

March 10, 2020

Schultzville, NY

A public hearing the **proposed Local Law 1 of 2020 STR Law** was held on this day in the Town Hall. Present were Supervisor Oberly, Councilmen Chris Juliano, Michael Whitton, Nancy Cunningham, Dean Michael and Town Clerk Carol-Jean Mackin. There were 25 people in the audience.

PLEDGE OF ALLEGIANCE

At 6:23 PM, Supervisor Oberly called the continued public hearing to order and led the Pledge of Allegiance.

The Town Clerk read the public hearing notice aloud.
Notice of Public Hearing

Supervisor Oberly opened the floor for comments and turned the meeting over to Councilman Whitton; said we have received many emails today.

Kevin Magos – does not think the law is necessary. Has support of 100 people who are against it, many were not aware of the proposed law. Suggests improvements, including the definition of hosted vs non hosted as is not clear. An accessory apartment is considered a hosted. Chris Juliano explained we are all in favor of STR law, but we must have a balance to protect residents from nuisance from neighboring rentals. Mr. Magos asked why the special use permit has a different standard, with reapplication annually and annual fees, it is a burden, the town can already enforce the special use permits for violations. Wants to see the fee before the law is passed so people know what they will be. Site plan review is in this draft, why? It adds another bureaucratic hurdle. Councilman Whitton said it will be removed. Septic inspection requirement: the STR is occupied less often than a single-family home then the septic should be enough with less input into the system. Suggests regulating only those STRs that are not on the same parcel as the owners.

Randy Sacheim – reviewed her costs to own her home; she rents her home in the summer to offset her costs. She is very strict about her house rules we should look at fewer restrictions.

Tom Seelbach – has a special permit for an accessory apartment. Rented for 20 years. Now AIRBNB, there is less traffic than the rental pays hotel tax of 4 %. The income offsets the property taxes. The AIRBNB meets all the objectives in the law. The Town has a long history of hands-off policy; suspects there are a lot of accessory apartments that don't have permits, and many long-term rental homes are neglected, feels the law discriminates against the STR. If STRs need a rental certificate, all rentals should have one, not just STRs. Wants the reasons the ZA can deny a renewal to be listed. His rentals are booked a year in advance, so

the renewal should be good for a year ahead, so if not renewed by the ZA, they should not have to cancel bookings.

Dean Michael – said there are about 80 AIRBNBS and the ZA and TA both say they are not allowed in our town code. If we do nothing, then all AIRBNBs are in violation so that is why we are working on this law. Councilman Whitton does not want to see them eliminated completely by not complying with the law.

Cindy Kernan – has a rental but not on the AIRBNB forum. Dean said that is why we use STR. They have overflow guests from Omega. Dean said we also have a bed and breakfast law.

Sandra Ticcony – has an AIRBNB and rented her apartment previously. It is a much more clean and safe venture.

Donna Seelbach – p 5, e liability insurance naming town of Clinton as additional insured. They have an umbrella policy; her carrier will not underwrite the policy for the municipality. Chris Juliano said permits and approvals are a good thing to protect the owner and the Town.

George Petty – feels the purpose of the law is directed against AIRBNB. He has a neighbor who can rent outlying buildings to make income to assist in their costs. AIRBNBs can help him too and let his family stay locally. Travels using AIRBNB and feels the law will prevent AIRBNB rentals.

Jack Auspitz – support the law. Key is balance, it has been vetted in detail. It allows people to rent with a few hurdles, all towns in the area are passing laws, many are more restrictive.

Rich Morse – supports the law. If we don't do the law, all apartment rentals are illegal.

Jeff Newman – the law is necessary to allow AIRBNBs, otherwise they are illegal. The goal is to help facilitate the process, not outlaw the process. It also has summer rentals, not just AIRBNBs. Feels the Board put a lot of effort to make the certificates accessible. There is a responsibility a homeowner has to the renters and the law helps to monitor the safety like, fire alarms.

Greg Stanford in favor of law. P 8 curfew seems punitive, consider different language.

Brad Cole – Is an AIRBNB host in three cities, not what he does for a living. He travels as a musician, so he rents his house on AIRBNB. Law seems heavy handed but believes in regulation. Objects to judging how many people you can have in your house and the curfew. AIRBNB has a self-policing element as a host.

At 7:20 PM, There being no further comments, MM Supervisor Oberly, 2nd Councilman Michael to continue the public hearing until April 14, 2020 6:15 PM. All aye except Council people Cunningham and Whitton. Motion carried.

ADJOURNMENT

At 7:21 PM, MM Supervisor Oberly, 2nd Councilman Michael to adjourn. All aye. Motion carried.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carol-Jean Mackin".

Carol-Jean Mackin,
Town Clerk