

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

North Elba Board Members Present:

Supervisor Politi, Councilman Miller, Councilman Favro, Councilman Doty, Councilman Rand, and Laurie Curtis Dudley

Lake Placid Village Trustees Present:

Mayor Randall, Trustee Monroe, Trustee Leon, Trustee Devlin (via skype) and Anita Estling

Members Absent: Trustee Holderied

Others Present: Addendum 1

Mayor Randal opened the Public Hearings by asking everyone to stand for the Pledge of Allegiance.

Anita Estling read the Public Notice which was properly published and posted

PLEASE TAKE NOTICE that the Village Board of the Village of Lake Placid and Town Board of the Town of North Elba will hold a public hearing on Thursday, January 24, 2019 at 6:00 p.m. at the Conference Center, 2608 Main Street, 2nd Floor, Lake Placid, New York, to consider a local law regarding vacation rentals in the Village of Lake Placid/Town of North Elba.

The text of the proposed local law is available for inspection by any interested person at the Offices of the Village Clerk or Town Clerk, 2693 Main Street, Lake Placid, New York.

All interested persons are invited to attend the public hearing, and will be given an opportunity to be heard.

Laurie Curtis Dudley, Town Clerk

Anita Estling, Village Clerk

Mayor Randall - Welcomed everyone to this important community hearing. I will act as chairperson for tonight. I would like to introduce you to Roby Politi, Supervisor, Town of North Elba and the members of the Village and Town Boards; Jason Leon, Scott Monroe, Art Devlin - via laptop skype, Jay Rand, Bob Miller, Derek Doty and Jack Favro. Also present is Attorney Janet Bliss, Village Attorney, and Ron Briggs, Town Attorney

To give you a brief history;

In 2015 Essex County passed a local law amending the occupancy tax law to include vacation rentals.

In January of 2017 the Town and Village Boards asked the Community Development Commission to move forward on a transient rental registration initiative.

In June of 2017 the Community Development Commission presented a draft ordinance for review by the Town and Village Boards

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

In April of 2018 a Transient Rental Public Forum was held to receive public comments as well as website and email comments pertaining to short term rentals.

In September of 2018 the Community Development Rental Study Committee presented comments for consideration in drafting a finalized vacation rental local law.

In December of 2018 The Town and Village Boards met with the Chairman of the Community Development Commission to discuss a final draft amendment to the Joint Code for Short Term Rentals for purpose of holding a Public Hearing.

Tonight, members of the Village Board and Town Board are here to accept public comment and concerns relative to the draft law. We are not here to answer questions. The proposed law is in draft form and is subject to change based upon public comment.

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

The Rules for Tonight

There is a sign-up sheet for anyone who wishes to speak in the back of the room with Laurie Dudley, Town Clerk. If you wish to speak, please add your name to the list.

Speakers will speak from the podium at front of room in order of sign-up and must state their name.

Anyone representing another person or group of people to state their name and name(s) of those they represent.

Speakers will each have 3 minutes to speak Anita will let you know when your 3 minutes is coming to an end.

Please respect the views and opinions of all speakers. Verbal interruption, clapping, shouting, booing or other outbursts will not be tolerated.

This is not a debate. It is a public hearing giving the public an opportunity to express views on the proposed local law. There will be no question and answer period. Members of the municipal boards are here to listen only.

We will keep this hearing open for 2 weeks from this date.

Huda Scheidelman & Ethan Perry:

Thank you for the opportunity to exchange views regarding the proposed Local Law Amending the Village of Lake Placid/Town of North Elba Land Use Code to Add Regulations Pertaining to Short-Term Rentals.

My name is Huda Scheidelman, and tonight I speak on behalf of a group of 41 property owners in the Town and Village. We are people who, like members of the boards and others in attendance tonight, want nothing more than for Lake Placid and North Elba to continue to thrive. All of us, whether we have been here 3 years or 30-plus, have made major investments here, have raised families, built businesses and made memories here, and have a stake in maintaining the character and essential qualities that make ours a uniquely beautiful and magnetic place that the world loves to visit.

In recent years, as entrepreneurs found new ways to expand options for short-term lodging, personal preferences have evolved. Large families or groups of friends seeking to enjoy a destination together now have a wider range of choices, and many choose to be together in a private residence. As a result, home sharing rentals have grown in popularity, attracting visitors and local spending that may not otherwise have come, or come as often.

The numbers tell the story: Essex County occupancy tax collections rose more 30 percent between 2015 and 2017, the last full year for which data are available, and jumped nearly 17 percent year over year from November 2017 to November 2018.

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

We recognize that appropriate boundaries are necessary, and believe the boards are right to consider home sharing rental regulations that serve the public good. The draft Transient Registration Regulations of August 2017, in our view, would achieve the objective of holding property owners accountable for public nuisances created by unruly guests. No one should have to tolerate actions that diminish the enjoyment of his or her property or create hardships for our community. However, with respect, we find that the ordinance now under consideration imposes arbitrary restrictions and unwarranted and unequal hardships that are unnecessary to achieve the legitimate objectives of the ordinance.

For example, as board members are aware, there are private homes in the Town and Village that have more than enough capacity to safely house 20 or more guests using the standard formula of two guests for each bedroom plus two. A limit of 16 guests, in this context, seems arbitrary.

Thank you for the opportunity to exchange views regarding the proposed Local Law Amending the Village of Lake Placid/Town of North Elba Land Use Code to Add Regulations Pertaining to Short-Term Rentals.

Joint Town/Village Public Hearing

Vacation Rentals

Thursday, January 24, 2019

Donna Morris- Calvey

I have been coming to Lake Placid since 1974 I am an avid cross-country skier and I love this town. 7 Years ago, my husband and I knocked down an apartment building and we built a vacation rental house designed as a reunion house. It has been a very satisfying experience working with our care taker, cleaning crew and contractors who have worked with us throughout the years. It has been great not only to rent the house but to use it and we have used it a lot. We support regulation of short-term rentals but we are concerned with two items. One being the 3 night minimum we feel is going to drive away ton of weekend rentals. We also are concerned about the 16 person limit. We think that will drive away the huge wedding business and family reunions. Times have changes many of us prefer cell phones to landlines, we many prefer to stay in a home verses a hotel room. If we don't give travelers choices they are not going to come here. They will go elsewhere with a click of a mouse. I just urge the members of the board to please give this two more months, we need more data to make sure we don't make a huge mistake with changing the laws up here.

Todd Carter

Councilman, Board members and community members thank you for securing venue and bringing together the community to allow me to express my perspective to everyone. My concern is the 3-night minimum we have a merging echo system now and community members who are able to engage in economic activity and my guess they are spending this money in the community on local contractors, house keepers and landscapers. I feel that the community realize the significance of that income for two nights not three. Safety was talked about and around safety is there data that supports that changing to 3 night. I don't see any data that there is need for this. I am asking you to show data that supports this and we can all make an informed decision. I asked you to proceed with actual information. Thank you for this opportunity to speak.

Sharon Midendorf

Our story is a simple one, we started coming to LP because we loved the nature, XC skiing, and this beautiful village. We thought we'd buy our first home and then share it with friends and family when we couldn't be here. The cottages were Hud properties, almost teardowns. But we saw the beauty of what it could become. We put so much love, our hearts and souls and funds into beautifying it. It's been a labor of love from the beginning and to this very day! we love our home and business more than anything else in our lives.

And we love this town and the sharing economy. What started as a friends and family idea quickly grew as the town has grown. and then Airbnb started up and all the millennials and young people jumped on board. Young folks prefer staying in homes rather than hotel rooms. This trend is so strong that Airbnb is now going Public this year! This change is enormous and it is only going to grow stronger.

People look for experienced. Nature, exercise, healthy lifestyle, happiness and statistics show that they prefer a home environment.

I urge you to look at this website called - FAIR BNB. Google it and read their Manifesto. It's about using the sharing economy to DIRECTLY ENRICH their community.

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

Working together to build the community! Look how many millions of dollars have already been generated from just the Occupancy tax alone! I want this trend to continue and I hope you do to.

I do agree that noise and safety are important and we need to follow rules. But we don't a permit for that. I don't agree there needs to be a 3-night minimum stay. Putting that in place takes away our rights as homeowners!

Folks, this is America! The home of the free and the brave! We all have rights to be entrepreneurs! All of you sitting on the board are entrepreneurs! We all have dreams and some have dreams to build empires. That is what America is about.

Imagine we all work together to enrich every person's life in lake placid. The hotels, the shops, the restaurants, the bars, the vacation rentals, gas stations!!

Everyone in this community would benefit and has benefited already from the sharing economy and its growth. Let's embrace this and be the greatest vacation destination in the Adirondacks and the northeast. We are well on our way there now.

In closing, I ask you to please hold off on adopting any new law for 60-90 days.

Please give us time to work with you to address some of the concerns we've raised. I'm a designer and do social media marketing. I'm happy to help any business grow their business in this sharing economy.

We all want what's best for Lake Placid and North Elba. Let's work together to come up with a fair and effective plan that we all can support.

Thank you and I hope you will read FAIR BNB.

Liz Mezzetti

ORDA has received over \$80 million dollars in the last two years and another \$80 million proposed in the upcoming budget. This support from State is coming with the expectation to grow tourism and bring more visitors to our areas.

Over 80% of lift tickets sold in advance for skiers to Whiteface Mountain are 1 and 2 day lift tickets. This is the core length of stay for Whiteface Mountain throughout the winter season.

78% of visitors to Whiteface are overnight visitors.

Based on current information year to date for Whiteface - Nov 25 - Feb 1 - 31% of our visitors are staying in vacation rentals.

According to the ROOST - Longwoods study from 2017 - 1 and 2 night stays make up over 50% of the stays in the Adirondacks.

In speaking with the ROOST offices - both Rev Par and Hotel Occupancy is up year over year, while Airbnb alone is also contributing by over 30% to the bed tax - suggesting overall growth to this market. According to the Empire State Development Study from Ernst and Young - one of the key areas where we are not competitive for skiing is in bed base - we simply do not have enough beds during key times

Joint Town/Village Public Hearing

Vacation Rentals

Thursday, January 24, 2019

in the winter - especially when also hosting such events like the Empire State Games, ECAC hockey, and other similar tournaments.

Leonard Giles

My name is Lenny Giles. I am a vacation homeowner and renter and have been a part of this wonderful Lake Placid community for 22 years.

First, I would like to thank you for your service to our community. I support the remarks made in our group opening statement by Huda Scheidelman.

One suggested change to the proposed Short Term Rental Regulations. It regards the use of the Lake Placid and Mirror Lake. Page 2 # 9; "(9) Short-term rental properties may not be used as "keyhole" properties to provide access to or use of Lake Placid or Mirror Lake for dockage, parking, mooring of boats, swimming or any other lake activity. These uses shall be limited to the record owner of short-term rental property."

I am assuming that the actual intent was to prevent renters from bringing in outside guests; it does not say that, so below is what I think this should read like, "These uses shall be limited to the parties directly renting the short-term rental property only." But it does not say that, it does not mention where these properties are located whether on the beach, across the street or across town and of course it says only the "record owner" not the renters are allowed to use the water.

I believe the two rules of a 3 night minimum stay and maximum occupancy are arbitrary and do not provide equal protection under the law between a homeowner that rents and one that does not.

In my opinion, the vacation home rentals have had a very positive economic impact on Lake Placid. Local developers and contractors with local craftsman built these properties starting 30 plus years ago, because there was a need.

Local Real Estate agents sold these properties with the added buyer incentive that they could be rented to help pay for them, and then became their rental agents. In my case in offering plan it explicitly states that the home can be rented short term. These vacation homeowners have had a positive economic impact in the community. And of course the rentees spend a lot of dollars supporting our small businesses and restaurants.

You cannot have it both ways. Most people knew this coming into the community and there has to be some tolerance on both ends. Any provision in this law that protects safety of the public and quality life issue of neighbors I think is important. But any provision that's purpose is to protect another industry is wrong. And hurting the Vacation Rental business will have negative effects on the economy of the local small businesses.

Finally, I want to thank you for volunteering your time and effort to serve our community. I request a moratorium on this legislation so we can come up with a so we can come up with a version that provides equal protection to the homeowner and the vacation rental owner alike.

Eric Schwenker

Good evening. I am an attorney representing two clients from Gold Medal Hospitality here in Town of North Elba and have deep concerns about the proposed legislation. Which included the 16-occupancy cap, 3-night minimum stay and restrictions on lake use. Certain provision applying the property maintenance code that does not apply to single family dwellings. Also, what appears in the language is

Joint Town/Village Public Hearing

Vacation Rentals

Thursday, January 24, 2019

the strict criminal liability upon property owners for the actions of a 3rd party renter. These actions are grounded in part upon constitutional concerns. Concerns that would include evidence to establish these restrictions. Concerns that these over the restricted regulations overturning preexisting uses and rights that have been exercised for many years. Concerns on the vagrancy of these stipulations. Please note that this group stands to protect their rights that they have exercised for many years. They are able and willing to engage in a discussion to reach common sense and reasonable regulations for short terms rentals. Community across NYS are addressing this in concern to rentals. My client is simply asking these boards to adjourn this matter for 60 days so that we can borrow the best lessons and court tested regulation from others in the state.

Ethan Perry

The proposed three-night minimum stay, also added subsequent to the draft Transient Registration Regulations of August 2017, seems arbitrary and will impose severe, unnecessary choice limitations on visitors who prefer — or can only afford — a one- or two-night visit.

The proposed law would impose on a family that rents its home once a year burdens that are not imposed on people who regularly engage the same activities even more frequently, including inns, bed and breakfasts and hotels and those who entertain large groups of business colleagues, customers or friends. In some cases, the proposed law imposes burdens that might be impossible to meet – for example, new window requirements on condominiums, rendering unrentable properties that are now rentable.

These provisions raise constitutional questions. Owners of rental properties are entitled to equal protection under the law. Therefore, a law that selectively imposes on rental properties burdens that are not imposed on others engaged in equivalent activities is not likely to pass constitutional muster. In addition, eliminating the benefits property owners now enjoy from renting their homes without compensating the owners may constitute an illegal taking of private property. These issues should be addressed so that the taxpayers of Lake Placid and North Elba are not forced to bear the cost of litigation that could easily have been avoided.

In the years since consumer lodging choices were expanded, Lake Placid, North Elba and other communities that rely on tourism to fuel the local economy have seen significant increases in visitors, with the benefits accruing to local businesses and services that support them. That's no accident. The homeowners who welcome these guests point them to local shops and restaurants as well as providing information about points of interest in our area. They are ambassadors for our region in the truest sense because they recognize that lodging is but one piece of the guest experience. A guest who leaves with the memories of a pleasant experience is likely to return, and to tell friends and family about what our area has to offer.

We know the board members understand all of this. We also recognize that there was an impetus for this action. Those of us who make our homes available for guest rentals share your interest in ensuring that those we welcome do not adversely affect our neighbors. We believe this objective can be achieved without the limits that were added after the initial ordinance was drafted.

We want to work with you to put in place regulations that are fair, that make sense, that preserve a diversity of lodging options and that protect all private property owners. We want to work with you in a

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

collaborative process that results in appropriate regulations to help ensure the safety and peace of our community without imposing unnecessary restrictions on the enjoyment of private property. We ask that the boards pause their deliberations for 60 days, which in our view is adequate to convene a working group with broad representation to craft a set of rules and guidelines that achieve valid public policy aims without turning away guests who support our local businesses or harming property owners' ability to generate supplemental income or even to maintain ownership.

Eric Fahlborg

I am a vacation rental owner of 3 homes in Lake Placid. I was also an owner of a small resort in Lake George NY. I bought my first house in Lake Placid 11 years ago. I am a business man and have run my home with the standards that I ran my resort. I purchased my second home in 2016 and lastly purchase my 3rd home last Summer and have spent the last 6 months working on the house and have spent thousands of dollars in this community doing so. I sold my resort and this is now my main source of income for me and my family. I have been a very contentious owner. I have a care taker and I myself are in Lake Placid 1 or 2 days a week. I care about my neighbors and have shared my phone number as well as my caretakers' number with them. I have lots of rules for my guest and take every measure to ensure that they follow them. I take care of all problems within a reasonable amount of time. I am also acutely aware that there must be regulations in place for safety and respect to the people that live in the Village.

My main concern with the regulations is the purposed 3 night minimum. Lake Placid is a driving destination and has always been marketed that way. During the winter months it's all weekend traffic. I do not get many if any 3-day rentals, even in the Summer months the scheduled events that Lake Placid offers are only weekends.

This is not Florida where we can expect our visitors to fly in for the week. Maine and Cape Cod are also placing that we can't mirror our regulations from, they are Summer vacation spots where visitors spend weeks at a time.

Lake Placid is unique because of all the events that this small village holds. (weekend events).

You not only hurt the vacation rental owners but our visitors that would prefer to stay in a large home with their families and have the opportunity to cook a meal together in a great house with amenities.

Who is to blame for what happened with the vacation rentals? Is it the realtor who sold me on you can make a good income renting your home or the town for not setting forth regulations 5 years ago when the surge of vacation rentals started to increase and If you did, I certainly would have reconsidered buying a second and third home in the area? I pay a lot of taxes. I employ a number of people in Lake Placid, I follow rules and I am good business man. I have a right to rent my homes. I have a right to make money and it is not fair to take it out of my pocket and essentially give it to a hotel owner. I strongly disagree with the 2 night minimum and will fight to change it.

Tia Brooks

I am a proud owner of a vacation rental in Saranac Lake and Jay so this does not directly affect me. I am here to give my local support to the community that does have vacation rentals in the area. I do agree that there need to be regulations to keep people safe. I however do not agree with the three night minimum. Thank you for your time.

Joint Town/Village Public Hearing

Vacation Rentals

Thursday, January 24, 2019

Shawn Goodway

I am general manager of the Whiteface Lodge. You may or may not know that we have fractional units at our lodge. We want to ensure that this law does not intrude on us to do business the way that we do now. We pay our occupancy taxes.

Andy Teig

I didn't plan on speaking tonight and at a point I looked at the list and did not recognize a single name on it. I live here in the village, my street address and my PO Box are the same. I don't work in the vacation rental industry or hotels. I have nothing to do with the issue that's at stake here but I do live here 365 days a year and I can guarantee you my income is probably about the 10 to 15% in this room. I work as a critical care medic and I work hard. I am going to go to work tomorrow and provide a service that everyone in this room needs. You come in here and discuss this and bring in high price lawyers in to sew the community you are affecting my taxes. I have to pay my taxes in 4 payments because I can't afford lump fee. So as everyone here is discussing their cash windfall and what they have at stake on their 1st, 2nd and 3rd home or income you think about that critical care paramedic you need in this community.

Rudy Younger

I am the owner of a small vacation rental company I also own in Brook Hill. I have 12 properties in Lake Placid that I manage. Over the past 5 years I have had thousands of guests through my properties. I am a licensed real estate broker I have taken over 120 hours of training in Albany and passed their exams. I have guest contacts and know everyone that is coming in. My staff is on call to help immediately. I collect the 3% bed tax. We have very little complaints and issues. I am an Airbnb supper host. If you take 10,000 rentals someone spoke with the Lake Placid Police Department and asked them how many complaints they get and they couldn't say exactly but estimate 12 to 20 a summer, 12-20 over the rest of the year. 20-45 per year with 10,000 rentals that's less than 1%. This rentals bring in about a million dollars in housekeeping a year. I know quite a few people who make a living off of this. Bed Tax brings in about \$300,000 to Essex county that's a lot of money. Also, if you put permits in to place Lake Placid will see additional revenue of 200,000. 50% of short term rentals are one to two nights. All the money these people are bringing in is going right back into the community. Lakeside, we improved the kitchens floors and painted that we bought from Young Lyon. Brook Hill we updated with new bathrooms flooring and paint. This supports local people we are in the shops and restaurants. All the money comes back in. I looked at regulations and read them over twice I actually perused 90% of it and think they are well done. You can understand most of it. The biggest conflict I have is the three-night minimum.

Denise Dramm

I have lived in this community for 39 years. Like the local gentleman that came in tonight. I don't think people who have vacation rentals understand that they have been working a business for over 15 years illegally. You are not allowed to run a business in a residential neighborhood. I thank both of our boards for addressing this issue and it has been very heart felt for many. In doing so they are going to be changing our land use code forever. We will no longer have a small community with kids in a parade, where local people volunteer for school board, we are going to have tons of people buying up the homes so there are no homes for the people who work and lived here all their lives. I am emotionally struck by the people

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

feels it there right because they own a home to have this business. Your business in 90% of the cases is in a residential area. I here everyone complaining about 3 night minimum many of you might not be aware that the NYS Law has a law called the bungalow law that was done away with in the last 4 or 5 years by people with very big pockets who had influence over our legislators on NYS. That bungalow law stated that if you rent and dwelling for less than 30 days that is considered transient rental and in that case you must rent for at least 7 days not 3. To not have the NYS sale tax opposed on you. I have more to say and I will submit it to the board.

Bob Schiller

It great to see room so full and interest in this. 2 years ago, my mom lived with us for several years. We bought the house in 1988. We have been here for 30 years. Built an apartment for my her in 1996. A few years ago, we said what are we going to do with that apartment in our house. We decided to open it up to guests and we went through Airbnb. We have met some incredible people. We are always in residents when we rent so we monitor very well. No smoking, no pets we were very careful about who we rent too. The one thing I want to make board aware of is 70% of the people who come only come for two nights. People like to come on A Friday and leave on a Sunday. That 3 night minimum is a problem. The 100 permit fee per room I hope that's not accurate. That is not a reasonable fee.

Tim DiLeo

I own a small vacation rental company and I do a lot of business here. One of my biggest concerns is the 3-night minimum. Some of the regulation are great. They are placed in many destinations. I do business in Jackson, Wyoming, Aspen, Colorado, Park City, Utah and more. None of this location have this minimum. It sounds great on the surface but the reality is I think it will be very impactful. I hope community can come together and come up with a common solution.

David Conlan

I am a resident of Lake Placid. I guess I am not a local I have been here for 7 years. My wife grew up in Lake Placid. We relocated back in 2012 from another tourist destination. So, my adult life I have had the privilege of working, playing and living in some tourist towns around the county. I feel like we can take this and move to any destination throughout the country and have the same conversations. I feel like this is not uncommon in towns such as ours. We are facing this across a lot of our country. This is because of a consumer driven market. These Airbnb's are answering the call. I can see both sides of the argument having lived in some areas that have struggles through housing issues. I also see the benefits vacation rentals be. This summer my wife and I decided to rent out are home as a short-term rental. It was not any easy decision. We were facing a personal crisis and we were faced with hey do we sell and move out of Lake Placid or do we do this to help pay for some medical debt we have in our life. We made that decision and thankfully it has provided for us and we are very grateful for it. In terms of regulation that are proposed I disagree with 3 night minimum. If you look at consumer data it shows that people prefer two night. I encourage the board to explore other issues. I think we get caught up in the pros and cons. We live in a beautiful city that relays a lot on tourism economy.

Joint Town/Village Public Hearing

Vacation Rentals

Thursday, January 24, 2019

Jim Brooks

I represent Dr. David Rosner. They have asked me to speak on their behalf. It's wonderful to see everyone here. What I am going to suggest because vacation rentals have been a business here for many many years and it's going to be like trying to close the barn door after the horse is out. It also pays a lot of income taxes and provided employment. But it also can be annoying. I have been a resident since 1966 and I get annoyed. When you can't park, fireworks at 2am or so drunk they go into wrong house. You get those from natives also. Recently I am not sure if our Town Attorneys are aware or the boards but on January 3rd there was a billed filed to deal with this matter in the State of New York and the City of New York. It's started in the assembly. You might want take a look at this and see what their positions are. I make a suggestion on where I have some questions on the legality and constitutively about the lake and 3 night minimum and 16 people minimum what I suggest is you table this for a while and let the lawyers look over this for a while. We need some regulations but I think you are over regulating.

Amanda Cassidy

The article on January 12th states that they will charge 100.00 per room, is that bedrooms only? If so based on the confirmed 600 vacation rentals based on an average of 3 bedrooms presumed by myself for point making purposes with average \$180,000 annual revenue or \$90,000 every two years. Based on 800 it would be \$240,000 annually. Based on Supervisor Politi statement in article of January 12th if things keep going the way they are they are going to be 1200 vacation rentals if that the case we will have a revenue of \$360,000 annually or \$180,000 every two years. In the same article the permit fees will go towards hiring new position in the code enforcement office. If so that's a lucrative position. How many people are you look to hiring? Will they be full time, benefits that include dental and health 401 k and retirement? In regard to safety based on article dated January 24th 2019 in enterprise stated each sleeping room must have one fire alarm, one carbon monoxide detector and one fire extinguisher. In compliance with state building code further more code enforcement officer Mike said there could be issues with people who rentals have a third floor room. Windows might need to be fitted with window fire escape but it should not be a big problem as long as people can exit through a hallway. What is it should vacation rentals and hotel rentals be treated at different standards. I am interested in what percentage of police calls have been through vacation rentals and Airbnb.

Colleen Holmes

I own a real estate firm in Lake Placid and represent a lot of people who rent. As a business owner and a home owner in the area the only thing I have to add is that our messaging has to be very accurate and careful on position taken. We have neighbor policy's in place and noise ordinance in place. One of the things I can speak to personally to the one- or two-nights stays being the biggest problems that has not been my experience I don't know if there is data that support this. I also read in one of the articles that people aren't selling there homes anymore in Lake Placid, the real estate market has had a very good year.

Nick Cancro

I am a for profits individual and respectful of those who have invested money to make a living. I want to address a few things on the document that was on the North Elba website. I compliment the board on the well thought out proposal. There were a few things that bothered me a bit it doesn't distinguish commercial or residential area of Lake Placid, there should be a distinguish between the two. It doesn't

Joint Town/Village Public Hearing

Vacation Rentals

Thursday, January 24, 2019

distinguish between owner occupied homes or part of the year and unoccupied homes someone who never sets foot in it. If you have an unoccupied home in a residential area and all you do is rent it out what you really have is something like a hotel and bed and breakfast. But it's not an owner-occupied home. On page 2 section 111 of this document it refers to the historical nature of Lake Placid being a small residential resort of owner-occupied homes. I think there needs to be some distinctions between residential and commercial and owner-occupied versus non-owner occupied. To the gentleman earlier who said he would like to see what other areas are doing I refer you to Lake Tahoe. The last election they voted to restrict Airbnb's and short-term rentals to commercial areas with a three year phase out. I am not necessarily supportive of keeping these out of residential areas I think it's important to have it in some residential areas but there has to be restrictions which I think they are doing for 30 days. 16 people seems like way too many and I do think we should restrict the number of cars and number of days.

Herbert Fountain

This looks almost like the last supper. I am speaking on behalf of my brother Mr. Kevin Fountain. His main concern with looking at the information was the use of the lake and who could use it. If it's your house and you rent it out, they can't use the lake. That seems very odd. Especially since they encourage you to get boats and other things. There is a way around this. Would need to change language on who can use the lake. To say someone can't use the lake what are you thinking there is something wrong. That is why people come here! If you really want to restrict the lake do it when there are 2000 out there swimming at one time. Thank you very much.

Sarah Glavin

I am speaking on behalf of a group of Lake Placid residents who are united in our belief that this proposed regulation does little to address the real threat that short-term rentals pose to this community.

We are homeowners and renters, business owners and employees, and some of us even rent out units on Airbnb. Some of us were born and raised here and some of us are newcomers, but we all care deeply about the Lake Placid community.

Lake Placid residents trying to make ends meet are not a threat to the future of our community, but the proposed regulation treats them that way. The central issue, which is not addressed in the proposal, is that individuals and companies with abundant resources are buying properties to exploit our residential neighborhoods, avoiding commercial rates, assessments, and oversight, in addition to burdening our infrastructure.

We must emphasize that the problem is not with owner-occupied Short Term Vacation rentals (STVRs), nor primary residents renting their homes while away. The real problem is the predatory conversion of homes to short-term rentals by individuals and companies taking advantage of the current lack of regulation.

No one can deny that STVR's have high profit margins. This is especially true in Lake Placid. Regulations must proactively plan for future attempts to commercialize residential neighborhoods. If not, Lake Placid will have little community left, and the path back will be impassable.

The action taken now by our elected Boards is essential to the Lake Placid community, both for current residents and to welcome newcomers and the next generation. Lake Placid successfully kept Walmart from building here, based on the fact that "the overall character of the community would be altered." We

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

need to honor our previous planners who had the foresight to fight a “giant” in order to protect our community.

The proposed legislation only addresses the symptoms of a much deeper problem and treats those trying to make ends meet the same as predatory investors. To this end, we recommend that you enact this proposed regulation now, minus the three-night minimum and with exemptions for owner-occupied properties, and immediately follow-up with legislation to address the heart of the issue - the loss of our community.

Thank you for your time and consideration and we look forward to your next set of actions.

Doug Hoffman

My wife Carol Torrance Hoffman has the property on the Adirondack Lodge Road and the Cascade Road they have been there since 1860. The Taylors have been on Torrance Hill since the 1840 and 50's. Even back then they were housing visitors. Yes I agree that some character of Lake Placid has been lost because of vacation rentals but I want to present the other side of it. Back in 1982 we started renting the cabin on the lodge road to keep it in the family. We didn't have the money to repair it and we decided to start renting to vacation rentals. Look at that cabin now it's still well maintained and standing after all these years. It would have been in the ground by now if we had not had that rental. Another property on Adirondack Lodge Road was going to be sold out of the family and we were able to keep it because of vacation rentals. That house someday will go on to my grandchildren because they won't be able to afford anything in Lake Placid. There are other sides to every coin. Regulations are necessary because there are abuses going on. We only do 2 person per bed we don't stuff people into the house as some have. We take care and look at the fire code to make sure we are safe. As much as I am against regulation I think some are needed to me safe. 3 nights minimum is a restrain. How would anyone feel if we said Main St. was too busy so everyone has to close on Sundays. What about CPA's can't work after 8:00pm. We have to be careful what rules we put in place. Do onto others as you want them to do onto you.

Jim Shea

I just have a couple of comments. I have been in this community for over 8 decades quiet a long while. It is my opinion that this issue we are talking about tonight will forever change the dynamics of this community. The major reason I have come here is I recently read and heard discussion about our Town and Village Board's and their ability of making this law and I just want to say this is bologna. I know I believe in these people and they are there to represent all of us. I really get upset when people start picking on the leadership we have in this community. This is what you elected if you don't like it vote them out! I plead with you guys and gals to think of the locals. You won't see a lot of them here tonight because they won't come up and speak. I represent them and you should always think of them because they are the ones who put you in office.

Ed Flink

That's a tough act to follow! Everyone has comments about 3 night minimum. There is no relationship with the length of stay. What I am really struck by is the affordable housing and the challenge that you have here not killing the goose that is laying the golden egg. We have been in this vacation rental business

Joint Town/Village Public Hearing

Vacation Rentals

Thursday, January 24, 2019

for 30 years and no disrespect but I think we have been operating legally. Last I knew in America there is no law saying you can't do it unless you are pushing on someone else's rights which we haven't. We don't consider ourselves wealthy we are comfortable and we will continue to work hard to pay our bills and participate in the community. A Lot of my neighbors are using Airbnb to supplement their incomes. I really don't have the answers but 3 nights definitely does not work, 2 nights yes. One person commented looking at zoning law and setting up different districts. Some residential and commercial. I spent some time researching different districts. I am right next to Golden Arrow and motels. You can tell the difference between districts around the lake. Again, if someone is in residential and they want to rent their place but owner occupied. I need to put in a fire escape but you don't have to do this in a hotel. The parking was to allow for lesser than amount but as its worded its very vague.

Jim Davis

I have property on Mirror Lake Drive. I spend about 140 and 150 days up here. My main residents is Philadelphia which is a 6 hour drive. We do it almost every weekend coming up Thursday night and leaving either Tuesday or Wednesday night. It's always hard to go back home. We have had this since 2002. I would like to bring up that I grew up outside of the village in the Sothern tier of New York and we had 1500 people in our town and 15 people graduating. This place makes me feel almost like I am going back home. We couldn't support one restaurant hotel and grocery store. We didn't have tourism that this town is lucky to have. After high school I had to leave to make a living. I know people here can stay and making a living because of tourism that is coming in. This town supports many restaurants and hotels, retail shops and stores. I never came to Lake Placid until the late 90's. Once we came, we never went back and there are plus and minus to everything. The people you attract brings in vitality as well as sometimes the negatives. You don't want to forget all this town can do.

Jack Knox

I am as kind of shocked I didn't hear the proposal; when I walked into the room. I am not really up on how this proposed draft will go. I came here thinking I would get a summary on it. I was told it was 12 pages long and asked if I wanted to read it and then maybe not. From what I gathered I think that people should be able to make a living anyway they possibly can and it should not be restricted. There is residential and commercial and I understand that. I have the feel that a 12-page law that is basically motivated by safety and the renters let get some statics on how many people have been hurt. We have heard on stats on police and EMTS. I just think a 12-page proposal is too much. It looks like this proposal is coming to finishing line and that doesn't sound good to me, I am a resident of the community and I don't feel like this has been voiced well. I would like people to pull back and give maybe 90 days and give everybody a chance. Not just people who motivated this proposal. Everyone has a need and wants what they want and let try and make it work without too many drastic changes.

Ann O'Leary

I have lived here 30 years a s resident in Hill Crest neighborhood. When I moved here everyone would trick or treat and every light bulb was on now there are maybe two lights on. We are losing our neighborhoods which is very frightening to me I have never met my neighbor to the left of me. Two weeks ago, there was 9 cars in a 40foot drive way and I took a picture of it and a guy came out yelling there are

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

only 15 people here. I don't know how many rooms there are but I don't think its more 4. The parking is a huge issue. I was just told besides neighborhood loss and community I was just told the Blue Bombers the high school team will no longer be playing as a local team they will be paired up with a Saranac Lake because we don't have enough students. These are things that are happening we need to pay attention thanks you for listening.

Katrina Kroes

I grew up here and life long resident. Certainly, Airbnb are a competitor of ours. Its almost impossible what we are trying to figure out. I have one of those blue bombers on the hockey team he loves it. Yet we have industry and people trying to make a living with there Airbnb. I don't have the answers. As Jim Brooks said the horse is out of the barn, I don't know how we come back. It's very hard with short term rentals and I don't know what the solution is but I am glad we are trying to come up with something because we have a great community, we are very lucky.

Varsworth Wiggleworth

Myself and my wife bought a house here 10 years ago and it had been on the market for 4 years we got crap from some of the neighbors about a vacation house. The local people can't buy it well they had four years. I understand sometimes it might be overpriced. As soon as we bought it, I got calls from every realtor asking me to rent my house for Ironman. This came from every single person. We said no and then after a few years we decided to do it and we rent it about 10 weeks a year some in summer and winter. I don't know 3rd night free. Every real estate agent called and begged us to rent our house through them for Ironman and then finally we were like ok let's do it and it worked out so we rent for about 10 weeks. I know things have come up about police calls we have never had police calls and I know Hotels in town have had numerous police calls. My neighbors complained about fireworks on new years eve and I was like no one was at the house New Year's Eve.

Neil Sullivan

I am a part time resident for 20 years. I think its great you are working for regulation for something that has gone unchecked for a while. Every ski resort community in the country is dealing with the exact same issues. However, they are unnecessary evil for those who live, work here and have businesses here. I don't believe are hotels are large enough to support the businesses on Main St. on a regular basis. We do have an issue at the same time on a separate thing once this is all settle and choices have been made, we also have an affordable housing problem. After this we need to address how do we keep our workers and shop owners living in town or close with housing that's affordable for the services they provide.

Peter Toohey

I read the article and I support regulations. I think having to raise money to support a position to regulated it and all points should be based off about raising money and the 3-night minimum.

Erin Farley

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

One thing that everyone has in common is they love this place. I wrote a letter to a board member and decided to share it with you tonight. I have a short-term rental on Parkside Drive. The home I grew up in and invested interested in the community and coming up often. I read with dismay and concern the article in the enterprise it was a biased article that seemed intended to create tension in the community that will not help growth in the Village and Town. For without economic growth there is no Town and Village. I am speaking with support on short term rentals along with my son who is part owner of the property. I am concerned with the eagerness to put a law into effect that could have consequences or said violation, is this law the same for homeowners can they no longer park their cars on their own law. What about hotels? I saw in Adirondack Daily Enterprise which is where a lot of people up here get their information and that concerns me is that there is almost a sense of fear being put out there and it doesn't have to be, we all have to work together in a way that will grow the community and stainability. One of the concerns I have is there was no data in the article and to me its 2019 and every business I work in is supported by data and fact. I hope you do take another 60 or 90 days to do this and present something that we can all agree on. I also want to also say the comment about school enrollment going down because there are no homes in nonsense there are not enough jobs paying well enough for people to pay their taxes not short-term rentals.

Josh Farley

I just wanted to raise some questions about article in enterprise. By doing the 3 nights its going to have an impact of all businesses in Lake Placid, we have plumbers, roofer, cleaning businesses. The other is parking regulations and limited number of cars. Also limiting stay to 3 nights how does that limit the Villages Bid on hosting all these events we have now. I also think the permit fees seem high.

Matthew Sheller

I have lived here for 38 years here. I love this town. There are two things I would like to address. One is the hockey team going to Saranac Lake has nothing to do with Airbnb that happened a long time ago. The Bombers playing with Red Storm is sacrilege. Number two I was one of those hellions on Hillcrest and I use to know every family and house on that street. It went dark in the 90's early 2000. 10 years before Airbnb got launched. I don't know why Hillcrest went dark but it has nothing to so with the internet.

Anita Estling- Karen will be the last speaker. On behalf of Laurie and myself thank you for making this pretty simple and civilized and upbeat tone for such a serious topic.

Karen Knox

Just one point is the problem of losing our houses to people coming in to rent them out. I heard Wilmington is restricting it to only primary home owner can rent to Airbnb. We have been looking at other areas to see what they have been looking at and statics not just bigger areas.

Letters received by the Boards - Addendum 2

**Joint Town/Village Public Hearing
Vacation Rentals**

Thursday, January 24, 2019

Mayor Randall- With Karen being the final speaker that will conclude this meeting. This hearing will be held open for 2 weeks for people who want to submit written letters and we will not be taken any actions on this matter. Thank you all for coming out.

The meeting was adjourned at 7:45pm.

Respectfully submitted,

Laurie Curtis Dudley
North Elba Town Clerk

Anita Estling
Lake Placid Village Clerk

Typed by Jessica Scriver