



VILLAGE OF RHINEBECK

Village of Rhinebeck Board of Trustees
Tuesday March 15, 2018
7:00 PM

Mayor Bassett opened the meeting at 7:00pm with the Pledge of Allegiance.

Mayor Gary Bassett:	Present
Deputy Mayor Richard Lewit:	Present
Trustee Howard Traudt:	Present
Trustee Brant Neuneker:	Present
Trustee John Rossi	Present

Also present were: Village Clerk Patricia Coon, Fire Chief Kyle Eighmy, Rescue Captain Chrissy Eighmy, Dana Smith Dutchess County Commissioner of Emergency Response, Darren Forbes, Laura Wasserman, Linda Stanley, Deborah Alexander, Nina Lynch, Jennifer Neufeld, Susan Wingate, Jim Wechsler, Pamela Morin, Donna Warner, Paul Higgins, Jill Welch, Joyce Meisinger, Scott Cruikshank, Christopher Tavener, Madelaine Watterson, John Watterson, Elizabeth Mensch, Gwen Bardon, John Clarke and Ward Stanley

Dutchess County Emergency Response – review of Municipal Fire Coordinator

Dana Smith, Dutchess County Emergency Response Commissioner, gave a summary of the accountability and consistency of the position of Municipal Fire Coordinator. Dana discussed the strengths of having an administrator, that the Village could actually receive a cost savings by having a competent, capable professional in the position. The Board discussed what the position would involve, including the reporting, the safety training the coordinator would oversee. The Board heard comments from Fire Chief Kyle Eighmy, Rescue Captain Chrissy Eighmy and Asst. Chief Darren Forbes as to the timing when this position should be created. They feel it would be within 5 years, more likely in 2 as the work load for completing reports on fire and rescue calls and the volume of calls the department responds to is increasing and putting a burden on the volunteers. The Board and the Fire Dept. officers agreed to see what the members of the Fire Department would feel about establishing the position.

Trustee Traudt asked Fire Chief Eighmy if the department is in compliance with the safety training now, and Chief Eighmy explained the training they provide and maintain. Fire Chief Eighmy commended Mayor Bassett on the forward thinking of establishing the position and the future of the Fire Department; however, he is concerned about the crossover of officers and the position.

Assistant Chief Forbes discussed the volume of calls and the need for it soon, but not as a paid administrator or paid chief, possibly an administrator assistant or taking the process slower.

Dana Smith- discussed creating the administrator but reviews with the Fire Dept. and EMS, take some administrative burden off of the volunteers as it is asking a lot of volunteers. He suggested possibly creating an hourly or part time position.

Mayor Bassett asked about Civil Service, and the village will be starting planning and working on this.

Trustee Neuneker asked about setting up a plan with the fire department, and the need for the fire department and the Village Board to work together and the volunteers need to agree with the position.

Mayor Bassett- this could be put in the 2018-2019 budget, but could be implemented in 4-6 months.

This was tabled until further discussion between the Board and the Fire Department.

Short Term Vacation Rental Workshop

Village Attorney Rich Olson discussed the provisions in the Village Code, and suggested that the wording needs to be clearer. Mayor Bassett and the Board discussed the process as to the implementation of the code.

Deputy Mayor Lewit proposed a high fine to be implemented for violations, and Rich Olson stated that enforcement is the issue.

Trustee Neuneker stated non hosted rental would not be allowed in the proposed code, and discussion commenced as to the status of existing non conforming uses. The Board agreed to table the discussion on hosted rentals.

Linda Stanley- asked if the rule is still in effect as to inspections and why the building inspector isn't doing the inspections.

Cindy Curnan and Pat Strong also discussed the process of how bed and breakfast have strict inspections.

Donna Werner- discussed unhosted rentals and the burden on area residents, and 40 days unhosted is excessive.

Scott Cruikshank- discussed the unstable effect on neighborhoods due to the constant changing of tenants.

Jennifer Neufeld- discussed the number of nights for change over of rentals and discussed the worst case scenario.

Mayor Bassett- discussed stepping back and educating everyone regarding the code.

Trustee Neuneker read the summary of the code and the discussion points-

Include a definition of "Short-Term Home Rental" in Section 120-64:

SHORT-TERM HOME RENTAL – A dwelling having a registered resident host in an owner-occupied single-family home in which at least three and not more than five bedrooms are provided for overnight accommodation, the rates for which include lodging only and in which no public restaurant is maintained and no other commercial services are offered. Rentals within approved lodging facilities, short-term room rentals, or bed and breakfast establishments are not considered short-term home rentals.

Replace the definition of "Room Rental Home" with a definition for "Short-Term Room Rental," as follows:

SHORT-TERM ROOM RENTAL - An owner-occupied single or two-family dwelling in which at least one and not more than two bedrooms are provided for overnight accommodations, the rates for which include lodging only, and in which no public restaurant is maintained and no other commercial services are offered. Short-term room rental homes shall have a registered resident host, or if non-hosted, a registered name of a licensed agent that has the right to control possession of the dwelling. Rentals within approved lodging facilities, short-term home rentals, or bed and breakfast establishments are not considered short-term room rentals.

Proposed changes to Section 120-17 are as follows:

~ 120-17. Bed and breakfast establishments, ~~room rental homes~~ short-term home rentals and short-term room rentals.

A Bed and Breakfast Establishment **and short-term home rentals**, may be allowed in an owner-occupied single-family dwelling and **a Room Rental Home short-term room rentals**, may be allowed in an owner-occupied single-family or two-family dwelling, subject to applicable Special Permit and Site Plan approvals and compliance with the following standards:

A. Each Bed and Breakfast Establishment, **Room Rental Home short-term home rental and short-term room rental** shall be designed maintained and operated so as to preserve and complement the residential appearance of the site and the existing character of the surrounding area.

B. **Except for non-hosted short-term room rentals**, a registered resident host of the property shall live on the site throughout the visitors' stay and supervise guests so as not to disrupt the neighborhood. **An owner of a short-term room rental leaving Dutchess County during the rental period must engage the services of and register a licensed real-estate agent with the zoning enforcement officer.**

C. The guest **bed**rooms shall be limited to the principal dwelling and/or one accessory building. Any guest **bed**room in an accessory building shall have **approved** sanitary facilities **within that accessory building.**

D. No guest shall stay for a period of time in excess of 30 days.

E. The owner shall collect and preserve registration records for a minimum of three years.

F. The owner or resident host may serve breakfast to guests, but a public dining room, restaurant, bar or other commercial uses are prohibited.

G. Off-street parking shall be located behind the front plane of the principal structure and shall be consistent with the residential character of the site. Parking shall be consistent with Section 120-16 and Table 3 **and noted on any approved site plan. Any required additional parking should not be allowed in front of a principal structure by expanding use of an existing driveway.**

H. **For Bed and Breakfast Establishments**, one identification sign is permitted, not to exceed four square feet in area and five feet in height, and shall be otherwise in compliance with Section 120-19, Signs and Supporting Structures.

I. The owner shall give reasonable access for inspections to be conducted to ensure compliance with the provisions of this Chapter and the NYS Building **and Fire Prevention Codes. An annual satisfactory inspection from the Code Enforcement Officer is required for an administrative permit as well as for all rentals pursuant to this Section 120-17. The Village of Rhinebeck permit number must be included in all online and other rental listings.**

J. A short-term home rental shall have no more than 10 adult occupants as lodgers at any given time. A short-term room rental shall have no more than four adults or six total occupants as lodgers at any given time, and total non-hosted rentals shall not exceed 40 days per annum.

K. When considering an administrative permit, the Zoning Enforcement Officer may refer the application to the Planning Board for Site Plan approval for those issues involving exterior site changes necessary to meet parking or other standards.

J. For those properties currently in non-compliance with the terms of this Section 120-17 and that are not under review as of the date of adoption of its revisions, enforcement will be delayed for six months to provide a transitional period for permitting.

In Section 120-6, table 1, Allowable Use Groups Chart, Room Rental Home will be deleted and replaced with a line for Short-Term Room Rental. Change "p" in the Village Center and Residential districts to "a/p". Medical and Professional will be "sp" and Gateway Business will be "X." A new use "Short-Term Home Rental" will be added to the table and in the "Village Center" and "Residential" Districts, and "Medical and Professional" districts, "sp" needs to be added. In the same use category "X" will be added to the "Gateway Business" Districts. In Section 120-6-B, add a sentence that states, "In the Residential and Village Center Districts, the symbol "a/p" means "administrative permit with site plan approval not required."

In Table 3, Off-Street Parking Chart, delete the category "Room rental home," and replace with a category—having the same standards—"Short-term room rental." Add a category for "Short-term home rental," having the same standards as the existing category "Bed-and-Breakfast establishment."

Note: In Section 120-64, the definition of Lodging Facility should read, "**Any hotel, motel or inn providing sleeping accommodations for transient guests, with or without a dining room or restaurant, excluding short-term home rentals, short-term room rentals and bed-and-breakfast establishments.**"

Replace the definition in Section 120-64, "Owner-Occupancy," to read, "**Where owner-occupancy is required, the lot and dwelling unit must be the owner's legal home where the owner resides on a permanent basis for at least 240 days of the year.**"

Add a definition in Section 120-64, Administrative Permit to read, "**A discretionary permit with site plan approval not required for the use of short-term room rentals that is issued by the Code Enforcement Officer and Zoning Enforcement Officer pursuant to Section 120-17.**"

Short-term Vacation Discussion Points

1. The new code restricts the number of rentable bedrooms to 2 for non-hosted entire home rental. Concern is the enforcement of the 2 bedroom restriction will not be enforceable.
2. The new code prohibits issuance of a permit by the zoning officer if parking required by the STR is within the front plane of a house.
3. A NON-HOSTED entire home rental restricts the number of adult occupants to 4 and total occupancy to 6.
4. The proposed code requires a registered licensed real estate broker if you leave Dutchess County during a guest's stay.
5. Non-conforming use of a non-primary residence as a short term vacation rental.

Deputy Mayor Lewit- discussed the village really can't rely on good will to make it happen.

Donna Werner- Keep it simple and easy to regulate.

Pamela Morin- Mentioned big hotels are coming into our area

David Gelb- Only wants hosted rentals

Trustee Lewit- discussed neighborhoods as Scott Cruikshank has discussed creating viable vibrant villages.

John Clark- essentials- 1) health and safety inspections 2) owner occupied and significant fine for violations including revocation of permit.

Scott Cruikshank- all SVR should have to go thru the site plan review process

Jennifer Neufeld- suggests room rental limit of 30 days.

Mayor Bassett- recommended Village Council discuss with Code Enforcement Officer John Fenton as to what has been allowed and Trustee Neuneker would like to be allowed to attend, with further discussion to be continued.

Other Business-

Re-organizational Meeting will be April 3, 2018 at 7:00pm

Public Hearing and regular meeting will be April 10, 2018

Motion: Mayor Bassett: To adjourn.

Second: Deputy Mayor Lewit

Mayor Bassett: Yes

Deputy Mayor Lewit: Yes

Trustee Traudt: Yes

Trustee Neuneker: Yes

Trustee Rossi Yes

Respectfully Submitted,

Patricia D. Coon, RMC

Village Clerk

Motion: Mayor Bassett:

Second: Trustee Rossi

Mayor Bassett: Yes

Deputy Mayor Lewit: Yes

Trustee Traudt: Yes

Trustee Neunecker: Yes

Trustee Rossi: Yes

Respectfully Submitted,

Patricia D. Coon, RMC
Village Clerk

