

September 10, 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 was 1 person in the audience.

### **PLEDGE OF ALLEGIANCE**

At 6:15 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:**

Read by Deputy Supervisor Werner: In response to comments from a number of residents and Board members about non-hosted short-term rentals, the Town Board is discussing how the proposed law might be changed to accommodate these concerns. The board's intention is to keep the public hearing open and have a revised draft of the proposed law ready for public review and discussion at the September meeting and (depending on the response) a board vote at the October meeting. Councilman Werner circulated to the Board two approaches; to attach the special use permit to the property, or more limiting, attach to permit to the individual who applies.

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

Mike Whitton – wants to consider if the special permit is attached to a person, it can be passed onto their family; and to also consider to only allow STRs in the hamlet.

Marion Auspitz - questions if the permit is given to the person and they sell, does that person take the permit with them to the new property.

Carol Mackin - stated a case from 30 years ago a SP was issued to a disabled resident for an accessory apartment; otherwise the property would not have been allowed to have an accessory apartment. Upon his death the new owners purchased the property with the accessory apartment. The Town said the permit was issued to that person at that time; the new owners challenged that and the permit stayed with the property, not the person.

Paul Thomas – the PB has imposed various conditions on permits, we should get a legal opinion.

Eliot Werner - said owners can continually renew the permit and not use it. All agree that is appropriate.

Katherine Mustello – wants to consider if someone does not renew, do we want to keep a stable number or do we drop the total number allowed.

At 6:30 PM, MM Supervisor Whitton, 2nd Councilman Werner to keep open the Public Hearing until 6:15 pm on October 8, 2024. All aye. Motion carried.

**ADJOURNMENT**

At 6:30 PM, MM Supervisor Whitton, 2<sup>nd</sup> Councilwoman Auspitz to adjourn the public hearing. All aye. Motion carried.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Carol-Jean Mackin". The signature is fluid and cursive, with the first name "Carol" and last name "Mackin" clearly distinguishable.

Carol-Jean Mackin,  
Town Clerk