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VILLAGE OF GREENPORT

COUNTY OF SUFFOLK : STATE OF NEW YORK

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VILLAGE OF GREENPORT

BOARD OF TRUSTEES

SPECIAL MEETING

WORK SESSION

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Old Schoolhouse

July 2, 2024

6:00 p.m.

B E F O R E:

KEVIN STUESSI ~ MAYOR

LILY DOUGHERTY-JOHNSON ~ DEPUTY MAYOR/TRUSTEE

PATRICK BRENNAN ~ TRUSTEE

MARY BESS PHILLIPS ~ TRUSTEE

JULIA ROBINS ~ TRUSTEE

2 MAYOR STUESSI: All right

3 I'll make a motion to open this

4 Special Meeting of Tuesday

5 July 2nd of the Village Board.

6 May I have a second?

7 DEPUTY MAYOR PHILLIPS:

8 Second.

9 MAYOR STUESSI: All in

10 favor?

11 (Chorus of "ayes".)

12 MAYOR STUESSI: Please stand

13 for the Pledge of Allegiance.

14 (Whereupon the Pledge of

15 Allegiance was recited.)

16 MAYOR STUESSI: Please be

17 seated. All right, for the

18 benefit of the few folks in the

19 room and those who might be

20 watching tonight or another night,

21 this is a Village Board Work

22 Session specifically dedicated

23 towards discussion regarding the

24 short term rental code.

25 The Village has had several

2 public hearings regarding this
3 subject with draft law. We've
4 heard from a number of folks in
5 the public, both in person and in
6 writing and separately to us. And
7 the Village Board closed the
8 public hearing in order to
9 consider changes to the draft law
10 that was submitted by the Code
11 Committee.

12 So the purpose this evening is
13 for us to discuss the high points
14 of the code and to make some
15 decisions to draft new code in
16 regards to this. As the Board and
17 public is aware, we will not be
18 taking any public comments tonight
19 as we've discussed in prior
20 meetings. Those will come at such
21 time as we properly notice a newly
22 drafted law for public comment.

23 With that, I am going to turn
24 it over to Mary Bess who is the
25 chair of the Village Code

2 Committee to remind everybody of
3 where things sort of left off with
4 the Code Committee
5 recommendations, and then we will
6 open it up to the Board
7 discussion.

8 DEPUTY MAYOR PHILLIPS:

9 Thank you, Mayor. I would like to
10 just kind of take some excerpts
11 from a letter that the Code
12 Committee put together after the
13 last public hearing. And when the
14 law was adopted in 2018, it was
15 aimed to allow residents to earn
16 supplemental income by renting out
17 part of their homes while
18 maintaining the integrity of our
19 residential neighborhoods.

20 However, the law's ambiguity --
21 sorry, can't talk today -- of what
22 constitutes owner/occupancy or
23 long term occupancy has led to
24 widespread abuse based on
25 different interpretations and

2 difficulty with enforcement.

3 So the reason that the Village
4 of Greenport Code Committee have
5 long suggested that the Village
6 needed to reconsider or at least
7 redefine its short term rental law
8 in order to attempt to address
9 these various challenges. We
10 recognize the public comments.
11 We've recognized the thoughts and
12 some of the points brought up, but
13 the Code Committee came out with
14 the recommendation that the rental
15 of residential properties or a
16 portion thereof for a term of less
17 than 30 days is where we were
18 headed with the suggested code
19 changes.

20 So I hope that explains it
21 clearly to everyone. That's how
22 the Code Committee ended. It's
23 now in the Board's hands to
24 discuss where you want to be.

25 For one part, there's been a

2 major point that we need to come
3 up with are we discussing short
4 term rental for less than 30 days
5 being allowed or once every
6 30 days or once every two weeks?
7 That seems to be the emphasis that
8 has been in the direction of some
9 of the codes that we have read and
10 some of the discussion that was
11 within the community and the
12 public hearings and at this table.

13 So now it's decision time. We
14 need to make that decision of that
15 beginning point before we can
16 continue on any other discussions
17 of what would be in the code.
18 Does anybody have any questions on
19 that?

20 (No response.)

21 DEPUTY MAYOR PHILLIPS:

22 Patrick, do you have a question?

23 TRUSTEE BRENNAN: The main
24 points are the number of days, the
25 30 or 2 weeks or more; and then

2 whether or not there's any
3 allowances or carveouts like there
4 currently is in the code. Is
5 there any other main points here?

6 DEPUTY MAYOR PHILLIPS:

7 Well, the main point would be
8 after we make a decision, we need
9 to decide how to set the permits
10 in the future so that it makes
11 enforcement a little bit easier or
12 a little clearer, okay?

13 Some of the points that were
14 brought up in the past: Do we
15 only allow residents or property
16 owners and not LLC's to be part of
17 the permit process? Do we do -- I
18 do believe that from the point of
19 view of the Code Committee, we
20 only felt that the one family
21 houses and the two family houses
22 would be a better situation for
23 the residents getting into
24 multi-family houses like an MB
25 (phonetic) short term rental kind

2 of turns them into mini hotels.

3 MAYOR STUESSI: Well, wasn't
4 the Code Committee recommendation
5 that it was only single family
6 houses that could be rented for a
7 30-day minimum and two family
8 houses could not?

9 DEPUTY MAYOR PHILLIPS: No,
10 it was the two family --

11 TRUSTEE BRENNAN: That was a
12 little confusing. So I think that
13 came from one of the summaries of
14 the Code Committee's suggestions.
15 I read it that way too. I don't
16 think that was the intention. It
17 wasn't treating --

18 DEPUTY MAYOR PHILLIPS: We
19 were getting into those who have
20 multi-families. I think that was
21 pretty much part of the issue was
22 that. And am I right, John and
23 Trish? Maybe I'm
24 getting confused.

25 AUDIENCE MEMBER:

2 Multi-family wasn't --

3 AUDIENCE MEMBER: It's never
4 been permitted.

5 DEPUTY MAYOR PHILLIPS: It's
6 never been permitted.

7 AUDIENCE MEMBER: It's not
8 permitted.

9 DEPUTY MAYOR PHILLIPS: So
10 we were dealing with one family
11 and two families.

12 AUDIENCE MEMBER: Right, but
13 it's just the period. The only
14 thing -- I wasn't at the meeting
15 when the Code Committee came to
16 the final determination on this
17 and it was clear that the Code
18 Committee never reviewed or signed
19 off on the notice draft, so I'd
20 like to be clear on that as well.

21 But the only point, as I
22 understand, that the Code
23 Committee said at the time was
24 that there should be no exceptions
25 flat, prohibition was the at least

2 the starting point. And I believe
3 at the meeting that I was not at,
4 the agreement was that the
5 starting point would be 30 days as
6 opposed to 14.

7 In terms of the difference
8 between one and two family, I
9 think there's been some back and
10 forth, but those are getting into
11 the exceptions and I don't believe
12 the Code Committee has ever taken
13 a position on that at this point.

14 DEPUTY MAYOR PHILLIPS: I
15 think that was discussed at the
16 Board level at one point because
17 the two family is an exception
18 that has -- it has been in
19 question and there are some houses
20 here who are more than two family,
21 there are some three families,
22 which --

23 MAYOR STUESSI: Well, I
24 don't think we're contemplating
25 anything for multi-family.

2 DEPUTY MAYOR PHILLIPS: No,
3 we're not. Multi-family was never
4 allowed to begin with and I
5 believe is the point was not to
6 continue it.

7 MAYOR STUESSI: Yeah, and
8 then one thing we discussed and a
9 number of people on the Board had
10 brought up, was concern that two
11 family houses, if allowed to rent
12 for the short term, eliminated
13 that potential housing
14 opportunity, which is more likely
15 to be rented to a local family
16 than a single family house.

17 And so, Patrick, you were
18 saying, you know, what were the
19 points we were looking at? My
20 recollection would be minimum
21 number of days, like 30, as
22 proposed by the Code Committee if
23 this Board wishes to consider
24 anything else. And then, is there
25 any exception to that, and, if so,

2 what would the exception be?

3 We've already decided as a
4 Board that we should have two
5 different permits for a full-time
6 rental and a short term rental.
7 That's easy to do. And then
8 ultimately what would be fee be
9 for a short term and a long term
10 rental?

11 TRUSTEE DOUGHERTY-JOHNSON:

12 I think the other thing that was
13 brought up was like a limit.
14 Didn't we talk about what -- we
15 said there are only X amount of
16 short terms?

17 DEPUTY MAYOR PHILLIPS: I

18 think --

19 TRUSTEE DOUGHERTY-JOHNSON:

20 Rental permits.

21 DEPUTY MAYOR PHILLIPS: --

22 looking down the road.

23 MAYOR STUESSI: It was,

24 you're right.

25 DEPUTY MAYOR PHILLIPS: It

2 was, but I'm not -- personally I'm
3 not in favor of that. I think
4 that's setting up for, you know,
5 if short term rentals continue, it
6 could set it up for increasing the
7 value of the property or
8 decreasing it, one way or the
9 other.

10 So I think we need an even
11 playing field and the code should
12 be clear as to the usage of how
13 many days short term rental means
14 within the Village of Greenport.

15 TRUSTEE ROBINS: Yeah, and I
16 agree. We discussed this earlier
17 basically and I thought we could
18 frame this discussion basically
19 around, number one, the duration
20 of the rental. Is it going to be
21 a two-week rental; is it going to
22 be a 4-week -- a 30-day rental?
23 That's duration.

24 And the other thing would be
25 frequently. How often are you

2 permitted to do this, okay? But I
3 was looking at the code from East
4 Hampton Town, you know? They
5 basically allow to you to do two
6 short term -- two two-week rentals
7 a year, that's it. I mean, other
8 than that, two weeks is the
9 minimum.

10 And I think that, you know, if
11 we did want to reduce this --
12 because I'm not sure if we're
13 going to be creating the, you
14 know, housing that we're looking
15 for, we should probably consider
16 going back to the two-week minimum
17 rental, which is the format that
18 has been used around here for
19 years and years and years.

20 I mean, I know I've had a lot
21 of real estate customers that
22 would come out and they would rent
23 a place for two weeks. So I mean
24 that would be, you know, the
25 duration. And then the frequency

2 is how often are you going to
3 allow them to do a short term
4 rental? We can say you're allowed
5 two a year, three a year,
6 something like that.

7 MAYOR STUESSI: What you are
8 suggesting is short term? Are you
9 suggesting two weeks is short term
10 and that can only be done twice a
11 year or something different?

12 TRUSTEE ROBINS: No. Two
13 weeks would be permitted, okay,
14 but two days would be permitted
15 only a couple of times a year.

16 MAYOR STUESSI: So you're
17 suggesting going down from the
18 Code Committee recommendation of
19 the 30 days --

20 TRUSTEE ROBINS: Right.

21 MAYOR STUESSI: -- to two
22 weeks?

23 TRUSTEE ROBINS: Right, but
24 limiting the frequency seriously.
25 In other words, you only get to do

2 it a couple of times a year.

3 TRUSTEE BRENNAN: So the
4 idea of limiting the frequency or
5 having an annual cap on the number
6 of days --

7 TRUSTEE ROBINS: If you want
8 to call it a cap.

9 TRUSTEE BRENNAN: -- those
10 are only applicable if we have a
11 short term provision, right? So
12 it's kind of a secondary
13 consideration. The first is
14 whether we're going to have any
15 short term rentals allowed.

16 DEPUTY MAYOR PHILLIPS:
17 That's true.

18 TRUSTEE BRENNAN: Right? If
19 we decide that we're going to
20 allow it, then this idea of a cap
21 or a frequency limit would come
22 into play potentially.

23 TRUSTEE DOUGHERTY-JOHNSON:
24 Right. I wasn't referring to a
25 cap on the amount of days. I was

2 saying a cap on the amount of
3 short term rentals. Like permits.
4 Like if we only say -- let's say
5 there are 50 and there can only be
6 50, something like that. Not
7 increase them, I'm saying that was
8 brought up. I don't think it's
9 the worst idea.

10 DEPUTY MAYOR PHILLIPS: It
11 was brought up years ago. To be
12 honest with you, with previous
13 administration before they created
14 this rental law and it was felt
15 that it would not be to the
16 benefit of the Village for that
17 type of a situation. Times
18 change.

19 But to go back to what Trustee
20 Robins is saying is that a
21 dwelling in East Hampton, in the
22 Village of East Hampton, they have
23 happen to call their rentals
24 seasonal rentals. And seasonal
25 rentals can only be leased by an

2 individual or a family in --
3 leased by an individual or a
4 family, okay?

5 And that it can be a period of
6 less than 30 -- in event such
7 shall a seasonal rental be for a
8 period of less than 30 consecutive
9 days except within any calendar
10 year rentals of two weeks, not
11 more than twice is permitted.

12 In other words, less than
13 30 days is their preferred method,
14 but apparently they have a
15 mechanism exception of that in the
16 calendar year, you have two times
17 that you can do two-week rentals,
18 but there's nothing that's less
19 than two weeks.

20 TRUSTEE ROBINS: Is that how
21 you read that? There's nothing
22 less than two weeks?

23 MAYOR STUESSI: That's
24 right. So the base case is the
25 minimum rental is a month in East

2 Hampton is what she's saying and
3 then there are -- there's an
4 exception for two, two-week
5 rentals over the course of a year.
6 Nothing less.

7 TRUSTEE ROBINS: Oh, okay.

8 I didn't read it that way.

9 TRUSTEE BRENNAN: Mayor, if
10 you don't mind, I made a worksheet
11 that may help with this
12 discussion. I'll just pass them
13 around. Take a look at it. Is
14 there enough for you all?

15 TRUSTEE DOUGHERTY-JOHNSON:

16 Yes. You have one?

17 TRUSTEE BRENNAN: Yes. So
18 the idea with this is, as we
19 consider whether, you know, the
20 number of days and whether there's
21 any caveats or carveouts, it is
22 what are our goals, right?

23 The way I see it right now, I
24 think we have three goals. The
25 first being protecting against the

2 hazards associated with
3 overcrowding, and that seems to be
4 the way the earlier code was
5 written. So the 2018 version and
6 the intent or the purpose, the
7 legislative intent really talks
8 about the hazards associated with
9 unsafe living, overcrowding,
10 illegal apartments, that kind of
11 thing.

12 And then the second goal that
13 we've been talking about is trying
14 to protect quality of life for
15 residents who are impacted by
16 short term rentals. Like things
17 like too many people coming and
18 going, parking, noise, those kinds
19 of things.

20 And then the third goal is to
21 protect our existing housing
22 inventory from losing more
23 grounds. So we don't lose more
24 housing that could be potentially
25 for year round long term use,

2 things that we need to have a
3 functional village, right? Things
4 we want for our residents, our
5 critical workers, health care
6 workers, emergency workers,
7 municipal workers, teachers, those
8 kinds of things.

9 So my suggestion is, as we look
10 at each element that we're going
11 to change, we kind of check it
12 against those goals. Is it
13 positively or is it negatively
14 impacting that goal?

15 So, for example, the number of
16 days that we consider to be a
17 short term cut off, whether it's
18 14, or 28, or something, how does
19 that impact those goals? So I'm
20 not sure it does actually. So I'm
21 not sure that changing from 14 to
22 28 days protects against
23 overcrowding or unsafe conditions.
24 It may protect against the second
25 item I have here, quality of life,

2 right? So we'd have fewer turn
3 over, right? So we'd have
4 neighbors who are less impacted by
5 a frequent turnover of tenants.

6 DEPUTY MAYOR PHILLIPS:

7 Patrick, just taking your point
8 one step further is, number one,
9 that you have here is our rental
10 law isn't just for short term
11 rentals, which has been part of
12 the confusing issue here.

13 We probably should need to have
14 a separate section that's just
15 dealing with short term rentals
16 and separating it from the long
17 term. Because originally the
18 preamble to the code was dealing
19 with the fact that when we put the
20 rental permit in existence, it
21 didn't deal with short term
22 rentals. It dealt with long term
23 rentals that were unsafe
24 conditions. And that's where
25 sometimes some of this confusion,

2 in my mind, is coming in, that
3 we're talking about long term
4 rentals under a code and then
5 we're trying deal with short term
6 rentals and their guidelines in a
7 different way.

8 I think it needs to be
9 separated. I think it needs to be
10 a separate section within the code
11 or divided in where we have the
12 code that's dealing for those who
13 are renting for long term and has
14 certain conditions and has rental
15 permits.

16 And there are other conditions
17 that are associated with short
18 term rentals such as some of the
19 codes that we've read. They want
20 you to verify who the tenants are
21 each time, for a short term
22 rental. They want you to verify
23 that you have garbage pickup.
24 They want to you verify certain
25 items that go with running a short

2 term rental. And that becomes
3 part of the permit process.

4 That's where I have seen, for
5 me, the confusion comes in.
6 Because when you're reading part
7 of it, that whole code is dealing
8 with two different types of rental
9 scenarios and I think you'll agree
10 with me on that one.

11 TRUSTEE BRENNAN: I do agree
12 and I think that's why we kicked
13 around this idea of having two
14 different types of rental permits.
15 You mentioned that earlier.

16 TRUSTEE ROBINS: I agree
17 with that.

18 TRUSTEE BRENNAN: Because
19 they really are two different
20 kinds of things. I'm not
21 convinced that it needs to be two
22 different chapters of the code or --

23 DEPUTY MAYOR PHILLIPS:
24 Well, a different section within
25 the rental ode.

2 MAYOR STUESSI: Because a
3 rental permit is either a long
4 term or a short term.

5 TRUSTEE DOUGHERTY-JOHNSON:
6 I hear what you're saying. I
7 mean, overcrowding and unsafe
8 living conditions can also be part
9 of short term rentals. I don't
10 really see it here, but it's a
11 common theme in the Hamptons, the
12 party houses. In theory, you
13 could rent a house and have like
14 people sleeping on the floor or
15 whatever.

16 DEPUTY MAYOR PHILLIPS:
17 That's why they created the codes
18 they did over there.

19 TRUSTEE DOUGHERTY-JOHNSON:
20 So those things do kind of work
21 for both, but they are two
22 separate things and they are --

23 DEPUTY MAYOR PHILLIPS: And
24 just because I do have -- because
25 of the family business that deals

2 with a lot of businesses over on
3 the south side, the Town of
4 Southampton, the real estate
5 agents are starting to talk about
6 how they're having more 30-day
7 rentals because the short term
8 rentals was a shorter term, the
9 people who have been coming out
10 for a whole month weren't able to
11 get that type of a scenario, so
12 they went someplace else.

13 Southampton kind of started to
14 slow down a little bit and they
15 realized that they were losing the
16 30 day rentals, that they more
17 people that were coming out for
18 the month, families that were
19 coming out and spending the whole
20 month.

21 So there is a dynamic change in
22 both directions. And I think that
23 I've listened to the -- and we
24 don't have the business community
25 thrown in here and they part of

2 this discussion. And I was
3 telling Julia just recently, I
4 said, you know, their mode is:
5 There's a reason for every season,
6 but I don't see them pushing any
7 events in the wintertime, which I
8 think they're going to change.

9 But the rentals need to kind of
10 create -- we have to have things
11 for rentals that are events or
12 programs or things that will
13 create the family environment that
14 I think we want here.

15 I don't think we want the party
16 hearty Greenport. I'm getting
17 tired of hearing that to be honest
18 with you. They get away with
19 whatever they want to. You know,
20 we have garbage all over the place
21 after a weekend. I've watched,
22 the other day when I was coming
23 home late from someplace, a group
24 of people who just felt that their
25 paper cups just pfft. You know,

2 they're wobbling down the road.

3 So, I think we have to decide what
4 kind of a community we want.

5 So that's part of what I've
6 heard over the last years and I've
7 heard the neighborhood people
8 complaining. And, yes, I do
9 believe that we need to have those
10 who live by the rules, go by
11 what's in the code, and are being
12 fairly, kind of, like chastised
13 and being put in the same group
14 with those that we know who are
15 obviously --

16 TRUSTEE ROBINS: So in the
17 real estate world, anything that's
18 rented for two weeks or greater is
19 considered a seasonal rental,
20 that's what they call it. And,
21 you know, they'll put a note on
22 the page, because sometimes
23 realtors will put a weekly rate in
24 there, but then they'll put a
25 little asterisks at the bottom

2 that there's a two-week minimum.

3 So you have to basically -- they
4 do it basically just to get an
5 advertised amount. You see \$500
6 and you think oh, this is great,
7 but it's really not \$500, it's
8 \$1,000.

9 So, you know, I think that
10 terminology is part of it here,
11 but basically I'm seeing this as
12 do we want to go to the two-week
13 minimum for any type of rental or
14 28, 30-day minimum for any type of
15 rental?

16 And then we can -- if there is
17 such a thing as a carve out, it
18 would be maybe like -- I'm reading
19 that -- maybe they changed the law
20 Mary Bess. The one that I
21 downloaded was June of '22. So
22 it's a couple of years old. So
23 now you're saying that they don't
24 permit any two weeks at all in
25 East Hampton?

2 MAYOR STUESSI: No. They
3 permit two two-week rentals. The
4 minimum is 30 days and then two
5 two-week rentals, nothing less.

6 TRUSTEE ROBINS: Nothing
7 less, all right. So...

8 DEPUTY MAYOR PHILLIPS:
9 Rentals are of two weeks and are
10 permitted no more than twice
11 within any calendar year.

12 TRUSTEE BRENNAN: Do you all
13 agree that those are the three
14 main things that we're trying to
15 accomplish or is there something
16 I'm missing?

17 MAYOR STUESSI: Yeah, I'm
18 less concerned about number one
19 because I feel like, you know, the
20 existing inspections and all that
21 and the certification by an
22 architect does that. We had all
23 talked about some different
24 language relative to what defines
25 a household and I'm comfortable we

2 can get there with some of the
3 other discussions. But I do feel
4 the two other items and I think we
5 should use the test of this
6 example and maybe you want to walk
7 through it with --

8 TRUSTEE BRENNAN: Yes.

9 MAYOR STUESSI: -- the
10 minimum with the two-week
11 exception.

12 TRUSTEE BRENNAN: Right. So
13 why don't we talk about just the
14 number of days first. So we're
15 talking about currently we're
16 considering 14 or I'll say 28, a
17 doubling of that, right? So going
18 from 14 to 28, how does it impact
19 these criteria or these goals?

20 Does it protect against over
21 crowding? Perhaps in the sense
22 that you just brought up in terms
23 of a party house. So not the
24 traditional like too many people
25 living in one people. We're

2 talking about the situation that's
3 happening in the Hamptons where
4 there's 30 people living in one
5 house.

6 TRUSTEE DOUGHERTY-JOHNSON:

7 Yes.

8 TRUSTEE BRENNAN: Does going
9 from 14 to 28 days protect quality
10 of life for other residents?

11 Perhaps.

12 MAYOR STUESSI: Definitely.

13 TRUSTEE BRENNAN: Less
14 turnover in your neighborhood.

15 MAYOR STUESSI: You get to
16 know who's near you, staying near
17 you.

18 TRUSTEE BRENNAN: Does going
19 from 14 to 28 days protect our
20 housing stock for the much needed,
21 long term, year round rental? I
22 don't think so. I don't think,
23 personally, the 14 or 28-days has
24 much of an impact on that.

25 TRUSTEE ROBINS: I agree

2 with you.

3 TRUSTEE DOUGHERTY-JOHNSON:

4 I think it might. I mean, I don't
5 really know everyone economics of
6 this, but a lot of people are
7 saying going to a month would, you
8 know -- people who rent are saying
9 that that wouldn't work for them.

10 So if they stop short term
11 renting and then some of those
12 houses or apartments actually turn
13 into year round. I mean, I
14 understand that there's another
15 argument that people are saying
16 that that wouldn't happen or it
17 would be so expensive. But I do
18 think it's like a little bit less
19 economically viable. To rent more
20 short term, you're going to have a
21 little bit of an uptick. I mean,
22 I think there are studies on other
23 places that have done this where
24 they do have a little bit of more
25 of an increase of housing stock

2 for year round because it's not so
3 attractive to just short term
4 rent.

5 TRUSTEE BRENNAN: Yeah, so
6 in this case, we would demand for
7 the sort rentals fall off a little
8 bit. So if demand falls off, then
9 there's more opportunity for those
10 long term, right? Because they're
11 not competing against the short
12 term.

13 I think there's an argument
14 that that demand simply get
15 replaced with a different
16 socioeconomic customer, somebody
17 who's willing to pay more for the
18 same essentially, right? And
19 that's been brought up at some of
20 the hearings.

21 TRUSTEE DOUGHERTY-JOHNSON:

22 Yes.

23 TRUSTEE BRENNAN: I don't
24 really know what's going to happen
25 with that. It's going to free up

2 some units that could be long term
3 or is it just going to change the
4 type of customer?

5 DEPUTY MAYOR PHILLIPS: Well
6 there's been some discussion in
7 dealing with the current -- we
8 have a limited stock of houses.

9 AUDIENCE MEMBER: Excuse me,
10 nobody can hear you.

11 DEPUTY MAYOR PHILLIPS:
12 Excuse me?

13 AUDIENCE MEMBER: Can you
14 speak up?

15 DEPUTY MAYOR PHILLIPS: I'll
16 shout if you like.

17 AUDIENCE MEMBER: I'd like.

18 DEPUTY MAYOR PHILLIPS:
19 Thank you. How about you move
20 closer if you'd like.

21 AUDIENCE MEMBER: May I sit
22 up here? May I?

23 MAYOR STUESSI: Stay where
24 you are, please.

25 TRUSTEE BRENNAN: Are you

2 having trouble hearing me?

3 AUDIENCE MEMBER: No, I can
4 hear you. I can't hear and I
5 couldn't hear her (indicating).

6 TRUSTEE BRENNAN: Okay, I'm
7 facing my colleagues here. So I
8 apologize if --

9 AUDIENCE MEMBER: It's a
10 public hearing. We should be able
11 to hear. It's not --

12 MAYOR STUESSI: It's not a
13 public hearing. It's a public --
14 it's a work session.

15 AUDIENCE MEMBER: Okay.

16 MAYOR STUESSI: We do want
17 you to hear. We heard you.
18 Everybody will try to speak up so
19 you can hear, but nobody is moving
20 around.

21 AUDIENCE MEMBER: Thank you.

22 MAYOR STUESSI: When we do
23 go to a public hearing, we will be
24 taking comments and you'll have
25 something to look at they'll be a

2 new draft law, but tonight is
3 really about the Board talking.

4 AUDIENCE MEMBER: Sure,
5 right.

6 DEPUTY MAYOR PHILLIPS:
7 Going back to the discussions of
8 the number of houses that are
9 actually within the Village, we
10 only have certain inventory of
11 houses. And if the short term
12 renting (sic) is -- people
13 decide not to do it, we have one
14 area where it could turn into the
15 houses will be sold and it may
16 come into a greater of the less in
17 the wintertime being here.
18 They'll be turned into the summer
19 homes.

20 Or it could go the opposite
21 way. If it's -- if the economic
22 is there for people purchasing
23 houses, I don't envision anyone
24 that currently has a house here is
25 going to be selling it for less

2 than what they paid for it.

3 So we have that economic issue
4 in dealing with the house sales if
5 we decide to change the terms. I
6 think would you agree with me on
7 that.

8 TRUSTEE BRENNAN: Yes, I do.

9 TRUSTEE ROBINS: Real estate
10 wise, Mary Bess, it would be most
11 of the rentals, period, any type,
12 are by second homeowners. They're
13 not primary people living in
14 there.

15 DEPUTY MAYOR PHILLIPS: I
16 know, but that's going to be the
17 challenge.

18 TRUSTEE ROBINS: Right.

19 DEPUTY MAYOR PHILLIPS:
20 That's going to be the consequence
21 of whatever change takes place.

22 TRUSTEE ROBINS: Right.

23 DEPUTY MAYOR PHILLIPS: So I
24 just -- we need to be aware of
25 that, but, you know...

2 TRUSTEE ROBINS: I mean, I
3 feel that if somebody came to
4 Greenport and bought a house to
5 have a business. If they makes
6 that house a business, we're not
7 interested.

8 DEPUTY MAYOR PHILLIPS:
9 Well, that's the other part of the
10 problem. It's a business running
11 in a residential area. That's the
12 truth.

13 TRUSTEE ROBINS: I agree.

14 DEPUTY MAYOR PHILLIPS: You
15 can't change it.

16 TRUSTEE BRENNAN: You know,
17 I think for all intents and
18 purposes, our baseline OF 14 days
19 hasn't really been effective. So
20 in a sense, we're going from 0 to
21 14 or 0 to 28 in a way. That's
22 something to consider here, right?
23 It's not just a jump from 14 to
24 28. It's having an effective
25 enforceable code that...

2 CHAIRMAN FARLEY: Without a
3 bench of carveouts, that was the
4 problem.

5 TRUSTEE BRENNAN: Right.
6 With so many carveouts, the
7 14 days is almost --

8 DEPUTY MAYOR PHILLIPS:
9 Well, actually, Patrick, we're
10 going from every weekend to 15
11 days. We're going from rentals
12 that have been every weekend,
13 which is causing some of the
14 issues.

15 MAYOR STUESSI: So the
16 suggestion on the table is to
17 consider the Code Committee's
18 recommendation of a minimum one
19 month rental, whether it's 28 or
20 30 days, call it a month, and the
21 carveout being potentially a
22 two-week rental as opposed to
23 weekend rentals if that's what I
24 heard correctly from the two of
25 you.

2 TRUSTEE DOUGHERTY-JOHNSON:

3 Maybe this is not the right way to
4 think about it, but I wonder how
5 enforceable that is. Like how
6 easy or hard that is to enforce.

7 TRUSTEE ROBINS: Enforcement
8 has been the problem with this law
9 since we passed it five or
10 six years ago, you know? It's
11 never been enforced. We don't
12 have --

13 TRUSTEE DOUGHERTY-JOHNSON:
14 Well I'm saying for the future.

15 TRUSTEE ROBINS: -- a model.

16 MAYOR STUESSI: Well,
17 because there's weekend rentals
18 being allowed, which has never
19 been.

20 TRUSTEE ROBINS: Right.

21 TRUSTEE BRENNAN: So one of
22 the things I'm struggling with is,
23 if we were to decide on the number
24 of days, decide that issue alone,
25 whether it's 14 or 28 or something

2 else, it's hard to decide that
3 without knowing whether or not
4 we're going to allow any carveouts
5 at all, right?

6 For example it's hard to reach
7 a conclusion on the number of days
8 without also considering whether
9 there's going to be any
10 exceptions, right?

11 So I'll give you an example.
12 So we have people who are
13 owner/occupied and they may be
14 renting either a portion of their
15 house or a second apartment or a
16 second dwelling and, in my mind,
17 some of those situations are not
18 negatively impacting the quality
19 of life if they're owner/occupied.

20 Because there's something,
21 there's some kind over controls
22 there in a sense that there's a
23 resident living there who is a
24 Greenport Village resident and
25 they make an effort to try to

2 control their rental situation.

3 Like let's just talk about a
4 situation where someone is renting
5 only a portion of their dwelling.
6 So not a second unit, but like a
7 room, like a short term Airbnb,
8 like they rent a room in their
9 house.

10 So the resident is living there
11 and then they are renting out a
12 bedroom, bathroom thing, maybe a
13 suit or something. That's not
14 another unit that could be on the
15 long term rental market. It's not
16 a separate dwelling. So changing
17 that or prohibiting that doesn't
18 have a useful impact on our
19 housing laws, right? Does that
20 make sense?

21 TRUSTEE DOUGHERTY-JOHNSON:

22 Yeah, I think that one if it's in
23 a house.

24 TRUSTEE BRENNAN: If they're

25 short term renting a portion of

2 their house that is not a
3 completed dwelling unit, that does
4 not compete with the long term --
5 our long term housing goals
6 because that's not a unit that
7 could be occupied by an individual
8 or family year round because it's
9 not complete.

10 TRUSTEE ROBINS: There's no
11 cooking or anything like that.

12 TRUSTEE BRENNAN: Yes.

13 TRUSTEE DOUGHERTY-JOHNSON:
14 Just to go back to -- it could
15 still, the quality of life, like
16 cars, traffic, people, mess
17 possibly. I mean, it depends on,
18 you know, yeah. But I tend to
19 agree that I feel like a room in a
20 house is a different thing to make
21 that like a month rental, to me,
22 doesn't make as much sense, but I
23 do see the arguments for --

24 MAYOR STUESSI: But what's
25 been brought up prior, and I think

2 we only had one person testify
3 that they did this at the public
4 hearings we had and what some
5 others had brought up is, how do
6 you then enforce that? How do you
7 know that the owner is actually
8 there and they're not, you know,
9 spending the weekends in New York
10 City and renting it out on the
11 weekends?

12 TRUSTEE DOUGHERTY-JOHNSON:

13 That's true. I think I brought
14 that up.

15 MAYOR STUESSI: Yeah.

16 TRUSTEE ROBINS: There's no
17 fact check to really -- a way of
18 dealing with this, that's true.

19 MAYOR STUESSI: Which was
20 one of the rational for all the
21 south fork towns, municipalities,
22 to go away from that.

23 TRUSTEE ROBINS: Yeah.

24 TRUSTEE DOUGHERTY-JOHNSON:

25 But when you're getting a rental

2 permit, aren't you specifying,
3 like, I'm renting out this room or
4 I'm renting out this apartment?

5 DEPUTY MAYOR PHILLIPS: No.

6 MAYOR STUESSI: No. I mean
7 you could do that, but the issue
8 is when you go for enforce it,
9 you're simply looking at the
10 amount of times it's being rented.

11 TRUSTEE DOUGHERTY-JOHNSON:

12 But are you --

13 MAYOR STUESSI: You're not
14 going to know who's physically
15 there at any given time.

16 TRUSTEE DOUGHERTY-JOHNSON:

17 No, but you also could maybe look
18 at an Airbnb listing that either
19 says a room or it says a whole
20 house.

21 MAYOR STUESSI: Yeah, it
22 says Kevin is renting for a
23 weekend and it shows, you can go
24 in the computer and you'll see
25 that Kevin rented his bedroom for

2 a weekend, but you don't know if
3 I'm there or I'm doing this every
4 weekend. Let's say I work in the
5 City two days a week and I rent it
6 every single time I'm gone,
7 there's no way to enforce that.
8 You don't know that I'm actually
9 there.

10 TRUSTEE DOUGHERTY-JOHNSON:

11 I understand that, but I'm saying
12 the person is still just renting
13 the room, they're not renting the
14 whole house. I mean, yes, okay,
15 maybe the person -- I hear you.
16 I'm just saying, it's a
17 different --

18 TRUSTEE BRENNAN: So I agree

19 with you. I understand your
20 point. When they're not there,
21 that could have a negative impact
22 on quality of life for the
23 neighbors, for example, right?
24 Because there's people there that
25 aren't unsupervised, they're sort

2 of transient, but does it impact
3 our housing goals like for
4 affordable housing? I don't think
5 so. Right? They're not occupying
6 the dwelling.

7 DEPUTY MAYOR PHILLIPS: I
8 think that in getting down to the
9 number of days, it has been a
10 suggestion and we're going to
11 separate short term rentals from
12 long term rentals.

13 The shorter term rentals will
14 have a set of affidavits and if
15 they have a two family house,
16 they're going to have to declare
17 which one of those is going to be
18 the short term rental. They can't
19 do both as a short term rentals.
20 They'll have to declare.

21 That would be one of the
22 carveouts is that, one, it has to
23 be a long term rental and you have
24 to declare at least one of them if
25 you're choosing to short term

2 rental them. I think that's been
3 what was missing from the code
4 that we had existing, other than
5 it was very weak in the
6 terminology as to what two weeks
7 was, okay?

8 But in the meantime, the
9 renting of the room seems be an
10 issue that -- I mean, renting of
11 rooms has always gone on here in
12 the Village of Greenport for
13 years. People were always renting
14 a room because there was help
15 coming in from the work at
16 Claudio's, the work at Rhumb at
17 the time and they were renting a
18 room out, but it was never really
19 in the short term, it was more for
20 the season.

21 TRUSTEE ROBINS: Right.

22 DEPUTY MAYOR PHILLIPS: You
23 know, short term, kind of, for
24 renting a room, kind of turned
25 into being a roundabout to rent

2 the whole house out and get
3 underneath the two-week period.
4 That's how I saw it.

5 I mean, I know for years people
6 that I know that worked in the
7 seasonal industry came up here
8 renting rooms from people for
9 months at a time. They didn't
10 rent it for two weeks -- a
11 weekend, they rented it for a long
12 term. That's been lost, I think,
13 because of the short term rental.

14 TRUSTEE ROBINS: Mary Bess,
15 if you recall, when we started
16 with the original rental, we were
17 really primarily dealing with,
18 number one. Safety that what
19 we --

20 DEPUTY MAYOR PHILLIPS: That
21 was the rental code.

22 TRUSTEE ROBINS: That was
23 the rental code. The short term
24 rental was kind of like an add-on
25 almost when we realized that there

2 are different types of rentals
3 besides just year round rentals.

4 We don't have an overcrowding
5 necessarily in a safe situation,
6 but, you know, it's a different
7 type of rental.

8 DEPUTY MAYOR PHILLIPS:

9 Well, I'll be honest with you,
10 when the rental code was
11 originally created was no in the
12 last administration, but the
13 administration before.

14 TRUSTEE ROBINS: Yes.

15 DEPUTY MAYOR PHILLIPS: The
16 discussion of short term rentals
17 was discussed because at the time
18 Riverhead was putting in the
19 30-day minimum. And at the time
20 the Board at the time, some of the
21 members felt that we would not get
22 into that scenario, which was
23 hindsight.

24 But it's getting back to the
25 question, are we going to decide

2 on once every two weeks or once
3 less --

4 MAYOR STUESSI: Well, that's
5 the exception you're saying. What
6 is the minimum? Is it back to the
7 30 days that you were suggesting,
8 then there's an exception for less
9 than that? Because you suggested
10 that --

11 TRUSTEE PHILLIPS: We'll
12 that's some other thing that --

13 MAYOR STUESSI: -- East
14 Hampton scenario.

15 TRUSTEE PHILLIPS: Right, I
16 was putting it on the table.
17 Whether that's a suggestion or
18 not, I happen to agree with the
19 Code Committee, something has to
20 be changed. And we suggested, you
21 know, we suggested once every --
22 short term rentals definition was
23 less than 30 days.

24 MAYOR STUESSI: No minimum
25 30 days?

2 TRUSTEE PHILLIPS: Minimum
3 was 30 days.

4 MAYOR STUESSI: Yes, that
5 was the Code Committee suggestion,
6 minimum 30 days and nothing less
7 than 30 days.

8 TRUSTEE ROBINS: Not the
9 original suggestion from Code
10 Committee was 30 days.

11 MAYOR STUESSI: Yes.

12 TRUSTEE BRENNAN: I don't
13 think Mary Bess is talking about
14 the exception. I think you're
15 talking about the interpretation,
16 right?

17 DEPUTY MAYOR PHILLIPS: Not
18 (nodding.)

19 TRUSTEE BRENNAN: You know
20 what I mean? Because that's been
21 another problem we're dealing
22 with, is how 14 days is
23 interpreted. Is it 14 day minimum
24 stay or once every 14 day, like
25 one rental in a 14-day period?

2 MAYOR STUESSI: That's not
3 what our current code says.

4 Again, I don't want to focus on
5 what our current code says.

6 DEPUTY MAYOR PHILLIPS:

7 There has to be --

8 MAYOR STUESSI: We need to
9 be -- you know, I mean, that's one
10 of the reasons that the Code
11 Committee put together clear
12 language in that there should be
13 30 days with no exceptions,
14 because there are so many
15 different exceptions. And if we
16 are going to allow for some
17 exception, it needs to be very
18 clearly defined because that's
19 going to be the only way to
20 manage.

21 So you started to say
22 something?

23 TRUSTEE DOUGHERTY-JOHNSON:

24 I was -- let's say a two family
25 and Mary Bess is saying one has to

2 be long term rented and one has to
3 be short term rented. But you can
4 have the same thing, right, where
5 the long term renter is not
6 actually there?

7 Just like in a house with a
8 room, you could -- I mean, you
9 can't always -- not that those
10 people are necessarily watching
11 out for the other one. I guess
12 they wouldn't get both apartments,
13 but I feel like there's always
14 going to be ways people get around
15 things. So I'm not sure that --
16 like we can't make a code that's
17 like completely air tight and
18 people are never going to --

19 MAYOR STUESSI: But we can
20 have minimum standards that are
21 easily defined --

22 TRUSTEE DOUGHERTY-JOHNSON:
23 Yes.

24 MAYOR STUESSI: -- which you
25 can check.

2 TRUSTEE DOUGHERTY-JOHNSON:

3 I'm just not sure, how do you
4 check that someone has rented only
5 two weeks in a year? How is that
6 easily checked?

7 MAYOR STUESSI: You can
8 check it through the software. If
9 you're suggesting the East Hampton
10 example --

11 TRUSTEE DOUGHERTY-JOHNSON:

12 Right.

13 MAYOR STUESSI: -- has the
14 minimum of one month rent and you
15 get two, two-week periods during
16 the course of the year.

17 TRUSTEE ROBINS: But certain
18 days are unlimited. Is the 30-day
19 rental is unlimited, but two weeks
20 is only --

21 TRUSTEE DOUGHERTY-JOHNSON:

22 Yeah. I mean, you could always do
23 it for 30 days, but you can only
24 do two weeks twice.

25 DEPUTY MAYOR PHILLIPS:

2 Getting back to the long term, the
3 long term would require a lease.
4 Currently -- well, that's one of
5 the questions is if you have a
6 long term, there's got to be some
7 type of a lease.

8 TRUSTEE DOUGHERTY-JOHNSON:

9 I'm just saying those people could
10 be away for the same weekend that
11 somebody else is --

12 MAYOR STUESSI: Well, sure,

13 somebody could choose to rent it
14 for a year and not be there.

15 TRUSTEE DOUGHERTY-JOHNSON:

16 Right.

17 MAYOR STUESSI: But what do

18 you mean by --

19 TRUSTEE DOUGHERTY-JOHNSON:

20 I'm just saying that it's a
21 similar thing to someone renting a
22 room and then people not being
23 there in a way.

24 TRUSTEE ROBINS: Here's

25 another scenario I've dealt with

2 in real estate and that's called
3 an off season rental. You know,
4 the ten-month rental basically,
5 the after Labor Day, after
6 Columbus Day, whatever, they'll
7 rent for nine, ten months and then
8 in season at a much higher rate.

9 So somebody who's living and
10 working here can afford that
11 \$2,500; \$2,800 a month rent, but
12 then it jumps up tremendously when
13 you get into the high season.

14 DEPUTY MAYOR PHILLIPS:

15 Which is rentals -- to have
16 professional people teachers would
17 represent for the school season
18 and then they're they would move
19 out and people would rent it for
20 two months. Those are
21 disappearing too with the
22 exception of short term rentals.
23 And that is housing stock.

24 TRUSTEE BRENNAN: Do you
25 think that disappeared because of

2 the shoulder (sic) season, that
3 it's still interested in short
4 term rental in September/October,
5 so that eliminated the opportunity
6 for a ten-month rental; is that
7 what you think is happening?

8 DEPUTY MAYOR PHILLIPS:

9 Well, I don't know. I have -- a
10 lot of the hospital staff came
11 over to ask me if I know of any
12 rentals for a couple of months,
13 for six months, nine months,
14 because they're out here working.

15 I've had teachers approach me
16 because the school board, you
17 know -- do I have properties to do
18 long terms. So, you know, it's --
19 I have people coming to me and
20 saying, well, we tried to do this
21 but they're short term renting
22 until October/November.

23 So there's all kinds of
24 scenarios out there and it's just
25 I think this Board needs to come

2 to a decision and then move on as
3 to the number of days, what we're
4 going to call short term rentals.

5 We can go around in circles. I
6 just -- I've been saying it all
7 along. We can't really deal with
8 the future of housing issues until
9 we make sure the short term
10 rentals, the loophole that we
11 have, has been corrected.

12 TRUSTEE BRENNAN: Great.

13 DEPUTY MAYOR PHILLIPS: Not
14 changed, but corrected. So that's
15 part of it.

16 TRUSTEE BRENNAN: Are we all
17 in agreement that if we set a
18 number like 14 or 28, we're going
19 to require that that's the minimum
20 stay or lease or whatever, the
21 minimum term, and that we won't
22 allow a shorter lease within that
23 period?

24 MAYOR STUESSI: Well, I
25 think also --

2 TRUSTEE ROBINS: That is not
3 a lease technically. I don't know
4 how Airbnb does it, you know?

5 MAYOR STUESSI: Well, I
6 think the proposal she had
7 suggested was a one-month rental,
8 but considering the East Hampton
9 exception of two two-week periods
10 during that time.

11 TRUSTEE ROBINS: Side --

12 TRUSTEE DOUGHERTY-JOHNSON:
13 You mean no carveouts for rooms
14 and houses or two family
15 apartments?

16 TRUSTEE BRENNAN: No, I
17 would say before we get into
18 exceptions, are we going to
19 interpret and enforce 28 days as a
20 28-day minimum or it's going to be
21 handled the way it's currently
22 interpreted as once every 28-days?

23 MAYOR STUESSI: Oh, I think
24 we need to be clear in our
25 language that if there is a

2 minimum period of time, call it
3 28 days, that it's 28 days
4 minimum. So you can rent three
5 months individually or four months
6 individually or two months at a
7 time, but it's always got to be
8 28 days unless there's a very
9 clearly defined exception to that.

10 TRUSTEE BRENNAN: Setting
11 aside the exceptions, does
12 everyone agree with that? I mean,
13 I think that makes sense.

14 MAYOR STUESSI: Yeah, yeah.

15 TRUSTEE ROBINS: I think so.

16 TRUSTEE BRENNAN: What about
17 you?

18 TRUSTEE DOUGHERTY-JOHNSON:
19 I can agree with that, sure. I
20 mean, I do hear the argument where
21 people say, do we really want
22 tourists who only can rent for a
23 month and is there no -- I also
24 don't want houses in like
25 residential areas to be businesses

2 and to be, like, every weekend,
3 but I think -- I'm not sure why,
4 like, one weekend a month for
5 quality of life I'm not sure is
6 the worst thing.

7 But, again, if enforcement wise
8 or code writing wise we have to do
9 it that way, I understand the
10 reasons for it also, so...

11 TRUSTEE BRENNAN: So I'm
12 thinking that 14 days is enough as
13 our baseline minimum allowable
14 term. I'm not sure what the 28 or
15 30 days gets us. I guess it would
16 have an amount of turnover --
17 could potentially cut the amount
18 of turnover in half, right?

19 TRUSTEE ROBINS: 14 days
20 would cut the turnover.

21 TRUSTEE BRENNAN: A 28-day
22 minimum would be half as much
23 turnover as a 14-day period. I'm
24 not sure what other benefit there
25 is to it. Maybe I'm missing

2 something.

3 TRUSTEE ROBINS: I mean, one
4 of the arguments we heard from the
5 public was that, you know, nobody
6 has two weeks off to take a
7 vacation anymore, you know? I
8 mean, if somebody is coming out
9 and does a rental and they want to
10 share that rental with another
11 friend, you know, I mean, is that
12 something that we address in the
13 code too or no?

14 MAYOR STUESSI: Well, you've
15 got a certain level of occupancy
16 that's covered in item one on
17 Patrick's list --

18 TRUSTEE ROBINS: Right.

19 MAYOR STUESSI: And it has
20 to meet that code. I think we, as
21 a Board, have always say it. We
22 weren't looking to get into the
23 definition of family, friends,
24 cohorts, whatever it is.

25 TRUSTEE ROBINS: Right,

2 right.

3 MAYOR STUESSI: You know, if
4 occupancy is eight, then it's
5 eight people. Whether it's
6 full-time or part-time and whether
7 it's Patrick and me and cousins or
8 whatever, friends, whatever the
9 case be, we don't need to get into
10 the rest of it.

11 TRUSTEE ROBINS: Okay.

12 TRUSTEE DOUGHERTY-JOHNSON:
13 But we're not actually serving --
14 solving the turnover problem.

15 MAYOR STUESSI: What do you
16 mean you're, not serving it?

17 TRUSTEE DOUGHERTY-JOHNSON:
18 Well, if like Patrick rents it for
19 a week and then you come for the
20 second week, right, that's the
21 same amount of turnover as if you
22 we had week rentals. But you guys
23 are friends, so you're like doing
24 -- I mean, I'm just saying,
25 there's all sorts of ways.

2 TRUSTEE ROBINS: I haven't
3 done a summer rental in quite a
4 while, but we used to do a rental
5 agreement, you know, and there was
6 paperwork on it. Some agents now
7 actually use leases even for
8 couple of weeks rental.

9 So maybe we would require that.
10 You know, you have to have a lease
11 agreement or a rental agreement or
12 something in place, you know, so
13 that there's accountability. You
14 know, have you a contact person
15 and all that.

16 MAYOR STUESSI: Well, if a
17 person is using one of the
18 platforms, typically, whether it's
19 Airbnb or VRBO, there's a couple
20 of others, that's built in there.
21 It's typically, as I understand
22 from real estate professionals,
23 only when they're looking at month
24 rentals do they typically do a
25 lease that's through the real

2 estate office or whatever, right?

3 TRUSTEE ROBINS: Right,
4 right.

5 MAYOR STUESSI: The
6 platforms have agreements. I
7 don't think we want to get in the
8 business of requiring something
9 different than whatever that is.
10 I think we should just focus on
11 the time period in those
12 definitions. There's no reason to
13 make it more onerous and create
14 more paperwork for us, as long as
15 it meets whatever standards we
16 establish as a Village.

17 DEPUTY MAYOR PHILLIPS: So,
18 Patrick, are you suggesting that
19 we go with the 14 days?

20 TRUSTEE BRENNAN: Yeah,
21 that's what I'm thinking right
22 now. The 14 days, an actual
23 14 days, it's enforceable. That's
24 our baseline with or without any
25 other carveouts.

2 TRUSTEE ROBINS: Straight up

3 14?

4 TRUSTEE BRENNAN: Yeah.

5 Someone spoke to us from the
6 public and made an argument that
7 the longer you maybe the minimum
8 rental period, the more likely
9 that it's going to be occupied by
10 groups of separate individuals and
11 I can kind of see that.

12 TRUSTEE ROBINS: The
13 timeshare thing.

14 TRUSTEE BRENNAN: That is a
15 compelling argument and we don't
16 want to go in that direction,
17 right? Because the longer the
18 period, the more expensive the
19 rental is going to be. And if the
20 demand is the same for short term
21 use, then we're just going to get
22 longer rentals with larger groups
23 of people who aren't really a
24 coherent group. It could happen,
25 right?

2 MAYOR STUESSI: It could,
3 but I don't think likely when you
4 take a look at what's happening on
5 the South Fork now and Shelter
6 Island is examples. You know,
7 they've all got code that's
8 enforceable and you don't hear
9 about the days of the party houses
10 so much anymore. That was in
11 prior code versions that they all
12 had you covered earlier.

13 TRUSTEE DOUGHERTY-JOHNSON:
14 Shelter Island is two weeks, isn't
15 it?

16 MAYOR STUESSI: Pardon me?

17 TRUSTEE DOUGHERTY-JOHNSON:
18 Shelter Island is two weeks?

19 MAYOR STUESSI: Yes.

20 TRUSTEE BRENNAN: So how
21 have we gotten that, through the
22 enforcement of like the regular
23 code division and --

24 MAYOR STUESSI: Yes and
25 noise and everything else. I

2 don't think they really care if,
3 you know, you and I rent it or a
4 family with grandparents rents it.
5 You know, one couple or one part
6 of the family is working in the
7 City during the week and comes out
8 for three days a week and the kids
9 are staying there with the
10 grandparents or whatever it is.

11 They're not taking a month
12 vacation. They have the house for
13 the month and they're utilizing it
14 for a month however the family
15 goes, family and friends.

16 But the days of the old school
17 Hamptons house share don't really
18 seem to be that prevalent anymore.
19 And if you look at code violations
20 and noise code and everything
21 else, like, they've all really
22 buckled down.

23 And I see in these meetings in
24 East Hampton and the town mayors
25 and supervisors from the entire

2 east end, which is everybody from
3 Riverhead. On the North Fork it's
4 just me and Supervisor Krupski and
5 on the South Fork it's, you know,
6 the village mayors and town
7 supervisors for East Hampton,
8 Southampton, and the Village of
9 East Hampton, Quogue, West Hampton
10 Dunes, etcetera, etcetera.

11 TRUSTEE ROBINS: Well, I
12 don't necessarily think we should
13 be comparing ourselves to the
14 South Fork. And you know, I mean,
15 here we are, we're right in
16 Southold Town and Southold Town is
17 a two-week rental.

18 DEPUTY MAYOR PHILLIPS:
19 They're changing.

20 MAYOR STUESSI: And they're
21 -- you have a recommendation from
22 the committee is they're looking
23 to move it to 30 day minimum.

24 TRUSTEE ROBINS: They do
25 have committees?

2 MAYOR STUESSI: Yes.

3 TRUSTEE BRENNAN: So I take
4 your point. I think you made a
5 good point that this particular
6 chapter of the code is not the
7 end-all and the be-all of
8 enforcement because we have the
9 noise code, we have the state code
10 for occupancy and state issues.

11 So provided that there is
12 enforcement for those other code
13 provisions, that's how we'll
14 address quality of life.

15 DEPUTY MAYOR PHILLIPS: I
16 think what the basic is is that
17 the usage, how we define the
18 usage, number of days, how they
19 use it. As the Mayor has been
20 saying, it is really up to those
21 who have rented it. But in the
22 meantime, it needs to be clear and
23 ours isn't clear. That's where we
24 run into trouble.

25 Also I agree on not comparing

2 us to the south side, but they
3 have lived through this before us.
4 I remember writing that, you know,
5 we need to watch what's going on
6 in Montauk; we need to watch
7 what's going on on the south side.

8 Montauk had a major revolt from
9 the citizens who took back their
10 town from the activities of the
11 party hearty attitude that was
12 being rented there. It's now
13 changed. It took a little time,
14 but we can learn from it.

15 We need to do what's best for
16 the Village of Greenport, but we
17 can learn from those who have
18 dealt with this before and that's
19 why I'm saying it was an
20 interesting concept to see that
21 what they did allow was a two
22 two-week time period once a year
23 for anybody who was short term
24 renting.

25 But they definitely made it

2 very clear what a short term
3 rental was and what the
4 requirements will be and a lot of
5 that had to do with parking being
6 available, you know, following the
7 rules of parking in the Village,
8 making sure that garbage was being
9 picked up by the property owner.

10 And we have all seen it in our
11 own garbage cans downtown. And
12 that -- they fall under the noise
13 code, that their property owner
14 was aware that if they were short
15 term renting, that they have to
16 follow all of the -- as the Mayor
17 just said -- currently existing
18 code s.

19 So that's where we need to be
20 on that and we have to -- you
21 know, that's why we need to have
22 it and use it. That's -- but it's
23 our uses, how are we are allowing
24 that property to be used in terms
25 of the short term rental, 14 days

2 or, as you suggested, 28 days. I
3 hope I'm taking sense. Maybe not
4 today.

5 TRUSTEE BRENNAN: So I guess
6 I need to be convinced what the
7 benefit of 28 over 14 is because I
8 think those are the only two
9 periods we're really kind of
10 damaging, right? It's either 14
11 and 28 for all intents and
12 purposes, right?

13 MAYOR STUESSI: That's what
14 I'm hearing, yes.

15 TRUSTEE BRENNAN: So what's
16 the compelling reason to go to 28?
17 What does that do for us?

18 TRUSTEE ROBINS: I don't
19 think it provides any additional
20 housing stock to be honest with
21 you.

22 DEPUTY MAYOR PHILLIPS: I
23 think take away from that, there's
24 been a lot of concerns that's
25 dealt with short term rentals and

2 we all know that in order for us
3 to move on towards dwelling units,
4 that is one of the issues that
5 we're trying to project forward in
6 the housing situation, that this
7 definition, this code, needs to be
8 air tight because ADU's are being
9 recommended to not be short term
10 rented. That's going to be in the
11 code. That's one of the
12 suggestions to the code.

13 TRUSTEE BRENNAN: So are you
14 saying that your view, the 28 days
15 does help with that future ADU
16 idea?

17 DEPUTY MAYOR PHILLIPS:
18 Well, yes, that's the way the Code
19 Committee feels and I have to go
20 along with what they feel because
21 we had the discussions. And I'm
22 backing -- you know, they feel
23 that we need to look at the whole
24 picture and not the just short
25 term rentals. And if we -- the

2 housing stock is only one portion
3 of it. We have to decide how
4 we're going to deal with this
5 first so that we can move on to
6 further discussions of housing.

7 TRUSTEE ROBINS: Well,
8 couldn't a permit for an ADU be
9 attached to, you know, that have
10 you to rent for a minimum of
11 28 days? You get a permit to
12 create an ADU in a house.

13 TRUSTEE DOUGHERTY-JOHNSON:
14 Or just it has to be year round.

15 DEPUTY MAYOR PHILLIPS: It
16 has be --

17 TRUSTEE BRENNAN: Right, so
18 we didn't talk about that. I
19 think there's some support for
20 that, that an ADU would be a long
21 term rental.

22 MAYOR STUESSI: -- a lot of
23 the founding it has to be.

24 TRUSTEE ROBINS: Right. I
25 don't think that's a conflict with

2 this law.

3 TRUSTEE DOUGHERTY-JOHNSON:

4 I think, to answer your question,
5 which I'm not convinced, but I
6 mean I think the arguments are a
7 little, one, quality of life,
8 perhaps. Although it really
9 depends on the people because you
10 could have a month -- you could
11 have people who are partying every
12 weekend for a month or you could
13 have different people there.

14 MAYOR STUESSI: But then
15 that becomes an enforcement issue
16 and you're calling the police
17 because there's noise issues. I
18 think to the point, I think it's
19 number two on your sheet, but, you
20 know, neighborhood, character.

21 One thing all we heard from
22 people in the neighborhoods is
23 nobody is around, the house is
24 empty except I see somebody
25 different every single weekend.

2 So to your question, the
3 difference between a two-week and
4 month rental is, you become
5 familiar with somebody for a
6 month, whoever is saying there,
7 versus whether people are coming
8 and going on weekends and working
9 and moving back and forth for a
10 shorter period of time, so they're
11 more of a neighbor.

12 DEPUTY MAYOR PHILLIPS: So
13 let's take it one step further
14 because we all have the question
15 about the investment properties.
16 We have short term rentals that
17 are really not owner/occupied.
18 Although give the guises of being
19 owner/occupied, they're not.

20 I think that's another question
21 that's getting down to -- it has
22 to be a short term rental
23 situation that is family owned
24 or --

25 TRUSTEE DOUGHERTY-JOHNSON:

2 But you're talking about two
3 families houses?

4 DEPUTY MAYOR PHILLIPS: Two
5 family houses. Well, I think we
6 have some one family houses that
7 are not owner/occupied either. I
8 think they're all falling under,
9 LLC's.

10 MAYOR STUESSI: They could
11 be owned by an individual who
12 lives Timbuktu. They might not be
13 an LLC. I think the question is,
14 do we want residency required.
15 That's one of the things we talked
16 about, should you qualify yourself
17 by being a resident over a
18 driver's license, etcetera?

19 TRUSTEE ROBINS: I think an
20 LLC, in and of itself, is not a
21 sign that something isn't a year
22 round rental because the
23 properties I manage are all LLC's
24 and, you know, they're all year
25 round rentals.

2 MAYOR STUESSI: Family
3 trusts, etcetera, etcetera.

4 TRUSTEE ROBINS: Right.

5 MAYOR STUESSI: Whoever is
6 signing on the rental permit as
7 the owner of the property is their
8 qualification. They meet some
9 sort of standard, which was the
10 Code Committee recommended them
11 being a resident.

12 TRUSTEE DOUGHERTY-JOHNSON:
13 For short term rental or for all
14 rentals?

15 MAYOR STUESSI: For short
16 term rentals.

17 Do you want to tease out the
18 discussion more, the two weeks
19 verses a month and the positives
20 and negatives on item number two
21 that you have on your list? Any
22 other thoughts on it?

23 TRUSTEE BRENNAN: I don't
24 have any other thoughts on it. I
25 think I'm still really not

2 convinced that there's a
3 significant benefit to 28 versus
4 14 days other than the turnover,
5 having the turnover potentially.
6 Maybe to your point about getting
7 to know somebody who's there for a
8 longer stay.

9 TRUSTEE ROBINS: I see an
10 economic side to this, you know
11 that the person that can go for a
12 28-day rental has more money, is
13 better financially in data, if you
14 will, than the person who takes a
15 14-day.

16 TRUSTEE BRENNAN: I take
17 that further. What does that mean
18 to you? Is it a good or bad
19 thing?

20 TRUSTEE ROBINS: I think
21 there's a fairness element to it.
22 You know, that somebody that can
23 only afford a two-week rental is
24 not entitled to take a vacation
25 where somebody who can afford a

2 four-week rental, you're welcome
3 here. So, yeah, I see it that
4 way.

5 TRUSTEE BRENNAN: That
6 there's a down side risk?

7 TRUSTEE ROBINS: I would say
8 so, yes. And I'm leaning towards
9 14 days right now, believe it or
10 not. I came in here and I wasn't,
11 but conversations kind of lead me
12 that way a little bit. So you
13 raised some valid points and I
14 appreciate it.

15 TRUSTEE BRENNAN: So where
16 do we -- I don't have any other
17 questions about that. I don't
18 know if I can tease anything else
19 out of it, but what do you want to
20 go? What do you want to try to do
21 with this tonight? Do you want a
22 consensus?

23 MAYOR STUESSI: Yeah, our
24 goal was to come away with
25 consensus of at least the majority

2 of the Board of the high level
3 points so that we can go back and
4 have something new drafted for
5 public comment.

6 TRUSTEE DOUGHERTY-JOHNSON:

7 It sounds like no one is favor of
8 any carveouts except me, if we
9 made it a month, to do a two-week.

10 MAYOR STUESSI: That's what

11 I'm hearing.

12 TRUSTEE DOUGHERTY-JOHNSON:

13 That's what I kind of heard. I
14 feel like the number of days is
15 kind of questionable, but I think
16 it is between 14 and 28 or 30.
17 And the thing we haven't talked
18 about is like put prices on the
19 permits or the residency
20 requirement.

21 TRUSTEE BRENNAN: I think

22 those are secondary in my view. I
23 mean, they're very important.

24 TRUSTEE DOUGHERTY-JOHNSON:

25 Yes.

2 TRUSTEE BRENNAN: But those
3 are all secondary to the other
4 decisions, I think.

5 MAYOR STUESSI: Yeah, I
6 think we need to make the first
7 ones and then we can talk about
8 the financial.

9 TRUSTEE BRENNAN: Yes.

10 MAYOR STUESSI: It will be a
11 relatively easy thing. We have a
12 number of people who rent who
13 spoke up in favor of anywhere from
14 \$500 to \$1,000 to \$2,000 for short
15 term rental permit.

16 TRUSTEE BRENNAN: I wasn't
17 try to diminish your comment. I
18 agree, they are important.

19 TRUSTEE DOUGHERTY-JOHNSON:
20 I agree.

21 TRUSTEE BRENNAN: I agree
22 they are important. In my mind
23 they're secondary because they
24 have to follow this first set.

25 MAYOR STUESSI: Yes.

2 TRUSTEE DOUGHERTY-JOHNSON:

3 I think having a residency
4 requirement for short term rentals
5 makes sense. I agree with like
6 the LLC. I mean, not to say I
7 agree. I understand your point
8 about LLC's being renters, but
9 having much more business minded
10 and not necessarily local people
11 benefitting doesn't make any sense
12 to me.

13 TRUSTEE ROBINS: Well, the
14 right to rent is basically
15 guaranteed federally and people
16 are permitted to rent their
17 property.

18 MAYOR STUESSI: Not short
19 term.

20 TRUSTEE ROBINS: No. I mean
21 just renting in general though.

22 MAYOR STUESSI: Yeah.

23 TRUSTEE ROBINS: Yes.

24 MAYOR STUESSI: But, yes,
25 you can.

2 TRUSTEE ROBINS: You can
3 rent your property.

4 MAYOR STUESSI: I mean, New
5 York has spoken pretty loudly and
6 New York City being the perfect
7 example basically banning short
8 term rentals.

9 TRUSTEE DOUGHERTY-JOHNSON:
10 Part of me thinks that since
11 there's some idea for 14 days that
12 maybe we start there and if that
13 is not working and that's not, you
14 know, an effective code, then we
15 can always change it.

16 TRUSTEE BRENNAN: I agree.
17 I agree. We're going to try to
18 fix many aspects of this code to
19 make it get rid of the loopholes
20 and the abuse and have more
21 enforcement, once we nail all that
22 down, there's nothing that
23 prohibits us from seeing how it
24 works.

25 We could always increase the

2 minimum term. It could be 14, 28,
3 56 and on and on until we get the
4 results that we want or we feel
5 like we're getting the right
6 balance, right?

7 DEPUTY MAYOR PHILLIPS:

8 Here's what I've been hearing for
9 the last I don't know how many
10 years, I feel like I have a
11 business living next to me. I
12 bought my house because I wanted a
13 community. I wanted to know who
14 my neighbor was, okay?

15 That's where I -- I heard at
16 the public hearing, oh, we're
17 never going to go back to being a
18 fishing town or whatever. I
19 understand that. That's why we
20 press forward on protecting the
21 waterfront for working waterfront.

22 Now I have a feeling that there
23 are residents here who wants us to
24 take a road to protect the
25 community, that they don't want

2 a -- and let's face it, short term
3 rentals is operating a business.
4 Yes, rentals are allowed long
5 term, but short term rental is
6 operating a business within a
7 residential community. And there
8 are some who just want to have a
9 community. So that's where I'm
10 coming from.

11 TRUSTEE BRENNAN: I hear you
12 loud and clear because I'm being
13 effected by that situation in my
14 own house right now. So is that
15 an argument for 28 days in your
16 mind?

17 DEPUTY MAYOR PHILLIPS: To
18 me, yes. Because I've heard from
19 those who have dealt with cars
20 parked in front of their houses
21 and couldn't get in the driveways,
22 their music was loud on the
23 weekend.

24 They called in for enforcement
25 and, you know, the police -- we

2 actually had, when we did the
3 noise ordinance, we had the police
4 chief here. He said their whole
5 goal was compliance when it comes
6 to those.

7 Well, when I have a resident
8 call me at 1:00 in the morning
9 because the short term rental,
10 they call the cops and nothing has
11 been done, I feel for them, okay?
12 I feel for them greatly because I
13 hear it all the time.

14 So and that's -- then, on the
15 other hand, I hear the business
16 community saying, well, we need
17 the residents to know we need the
18 short terms in the summer. Well,
19 yeah, maybe we do, but we need to
20 create something somewhere where
21 it's just not here for the
22 business community, it has to be
23 here for the residents as well,
24 okay?

25 I hear both sides, okay? So I

2 heard, you know, I had the
3 discussion with, I think, you and
4 Julia. You know, we have limited
5 hotel/motels within the Village,
6 okay? Southold town is reviewing
7 the same thing. So how are we
8 going to mesh that?

9 So I think at some point we
10 have to take a stand and that's
11 what the Code Committee is -- that
12 the Code Committee was asking.
13 And believe me, this was not just
14 a throw-it-out. It was many, many
15 weeks because we met with having a
16 discussion on this. So they're
17 looking towards the Board and
18 that's where we're at right now.

19 MAYOR STUESSI: So maybe one
20 way to also look at your
21 recommendation of going with the
22 month rental and then allowing the
23 two two-week exceptions over the
24 course of a year, is it pick a
25 number of short term rental

2 permits, 200. If you allow 200
3 permits to each have two two-week
4 periods each, that's, you know,
5 what, 600, right?

6 TRUSTEE BRENNAN: I didn't
7 follow the math on that. I
8 thought you were doing it.

9 MAYOR STUESSI: 200 rental
10 permits --

11 TRUSTEE DOUGHERTY-JOHNSON:
12 400?

13 MAYOR STUESSI: Yeah, 400.
14 You have 400 permits you're
15 allowed.

16 TRUSTEE BRENNAN: That
17 sounds like a lot. I don't know
18 how that--

19 TRUSTEE DOUGHERTY-JOHNSON:
20 That's throughout the whole
21 Village.

22 TRUSTEE BRENNAN: That's
23 probably much smaller than what's
24 going on now, right?

25 MAYOR STUESSI: Well, you

2 also hear a number of realtors and
3 other folks who have rentals
4 saying that the market has
5 softened because there have been
6 so many permits that have been
7 issued as well.

8 DEPUTY MAYOR PHILLIPS: You
9 all know where I stand. Some of
10 it may not be popular, but I have
11 to think about the community and
12 the residents because they are the
13 Village of Greenport. Businesses
14 can support, but we become a
15 destination. We need to have a
16 residential community survive.

17 MAYOR STUESSI: Julia?

18 TRUSTEE ROBINS: I remember
19 years ago when I used to live on
20 Second Street and there were a
21 couple of rentals across the
22 street from me and we had one
23 rental and there was like drug
24 activity going on there all the
25 time and loud noise and yelling

2 and screaming all the time.

3 Eventually the house was burned
4 down, the Housing Alliance bought
5 it and built two new houses over
6 there.

7 So, you know, Greenport has
8 changed over the years. I mean,
9 back then we had a lot of rentals.
10 We did. You know, I listened to
11 both sides here now and I've
12 listened to the business community
13 and their concerns and I'm
14 certainly more concerned with the
15 residents in keeping this as a
16 Village, a working Village and
17 stuff like that.

18 I could probably go either way
19 if you wrote this. I think just
20 from the conversations tonight I
21 would prefer to go with 14 days,
22 but if you write it at 30 days, I
23 would support it.

24 MAYOR STUESSI: 30 days
25 period no exceptions or --

2 TRUSTEE ROBINS: No, with
3 the with the exception that Mary
4 Bess said, the two weeks
5 exception. But probably would be
6 leaning towards 14 days. Just
7 opinion wise.

8 MAYOR STUESSI: Lilly?

9 TRUSTEE DOUGHERTY-JOHNSON:
10 I mean, I already said -- I mean,
11 I understand what Mary Bess is
12 saying, but also some of the
13 people renting are residents and
14 some of the people renting are
15 residents trying to stay here.

16 So I wouldn't want to see us
17 like -- I don't know, it's a hard
18 thing and I kind of see both ways.
19 But I think starting with 14, to
20 start, especially if there's not
21 going to be any carveout for like
22 a two family or a room in a house,
23 makes more sense to me to start.
24 And then if we want to increase it
25 from there, I think that makes

2 sense.

3 But I, again, like you said, if
4 everyone really thinks 30 days,
5 I'm not going to -- I see the
6 value in that too. I just think
7 this might be -- since we're going
8 from basically nothing to maybe
9 30, that seems like a big jump.

10 TRUSTEE BRENNAN: Could we
11 put a -- I think we're kind of
12 just somewhere straggling this
13 14/28-day. Can we put it pin in
14 that and talk about the carveouts,
15 if there's any at all, exceptions.

16 MAYOR STUESSI: Please, go
17 ahead.

18 TRUSTEE BRENNAN: So the
19 idea that came up earlier about
20 allowing two two-weeks, that's not
21 actually something I was
22 considering before I heard you
23 talk about that tonight.

24 Is there any other exceptions?
25 What about the one you were just

2 talking about where there was an
3 owner/occupied who's renting a
4 room short term?

5 TRUSTEE DOUGHERTY-JOHNSON:

6 I still think that makes sense. I
7 hear the argument that maybe it's
8 not easily enforceable, but I
9 don't know, it just makes sense to
10 me because I just don't think that
11 within your own house to say you
12 can only rent a room for a month
13 just seems -- like that just
14 doesn't make logical sense to me.

15 TRUSTEE ROBINS: You also

16 need to do like a survey of who's
17 using that, renting a room. I
18 mean, I've seen it myself. You
19 know, I had a relative come here
20 from El Salvador and he was
21 renting a room for a couple of
22 months. Not in Greenport Village,
23 you know, in the town. But there
24 is a need for that kind of
25 housing. People do use it.

2 TRUSTEE BRENNAN: What about
3 two family house where one of the
4 units is owner/occupied
5 permanently by a resident? So we
6 heard some speakers here who are
7 in that situation where they're
8 living in one, short terming the
9 other. Is there any interest of
10 having an exception for that
11 anymore?

12 MAYOR STUESSI: I think the
13 same rules should apply. I mean,
14 we had a member of the business
15 community who lives in a two
16 family house in its primary renter
17 rents it year round and then it's,
18 you know, Airbnb for weekends on
19 the other half. But if that
20 person sells the house, that
21 person's going to lose their home,
22 so they would end up moving away.
23 I mean, what are we gaining by
24 creating some sort of carveout for
25 that?

2 TRUSTEE BRENNAN: Okay,
3 well, I'm not in favor of the
4 exception that allowed -- the
5 current exception on the books
6 that allows two family with one
7 short term rental and one short
8 term unit. That doesn't make
9 sense to me. I'm in the in favor
10 of continuing that.

11 What I'm talking about
12 specifically is the two family
13 house where one is owner/occupied
14 as a primary residence. Can that
15 second unit be allowed to do --

16 TRUSTEE DOUGHERTY-JOHNSON:
17 Can we go back to that example you
18 gave, I'm not following? If the
19 person sold the house either way,
20 the person might have to move,
21 right, even if it's short term or
22 long term.

23 MAYOR STUESSI: Yes. I
24 guess what I was speaking to was
25 that there's, in the current code,

2 there's ability for me to own a
3 house, rent half of it to you, you
4 live there, you run your local
5 business here, and then rent it to
6 Patrick every single weekend or
7 Patrick and a whole bunch of other
8 people.

9 DEPUTY MAYOR PHILLIPS: I
10 think that's getting into the
11 discussion of being
12 owner/occupied. If have you a two
13 family, that's what you're saying,
14 Patrick. There is no renting out
15 the bottom section. It is either
16 owner/occupied -- and I still feel
17 that we need to declare if you're
18 a two family, which you would need
19 a short term rental.

20 MAYOR STUESSI: Yes, I guess
21 that's what I'm saying is I don't
22 think we should define whether
23 it's owner/occupied or a full-time
24 rental? In a two family, if you
25 allow one half as -- whether it's

2 the owner or it's somebody who's
3 on a full-time lease who lives
4 here, do you allow a short term
5 with the other one or not; is that
6 the question you're asking?

7 TRUSTEE BRENNAN: Yeah.

8 MAYOR STUESSI: Whatever the
9 short term rentals are, but not
10 creating separate rules for it.

11 TRUSTEE BRENNAN: I guess
12 I'm just not in favor of this two
13 family situation where one is a
14 long term tenant and other is
15 short term rental. I just think
16 that is absentee landlord
17 situations.

18 DEPUTY MAYOR PHILLIPS: Are
19 you suggesting that you don't want
20 a short term rental or --

21 TRUSTEE BRENNAN: In the
22 case of owner/occupied, what I'm
23 trying to see, is there any
24 appetite for allowing the
25 owner/occupied situation to short

2 term it. You're saying you don't
3 want to treat them differently. I
4 guess in my mind they are very
5 different because one has an owner
6 living in it the other is an
7 absentee landlord.

8 TRUSTEE DOUGHERTY-JOHNSON:

9 Unless they're away that weekend.

10 TRUSTEE ROBINS: You know,

11 the owner/occupied thing does
12 provide a housing unit for a year
13 round person who is living here.
14 It's giving them an opportunity to
15 have income, maybe their mortgage
16 paid or whatever, so I think that
17 --

18 TRUSTEE BRENNAN: Yes.

19 DEPUTY MAYOR PHILLIPS:

20 That's what the original intent
21 was of allowing the short term
22 rental. Getting back to what we
23 put into the code was that it was
24 allowing residents the opportunity
25 to income to stay here. That was

2 the original concept. And then
3 that just, the way it was written,
4 it got very diluted.

5 MAYOR STUESSI: So if I'm
6 hearing you correctly, what you're
7 suggesting is, in the two family
8 house, an example, that if half of
9 it is occupied by the resident
10 owner, that the other half could
11 be a short term rental by whatever
12 the rental standard is whether
13 it's --

14 TRUSTEE BRENNAN: 14 days.

15 MAYOR STUESSI: -- 28 days --

16 TRUSTEE ROBINS: -- the
17 use --

18 TRUSTEE BRENNAN: Yeah, I do
19 think it's important because I do
20 think there is this element of
21 affordability that Trustee Robins
22 just talked about. So that second
23 income, it can be an important
24 part of that person being able to
25 stay a resident of Greenport.

2 I do think it also allows -- it
3 may help the business situation in
4 that it allows some more short
5 term visitors to the Village.

6 TRUSTEE DOUGHERTY-JOHNSON:

7 So you're saying a shorter term.
8 Because any -- let's say we make
9 it X number of days, they always
10 could rent that apartment -- that
11 second apartment --

12 TRUSTEE BRENNAN: Yes.

13 TRUSTEE DOUGHERTY-JOHNSON:

14 -- as a short term rental. If
15 you're saying if it's
16 owner/occupied and it's a two
17 family, the other apartment could
18 be shorter, like --

19 TRUSTEE BRENNAN: No. No
20 that's not what I'm saying.

21 DEPUTY MAYOR PHILLIPS: No.

22 TRUSTEE BRENNAN: We're
23 trying to establish a baseline
24 minimum rental here of 14 or
25 28 days, right?

2 TRUSTEE DOUGHERTY-JOHNSON:

3 Right.

4 TRUSTEE BRENNAN: I'm saying
5 is there any interest in a
6 carveout for one owner/occupied in
7 a two family?

8 TRUSTEE DOUGHERTY-JOHNSON:

9 Maybe I didn't say it correctly,
10 but that's what I was trying to
11 get at.

12 TRUSTEE BRENNAN: It could
13 be shorter than 28 days. It could
14 be 14 days.

15 TRUSTEE DOUGHERTY-JOHNSON:

16 Right. I think my issue with that
17 is that I still think -- and
18 perhaps I'm wrong -- is that
19 that's an apartment that could --
20 that's housing stock that could be
21 year round.

22 TRUSTEE BRENNAN: I agree
23 with that.

24 TRUSTEE DOUGHERTY-JOHNSON:

25 But I also think that --

2 MAYOR STUESSI: But much
3 more likely than a single family
4 house for sure. It's based upon
5 value.

6 TRUSTEE DOUGHERTY-JOHNSON:
7 Right, well, just in general.

8 TRUSTEE BRENNAN: I agree.

9 TRUSTEE DOUGHERTY-JOHNSON:
10 But I mean, I also see the value
11 of the compromise and also --

12 DEPUTY MAYOR PHILLIPS: It
13 raises the question, it's either
14 two families are only allowed for
15 long term or you get the carveout
16 that was done. Originally it was
17 owner/occupied was the -- one of
18 the apartments had to be
19 owner/occupied residency. There
20 had to be a residency.

21 But we got into where it got
22 watered down to having those who
23 had a lease, you know, they had a
24 valid lease and that's where the
25 enforcement issue started to get

2 worse.

3 TRUSTEE BRENNAN: Yeah, I
4 agree, I think that, in my mind,
5 is where it went off the rails.

6 DEPUTY MAYOR PHILLIPS: That
7 is where it went off the rails.

8 TRUSTEE DOUGHERTY-JOHNSON:
9 Right. Well, I also see the value
10 in it being owner/occupied.
11 You're expecting a long term
12 tenant to sort of be the
13 supervisor of the short term
14 rental when they're just a tenant
15 who pays rent and shouldn't have
16 to be baby-sitting.

17 TRUSTEE BRENNAN: I don't
18 think you get the neighborly
19 accountability in that case.

20 TRUSTEE DOUGHERTY-JOHNSON:
21 Right.

22 TRUSTEE BRENNAN: You might,
23 but unlikely.

24 TRUSTEE DOUGHERTY-JOHNSON:
25 Yeah.

2 DEPUTY MAYOR PHILLIPS: But
3 the residents requirement would
4 have to be -- you know, there's --
5 you have to make sure that we're
6 clear in the language as to how
7 it's constructed and written on
8 residency, as well as if you're
9 going to declare one of them short
10 term. Once again, that's getting
11 into the second part.

12 MAYOR STUESSI: I think
13 that's the easy thing for the
14 lawyers to define. The State of
15 New York does a very good job
16 monitoring whether you should be
17 paying taxes here or paying taxes
18 in Wyoming.

19 TRUSTEE DOUGHERTY-JOHNSON:
20 I mean, I think that if -- like,
21 if we're doing that, I'm more
22 comfortable saying a month for,
23 you know -- but and then their --
24 so it makes a difference what
25 we're talking about because that

2 makes more sense to me to say,
3 okay, once a month, but then you
4 could have an exception for some
5 two families that are
6 owner/occupied that are less.
7 That feels like a more reasonable
8 compromise to me.

9 TRUSTEE ROBINS: But
10 Patrick, you're formula here now
11 is that basically owner/occupied
12 and the second unit can be a short
13 term rental. But if it's only
14 within our parameters, you can do
15 it twice a year.

16 What kind of income is that
17 producing for the owner of that
18 two-family home? Wouldn't they be
19 better served by having two
20 full-time residents in the
21 apartments?

22 DEPUTY MAYOR PHILLIPS: That
23 would be their choice.

24 TRUSTEE BRENNAN: I'm not
25 sure that I was tying those two

2 different concepts together.

3 TRUSTEE ROBINS: Okay.

4 TRUSTEE BRENNAN: I think
5 the idea of having -- allowing
6 people to do two shorter terms of
7 rentals during the year is kind of
8 a stand alone concept. It doesn't
9 depend on whether we're talk about
10 two family.

11 MAYOR STUESSI: Yeah, I
12 think it should apply across the
13 Board.

14 TRUSTEE BRENNAN: I agree.
15 To your point, I don't --

16 TRUSTEE ROBINS: Okay. So
17 maybe it just give them a little
18 opportunity for an income boost,
19 if you will and the rest -- but
20 what happens with that? Do they
21 live in the house the rest of the
22 year?

23 MAYOR STUESSI: I think, if
24 I'm hearing you correctly, you're
25 suggesting that if it's a duplex,

2 half of it is occupied by the
3 owner.

4 TRUSTEE ROBINS: Right.

5 MAYOR STUESSI: It's their
6 full-time residence.

7 TRUSTEE ROBINS: Right.

8 MAYOR STUESSI: Even if they
9 go away from for a couple months,
10 they have to give, you know,
11 drivers license, registered voter,
12 etcetera, etcetera.

13 TRUSTEE ROBINS: Right.

14 MAYOR STUESSI: Then the
15 other half, whatever our rules
16 apply, if it's the one month
17 minimum, 28 days, but the two
18 two-week exceptions, that applies
19 to that unit; is that what you're
20 saying?

21 TRUSTEE BRENNAN: Yeah.

22 MAYOR STUESSI: Or if it's
23 the two weeks period with no
24 exceptions.

25 TRUSTEE DOUGHERTY-JOHNSON:

2 But that's not a carveout, then.
3 That's just the same as everyone
4 else. I think what Patrick is
5 saying is if it's an
6 owner/occupied two family and
7 we're saying short term rentals
8 are a month, they may be able to
9 do two-weeks. That's the
10 exception.

11 DEPUTY MAYOR PHILLIPS: No,
12 no.

13 TRUSTEE DOUGHERTY-JOHNSON:
14 That's what I'm understanding.

15 TRUSTEE ROBINS: Okay, and
16 you can do unlimited 30-day
17 rentals?

18 TRUSTEE DOUGHERTY-JOHNSON:
19 I'm just throwing that out.

20 DEPUTY MAYOR PHILLIPS: How
21 are you going to enforce that?

22 TRUSTEE BRENNAN: From
23 earlier conversations, Mr. Mayor,
24 I think your concern was that if
25 there's any kind of carveouts,

2 this is this is going to get
3 abused and it's not going to work;
4 is that fair to say?

5 MAYOR STUESSI: We're living
6 it.

7 TRUSTEE BRENNAN: Yeah, and
8 you agree Mary Bess?

9 DEPUTY MAYOR PHILLIPS: Yes,
10 that's why we're living. We're
11 living it.

12 MAYOR STUESSI: The reality
13 of what is existing code is
14 different than what you guys
15 thought you were doing from my
16 understanding.

17 DEPUTY MAYOR PHILLIPS:
18 That's my understanding. We
19 originally thought that we were
20 allowing giving the exception for
21 those who had owner/occupancy, you
22 know, had two-family houses. That
23 is, they would be able to rent
24 once every two weeks.

25 Well, the language wasn't

2 created correctly apparently or
3 there was a misunderstanding as to
4 how it came out. But the original
5 intent, and I think you'll agree
6 with me, was that we had the two
7 families. The bottom was going to
8 be owner/occupied for a full-time
9 lease where somebody was there all
10 the time and the other apartment
11 could be have the availability to
12 be long term or short term. That
13 didn't happen. That's the
14 carveout that backfired.

15 TRUSTEE DOUGHERTY-JOHNSON:

16 But I think we're talking about
17 writing code differently because
18 once every two weeks is different
19 than two weeks in my mind, right?
20 You're saying rent once every two
21 weeks. It could be a weekend
22 within the two weeks.

23 MAYOR STUESSI: I don't

24 think we want to get into the once
25 every because that's impossible.

2 TRUSTEE DOUGHERTY-JOHNSON:

3 No, I'm not suggesting that.

4 MAYOR STUESSI: It should be
5 a number of days minimum, period,
6 whatever it is.

7 TRUSTEE DOUGHERTY-JOHNSON:

8 I'm just saying to look at what's
9 happened in the past if we are
10 writing a different code. I think
11 it's possible to, perhaps, do some
12 carveouts without them being --

13 MAYOR STUESSI: But I think,
14 to Patrick's point, what other
15 carveouts might we want to
16 consider?

17 TRUSTEE DOUGHERTY-JOHNSON:

18 I'm just saying that is one
19 example. That's all I have for
20 now. I still have the room thing
21 in my head, but if everyone -- you
22 know, there's no way to really do
23 that enforcibly (sic), which I
24 hear your point, then we can
25 forget about that one. That's all.

2 I'm just saying it's a
3 different thing. Just, I
4 understand that the current code
5 has not been working as it was
6 intended, but I think if we have
7 it differently created, it could
8 work as intended, and make some
9 changes like the residency
10 requirement. Like requiring which
11 of the units is long term.

12 DEPUTY MAYOR PHILLIPS: Are
13 you suggesting to allow the two
14 families to have every weekend
15 rentals?

16 TRUSTEE DOUGHERTY-JOHNSON:
17 No, I'm not. I'm saying if you
18 were doing a month, we could do
19 two weeks. I'm not suggesting,
20 I'm just saying I think that's --
21 I think all these things are
22 connected and it's hard to say one
23 without the other.

24 Like, I don't think -- to me,
25 saying one month everything right

2 now seems a little harsh and a big
3 change from what we're doing now
4 with just like weekends, but if
5 there are going to be exceptions
6 like two family for two weeks,
7 that makes a difference to me.

8 But I'm not saying -- I don't
9 think weekends is great in any
10 waist case personally. I mean,
11 I've -- as a tourist it is, but in
12 a residential neighborhood, it's
13 not great.

14 MAYOR STUESSI: I think
15 everybody agrees on that.

16 TRUSTEE BRENNAN: Yeah.
17 Yeah, and there are other ways to
18 have a short vacation, just go to
19 a bed and breakfast, rent a hotel
20 room. I guess those are the only
21 other ways.

22 MAYOR STUESSI: So are there
23 any other exceptions you were
24 thinking about? Anybody else? I
25 don't think anybody had any.

2 TRUSTEE BRENNAN: I think
3 we've only come up with three.
4 One is the general exception that
5 if we had, for example, a 28-day
6 rule, anybody in a one or two
7 family house could have two
8 two-week rentals, that's the one
9 type of exception, or somehow it's
10 vacant, right?

11 Another one, the other
12 exception that I was talking about
13 is in a two family home -- only in
14 a two family -- one unit
15 owner/occupied, the second unit
16 could be allowed to do rental
17 terms that are shorter than the
18 28 days.

19 I think the exception you were
20 talking about, that's come up a
21 couple of times is, is there any
22 exception for renting a room,
23 something that's not a complete
24 dwelling unit, like in a one
25 family. I think that's the only

2 three that we've really
3 identified.

4 MAYOR STUESSI: Yes. So in
5 creating more housing, to your
6 other point, if you allow two
7 family house where half of it is
8 owner/occupied to do something
9 different, like we start with the
10 28 day minimum, do you end up
11 potentially creating more housing
12 because folks with potentially
13 lower income will stay where they
14 are or potentially convert half
15 their house back? We have many
16 single family houses that
17 originally were two family or vice
18 versa, if they were able to rent
19 the other half of it.

20 TRUSTEE BRENNAN: That's the
21 question and I don't know where --
22 we have to know where the balance
23 is there. Certainly having a
24 rental ability, short or long
25 term, helps with the affordability

2 aspect. That doesn't create new
3 housing, that protects housing,
4 right? That allows someone who is
5 living here maybe on a fixed or
6 limited income to be able to make
7 it work.

8 TRUSTEE ROBINS: Well, it
9 could housing too because somebody
10 who doesn't own a home right now,
11 buys a house with that format. I
12 mean, I know somebody who is doing
13 it with both floors, renting right
14 now; they bought a two family
15 home.

16 But it does give an opportunity
17 for a new buyer, if they can't
18 afford, you know, to carry a house
19 completely, to rent the second
20 unit. So I think that it does,
21 you know, it's not just limited to
22 existing residents, but it could
23 also encourage new buyers.

24 DEPUTY MAYOR PHILLIPS: And
25 I think we need to use the word

2 housing and not try to attach
3 affordability to it because it's
4 not just -- there are several,
5 several types of renters that are
6 out there. Okay?

7 So I think we need to just deal
8 with the word housing because we
9 have professional people who are
10 looking for housing. We have
11 young couples who are trying to
12 start out and, you know, they want
13 to rent. And I think that's part
14 of the goal that we need to -- we
15 need to use the word housing.

16 MAYOR STUESSI: No, it's
17 everything. I mean, the Town just
18 went through their list of people
19 looking for housing and the vast
20 majority of them are folks under
21 \$60,000 a year of income who are
22 mowing lawns, washing dishes,
23 etcetera, etcetera, who
24 desperately need full-time
25 housing. They're on the list

2 looking for it.

3 And then on the complete
4 opposite side, putting aside
5 Peconic Landing, Eastern Long
6 Island Hospital has 60
7 professionals that they can't hire
8 for because they can't find
9 housing. They have a variety of
10 needs. Everything from nurses to
11 doctors and anything in between,
12 radiologists, etcetera.

13 I have got a meeting next week
14 with the New York State Housing
15 Department, the governors office
16 and the hospital to try and find
17 some solutions to that. So that's
18 a big need as well.

19 TRUSTEE DOUGHERTY-JOHNSON:

20 I think it's tricky because it
21 protects housing in some ways, but
22 it also -- you're also taking that
23 apartment out of the housing stock
24 for the doctors and the -- you
25 know, so it's like -- I mean, and

2 I know I've made both arguments
3 and I've said both things because
4 I think they're both kind of true.

5 TRUSTEE ROBINS: Well, it
6 doesn't necessarily because it
7 really doesn't define that rental.
8 I mean, you know, what would be
9 wrong with renting it four or
10 five months to a doctor who's
11 coming to work at ELI?

12 I used to do that. I used to
13 have a rental at one point and
14 they were renting for doctors who
15 would come here who work two to
16 three months, you know, on the
17 site.

18 TRUSTEE DOUGHERTY-JOHNSON:
19 But then that's not short term. I
20 mean, that's --

21 TRUSTEE ROBINS: No.

22 MAYOR STUESSI: No, but it's
23 been one of the complaints of the
24 hospital. They said they're
25 looking for places and they're

2 told by a number of them, oh, we
3 only rent for weekends.

4 TRUSTEE BRENNAN: Okay. So
5 the best case scenario, we would
6 prefer that the resident of a two
7 family -- owner/occupied two
8 family is renting the other one
9 long term. That gives them
10 supplemental income and provides
11 another unit for housing, right?

12 DEPUTY MAYOR PHILLIPS:
13 Yeah.

14 TRUSTEE DOUGHERTY-JOHNSON:
15 Yes.

16 TRUSTEE BRENNAN: Okay,
17 makes sense.

18 MAYOR STUESSI: So the
19 question is, do you allow the
20 owner of a two family -- a
21 resident of a two family to rent
22 the other half short term by
23 whatever we're defining it as.
24 And so it would seem, to your
25 point, do we want to prohibit them

2 from participating in that if we
3 allow it for single family homes.
4 It would strike me as no, that we
5 want it give them that potential
6 ability if it gives them a better
7 way to potentially stay in their
8 house, but just not give them any
9 other exceptions that we're giving
10 to a single family.

11 TRUSTEE DOUGHERTY-JOHNSON:

12 I don't see why you would penalize
13 a -- like not allow a two
14 familiarly to short term rent by
15 the same standards that you allow
16 a single.

17 DEPUTY MAYOR PHILLIPS:

18 Well, I think that we would need
19 to -- in order not to have any
20 repercussions from afterwards, we
21 need to be fair and equitable
22 between either destination of R1
23 or R2.

24 But there is suggestion, just
25 to be made aware, that in the

2 residential portion that we're
3 discussing in Chapter 150, we're
4 discussing that residential is
5 just residential zoning. It
6 wouldn't be R1 or R2. It would be
7 just residentially zoned because
8 both New York State really is
9 recommending that you just create
10 it that way.

11 So that's the other catch too
12 or the catch with dealing with the
13 apartments. So, you know, as I
14 said, it's -- we need to make a
15 decision tonight because the Code
16 Committee can't move forward on
17 anything until there's a decision
18 from this Board.

19 MAYOR STUESSI: You know, if
20 we're looking at trying to balance
21 the Code Committee's
22 recommendation of going with a
23 flat one month rental with some of
24 the things we've heard from the
25 community of allowing for some

2 shorter -- some shorter period of
3 rental, and then where the Town is
4 going and looking to go from a
5 minimum of two weeks to 30 days,
6 maybe the compromise position is
7 going with your suggestion of a
8 month -- a 28-day rental and then
9 allowing two two-week rentals.

10 DEPUTY MAYOR PHILLIPS:

11 During a calendar year.

12 MAYOR STUESSI: During a

13 calendar year, which is going to
14 create a whole bunch of two-week
15 rentals each one, at two week
16 rentals. And we try that for one
17 year and we come in as a Board and
18 revisit it at the end of that
19 year.

20 DEPUTY MAYOR PHILLIPS:

21 Which is one of the suggestions
22 from the Code Committee, as well
23 and that this would start because
24 there's already rentals --

25 MAYOR STUESSI: You start

2 January 1, January 1st.

3 DEPUTY MAYOR PHILLIPS:

4 January 1st.

5 TRUSTEE BRENNAN: I think it
6 is important to try to stay in
7 sync with what the town is doing.
8 We don't know what's going to end
9 up with the Town. That's the
10 discussion right now. But it is
11 important to stay in sync because
12 we're just a small village in the
13 Town and what will happen and
14 what's happened in the past, I
15 believe, is that when the rental
16 terms are in disparate, investment
17 flows one way or the other, and it
18 flowed into Greenport big time
19 causing some of those problems.

20 MAYOR STUESSI: Yes.

21 TRUSTEE BRENNAN: So we want
22 to try and stay in step with the
23 Town to level that playing field
24 and not create a market that this
25 looks like -- whoever has the

2 weaker housing and rental law is
3 going to --

4 MAYOR STUESSI: You're going
5 to lose more full time residence
6 and see more houses converted to
7 short term rentals.

8 TRUSTEE BRENNAN: Yes.

9 MAYOR STUESSI: Which is
10 where we are today versus the
11 Town.

12 TRUSTEE DOUGHERTY-JOHNSON:
13 I'm okay with that. The
14 28 days -- two, two-week exception
15 to try. I mean, we can always
16 change.

17 DEPUTY MAYOR PHILLIPS: A
18 compromise.

19 TRUSTEE DOUGHERTY-JOHNSON:
20 I think we might get some
21 different opinions.

22 MAYOR STUESSI: Of course we
23 will. We're never going to please
24 everyone.

25 TRUSTEE DOUGHERTY-JOHNSON:

2 I'm fully aware of that.

3 TRUSTEE ROBINS: So the
4 owner of the two family home
5 that's living in half of the home
6 would be able to either rent
7 full-time to a year round resident
8 or do the 28-day or have the
9 option --

10 DEPUTY MAYOR PHILLIPS: No,
11 it will be the one family should
12 be able to do the same thing.

13 MAYOR STUESSI: Yes. Julia
14 is saying the two family.

15 TRUSTEE ROBINS: Right, the
16 two family.

17 TRUSTEE DOUGHERTY-JOHNSON:
18 But it doesn't have to be
19 owner/occupied.

20 TRUSTEE BRENNAN: No, not in
21 this situation.

22 TRUSTEE DOUGHERTY-JOHNSON:
23 Unless we still could think about
24 the residency requirement in
25 general for the short term rental.

2 MAYOR STUESSI: I think
3 everybody is in agreement with
4 that.

5 TRUSTEE DOUGHERTY-JOHNSON:
6 But you could still rent your --
7 if you have a two family house,
8 you could still not live in it and
9 rent one year round and one short
10 term or two short term.

11 DEPUTY MAYOR PHILLIPS: No.

12 TRUSTEE ROBINS: No, you
13 can't.

14 DEPUTY MAYOR PHILLIPS: It
15 has to be owner/occupied. If I'm
16 understanding what Patrick is
17 saying and here's where I'm come
18 from is you have a two family that
19 is owner/occupied. Owner/occupied
20 is one of the apartments and the
21 other apartment can be short term
22 rental, but doing this year round
23 lease for an apartment is what
24 caused us problems.

25 TRUSTEE DOUGHERTY-JOHNSON:

2 But that's because it wasn't -- it
3 was much shorter term. I mean,
4 I'm not sure why a single family
5 empty house should be allowed to
6 be rented short term, but if it's
7 a two family it has to be
8 owner/occupied?

9 TRUSTEE BRENNAN: Yes.

10 TRUSTEE DOUGHERTY-JOHNSON:

11 I thought what you were saying is
12 if we were requiring
13 owner/occupied, it would give
14 somebody a more of an exception of
15 a carveout, but if everyone is
16 saying we're not doing a
17 carveout --

18 DEPUTY MAYOR PHILLIPS: It
19 would be a two family. I'm sorry,
20 the two family would have to have
21 to have a owner/occupied. Because
22 a one family would be renting it
23 for the 30 days or 28 days or
24 whatever.

25 TRUSTEE DOUGHERTY-JOHNSON:

2 But the two family would also be
3 renting it for the 28 days.

4 DEPUTY MAYOR PHILLIPS:

5 Right.

6 TRUSTEE DOUGHERTY-JOHNSON:

7 But we'd still want to require
8 that one is owner/occupied?

9 TRUSTEE BRENNAN: I don't
10 know. I thought the proposal
11 that's on the table right now is
12 28 days with two periods of
13 14 days.

14 MAYOR STUESSI: Right.

15 TRUSTEE ROBINS: For a
16 maximum --

17 TRUSTEE BRENNAN: That's a
18 standalone proposal that has no
19 other exceptions, right?

20 MAYOR STUESSI: Yes.

21 DEPUTY MAYOR PHILLIPS: I
22 think that's where we were headed.

23 TRUSTEE BRENNAN: Yes.

24 DEPUTY MAYOR PHILLIPS: The
25 rest of it is going to -- after

2 you make that decision, then the
3 rest of it gets decided as to how
4 the rental permit is going to
5 look. Am I making sense on that?
6 Because we've decided to separate
7 the long term from the short term.
8 So the short term would have
9 different criteria.

10 TRUSTEE BRENNAN: The short
11 term, in this case, being 14 days,
12 right?

13 DEPUTY MAYOR PHILLIPS:
14 28 days.

15 MAYOR STUESSI: 28, if I'm
16 hearing what you said a second
17 ago. 28 days with two 14-day
18 periods --two 14-day exceptions.

19 TRUSTEE BRENNAN: There's
20 nothing shorter than 14 days.
21 There's no weekend rental.

22 DEPUTY MAYOR PHILLIPS: No.

23 TRUSTEE ROBINS: No weekend
24 rentals. Just the 14 days.

25 TRUSTEE DOUGHERTY-JOHNSON:

2 Are we going to go into permits
3 and amounts?

4 MAYOR STUESSI: Is there a
5 consensus on that from everybody?
6 Mary Bess, you suggested it, so
7 I'm assuming you're still in
8 agreement with it?

9 DEPUTY MAYOR PHILLIPS: No,
10 I'm in agreement with the
11 suggestion because I feel it's a
12 compromise. So if we're all in --
13 we're all moving in that
14 direction, then I think we've come
15 up with our answer and we start
16 moving on with the rest of it.

17 But, of course, we'll have to
18 have legalese to make sure we're
19 all on the same page. But I think
20 we need to get that concept, so
21 the Village attorney can start to
22 formulate that language.

23 So it's short term rental will
24 have a definition and that's where
25 the definition is going to create

2 the next step. Let's make sure we
3 got this clear, are we going with
4 the 28 days or the 30 days?

5 MAYOR STUESSI: The month
6 defined as 28 days, which is what
7 legal had suggested, just under
8 30. I think they actually said 27
9 in the case we go into February as
10 I recall.

11 TRUSTEE BRENNAN: Yes,
12 that's --

13 DEPUTY MAYOR PHILLIPS: And
14 within that 28 day calendar year,
15 they're allowed two, two-week
16 rentals?

17 MAYOR STUESSI: Not with the
18 28 days, but within the calendar
19 year it's either one month rental
20 minimum or two, two-week periods.

21 TRUSTEE ROBINS: So it could
22 be back to back?

23 CHAIRMAN FARLEY: Yeah, two
24 different renters whenever. Two
25 weeks over Christmas or two

2 two-week rentals in July.

3 TRUSTEE BRENNAN: We can try
4 this. I think the business
5 district and the people who are
6 currently short term renting are
7 going to cry foul and say that two
8 two-week periods is a far cry from
9 the income potential that they're
10 getting with multiple short term
11 rentals.

12 TRUSTEE ROBINS: By the
13 numbers I'd say that maybe you're
14 getting maybe you're getting lucky
15 somewhere in the neighborhood of
16 \$15- to \$20,000 from those two
17 two-week rentals versus a
18 year-round rental of \$26 or
19 \$28,000; somewhere between 30 and
20 35,000 a year.

21 MAYOR STUESSI: Is there a
22 rental in the Village for less
23 than \$3,000 a month now?

24 TRUSTEE ROBINS: There are.

25 DEPUTY MAYOR PHILLIPS: Mine

2 are, but that's because they're my
3 employees, so...

4 TRUSTEE BRENNAN: That's not
5 a market rate rental though.

6 TRUSTEE ROBINS: No. Market
7 rate is higher.

8 TRUSTEE BRENNAN: In the
9 case of your business.

10 DEPUTY MAYOR PHILLIPS: Mine
11 is not part of the mark rate.

12 It's part of --

13 TRUSTEE BRENNAN: Business.

14 DEPUTY MAYOR PHILLIPS: Mine
15 is part of having --

16 MAYOR STUESSI: -- which is
17 no different than a restaurant
18 that buys a house and puts a
19 employees there or a hotels. A
20 number of the hotels have houses
21 for employees as well.

22 We started with the
23 recommendation of the Code
24 Committee of 30 days minimum, no
25 exception. We heard a lot of

2 comments on that. It sounds like
3 we have a compromise solution that
4 everybody agrees to try.

5 DEPUTY MAYOR PHILLIPS: I've
6 already spoken my piece. You guys
7 have to kind of make up your
8 minds.

9 TRUSTEE DOUGHERTY-JOHNSON:
10 I already said I'm okay with
11 trying that. I mean, I also -- I
12 see that we're going from 0 to 14
13 or 28. So I also don't think it's
14 the worse thing make a air tight
15 14-day, but I could also go with
16 the 28 with the two-week
17 exception.

18 I hear what Patrick is saying.
19 Like there is going to be a lot.
20 People are -- a lot of people will
21 have to change a lot of ways
22 they're doing things, but that's
23 been something that people have
24 been talking about for a long
25 time.

2 So I do think, obviously, we
3 need to do something. Whether
4 it's airtight 14 days or trying
5 28 days with some exceptions. I
6 think either one is going to be
7 effective and also cause a lot of
8 people to be upset. So I see both
9 of them, but I'm willing to try
10 the 28 days.

11 Part of me just like wants to
12 say, we need as much year round
13 housing as possible. And that is
14 -- I mean, I think the longer you
15 make the short term rental period,
16 perhaps that helps, but I do think
17 it is like a -- there's -- it's
18 not a guarantee, but it also might
19 improve some people's quality of
20 life in the neighborhoods.

21 MAYOR STUESSI: And I mean
22 the other thing we've heard from a
23 number of realtors is they have
24 people looking to buy places and
25 they're in line and there's

2 multiple offers on them and
3 they're not able to. And some of
4 them are coming from the City and
5 while they're not going to live
6 here 365 days a year, they're
7 going to be here for more than
8 half the time like we've seen in a
9 few places because of the new work
10 rules and a lot of businesses
11 where they only have to be there
12 half the month. So they're here
13 three, four days every single week
14 and become part of the community
15 like we've seen in a number of
16 places.

17 TRUSTEE BRENNAN: That's a
18 positive.

19 MAYOR STUESSI: Yeah. And
20 then those people can decide to
21 rent their house out at a month at
22 a time or two two-week periods and
23 stay in their other place if they
24 are residents here.

25 TRUSTEE ROBINS: So you're

2 talking about second home owners
3 basically.

4 MAYOR STUESSI: Well,
5 potentially it's their primary
6 residence. I mean, that's going
7 to be decided. We've seen a
8 number of people move into
9 Greenport who've made this their
10 primary now that the work rules
11 have changed in the City. You
12 have a few on your committee that
13 go into the City two or three days
14 each week, but they're spending
15 four days --

16 TRUSTEE ROBINS: Yeah, they
17 come up and they still have a
18 Brooklyn address or a New York
19 City address.

20 MAYOR STUESSI: What's that?

21 TRUSTEE ROBINS: They have
22 two residences and maybe this is
23 their primary, but they still
24 maintain a second residence.

25 MAYOR STUESSI: Yeah. Well,

2 it's no different than somebody
3 who's, you know, registered to
4 vote in Greenport and might go
5 away to Florida for two months.
6 The definition of being a resident
7 is defined by spending over half
8 your year here. We're not going
9 to be able to define it any better
10 than that if we're using the State
11 guidance on it.

12 TRUSTEE BRENNAN: All right,
13 well, I think we should go with
14 the 28 and the two two-week
15 exceptions and let's move on and
16 get a new draft.

17 MAYOR STUESSI: Okay.
18 Should we talk about rental rates?
19 Our current rate is 250 for two
20 years irregardless of whether it's
21 a full-time or a short term
22 rental. I definitely think it
23 should be different if it's a
24 full-time and a short term rental
25 permit, which we've already talked

2 about segregating.

3 TRUSTEE DOUGHERTY-JOHNSON:

4 I would say leave the full-time as
5 it is because if you're renting to
6 your employees and there are
7 people renting not at market rate
8 because they want to, which I
9 don't think they should be paying
10 a lot more just to rent, but I do
11 think the short term rental could
12 go up.

13 MAYOR STUESSI: Do you have
14 a suggestion for that?

15 TRUSTEE DOUGHERTY-JOHNSON:

16 I mean, somebody said \$600,
17 somebody else said \$1,000.

18 MAYOR STUESSI: Patrick?

19 TRUSTEE BRENNAN: Yeah, I
20 think that make sense. I think we
21 should incentivize the long term
22 rental with the cost of the
23 permit. I don't know what the
24 right number is. I mean, \$500,
25 \$750, I don't know, \$600. They

2 seem kind of arbitrary.

3 DEPUTY MAYOR PHILLIPS:

4 Well, they were numbers that were

5 thrown out.

6 TRUSTEE DOUGHERTY-JOHNSON:

7 I mean, I think \$500; it's double

8 the other one.

9 DEPUTY MAYOR PHILLIPS: What

10 is it \$250 for two years?

11 TRUSTEE ROBINS: I think

12 that should stay the same.

13 MAYOR STUESSI: I think were

14 all in agreement to keep the year

15 round full-time rental at \$250.

16 Julia, do you have a suggestion

17 on that short term rental?

18 TRUSTEE ROBINS: I would say

19 at least double the regular

20 rental. Not more.

21 TRUSTEE BRENNAN: Double.

22 DEPUTY MAYOR PHILLIPS: So

23 \$500.

24 MAYOR STUESSI: I agree with

25 double.

2 TRUSTEE BRENNAN: Yes,
3 double all across the Board
4 because there's several increments
5 in the code.

6 MAYOR STUESSI: Yes.

7 TRUSTEE BRENNAN: There was
8 this notion that if we drastically
9 increased it, we'll have more
10 money for enforcement. So that's
11 a valid point too.

12 MAYOR STUESSI: In reality
13 though, if we've got clearly
14 defined guidelines, that's pretty
15 easy to enforce on making certain
16 that it meets the standards. And
17 then the real issue that effects
18 neighbors is going to be a noise
19 and party issue, which tends to
20 happen at night and that's our
21 police department. That's who, as
22 everybody is aware, I've been
23 working with and stepping up the
24 force in the village. I don't
25 know that going from \$500 to \$750

2 is incrementally that different.

3 I mean, it is not an insignificant
4 amount of money, but I wouldn't be
5 opposed to go going to \$750, if
6 your suggestion is that, rather
7 than just doubling it.

8 TRUSTEE DOUGHERTY-JOHNSON:

9 Aren't we talking about fees,
10 like -- I'm saying separately,
11 something that's not -- we can
12 change more often and more easily.

13 MAYOR STUESSI: Yeah. No,

14 that's easy to do.

15 TRUSTEE DOUGHERTY-JOHNSON:

16 I feel like to start with \$500
17 seems reasonable and at some point
18 when we're looking at all of the
19 fees, maybe we could change it.

20 TRUSTEE BRENNAN: Okay.

21 TRUSTEE DOUGHERTY-JOHNSON:

22 I mean, but I don't know. I'm not
23 opposed to \$750. I just think
24 \$500 seems like a good place to
25 start.

2 TRUSTEE BRENNAN: Okay.

3 MAYOR STUESSI: Mary Bess?

4 DEPUTY MAYOR PHILLIPS: I
5 thought \$500 availability because
6 we have the ability to review
7 fees.

8 MAYOR STUESSI: Right, but
9 the only thing we should consider
10 is if we're starting a new permit,
11 which is what we would be doing on
12 January 1st, we're basically
13 locked in for two years because
14 we're going to be issuing a permit
15 for two years. I don't think
16 we'll want to change it within
17 that time period. You may decide
18 maybe to change the code.

19 DEPUTY MAYOR PHILLIPS:
20 Maybe it should be, the short term
21 rental only be one year.

22 MAYOR STUESSI: That's a
23 good point.

24 DEPUTY MAYOR PHILLIPS:
25 Because you want them to declare

2 which one the they're short term
3 renting on the two family.

4 MAYOR STUESSI: That's a
5 very small number relative to the
6 total number of permits.

7 DEPUTY MAYOR PHILLIPS:
8 Right, but short term rental has
9 to be renewed every year.

10 TRUSTEE BRENNAN: I'm lost.
11 In what scenario are we allowing
12 short term rental that there would
13 be a separate?

14 MAYOR STUESSI: We're just
15 talking about the fee and whether
16 the fee should be \$500 or \$750.

17 TRUSTEE BRENNAN: Yeah.

18 MAYOR STUESSI: And then the
19 suggestion was maybe we maybe the
20 permit only valid for one year as
21 opposed to two years.

22 TRUSTEE DOUGHERTY-JOHNSON:
23 Short term rental at this point
24 meaning the 28 days with the
25 22-week exceptions.

2 MAYOR STUESSI: Which is
3 what everybody agreed to.

4 TRUSTEE DOUGHERTY-JOHNSON:
5 Right, because they're not very
6 long. I'm just helping along the
7 discussion.

8 DEPUTY MAYOR PHILLIPS: I
9 could see the \$500 for one year.

10 TRUSTEE DOUGHERTY-JOHNSON:
11 I think makes a lot of sense.

12 TRUSTEE BRENNAN: Yeah, I
13 didn't really understand what the
14 idea of the two year was in the
15 first place. Was it to maybe ease
16 up the demand were they were doing
17 it with their home?

18 DEPUTY MAYOR PHILLIPS: I
19 think it was due do staffing.

20 TRUSTEE ROBINS: Yeah.

21 TRUSTEE BRENNAN: So now
22 they have to redo this --

23 TRUSTEE ROBINS: Yeah, that
24 makes sense.

25 MAYOR STUESSI: It would

2 seem to me that if we're committed
3 to reviewing it a year, we would
4 actually be reviewing sooner than
5 a year. We would -- in my mind,
6 we'd be reviewing, it starts
7 January 1. The season is the
8 summer. We should be reviewing it
9 in the fall.

10 TRUSTEE BRENNAN: Okay,
11 that's just a time thing going
12 forward.

13 MAYOR STUESSI. Yeah, if
14 we're --

15 TRUSTEE DOUGHERTY-JOHNSON:
16 Next fall.

17 MAYOR STUESSI: -- we're
18 going to try this for a year.
19 We're not going to wait for the
20 full year and review it in
21 January. We're going to know how
22 it's working by the end of summer.

23 TRUSTEE BRENNAN: Yes, so
24 I'm sure -- so is that argument
25 for one-year terms or two-year

2 term?

3 MAYOR STUESSI: I think so,
4 for one-year term.

5 TRUSTEE BRENNAN: Yes.

6 TRUSTEE DOUGHERTY-JOHNSON:
7 One year term for the short term
8 rental, not long term.

9 TRUSTEE ROBINS: Year round.

10 DEPUTY MAYOR PHILLIPS:
11 That's giving long term incentive
12 of lower fees, not having to deal
13 with it every year or about every
14 two years.

15 TRUSTEE BRENNAN: Okay.

16 DEPUTY MAYOR PHILLIPS: And
17 at \$500.

18 TRUSTEE BRENNAN: Short
19 terms are double the fees.

20 DEPUTY MAYOR PHILLIPS: So
21 for one year that's \$500.

22 TRUSTEE DOUGHERTY-JOHNSON:
23 Although if it's for a year, it's
24 kind of quadruple kind of.

25 TRUSTEE BRENNAN: Right, it

2 is. It's 400 percent. Is that
3 what our intention was? \$500 for
4 one year versus \$250 for two
5 years?

6 TRUSTEE ROBINS: I thought
7 it was \$250 per year.

8 DEPUTY MAYOR PHILLIPS: For
9 the short term rental.

10 TRUSTEE ROBINS: Yeah, which
11 is \$500 for two years now.

12 MAYOR STUESSI: Yeah, I
13 don't really see the relevance in
14 comparing an annual rental to a
15 short term rental because it's
16 such a different thing.

17 If we're all in agreement of
18 the full-time rental being a
19 two-year permit and \$250, let's
20 put that aside and have a separate
21 conversation on the short term
22 rental. So the question is should
23 it be a one or two-year permit.

24 TRUSTEE BRENNAN: I think it
25 should be one year.

2 MAYOR STUESSI: It seems to
3 make sense relative to us
4 reviewing again in a year and then
5 the question is how much should it
6 be for that one year permit?

7 DEPUTY MAYOR PHILLIPS: It's
8 the cost of doing business.

9 TRUSTEE DOUGHERTY-JOHNSON:
10 I guess if your short term
11 renting, you're making lots more
12 than \$500.

13 DEPUTY MAYOR PHILLIPS: It's
14 the cost of doing business.

15 MAYOR STUESSI: Yeah, we've
16 heard sort of a range of anywhere
17 from \$500 to \$1,500 in public
18 comments for short term rental
19 permits.

20 TRUSTEE DOUGHERTY-JOHNSON:
21 And I think part of what, you
22 know -- I mean, part of this is
23 trying to discourage how easy and
24 how lucrative it is to short term
25 rent so that there's better

2 balance. So I think making it
3 \$500 a year -- it seems reasonable
4 to me.

5 TRUSTEE BRENNAN: Okay.

6 MAYOR STUESSI: I'm good
7 with \$500. Julia?

8 TRUSTEE ROBINS: I'm okay
9 with that.

10 MAYOR STUESSI: Mary Bess.

11 DEPUTY MAYOR PHILLIPS:
12 Yeah, I'm fine.

13 TRUSTEE BRENNAN: What else?

14 MAYOR STUESSI: I think that
15 was it unless I'm forgetting
16 anything from what we talked
17 about. We'll get it redrafted and
18 circulated amongst everybody to
19 take a look at and set up a public
20 hearing. Julia, you good with
21 that?

22 TRUSTEE ROBINS: Yeah, I
23 want to see it in writing. That
24 would be great.

25 MAYOR STUESSI: Mary Bess?

2 DEPUTY MAYOR PHILLIPS:

3 Yeah, I'm fine.

4 MAYOR STUESSI: Lilly?

5 TRUSTEE DOUGHERTY-JOHNSON:

6 Sounds good.

7 MAYOR STUESSI: Patrick?

8 TRUSTEE BRENNAN: (Nodding.)

9 MAYOR STUESSI: All right,
10 with that, I'll make a motion to
11 close the meeting.

12 TRUSTEE DOUGHERTY-JOHNSON:

13 Second.

14 MAYOR STUESSI: All in
15 favor?

16 (Chorus of "ayes".)

17 MAYOR STUESSI: The meeting
18 is closed. Thank you, everybody,
19 for being here.

20 (Whereupon, the meeting
21 adjourned at 7:58 p.m.)

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C E R T I F I C A T I O N

I, REBECCA WOOD, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify:

THAT the above and foregoing contains a true and correct transcription of the proceedings.

I further certify that I am not related, either by blood or marriage, to any of the parties in this action; and

THAT I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of July, 2024.



REBECCA WOOD

E-mail Correspondents

From: Greenport BID President
<bidpresident@greenportvillage.com>
Sent: Saturday, July 6, 2024 3:05 PM
To: Kevin Stuessi <kevin@greenportvillage.org>;
Mary Bess Phillips
<mbphillips@greenportvillage.org>; Patrick
Brennan <pbrennan@greenportvillage.org>; Julia
Robins <jrobins@greenportvillage.org>; Lily
Dougherty-Johnson
<LDougherty@greenportvillage.org>
Cc: Candace Hall <chall@greenportvillage.org>
Subject: Short Term Rentals

Dear Mayor Stuessi and Honored Trustees,

I hope this finds you well and enjoying your July
4th weekend. I have a few observations from the
meeting.

Unfortunately, due to scheduling of the Special
Short-Term Meeting on Tuesday, July 2, 2024,
many business owners and BID Members could not
attend as this is one of the busiest weeks of the
year for Greenport Village. Many needed to attend
to their businesses. They were unable to gain
insight as to what and why the changes proposed
are being made and to witness Trustee discussion
on the matter. Members of the Business Community
are an important voice in any discussion
concerning Code changes of this nature.

The school house, although a more intimate

E-mail Correspondents

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setting, proved to be less than optimal. As a hearing impaired person, it was not only difficult for myself to hear, but I witnessed others struggling to hear as well over the fans of the AC. Possibly a remote PA system in the future may help. I look forwa

We look forward to further discussion and clarity on this matter.

Thank you for your time.

Nancy Kouris

President

Greenport Business Improvement District

Website | Instagram