Highland Lodge Sign on our Beachfront in response to growing neighbor complaints that our guests were venturing off of our own beach and walking around their shorelines, so we offered to hang signage identifying our property and remind people to stick to our outlined beach. Additionally, when guests are out and coming back at dusk it is easier for them to see the outline of our white sign even though it is not lit up. This also is a means to deter all of the people who launch on the public beach at Willeys and boat over to our beach, who are not supposed to be using our beach and equipment. I would like to have a sign added to the public beach reminding users to remain on the public beach and not venture to other people's land if we are not able to have a sign on the beach side of the building. On that note- we are the only business on the lake so we are really the only ones affected by these rules in place so we would like to see a change in this policy as it is a matter of guest safety and a reminder to day users that our beach is not open to the public. As a building that is not immediately on our upper property/ next to the lodge, guests need to be able to identify which buildings are our property so that they aren't accidentally trying to open our neighbors boat house or use their showers. This has happened in the past....

Perhaps if signage is really an issue in Greensboro, the town could provide a grant or specifications so that all the small businesses here that need signage can have classy, matching signs such as a white/black font requirement. The sizing issue is sort of a non
issue, and it is interesting that some businesses are able to have substantially larger signs than the outlined requirements and we cannot—though this sign was made in the 90's and really should be grandfathered in to any current rules, but that is neither here nor there.

Is there a meeting we can attend that we can voice these concerns?

Thank you for a wonderful and productive conversation! Please let me know if there is anything else I can provide that may help move this along.

Cheers,
Elsa

Elsa Schultz / Chad Sims
General Managers, Highland Lodge