



Town Board

Special Meeting – Short-Term Rental Public Hearing

May 30, 2023

The Town Board of the Town of Chester convened at the Town of Chester Municipal Center, 6307 State Route 9, Chestertown, New York, at 7:00 pm.

Roll Call:

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

Special Meeting:

Supervisor Leggett **opened** the Special Town Board Meeting at 7:01 pm with the Pledge of Allegiance led by Councilperson Aiken.

Supervisor Leggett said they would open the public hearing, asked everyone to limit their comments to 3 minutes, then close the public hearing. Maybe there would be a discussion, but they would probably not take any action tonight.

Supervisor Leggett went through the following slides:

ARTICLE 1. PURPOSE AND INTENT; AUTHORITY

PURPOSE AND INTENT: The purpose and intent of this Local Law is to establish the means to secure the health, safety, and welfare of property owners, residents, and the public regarding the operation of Short -Term Rentals.

AUTHORITY: This Local Law is adopted pursuant to New York Municipal Home Rule Law.

ARTICLE 2. DEFINITIONS

SHORT-TERM RENTAL DWELLING UNIT - A Dwelling Unit, which may or may not be inhabited by the owner of record or their immediate family, that is rented, in whole or in part, for a period of less than thirty (30) consecutive days to any person or entity, but not including a Hotel, Motel, Inn, Campground, Bed and Breakfast, or Tourist Accommodation as defined in Section 2.03 of the Town Zoning Local Law.

ARTICLE 3. PERMIT REQUIRED

- A. Whenever a Dwelling Unit is to be used as a Short -Term Rental, an owner of a Short-Term Rental Dwelling Unit shall obtain a revocable Short-Term Rental Permit from the Town of Chester.
- B. A Short-Term Rental Permit shall be obtained prior to using the Short-Term Rental Dwelling Unit as a Short -Term Rental. The cost and duration of the permit shall be set by the Town Board from time to time by Resolution.
- C. Short-Term Rental Permits are non-transferrable. If a permitted Short-Term Rental Property is sold or otherwise transferred the Short-Term Rental Permit is no longer valid and the new owner must apply for and obtain a Short-Term Rental Permit prior to using the property as a Short-Term Rental.

ARTICLE 4. PERMIT APPLICATION REQUIREMENTS

An application for a Short -Term Rental Permit shall be submitted to the Town Zoning Office, which may include the Zoning Administrator, Zoning Enforcement Officer and/or authorized assistants or deputies and shall be:

- A. Made on a form titled "Short Term Rental Permit Application" provided by the Town of Chester.
- B. Signed by all persons and entities that have an ownership interest in the proposed Short -Term Rental Property or their authorized agent.

ARTICLE 4. PERMIT APPLICATION REQUIREMENTS

C. Accompanied by:

- (1) A copy of the vesting deed or other document showing how title to the proposed Short -Term Rental Property is held.
- (2) A list of the Short -Term Rental Owners including their names, addresses, telephone numbers and e -mail addresses.

ARTICLE 4. PERMIT APPLICATION REQUIREMENTS

- (5) A copy of the filed Warren County Occupancy Tax registration /authorization form.
- (6) Payment of the Short -Term Rental Permit fee as set by resolution of the Town Board.

ARTICLE 6. SHORT-TERM RENTAL REQUIREMENTS

Short-Term Rentals shall comply with the following requirements:

- A. Short-Term Rental Properties shall not be rented to more persons than the occupancy load determined by Warren County Building Codes and Fire Safety.
- B. Short-Term Rental Properties shall provide off -street parking with at least one space for every 4 guests.

ARTICLE 6. SHORT-TERM RENTAL REQUIREMENT

- E. A garbage collection plan shall be in place during rental periods. Garbage containers shall be secured with tight fitting covers to prevent leakage, spillage and odors.
- F. The current Short-Term Rental Permit shall be posted inside the Short-Term Rental Dwelling Unit whenever it is rented and shall be visible upon entry.
- G. An E911 house number shall be visible from the street or road.
- H. The 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.

ARTICLE 7. ENFORCEMENT AND PENALTIES

- C. The Zoning Administrator shall have the authority to bring a criminal or civil proceeding in Town Court for enforcement of this Local Law by issuing and filing an appearance ticket pursuant to the Criminal Procedure Law or a summons and complaint, subscribed by him or her, directing a designated person to appear in court at a designated time in connection with the commission of a violation of this Local Law.

ARTICLE 4. PERMIT APPLICATION REQUIREMENTS

- (3) Proof of a satisfactory inspection of the ShortTerm Rental Property by the Warren County Department of Fire Prevention and Building Codes conducted within the sixty (60) days immediately preceding the application date and at the Owner's expense; and which proof sets forth the maximum overnight occupancy for the Short-Term Rental Dwelling Unit.
- (4) A site plan of the proposed Short-Term Rental Property (not required to be professionally drawn) showing all the buildings locations and off-street parking area(s).

ARTICLE 5. APPLICATION PROCEDURE

- A. Within 30 days of filing a Short-Term Rental Permit Application with the Zoning Office, including all documents required by this Local Law, a permit shall be either issued or denied, with an explanation for the denial in the case of denied permit.
- B. In issuing a Short-Term Rental Permit, the Zoning Office may set conditions which are directly related and incidental to the use of the Short-Term Rental 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 Short-Term Rental Property may have on the community or neighborhood.

ARTICLE 6. SHORT-TERM RENTAL REQUIREMENT

- C. Short-term rental owners shall establish written rules and regulations for the Short-Term Rental. The rules and regulations are expected to be activated when rentals are active. The content and intent of these rules and regulations is to assure public health, safety, and general welfare by promoting a clean, wholesome and attractive environment for the owner's property, adjacent property owners and the neighborhood.
- D. The Town shall provide all property owners within 150 feet of the short-term rental property with a copy of the signed short-term rental permit.

ARTICLE 7. ENFORCEMENT AND PENALTIES

- A. Any complaint to the Town about the operations of a Short -Term Rental must be made to the Zoning Office and must be in writing and on the officially designated Town of Chester complaint form, available online and at the Zoning Office.
- B. When a Short -Term Rental is found to be in violation of this Local Law, the Zoning Office will engage with the Short -Term Rental Owner to remedy the situation within a certain period of time .

SHORT TERM RENTAL LOCAL LAW FAQs

- Q: Does the proposed STR LL prohibit Short Term Rentals?
- A: No. Property owners, are able to start up or maintain their own Short Term Rental operations.
- Q: Why is the Town of Chester considering adoption of an STR Local Law?
- A: Concerned residents approached Town officials with problems they have had with STRs in their neighborhoods. A citizens group formed and looked at what other communities have done to address similar concerns. The group presented a draft STR LL for the Town Board to review. After reviewing and listening to public comments, the Town Board modified the original document that would meet the concerns of both STR owners and neighbors.

SHORT TERM RENTAL LOCAL LAW FAQs

Q: Does the proposed STR LL address the escalation in housing prices due to the ability of STR investors to pay more for a property than would a local working family?

A: No. The issue of STRs increasing housing prices is not addressed by the STR Local Law.

Q: Does the proposed STR LL address the effect STRs may have on established neighborhoods by introducing a more transient population than what they have been?

A: No. The impacts of a more transient population on an established is not covered by the proposed STR LL.

SHORT TERM RENTAL LOCAL LAW FAQs

Q: Does the proposed STR LL include more stringent noise regulation or property maintenance requirements than are applicable to long-term residences?

A: No. Noise and property maintenance requirements are the same for all properties in the Town.

Q: If the STR LL gets enacted, will a current STR operation need to close down until the time it is registered with the Town?

A: No. All current STR operations are able to conduct business without interruption.

SHORT TERM RENTAL LOCAL LAW FAQs

Q: Will the enactment of an STR LL adversely affect the economic vitality of the Town?

A: Demand for STR rooms is driven by several factors. The desirability of an area and the affordability of properties are the biggest factors. The Town has amenities that drive visitor demand. A high demand for visitor accommodations produces a favorable environment for STRs to establish and maintain.

Q: Will the enactment of the proposed STR LL discourage property owners from starting an STR operation?

A: The proposed STR LL has kept requirements for STR operations to a minimum in order to avoid barriers for STR startups.

SHORT TERM RENTAL LOCAL LAW FAQs

Q: Will the proposed STR LL create too much work for Town employees?

A: Currently, there are about 77 STR properties registered with the Warren County Treasurer. It is projected to take up to 6 months for all STR owners to submit their applications to the Town – an average of 3 applications a week. The application process is simple. Once existing operations have been processed, it is projected that an average of 12 new STR properties will come on line each year – or 1 a month.

END

Public Hearing for the proposed Short-Term Rental Local Law:

Supervisor Leggett **opened** the public hearing for the proposed Short-Term Rental Local Law at 7:10 pm and asked everyone to limit their comments to three (3) minutes.

Barbara Kearney read the following from a prepared statement:

Without actually facts or stats how can one establish laws when we do not know exactly what the issues are? Example: The speed limit is based on stats - not the fact they make cars go over 65 miles an hour. With all properties rights aside what are the facts when it comes to this proposed STR (Short-Term Rental) local law?

Article 4 C (3) requires Proof of a satisfactory inspection...

Building Codes have changed over the years. What building code is the County enforcing? What exactly will they inspect - the checklist is very vague? How can the STR Owner be prepared? More info needs to be made available so that STR owners can be prepared for this inspection.

Is the Town liable if the County misses something on an inspection? We certainly don't want our tax dollars going towards lawsuits.

The Warren County inspection should be offered on a voluntarily basis to the STR owner and not made mandatory.

Article 6 D. The Town shall provide all property owners within 150 feet of the short-term rental property with a copy of the signed short-term rental permit.

FACT: This section hides the fact that the Town of Chester will be sharing your personal contact information - YOUR phone number and YOUR e-mail address will be given out to your neighbors. Neighbor issues are a civil matter not a town matter.

Article 6 E. Garbage collection and containers

FACT: Garbage is already addressed in Local Law No 1 of the year 2019 and does NOT need to be duplicated in this local law. Note: this law is not being enforced throughout town - as you can see we have several residents and businesses with unkept properties. Note: Easy to add this to the registration form and have STR owner sign for compliance instead of duplicating a law.

Article 6 G. 911 house numbers

FACT: Premises Identification is already addressed in the Property maintenance Code and does NOT need to be duplicated in this local law. Again, this is presently not being enforced for all residents and businesses. Note: Easy to add this to the registration form and have STR owner sign for compliance instead of duplicating a law.

TOC's STR Survey

If the TOC can put a survey on their website why can't they put an anonymous complaint form on it and start quantifying and collecting complaints for STR's? Not everyone accesses the website and not everyone knew about the survey. Every resident received a note about their assessment why not include this survey or better yet put it on the ballot this November and let the voters decide?

FACT: I could of personally completed the survey over a million times. In fact I know someone who could write a program in less than 3 mins that would complete the survey over a 100 times. The supervisor and board members should not rely on this unofficial survey results to determine if this town needs an STR law.

Question 9 was NOT a fair question because it only gave you 2 choices for answers - The State of NY or the Town of Chester. STR's currently register and pay a 4 percent bed tax fee to Warren County, the authority, municipality having jurisdiction. I think including the NYS \$200 daily fine was certainly a scare tactic to lead the person taking the survey to choose the Town of Chester choice. It is also the only question that states (please answer below) at the end of the question - again obligating the survey taker to answer this unfair question.

FACT: The town does not need a local law it only needs a registration system to avoid having to register with the state. STR's register with Warren County and if the TOC doesn't believe that works have folks send the same registration form which includes their contact info directly to the TOC.

For reference: The Proposed Senate Bill S885 - Page 3 #6 This legislation, for the first time, develops statewide guidance on short-term rentals, including a rental registry, in order to give municipalities the information and the revenue they need to make smart decisions to help right-size the short-term rental market in their specific communities. Also, municipalities with their own short-term rental registration systems may continue to use them and short-term rentals in those municipalities do not need to register with the state. Finally, the tax collection provisions apply to short-term rentals statewide, regardless of whether municipalities have their own registration systems.

STR Local Law FAQ/s as posted on the TOC website

Question #2 & # 3 - Will an STR need to close down until the time it is registered or will it discourage property owners from starting an STR?

Fact: Article 3 Section C of the proposed STR Law states STR permits are NOT transferable so the STR will NEED TO BE closed down until it registers and it will certainly create unnecessary barriers for everyone purchasing an established STR.

When a STR owner sells or transfers their property they should have the right to transfer the guest reservations at the time of the sale. Hotels, motels are not required to cancel guests so why are STR owners and their guests held to a higher, different standard?

Question #4 - Will the proposed STR law be too much work for the town employees?

FACT: On February 27th a resident of the Town of Chester applied for a well permit. 9 DAYS LATER, the resident was told their permit application was incomplete. It will certainly be more demand on the already busy zoning department

The town DOES NOT AND HAS NOT enforced the local laws on the books and they are now looking to again replace the zoning enforcement officer when the last 2 officers did not enforce the zoning laws. For us to believe that this town will enforce anything at this time is them just insulting our intelligence.

The “Context” of the STR law - posted on the TOC website –

The last sentence states “The proposed STR law will not impose MORE restrictions on an STR operation beyond what is expected of a SFD or other properties with similar business activities such as tourist accommodations.”

FACT: We do not have a local law for tourist accommodations? Similar businesses such as motels can continue business immediately after the transfer or sale, STR’s clearly can’t.

In closing I ask the supervisor and the board members to put this on the ballot and let the voters decide or at the very least post a complaint form on the town website and quantify the STR problems before moving forward with an unnecessary law. I ask you all to vote NO to this proposed STR local law and to respectfully keep your hands off our homes and property rights. Thank you for your time.

Jeanne Kennicutt thinks that there needs to be some regulation so that we know who’s renting, what we need to do if we have complaints about the renters. If you have complaints about your neighbor, you are complaining publicly that your neighbor is not keeping their septic in compliance, they are advertising for eight (8) individuals and only having a two (2) bedroom septic, we are going to pollute our lake. She would like to know why you wouldn’t want something in place to track this. She agrees that there should be something on the website that she can leave a complaint on. People come in at all hours, being stuck in my driveway, and not being prepared to come to the Adirondacks. There are no rules, it just says to not walk into the neighbor’s house; which they have done. Yes we do need regulation, yes we do need a way to track it, and we do need to make sure that these people who come are safe. If they light a fire in the woodstove and don’t know how to use it my house is going to burn, so yes we need to make sure people are safe, can get out of the house, and navigate our Town safely when they come to

these properties instead of just crashing into my car in my driveway. Yes, we do need regulation.

Ann Coberg commented that she is not affected by short-term rentals at all, but she has heard from her neighbors some of the issues and her concern with the draft that she sees today is that the enforcement aspect of the draft seems to be overwhelming. She asked the Board that whatever they put in place the enforcement of the rules be effective. Otherwise, it is a useless document.

Joe Benedict said that his concern is who is going to enforce this. He knows there is a procedure, if someone is making noise at one o'clock in the morning, who do you call. The procedure that is listed seems very bureaucratic. You fill out a complaint, take it to the Zoning Office and it could take weeks for it to be resolved. The owner of the place needs to be addressed. Who takes care of the immediacy of the renters who are in violation. We have no constable, no police, nothing. Who do we call.

Jeffrey Detrick commented that short-term rentals are a business. When he purchases a house, wherever it may be, he purchases a house in a residential area and he expects all the expectations of a residential neighborhood, residential neighbors. Short-term rental have changed that environment, people are running them as a business. He chose not to live next door to a gas station, a Walmart, a hotel, a bed and breakfast, he is looking for local support, not State, in maintaining that environment. This needs to be regulated to protect not only the monetary values of the houses, but the quality of life of the environment that you chose to raise your family in or retire in, whatever your particular lifestyle was at that time. He looks forward to the Town working with both sides, there has to be a balance for those families who do use it as an income, for those who use it for part-time just to supplement, there needs to be a little regulation for peace of mind to maintain that quality of life that you chose to come up here for needs to be addressed. They have made friends and want to maintain their sense of community which is what they come up here for.

Lynne Hagmann moved up here for more privacy. When she first moved here, she knew her neighbor and they all watched out for each other and their property. Now fifteen (15) years later she has six (6) Airbnbs surrounding her. She has her own Airbnb and only rents it when they are here. Her community has changed and feels that she is surrounded by hotels. She feels that she needs to know a number or a contact person for her neighbors who are the renters for when she has problems. She needs to be able to contact them. If her neighbors have problems with her renters then they need to be able to contact her. Last year they were shooting off fireworks that were landing on the canvas of our boat. Luckily when I went over to speak to them they were very nice, if they were not I don't know what I would have done. People say to call the police. I'm not sure how many police we have, but I'm sure they are not concerned that the Hagmann Family is up at eleven (11) or twelve (12) at night. Her other concern is taxes. They pay their taxes and would like to know what the Town is doing to make sure other rentals are paying their taxes.

Don Chase agrees that this is a changing issue in our environment and some regulations have to be addressed sooner than later. Every law is not going to be perfect at the beginning but it has to

start somewhere, and then it can be modified. Unregulated commercial businesses in commercial zones is not a good thing.

Howard Townley has a rental next to him and is not sure how many people they advertise for but they have a cesspool so there might be some in the lake. He said that the bottom line is that none of them like regulation. He was in business for years. Rentals should just be able to be turned over to a new owner. He does not mind people making money, but they are running a business and he wants someone to be responsible for that business. He does not have anyone to call when there was a big outside fire and he was worried about his house. Who is he going to call. He does not know where the guy lives and every weekend he gets new people renting plus they come with dogs and animals all over the place. He does not agree with the town republican letter that we don't need these types of rules and regulation. We need something and he appreciates the work that went into this from the committee and the Town Board and hopefully we can get something that we can all work with.

Patrick Nolles thanked the Board for the opportunity to voice their opinions. He has an Airbnb and would like to take his three (3) minutes to explain a little bit how this works. He has been a super host on Airbnb for about three (3) years now, a premiere host on Vbro and that doesn't mean that I rent to people who throw parties all the time. It means that I take the time to know the people who are coming to stay at my house. I make sure they feel safe and comfortable while they are staying at my house. They know they can reach out to me twenty-four (24) hours a day. In turn these people get reviews. If someone is staying at my place and they leave it a mess, I am going to leave a negative review and someone is not going to host them. That is a one-time deal. He goes out of his way to vet the people who stay at his house and he sees a lot of repeat guests. He thinks there is a lot of fear and misunderstanding and horror stories and he has heard a few tonight. His question is have you taken the time to reach out to the owner of the house, that is public information. A lot of this proposal is very entry level. He does not think that it is overreaching. He is concerned with some of the wording. He can't have trash pick up at his building so he asks his guest to carry in and carry out. What they carry in they need to carry out. If for some reason they are running late or the landfill is closed they call me and my cleaner will grab it or I will drive up and grab it so it is not left outside. Most of these concerns can be resolved by just talking to each other. So if you have an issue with someone who is staying at a house next to you, reach out to that person, build a relationship with them. It is a lot easier than fighting through the Board. If there is a giant fire and you are concerned about your house, call the fire department. That is what they are there for. As far as the rules are concerned he does not want a gray area. He has a list of rules on his listing. Tell him what you want the Board wants them to say, because he does not want to be attacked.

Susan Dunnigan came to Loon Lake as renter and was screened very well. They wanted to move up here permanently and became short-term rental owners and are very conscientious. She was on the Short-Term Rental Committee. Almost every issue that is brought up is relative to the owners, not just short-term rentals. You can see family members parked in front of houses everyday, but they are respectful. She thinks keeping communication open is important. She screens her rentals and meets everyone. If you are going to make a rule for short-term rentals, make sure that is what is happening for all owners. Septics are important and she does not want that running into the Lake, but she looks at the houses around her and she doesn't know where

their septic systems are or what type. If you are going to police the short-term rental owners then it should also be done for the property owners.

Chris Mason said that he has been an Airbnb host for about two (2) years and it has been a great experience. He is very much in support of regulation. He thinks that it is pretty standard that people think there is no regulation. As a guest he has stayed at Airbnbs throughout the country where there is no fire safety, you really don't know what you are getting into. He is very thankful that the Board is looking into this before we have a tragedy. You can see that there are some houses that are fit for six (6) or eight (8) and are rented out to fifteen (15) and in his opinion that is a real tragedy. The 9-1-1 address on the outside of the house would be better to be posted on the inside of the house. Many times when there is an emergency they are on the inside of the house and don't know where they are. He would like to see the Town publish a list of approved STRs on the website so that our guests can make sure that they are staying in a legitimate inspected property. He thinks that the enforcement mechanism is off. He has great relationships with his neighbors and if there is an issue they call me immediately so I can address it in real time. He also screens guests but every once in a while, one will slip through and if I am made aware of it in real time, I can address it in real time. As a host you have the ability to remove people from the property, so he can call 9-1-1 and have the police remove the people from the property.

Chris Walsh pays a lot in taxes and now he is going to be charged more fees. The Airbnb system is taking money out of your Town. We have two (2) forms of police in the Town, the State Police and the Sheriff. If you have a problem, you call them. They are trained to handle disputes or calming people down. He does not like the idea of all the regulation and Warren County coming into the house.

Patrick Reed thanked the Board for the opportunity to address them. He supports the concept and business model of STR as a whole. We all know the pitfalls and the opportunities, we have heard the stories. He commends the Town for Article 6. E. – Providing neighbors a record of who to contact if need be. This would be important. The enforcement penalty he found to be weak, repetitive, loosely defined, and thinks this would be on purpose. First time, second time, third time, anytime the Zoning Officer wants he may revoke or suspend, attach conditions. He is okay with it, it is a great starting point. To the focus tonight is economically driven. The Town of Chester 2024 reassessment is underway. The Town of Chester needs to be reassessed. He met the representative out walking around the neighborhood taking pictures, which is great. It should be fair and equitable. He has a request from the Board and has two (2) examples to support his request. Marketwatch listed that renters and home buyers like STRs contribute to the affordability in many housing markets across the county STR contribute to housing shortages, rental increases, according to published research, additional that there is evidence that STRs raise local housing costs the largest is reduced from serving local residence to serving which hurt the residents by raising housing costs. Being reassessed by the homes the greatest burden of the tax is going to bear a greater portion of the tax burden. This due to the sales of STR, they drive up assessments. It should be fair an equitable taxes are being pushed up in part because of STRs it can be reasoned that STRs are driving up revenue homeowners a subsidizing that is crazy. He has no objection to renting for profit. He does object to taxes going up due to their partakes. In closing it should be fair and equitable. He asking the Board to deal before assessments are made and address this in the early process. Please consider a permit fee based on number of bedrooms.

His recommendation is \$500 on one bedroom, \$1,000 a year on a two bed, and \$2,000 a year on three beds plus. There is revenue in order to offset the assessment that is driving up the cost of houses. He is not opposed to STRs he just wants them to share the burden for them driving up the costs. He is asking the Town to deal with it before our assessments go up. It should be fair and equitable. These businesses should have to pay what they are responsible for. Patrick Reed is fully in support of STRs .

Greg Taylor said that they own many forms of tourism hospitality businesses for about forty (40) years in Chestertown and North Creek. He is for a law that sets some rules over airbnbs and thinks that it is a very important thing that we have these regulations so we can provide our neighbors with the ability to be accountable for the business that we have and to be able to have the ability to track the people who are staying in the area as well as to make sure we are paying our taxes as well as septic systems are up to code and to make sure we provide a safe environment to our guests that are staying with us. His son stayed at an Airbnb out in Arkansas and he went to bed and the place burnt to the ground while he was in the house and he had no way to get in touch with the owners of the property. It is imperative that we have a way we can get in touch with owners. It's a viable business, they have done it their whole lives, but they make sure that they are introduced to the guest, the guests are introduced to them and they have the ability to have an association with those people. Most of the time they are people who repeat themselves. They are not fly by not people who come in and have parties. They eliminate that in almost every property, but like everyone has said one or two people slip through. The means to stop that is that if you are registered through Airbnb you can call Airbnb and they will call the police and the police will be there momentarily and the police will remove that guest from your property and the guest will not rent again from the Airbnb process. He thinks that it is really important that we have airbnbs and our neighbor's feelings, and their privacy, and their safety should also be considered as well. He thinks that it is a very important thing that we all learn to work together, because it is a business. All businesses have to get permits.

Hillary Exter originally came to the area by renting a property in the area for a week. She recognizes the need for STRs. She is a Board Member of the Friends Lake Property Owners Association but she is speaking as her own individual capacity. She supports the regulation and thinks it is excellent balance between residents and the people who are renting out the property. She thinks occupancy standards are important, having contact information would be helpful. A few things that she thinks should be highlighted are 1.) 500 ft or 1,000 ft should be notified, because sound travels 2.) There also should be the requirement to have liability insurance for the homeowners 3.) Requirements for septic systems for a cleanout every few years, because with the increased capacity she worries about the leaching into the water 4.) Concerned about affordable housing for residents of the community.

David Scoons thanked everyone for coming out and said that his family has owned their home for 74 years and they are a super host on Airbnb. They rent because property taxes are going up, prices are going up. All of their neighbors know where to complain. He does not think that it is fair to charge by room for someone to rent their house, a rental is a rental. He does believe that STRs need to be regulated. Their neighbors call them if there is a problem. If you have a problem with your renter next door, large fire, call the police department, that is what we all pay taxes for, is law enforcement and fire coverage. He is in favor of some regulation but lets make it fair and equitable for everyone.

Leroy Layton is not sure if he is for or against the Local Law. He has friends that are for it and friends that are against it. It is a lot of rules and regulations and there will be a lot of costs, more than you think to do it correctly. He has been on Loon Lake for over 50 years and through the years they have rented it when they are not here for fourteen (14) days or less. If you rented fourteen (14) days or less you didn't have to pay taxes, you didn't have to fill out forms. That is all he is asking for. There are a number of people who are elderly and are trying to keep their camps and are having difficulties. Taxes are part of it, maintenance is part of it. A lot of the people we rent to are friends, people from home in New Jersey and we know the people. So please consider an exception for those who rent for fourteen (14) days or less.

John Nick thanked Supervisor Leggett and members of the Board for looking at the proposed STR LL. In September of 2021 the Town decided it was time to have a committee look at the possibility of establishing a STR LL, which was based on concerned citizens coming to the Town. Supervisor Leggett came to the first meeting and gave the committee a template of a STR LL and guidelines on how to proceed. The first and most important guideline he gave was that STR's are an important part of the town's economy and that STRs are here to stay. Again, STRs are here to stay. Nowhere in the proposed Local Law does it stop an STR from operating. There have been two (2) surveys done. One (1) by the Sun Newspaper and one (1) by the Town. Overwhelmingly both surveys showed that they were in favor of STR Local Laws. Many people spoke about how STRs can change the character of a community, it reduces the availability of low-cost housing. This is not only a problem for the individuals who live here it is a problem for the businesses who can't hire enough people to keep businesses open. Does it reduce the quality of life. In some circumstances absolutely. The proposed Chester STR Local Law is the least restrictive of any STR Local Law in the Adirondacks, that is a fact. STRs are businesses. They take tax deductions for their maintenance costs, snowplowing, and depreciation schedule for the property. That is a business. Any business that comes to our Town is required to be permitted by our Zoning Laws and often Warren County approval is also required in certain circumstances. That is a fact. Why then are no permits presently required for STR's who are mostly located in residential areas of our town? A question to consider, do STR's businesses have the same property rights as the neighboring residences do. Is it fair that unregulated STRs have a competitive edge over established lodging businesses in our town? It was mentioned that if you have a problem call the police. He had aa STR twenty (20) years ago and every one of his neighbors knew how to reach me. He did not want his neighbors calling the police. He wanted to take care of it himself. The Warren County property inspection when they come into the building they are not looking to see if your house was built in 1960 meets today's zoning requirements. They are looking for safety issues. It takes less than 30 minutes and usually takes place within 7 days of when it is requested. The owners can hang the inspection for guests to see. It has been stated that our existing zoning laws cover all the issues created by STRs. They do not address parking for STRs. Parking on narrow roads hinders and can even stop 1st responders, the maximum number of guests at a property is not covered by our zoning law. NYS is currently proposing STR Laws. It is his understanding that if the Town has a current STR Local Law it will supersede the State. He would like to have something done at the Local Level, not though the State. John Nick thanked everyone for their time.

Supervisor Leggett asked if anyone from the public would like to speak.

Reese Vanderwarker owns three (3) airbnbs. This is the first year that he has had cancellations for this weekend, the same people come every year. His guests want to spend time on Loon Lake, but this year you can't do that with the Lake being so low. Warren County used our bed tax money to build ice castles in Lake George and he feels that that money could be used more effectively here where it can be used to draw people to the area. He feels that he is being singled out by trying to make extra money on his property. Now he is being told that there are going to be further restrictions and more taxes. He lives on the same property that he rents out. The increase in taxes is going to further increase his burdens. So many opportunities have opened up since STR. He has no objections to 9-1-1 or to registering. He is not sure if he can meet the standards.

Susan Lintner commented that this was the first time she had heard about a STR Local Law and she has a few concerns. She believes that one of the comments was that STRs were pricing out the local person. She is a local person. The airbnb is a way for the local person to have money. By overregulating the airbnb you are just pushing the locals out of the area because they just can't make it. NYS is so overtaxed and over regulated people are leaving. Only people with money can live here. It sounds like people with personal issues at their property, instead of making laws and charging money, we should just look at their issues. People should get to know their neighbors instead of calling an authority of a situation. Most people with airbnbs hire locals to clean. Talk to your neighbors.

Frank Doberman was a member of the committee that helped formulate the rules. The homeowners needs to take part in the management. When nonowner occupied become corporate occupied. This is positioning us for the future. Lets just get this started.

Chris Kielbiowski spoke via Zoom, said that he is a seasonal renter and also rents his home, commented that he strongly supports some STR regulation. Just recently there was an STR home set up behind his home and they had some lights on outside behind their house and they were on at two (2) o'clock in the morning and they were shining directly into my daughter's room. There should be some laws but looking at the proposed Law the governments need to be further defined and thinks that it is subjected to manipulation and can be subject to misuse or bias. There is an absence of facts and data. There needs to be truth and data to make this transparent. The issues need to be isolated in order to establish a stronger STR Local Law.

Drew Martin said that his parents used to rent their house to help pay the taxes. He now owns his own home. The rental system that has been in place for years has worked. The owners of these rental properties have had personal responsibilities with regard to insurance, property upkeep and the owners also had the responsibility to maintain friendly relations with their neighbors. What made rental work then is the same thing that makes rentals work now. Neighbors need to reach out and get to know each other, get numbers, chat, talk face to face. That system worked then and it works now. This proposal is classic government overreach. We do not need more regulation, the Town needs more of what has always made this Town great, the people. The Town needs neighbors connecting directly with each other when they have concerns, not government; Local, State, or Federal telling us how to handle our personal property. Drew Martin thanked the Board for the opportunity to speak.

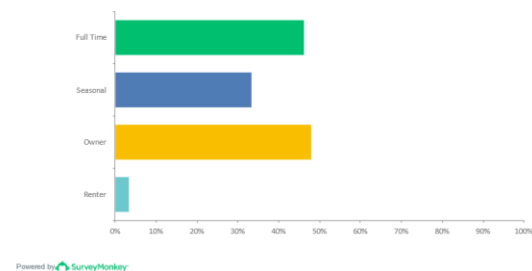
Supervisor Leggett asked if anyone on Zoom would like to speak.

On a motion by Councilperson DuRose, seconded by Councilperson Turcotte, the public hearing for the proposed Short-Term Rental Local Law **closed** at 8:30 pm.

AYE 4 NO 0

Supervisor Leggett showed the following results from the Short-Term Rental (STR) Survey that was conducted through SurveyMonkey with 398 total responses:

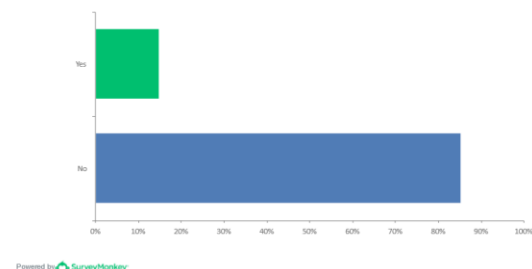
Q1: What type of Chester resident are you? (Please select all that apply)
Answered: 352 Skipped: 6



Q1: What type of Chester resident are you? (Please select all that apply)
Answered: 352 Skipped: 6

ANSWER CHOICES	PERCENTAGE	COUNT
Full Time	46.23%	184
Seasonal	33.42%	133
Owner	47.99%	191
Renter	3.27%	13
TOTAL		521

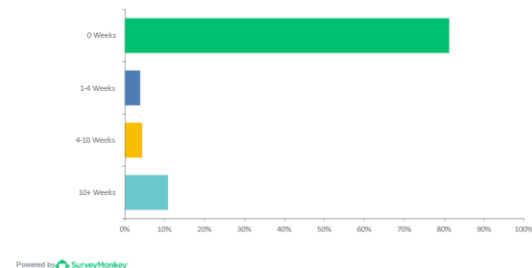
Q2: Do you own or operate a Short -Term Rental?
Answered: 397 Skipped: 1



Q2: Do you own or operate a Short -Term Rental?
Answered: 397 Skipped: 1

ANSWER CHOICES	PERCENTAGE	COUNT
Yes	14.86%	59
No	85.14%	338
TOTAL		397

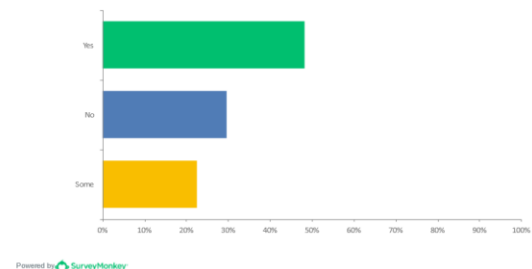
Q3: Please select the total amount of time in a calendar year you either rent or advertise to rent your property:
Answered: 371 Skipped: 27



Q3: Please select the total amount of time in a calendar year you either rent or advertise to rent your property:
Answered: 371 Skipped: 27

ANSWER CHOICES	PERCENTAGE	COUNT
0 Weeks	81.13%	301
1-4 Weeks	3.77%	14
4-10 Weeks	4.31%	16
10+ Weeks	10.78%	40
TOTAL		371

Q4: Should there be regulations on Short -Term Rentals?
Answered: 397 Skipped: 1

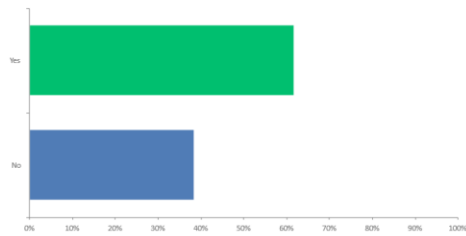


Q4: Should there be regulations on Short -Term Rentals?
Answered: 397 Skipped: 1

ANSWER CHOICES	PERCENTAGE	COUNT
Yes	48.11%	191
No	29.47%	117
Some	22.42%	89
TOTAL		397

Q5: Do you support the licensing of Short-Term Rentals that would provide authorization to operate and require confirmation of items such as compliance with the NYS Building Code?

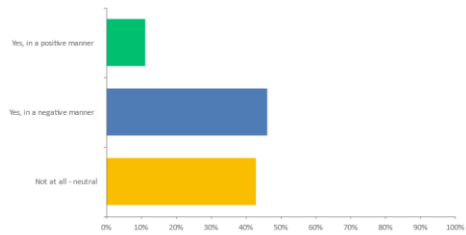
Answered: 352 Skipped: 6



Powered by SurveyMonkey

Q6: Do you believe that living next to or near a Short-Term Rental property impacts your own property value?

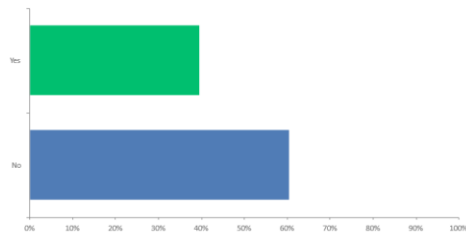
Answered: 394 Skipped: 4



Powered by SurveyMonkey

Q7: Have you ever been disrupted by a Short-Term Rental(s) (i.e. noise, lack of parking, security issue)?

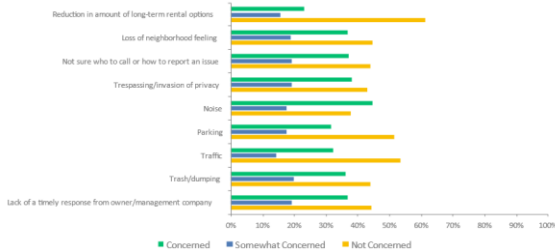
Answered: 394 Skipped: 4



Powered by SurveyMonkey

Q8: Do you have any concerns regarding Short-Term Rentals in your neighborhood? Please select from the following:

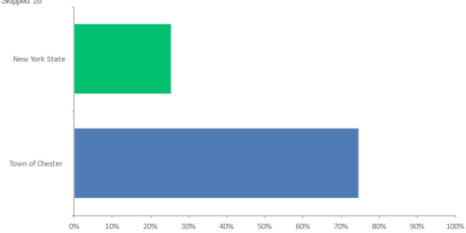
Answered: 397 Skipped: 1



Powered by SurveyMonkey

Q9: New York State Legislators are presenting a Bill to regulate Short-Term Rentals. This Bill would require an annual registration with the State of New York in addition to a fee and failure to do so could result in a \$200 fine per day. If your Town adopts a STR Local Law, the State will not require registering with them. Would you rather register with New York State or the Town of Chester? (please answer below)

Answered: 370 Skipped: 28



Powered by SurveyMonkey

Q5: Do you support the licensing of Short-Term Rentals that would provide authorization to operate and require confirmation of items such as compliance with the NYS Building Code?

Answered: 352 Skipped: 6

ANSWER CHOICES	RESPONSES
Yes	61.73% 242
No	38.27% 150
TOTAL	392

Powered by SurveyMonkey

Q6: Do you believe that living next to or near a Short-Term Rental property impacts your own property value?

Answered: 394 Skipped: 4

ANSWER CHOICES	RESPONSES
Yes, in a positive manner	11.17% 44
Yes, in a negative manner	45.94% 181
Not at all - neutral	42.89% 169
TOTAL	394

Powered by SurveyMonkey

Q7: Have you ever been disrupted by a Short-Term Rental(s) (i.e. noise, lack of parking, security issue)?

Answered: 394 Skipped: 4

ANSWER CHOICES	RESPONSES
Yes	39.59% 156
No	60.41% 238
TOTAL	394

Powered by SurveyMonkey

Q8: Do you have any concerns regarding Short-Term Rentals in your neighborhood? Please select from the following:

Answered: 397 Skipped: 1

	CONCERNED	SOMEWHAT CONCERNED	NOT CONCERNED	TOTAL
Reduction in amount of long-term rental options	23.12% 89	15.58% 60	61.30% 236	385
Loss of neighborhood feeling	36.83% 144	18.67% 73	44.50% 174	391
Not sure who to call or how to report an issue	37.00% 146	19.04% 75	43.91% 173	394
Trespassing/Invasion of privacy	37.97% 150	18.99% 75	43.04% 169	395
Noise	44.67% 175	17.51% 69	57.82% 224	394
Parking	31.38% 123	17.35% 68	51.28% 201	392
Traffic	32.31% 126	14.38% 56	53.33% 208	390
Trash/dumping	36.13% 142	19.85% 78	44.02% 173	393
Lack of a timely response from owner/management company	36.07% 143	18.97% 74	44.36% 173	390

Powered by SurveyMonkey

Q9: New York State Legislators are presenting a Bill to regulate Short-Term Rentals. This Bill would require an annual registration with the State of New York in addition to a fee and failure to do so could result in a \$200 fine per day. If your Town adopts a STR Local Law, the State will not require registering with them. Would you rather register with New York State or the Town of Chester? (please answer below)

Answered: 370 Skipped: 28

ANSWER CHOICES	RESPONSES
New York State	25.41% 94
Town of Chester	74.59% 276
TOTAL	370

Powered by SurveyMonkey

Supervisor Leggett commented that the survey was on the Town Facebook page, the Town Website, it was sent to all homeowner's associations as well for them to disseminate to their owners. Deputy Supervisor commented that it went out to all the homeowner's associations that the Town had addresses for.

Supervisor Leggett said that this is coming before us because someone is doing something wrong. Most people look to another party, usually the government to do something to help out to create standards. There have been a lot of concerns about the ability to enforce and he does not see a lot of problems with enforcement because most of these STR are managed well. On the odd circumstances where that is not the case what do the neighbors have for recourse, what do the people renting have for security.

Carol Monroe said to take responsibility for knowing your neighbor.

Rich McCrum asked if the public hearing was done. Supervisor Leggett replied yes, the public hearing is over and thanked everyone for coming.

On a motion by Councilperson Turcotte, seconded by Councilperson Aiken, meeting adjourned at 8:42 pm.

AYE 4 NO 0

Respectfully submitted,

Town Clerk