

## **Village of Rhinebeck Committee on Short-Term Rentals Initial June 28, 2017 Meeting Notes**

Attendance: Brant Neuneker, John Clarke, Claudia Cooley, Kevin Curry, Tim Decker, Ward Stanley,  
Donna Warner

### **Potential problems to be addressed:**

- Unregulated commercial use with transient visitors in Residential zoning district (see 120-24 Intro)
- Compliance with fire, building, and health codes with need for periodic inspections
- Unfair competition with local hotels and bed and breakfasts (no taxes, insurance, etc.)
- Planning Board review needed for issues like parking, setbacks, screening, fencing, and lighting
- Absentee ownership with no contact for complaints or emergencies
- Effects on neighborhood, such as parking, noise, trash, or security impacts
- Potential effects on adjacent property values
- Replacement of more stable and affordable rental units and other housing that supports local volunteers and other community functions

### **Policy objectives agreed to by everyone on Committee:**

1. Rhinebeck should not become a seasonal community with a high percentage of vacation rentals.
2. All short-term rentals should be reviewed for compliance with fire, building, and health codes.
3. County room taxes and registration for short-term rentals should be enforced.
4. Investors buying multiple homes in the Village for short-term rentals should not be supported.
5. Absentee ownership/management outside the local area should not be permitted.

### **Some questions still to be decided:**

1. Are current rentals illegal if they conform to the existing B&B Home definition? Did they need a permit?  
(Brant should check with ZEO)
2. Should Planning Board review for special permit and/or site plan be required?
3. Should room rentals in resident's homes have separate process, such as administrative review?
4. Whether site management for complaints or emergencies should require a resident host or registered manager within local area?
5. Is it possible or desirable to limit number of short-term rentals by distance, by block or in the Village?

**Next meeting: July 19 6:30 pm**

## **Village of Rhinebeck Committee on Short-Term Rentals July 19, 2017 Meeting Notes**

Attendance: Brant Neuneker, John Clarke, Kevin Curry, Tim Decker, John Fenton, Josh Pulver (replaces Donna Warner on Committee)

John Fenton updated the Committee on current enforcement process. For rentals that qualify under zoning definition for Bed and Breakfast Home, owners can get a permit by undergoing a fire and building inspection and paying permit fee.

**Policy objectives agreed to by everyone at meeting:** (also see list of agreements from previous meeting)

1. Any short-term rental with more than two guest rooms will require a Special Permit, similar to current standards for a Bed and Breakfast Establishment.
2. Room Rental Home with one or two guest rooms may be allowed by administrative permit with no Special Permit or Site Plan approval, unless ZEO refers to the Planning Board for Site Plan approval because the exterior needs site changes to meet parking or other standards.
3. Any required additional parking should not be allowed in front of the building by expanding the existing driveway.
4. The new zoning should have separate subsections and standards for B&B Establishments and Room Rental Homes within the draft Section 120-17.
5. Room Rental Home guest rooms should be allowed in primary or accessory buildings (will need change in draft definition).

**Some questions still to be decided:**

1. Should Room Rental Home require...
  - a) registered resident host;
  - b) owner occupied for at least 180 days, but no host required on site; or
  - c) registered property manager for local contact within the Rhinebeck area?
2. Should any minimum separation or other limits be required?

**Next meeting: Wednesday, August 23 at 6:30 pm**

## **Village of Rhinebeck Committee on Short-Term Rentals August 23, 2017 Meeting Notes**

Attendance: Brant Neuneker, John Clarke, Kevin Curry, Tim Decker, Josh Pulver

It was discussed that internet screening of short-term renters is not comprehensive or foolproof, especially since Airbnb and other sites are encouraging instant bookings. Kevin said that most short-term renters prefer entire home locations with no on-site hosts, estimating that of the approximately 30 locations in Rhinebeck, only six or so are hosted.

### **Policy objectives agreed to by everyone at meeting:** (also see list of agreements from previous meetings)

1. For Room Rental Homes, limit number of rental persons per site to six.
2. There is a preference for a registered owner and/or resident host (Kevin and perhaps others would like non-hosted options).
3. Registration should require a signed agreement by the property owner.
4. The definition of owner occupancy should require residency on the premises for at least 240 days per calendar year.

### **Questions still to be decided:**

1. Should Room Rental Home require...
  - a. registered resident host;
  - b. owner occupied for at least 240 days, but no host required on site; or
  - c. registered property manager for local contact within the Rhinebeck area?
2. Should any other restrictions be required, such as...
  - a. minimum separation between short-term rentals;
  - b. limit total number of Room Rental Home permits at any one time.

Meeting objective should be to make final decisions for re-drafting Zoning Code Section 120-17.

## **Village of Rhinebeck Committee on Short-Term Rentals September 20, 2017 Meeting Notes**

Attendance: Brant Neuneker, John Clarke, Claudia Cooley, Kevin Curry, Tim Decker, Josh Pulver, Ward Stanley

Copies of two letters from Pamela Morin and Navin Sharma were passed out and read by the committee.

Claudia reported that Lennox, Mass. was considering a village tax for short-term renters.

Brant passed along John Fenton's comments that it would be impossible to administer the 240-day minimum standard for owner-occupancy. Fenton thought that any short-term rental solution should include a local contact person to deal with complaints or emergencies.

After much discussion and an examination of the zoning principles in Sections 120-1 and 120-24, two options for Room Rental Homes were put to a committee vote:

- A. Requiring a registered resident host on the premises during short-term rentals; or
- B. No host needed on site, but requiring the premises to be owner occupied for at least 240 days during the year and having a registered property manager for local contact within the Rhinebeck area.

**Three committee members, Brant, John, and Ward, were in favor of requiring a resident host** to preserve the Village's residential community character and to safeguard against potential problems of higher turnover commercial uses in the residential district, such as noise, trash, parking, or security impacts. The Village has small lots with houses close together, so impacts are more likely and immediate. It would be much better to have a responsible resident on the site to prevent any problems up front or to deal directly with neighbors about concerns, rather than neighbors needing to confront unknown overnight renters or to call the police.

It will be impossible for the ZEO or other village officials to keep track of the 240-day occupancy standard or to monitor overnight guests on multiple sites, so the short-term rental owners should be required to ensure the responsibility of a self-monitoring host on the site, similar to any hotel or Bed and Breakfast. Short-term renters who want more non-hosted privacy can rent rooms in accessory buildings and two-unit structures in the Village or entire houses on the larger parcels in surrounding areas. Finally, there was an overarching concern that making it too easy to convert existing housing for residents into transient rentals for visitors will dilute the residential character of our Village, displace more stable and affordable rental housing, and diminish the number of full-time residents who are local volunteers and support other community functions.

**The majority of four committee members, Claudia (speaking as the Chamber of Commerce representative), Kevin, Tim, and Josh, were in favor of the no-host Option B.** They thought the owner occupancy requirements for at least 240 days per year and having a local management contact in the Rhinebeck area was sufficient to protect residential character and to ensure that any complaints or emergencies could be dealt with efficiently. It was pointed out that such short-term rentals have been in our Village for several years now and there are no police records of any major problems. Short-term rentals can financially help some residents keep their houses in this expensive market. They also bring in more visitors, which helps businesses in the Village Center. Since most short-term renters prefer the privacy of non-hosted settings, it is better to have those visitors within walking distance of the Village Center, rather than located in surrounding towns where they make take their business in other directions.

If there were excessive complaints about a particular site or it did not comply with the performance standards or other requirements in the newly adopted zoning, the Village could revoke or not renew the site's permit. The supporters also agreed to an additional measure to protect the Village, limiting the number of non-hosted rental days to 40 days per year.

The group also considered restricting the number of total permits in the Village to 30 or 40 at any one time, but there was no final agreement for that type of limit. It was agreed that there should be some phasing-in of any new standards, so that short-term rentals would need to register by a certain date and then enforcement might begin at a later date.

Brant, with help from Kevin, will prepare draft changes to Section 120-17 consistent with all the committee agreements so far and the majority vote tonight. This draft will first be circulated to committee members for comments and corrections, before being forwarded to the Village Board.

## **Village of Rhinebeck Committee on Short-Term Rentals October 25, 2017 Meeting Notes**

Attendance: Brant Neuneker, John Clarke, Kevin Curry, Tim Decker, John Fenton, and Josh Pulver

The Committee met to discuss a few outstanding issues before Brant, Kevin, and Josh prepare a draft law to be emailed to Committee members for comments and then forwarded to the Village Board of Trustees. In addition to the agreements from previous meetings, the following items should be incorporated into the recommended text for Definitions and Section 120-17.

Three categories: (the names may be modified by the subcommittee drafting the amendment)

Bed and Breakfast Establishment as already defined in the Code.

### Short-Term Home Rental

- three or more rooms for rent;
- must have a registered resident host on the premises;
- subject to the same Special Permit process and general requirements as a B & B.

### Short-Term Room Rental

- two or less rooms for rent;
- does not need a host on site, but, if not, must have a local registered contact person for emergencies;
- subject to an administrative permit;
- only needs Planning Board Site Plan approval if referred by the ZEO for parking or other exterior changes needed to meet code standards.

The majority of those present agreed that the registered contact for non-hosted STRs should be a licensed real estate agent or property manager.

John Fenton suggested an annual re-certification of the STR permits.

The code should include reasons, such as noncompliance with the code/permit standards or unaddressed neighbor complaints, for revocation of the permit.

The majority of those present voted for a 40 day per year limit for short-term room rentals.

The parking requirement for STRs shall be the same as in the code for a B & B.

The Village permit number must be included on all online or other listings.

Enforcement should be delayed for six months after the adoption of the new code so as not to disrupt current bookings.