

SUNAPEE BOARD OF SELECTMEN
MEETING AGENDA
6:30PM Town Office Meeting Room
Monday, November 29, 2021

1. REVIEW OF ITEMS FOR SIGNATURE:
CZC's:

2. APPOINTMENTS

7:00PM-Laura Trow, Welfare Director

7:30PM-Rita Donaldson, MRI & Sheryl Pratt-Audit & Finance Dept.

8:00PM-Sunapee Tourist Home Alliance

3. PUBLIC COMMENTS:

4. SELECTMEN ACTION

- Dollar General-Combination Beverage/Wine/Tobacco License
- Transfer Funds from Welfare Revenue Line to Thielen Trust

5. CHAIRMAN'S REPORT

6. TOWN MANAGER REPORTS

7. UPCOMING MEETINGS:

12/01-7:00PM-Conservation Commission, Town Meeting Room

12/03-6:00PM-Zoning Board, Town Meeting Room

12/08-5:00PM-Energy Committee, Town Meeting Room

12/09-7:00PM-Planning Board, Town Meeting Room

NONPUBLIC: The Board of Selectmen may enter a nonpublic session, if so voted,
to discuss items listed under RSA 91-A:3, II

For Town of Sunapee Selectmen

Meeting with Sunapee Tourist Home Alliance (STHA) on Monday, November 29, 2021

Sunapee Tourist Home Alliance (STHA) Background

The New Hampshire Municipal Association presented a workshop regarding short term rentals for the NH Office of Strategic Initiatives at the Spring, 2019 conference. The presenter cited zoning and regulatory issues as common themes for towns with high tourist volumes.

A review of Selectman and Zoning Boards' minutes dating back 2 years notes multiple references to "short term rentals" and concerns the town and residents have verbalized about the growing popularity of rental homes in Sunapee and subsequent issues of non-compliance with ordinances and laws.

Granicus completed a preliminary inventory of STRs / THs in Sunapee, noting "87 Unique Rental Units" as of June 2021 (see attached charts).

In late September 2021 a small group of full time Sunapee residents (TH owners and non-TH owners alike) met to discuss escalating concerns about STRs / THs.

In October 2021 two members of the Sunapee Tourist Home Alliance briefly introduced the group to the selectmen, offering a grid format of issues in town related to unregulated tourist homes. The greatest areas of concern are: unsafe conditions in overfull homes, noise, trash being left in the harbor, overcrowding at Dewey Beach, strain on police department resources, and absent TH owners.

In October and November 2021 STHA reviewed the Town of Sunapee's current ordinances and documents relevant to THs. The group also reviewed ordinances in towns of similar demographics as Sunapee. A Mission, Vision and Core Values statement was developed for STHA to operate from foundational principles which will guide our narrative with the town as they grapple with existing and future ordinances and move toward a registration and compliance process for Tourist Homes.

STHA Mission: Sunapee Tourist Homes Alliance exists to provide a collaborative voice of Sunapee residents who are Tourist Home owners as well as non-Tourist Home owners in the Town of Sunapee. The SHTA supports TH owners and non-owners in a representative format to advocate for ordinance compliance.

STHA Vision: Sunapee Tourist Homes Alliance seeks to enable registered tourist homes in Sunapee to provide tourist stay services with consistent and equitable application of existing and future ordinances as set out by the Town of Sunapee Ordinances as they relate to tourist homes.

STHA Core Values: Sunapee Tourist Homes Alliance's fundamental tenets include health and safety, diplomacy, and resource stewardship.

COMMONLY ACCEPTED DEFINITIONS REGARDING SHORT TERM RENTALS(STRs) AND TOURIST HOMES (THs)

Short Term Rental (per Law Insider): "...means a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental owner or operator for a fee for fewer than thirty consecutive nights. They are commonly referred to as vacation rentals. They are a form of tourist or transient accommodations. Short-term rental units may be whole house rentals, apartments, condominiums, or individual rooms in homes. For the purpose of administration and enforcement of this title, the terms 'overnight rental,' 'nightly rental,' and 'vacation rental' are interchangeable with short-term rentals."

Tourist Homes (per Merriam-Webster): "a house in which rooms are available for rent to transients."

Sunapee's Ordinances use the term "Tourist Homes" when identifying short term rentals. Hence why our group is called Sunapee Tourist Home Alliance.

DEFINITIONS: Per Sunapee ordinances, Article XI "Definitions and Explanations", pages 52 and 55

BED & BREAKFAST, TOURIST HOMES, INNS, LODGING & BOARDING – An *owner-occupied single-family dwelling* in which no more than ten (10) rooms are used to provide transient sleeping accommodations, with meals served to guests only. (Adopted 3/14/2000) (Italics added)

OWNER –OCCUPIED The occupancy of a dwelling for *more than 120 days in a calendar year* by a landowner who is a natural person. (Amended 3/10/2020) (Italics added)

"Home Business" and "Home Occupation" definitions do not apply to Tourist Homes if they are not "owner-occupied" since the wording of these two definitions uses the language "primary residential use..."

ZONING: per Sunapee ordinances

The zoning districts in Sunapee all permit "Bed & Breakfast, Tourist Homes, Inns, Lodging & Boarding Services", with the exception of Rurals Lands District (see Article IV "Use Regulations", pgs. 16-19 in 2021 edition of Zoning Ordinances). There is not a section within the existing ordinances that specifically addresses tourist homes or short-term rentals.

SITE PLAN REVIEW: per Sunapee ordinances REGULATIONS ARTICLE I AUTHORITY and APPLICABILITY

"Pursuant to the authority vested in the Sunapee Planning Board by the Town Meeting of March 10, 1987 and in accordance with the provisions of RSA 674:43-44 as amended, the Sunapee Planning Board adopts the following rules to review and approve or disapprove *site plans for the development or change or expansion of use of tracts for non-residential uses*, multi-family dwelling units, and/or 3 or more residential dwellings in any configuration, whether or not such development includes a subdivision or re-subdivision of the site. (italics added).

In other words, this process and the "Statement of Property Usage" form (see attached copy) is **not** an appropriate format to gather the information needed regarding THs and owners since the homes are residential in nature.

STHA's Preliminary Objective

The STHA feels the initial need of the town is to identify current Tourist Homes and their owners. This would then allow for ordinances to be applied fairly and consistently across all THs. We are suggesting that the Town of Sunapee engage Granicus (or a similar platform) to provide information of the addresses and owners' names for all currently existing THs. The quoted price from Granicus for this information is about \$4000.00.

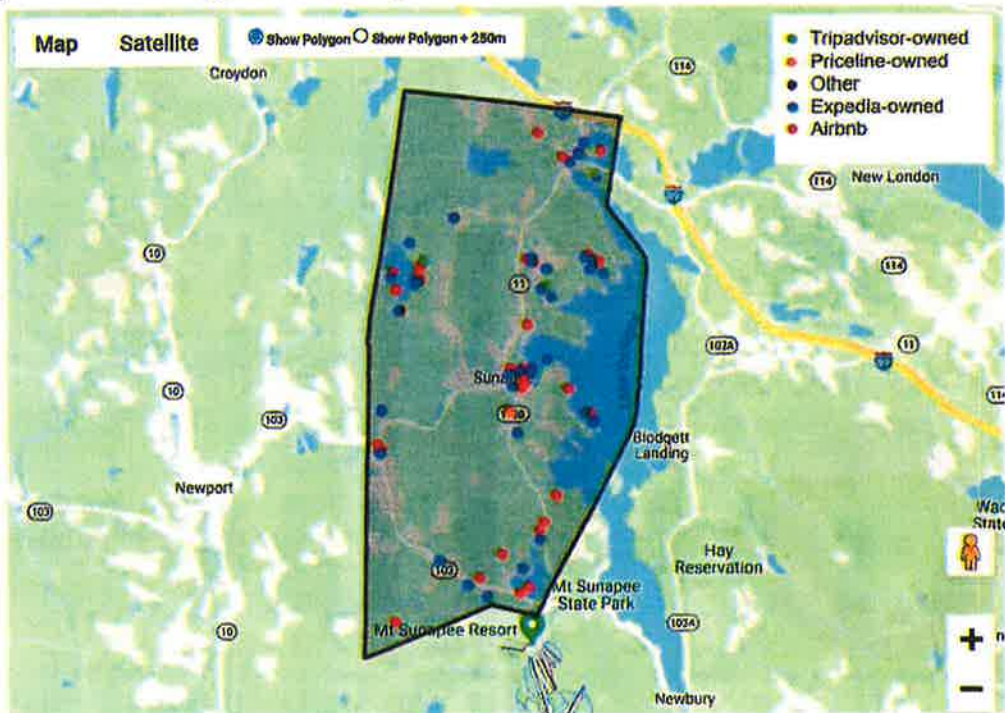
From that data Sunapee can develop a registration process, perhaps a mailed or on-line form by which all THs register their rental property with the town (see attached registration sample copy). Sunapee can enact a fee structure for each TH residence, thereby "paying back" the initial \$4000.00 investment.

With the data provided by the registered tourist homes, the Town of Sunapee then has owners' or representatives' names and contact information when non-compliance issues arise (such as noise, overcrowding or safety). Further, the town could engage in inspection checks at all THs to ensure basic safety protocols are being met, such as fire and Co2 alarms, fire extinguishers, two egresses, numbers of beds, trash plan, etc.).

Further, if the Town of Sunapee creates a sub-committee comprised of a few residents from the STHA and 1-2 members from the Selectmen, Zoning and Planning boards, the mutual objectives of the STHA and the town might best be met.

STHA's question to the Town of Sunapee: How can we help?

...and in Sunapee Township we have identified 94 listings, representing 87 unique rental units* Sunapee as of June 16, 2021

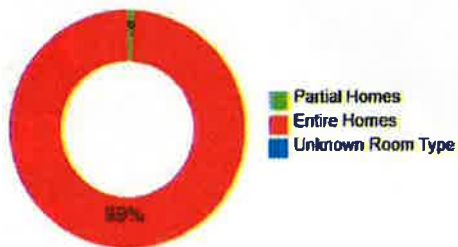


Sunapee STR Market Details

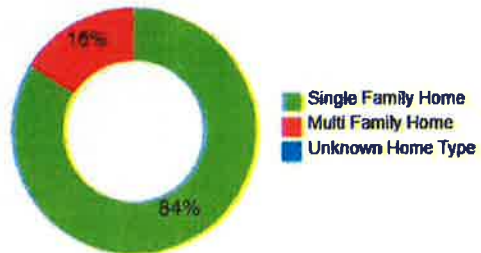
Median Nightly Rate
(USD)

\$340

Unit Types



Listing Types



Statement of Property Usage

Town of Sunapee
23 Edgemont Rd., Sunapee NH 03782
(603) 763-3194 | www.town.sunapee.nh.us

1. Owner's Name(s): _____

2. Address (Mail): _____

3. Phone: _____ Email: _____

4. Property Location: _____

5. Parcel ID: _____

6. Current Use of Property:

a. Describe in detail the current use of Property: _____

b. Number of Employees: _____

c. Square feet of Commercial Space: Retail _____ Office _____ Other _____

d. Hours of Operation: _____

7. Proposed Use of Property:

a. Describe in detail the proposed use of Property: _____

b. Number of Employees: _____

c. Square feet of Commercial Space: Retail _____ Office _____ Other _____

d. Hours of Operation: _____

8. Certification / Permission for Inspection: To the best of my knowledge the above is true and accurate. I hereby grant permission for site inspection to Planning or Zoning Officials.

Signature of Landowners: _____

THIS PAGE FOR TOWN-USE ONLY

Zoning Administrator's Comments Relative to Zoning Compliance

Zoning Administrator's Comments: _____

Signature

Date

Town Planner's Comments

- | | | |
|--------------------------------------|-----------|----------|
| 1. Increase in Employees? | Yes _____ | No _____ |
| 2. Increase in Business Area? | Yes _____ | No _____ |
| 3. Increase in Use Intensity? | Yes _____ | No _____ |
| 4. Increase in Days/Hours Operation? | Yes _____ | No _____ |

Based on the above data, findings, and comments, it is recommended that:

____ (1) The applicant should apply for a Site Plan Review Hearing

____ (2) The applicant should consult with the Planning Board to determine if a Site Plan Review Hearing is required.

____ (3) The applicant may move forward with the conversion without applying to the Planning Board for Site Plan Review as no use increase or other impacts have been identified.

Planner's Comments: _____

Signature

Date

Planning Board Decision (as per #2 above)

Based on the information provided by the applicant, the recommendations above, and as a result of review and discussion by the Planning Board, it is the opinion of the Board this this project **will** / **will not** require a Site Plan Review Hearing for the proposed conversion.

Signature

Date

DRAFT: REGISTRATION FORM

Statement of Property Usage

Town of Sunapee 23 Edgemont Rd.

Sunapee NH 03782

(603) 763-3194 | www.town.sunapee.nh.us

Use one form for each owned piece of rental property

1. Owner's Name(s):

2. Address (Mail):

3. If Sunapee is not your full-time residence, primary residence address:

4. Phone:

Email:

5. Sunapee Property Street Address:

6. Parcel ID (to locate go to www.town.sunapee.nh.us. "Click on Property Data / GIS", locate your property and hover on it for parcel ID number):

7. Current Use of Property (Except for items "f" and "g", please answer Yes, No or N/A)

a. Full-time, year-round residence: Single Family_____ Multi-Family_____

b. Part-time residence: Less than 120 days per year_____ Greater than 120 days per year_____

c. Tourist Home rental*: Entire residence: _____ Part of residence: _____

d. Number of Tourist Home rentals on property: _____

e. If Sunapee is not your primary residence, do you have a Sunapee representative for your Tourist Home rental(s)?

f. If you operate Tourist Home rental property(ies) in Sunapee, what do you advise your guests to do with their trash?

g. What rental platform(s) do you use for your Tourist Home rental unit(s) (such as: Airbnb, Home Away, VRBO, private realtor, etc.):

*The language "Tourist Home" is utilized in the Town of Sunapee ordinances to mean the more commonly known term of "Short Term Stay" rental.



Chief Mark C. Armaganian
Director

State of New Hampshire
LIQUOR COMMISSION
Division of Enforcement & Licensing

50 Storrs Street
Concord, NH 03301
Phone: (603) 271-3521

Joseph W. Mollica
Chairman

Nicole Brassard Jordan
Deputy Commissioner

November 16, 2021

CITY OF SUNAPEE

Subject: RSA 541-A:39 Notice To Municipalities

Dear Sir or Madam:

DG Retail LLC dba Dollar General Store #22557 has made an application to the Division of Enforcement for a **Combination Beverage/Wine/Tobacco** license under the provisions of RSA 178:18 & 178:19-a. This establishment is located at 5 New Hampshire Rte 103.

Pursuant to RSA 541-A:39, the New Hampshire Liquor Commission hereby provides the City/Town of Sunapee with notice of the application and informs you that you may submit data, views, comments, or other materials or evidence with respect to the potential issuance of the liquor license. This information will be taken into consideration by the Division of Enforcement & Licensing prior to its recommendation to the Liquor Commission for approval or denial of the license.

Sincerely,

Mark C Armaganian, Chief
Division of Enforcement

GL TRANSACTIONS BY ACCOUNT

ALL FUNDS Periods: 2021-01 thru 2021-11 Include: Balance Sheet - Revenues - Expenditures - Posted (Account Number Is Equal To 01-3509-01-950)

Effect Date	Period	Batch ID	Trx	SL	Status	Post Date	Posted By	Debit	Credit	Description
01 - GENERAL FUND										
01-3509-01-950 WELFARE MISC. REVENUE										
1/04/2021	2021-01	117	J	GL	P	1/06/2021	LYNNE	0.00	149.00	2021000002 - INCOME WELFARE MISC REVENUE
1/04/2021	2021-01	1994	J		P	9/25/2021	RDONALDSON	149.00	0.00	2021000002 - INCOME WELFARE MISC REVENUE
1/12/2021	2021-01	193	J	GL	P	1/22/2021	LYNNE	0.00	30.00	2021000036 - INCOME WELFARE MISC REVENUE
2/26/2021	2021-02	410	J	GL	P	3/02/2021	LYNNE	0.00	44.00	2021000167 - INCOME WELFARE MISC REVENUE
3/30/2021	2021-03	631	J	GL	P	4/05/2021	LYNNE	0.00	25.00	2021000242 - INCOME WELFARE MISC REVENUE
5/13/2021	2021-05	2341	J	GL	P	10/26/2021	RDONALDSON	0.00	35.00	2021000381 - INCOME WELFARE MISC REVENUE
6/07/2021	2021-06	1188	J	GL	P	6/14/2021	LYNNE	0.00	8.00	2021000455 - INCOME WELFARE MISC REVENUE
6/25/2021	2021-06	1309	J	GL	P	6/29/2021	LYNNE	0.00	25.00	2021000504 - INCOME WELFARE MISC REVENUE
8/13/2021	2021-08	1728	J	GL	P	8/24/2021	LYNNE	0.00	25.00	2021000614 - INCOME WELFARE MISC REVENUE
9/16/2021	2021-09	1884	J	GL	P	9/19/2021	RDONALDSON	0.00	48.00	2021000692 - INCOME WELFARE MISC REVENUE
9/17/2021	2021-09	1887	J	GL	P	9/19/2021	RDONALDSON	0.00	25.00	2021000695 - INCOME WELFARE MISC REVENUE
10/29/2021	2021-10	2368	J	GL	P	10/30/2021	RDONALDSON	0.00	125.00	2021000818 - INCOME WELFARE MISC REVENUE
								<u>149.00</u>	<u>539.00</u>	
								<u>149.00</u>	<u>539.00</u>	
								<u>149.00</u>	<u>539.00</u>	
01 - GENERAL FUND										