

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Minutes of the Joint Town/Village meeting held on the above date beginning at 4:00 pm in the meeting room 2693 Main Street, Lake Placid, New York.

North Elba Board Members Present: Councilman Miller, Councilman Doty, Councilman Rand, Councilman Favro, Laurie Dudley, Attorney Briggs

Lake Placid Village Trustees Present: Mayor Randall, Trustee Leon, Trustee Holderied, Trustee Devlin, Attorney Bliss

Members Absent: Supervisor Politi and Trustee Monroe

Others Present: Dean Dietrich, Griffin Kelly, Fred Ace, Denise Dramm, Mary J. Fagan Colby, Claire O'Connor, Connie Roscoe, Andrew Teig, Mark Galvin, Rick Cassidy, Jeremy Mihill, Dick Cummings, Nick Seleni, Bob Maswick, Wayne Johnston, Jim Davis, Debby Brown, Judy Shea, Jim Shea, MJ Lawrence, Sarah Galvin, Karen Armstrong, Trish Friedlander

Mayor Randall opened the Joint Town/Village meeting at 4:00 pm by asking everyone to stand for the Pledge of Allegiance.

Mayor Randall asked Laurie Dudley to read the Legal Notice, which was properly published and posted.

PLEASE TAKE NOTICE that the Town Board of the Town of North Elba and the Village Board of the Village of Lake Placid, will hold a joint meeting, on Tuesday, March 26, 2019 at 4:00 p.m. in the Town Hall, First Floor Meeting Room, 2693 Main Street, Lake Placid, New York for the purpose of discussing potential changes to the proposed Short-Term Rental Law.. This is not a public hearing.

Laurie C. Dudley, Town Clerk,
Anita Estling, Village Clerk

Mayor Randall – For the Record, Supervisor Politi is not here due to an illness and Trustee Monroe is not at the table. All other members are here. In the interest of moving this along. Prepared for each of you is a redlined version of where we were from the last proposed law, which came to the public hearing in January. The Redline version has comments in the margin. In the interest of not having this discussion drag out for many hours, we will start with the discussion of the numbered items, which are noted.

ITEM#1; SHORT-TERM RENTAL

Attorney Briggs – This removes fractional ownership and timeshare units from the definition of Short-Term Rental Units. I did that because I thought it was the conscious at the last meeting.

Dean Dietrich - I think you need different wording. Factual ownership and timeshare stated “who owns it”. A condominium is a deed states “what is being owned”. Condominium could be a fractional ownership.

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Attorney Briggs - It may well be but then it would fall under fractional ownership. Full ownership is covered but 1/52 of a condominium is not.

ITEM #2; OCCUPANT

Mayor Randall – The definition of an occupant: Any person (and adds children as a person includes children as defined as persons) located on the short-term rental property between the hours of 10:000 pm and 7:00 am. The maximum numbers of occupants on the property between said hours shall be as noted in Section 11.2 C (1). The maximum number of daytime guests between 7:00 am and 10:00 pm shall be limited to no more than twice the nightly occupants. These occupancy limits only apply to Short-Term Rental provisions of the Village of Lake Placid/ Town of North Elba Land Use Code.

Councilman Miller – To be clear, if there are 8 people staying lawfully, they can have 16 guests during the day with a total of 24 people.

Mayor Randall – During the daytime. That is right.

ITEM #3; 11.2SHORT-TERM RENTAL REGULATIONS

Mayor Randall – #3 there is a deletion of language.

Attorney Briggs– It used to say, if you owned a property with a short-term rental permit and you sold the house, the permit would transfer to the new owner. We changed it so it is not transferable upon sale. The new owner has to apply for a new permit if they choose to do so.

ITEM #4; (V) EXTERIOR EXITS

Attorney Briggs – Mike Orticelle pointed out that the language we had before was confusing and unnecessary. We simply should say that it must comply with the State Building Codes, which is cleaner and more precise.

Mayor Randall – For the sake of everybody in the room, this has to do with language that required exterior exits from sleeping rooms. This basically says, any sleeping room will be in compliance with the State Building Code which governs all buildings.

Attorney Bliss – Regardless of whether it is a vacation rental or not.

ITEM #5: DURATION OF STAY

Attorney Briggs –This was a deletion of the three day minimum.

Mayor Randall – The tree day minimum was one of the most contentious items that came out of the public hearing from both resident property owners and non-resident property owners.

Mayor Randall asked about the items on page 4 that says, delete “e” and “f” and Attorney Bliss explained that a line item was deleted and therefore the notation of letter designation is changed on page 4 or 5.

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Item #6: Maximum Occupants

Attorney Briggs – The word “days” is a typo and should be “occupants”. This is for discussion. We had a maximum of 16 occupants. There was a discussion last time and suspect there will be a discussion now on that issue.

Mayor Randall – You may recall that in the last document the maximum occupancy was 16 people. There was some discussion around that. This topic needs to be on the table for discussion. I have received and read some of the other codes that different formulas on how that is established. The recommendation from the Village Board, and correct me if I am wrong, the maximum number of occupants will be set from the number of bedrooms plus two occupants. I believe that is more consistently with what Dean suggested.

Dean Dietrich – We actually suggested the 16 total occupants based on standards set by the Department of Health Code. We originally suggested that if it were more than 16 then it would be used as a boarding house. My job is to speak for our committee. After we heard the public comments, our committee is split. Do you make these people go through a review process or, which Mike Orticelle point out, rely on standards for the first year or two. This included parking standards and noise standards and see what that does. The real litmus will end up being the number of parking spots. The 16 total occupants may not be necessary. Again, my committee is split on that.

Councilman Derek – We have identified the possibility of two identifications for occupancy. One is # of bedroom and the other is # of people per bathrooms. The third might be hooked in with the parking regulation. You must have a space one car per bedroom because most people travel with two people in a vehicle. If there are 8 bedrooms, you need 8 parking spaces. Without that, it is an eliminating factor. With those three things, we should be able to come up with a realistic formula.

Dean Dietrich- There are different things that limit size. The size of your lot limits how big a house you can have. The size of your parking limits how many people you can rent to. We were concerned that relying on parking we are encouraging people to pave areas. The Land Use regulations notes the amount of permeable land that has to be kept available. A parking space has to be a landscaped surface.

Councilman Miller asked if you need a permit to pave a driveway and he received a unanimous yes. The discussion continued regarding the different types of parking surfaces. They determined it is important to maintain green relationship with the property.

Councilman Miller likes the 16 limit but agrees with the Village Board to implement it as Dean said and see how it goes. The next Board can talk about implementing and let’s move this along.

They decided to stay with the number of bedroom and not the parking. Attorney Briggs stated Parking is a separate issue.

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Mayor Randall – We will eventually get into a discussion about private rentals within residentially zoned districts versus short-term rentals in commercially zoned districts where we might not have the same passion. We need to have that discussion today.

Attorney Briggs – That discussion is later on.

Councilman Rand – The bedrooms gives you something to base it in. The other figure is so abstract. That came up a number of times in the last public hearing.

Attorney Briggs – Is the consensus to delete the maximum limit if occupants at this time and let the other provisions control?

The two Boards agreed.

Item #7: Sleeping rooms

Attorney Briggs – This notation cleaned up the language. Mike Orticelle recommended the change.

Mayor Randal – The language reads, each sleeping room shall be at least 70 sq. ft. in size which is just about big enough to put a twin bed into. Getting a double bed or queen bed into that room would not work.

Councilman Doty – Because we are talking about bedrooms, there are some places that have a couple sets of bunkbeds in a room. How does that come into play with occupancy? Does it eliminate the ability to rent one of the bedrooms?

Councilman Favro – We have to be consistent and say any bedroom is a room with 2 occupants.

Councilman Miller – Derek’s point is right. Some of the camps have bunkrooms with four sets of bunkbeds.

Attorney Briggs - It is currently addressed as two people per bedroom. Unless you want to change it.

Councilman Doty – There is a maximum number based on just bedrooms and not beds?

The Boards stated that is correct.

Mike Orticelle – There is a number of bedrooms plus 2.

Dean Dietrich – We developed a spreadsheet with all the existing rentals; we went to the 16 occupancy because people are designing their house with a lots of bedrooms and bathrooms.

It was determined they are defining occupancy as two per bedroom.

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Item #8: Overnight Camping

Mayor Randall – There is a deletion on #8 that reads, “There shall be no campers located on the short-term property nor shall there be any overnight camping tents or otherwise use in conjunction with short-term rental to provide additional sleeping areas”. The objective here is that you can’t have ancillary structures to increase the number of people on the property.

Trustee Delvin asked if they allowing their kids to go out and camp in tents which both Attorneys said was okay. Dean Dietrich agreed stating that is what the committee wanted.

Item #9: Guests

Mayor Randall – This has to do with gathering of weddings, corporate events, commercial functions or other types of outdoor events must end by 10:00 pm unless a variance is received from the Board of Zoning Appeals for such event. All such events are subject to applicable noise restrictions under the Village of Lake Placid / Town of North Elba Land Use Code or under any local law or ordinance. Such events are subject to the daytime quest limit as provided therein.

Attorney Briggs – This is only applicable to short-term rentals.

Attorney Bliss - This is not addressing commercial use.

Trustee Devlin – If the house was allowed to have 8 people, you could have a total guests of 24?

Attorney Briggs – That is correct.

Trustee Devlin – I am willing to give this a try, but I just don’t understand why someone can rent a house in a residential neighborhood and they may have a party every single night and bother the neighborhood. If these rules do not work, I think they need to be stricter than it is.

Trustee Leon – I agree with Art. I don’t know how intertwined they are going to be or if we have to address what the mayor said earlier essentially businesses being run in a residential zone. We will cycle back to that conversation because I am in favor. If you have vacation rental and there is a party every night, that is insane for the person who lives next door.

Trustee Devlin – The person who lives next door and has to get up early to go to work in the morning. We need to keep them residential neighborhoods.

Dean Dietrich – When talking with the Village or Town Board, we always talked about Phase I and Phase II. Get a registration system in place and see how it works. Then see if you need a second step. Our committee has called a number of Code Enforcement Officers and City Managers. We find that when people have their rental permits on the line, a couple things happen, the security deposit goes up which now the person who owns it has more skin in the game with incentive and addresses the keyhole provision which is the same problem with weddings or the party at Hillcrest. The Team rents five houses and they all gather at one for the evening party or they rent one place on the lake and everyone gathers on the lake. The daytime occupancy limit is the first step in

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

illuminating those types of activities. I want to point out there is less coercive pressure that the owners will put on them too.

Attorney Briggs – Let me put out there something the Village Board might not be aware of. The Town is involved in litigations with Northwood School over its intended use of a property in a residential neighborhood as a dormitory. That case was argued before the Appellate Division two weeks ago. The Appellate Division is going to make a ruling in that case. The issue in that case is, was that use consistent with a single-family residential use in the definition of family in the Land Use Code. That addresses what you, Art and Jason, were talking about. Forget about this local law, there is a legal question whether or not you can do a short-term rental in a residential District under the existing Land Use Code. This case is going to resolve that question. We have that to consider how we go forward with this.

Mayor Randall – It would appear, any use that is contrary to a single-family residence would be contrary to the use of the property.

Attorney Briggs – That is what the appellate division is going to decide.

Item #10: No. of Weeks

Mayor Randall – This is a topic that is going to require discussion. “Short-term rentals are allowed for no more than so many weeks per calendar year.” We see that in some of the Land Use Codes that we have studied around the country. In some cases, they limit it to 60 days.

Councilman Miller – Some say one rental per week, some say four a month and some the say the number of days. Roby and I have been talking about this, and it is my feeling that we have 3 different kinds of rentals in this town. One type are the people who live here and rent out a room. The second type is the person who buys a property here because they love Lake Placid and want to spend time here and hope to rent to offset the carry costs. The third type is businesses in residential areas. It is my feeling that we should be putting a restriction on how many weeks a year they will be allowed to rent. We talked about this at our last Board meeting and said 12-weeks. The owners can pick their twelve weeks. That should hopefully curtail the businesses in a residential area.

Councilman Rand – During those twelve weeks, each week could be one day or seven days.

Councilman Miller – You could do whatever you want but you have twelve weeks period.

Councilman Favro – I agree with that but I think we are better off to say you have 90 days.

Councilman Miller – You guys can do whatever you want. In my mind, just pick twelve weeks. If you only rent for 2-days in that week, then that is your week. If you rent for all 7-days then good for you.

Trustee Leon – I would also like to separate those who live here and it is there primary resident. I would only separate them into two groupings and not three.

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Mayor Randall – We are going to get to the primary resident later.

Attorney Briggs – Jason, Item # 13 addresses owner occupied residences.

Councilman Doty – I love to play devil’s advocate, certainly the number of rentals I agree with as well. However, you cannot ask a short-term rental person to pick twelve weeks. You do not know when people want to come here. There are different reasons at different times of the year. I do agree with a limit. I do not know what limit I would agree to. Jack and I just discussed of days instead of weeks. I know tracking that will be very difficult. It is an administrative nightmare.. Finding that magical lime where the community will accept a certain amount of exposure to short-term vacation and a certain amount of time for privacy. I know the number is somewhere between three and four months out of the year but to ask someone to pick twelve identifying weeks.

Councilman Rand – They don’t necessarily have to pick them at the start of the year. It is tracked as they go along.

Trustee Leon – I think tree or four months might be excessive.

Councilman Miller – This will open a completely new can of warms. My gut says we need to get something on the books. If this becomes and obstacle to us moving forward with a vacation rental law, then maybe this is something the next Board need to look at.

Dean Dietrich– Our group has been silent on this because this is far beyond the scope of what we first proposed. We have looked at Codes that do this, and they generally occur in Florida or are when people live for 6-months in a condominium, which is a different situation than exists here. There might be some unattended consequences that you have to be careful. We might have buildings that are vacant for 6-months out of the year. Is that wat we really want to do? For people in the audience, there is a prevision for Phase II. The Development Commission went to the Village and Town Boards and had permission to create a committee that is looking into further limitations and caps.

Trustee Leon – I understand and agree with Bob that we need to move forward. The Village Board has had discussion for years and the community has now taken on and said we want to be heard and talk about this. We aren’t even through this and what is s Phase II? Is there going to be a Lake Placid community by the time Phase II gets addressed?

Attorney Briggs – Just for information, Jackson Hole, WY has a 30-day maximum. Telluride and Cordillera Idaho have a 29-day maximum. Stowe, VT has a minimum of 7 nigh rentals with no maximum. Crested View, CO is 60-night maximum per year. This has been addressed by a lot of communities all over the country. Kinking into Phase II might be something you want to do or addressing it right now.

Mayor Randall - An issue to keep in mind is that we are talking largely with residential neighborhoods with single-family residences. I think these building and activities exist in

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

commercial areas in general but do not have the same impact. Looking at that and Bob outlined three different types of owners. You talked about the owner who resides in Lake Placid and rents their property. I would guess complaints that come from nuisance and noise factors are relatively nonexistent. The Family that buys here as a second home and occasionally rents it when they are not using it is another factor. In some of the zoning that we looked at, there are requirements in cities where their owner has to certify that they have resided on the property for some period of days, which might be 60 days. We have what is the most challenging situation which is the individual who buys a property in Lake Placid, does not spend any time occupying that property whatsoever, and purchased it to operate as a lodging property. That is a commercial use. It should not even exist on a residential neighborhood in Lake Placid. I think we can all agree on that. It is a violation of our existing understanding of Land Use Code.

Councilman Miller – If you limit the number of days that prevents that.

Mayor Randall – We have that situation and it is going to be difficult to manage that third level of owner. My opinion is in those zones, that type of activity should be stopped. It is not permissible today and should never be permissible. Therefore, we are in a situation where the barn door has been left open for a period of time. What happens is that those get grandfathered right now and no more of those are permitted period. Over time when that property sells, that right to rent as a short-term vacation rental would decrease.

Councilman Miller – Why grandfather it. Why not put a limit to it.

Mayor Randall – I am thinking about is the individual who sold these properties with the idea that they would be able to do this but they did not take the time to come to the planning board to request the change of use. That should have been part of that whole process.

Attorney Bliss – As Ron said, we will have guidance there when the appellate division renders their decision. Until that happens, we probably take our time on that issue and see what the law says.

Councilman Miller – I am not sure what the risk we run into? I am not sure I understand.

Attorney Bliss – Law is being made, a precedent will be set. This is the Northwood School case is being heard appellate division will determine that a residence that is a single-family use. If they come down in favor of the neighbors in this case, then under the Town/Village Land Use Code that use is not permitted. Then you have some precedence, ground to stand on, with regard to what the mayor was talking out.

Councilman Miller – For this entire law?

Attorney Briggs – In the residential District, whether or not short-term rental is permissible under the existing law, is it permissible? That is what the Appellate Division is going to address. Not with a short-term rental but a dormitory. The issue is the definition of a single family residence and family. It would be the same precedence that would be used for a short-term rental in a

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

residential district. If they support the Town's position, then we have appellate authority that says you cannot do that.

Mike Orticelle – That means every one of them gets shut down.

Attorney Briggs – That is what it means. If that is what the municipality, intend to enforce or change it by this law.

Councilman Miller asked if this will only effect those who have businesses in residential districts and Attorney Briggs and Attorney Bliss responded with that particular case, yes.

Attorney Bliss – You are talking about the number of days. 60-days is 30 weekends.

Attorney Briggs – We could add up every event that happens here; horseshow, ironman, lacrosse and you can figure out very quickly the number of days and then add a few weekend in. You can control it by limiting the total number.

Trustee Devlin– If I am to understand this right, they could rent the house out for the rest of the time to a family on a monthly basis?

Attorney Briggs – Precisely.

Dean Dietrich – Our talk with Airbnb says that the average yearly occupancy rate in North Elba per day is 32%. 100 days a year is the average Airbnb. Although the range is huge, some that rent all the time and so that rent only a 4 days.

Mayor Randall – Is there anything else on that item?

Councilman Miller – So we are leaving that item until we have a decision.

Dean Dietrich – I do not think Phase II is going to take as long. One of the things about having a registration system in place is that it is a planning tool.

Attorney Briggs – Sometime passing a Local Law takes a while to get them done.

Trustee Devlin – We already have agreement on 80%-90%. If we bend on some of it, it will be done this year. We have to put in place the parking and address a lot of these issues but maybe some of the other stuff we will see if we legally can or can't.

Councilman Miller – A lot of the owners already have their places booked for a year.

Trustee Art – We have been talking about this Since January 1. It has been in the paper. They know it is coming.

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Trustee Jason – Let’s just say we put a number in and this decision comes down in favor of Northwood. Does that mean we would be opened to be challenged as well? Are we superseding the State law?

Attorney Bliss – You are always open to be challenged.

Attorney Briggs – Whatever law you pass is going to be challenged. It will ultimately go to the appellate division. You can count on that happening. It will be in effect while the appeal goes forward.

Attorney Bliss – When the decision comes down in a timely fashion, you will have a better map of what we could sustain as a challenge and what would not be sustainable on a challenge.

Trustee Jason – Since we are in the informative phase. I don’t think it is hurtful to put a number in. We went from weeks to days.

Councilman Doty – Dean talked about realistic numbers which is just over 3 months.

Trustee Devlin asked Councilman Favro explain the weeks that the Town discussed and if they can cherry pick the weeks or are you taking about accumulation during the year? Councilman Favro explained the Town Board talked about 12 weeks which are the key event dates. Councilman Rand and Councilman Miller stated, we did discuss the weeks would be is easier to track. Trustee Devlin believes stated, how is this going to be enforced; trust me, neighbors we be checking.

Mayor Randall – A weeks is defined as 7 days. If you rent for three nights, that is 1 week regardless.

Trustee Holderied – That may be too restrictive because the argument was that they wanted 2-day stays.

Mayor Randall - They will all want to rent them out on a 7-day basis.

Trustee Devlin –After 12-weeks, they can still rent their house out on a monthly basis.

Attorney Bliss – Peter is right. The argument is that most people rent for 2-nights.

Attorney Briggs – Peter, look at #13 on page 12; that provision we are talking about with a minimum of 12-weeks does not apply to owner occupied or commercial districts. If someone who lives in the house and they rents out a room, that restriction does not apply to them. They can rent their property for more than 12-weeks because they are able to vet the renter, control noise, offer parking. Commercial Districts are not subject to that 12-week minimum.

Dean Dietrich – Airbnb tracks that 10% of the rental are for part of a house. 90% of rental are for the entire house and the owner is probably not there.

Trustee Leon – Do you have an idea how many of the 90% are residential vs Commercial?

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Dean Dietrich – I do not want to get too confusing; the talk about commercial or residential zones is blurry. In residential zones, you can have a bed and breakfast. You can have a home occupation anywhere. You can have a manufacturing business as long as the dust and noise does not go across your property line. The 2011 Land Use code, we want people to make a living.

Attorney Brigs and attorney Bliss decided they will name the Districts that are in the Land Use Code to back it up.

Attorney Bliss – Is there a consensus on the number of weeks or are we moving on?

Trustee Devlin – I can live with the 12-weeks the Town Board is onboard with it.

Councilman Favro – This is a working document. If it does not work, we can change it later to make it less or more.

Mayor Randall – There is going to have to be a public hearing.

Trustee Leon – I am okay with it for now. I am much more apathetic than sympathetic for that industry. I lean toward being more restrictive. However if 12 weeks will produce a document that we can possibly implement. That will give the opportunity for the public to chime in and understand what this all means.

Councilman Miller – We will have every owner that runs a business in a residential neighborhood will be turning out at the next meeting.

Attorney Briggs – That is just the way it is.

Mayor Randall – The number should be more restrictive until someone demonstrates that it should be changed. I would make it 8 weeks.

Councilman Favro is okay with 8 weeks. Councilman Doty is not.

Councilman Doty – 8 weeks is ridiculous. We have an events and an economic driver. We are trying to find the balance between the two.

Mayor Randall – My point is that it will bring what we want to hear at a public hearing.

Trustee Leon – Okay, what is the difference between 8 and 12 weeks impact to people or restriction for what event?

Councilman Doty – I think about the 150 gals that have cleaning businesses and the contractors that are putting in new kitchens and new bathrooms. I recognize that everybody wants some privacy but...

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Trustee Leon – I would not go down this road. I think about the people that own houses that have to deal with this day after day.

Councilman Doty – I am trying to help find that line were what we can accept.

Mayor Randall – We can compromise at 10 weeks. I am looking for feedback from the industry as to what works and what doesn't work.

Councilman Doty – Please do not misconstrue my playing devil's advocate but we are looking at a proposal for an added 2% bad tax. With the number used now, the Town of North Elba is realizing \$1.5 million dollars a year that can be devoted to affordable housing and new sidewalks. We need to find the balance of letting this economy driven venture stay here and helping us with projects we need to take care of and not passing it on to the tax base. Sure we can eliminate people staying here but when we need something new and it isn't coming from consumer base money. There has got to be a balance.

Trustee Devlin – The 2% does apply to vacation rentals but a majority of the money comes from hotels.

Councilman Doty – That number is appreciable, Art.

Trustee Devlin – Sure it will go down if you have less business but we started this with public safety and we are getting that. We need to get a handle on neighborhood and make then neighborhoods again.

Councilman Doty – I believe the violations that we agreed on, the parking limits, the occupancy. Let these things we agree on have a chance to work.

Councilman Miller - Mayor, I'm okay with 10 weeks and see what they say at the public hearing.

Mayor Randall – Whether it is 10 weeks or 12 weeks, you do not get the feedback that I want to hear which is, how is it going to effect a person? I intended offering 8 to provoke this discussion. It did.

The two Board agreed on 10 weeks which can be changed after the public hearing. Councilman Rand did not agree and wanted 12 weeks.

Trustee Leon – For the record, I don't want people to misunderstand. I want them to know you care about the people that live here when you want to have a fuller perspective. I know there are industries that are impacted which are their livelihood. I completely understand that.

Councilman Doty – We are the goose that laid the golden egg that carries this whole county

Trustee Leon – Yes, but when you have declining enrolment with less and less students because of the lack of community. Is there really a balance anymore?

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Councilman Doty – We have current efforts underway to look at affordable housing and moving toward the direction to save that part of a community.

Trustee Leon – This is a debate for another time.

Mayor Randall – The Village of Rhinebeck is very restrictive in their Land Use Code. They have created and adopted workforce housing area in their zone. If we don't do that, we are not going to have the land to create that. Within the next 4 years workforce housing will come and likely in association with the World University Games. It will be turned over to homeowners who can qualify for that type of opportunity.

Trustee Leon – The last thing I will say, that is part of the solution but if there isn't something aggressively done, then all those people amongst the working class like myself it will be a designation of we can only live here while everyone else live over there. That is what I am concerned about.

Mayor Randall – When I talk to people, one bedroom units are in demand. That is long term. Short term we need to rain in the neighborhoods. Creating another house in a neighborhood will not happen overnight. People are concerned about the loss of community. Vacation Rentals are the cause of that. People that would like to have homes here are moving to surrounding neighborhoods. Melisa Farina came to a Village Board meeting expressing her dilemma. The problem is she is an EMT, which is hard to come by, and they are moving away because of the cost of housing. Finding solutions is much harder.

Item #11: Off Street Parking

Mayor Randall – Items 11 and 12 are related to solving the parking problems on the streets. A line is deleted that says, one parking space for every 4 permitted occupants. It was changed to read, short term rentals shall be equal to the maximum number of motor vehicles permitted by the subdivision, with the exception of Main Street from the Post office to One Main St, where application must demonstrate that they have off-street parking in place. Parking in a garage shall not be counts as a parking space.

Attorney Briggs – Under B it explains that the maximum number of motor vehicles for a short term rental shall be one vehicles per bedroom but no more than 6 vehicles. I will clarify the garage to the garage at a house.

Attorney Briggs – All of the vehicles have to be off street.

Councilman Miller stated the additional cars will park in St. Agnes and Hannaford's lots which is just moving the problem.

Joint Town/Village Meeting

CHANGES TO THE PROPOSED SHORT-TERM RENTAL LAW

Tuesday, March 26, 2019

Contact Person for Response

The Boards discussed that an hour response time for a complaint is too long. When the owners register, they will have to give a contact person available within 30 minutes. Employing a constable is something up for discussion.

Item #13: Owner Occupied

Attorney Bliss explained to Mayor Randall that on page 12 is differentiating the difference between owner occupied and commercial Districts and does not apply. It does not apply to metering.

Attorney Briggs – The intension of owner occupied will be better articulated by naming the districts because Peter Holderied mentioned what “Owner Occupied “means. Someone might say they are owner occupied because they are there every July for the month.

Trustee Delvin – “Owner Occupied” should be where they are registered to vote and where they get their mail.

Attorney Briggs and Attorney Bliss will talk about the language.

ADJOURNMENT

There being no further business to come before the Joint meeting of the Village/Town Boards, Councilman Miller moved and Councilman Favro seconded the motion to adjourn the at 5:30 pm

Respectfully submitted,

Laurie Curtis Dudley
North Elba Town Clerk