

Norwich Planning Commission
Regular meeting – November 18th, 2025 6:30pm

To be Held in person in the Tracy Hall Multipurpose Room and via Zoom

Zoom Information:

Topic: Planning Commission Regular Meeting

Time: November 18th, 2025, 6:30 PM

<https://us02web.zoom.us/j/81307504748>

Meeting ID: 813 0750 4748

888 475 4499 US Toll-free

AGENDA

1. Open Meeting; determine quorum
2. Approve Agenda
3. Public comment on items not on agenda
4. Correspondence
 - a. Goulet letter
5. Chair Report
 - a. Town Report
 - b. Enhanced Energy Plan Document
6. TRORC FLU maps
 - a. AHSC correspondence
 - b. Map Review
7. Short Term Rentals
 - a. Review VLCT Guidance & Model Ordinance
 - b. Continued discussion on proposed STR language & interim bylaw
8. Capital Planning
 - a. Update on work plan
9. Approve minutes from October 14th, 2025
10. Adjourn

Enclosures:

[Correspondence from Goulet family](#)

[PC Town Report](#)

[Enhanced Energy Plan Document](#)

[Correspondence from Jeff Lubell](#)

[VLCT STR Model Ordinance](#)

[VLCT STR Guidance document](#)

[Draft Minutes October 14th, 2025](#)

November 1, 2025

To the Norwich Planning Commission,

We regret that we could not attend your last meeting. We were returning home after deer hunting. We were dismayed to hear that a resident questioned the importance of deer yards, especially given the current number of deer in the town.

An example of the importance of deer yards lies across the river in Hanover. As humans destroy deer habitat with fenced solar installations and other projects, deer populations become embedded in "downtown" neighborhoods. Deer eat, sleep and breed in residents' backyards. They never leave. Gardening is impossible. Flowers are a luxury of the past. Nationally renowned deer expert, David DeCalista, spoke on this topic at the Howe Library in Hanover on October 7, 2025 (<https://youtu.be/MHvRCXCOFYM>). We strongly suggest that the Planning Commission and the Solar Subcommittee watch this video and learn from Hanover's experience. DeCalista describes how deer overpopulation developed as well as potential solutions. Clear-cutting forests to reduce deer yards was not among them.

This past week more than eight acres of forested deer habitat were clear-cut on Upper Loveland Road to make way for a commercial-scale solar installation in a residential neighborhood. We encourage the Planning Commission and the Solar Subcommittee to watch the effect on the village of Norwich next year. We believe deer browse, ticks, the incidence of tick-borne diseases, and deer-automobile accidents will all increase as deer embed themselves in various neighborhoods. If Norwich continues to allow clearcutting and building upon deer habitat, it will soon have a deer problem the size of Hanover's.

Sincerely,

Jenn and Dan Goulet
185 Upper Loveland Road
Norwich, VT

Norwich Planning Commission

Annual Report – March 2026

The Planning Commission is a 7-member volunteer group responsible for maintaining our town plan and zoning regulations. The town plan captures our town's vision for development, energy, land use, transportation, etc. The zoning & subdivision regulations are used by the Development Review Board and our zoning staff to review development proposals. We draft these documents for Selectboard review and approval.

2025 ACTIVITY

The Planning Commission's most significant accomplishment this past year was the drafting and adoption of a set of revisions to the Norwich Zoning Regulations which:

- Modernizes our regulations and aligns them with current state laws
- Encourages development of a diverse housing stock including simplifying permitting for ADUs and increasing the density bonus for affordable housing
- Allows for specific agriculture uses such as on-farm businesses and open-air markets

Extensive work done by the Solar Siting Subcommittee was put into a broader context with the decision to create an enhanced energy plan. The siting group will create maps and guidelines defining constraints and prime locations for development of renewables. Concurrently, an Energy Plan Working Group including representatives from the Energy Committee and Conservation Commission will update the background data, targets and policies needed for an enhanced plan. This plan will maximize our influence on energy related decisions in Norwich as we strive to meet important targets.

The Planning Commission decided to include a capital planning element in our town plan to acknowledge and support the long-term financial planning needed for infrastructure such as sidewalks, paths, water & septic, and town buildings and other capital requirements of our planning goals.

Our regional commission TRORC, in accordance with new VT land use laws, held an initial review of proposed Norwich future land use maps, which covered uses such as housing, transportation and renewables generation, and put them in a regional context. We will include this regional perspective in our ongoing planning activities.

We applied for a state municipal planning grant for a village area master planning process.

We began a conversation on short term rental policy driven by changes in the business environment and resident feedback.

The Norwich Planning Commission meets on the second Tuesday of the month. All PC and subcommittee meetings are warned with minutes published. The public is encouraged to participate. Our website contains many useful resources and links.

Jaana Laaspere, Chair

A project of the Norwich Planning Commission to update the Energy chapter of Norwich Town Plan.

This chapter is intended to comply with standards outlined in Act 174 to receive a: “determination of energy compliance” and “be given ‘substantial deference’ in the Public Service Board’s review of whether an energy project meets the orderly development criterion in the Section 248 process.”

This activity will be guided by Act 174 documentation of Municipal Determinations Standards (2024) with details available in 2024 Guidance for Regional and Municipal Enhanced Energy Planning Standards.

As described in these documents, the Enhanced Energy Plan [EEP] must address specific standards. These standards are listed below with drafting responsibility proposed for each.

Roles and Responsibilities

The **Norwich Planning Commission** will lead the effort, provide overall guidance & coordination and make all policy decisions. This effort will, as always, include open public participation.

The PC will also lead the drafting of Standard 8 relating to patterns and densities of land use. And, as part of its overall charter, the PC will incorporate the findings of this energy plan into our capital planning activities.

The **Solar Siting Subcommittee**, an existing subcommittee of the Planning Commission, will be responsible for:

Standard 9 – Development and Siting of Renewable Energy Resources

- 9A - Existing renewable energy generation
- 9B - Generation potential - link to mapping
- 9C - Identify sufficient land to meet 2050 target
- 9D - Constraints related to meeting targets
- 9E - Policies, objectives and siting guidelines
- 9F - Maximize potential on preferred locations
- 9G - Municipal projects
- 9H - Other

Standard 10 - Mapping - overview

Standard 11 - Map - Existing electrical generation

Standard 12 – Map - Potential areas for the development and siting of renewables

- A - Raw potential
- B - Known constraints
- C - Possible constraints
- D - Transmission and distribution resources & constraints
- E - Preferred sites

Standard 13 – Map - Unsuitable areas for siting renewables or particular categories

An **Energy Plan Working Group** is proposed to collect data & draft Standards 4 – 7.

Membership:

1 from Planning Commission

1 - 2 from Energy Committee

1 from Conservation Commission

Solicit input from Historic Preservation Commission and the public

Staff: Harry Falconer and Steven True

Responsible for:

Standard 4 - Resources, needs, scarcities, costs, problems for all energy sectors (electric, thermal and transportation)

Standard 5

A. Estimate current energy use, including 9A & 9G

B. 2025, 2035 and 2050 targets for efficiency and renewables use

C. Thermal sector conservation, efficiency and conversion to achieve target

D. Transportation changes and land use strategies to meet targets

E. Electricity conservation and efficiency to meet targets

Standard 6 - Conservation and efficiency

A - E => Conservation, efficient buildings, decrease fossil fuels for heating, municipal buildings

Standard 7 - Transportation

A - E => Public transportation, single occupancy trips, EV, bike/ped, municipal use and infrastructure

Schedule

October '25 - Invitation to Norwich Energy Committee and Conservation Commission for participation in Energy Plan Working Group

First meeting – December '25

First drafts of new sections to Planning Commission – March '26

Review and comments from PC and public – April

2nd round / refinement – Q2

Coordinate with PC work on capital planning and other potential town plan amendments to decide how to proceed with public hearing and Selectboard approval process.

Steven True

From: Jeff Lubell <jefflubell@gmail.com>
Sent: Tuesday, November 11, 2025 9:29 AM
To: Jaan Laaspere
Cc: Steven True
Subject: AHSC recommendations regarding TRORC future land use maps

Hi Jaan,

At the affordable housing subcommittee meeting yesterday, we discussed TRORC's future land use maps and the subcommittee empowered me to draft and send a memo to the planning commission reflecting the subcommittee's recommendations. We would appreciate it if you would include this memo in your next Board packet and include our recommendations in any larger set of recommendations the Planning Commission conveys to TRORC.

1. First, we commend the TRORC for making changes in response to feedback at the planning commission session earlier this fall. The changes reflect important steps in the right direction of ensuring adequate space for future development within close-in locations in Norwich without promoting sprawl.
2. We recommend extending the village area north a bit to include SPAN: 450-142-12272. This is a 24+/- acre parcel owned by the town that houses, in the southern section, the town's Department of Public Works (DPW) facility and the transfer station. In 2024, the town submitted a request to the Vermont Community Development Program (VCDP) for funding to support a planning grant that would assess the feasibility of affordable/workforce housing on a specific portion of this parcel (on the northern half of the parcel at the far-west end). This reflects the town's interest in exploring development of this area as the natural extension of the settlement in and around the village center. Including this parcel within the village area would ensure Norwich's application receives fair consideration as a designated place and would reflect the already-expressed interest of the town in considering development on this parcel. The fact that this parcel was not in a "designated" place under Vermont's designation program was one of the key reasons the town's VCDP planning grant application was denied. Given the site's large size and proximity to a stream (which tends to suggest good soils), we think it is likely that the site would have adequate soils for a community wastewater system to support the development, though this would need to be tested during the planning phase. The proposed development site is a fair distance from the transfer station and unlikely to have been used as a landfill, but it will be important to conduct environmental assessments to confirm whether it is safe to develop there. If these studies confirm the property can safely support development, a small subdivision on this location would form a natural terminus for the northern portion of Norwich's village area and should be designated as part of the village area on the future land use maps.

(If anyone on the PC or TRORC wants to see the proposed development site, let me know. I would be happy to lead a tour.)

3. We recommend extending the village area to include the Hawk Pine neighborhood, which is adjacent to the currently designated village area and walkable to the village center. A significant portion of this development has good soils to support more compact development, if desired, as well as a community system that could support development in other portions of this neighborhood.

I will plan to attend the next planning commission meeting to discuss these recommendations.

Thank you for considering our recommendations.

Best,

Jeff Lubell

Chair, Affordable Housing Subcommittee

Short-Term Rental Regulations Overview and Model Ordinance

Is your municipality considering short-term rental regulations? If so, this overview provides options and considerations for your municipality. While every effort is made to provide members with the most accurate information possible, this resource does not constitute legal advice and any

ordinance or bylaw to regulate short-term rentals should be reviewed by an attorney prior to adoption.

Enabling Authority

As a Dillon's Rule state, Vermont municipalities can only exercise that authority which is expressly granted to them by the Legislature, or that which is implied by and/or necessary to carry out those explicit grants of authority. Vermont law specifically allows municipalities to regulate short-term rentals ("STRs") either through the authority granted them to regulate land use through the enactment of zoning bylaws and/or its police powers by adopting a standalone ordinance.

The specific enabling provision permitting municipalities to regulate STRs is [24 V.S.A. § 2291\(29\)](#), which states:

For the purpose of promoting the public health, safety, welfare, and convenience, a town, city, or incorporated village shall have the following powers:

(29) To regulate by means of an ordinance or bylaw the operation of short-term rentals within the municipality, provided that the ordinance or bylaw does not adversely impact the availability of long-term rental housing. As used in this subdivision, "short-term rental" means a furnished house, condominium, or other dwelling room or self-contained dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year.

This law identifies an STR by how long it's rented (fewer than 30 consecutive days and for more than 14 days per calendar year). We interpret "fewer than 30 consecutive days" to mean a single rental transaction that is less than 30 days. In other words, for example, a house that is leased by a landlord to a tenant on a month-to-month basis wouldn't fall under the statute's definition of an STR. We interpret the second qualifier of this definition ("more than 14 days per calendar year") to mean that a residence could be rented for up to 14 days during a calendar year without being subject to STR regulations; in other words, residences rented for 14 days in a calendar year would be exempt. We don't interpret this as being limited to consecutive days. For example, 14 one-day rentals or one 14-day rental would not trigger the regulation. If a property in your municipality doesn't fall within this definition, it cannot be regulated as an STR.

The law's only express limitation on municipal regulatory authority is that no STR ordinance or bylaw can "adversely impact the availability of long-term rental housing" stock. This standard appears to be results-oriented. However, there is no clear direction from the Legislature as to how this standard would be applied and, consequently, will likely be left to the courts' interpretation.

Overall, this legal framework means that local regulations can be customized to suit each municipality's needs within the law's relatively broad parameters. Choosing which form of regulation (ordinance and/or zoning bylaw) is the best fit for your municipality will depend on various factors and considerations, as elaborated in this resource.

Ordinances

An ordinance is a legislative act by a municipality's legislative body – its selectboard, city council, aldermen, or trustees – that forbids or restricts an activity or requires one to be performed in a certain way. It's an expression of municipal will affecting the conduct of its inhabitants that carries the state's authority and has the same effect within its territorial limits as state law does. An ordinance sets expectations that the townspeople have for behavior in public and notifies them of potential consequences when these expectations are not met, including fines. Once adopted according to the statutorily prescribed process, an ordinance becomes a legally enforceable local law within that community. You can download our model Short-Term Rental Ordinance from this page to use as a template. Additionally, you can find more information on ordinances on our Policies and Ordinances home page.

Local Zoning Regulations ("Zoning Bylaws")

Zoning bylaws are the most common regulatory tool used for implementing a municipality's vision for land development within its borders. Vermont law ([Title 24, Chapter 117](#)) enables local land use planning and development regulation, so long as a municipality's zoning bylaws conform with its town plan. The law includes parameters for required and prohibited content in local bylaws and prescribes the statutory process for adopting and amending them. Zoning bylaws may "define different and separate zoning districts and identify within these districts which land uses are

permitted as of right, and which are conditional uses requiring review and approval...." [24 V.S.A. § 4414\(1\)](#). Therefore, if STRs are to be allowed and regulated by zoning bylaws, they will need to be deemed either a permitted use subject to administrative review (by the administrative officer, aka zoning administrator or ZA) or a conditional use subject to review by the appropriate municipal panel(s) (i.e., DRB, PC, ZBA) exercising development review authority. Municipalities that have already adopted zoning bylaws benefit from having the structure in place to implement their vision using these types of review. For more background information on ways to achieve your planning goals, see the Vermont Association of Planning & Development Agencies (VAPDA) [Planning Resources](#).

General Considerations

Adoption: Ordinance. An ordinance is adopted by the selectboard at a duly warned open meeting. After its adoption, posting, and publication, an ordinance can be challenged by voter petition. If not, it will become effective 60 days following the date of its adoption. Overall, it's a much easier and quicker process than adopting a zoning bylaw. More information on ordinance adoption can be found [VLCT's Ordinance Adoption, Amendment, and Repeal Toolkit](#).

Adoption: Zoning Bylaw. The statutorily prescribed process for adopting, amending, or repealing a zoning bylaw, which can be found in [24 V.S.A. §§ 4441-4442](#), first requires the planning commission to create a written report that ensures the bylaw proposal conforms with the town plan. Subsequently, the planning commission and selectboard must hold public hearings on the proposed bylaw. In both cases, there is a minimum statutory requirement for the number of public hearings they must hold and allowances for public participation, but both bodies can certainly hold more hearings to maximize public engagement and inform voters. Zoning bylaws are adopted, amended, or repealed by the selectboard after its final hearing or by the voters by Australian ballot if so warned by the selectboard. VAPDA has created helpful guidance for adopting zoning bylaws, which you can find [on the VAPDA website](#). Your [Regional Planning Commission](#) (RPC) can provide helpful resources on zoning bylaws, as well.

Enforcement: Ordinance. A municipal ordinance must be designated as either civil or criminal. Vermont law allows for enforcement of violations in either the Judicial Bureau or Superior Court. [24 V.S.A. § 1974a](#). The Judicial Bureau is generally less expensive and less time-consuming than

Superior Court and does not require the assistance of an attorney. Enforcement in the Judicial Bureau is more appropriate for less severe ordinance violations and situations where monetary penalties of less than \$800.00 per violation are imposed. In instances where a town seeks either penalties that escalate beyond \$800.00 or “injunctive relief” (a court order to do or not do something), enforcement must be pursued in Superior Court [24 V.S.A. § 1974a\(b\)](#) since the Judicial Bureau lacks this authority.

Enforcement: Zoning Bylaw. Zoning bylaws can also be enforced in two ways. [24 V.S.A. § 1972a\(d\)](#). According to the law, zoning bylaw violations can be enforced through Judicial Bureau ticketing like an ordinance, or as a civil action in the Environmental Division of Superior Court (aka environmental court) under [24 V.S.A. §§ 4451-4452](#). A civil action in Environmental Court takes longer to resolve than ticketing through the Judicial Bureau and likely requires more resources since an attorney will need to represent the town.

Purpose. An ordinance in particular needs a strong basis to sustain legal challenge, and a clear purpose helps establish that basis. The enabling law for STRs sets the broad purpose for exercising this authority as, “promoting the public health, safety, welfare, and convenience” of the municipality. If an STR regulation is contained within the zoning bylaws, it will also need to conform with the town's land use plan and existing self-executing provisions of Vermont's planning and development law (i.e., Title 24, Chapter 117). A town adopting STR regulations as an ordinance faces no such restrictions.

If a town wants to regulate STRs from both a land use perspective (to specify which districts they're allowed in, if any, and under what conditions) through zoning and a quality-of-life perspective through an ordinance, then it can adopt both a standalone STR ordinance and a STR zoning bylaw, though it should be mindful to ensure they're consistent and don't conflict with each other.

Content/Terms

How you want to regulate STRs will also help inform the decision of which tool to use. For example, identifying suitable locations for STRs is best addressed by zoning bylaws, whereas municipalities are seemingly on firmer legal ground creating things like an STR registry, residency

requirement, and a cap on total annual stays through an ordinance rather than through zoning bylaws.

Some regulations of negative secondary effects (e.g., noise, lighting, solid waste) have been tested in court more than others and, therefore, the parameters for such regulations are more clearly defined. Others, such as local STR regulations addressing occupancy limits and total capacity, remain untested in Vermont. Zoning bylaws can require proof of a wastewater permit before construction may commence, and conditional use review can indirectly address capacity and occupancy concerns, but zoning bylaws would not likely be able to include an explicit occupancy limit. An ordinance can restrict total occupancy or link capacity to number of bedrooms; however, it is important to include a waiver when such a limit is overly restrictive (i.e., the total occupancy limit doesn't allow for more than one person to a bedroom) as it could otherwise be challenged on constitutional grounds. Some local regulations might cap the number of rentals per year. Data supporting the likely impact of such a regulation on the availability of long-term housing, as stated in the regulation's purpose section, could help protect such a provision from legal challenge.

A tracking mechanism such as an annual registry is also a common element found in local STR ordinances. Once a person opens their property to STRs, they become subject to State laws, rules, and codes. A registry furthers public safety goals by ensuring the public is aware of properly licensed, registered, and compliant STRs. It also ensures proper advertising of legitimate STRs and can help in identifying violations.

Because this law is new and local STR regulations are relatively untested in Vermont, municipalities might want to approach their regulations cautiously in terms of some of the aforementioned elements where legal footing is unclear. For example, residency requirements in STR ordinances have been challenged in other federal jurisdictions with varying results. The Fifth Circuit Court of Appeals struck down a local ordinance that required STRs to be owner-occupied as unconstitutional because it violated the dormant Commerce Clause by discriminating against non-resident owners. See *Hignell-Stark v. City of New Orleans*, 46 F.4th 317 (5th Cir. 2022). But the Ninth Circuit upheld local ordinances' owner- or host/property manager- occupied requirement as constitutional. See *Rosenblatt v. City of Santa Monica*, 940 F.3d 439 (9th Cir. 2019), and *Short-Term Rental Alliance of San Diego v. City of San Diego*, 2023 WL 3964059 (9th Cir. 2023). While neither of these decisions are controlling in Vermont, similar arguments can be made here, and the question ultimately remains open as it has yet to be definitively ruled upon by either the Vermont Supreme

Court or the Second Circuit Court of Appeals (the federal appellate court covering the districts of Connecticut, New York, and Vermont). The Chittenden County Superior Court recently upheld the City of Burlington's short-term rental regulations ruling that "24 V.S.A. § 2291(29) clearly authorized the City to impose duration limits and owner occupancy requirements on short-term rentals." However, that decision, though undoubtedly persuasive in other Vermont counties, is binding precedent only in Chittenden County. You can read more about this case on our website [VLCT Journal Article: "Superior Court Upholds Burlington's Short-Term Rental Regulations"](#). The more your ordinance regulates evenhandedly and serves legitimate local interests, the more likely it is to be upheld.

Another option, completely banning or prohibiting STRs from a municipality, raises enough legal issues and implicates financial interests to such an extent that considering it will require close consultation with the town's attorney. The existence of STRs prior to adopting a prohibition adds legal complications, as well, given their pre-existing status, though they may potentially be regulated as nonconforming uses. Each municipality faces its own unique circumstances, which is why their town attorneys will need to tailor their regulatory scheme to suit their specific facts.

One last note relative to zoning specific STR bylaws. As with all other zoning bylaw provisions, STR regulations must include measurable standards. It may help to think of your bylaws as a road map for your zoning administration program and applicants alike. The lack of any signs makes it difficult to know where to go. For this reason, bylaws must include standards for when discretion is allowed; otherwise, a court could find them unenforceable (e.g. void for vagueness). Conditions imposed must also be reasonably related to the specified review criteria and supported by findings or the decision is likely to be considered arbitrary. As the Vermont Supreme Court held in *In re Appeal of JAM Golf*, "[s]uch standardless discretion violates property owners' due process rights." *In re Appeal of JAM Golf, LLC*, 2008 VT 110. Regulations with a vague or no standard at all need to be revised to ensure that they're measurable for the town to determine compliance; otherwise, they should be removed. A town wishing to include STRs in its zoning regulations will need to have clear bylaws that express the intent to regulate STRs.

Below is a non-exhaustive list of common elements found in STR regulations, and which tool (bylaw or ordinance or both) might be best to address them. Note that, just because we consider one mechanism better for regulating STRs than the other, doesn't mean that either or both can't be used.



Ordinances

- Traffic Control
- Noise
- Parking Control
- Capacity/Occupancy Limits
- Solid Waste/Trash
- Annual Registry/Tracking Mechanism
- Cap On Total Annual Stays
- Residency Requirement

of Owner/Host



Zoning Bylaws

- Determining Allowable Locations
- Type of Development Review Required (classify STR as permitted or conditional use)
- Traffic Pattern/Access
- Lighting
- Parking Pattern

Complete prohibition? Consult with an attorney.

VLCT's Model Short-Term Rental Ordinance

VLCT has developed a Model Short-Term Rental Ordinance as a starting point for those municipalities first considering whether and how to regulate STRs under an ordinance, either individually or in conjunction with a STR zoning bylaw.

A legal expert on STRs at a recent national municipal law conference said that it is difficult for municipalities to regulate STRs because the goal posts on what the law allows keep moving. Another complicating consideration is the fact that STRs have become a big business. According to [Consumer Affairs](#), the market size for short-term rentals in the U.S. in 2023 was valued at \$29.09 billion. Between 2023 and 2024 that market was estimated to grow to \$32.25 billion and projected to reach \$81.63 billion by 2033. In Vermont, there are an estimated [11,935](#) STRs as of September 2025 and the number keeps growing. It's axiomatic that regulating any activity brings with it its own inherent legal risks (e.g. Does the ordinance further a legitimate government interest? Was it properly adopted? Does it define the prohibited conduct with sufficient clarity that people of

ordinary intelligence can understand it?). Given the money at stake, the growing ubiquity of STRs, and the seemingly direct correlation between the economic impact of an ordinance and the litigation that arises from it, municipalities, probably more so than with any of our other model ordinances, will need to balance their aversion to litigation against the need to protect the public health, welfare, and convenience of its inhabitants from the negative externalities commonly associated with the STR marketplace.

Given these legal uncertainties and the heightened risk of litigation associated with regulating STRs, our model ordinance takes stock of the reality that some policy choices just pose more of a legal risk than others.

For instance, our model ordinance doesn't require STRs to be owner-occupied, nor do they impose higher licensing fees on non-owner occupied STRs than owner occupied ones because, as stated above, they've both been met with varying degrees of success when challenged for violating the Constitution's dormant Commerce Clause.

The dormant Commerce Clause (aka the "negative Commerce Clause") is a legal doctrine courts infer from the Commerce Clause of the U.S. Constitution meant to safeguard against economic protectionism by prohibiting state and local laws from discriminating against, or unduly burdening, interstate commerce. A regulation that discriminates on its face against out-of-state property owners is unlikely to survive judicial scrutiny unless it's determined to be narrowly tailored to advance a legitimate public interest – which it's almost never found to do. But where an ordinance only has an incidental effect on interstate commerce, it will only be overturned if the burdens it places on interstate commerce are found to be "clearly excessive in relation to the local benefits (i.e. the Pike balancing test)."

Again, this is probably less of a concern for municipalities in Chittenden County considering the Superior Court's ruling in *32 Intervale, LLC et al v. City of Burlington*. It's also less of a concern considering the trend in federal courts to reject such challenges. For instance, even the Fifth Circuit Court of Appeals, which struck down the City of New Orleans ordinance requiring STRs to be owner-occupied because it "discriminate[d] on its face against out-of-state property owners," subsequently upheld the City's amended ordinance which replaced its owner-residency requirement with one requiring an "operator" to reside at the STR. See *Hignell-Stark v. City of New Orleans*, --- F.4th ---- (2025). So, even in those courts where litigants have prevailed in their

dormant Commerce Clause challenge, measures can still be taken to further mitigate this risk.

None of this is meant to dissuade your municipality from adopting what could very well be an effective regulatory mechanism to preserve the residential character of your neighborhoods and the affordability of its long-term housing supply. Instead, it's intended to inform you that although such owner-occupancy based restrictions may ultimately be upheld in Vermont, just as they were in Chittenden County, they do pose some legal risk and, as such, they'll need to be carefully crafted in coordination with your town attorney to increase their odds of avoiding and surviving judicial scrutiny.

How to Customize the Ordinance

In addition to referring to this guidance as needed, it is important that you read our [ordinance resources](#) and consider each element related to your own community's expectations and administrative capacity.

While many provisions of our model ordinance are customizable, one that isn't is the definition of "short-term rentals." That term has already been defined by the State as "a furnished house, condominium, or other dwelling room or self-contained dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year." [24 V.S.A. § 2291\(29\)](#). As such, it shouldn't be changed from how it appears in our model ordinance.

Opportunities for editing this ordinance are designated with brackets or "Optional" italicized text. These include additional regulatory options for municipalities depending on whether they have a local option tax, lack a standalone noise ordinance, or seek to cap the number of STRs, just to name a few. The model also includes an optional Section [see Section 5] for those municipalities that want to license STRs. The difference between a STR licensing program and an STR registry is that a licensing program grants owners the required authority to operate an STR whereas a registry typically just catalogs their operation. Whichever of the ordinance's options you choose, you must remove, replace, or accept the customizable language, and amend the numbering and lettering of the ordinance as necessary before adopting it. The selectboard should also consult with the municipality's staff to ensure that the provisions of the ordinance are relevant and realistic in terms

of the resources needed for its administration and enforcement.

Additionally, our model ordinance includes a provision requiring STRs to comply with the State of Vermont's Enhanced 911 Board's Addressing Standards [see Section 4(H)]. While we typically only make reference to State standards, we've taken the additional step of incorporating them right into the body of the model ordinance for ease of reference and compliance as STR owners and operators, especially those from out-of-state, are unlikely to be familiar with them. A practical consequence of including the actual E-911 standards in the model, however, assuming you retain them, means that your municipality will need to amend them whenever the State does. See the State's [Enhanced 911 Board's Addressing Standards](#).

External Resources

Finally, we've provided a list of links from external organizations that may contain useful information for you to consider as well (left). The National League of Cities has compiled a [Short-term Rental Regulations Guide for Local Governments](#) you might find helpful. Your regional planning commission has several resources and can provide you with direct assistance. Additionally, there are links to State of Vermont Agencies that regulate short-term rentals (see the orange links box on this page). Please note, the Vermont Short-Term Rental Alliance is a nonprofit business association for vacation rentals managers and hosts operating in Vermont.

Disclaimer: This resource is only intended to provide information and it does **NOT** constitute legal advice. Readers with specific legal questions are encouraged to contact an attorney. The use or downloading of this resource does **NOT** create an attorney-client relationship and will not be treated in a confidential manner.

If you have additional questions please use the ask a question button to submit them.

Ask a Question

Publication Date

11/06/2025

[INSERT NAME OF MUNICIPALITY]

SHORT-TERM RENTAL ORDINANCE

SECTION 1. AUTHORITY. This civil ordinance is adopted by the *[insert name of legislative body]* ("Selectboard") of *[insert name of municipality]* ("Town") under the authority granted by 24 V.S.A. §§ 2291(15), (29) and 24 V.S.A. Chapter 59.

SECTION 2. PURPOSE. The purpose of this Ordinance is to promote and protect the public health, safety welfare, convenience, and peace and quiet of the inhabitants of the Town; enhance and maintain the existing character and density of residential neighborhoods, and to preserve and promote the availability of long-term affordable, residential housing in Town by regulating transient commercial use of residential property and the deleterious secondary effects commonly associated with their operations.

SECTION 3. DEFINITIONS. For the purposes of this Ordinance, the following words and/or phrases will be defined as follows:

- A. "Dwelling Unit Capacity" or "DUC" means the total occupancy limit for a short-term rental as determined by the maximum capacity of one of the following:
 - a. the property's wastewater disposal system based upon a State of Vermont Wastewater and Potable Water Supply Permit for the property for dwelling units or wastewater and potable water supply systems constructed, modified, or occupied after June 30, 2007;
 - b. the local zoning or septic permit for dwelling units constructed before July 1, 2007; or
 - c. the number of bedrooms indicated in the listers' property database if a local zoning or septic permit does not exist for dwelling units constructed before July 1, 2007.
- B. "Enforcement Officer" means any law enforcement officer certified by the Vermont Criminal Justice Training Council, the Short-Term Rental Administrator, or any other person designated as an Enforcement Officer by the Selectboard.
- C. "Short-term rental (STR)" means a furnished house, condominium, or other dwelling room or self-contained dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year.
- D. "Short-Term Rental (STR) License" means authorization from the Town to operate a short-term rental in accordance with this Ordinance.
- E. "Short-Term Rental (STR) Operator" means either the STR Property Owner or the person or entity designated by the STR Property Owner in their short-term rental license application who is responsible for operating, managing, or maintaining the short-term rental in accordance with this Ordinance.
- F. "Short-Term Rental (STR) Property" means the property where a short-term rental is located,

including the short-term rental itself.

- G. “Short-Term Rental Property (STR) Owner” means any person or entity who, alone or with others, has title or interest in a property, dwelling unit, or portion thereof where a short-term rental is located, with or without possession.

SECTION 4. GENERAL REQUIREMENTS AND PROHIBITED CONDUCT. Each STR Property must meet the following standards:

- A. The number of lessees, guests, or other people using an STR pursuant to an STR License may not exceed its approved DUC.
- B. All vehicles of STR renters and their guests must be parked in parking spaces associated with the STR Property.
- C. An STR Property must have sufficient on-site (off-street) parking spaces to accommodate the STRs DUC. In calculating this allowance, one on-site parking space must be provided for every *[insert number]* guests of an STR.
- D. The maximum number of vehicles allowed on an STR Property is limited to the number of available on-site parking spaces.
- E. Trash on STR Property must be stored in a place secure from animals and outside of public view.
- F. An STR must contain, in a visually prominent location for guests to access, a list of emergency contact numbers (i.e., police, fire, ambulance).
- G. An STR must contain, in a location on the premises that is communicated to the renter, a hard copy of this Ordinance and the following Town ordinances:
 - i. *[list all applicable Town ordinances and regulations, e.g., noise ordinance]*;
 - ii. *[solid waste ordinance]*; and
 - iii. *[building code]*.
- H. An STR Property must comply with the following Vermont Enhanced 911 Board’s Addressing Standards:
 - a. Address numbers must be a minimum of 3 inches high, 2-1/2 inches wide and reflective.
 - b. A number must be placed on the front of every STR Property.
 - c. Mailboxes must be marked with the address number. Where mailboxes are not in front of the house or structure to be marked, a number must be displayed on the structure, if it is visible from the road.
 - d. If the STR Property is not visible from the road and no mailbox is beside the driveway leading to the structure, a sign or number post must be erected to display the number. This

sign or number post may display the number either vertically (from the top) or horizontally (from the left).

- e. Shared driveways to an STR Property must be marked both at the beginning of the driveway and where the driveway splits to each specific structure.
- f. The address number must be placed high enough that it will not be obscured by snow during an average winter.
- I. All exterior STR Property lighting fixtures must be fully shielded and directed downward to minimize skyglow, glare, and light trespass onto adjacent properties.
- J. STR Operators, who do not live either within an hour's driving distance of the STR Property or in *[insert name of county in which STR is located]*, must designate and provide the name and contact information of a designated agent located in the County who will be responsible for responding to emergency situations occurring at the STR.
- K. STR Owners, Operators, renters, and their occupants must comply with all applicable federal, state, and local laws.
- L. *[Optional: if applicable]: STR Property Owners must make timely payment of any local option taxes owed.*
- M. *[Optional for municipalities that lack a standalone noise ordinance or seek to establish a separate noise standard for STRs]: Unreasonable noises that are audible at the property line of the STR Property during the hours of [insert hour] PM and [insert hour] AM are prohibited. A determination of "unreasonable" will include factors such as intensity, duration, and frequency.*
- N. *[Optional for municipalities seeking to reserve apartment buildings for long-term residential housing]: The short-term rental of residential units within multifamily dwellings with more than [insert number] units is prohibited.*

[Optional, See Guidance] **SECTION 5. SHORT-TERM RENTAL LICENSING REQUIREMENTS.**

- A. *An STR Property Owner cannot lease or rent their property as a short-term rental (STR) without first obtaining an STR License from the Town.*
- B. *Renting, or offering for rent, an STR without first obtaining an STR License or complying with the licensing requirements as specified in this Ordinance is prohibited.*
- C. *An STR Property Owner must submit to the Town an STR License application on a form furnished by the Town.*
- D. *Every License application, including any renewal application, under this Ordinance must be accompanied by a [insert non-refundable or refundable] fee established by the Selectboard and paid to the Town.*

- E. *An STR License application will not be considered complete and eligible for consideration until all the information in this Section is provided and the associated application fee is paid in full.*
- F. *A separate application and associated fee are required for each STR offered for rent.*
- G. *The STR License application must be signed by the Property Owner and contain the following information:*
 - a. *The physical (E-911) address(es) of the property to be used as an STR.*
 - b. *The full name, physical address, e-mail address, and telephone number of the Property Owner. If the Property Owner is an entity, then the legal name of the entity, its physical mailing address, its agent, and the agent's telephone number and e-mail address.*
 - c. *The full name, physical address, e-mail address, and 24-hour telephone number of the STR Operator.*
 - d. *Proof of insurance. Confirmation of liability insurance of not less than \$1,000,000 in "commercial general liability" insurance per occurrence, combined single limit, for bodily injury, personal injury, and property damage arising in any way from the issuance of an STR License or activities conducted pursuant to the License, for each dwelling unit used as a Short-Term Rental unless such Short-Term Rental is offered through a hosting platform that maintains equal or greater coverage.*
 - e. *[If the Town has zoning] Certification from the Town's Zoning Administrator that use of the property as an STR conforms with the Town's land use regulations.*
 - f. *The DUC of the STR.*
 - g. *The number of available on-site (off-street) parking spaces.*
 - h. *Whether the applicant has any other STR Properties in Town.*
 - i. *The STR's State of Vermont issued meals and rooms tax account number corresponding to its location.*
- H. *An STR License will expire upon the anniversary of the date of its issuance and must be renewed using a License renewal application form provided by the Town prior to its continued use as an STR.*
- I. *An STR License is nonassignable and must be surrendered if the STR ceases operations or is transferred.*
- J. *An STR License, if granted or renewed, must be displayed in a visually prominent location inside the STR for guests to access.*
- K. *It is a violation of this Ordinance to provide intentionally false or materially misleading information on any STR License or renewal application, or to fail or refuse to pay any associated STR License fee.*

[Optional regulations for municipalities seeking to preserve affordable housing stock, limit STR congestion, prevent the large-scale commercialization of residential properties, and negate the secondary impacts commonly associated with STRs].

- L. *STRs must be separated by a distance of at least [insert number] feet as measured from the closest*

point of each respective STR Property's boundary line. However, this prohibition does not apply to multiple STRs located on the same STR Property.

- M. *STR Licenses may only be granted to natural people (as distinguished from an artificial person created by the law such as a corporation or other legal constructs).*
- N. *STR Licenses are limited to [insert number] active STR Licenses per STR Property Owner.*
 - a. *The application fee for the first STR License is: _____ Renewal fee: _____*
 - b. *The application fee the second STR License is: _____ Renewal fee: _____*
 - c. *The application fee for every subsequent STR License is: _____ Renewal fee: _____*
- O. *STR Licenses are capped at [insert percentage] of the Town's total number of rental housing stock and will be granted on a first-come, first-served basis.*

SECTION 6. ENFORCEMENT.

- A. A violation of this Ordinance is a civil matter which may be enforced in the Vermont Judicial Bureau or in the *[insert name of county]* County Superior Court, at the election of the *[insert either "Selectboard" or "Enforcement Officer"]*.
- B. Violations enforced in the Judicial Bureau will be in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977 et seq. For purposes of enforcement in the Judicial Bureau, any Enforcement Officer has the authority to issue tickets and represent the Town at any hearing.
- C. Violations enforced in the Superior Court will be in accordance with the Vermont Rules of Civil Procedure. The Town may pursue all appropriate injunctive relief.

SECTION 7. PENALTIES AND COSTS.

- A. An Enforcement Officer is authorized to recover civil penalties for violations of this Ordinance in the following amounts for each violation:

First offense:	warning or [\$100] full penalty / [\$50] waiver penalty
Second offense:	[\$200] full penalty / [\$100] waiver penalty
Third offense:	[\$400] full penalty / [\$200] waiver penalty
Subsequent offense(s):	[\$800] full penalty / [\$400] waiver penalty

[NOTE: The above amounts are sample amounts only. Municipalities may adjust these penalties and waiver fees so long as they do not exceed \$800 per an offense.]

- B. An Enforcement Officer is authorized to recover a waiver fee in lieu of a civil penalty, in the stated amount, from any person who declines to contest a municipal complaint and voluntarily pays the waiver fee.

- C. Determining the sequences of offenses for violations of this Ordinance will be as follows: a subsequent violation that is identical to, and that occurs within *[insert number]* months of, a previous violation will be considered a higher offense (i.e., second, third, or subsequent offense). Any subsequent identical violation that occurs after *[insert number]* months of a previous identical violation will be considered a new, first offense.
- D. A warning will not be counted towards the calculation of the number of offenses under this Ordinance.
- E. *[Optional, if the municipality has a licensing program]: In addition to the penalties available for enforcement of a violation(s), an STR License will be immediately revoked if:*
 - a. *The STR License application contains any false or materially misleading information; or*
 - b. *The STR Property Owner fails to pay the renewal fee; or*
 - c. *The STR Owner has committed [insert number] violations of this Ordinance within [insert number] months.*
- F. *Any violation of this Ordinance committed by an STR Operator or renter, occupant, or guest of an STR will be considered a violation committed by the STR Owner and any penalty associated with it to be paid by the STR Owner to the Town.*
- G. *An STR Owner who has had their License revoked may not re-apply for a period of [insert amount of time, e.g. "one year" or "6 months," etc.] from the time their revoked license was due to expire.*
- H. *Notification of STR License revocation will be issued in writing with reasons and may be appealed by the STR Owner or their STR Operator to the Selectboard within 15 days of its mailing.*
- I. *In the event an STR License is revoked, no paid STR license fees will be refunded.*

SECTION 8. OTHER LAWS. This Ordinance is in addition to all other ordinances of the Town and all applicable laws of the State of Vermont. All ordinances or parts of ordinances, resolutions, regulations, policies, or other documents inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 9. SEVERABILITY. If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding will not invalidate any other part of this Ordinance. If any statute referred to in this Ordinance is amended, this Ordinance will be deemed to refer to such amended statute.

SECTION 10. EFFECTIVE DATE. This Ordinance will become effective 60 days after its adoption by the Selectboard. If a petition is filed pursuant to 24 V.S.A. § 1973, that statute will govern the taking effect of this Ordinance.

Adopted this _____ day of _____, 20__.

SIGNATURES:

Adoption History

1. Agenda item at Selectboard meeting held on _____.
2. Read and approved at Selectboard meeting on _____ and entered in the minutes of that meeting.
3. Posted in public places on _____.
4. Notice of adoption published in the _____ newspaper on _____ with a notice of the right to petition.
5. Other actions [*petitions, etc.*].

Norwich PC Minutes 10/14/2025

Members Present: Jaan Laaspere, Bob Pape, Christian Spalding, Ernie Ciccotelli, Vince Crow

Zoning Administrator: Steven True

Public Present: Matt Swett, Linda Grey, Amy Stringer, Mary Albert, Kathleen Shepard

Meeting Opened: 6:33 pm

1. Open Regular Meeting

2. Approve Agenda

Ciccotelli moved, seconded by Spalding, to approve the agenda

Motion passed 5-0

3. Public comment on items not on agenda

N/A

4. Discussion of TRORC Future Land Use Map

The group discussed the draft for the Future Land Use and will set a future agenda item for the PC to develop a suggested updated to the map and draft a letter to the TRORC.

5. Discussion Enhanced Energy work plan

The group the discussed assembling a working group including representatives from other groups in town to develop an Enhanced Energy plan for the town. Its goals would include Analysis and Targets, Implementation actions, and mapping. The PC would cover aspects related to Land Use.

Pape moved, seconded by Ciccotelli, that the PC Chair shall make a formal request of the Energy Committee, Conservation Commission, and Regional and Town Staff to participate in this activity and assign representatives.

Motion passed 5-0

6. Review Draft FY26 Municipal Planning Grant

The group discussed the Municipal Planning Grant application. The group had consensus that the application appropriately covered the intended issue, but needed minor edits.

Ciccotelli moved, seconded by Pape, to authorize the Chair of the PC to sign the Resolution for the Municipal Planning Grant

Motion passed 6-0

The application will be presented to the Select Board at the next meeting for approval before applying.

7. Discussion of STR

The group discussed potential regulations of Short Term Rentals.

The group had consensus that an Interim Bylaw would be the best direction at this time to address this issue, setting Owner Occupied short term rentals as an allowable use in all districts with requirements and restrictions. True will develop clean definitions, conditions and a policy statement for a future agenda item.

8. Approve minutes

Spaulding moved, seconded by Crow, to approve the minutes from 9/30/25 with edits

Motion passed 5-0

9. Adjourn

Pape moved, seconded by Crow, to adjourn the meeting at 8:36pm

Motion passed 5-0

Future Regular Meeting – 10/14/25 at 6:30 pm at Tracy Hall (also accessible via Zoom)

Minutes by Vince Crow on 11/11/25