



Town Board

Informational Meeting – Short-Term Rentals

June 29, 2022

The Town Board of the Town of Chester convened at the Town of Chester Municipal Center, 6307 State Route 9, Chestertown, New York, at 5:30 pm.

Roll Call:

Supervisor Craig Leggett – Present
Councilman Chris Aiken - Present
Councilwoman Karen DuRose – Present
Councilman Mike Packer – Present
Councilman Larry Turcotte – Present
Deputy Supervisor Marion Eagan – Present
Attorney for the Town, Mark Schachner – Present
Town Clerk, Mindy Conway - Present

Informational Meeting:

Supervisor Leggett **opened** the Informational Town Board Meeting at 5:33 pm with Councilman Aiken leading the Pledge of Allegiance.

Supervisor Leggett read the following from a slide presentation:

Agenda:

Welcome & Pledge of Allegiance

1. Supervisor and Town Board Introduction
2. Report from Short-Term Rental Committee
3. Presentation of Draft Short-Term Rental Local Law

Privilege of the Floor

Public Questions/Comments regarding the Draft Short-Term Rental Local Law

Adjourn Meeting

Proposed Short-Term Rental Local Law:

The **purpose** of this special Town Board meeting is to:

1. Present a draft local law concerning Short Term Rentals (STRs), and
2. To hear directly from citizens with concerns and questions about STRs in our community

Short-Term Rental Local Law Introduction:

- Town Board received complaints by citizens about the use of some properties as Short Term Rentals starting in 2018
- Town Board considered a Short-Term Rental Local Law (based on one adopted by Warrensburg) in 2019
- That draft was revised “in house” and the Town Board did not take action on it

- A committee formed in September 2021 to consider the effort to establish a permit system for STRs because issues continue to exist
- The STR committee submitted a rough draft for review by the Town Board. The Town Board made recommendations and the revised draft is before the public for review at this meeting.
- Throughout this time the Town Board has:
 - never considered banning STRs
 - never considered making STRs unable to financially operate as a business
 - always considered the best interest of the public and the best interest of the property owner
 - always weighed the cost and benefit of any portion of a proposed STR Local Law
 - always respected the earnest and dedicated effort of the STR committee and the voice of residents
- *“Government’s first duty is to protect the people, not run their lives”. R.R. 1981*
- The focus of the Town Board and the development of a STR Local Law has been and continues to be to protect people, not to run peoples’ lives

Supervisor Leggett turned the meeting over to John Nick for the report from the Short-Term Rental Committee.

John Nick read the following:

STR regulation draft

Introduce myself as the president of the LLPDA and a member of the Town planning board for over 6 years.

I would like to thank the Town for having this public information meeting on STR’s.

There has recently been a lot of questions voiced regarding the STR issue and the committee.

Hopefully this meeting will answer many of those questions.

A STR law for our Town was looked at in 2018 and tabled at that time.

Last summer I received over 20 calls from members of the Town and a **STR guest** about concerns with STR properties.

The popularity of STR’s have increased greatly in our Town, our County, across the State and Nationally.

A report from Air BnB for their STR sales in Warren County from rose \$5.8 million in 2019 to 15.8 million in 2021. Please keep in mind that Air BnB is only one of the companies that rent STR’s.

There has also been a question regarding how many municipalities have existing STR laws. This is not an easy number to get. The attorney from the NYS Association of Town's told me that there is no central clearinghouse for town land use actions. She did say that the numbers are clearly growing. There are 30 new laws so far this year alone. Keep in mind the 30 new STR's are in Towns only, not other types of municipalities

There is also presently a trend for corporations to buy up properties solely for the purpose of STR's.

I had a discussion with Supervisor Leggett last summer to let him know the number of calls I received voicing concerns with STR's was increasing and asked what could be done.

We discussed the increasing number of municipalities across the ADK Park, NYS and Nationally that are establishing STR laws. He told me other municipalities in other parts of Warren County that had enacted STR laws or were in the process of.

He suggested that a STR committee be set up and prepare a draft of STR Regulations
Committee members came from a wide range of interests and backgrounds

Committee members/bios

- | | |
|------------------------|---|
| JMN (John Nick) | LLPDA President / Town of Chester Planning board member |
| Lin Combs | Local Operations Manager for Vacassa, Vacassa is a company that advertises STR properties that are for rent and provides management services for those properties |
| Jeff Detrick | President of the Chester Shores Homeowners Association |
| Frank Doberman | Frank is from Friends Lake and has seen issues and has concerns with STR's |
| Gail Danforth | Gail is from Loon Lake and has seen issues and has concerns with STR's |
| Sue Dunnigan | Sue is a STR owner |
| Barb Kearney | Realtor and an owner's manager of a STR |
| Lynne Hagmann | Homeowner that rents a portion of her home as a STR and a person that has 3 STR adjacent to her property |

I want to thank each committee member, a lot of time and effort was spent

Note

Barb Kearney is opposed to the proposed STR regulations.

Sue Dunnigan is not in agreement with a need for a STR law.

The other 6 are strong proponents and see the need for having a Town of Chester STR Law

One question that has been raised, is if any of the committee members businessmen and women

All either have been business owners or managers of businesses. They all are also long-time residents /

property owners in the Town of Chester, one for over 49 years. I discussed the proposed members and

their backgrounds with Supervisor Leggett, and he asked that we proceed.

The first meeting the committee had was in September of last year with Supervisor Leggett attending.

At that meeting Craig gave us his direction and his thoughts on the process that we should follow to develop a draft STR law for the Town.

He told us that the process for our committee was to develop and present a draft to him and the Town Board members. He and the Board would then review, comment, and **change as they deemed necessary**, a draft would also be viewed by the Town's attorney for his comment, the draft would then go to a public hearing. After the public hearing Craig and the Town Board would decide if and how to proceed. This public information hearing is a welcomed additional step.

One of the guidelines that he gave us was that STR's are an important part of the Town's economy, and they are here to stay.

Here to stay and the committee followed that guideline.

No part of the committee's draft made any attempted to stop existing or future STR's

At the first meeting in September Craig gave us a copy of Local Law No. 1 of 2019.

Show a copy of Local Law Local Law No. 1 of 2019

This is a version of the STR Law that passed in Warrensburg.

This is the draft that was sent to the public on social media.

Craig gave the committee the 2019 document to be used as a **template only, it is the format that is used in all the STR Laws.**

This document was never from our committee

I prepared a binder for each member of the committee to use as reference material, it included:

- A copy of the Town of Chester's Master Plan
- Town Noise Ordinance
- Copies of 6 STR Laws that have been past in Adirondack municipalities and one proposal from the Town of Hague that did not pass

Let me read to you the Purpose and Intent section that was included in the **committee's** draft

The purpose of this local law is to establish the means for ensuring the health, safety, and welfare of property owners, residents, and the public. The Town of Chester recognizes that Short Term Rentals attract visitors to the Town which can provide a positive economic impact on the Town. It is our intent to foster growth that will not jeopardize the Town's rich and vital natural endowment and our rural character

No committee member has an issue with anyone using their property to make money.

The normal fees for a STR in our Town range between \$2000 and \$5000 per week.

The committee was always cognizant that some town residents use their property as rentals to help pay their taxes. I could not find the number of residents that rent for this purpose. I asked Lin Comb if he could tell me what his experience was at Vacassa. He told me it was his opinion that less than 5 % of his customers rent solely to pay their taxes

An important question to be considered, **are STR's businesses**. STR's charge a fee for lodging, our Federal, State and County governments consider that taxable income, the owners get to itemize their expenses such as lawn care, snow plowing, repairs etc. and use them as deductions against that income. They can also use a depreciation schedule for their STR property as an annual deduction. Mike Sawn our County treasurer and my CPA both tell me that STR's are businesses.

All lodging businesses in our Town are required to file an application with the Town for that business.

A question that I have is why should STR's not be required to file an application with the Town, as any other lodging business within our Town has done.

The committee's draft, has sections that look at life safety, quality of life for members of the Town, protection of the environment, provide a pleasant experience for STR guests and support existing lodging businesses in our Town

Life safety A property inspection is included by the county which looks at life safety for guests.

Uncontrolled parking on many of our narrow roads can hinder **or stop** first responders

Quality of life STR's are usually located in residential areas and their guests should understand that.

One part of the committee's draft was for the Town to notify property owners within a 300 ft radius of the STR property. **Every STR law that we reviewed had a version of the section.** The average number of notifications of neighbors (**within the proposed 300 ft radius**) would be about 12. Existing lodging businesses in our Town all publicize ways they can be reached. When I owned a STR in my neighbors knew how to contact me. I wanted those neighbors to contact me if my guests were not being good neighbors. As a STR owner I preferred that a neighbor call me, not the police or the Town. This section would also reduce the number of complaints the Town receives and has to look into. **This section of the committee's draft is not included in the Town's draft. I personally request that it be reinstated.**

Environmental issues Capacity and condition of septic systems need to be understood and used as a gauge for the **number of overnight guests**

We also felt it important to support existing established **lodging** businesses in our Town

These businesses follow laws that regulate all of the above concerns and many others, why should STR's not be held to the same

It has been said that our existing Zoning Laws already cover all of the above concerns.

I have been a member of the Town's Planning Board for over 6 years and have a good understanding of our Towns Zoning Laws

Noise The Town does have an existing noise ordinance, the STR draft shows a quiet time from 10 PM till 7 AM. Every established STR law that we reviewed has a quiet time included. It is intended to be a reference. As I mentioned earlier the Town Board can change any portion of this draft. If they feel the times should not be included, they can remove it.

Parking Our current zoning law does not stop parking on narrow roads, this should be the responsibility of the STR owner to have an adequate parking plan for all guests. Allowing parking on narrow roads can **hinder or stop first responders.**

Septic systems Our zoning laws require inspections at time of installation, if major repairs are made and when a property is sold, not when a property becomes a STR.

As a member of the Town's Planning Board for over 6 years it is my opinion that existing Zoning Laws do not address **STR parking and septic systems**. I spoke with our Town Zoning Administrator, and he agrees that they do not presently.

Another concern mentioned is the cost of compliance if a STR Law is enacted per the committee's draft

The committee discussed a property inspection by Warren County and a septic system inspection would be done every three years. The frequencies would be decided by the Town

The property inspection

Tom McKinney is the Warren County inspector that performs the inspections. He **assured** me that he can complete the inspection in 5 working from the date the county receives the application.

The county charges \$80.00 for the inspection,

My opinion, a STR guest has the anticipation that they are renting a safe property. This is not always the case in our Town. By having this inspection done that insures that to be the case.

Septic System inspection would be performed by a certified inspection company

They would pump the septic system, note the tank size and the condition of the entire septic system. They provide a written report on their findings. The cost is about \$275.00. **This is the same cost for a normal septic tank pump out.** Actually, a septic should be pumped every three to five years so is there no additional cost to the STR owner.

STR fee for the Town

It was the committee's feelings that the town's fee should cover the costs to administer the law only and not generate any revenue. The Town would set the fee for the STR and how often they would be renewed.

The Town of Chester Republican Committee has stated it does not approve of the proposed STR Law. Tom Thorsen, the Republican Committee's chairperson contacted me to discuss the STR Draft. We met twice to discuss the STR committee's draft. He told me that he was on favor of a STR Law, and it was his opinion that his committee would not also. I asked if I could meet with the Republican Committee to explain the various sections or our draft and why they were included. I received an email stating that the Republican Committee did not see a meeting with me would be beneficial. As a registered Republican I was disappointed

In my opinion no one on our committee wants government to be any bigger than is necessary. Presently the Village of Lake George does not allow STR's in some parts of the Village, Lake Placid has put a moratorium on STR's while they reevaluate their law.

Doing something now will set expectations for STR's in our Town and keep regulations as limited as possible.

John asked Craig and the members for the Town Boards have any questions for him.

John thanked everyone very much for listening.

Supervisor Leggett thanked John and stated that the document in front of you is a revised draft. The Town Board was given the committee's rough draft. Everyone went through it and made comments, then all of those comments were incorporated into this draft.

Supervisor Leggett returned to his slide presentation:

Presentation of Draft Short-Term Rental Local Law:

The following slides are excerpts from the revised draft of the STR Local Law

- Printed copies of the revised draft available for attendees of the Public Information Meeting
- Electronic copy of the revised draft is available on the Town's website at https://www.townofchesterny.org/uploads/2/6/1/3/26133319/str_local_law_revised_draft_-_2022-06-21.pdf

Short-Term Rental Property:

The entire area which is under the ownership or control of the Short-Term Rental Owner including, as applicable, the parcel of land on which a Short-Term Rental is located together with the dwelling in which it is located and any other structures on the parcel. This may also include common / jointly owned parcels as defined in the Short-Term Rental Property deed.

Permit Required:

- A. Whenever a Dwelling Unit is to be used as a STR
- B. Permit shall be obtained prior to using the STR Dwelling Unit as a Short-Term Rental.
- C. Permits are non-transferrable
- D. Property Owner is responsible to abide by the regulations established by the Town of Chester

Application Requirements:

Application signed by all property owners submitted to the Town Zoning Office with:

- 1) Copy of the property's deed.
- 2) A list of **all** STR Owners including their names, addresses, telephone numbers, and e-mail addresses.
- 3) Proof of a satisfactory inspection of the STR Property by the Warren County Department of Fire Prevention and Building Codes conducted within the 60 days immediately preceding application date.

- 4) Proof of the size and condition of a residential On-Site Wastewater Treatment System (OWTSs)
- 5) A site plan of the proposed STR Property (does not need to be professionally done)
- 6) A copy of the filed Warren County Occupancy Tax registration /authorization form
- 7) Payment of the STR Permit fee as set by resolution of the Town Board.

Application Procedure:

- Within 30 days of filing the Application with the Zoning Office, a permit shall be either issued or denied, with an explanation for the denial in the case of denied permit.
- In issuing a STR Permit, the Zoning Office may set conditions to the use of the STR, so long as such conditions are consistent with the requirements of this local law and are imposed for the purposes of maintaining safety or minimizing any adverse impact the proposed STR Property may have on the community or neighborhood.

Short-Term Rental Standards:

- STR Properties shall not be rented to more persons than the occupancy load determined by Warren County Building Codes and Fire Safety.
- STR Properties shall provide off-street parking (at least one space for every 4 guests)
- Renters shall maintain quiet between the hours of 10:00 p.m. and 7:00 a.m.
- Proper garbage collection shall be established during rental periods.
- Current Permit shall be posted inside the Short-Term Rental Dwelling Unit whenever it is rented and shall be visible upon entry
- An E911 house number shall be visible from the street or road.
- Short-Term Rental Owner must provide accurate information to the Zoning Office regarding any changes from the information originally supplied at the time of application.

Enforcement:

When a complaint is made against a Property Owner the Town will do a discovery as set forth in Article 8. Enforcement may include penalties and revocation of the Short-Term Rental Permit.

Privilege of the Floor:

- Questions
- Thoughts
- Concerns
- Please use the microphone when speaking so all may hear
- Please be mindful of others by keeping comments to 3 minutes

Privilege of the Floor:

Supervisor Leggett **opened** Privilege of the Floor at 6:08 pm.

Barbara Dunham feels that the panel has given them apple and oranges and made a fruit salad. There is a difference between a bed and breakfast and someone who is buying a property to use as a commercial enterprise or someone who is renting to five or six people who are not living around here. She thinks that it is unfair that those people who are sharing their property. People are not making \$5,000 a week. She also feels that the people on the committee should be people who are doing the rentals as well as it means something to. She does use it for her taxes, they are retired and it is very helpful. She feels that the list is more relevant in a "Lake George" or an area that is extremely wealthy.

Carol Monroe, Blythewood Island, we are six generations going back. The Stone Lodge, we all our family get together when Sara and Pops passed away and with very hard labor for add say 10 months we all put our efforts our talents into making the stone large something that we could keep as a family friend and I took out a mortgage because at the time a bank would not give us mortgage because of the building and being such and despair shape we had new electric we had plumbing the only way we sat as a family and we decided this is the route we're gonna take we're going to rent it out until we didn't have to anymore the reason why we had to was to pay back the mortgage pay the taxes and we have been in doing that for 13 years. In three we had what we call check a red check, they will never come back. Why, because a neighbor or a friend would tell us. In 12 years, all the families we've had, we've become friends. I check on them and make sure they're happy. I make sure there's inventory. This all takes money. If we couldn't do this, we could not reserve our place as our family does. So, apples and oranges, I'm probably a Peach maybe but I mean there's so many different situations that one shoe does not fit all and there's more to it. We do go through Airbnb and you know what, they have jurisdiction over us. They have these rules about trash and noise and complaints, but having our neighbors now being the police and to be able to make a phone call you're pitting neighbor against neighbor and we've always been welcoming. This means so much to us. We're responsible adults, by the way we can't get trash collection on Blythewood Island, they will not come down that road. We have a separate parking area. The other thing is, and I've heard through the grapevine, people are upset because they belong to an association and the association beach is getting more crowded and I pity them because I know what it's like to be on a crowded beach. Not ours, we have a private beach that we allow our guests to use it, it's not a common beach, so I say to them, then have your homeowners association draft up rules and keep the extra people off, complain to your homeowners association. Who is going to enforce all this? I've recently wanted a garage, the procedure I've had to go through would blow your mind, but I've sat with Marion and Jeremy few times over the last four weeks and there are more phone calls, more people walking, and the new girl picking up the? She can't go out and enforce, Jeremy can't go out and enforce.

Gary Crewell, part of the Scoons family, is a commercial construction manager, does sewers all the time. Heard tonight that every three years you have to pump your septic tank. Not true, I'll get somebody to give you a letter. If you truly are worried about the lake and septic being going in there because of so many families I just heard about pitch houses from the 1800s and 1900s

even they weren't Airbnb there's many houses that started off as just summer cottages that now have year-round residents if you truly are worried, have everybody septic check. We hear these frivolous lawsuits if somebody breaks in the house and falls and sues you, somebody walks on your property you have a bad dock they are going to sue you, so if you're gonna check us and hold us to a higher standard, you need to hold everybody else to a higher standard. Gary addressed John Nick by saying that he knows John does a lot for Loon Lake, but they only heard about this by word of mouth or social media, and you are saying that the Lake Association is behind this and asked for a show of hands of who in the room of who is not of this. There is probably a 50/50 split. Gary asked John how people got his phone number, how many other calls did you get throughout the year, and without complete data you can't form a complete opinion. They have a camp that was rebuilt five years ago, septic was checked the house is all up the code, if you're really gonna push this through there should be some kind of grandfather clause that says hey you just went through all this you want me to spend all this money all over again OK so it's all brand new you guys gave us a CO and said it's all great and fine so I would think it'd be something there. Also, if you actually push it forward what is the grace period for us to get it, a lot of these people already have rentals booked throughout the summer and right away so if you tell us we can't have some kind of grace period we're gonna have to cancel, there's last incomes and possibly actually costs to the homeowner by canceling shorter so something to consider and thank you.

Lou Koehler said that his wife and him have owned a home in Chester Town for 22 years and several years back we were actually forced in to a situation where we had to rent our home a financial need so thank God we had that resource to fall back on and at that time of unexpected need that we're able to use our home for that asset. The first question is, I appreciate that Ronald Reagan pulled up, because what is the need for this and where is the need. I know John had mentioned he had received some complaints, is there a record of those complaints or is that the name of the people who made the complaints, the nature of the complaint. Has the Town experiences this, have you requested a record of calls for service from the sheriff's department or from the state police about issues that may be relevant to this. So I think showing you need to be the primary thing otherwise you're doing it for no reason at all. As Johnny mentioned Airbnb has a policy of no parties and as an owner, when I as an owner who rented by home you have a rental agreement you draw and those things are if you're unless you're insane you don't have a rental agreement those things are in your rental agreement; conduct, trash, conduct, noise, parties, parking, all that stuff any common sense renter homeowner is gonna have that stuff in a rental agreement. I would be amazed to find anybody who did have that rental agreement. Part of this proposed ordinance would put a burden on the Warren County fire a Bureau of fire prevention, has anybody contacted them but to see if they have the resources and manpower and everything to provide these services. Will this require hiring additional personnel for the Town of Chester; again who's gonna handle all these applications these, inspections, and enforcement actions. John I mentioned about the people parking on narrow roadway stuff homeowner said that don't rent their homes and have guests come up here for holidays that they those things

conditions exist there how do you regulate that so it's almost like a unequal enforcement of the rights of a homeowner if you're gonna say well if you rent it you have to abide by list or if you just having a bunch of big party at your house then you can just do whatever you want. The septic systems again required not to get places undue financial burden on the homeowner septic systems have to be inspected when the house is either built or when it's transferred or sold and if you have it if you're a septic system as a homeowner living in it it's gonna make it's self-evident rather quickly and it's gonna require you to address that situation. If the Town issues these short-term rental permits and as well as the inspections from the Bureau of fire prevention. You're enjoying yourself at his homeowner so if something happens say a deck collapse somebody somebody gonna be sued, I think you're opening yourselves up to liability in the town to be sued along with that because you've issued the permit. I'm sure most people including myself and my wife that we either own or vacation in Chester down because it's still a piece of small-town America, it's a place where you come up to enjoy the natural beauty and the commonsense approach to minimal government. This ordinance appears to be another example of big government interfering into citizens lives where there is no need. It's my opinion that appears from reviewing this and listening to people that this is not a I know it is proposed on a need, but it appears to me to be to satisfy a small group of people who really don't care for STMRs. Thank you very much.

John Hagman has been a short-term rental owner and operator for travel some 40 years and I am opposed to some of the things that have been spoken about tonight. However one of the things we should be concerned about as a Board is what goes on in the future. If you look at the census, there are 520 residences, if you look at the Airbnb site that's existed on the 22nd of June there were 82 listings in Chestertown and Pottersville. That means about 1 in every 11 homes is an independent hotel. The average rental per home is \$288 per night. That is the average. We have including mine a total of seven short-term rentals within a 250 foot radius of our home and we have problems occasionally, but we are fortunate because we have great neighbors. The neighbors give us their phone number and contact information. Three times in the last couple of years I've called up the owner and it has been taken care of immediately. One of the things that's in the short-term rental is to give contact information with people within a 300 feet radius. This is a reasonable request for a business and I consider these a business. Thank you.

Shawn Monroe agrees with Mr. Koehler when he talked about what is the issue? The purpose and intent of this local laws established means to secure the health, safety, and welfare of property owners, residents, and public regarding the operation. So what is the issue? If there were twenty complaints and one from a renter, what is the issue? I wanna see quantifiable measure where those issues lie. The other thing is everybody also hit on the cost to comply with this BS committee, but number C, renters shall maintain quiet between the hours of 10 and 7. So is it OK for a homeowner order down the street to be loud and rowdy and have a party till 10:30. Is that OK? How are we going to oversee these? Is there going to be resources we put the place to enforce this.

Tony Taverni, President of Friends Lake Association, but is here as an individual, because he has not had many phone calls on this issue on Friends Lake. We haven't had this concern, maybe we're not part of the communication systems. It seems to be centralized. He is really concerned about your ability to enforce everything. The county building inspector, he thinks he read some places that there are about 350 rentals in Warren County. Do we know how many there are? Any sense of what that number is off the top your head? That would be a good number for us to have for enforcement because that demand for that in a very short period of time, several months. He doesn't see how the Town can enforce and suggests that they scale it down about 75%. There are companies now, investor organizations there are going out and buying properties for the sole benefit of turning them into short term rentals. If we haven't prepared for some of this stuff we may be in a difficult position so he asked the Board to consider this, think about starting slower and think about what the demands are going to be. Thank you.

Clark Dunham said this is too much like government and nonsense. You are taking a whole bunch of people who care about what they do and what they have and trying to put them into some kind of a strait jacket. He has nightmares about instructions, Warren County, demands for 5 bathroom, rebuilt building twice, by that time we did we didn't have the money to continue, lasted three years. He can't face this kind of stuff again on his own house. It was a hotel on property properly, 80 acres. It is just difficult to consider the kind of requirements you are placing on this. He said he painted the brown walls in the auditorium with Fred Monroe and donated \$30,000 worth of lights that are no longer here. He has given a lot to this town and would like to get a little bit back. Thank you.

Harold Townley thanked the Town Board and John Nick for giving out the information and trusts that the Town Board will take the information and the audience's information and figure out what to do. The Town Board always gets stuck with all these problems. The Airbnb next to me had 8 people and two dogs for a week, then the next week there is another group. This is a little tiny camp with a cesspool. So, there are problems, so this is the reason why some of us are here. Not everyone is taking care of their property like some of us. Unfortunately, that is why government has to come in and make a rule or regulation, because there are people who are not as good as most of us. He would like to just have a phone number to call. They are not all perfect people that we are renting to. Thank you.

Aaron Scoones thanked the committee and Town Board and your service is very much needed. He feels this is an unneeded part and he thinks that most of these regulations are addressed in the Town codes. Also we are regulated by Airbnb. They have been renting for about five years now. There are cleaning fees that goes to a local resident, the County is now taxing Airbnbs, so we're paying more money out of our pockets. Most people around Airbnb have good reviews and you will not rent if you have bad reviews. Thank you again for your time.

Jean Kennika moved here because they enjoyed the area and the lake purchase. She said while she was in her kitchen Thanksgiving people came in her house. There was a group of boys

taking pictures of us with drones. They drive fast and don't follow the signs to the right house. This week there are nice people. I don't know if a fire truck can get down the road. She thinks having some knowledge of who is renting. Thank you.

Lin Combs from Vancassa, a vacation management company, who currently has 60 apples and oranges and everything in between in the area. So he gets a lot of experience with dealing with a lot of different kinds of people and different situation. There are some problems that do occur, some of them they hear about from other renter, other people that were renting nearby. We do have problems with our people, one of our policies is getting out there right away and try to deal with them immediately, so they don't get any worse but there are other properties around where that is not the case. One of his concerns, one of the reasons that I support this not necessarily in its current incarnation and entirely you know there's different elements but you've got kind of work with people to make something that's at least a start. There concerns about people buying up old properties in one particular town and turning them into investments, yeah we do have some people that are absentee landlords and that phenomenon is really picking up across the country. So one of his concerns that he is seeing in a number of communities if something isn't done at least to start to try to at least recognize that there's a potential problem and look at it in a small way at least to start someplace with at least recognizing potential for an issue, maybe not today, but somewhere down the road it's probably going to happen. A lot of these communities around New York not just once John mentioned have banned short-term rentals. They let it go till it reached the point where it was a problem and so many people were upset that when they did something they just pulled all the stops out. There's a number of communities around New York that have restricted how many rentals you can have. Some communities have even created a lottery, so the only way you could be a short-term rental in a year is to get lucky in the lottery. Personally he would prefer to void all of that, we want short-term rentals to continue. This is not a company line, we really wanna make sure that we have short-term rentals. There are a few here and there that are absentee landlords and don't care and those are the ones that he thinks are the reasons this is even a topic. In this office we care and it is really critical is to make sure that not only are our guests happy and our owners are happy and neighbors are happy. Community is really important to us.

Douglas Murray commented that every bureaucracy starts with the best intentions and his concern is that we are starting a new bureaucracy. His concerns are parking and noise and does the Town have the resources to enforce them. Hopefully we are able to that out and continue the quality of life here. Thank you.

Rebecca Mulvey just started with Airbnb and this is her first rental. She usually rents to lower income people they pay taxes the taxes go up those go out goes up the lights go up and that doesn't go up to run so they help without pain going thousands of dollars we don't always collect even if you get a judgment you can chase these guys so yeah forever they are working under the table and working for family file these seeds some chairs whatever just don't collect money you don't get fortunately they had canonically depressed area lower income people, somebody has to

rent to them and we've been doing this and we've been struggling because we've been over to passionate with the lower income struggling She is really nervous because you know there's a lot of standards that you have meet. People are generally coming up to get away from the hustle bustle of the city they wanna get up here. If your septic goes it will show itself and you won't get good review.

Barry Schiano as one suggestion. He does not know why the Board would want to bring Warren County into their neighborhood and thinks you should keep it in the family and not another agency walking around.

Jeremy Little read the following Zoom comments:

Matthew Barone: We are responsible homeowners on Friends Lake who rent our home from June to September. We are not a corporate entity - I think there is a distinction you may want to explore as part of this law. Every dollar of income is reinvested in improving our property - we hire local contractors, buy new appliances locally, etc. We are not making a profit like a corporation might. I'd also add that our process for screening guests is extremely thorough. I interview people, look at reviews, and have a clear list of expectations. We want this to be a good experience for our guests, but also sense a need to be considerate to our neighbors. I am all for reasonable regulations! I was concerned about this meeting and only got the invitation in the mail today. But in all honesty most of this acknowledges the benefits of rentals to our economy and appears sensitive to homeowners. I am happy to seek a permit and abide by laws but our focus might be better zeroed in on corporate. Thank you.

Jeffrey: Very well said, Matthew. I feel like your comments perfectly reflect our experience as Airbnb hosts the past couple of years. Our home has been in our family for over 60 years. Very thoughtful comments.

Chris K: Why not invest the additional operational expenses of the STR. Take this expense to pay for or mitigate the headwinds of cost the town faces, inflation and the recession we are heading into. Perhaps pay town employee more salaries to handle inflation we are facing. The timing of this couldn't happen at a worst economic time. There is no transparency of who complained, and who these folks complaining are? Who is truly impacted? The town is barely in business, and this will put us Out of Business. The Towns of Lake George and Lake Placid Are in Business and they can absorb STR restrictions.

Cliff Scoons said that he agrees with it to some extent, but more paperwork is no help.

Reese Vanderwalker is an investor for Airbnb. Up until three years ago there were signs ups all over, this used to be a thriving area. You look at Pottersville now it looks like a junk yard. You need to look at the trickle down. We pay the cleaning lady, bed tax that goes right to Lake

George. Up until now Chestertown was a day trip, but now with Airbnbs people are staying. He sends people north. This area is rich with history and he likes this economy. He was promised that the money from bed tax would stay in this area. Why wouldn't we work together to bring people here to spend money. We do not want anymore government outreach.

Gail Danforth is one of the people who sat on the committee, and she wants to once again say that that committee was formed by this Town, not by the people who are on the committee. Not one of us had our own personal agenda. The Town asked us to do this. She was asked personally to be on this committee, because she has been part of a shared non HOA beach. There were times when there were 5 rentals on a little tiny road and a small beach. There were many issues and back then we didn't know how to get ahold of the owners. There is nothing wrong with renting your place, she personally wants this place to thrive. No one ever mentioned restriction, ban or limit. She is now lucky because she lives on a road where she has everyone's email address, because they are a community, a neighborhood that maintains and takes care of the road. There are currently three owners who rent, they are phenomenal. They are businesses that bring money into this Town and there needs to be some accountability and check and balances. She wanted to make it very clear that the Town asked her and every single committee member to be on the committee. Did we do everything right, probably not, but her and Barb sat on the committee together and didn't share all the same views, but they worked together. That's what this is about. If another committee is formed by the Town it needs to be brought up front.

John Richmond does Airbnb when they are not using their 2nd home. Everyone who comes up spends money in the community. The landlord needs to screen out as much as they can.

Russ Danforth said that the Board has obviously had issues with short-term rentals if this has been on your docket since 2019. There must have been something significant for you to form a committee. It is really the Town Board's decision to make, phase in (which is not going to be easy) most likely there are going to be more short-term rentals than less if you don't get prepared to deal with it now, its not going to end well. Just a suggestion.

Jason Monroe thanked everyone for coming, said he is the Highway Superintendent and Water Superintendent for the Town of Chester, has a short-term rental with his family. For them they have to do this financially and feels that they are good stewards of the Loon Lake. He thinks John Nick is not here to hurt anyone financially, he is trying to look out for the greater good of the Lake. He disagrees with a lot of the stuff in the proposed law, but everyone here has brought up good points for both sides. He has listened to the STR crap for every minute of his life for the last month. He agrees with both sides on this one. He has heard from people who have association beaches that don't want to deal with twenty (20) drunk kids, which he doesn't agree with either. He agrees that something has to be started to combat people's quality of life, they retired here and whether you like it or not rentals have to maintain and stay here, you have to appreciate the people who bought their property who are being tormented by their neighbors who don't give a crap the real quality of life they just care about money. For most families it is enough to just pay their taxes to remain here and stay here. He does not want to see it where people are buying property just to make money and the don't give a crap about the Town, about the roads, don't give a crap about their neighbors, and don't give a crap about the Lake. He does and the people sitting here do. It doesn't matter what side you are on, if they didn't care they

wouldn't be here. He is on both sides of the fence, can see both sides. He thinks that the point is, if you are renting take good care of the thing and pay attention, maintain it, take care of your garbage, if you have a septic that's failing have it pumped every year. If you are making money it is a business. The Town should do something to start implementing rules so this doesn't become a huge problem in the future.

Don Chase said that times are changing and this has to be addressed, because there are going to be more and more people looking at homeownership as a business to just make money. This is happening and it is important for the board to address this early. Maybe start small and add, but if you ignore this problem it is bound to be worse five years from now.

Marion Eagan, Deputy Town Supervisor read the following:

Warren County Information on inspections:

Homeowner calls for an STR Inspection. County must be invited in and request an inspection

1. They will look over the exterior any property maintenance issues. Wires down, siding falling off pool and spa barriers handrails.
2. Property Identification. E911 Address number must be visible.
3. Interior. Visible safety issues, checking electrical for bare wires, no covers on electrical outlets. Bathroom, look for ventilation or a window and make sure the fixtures are operating.
4. Sleeping areas. How loads are measured:
 - a. 70 sq. ft. for one person.
 - b. 100 sq. ft. for two people.
 - c. 150 sq. ft. for three people.
 - d. 200 sq. ft. for four people.
 - e. Lofts, as long as there is proper egress, they calculate the same.
5. Smoke detectors. One in each bedroom, one outside each bedroom, one on every level, and a C.O. detector within 15ft. of each sleeping area.
6. Septic system. If the septic system of record supersedes what the Report has for occupancy, the Town will need to address.
7. Property Maintenance Law does not address all of the problems to this level, as in smoke detectors, occupancy loads.
8. Turn-around time. If no problem, Report is issued within one week.
9. Lake George and Warrensburg require County inspection report. Hague and Bolton does not.
10. Even if STR owners have registered with the County, the only reason for the registration is so that the occupants collect the 4% occupancy tax.

Inaudible

Barb Kearney said that she is a certified building inspector for the State of New York and asked the Board if they adopted the 2020 New York State Property Maintenance Code. Marion replied that we have a Town of Chester Property Maintenance Code. Barb said that the County has and

they are enforcing this. The property maintenance code does cover, occupant limitations and septic. Barb is all for life safety, but is not for holding people to a higher standard.

Supervisor Leggett asked if there was anyone else. Hearing none, he thanked everyone for coming for the great input.

Supervisor Leggett said the next steps are:

- The Town Board will review all comments and questions made tonight
- The Town Board will work on revisions to the STR Local Law based on input from the Public Information Meeting
- The Town Board may set another Public Information Meeting if there is need or interest
- At some point, the Town Board will take action to consider a final draft of the STR Local Law, or not. (the procedure for adoption of a local law will be followed, which includes a Public Hearing)

Mr. Turcotte said that there has been good points from both sides and is there any regulations to your rentals that you would be amendable to. We take in all considerations on both sides.

Mr. Turcotte asked how do we get the complaints into the Town. Inaudible. The Town Clerk said that all complaints could be emailed to: TownClerk@townofchesterny.org.

Inaudible.

Supervisor Leggett **adjourned** the meeting at 7:58 pm.

AYE 5 NO 0

Respectfully submitted,

Town Clerk