

NOVEMBER 12, 2024

Schultzville, NY

A continued public hearing on proposed local law No. x of 2024 (STR Update) was held on this day in the Town Hall. Present were Supervisor Whitton, Deputy Supervisor Werner, Councilman Dykas, Councilwomen Mustello and Councilwoman Auspitz as well as Town Clerk Carol-Jean Mackin. There were 4 people in the audience.

PLEDGE OF ALLEGIANCE

At 6:00 PM, Supervisor Whitton called the public hearing to order and led the Pledge of Allegiance. No legal notice was read as this is a continuation of the public hearing on STR amendment, an update to a current law.

PUBLIC HEARING

UPDATE ON THE STATUS OF THE LOCAL LAW:

Deputy Supervisor Werner gave an overview. The last round of changes include: on page 3 section d 2, ADUs, the correct version is on the web. ADUs can be used as a hosted STR as long as there is someone living in the house. No. 7: a change also, to limit the number of non hosted STRs. Those operating non hosted STRs will continue as non conforming uses, with no new ones allowed. Katherine asked if that is so that you can't have two STR dwellings on the property? Eliot said correct, can you have to live in one house and the second can be a hosted STR. The attorney has reviewed the changes.

MM Supervisor Whitton, 2nd Councilman Werner to open the floor to public comments. All aye. Motion carried.

Arlene Campell – did you consider if you own the lot next to you, is that considered a hosted STR? The Board would consider it to be non hosted.

Jeff Newman - explained that the existing definition of hosted says a hosted includes an STR that is on an adjacent lot to the same owner. A discussion went forward on this issue. We are only fixing the problem going forward if we take out “adjacent lot”

Arlene Campbell - asked about the term LLC as being an owner and asked how many STRS can one LLC own? We are including the term ultimate beneficial owner. Jeff Newman explained and Eliot will follow up.

Jeff Newman - liability insurance requirement is for non hosted is included and in new law, there is no liability insurance requirement for a hosted. We should consider this. Eliot will follow up with the Attorney. Jeff Newman offered other editorial suggestions. What is the difference between terms lapsed and expired? No need for para 5 because we are eliminating non hosted STRs. Under General requirements: again eliminate that as we are not including non hosted STRs going forward. Jeff wants the MCEI to be the authority to renew the permit, which was omitted. (The Planning Board will no longer be

the authority to renew the permit) The sentence will be changed to say the MCEI has the power to renew, amend or deny the permit.

E4 – wants to clarify was “posted” is the intention to have a document posted on a wall or can it be in a book of references? He would like clarification.

F = emergency evacuation plan – he wants clarification for a floor plan to be included for egress purposes in the event of an emergency, not a property map, which many are supplying.

Septic systems – do we want to address this inspection? Mike Whitton said a hosted, you are already using the system attached to that STR. Jeff said some homes are older and we don’t know what the tank size is, we want to be sure the septic will not fail.

Chimney inspections – do we want to require this for STRs?

At 6:32 PM, MM Deputy Supervisor Werner, 2nd Supervisor Whitton to keep open the public hearing until 6:15 PM on December 9, 2024 for additional comments All aye.
Motion carried.

ADJOURNMENT

At PM, MM Supervisor Whitton, 2nd Councilwoman Werner 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