

VILLAGE OF GREENPORT

COUNTY OF SUFFOLK: STATE OF NEW YORK

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VILLAGE OF GREENPORT

BOARD OF TRUSTEES

SPECIAL WORK SESSION MEETING ON

CHAPTER 103:

RENTAL PROPERTIES AND PERMITS

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Greenport Old Schoolhouse

May 21, 2025

5:30 p.m.

B E F O R E:

KEVIN STUESSI ~ MAYOR

PATRICK BRENNAN ~ DEPUTY MAYOR/TRUSTEE

MARY BESS PHILLIPS ~ TRUSTEE

LILY DOUGHERTY-JOHNSON ~ TRUSTEE

JULIA ROBBINS ~ TRUSTEE

PATRICIA HAMMES ~ PLANNING BOARD CHAIR

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3                   MAYOR STUESSI: I'd like to make  
4                   a motion to open the Village Board  
5                   Special Work Session on Chapter 103,  
6                   Rental.

7                   Second.

8                   DEPUTY MAYOR BRENNAN: Second.

9                   MAYOR STUESSI: All in favor.

10                  (Whereupon, there was a  
11                  unanimous, affirmative vote of the  
12                  Board.)

13                  MAYOR STUESSI: Motion passes.

14                  Welcome, everybody in the  
15                  audience and anybody who is watching.  
16                  The Village Board is doing a  
17                  discussion on our rental law. We wish  
18                  to thank the Chair of the Planning  
19                  Board Patricia Hammes, who has served  
20                  on the Village Code Committee. And  
21                  the Board is going to have a  
22                  discussion and Trisha is going to help  
23                  guide the discussion, together with  
24                  sort of an exchange between everybody.

25                  The purpose today is for the

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2 Board to talk. This is not a public  
3 hearing. There's nothing in front of  
4 the Board that we're considering  
5 moving forward yet. At such time, as  
6 we draft any new law, there will be  
7 public hearings held, as had been done  
8 over the past year. And at that time,  
9 we will take any public comments.

10 With that, I will open up to  
11 Ms. Hammes.

12 Thank you.

13 CHAIRPERSON HAMMES: Thank you  
14 for having me this evening. I have  
15 probably spent way too much of my life  
16 down the rabbit hole on short-term  
17 rental laws. Probably from the last  
18 couple of years when the laws were  
19 enacted.

20 But in any event, I think it  
21 might be helpful to take a step back  
22 and talk about kind of, you know, how  
23 we've gotten to where we are today.

24 If you go back, I guess,  
25 probably six, seven years ago when the

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2 current law was enacted -- the law was  
3 enacted, I think the intention of it,  
4 if you go back -- and I have gone back  
5 and I've read the minutes from those  
6 meetings and I've watched the tapes  
7 and I attended many of them -- was to  
8 provide an opportunity to residential  
9 homeowners to earn some supplemental  
10 income, you know, by renting kind of  
11 in 14-week tiers. The law didn't  
12 really get drafted there in line with  
13 what I think that the Board of  
14 Trustees intent was, if you go back  
15 and you listen to it. And you may  
16 recall, I think this was the case when  
17 the Village sent the notices out last  
18 year that they were going to start to  
19 enforce the law --

20 (Whereupon, there was an  
21 interruption due to a technical  
22 issue.)

23 CHAIRPERSON HAMMES: In any  
24 event, I think there was a lot of  
25 confusion in what the law said versus

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2 what the intent was, and for a variety  
3 of reasons. A lot of reasons it  
4 didn't get enforced, as well as the  
5 fact that there wasn't a lot of  
6 definition in the law. And so it  
7 begged the question of what is an  
8 owner-occupied exception was. So, you  
9 know, we went along for six-plus years  
10 with that in place. More and more  
11 Airbnbs came into effect in the  
12 Village. I think this Board then  
13 thought it was time to, you know,  
14 based on from the Code Committee, to  
15 take a look at it again and started to  
16 veer toward the direction of kind of  
17 more of an outright ban and that what  
18 was being discussed in the community  
19 over the last year and a half, right?  
20 Which is basically, no rentals under a  
21 certain period, whether it's 14 or 30  
22 days.

23 We've heard a lot in the  
24 community about how that doesn't work  
25 for certain parts of the community.

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2 Equally, we've heard from other parts  
3 in the community about the impact that  
4 short-term rentals have on the  
5 residential character of the  
6 neighborhoods. It's generally clear  
7 that in zoning the residential  
8 neighborhoods are intended to be  
9 principally residential in nature and  
10 used for residential purposes. And if  
11 you read our code, that is equally  
12 clear in that even accessory uses are  
13 all supposed to be incidental to the  
14 use of the property principally as a  
15 living place for the person that  
16 either owns it or is a long-term  
17 tenant.

18 In any event, we've gone through  
19 all this and it seems clear that, you  
20 know, there's still a lot of discord  
21 in the community about this. So I  
22 thought it makes sense to kind of just  
23 take a step back and say, look, we've  
24 got a law that doesn't really work  
25 right now and it hasn't been enforced.

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2 We've got different parts of the  
3 community that sees this differently,  
4 so I think the next thing that you  
5 have to do at that point is really  
6 take a step back and look at what your  
7 policy objectives are for a rental  
8 code generally and then more  
9 specifically with respect for  
10 short-term rentals.

11 Rental codes, generally, are put  
12 in place. And a lot of this is in the  
13 paper that you've already received to  
14 address health, safety and welfare  
15 considerations in just generally.  
16 Even if you have rental -- residential  
17 rentals in your downtown area because  
18 you want to ensure that those basic  
19 standards are being met.

20 Our code does some of that. It  
21 doesn't do it as well as it should,  
22 frankly, when you go look at what kind  
23 of the codes that are out there that  
24 are best practice in this field. It  
25 needs a little bit more meat on it. I

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2 think the draft law that's been  
3 circulated previously does that. So  
4 that's one set of things.

5 Then there's the question of,  
6 what do you do with short-term  
7 rentals? And it's clear that there's  
8 empirical evidence across the board,  
9 not just here, but across the board,  
10 that short-term rentals decrease  
11 long-term housing availability. They  
12 remove it from the market. And we all  
13 know that we have a housing crisis on  
14 the North Fork, so that's one side of  
15 the equation.

16 The other side of the equation  
17 is that short-term rentals do provide  
18 some supplemental income to the people  
19 that maybe wouldn't otherwise would be  
20 able to stay in the Village, long-term  
21 residents and the like. They also  
22 support -- we have to be realistic  
23 that we live in a tourism-focused  
24 economy, that there is a lot of  
25 businesses here. Not all of it, but a

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2 lot of businesses that relies on  
3 tourism and therefore relies that  
4 there being lodging availability. So  
5 there's these all kinds of competing  
6 interests. And I think what is really  
7 important is to kind of take a step  
8 back, identify those policies and then  
9 kind of figure out how you want to  
10 prioritize those policies because that  
11 will help you determine where you want  
12 to end up in terms of how you treat  
13 short-term rentals.

14 The bulk of the codes that I've  
15 looked at, and believe me, I've looked  
16 at a lot of codes. I've looked at  
17 codes up and down the eastern seaport.  
18 I've looked at them throughout New  
19 York State. I've looked at them in  
20 other tourism jurisdictions across the  
21 United States. By far, they tend to  
22 fall in one or two buckets. They  
23 either tend to fall into an outright  
24 ban. Usually at 30 days, sometimes at  
25 14. Or they tend to fall into, if

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2 this is your principal dwelling place,  
3 you live here most of the year, you're  
4 entitled to one short-term rental that  
5 allows you to rent your place out.

6 There are variations in between there  
7 that you can find with caps, with  
8 other bells and whistles.

9 Occasionally you'll see something like  
10 an income limit on Shelter Island has  
11 that for one of their short-term  
12 rental permits. You'll have very  
13 complicated codes that have different  
14 buckets. So you'll have like a hosted  
15 short-term rental where the owner  
16 undertakes the stay to physically say  
17 that they will be on site, but the  
18 bulk of them fall into one of those  
19 two categories. But there is a range  
20 in between.

21 And so the materials that, you  
22 know, you've been provided that kind  
23 of go over through all this, they lay  
24 out the objectives, they talk about  
25 kind of what the fundamental crucial

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2 points are. And at the end of the  
3 day, I think the Board needs to kind  
4 of decide what its priorities are and  
5 that will help drive, I think, the  
6 direction of the regulation that you  
7 think is appropriate for the  
8 community.

9 The fundamentally most important  
10 part at the end of this is to have  
11 something that can be enforced because  
12 without enforcement, we are going to  
13 be in the same place we've been for  
14 the last six years. So I think like,  
15 frankly, what should be the number one  
16 policy objective is, whatever you do,  
17 is something that you think you can  
18 enforce.

19 And I did do a kind of a  
20 shorthand piece of all of this that  
21 you can maybe pass these around.  
22 These are the buckets of the types of  
23 categories of rental prohibitions that  
24 we find and kind of what the general  
25 preface of each one are.

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2 MAYOR STUESSI: If I can  
3 interject for a second here. Your  
4 comment a moment ago about income, you  
5 were referring to rental income?

6 CHAIRPERSON HAMMES: No. I was  
7 referring to homeowner income. So on  
8 Shelter Island, for instance, there's  
9 a short-term rental permit that's  
10 called a Home Study Exemption. And if  
11 the owner either has a basic or he  
12 can't start something on the property  
13 or has -- can show that they have  
14 annual income excluding any rental  
15 incomes that's five -- below the 500  
16 percent of poverty level, which works  
17 out -- it's in the papers -- but it  
18 works out to around \$100,000 for an  
19 individual, \$150,000 for two  
20 individuals, then they are entitled to  
21 a short-term rental permit. They have  
22 additional bells and whistles on  
23 there. And even with that, they are  
24 only allowed to rent a certain number  
25 of times within a certain period and

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2 for a limited numbers of days. There  
3 are definitely codes -- and I think  
4 that, Patrick, I know you had put  
5 something forth to the Board that do  
6 that kind of additional layering. And  
7 that's one of the options with what  
8 you have, where they say you can only  
9 rent a number of times a year, you can  
10 only rent for kind of what I would say  
11 sub-period under that 14 or 30 days.  
12 Those policies do exist. They are  
13 very cumbersome to enforce. They  
14 require a lot of tracking and  
15 maintenance. They also require a lot  
16 of onus on homeowners to do reporting,  
17 but they do exist. That is one option  
18 as well.

19 So I think what I would say if I  
20 had to take a step back to see what  
21 the general trend is in short-term  
22 rental laws, generally in the United  
23 States, is that you generally define  
24 it 30 days. As you all probably know,  
25 New York State has adopted code that

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2 will go into effect in September that  
3 defines short-term rentals as 30 days  
4 and it requires that people register  
5 with the State if the individual  
6 doesn't already have a registration.  
7 And it makes it clear for any  
8 short-term rental under 30 days is  
9 subject to any lodging taxes that are  
10 applicable, which in this case is  
11 County taxes.

12 Although, another point that is  
13 raised in the paper that you all have  
14 is to the extent that you go the route  
15 of permitting short-term rentals, and  
16 even if you don't, frankly, given the  
17 number of hotels in the Village, there  
18 has been an increasing trend at a New  
19 York State level to approve municipal  
20 hotel taxes in the three to five  
21 percent range.

22 MAYOR STUESSI: Not hotels. In  
23 lodging.

24 CHAIRPERSON HAMMES: Well,  
25 lodging, it picks up short-term

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2 rentals as well. And sometimes  
3 they're called occupancy taxes,  
4 sometimes they are called hotel/motel  
5 taxes, but if you go and you read  
6 them, what's in the papers that you  
7 have, it's a summary of what's  
8 generally been approved by New York  
9 State. They generally cover bed and  
10 breakfasts, inns, hotels, motels and  
11 short-term rentals. And they allow  
12 the municipality to collect  
13 specifically whatever the rate is on  
14 the rentals. It's generally paid to  
15 the municipality directly by the hotel  
16 or the short-term rental owner on a  
17 quarterly basis.

18 MAYOR STUESSI: The County has  
19 been very aggressive in enforcing that  
20 and collecting it.

21 CHAIRPERSON HAMMES: Well, with  
22 the new State law that's coming into  
23 effect in September, it's going to  
24 become, regardless what the Village  
25 does on this, everybody that runs a

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2 short-term rental in the Village will  
3 be subject to that.

4 (Whereupon, there was inaudible,  
5 indecipherable cross-talk amongst the  
6 parties present.)

7 CHAIRPERSON HAMMES: -- in  
8 September. In September.

9 AUDIENCE MEMBER: I have to file  
10 for it right now.

11 (Whereupon, there was inaudible,  
12 indecipherable cross-talk amongst the  
13 parties present.)

14 CHAIRPERSON HAMMES: Anyway.

15 Brian was -- counsel was looking  
16 into some questions on that, about  
17 whether the Village's current  
18 short-term -- I mean the current  
19 rental permit will suffice for that  
20 because it doesn't -- we don't  
21 differentiate currently between  
22 short-term and long-term, so he wasn't  
23 clear yet whether that will kind of  
24 grandfather the Village in or not when  
25 it becomes effective, but I believe

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2 counsel is looking into that and you  
3 will obviously consult with them on  
4 that.

5 So in any event, I guess I would  
6 say, generally, I see 30 days.  
7 Generally, I see either a ban or  
8 something that is linked to domicile,  
9 where people that have a residence are  
10 allowed one short-term rental permit.  
11 There are a range in between. Some of  
12 those options are laid out in the  
13 papers that you guys have.

14 MAYOR STUESSI: Just a question:  
15 Somebody who is domicile and lives  
16 here, you're -- what you're stating is  
17 that if they had three houses, they  
18 would be allowed one permit for one of  
19 their houses?

20 CHAIRPERSON HAMMES: Correct.  
21 And generally, if it's a two- to  
22 three-family, the other units would  
23 have to all be occupied as well. So  
24 it's not like you can have a two unit  
25 and that you had a short-term rental

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2 for one and the other unit just sat  
3 empty. It has to have a residential  
4 component to it. It goes back, again,  
5 to this concept that the activities  
6 that are permitted in residentially  
7 zoned districts have to be incidental  
8 to the uses of the property as  
9 principally as a residence for people.  
10 And then the enforcement piece, which  
11 I think is really key.

12 So I think, you know, this is  
13 your guys -- you know you are the  
14 decision-makers. I'm just trying to  
15 facilitate having done a lot of  
16 research and reading on this of what  
17 the range of options are, what the  
18 policy objectives, you know, the range  
19 of them, the pros and the cons,  
20 obviously. The policy objectives go  
21 to kind of trying to weigh those pros  
22 and cons. The waiting of that and  
23 what is best for this Village is  
24 obviously within the purview of the  
25 Board of Trustees. So -- I don't

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2 know. You know, that's -- that's kind  
3 of my overview to you all. You have  
4 the materials that I sent you. I  
5 don't know if people have questions on  
6 them. But I think that what would  
7 make the most sense would be for you  
8 all to discuss now your views maybe on  
9 the policy objectives and what you  
10 think the priorities for the policy  
11 objectives should be for the Village  
12 because to me, that would then dictate  
13 the direction that you might go with  
14 respect to any change in the code. I  
15 don't know if the Trustees agree with  
16 that or not, but I'm happy to continue  
17 to answer questions and give insight.

18 MAYOR STUESSI: That would be  
19 helpful. You've been sitting on the  
20 Code Committee for as long as --

21 CHAIRPERSON HAMMES: You know, I  
22 don't know if anybody -- if anybody  
23 has seen, Southold has a study that  
24 was done last year that's interesting  
25 reading on this topic. They will be

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2 revising their short-term rental code  
3 in the next year. I don't know that  
4 they are going to get to it as part of  
5 zoning amendments or not. It's being  
6 handled by a subset, but there is that  
7 work going on over there.

8 MAYOR STUESSI: It's my  
9 understanding that the intent there is  
10 just to fix some of the nuances, but  
11 they're looking to stick with the  
12 two-week minimum.

13 CHAIRPERSON HAMMES: Perhaps.  
14 Perhaps. But I haven't been able to  
15 speak with them directly. The report  
16 indicates something slightly different  
17 than that. It indicates that they  
18 might adopt a lottery system up to one  
19 percent of the outside, you know, of  
20 maybe that's a hamlet, I think --

21 (Whereupon, there was inaudible,  
22 indecipherable cross-talk amongst the  
23 parties present.)

24 CHAIRPERSON HAMMES: --  
25 lotteries. I can tell you right now,

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2       lotteries have been challenged and  
3       thrown out in court. I mean, they are  
4       an option, but they have to --  
5       whatever you do, if you do something  
6       between the two -- the two extremes of  
7       prohibited or permitted if you're a  
8       principal resident, you do something  
9       in between with caps or income limits  
10      or lotteries, it all has to have a  
11      rational basis, right? You have to  
12      tie to some rational basis for where  
13      you set those things, so that's  
14      something else to keep in mind. It  
15      can't be that -- you have to come up  
16      with a reason. Like, if you set an  
17      income limit, you might argue that it  
18      was 120 percent median income for  
19      instance because that's where you  
20      usually see housing, AMIs set for  
21      affordability, but you would have to  
22      talk to counsel and get input from  
23      them on the rational basis for  
24      anything you do in between those, too.

25                   MAYOR STUESSI: Did you see

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2 anywhere else doing this, outside of  
3 Shelter Island?

4 CHAIRPERSON HAMMES: I have not  
5 come across it anywhere else. I've  
6 come across some places that have  
7 specific exceptions where a homeowner  
8 has to live in the jurisdiction for  
9 health reasons. And they certify  
10 that, so they are allowed to do it.  
11 I've seen that in a few places, not a  
12 lot, but in a few.

13 Again, the bulk of the options  
14 out there tend to fall into the two  
15 extremes. And then there are, you  
16 know, things in between that people  
17 do. But that's -- that's what I have  
18 seen. But I do think again -- and New  
19 York State also has a policy piece  
20 that they put out on short-term  
21 rentals as well. All of the reading  
22 you do, again, tell you the same  
23 thing. You need to figure out what  
24 their objectives are and tailor your  
25 code to meet those objectives. And

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2 the objectives all relate to what is  
3 the proper balance between the pros  
4 and cons for short-term rentals for  
5 your particular community.

6 TRUSTEE DOUGHERTY-JOHNSON: That  
7 question about the unhosted short-term  
8 rental in here is mostly just refers  
9 to multiple apartments in the same  
10 building. Not like if you own three  
11 separate houses, right? Or --

12 CHAIRPERSON HAMMES: That's the  
13 question for the Board. I thought  
14 about this a lot. Most of the things  
15 I've seen don't talk about people that  
16 own separate houses. They talk about  
17 a duplex or a triplex. Some  
18 jurisdictions will say that every, you  
19 know, every homeowner that checks that  
20 box of being a principal resident and  
21 basically living in the community is  
22 entitled to one. And there is some.  
23 You can go either way on it, right?  
24 Because if you look at it, why should  
25 I be treated differently because I own

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2 a two-family home versus the fact that

3 I own two homes? Other than the fact

4 that in a two-family home, to go to

5 the point of enforcement on a health

6 and safety standards, somebody is on

7 site. I mean, that's why the

8 homeowner thing also tends to be --

9 the residency thing tends to be

10 important because you're trying to

11 shift or trying to make the homeowner

12 responsible for the health, safety,

13 welfare element of this, so the

14 Village doesn't bear the sole burden

15 of having that code enforcement

16 officer to constantly being called to

17 deal with garbage, noise, things like

18 that. And so I don't have -- I

19 don't -- I mean, I would say, most

20 codes aren't really clear on it. They

21 tend to say you're entitled to one I

22 guess on the basis that most people

23 probably have more than a two-family,

24 but most of them don't differentiate

25 between whether it's two separate

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2 pieces of property versus two units on  
3 one property.

4 Generally, you don't see it  
5 permitted in accessory buildings, I  
6 would go to say that as well. I think  
7 because most people think that  
8 accessory buildings shouldn't be used  
9 for living purposes, which they're not  
10 permitted to be in the Village  
11 currently. If that got changed to  
12 permit it, the idea, again, is, what's  
13 the goal? What's your goal with an  
14 accessory living structure? It's  
15 usually long-term houses. And why  
16 would you allow that to be short-term  
17 rental? But that I think that's  
18 somewhat a conversation for another  
19 day because right now the Village  
20 doesn't -- it's not a permitted use  
21 for accessory structures under our  
22 code.

23 TRUSTEE ROBINS: For  
24 clarification, so number five, which  
25 is one STR property owner, if a person

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2 chose to leave their house, you know,  
3 rent it for a weekend or one night or  
4 whatever, and that's their only  
5 property in the Village, is that what  
6 this would address?

7 CHAIRPERSON HAMMES: They would  
8 allow that. The permit is going to be  
9 specific for a piece of property. So  
10 if you're a homeowner and whatever the  
11 criteria is --

12 (Whereupon, there was inaudible,  
13 indecipherable cross-talk amongst the  
14 parties present.)

15 CHAIRPERSON HAMMES: -- you're  
16 living here 180 days of the year or  
17 thereabouts, half the year, you're  
18 entitled to go in with whatever  
19 reasonable evidence or what the  
20 standard is the Village uses for this  
21 and you're entitled to say for this  
22 property address, you know, a unit, if  
23 it's more than one unit, I want my one  
24 short-term rental. That would allow  
25 you to do that with that piece of

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2 property in whatever way. It's your  
3 home.

4 Or depending, again, this is a  
5 question for you all, whether you want  
6 it to be permitted for properties that  
7 aren't all on the same lot. I think  
8 that's really the biggest question on  
9 that.

10 MAYOR STUESSI: Well, a question  
11 as to whether somebody is renting  
12 their house that is their residence  
13 and they are getting some benefit to  
14 help supplement their income or  
15 they're potentially buying another  
16 house and utilize that just as an  
17 investment and renting that  
18 short-term.

19 CHAIRPERSON HAMMES: That's  
20 another difference between two-family  
21 homes and two separate pieces of  
22 property. I mean, there are  
23 definitely arguments that would  
24 support limiting it to the property  
25 where the owner resides. But you

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2 know, again, there is the nuance of  
3 whether somebody who owns two pieces  
4 of property should be treated  
5 differently. I don't -- I'm just  
6 making the point. I'm not arguing  
7 either way on it.

8 TRUSTEE DOUGHERTY-JOHNSON: I  
9 could go through what I think are --  
10 if the four things are like housing,  
11 quality of life, affordability for  
12 residents, like long-term residents  
13 and keeping them in their houses, and  
14 tourism, I would put them in that  
15 order.

16 Although, quality of life and  
17 affordability are kind of hard for me  
18 to pick. They're kind of -- I could  
19 switch them around. That is -- I'm  
20 not sure exactly how that translates.  
21 How we actually should do this, but  
22 those -- those are where my like --

23 CHAIRPERSON HAMMES: The  
24 empirical evidence of the studies that  
25 have been done both in the United

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2 States and outside the United States  
3 have too many of them as well. From a  
4 management reviews, is that the more  
5 vacancies the community has, and that  
6 includes partial vacancies, it does  
7 have a direct correlation to rent  
8 rates and affordable housing. Not a  
9 100 percent, it's not going to move  
10 the needle hugely, but it does affect  
11 it.

12 TRUSTEE DOUGHERTY-JOHNSON: That  
13 makes sense to me.

14 CHAIRPERSON HAMMES: The Wharton  
15 Business School has some articles on  
16 it and the Harvard Business Review.

17 MAYOR STUESSI: Mary Bess, your  
18 thoughts or questions? You've been a  
19 long time digesting this and working  
20 with the Code Committee on it.

21 TRUSTEE PHILLIPS: Well, it's  
22 kind of like what Julia and Patrick's  
23 first feeling with it because I have  
24 worked on it for a long time. And  
25 there's also, you know, we are a

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2 multi-zoned community and we do have  
3 the business district that also has to  
4 rely on tourism and there has to be  
5 some type of accommodation for people  
6 to come. And since we have taken a  
7 look at the downtown district and we  
8 have technically limited any new  
9 development of hotels, I think we also  
10 need to be a little considerate with  
11 whatever policy we make. Taking a  
12 look at what actually would possibly  
13 come around us that we may not want  
14 and may impact our quality of life as  
15 well.

16 I mean, Suffolk County Planning  
17 did their '24/'25 report and they  
18 listed a number of hotel rooms by the  
19 town in Suffolk County. And of course  
20 up west, East Hampton and Riverhead  
21 and Huntington of course have a great  
22 amount of existing hotel  
23 accommodations, but the Town of  
24 Southold does not and Shelter Island  
25 has the least. So I think that we

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2 also have to balance that along with  
3 the quality of life resident as well.  
4 And taking a hard look at that because  
5 with the new zoning discussion going  
6 on in the Town of Southold, they're  
7 looking at the rentals -- short-term  
8 rentals, they're looking at the  
9 disaster of the [indiscernible] that  
10 we have. And I'm sorry, it is a  
11 disaster that's on the main road in  
12 Southold. I think we need to look at  
13 that as a total, too, as people --

14 MAYOR STUESSI: Disaster in what  
15 way?

16 TRUSTEE PHILLIPS: Well, the --  
17 the -- Suffolk County kind of  
18 overwrote the Town of Southold on a  
19 lot of giving them economic benefit.

20 MAYOR STUESSI: But the Town had  
21 already approved it. The town zoning  
22 allowed for it.

23 TRUSTEE PHILLIPS: I understand  
24 the town zoning allowed it, but as  
25 it's becoming and created and as it's

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2 growing, the people that -- the  
3 residents around it and the town --  
4 not the town forest, but the  
5 discussion in the local -- local  
6 coffee shops is that they're just  
7 waiting to see how it's going to  
8 impact not only the Town of Southold,  
9 but it's going to impact us. I'm  
10 sorry. It is. The traffic is going  
11 to be bad. So as I said, I'd really  
12 like to hear the other Trustees  
13 because I have been living like this  
14 as long as Trisha has. And I have  
15 kind of changed my mind a couple of  
16 times over and turned it around five  
17 times up and down. And I do strongly  
18 believe that if we do do anything  
19 about the short-term rentals, that the  
20 Village should get the benefit of some  
21 type of going through the State of  
22 getting some type of motel/hotel tax  
23 to pay for the increase services that  
24 come along with it.

25 MAYOR STUESSI: That's a good

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2 point. And we've discussed this  
3 before. And for the benefit of the  
4 public, if the Village, just to put a  
5 point on what Trisha was saying, if  
6 the Village decided we wanted to  
7 participate in collecting a lodging  
8 tax, which, again, would be off any  
9 type of lodging. It would be off  
10 hotels, bed and breakfasts and any  
11 type of short-term rentals or even a  
12 month-long rental, Airbnb, Vrbo or  
13 renting directly. This would be above  
14 and beyond to the current Suffolk  
15 County tax and we would have to go  
16 through the state legislature in order  
17 to get it passed.

18 As Trisha has mentioned, this  
19 has been done in a number of places.  
20 Currently, the Town, the Village, gets  
21 very little back from the County on  
22 the lodging taxes. It's -- it's a  
23 very small number. It's all --  
24 they've increased the tax, I want to  
25 say three years ago, two and a half

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2 years ago because Krupski was still on  
3 the -- in the council legislature. I  
4 remember having a discussion with him  
5 about it. And both he and Bridget  
6 Fleming, who represented the south  
7 side at the time, didn't agree with  
8 the increase in the tax because the  
9 tax was all going towards funding a  
10 bunch of work in mid-island and  
11 looking to build a convention center  
12 in Ronkonkoma and that it tripled the  
13 budget of Discover Long Island. This  
14 would be a way potentially to get  
15 funds directly to the Village.

16 Patrick, do you want --

17 DEPUTY MAYOR BRENNAN: Sure.

18 I'll go. Let me just start by saying  
19 thank you, Trisha, because this is  
20 kind of a thankless job, and that goes  
21 to you as well as the other Code  
22 Committee people, Trustee Phillips,  
23 John Saladino, Didi Gordon [phonetic].  
24 I'm sorry. I didn't mean to leave  
25 Didi out. It's much appreciated and

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2 you've been persistent and your work  
3 is always thoughtful and thorough and  
4 it's very helpful to this Board and  
5 what you're bringing to us.

6 I just want to touch on two  
7 things that I want to emphasize or  
8 reiterate. One about the  
9 enforceability that you mentioned. I  
10 agree, that's very important. That's  
11 a conversation that this Board was  
12 having about other policies. And I  
13 hope we are moving towards a place  
14 that whenever we are discussing  
15 policies, we are taking a hard look at  
16 the enforcement aspect of it and sort  
17 of not just checking the box, but  
18 having a discussion on how it's going  
19 to be enforced and what the locations  
20 are, so we don't move toward any kind  
21 of legislation or policy.

22 MAYOR STUESSI: Yeah. Is it  
23 enforceable? First off, is the big  
24 issue.

25 TRUSTEE BRENNAN: It's an

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2 important test.

3 The other is this notion of  
4 competing interests that you've talked  
5 about. I agree it's sort of a summary  
6 of what the tension is of what I see  
7 what the tension is between the  
8 competing interests. And I do agree  
9 with the idea of trying to strike the  
10 right balance here, but -- and you've  
11 touched on this as well. We do have  
12 to look at our goals. So it's not  
13 just, in my mind, a balance between  
14 two large competing interests. So  
15 that exists, but we also need to look  
16 at, what is our goal? And what do we  
17 want to accomplish? So if this -- if  
18 this tension is between quality of  
19 life or the right or the need to rent  
20 short-term, we may have a goal that is  
21 distinct from those two goals. Our  
22 goal might be to add more housing or  
23 make more housing available. So we  
24 have to not only look at the balance,  
25 but identify, and I think you used the

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2 word "priority," and I agree with  
3 that. So what do we want to  
4 accomplish? And how does that fit in  
5 with this kind of balancing thing that  
6 we are trying to do? Then I had a  
7 couple of questions. Not questions,  
8 but more for discussion.

9 I'm still challenged or hung up  
10 on the short- versus long-term  
11 definition because we've been talking  
12 a lot about short-term, whether it's  
13 14 or 30 days. When I think about  
14 housing these, and I think about what  
15 long-term is, I think that's a year.  
16 So I don't understand how people can  
17 live in the community that didn't have  
18 secure housing for a year at a time.  
19 That's how our lives work. We have  
20 jobs and people and school and things  
21 like that. So what is it between  
22 30 -- if 30 days is short-term, and in  
23 my mind, long-term is a year or more,  
24 what's that middle area, right? So  
25 what's between 30 and 360 days? What

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2 do we do about that? It seems to be  
3 missing from our prior discussion a  
4 little bit about this gray area  
5 between 30 and 360 days.

6 CHAIRPERSON HAMMES: So I  
7 struggled with that when I thought  
8 about this, too. Because more often  
9 than not, when I thought about it, I  
10 thought about from a housing  
11 perspective historically, so I agree  
12 with that. If you think about housing  
13 security, it's 12 months housing  
14 security, right? I don't have an  
15 answer for you other than that. And  
16 the fact that the codes I looked at  
17 generally ignore that delta. There  
18 are probably a few codes out there,  
19 and I can't tell which ones they are,  
20 that have something that kind of deals  
21 with -- usually it's not a full 365.  
22 Its usually been like 270 or 180. And  
23 I have to go back and figure out what  
24 they actually do on that. It's not  
25 something that's commonplace at all.

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2 I think because historically, even  
3 before short-term rentals, the  
4 literature and guidance on this is all  
5 this kind of under 30 days. If you  
6 think about in terms of evictions,  
7 right? I think the eviction period --  
8 somebody may know better than me, it's  
9 not my area.

10 DEPUTY MAYOR BRENNAN:

11 Twenty-eight days.

12 CHAIRPERSON HAMMES:

13 Twenty-eight days.

14 So I think that's why people  
15 kind of go up to 30 and then kind of  
16 skip over to the next step. So I  
17 agree with you on that housing point.  
18 I think one way to deal with that for  
19 the Village is hard with respect to  
20 single-family homes, but there are  
21 ways you can try to structure the code  
22 to deal -- right now, codes only allow  
23 short-term rentals in one- or  
24 two-families first of all, so whether  
25 you want anything other than that, I

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2 think you do need to think about how  
3 you deal with condos in the Village.  
4 Our code is silent on that right now.

5 I have some sympathy for if it's  
6 a true, true three unit. Perhaps  
7 allow one of those, if they are both  
8 full-time rented out. I don't know  
9 how, at the end of the day, that's  
10 kind of around the edges.

11 I think single-family is your  
12 point. It becomes the question, is it  
13 a tradeoff? If you allow a short-term  
14 rental permit on a single-family, it's  
15 not going to be available for  
16 full-time housing.

17 TRUSTEE BRENNAN: Right. What  
18 I'm concerned about is after 30. So  
19 if we have a situation where people  
20 are renting for 31 days or 60 days, 50  
21 days, that's great and that may  
22 address some concerns about the  
23 quality of living and not having too  
24 many transient guests and things. But  
25 it does nothing for secure housing, so

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2 no one is going to live on a 30, 60,  
3 90 day situation.

4 My other --

5 TRUSTEE PHILLIPS: Patrick, let  
6 me ask a question. Because what I'm  
7 hearing, and you're right, the number  
8 of days kept circling around and  
9 around, so perhaps one of the policies  
10 or one of the goals that this Board  
11 should come up with is, just come up  
12 with, is to get that under control.  
13 Because I think once we make a  
14 decision on that, it would probably  
15 guide us into moving onto the other --  
16 other information. Because here in --  
17 if you take Trisha's rental code goal  
18 and purposes, we're talking about safe  
19 and habitable living situation. The  
20 short-term, yes, but it's different  
21 with the long-term, 12 month  
22 situation, okay? Does it meet with  
23 the health, safety and building codes?  
24 Well, it falls both on short-term and  
25 long-term, but once again, quality of

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2 life and making -- and creating safe  
3 housing is going to fall into that.  
4 That's going to be 12 months.

5 Do you hear where I am going  
6 with that?

7 TRUSTEE BRENNAN: Yeah.

8 TRUSTEE PHILLIPS: And if I --  
9 if providing municipality, yes, we  
10 know we have to do that. We don't  
11 have that with short-term or  
12 long-term, which is where we need  
13 this. However, we come down to it, I  
14 think the number of days has got to be  
15 established first before we can even  
16 continue with -- on some of the other  
17 discussions.

18 And we keep going around in  
19 circles with it. We've been going  
20 around in circles with it not only in  
21 Code Committee, but at this Board,  
22 too. We've gone from 14 days to 28  
23 days to 30 days for short-term rental.  
24 But a full-time rental, 12 months, but  
25 according to the code, I mean

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2 according to New York State law  
3 eviction, which you have to think  
4 about, is what? 286 days, is it? I  
5 don't know. I don't know legally,  
6 okay? But I just, in my mind, we have  
7 to settle that. We've got to come to  
8 terms with that somehow.

9 DEPUTY MAYOR BRENNAN: Okay. So  
10 the point taken.

11 Another area of concern I have  
12 is the notion of domicile or permanent  
13 resident. I had thought that we could  
14 pin some of the short-term rental to  
15 the requirement to be domicile. You  
16 were using that word, but you were  
17 talking about people who live here  
18 permanently, they reside here as a  
19 principal resident. In discussions  
20 that I had with you separately, I  
21 think you indicated to me that may  
22 be -- that there may be some  
23 challenges to this idea of domicile.

24 CHAIRPERSON HAMMES: I think  
25 it's how you structure it, having done

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2 more research on it. And I think you  
3 ultimately need input from legal  
4 counsel on that. But by far, the bulk  
5 of the code literature I have been  
6 reading has said, you can't -- you  
7 can't -- you can't make it so somebody  
8 who lives outside of the State can  
9 never possibly be entitled to a rental  
10 permit.

11 DEPUTY MAYOR BRENNAN: You can't  
12 make it?

13 CHAIRPERSON HAMMES: That might  
14 raise issues. It may or may not.  
15 It's not settled law. Different  
16 courts have held in different ways.  
17 But you can require that people --  
18 that -- that the use is in incidental,  
19 that the short-term rental use is  
20 incidental to property being used as a  
21 primary residence. And so there are  
22 ways to structure towards that. And  
23 that is my understanding from counsel,  
24 they have reviewed this piece, they  
25 think it generally works.

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2 MAYOR STUESSI: So at the end of  
3 the day, we need to make a decision as  
4 the Board as to what you want to look  
5 at doing. And if there is some sort  
6 of test for a certain level of  
7 residency, and they will draft it, so  
8 that it meets the legal standards.

9 DEPUTY MAYOR BRENNAN: But  
10 you're suggesting if it's shifting  
11 away from the domicile thing to what's  
12 allowed? Zoning essentially.

13 CHAIRPERSON HAMMES: Yeah.  
14 Since -- you know, the standard has to  
15 be, and I think there's case law on  
16 this, that has made it clear that  
17 reasonable regulations that intend to  
18 preserve the primaries of the property  
19 for residential purpose can be coupled  
20 with incidental use as a vacation  
21 rental. How do you determine what's  
22 incidental? And generally, that's  
23 done by reference to how much of the  
24 time that property is being used.

25 MAYOR STUESSI: We are talking

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2 about a commercial use in a  
3 residential neighborhood, so that's  
4 the test.

5 CHAIRPERSON HAMMES: Right.

6 DEPUTY MAYOR BRENNAN: My last  
7 comment is on the lodging tax thing,  
8 which sounds intriguing to me. My  
9 question for you, what is it that New  
10 York State is recognizing here? What  
11 is the cost to a community? So if New  
12 York State is allowing this in some  
13 municipalities, they must believe that  
14 the community is entitled to recover  
15 something. And so they're implying or  
16 saying --

17 CHAIRPERSON HAMMES: Because in  
18 most of the places that have housed  
19 this have been communities similar to  
20 places like the Village that has the  
21 tourism component. So places like the  
22 Catskills, up towards Lake Placid,  
23 those areas. So I think -- and it's  
24 been done. I've double checked the  
25 jurisdictions where there is also

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2 county tax, so it's not just in places  
3 where there's no county tax. They are  
4 stepping into that. I think it's been  
5 done in recognition if there's a cost  
6 to communities.

7 DEPUTY MAYOR BRENNAN: You mean  
8 like the use of roads, garbage cans,  
9 parks?

10 CHAIRPERSON HAMMES: But more  
11 than that, it goes into the general --  
12 in all the ones I've looked at, which  
13 is most of them at this point, it goes  
14 into general purposes. Outside of New  
15 York, there are places where sometimes  
16 a portion of it has to be set aside  
17 for specific purposes, which is  
18 footnoted in here, whether that's to  
19 provide grants to help people with  
20 some kind of housing and things like  
21 that. I think before you go down that  
22 route, you want to figure out what the  
23 quantum of it was. But none of the  
24 laws say it can only be used -- like  
25 the parking stuff we used to talk

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2 about, none of the laws say it can  
3 only be used for that because there's  
4 wear and tear on our sewer system,  
5 right? There's all kinds of wear and  
6 tear. There's also wear and tear of  
7 the fabric of the community as you  
8 become more of a seasonal community  
9 and, you know, there's a constant  
10 cycle of less and less businesses  
11 being opened in the wintertime.

12 DEPUTY MAYOR BRENNAN: I'm  
13 intrigued by the idea that the lodging  
14 tax, in my mind, is like a user tax.  
15 And that it recognizes that the tax  
16 burden shouldn't fall entirely on the  
17 residents to support this kind of  
18 activity. So some people live here,  
19 they're not engaged in short-term  
20 rental or anything. They may not even  
21 have a small business here. But I  
22 think we need to look at that very  
23 closely. Like, for example, the sewer  
24 thing. Does the short-term rentals  
25 really increase the amount of sewage?

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2 Because you still have the same number  
3 of houses, apartments, toilets and  
4 in -- in a short-term rental  
5 situation, there's a lot vacancies.

6 CHAIRPERSON HAMMES: Unless it's  
7 overcrowded.

8 DEPUTY MAYOR BRENNAN: Right.  
9 Overcrowding on the one hand, but when  
10 I think about our housing challenges  
11 here, I think we have a vacancy  
12 problem. We have housing units that  
13 are not being fully -- or were not at  
14 an efficient level of occupied units,  
15 right? Because too many of them are  
16 off the market too many days of the  
17 year.

18 But if I think --

19 TRUSTEE ROBINS: You're  
20 referring for rentals or purchase?

21 DEPUTY MAYOR BRENNAN: It could  
22 be for any reason. It could be  
23 rental, it could be second home, it  
24 could be a house that's oversized, it  
25 could be a retiree or a widow that's

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2 living in a larger house and they  
3 can't utilize the rest of it. I think  
4 about, how do we decrease our vacancy  
5 rate to get more housing within the  
6 stock that we have?

7 MAYOR STUESSI: Well, some of  
8 the complaints we've heard from folks  
9 is that my neighbor, the house is only  
10 rented on weekends during the summer  
11 and it sits empty from Labor Day to  
12 July 4th.

13 DEPUTY MAYOR BRENNAN: Right.  
14 So the counterargument to that is,  
15 that's not very impactful, so they are  
16 not using the sewer or --

17 CHAIRPERSON HAMMES: Well, it  
18 depends. If everybody is in the  
19 Village from Memorial Day to Labor  
20 Day -- you guys would know this better  
21 because you're dealing with the sewer  
22 report -- but my understanding is  
23 you're more likely to have a sewer  
24 emergency in the summertime than you  
25 are in the wintertime, so I would just

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2 say that the argument is some of those  
3 places are more vacant in the  
4 offseason, but you are more likely to  
5 have more people. And right now, we  
6 don't really have any -- I don't  
7 believe our current code has even the  
8 basic standard of how many people you  
9 can have in a bedroom, and so I don't  
10 know that if that is a fact. But I do  
11 believe or my understanding has been  
12 the sewer system is much more under  
13 siege in the summer months than it  
14 is --

15 MAYOR STUESSI: Without a doubt.  
16 A significant amount of that is in the  
17 commercial use, of course.

18 CHAIRPERSON HAMMES: But that's  
19 also related, right? Because they're  
20 coming here and they're staying here,  
21 so --

22 DEPUTY MAYOR BRENNAN: I'm not  
23 making the argument one or the other.  
24 I'm just saying we need to be mindful  
25 when we are making assumptions of what

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2 the impact is because you might be  
3 right in some cases that it's wear and  
4 tear on the roads or something or we  
5 might be off on other cases.

6 MAYOR STUESSI: Yeah.

7 (Whereupon, there was inaudible,  
8 indecipherable cross-talk amongst the  
9 parties present.)

10 MAYOR STUESSI: -- I think it's  
11 an important part of the discussion,  
12 but that's a separate issue from the  
13 rental code.

14 CHAIRPERSON HAMMES: As a  
15 resident, speaking as a resident, I  
16 would find it shameful for this Board  
17 not to move forward now that I'm aware  
18 that the State has allowed local  
19 communities to adopt that tax. I  
20 just -- given where I know the budgets  
21 to be and the restraints that the  
22 Village has in terms of its expenses  
23 to not find ways for more money into  
24 the Village, I just -- I mean, I'd be  
25 happy to hear the argument from you

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2 all against it, but I struggle with  
3 what the argument would be with not  
4 proceeding.

5 TRUSTEE PHILLIPS: We haven't  
6 discussed it before. It's not a  
7 general consensus of this Board to  
8 pursue the -- I think it's more  
9 pursuing the amount of work. And  
10 there's a fair amount of work.  
11 There's the lobby, the state  
12 legislatures to allow. It's not just  
13 something that can be given, so -- but  
14 it has been talked about before.

15 CHAIRPERSON HAMMES: It's just  
16 that if there was ever a time to do it  
17 given the current financial situation.

18 MAYOR STUESSI: I don't think  
19 we'll have an issue. If we decided we  
20 wanted to do this, we would have legal  
21 draft it and we would deal with state  
22 assembly and the state senator.

23 TRUSTEE DOUGHERTY-JOHNSON: Can  
24 I ask a question? Is it three to five  
25 percent in reference to that

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2 because --

3 CHAIRPERSON HAMMES: That's what  
4 they are.

5 (Whereupon, there was inaudible,  
6 indecipherable cross-talk amongst the  
7 parties present.)

8 CHAIRPERSON HAMMES: -- the  
9 State doesn't have a limit on it.  
10 That's where they've been. They've  
11 been three, four and five percent.

12 TRUSTEE PHILLIPS: Suffolk  
13 County is already collecting it. And  
14 I find that if they're collecting, why  
15 can't we?

16 CHAIRPERSON HAMMES: I've never  
17 thought about it. I know people have  
18 brought it up before. But I knew that  
19 the State hadn't approved any  
20 municipal taxes. But now that I've  
21 gone and I've looked, there are five  
22 jurisdictions that got approved at the  
23 end of last year. The legislation got  
24 it pushed through at the end of the  
25 year. Given the current -- again, the

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2 current on the federal and state  
3 level, the lack of funding that's  
4 going to be available for small  
5 municipalities and the fact that we  
6 are kind of challenged economically, I  
7 would be hard pressed to see why the  
8 State wouldn't approve this. But  
9 again, I think Kevin is right, it's a  
10 related conversation, but it's not --  
11 it doesn't --

12 MAYOR STUESSI: It wouldn't be  
13 in our rental code. It would be  
14 entirely separate.

15 And just to speak on the  
16 negatives of this specific issue and  
17 then I will move on. I've heard from  
18 others that it's impactful to people  
19 that are renting and the hotel  
20 because, of course, folks already feel  
21 like they're being taxed at this  
22 amount, and whether it's \$600 a room  
23 in July at a hotel or \$300 a room for  
24 somebody's Airbnb, the taxes are there  
25 and it's just one more --

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2 CHAIRPERSON HAMMES: My property  
3 taxes are going up what percent every  
4 year?

5 MAYOR STUESSI: I'm not arguing  
6 for it. I'm just simply saying, you  
7 said you don't know --

8 CHAIRPERSON HAMMES: I'm  
9 speaking solely in my capacity as a  
10 resident, so --

11 MAYOR STUESSI: Patrick, did you  
12 want to --

13 DEPUTY MAYOR BRENNAN: No. I  
14 think the lodging tax thing certainly  
15 has to be a part of the equation here.  
16 The only reason I was bringing it up,  
17 I was trying to get an understanding  
18 as to what it is that the State is  
19 recognizing it for allowing it.

20 CHAIRPERSON HAMMES: My sense is  
21 from what I've read, and Brian's law  
22 firm should be able to weigh in more  
23 on this. Is it communities that are  
24 impacted by the significant tourism?  
25 And all the things that go along with

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2 that.

3 DEPUTY MAYOR BRENNAN: Yeah.

4 MAYOR STUESSI: We would have a  
5 very easy time making that case. And  
6 when we look at our contribution  
7 relative to what we get back from the  
8 County, which doesn't match up.

9 DEPUTY MAYOR BRENNAN: I'm good  
10 for right now. Do you want to  
11 continue?

12 MAYOR STUESSI: Julia.

13 TRUSTEE ROBINS: You know, I've  
14 given so much thought on this. And  
15 I've come around a lot and changed my  
16 position quite a bit as a matter of  
17 fact, you know? I don't think that  
18 most people who are second homeowners  
19 here are willing to rent their houses  
20 year-round because they are using it  
21 at least part of the year. When you  
22 make that commitment to rent  
23 year-round, that's it. You know, it's  
24 unavailable to you then. I know it  
25 because I do property management. I

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2 manage year-round rentals. It's a big  
3 deal. So I'm not sure if that's going  
4 to increase. I don't think it's going  
5 to increase the housing stock, to be  
6 honest with you. I think instead we  
7 should concentrate more on our  
8 permitting process and to -- if  
9 somebody wants to do a rental, it  
10 should be two different ranges.

11 In other words, if you go  
12 short-term, your permit should be for  
13 just one year. It should be at least  
14 six -- \$600 to \$1,000 for that permit.  
15 And definitely renewable every year.  
16 Where it incentivizes the people that  
17 do want to do a year-round rental and  
18 then a permit would be less. It could  
19 be \$200 for a year-round permit, \$300  
20 for a three year, something along  
21 those lines, you know? But I really  
22 do not believe that you're going to  
23 create a more year-round rental stock  
24 by stopping people from renting. I  
25 don't think there should be any

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2 limitation on time, to be honest with  
3 you. I think we have to acknowledge  
4 what we are. We are a seasonal  
5 community. A lot of people are coming  
6 here, they need housing. We don't  
7 have the hotels that we -- rightfully  
8 so. I don't think we want to be  
9 overwhelmed with hotels and places  
10 like that. But so -- you know, that's  
11 just an honest assessment. Believe  
12 me, I came from the other place. I  
13 thought this is bad. I've been  
14 evolving with this process over a  
15 number of years.

16 Patrick, you picked up on what I  
17 talked about, which is housing  
18 security. But how do we really  
19 guarantee that, you know? I just -- I  
20 don't know. It's tough. It's a tough  
21 thing for this Board right now.

22 TRUSTEE DOUGHERTY-JOHNSON: What  
23 about the cases where people do have  
24 multiple? I mean, I understand your  
25 argument about second homeowners, but

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2 if you have multiple houses you're  
3 renting one short-term instead of  
4 renting it to a year-round. Like, I  
5 don't see how it doesn't increase  
6 housing some.

7 TRUSTEE ROBINS: It could. It  
8 depends. If those people are owning  
9 multiple homes, they're strictly for  
10 investment. It's kind of different  
11 than a second homeowner who used the  
12 house themselves, you know? Even if  
13 they are only using it in the summer  
14 and they're not here during the  
15 winter. I do those kind of rentals,  
16 too, you know? It's called a  
17 ten-month rental or whatever. It's  
18 very unpopular because the family  
19 can't rent for ten months.

20 TRUSTEE DOUGHERTY-JOHNSON: I'm  
21 just saying if we have no limits, then  
22 how do you stop some of the houses  
23 just becoming a short-term rental and  
24 not rentals for year-round people?

25 TRUSTEE ROBINS: I don't think

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2 one is mutually exclusive to the  
3 other. I think that -- I just don't  
4 see us incentivizing people to rent  
5 year-round. It's a whole other  
6 animal. It's not anything like a  
7 short-term rental.

8 TRUSTEE DOUGHERTY-JOHNSON: But  
9 if they can't make the money on a  
10 short-term rental because you're not  
11 allowing it, then our spin --

12 MAYOR STUESSI: If it's  
13 restricted to your residence as your  
14 primary place, then you don't have the  
15 ability to start buying up other  
16 houses and renting short-term as a  
17 business. You can do it for your  
18 place.

19 TRUSTEE ROBINS: Right. Right.  
20 For your place, exactly.

21 MAYOR STUESSI: That's --

22 TRUSTEE PHILLIPS: How many do  
23 we have in the Village that are? We  
24 don't know that.

25 TRUSTEE ROBINS: I don't think

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2 we have the means for determining it  
3 either, to be honest with you.

4 TRUSTEE PHILLIPS: Well, you  
5 have to have -- if you're separating  
6 the classification between the permits  
7 as having short-term permit for one  
8 year, you declare it for that, then  
9 you are -- and you have multiple  
10 houses, you're going to have to  
11 declare.

12 TRUSTEE ROBINS: Right. We can  
13 use that as a regulatory feature then.

14 CHAIRPERSON HAMMES: I would  
15 just say, by far, because we don't  
16 allow a property owner to have more  
17 than one short-term rental permit.  
18 And by property owner, it generally  
19 limits it to individual trusts and it  
20 encompasses the spousal or partner  
21 unit. And so a husband and wife are  
22 entitled to one -- or whatever you  
23 want to call it, partners, are  
24 entitled to one short-term, on the  
25 extreme of the most liberal, are

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2 entitled to one short-term rental  
3 permit. And they are not entitled to  
4 multiple. I think -- I hear you on  
5 the -- I hear both of what you are  
6 saying. I feel like housing is so  
7 important.

8 I just don't now, Patrick, how  
9 you get to where you want to be.  
10 Because at the end of the day, people  
11 do have property rights and we cannot  
12 take all the property rights away, we  
13 can't dictate -- you certainly  
14 couldn't have a law that says, you can  
15 only rent on a 12 month basis. I  
16 don't think that would stand  
17 constitutionally. The constitutional  
18 stuff has all been around the  
19 short-term rental. It's hasn't been  
20 on the 30 days. Counsel would have to  
21 weigh in on that, but I think that  
22 would be a bridge too far on all of  
23 the properties.

24 On two houses I think that's  
25 somewhat different. So I agree with

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2       you on the single families. This is

3       something I struggled with. I don't

4       believe that the second homeowners

5       that purchased down here in the last

6       10 or 20 years are going to suddenly

7       decide that they are going to move out

8       of their house that they use a couple

9       times a year and turn it into a

10      long-term rental. I don't think

11      that's a feasible way to do it. I

12      feel like if you don't do something,

13      we'll see more and more of what I have

14      seen in my neighborhood. And I have

15      seen at least three or four houses or

16      buildings that have been bought and

17      either were two-families or converted

18      into two-families and are now all

19      short-term rentals. I've lost at

20      least five full-time neighbors maybe

21      in the last five years. So that will

22      keep happening if there's no limit at

23      all and we don't fix the code. There

24      will just be an incentive for people,

25      outside investors to buy properties.

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2 And they don't even have to be big  
3 corporations. They can be, you know,  
4 one person that owns property by me in  
5 Mattituck, they have extra money, they  
6 see the way -- I think Southold said  
7 the average homeowner in Southold Town  
8 is making 100 to \$150,000 on  
9 short-term rental income, so on that  
10 basis, they can come in and buy a  
11 house here and convert it to a  
12 two-family and rent out short-term  
13 rental at the height of the season at  
14 a thousand-plus dollars a night. If  
15 we don't fix the code, that will  
16 continue to happen. And we will --  
17 the more of that that you have is like  
18 a cycle, right? The cycle that just  
19 keeps building on itself and the  
20 vacancy rate keeps going up and the  
21 short-term rentals keep growing. And  
22 maybe that -- it's your guys' call if  
23 that's the direction that you think is  
24 right for the Village. But all the  
25 literature, all the studies show

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2 that's what happens when there's no  
3 box around this. Whatever that box is  
4 and what it looks like.

5 MAYOR STUESSI: Mary Bess, your  
6 thoughts.

7 TRUSTEE PHILLIPS: Once again, I  
8 am hearing that everything is tied,  
9 especially if you talk about the  
10 investment homes and the definition.  
11 We have to make -- we have to make it  
12 because someone is not going to invest  
13 in a short-term rental investment  
14 property if they have to rent it once  
15 every two weeks. I just think we need  
16 to come up with that first to move  
17 things forward. We can -- we can go  
18 around in circles, but until you come  
19 up with that definition, you have to  
20 have a basis and it's a number of days  
21 to make that basis.

22 CHAIRPERSON HAMMES: No matter  
23 where the Village sets it, I think  
24 John mentioned this before, under  
25 State law, the 30 days is going to

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2 be -- they're going to have to be  
3 registering under 30 days for a  
4 rental.

5 TRUSTEE PHILLIPS: The State  
6 already said that?

7 CHAIRPERSON HAMMES: The State  
8 already defined it at least 30 days.

9 TRUSTEE PHILLIPS: So do we  
10 follow the State code and create it  
11 from there?

12 MAYOR STUESSI: You're  
13 suggesting 30 days minimum rental, not  
14 being below that?

15 TRUSTEE PHILLIPS: I'm  
16 suggesting that if the State code has  
17 already been established and the State  
18 has already made a definition, is that  
19 what you're telling us?

20 CHAIRPERSON HAMMES: What I am  
21 telling you is that the State has  
22 defined a short-term rental as  
23 anything under 30 days. What you do  
24 with that, what is permitted as a  
25 short-term rental and what it's not is

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2 up to you. But the State has defined  
3 it as under 30 days.

4 MAYOR STUESSI: What is the  
5 legal definition by State law? If  
6 it's nothing to do with what we decide  
7 minimum rental.

8 So again, just to reiterate for  
9 the public, the original  
10 recommendation from the Code  
11 Committee, I think we are going back a  
12 year now probably, was a minimum  
13 30-day rental. The Board discussed  
14 that. The Board had consensus at one  
15 point in looking at two-week minimum  
16 rental. And then if there was further  
17 discussion -- so I mean, that is sort  
18 of the gating issue where the Board  
19 needs to make a decision on what is  
20 the minimum rental. And is there some  
21 sort of standard, to your point, that  
22 we don't see in particular a whole  
23 bunch of things continue to convert  
24 over and not create any housing?

25 CHAIRPERSON HAMMES: I mean,

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2 again, I think defining short-term  
3 rental given the State law is 30 days  
4 makes sense. And the conversation is  
5 largely around what you can do if it's  
6 less than 30 days.

7 To Patrick's point, there is  
8 still that delta that's not dealt with  
9 between 30 and 365. And whether you  
10 want to have another bucket that deals  
11 with that is something --

12 MAYOR STUESSI: Do we really  
13 think that's an issue though? If  
14 somebody is renting for the whole  
15 summer, that's 90 days. That's less  
16 than a full-time rental.

17 CHAIRPERSON HAMMES: I think  
18 Patrick's point was, if you decide  
19 that your core priority or your core  
20 goal is to maximize full-time housing  
21 in the Village and dealing with that  
22 delta is an issue. But how you deal  
23 with it is something you need to talk  
24 to counsel about because of the  
25 property right issues with that.

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2 TRUSTEE DOUGHERTY-JOHNSON: I  
3 think I see that as a less pressing  
4 issue than the shorter short-term  
5 rental I think at this point. I mean,  
6 I understand, like, I also think that  
7 houses like that, usually that  
8 people -- I don't know. I mean,  
9 you're retired or it's -- it's not so  
10 much -- it's not an investment.  
11 Because right now, if you can, you're  
12 going to rent things short,  
13 short-term, not for the whole summer  
14 or -- those are people who go away or  
15 travel or -- but, they are still  
16 here --

17 (Whereupon, there was inaudible,  
18 indecipherable cross-talk amongst the  
19 parties present.)

20 CHAIRPERSON HAMMES: -- when I  
21 talk to people in the community that  
22 are like, you know, I'm okay with some  
23 short-term rentals. I just don't like  
24 the short-term rental where it's the  
25 vacant absentee landlord where all

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2 they use the house for is short-term  
3 rentals, that there's no commitment to  
4 the community, there's no oversight,  
5 they don't like -- a lot of them don't  
6 like the fact that multifamilies have  
7 been converted into two short-term  
8 rentals, right? Like I don't -- I  
9 think -- I think compared to where the  
10 community was when the law was  
11 originally enacted 6 or 7 years ago,  
12 where I feel like we were totally  
13 against short-term rentals or totally  
14 for short-term rentals. I feel like,  
15 my general sense of people I talked to  
16 in the community is that there's more  
17 middle of a ground than there used to  
18 be. Where there is an acceptance, to  
19 some degree, is acceptable for people.

20 To go to your point, Lily, are,  
21 you know, retired and they  
22 occasionally go away or people that --  
23 you know there are people in this  
24 community, too, that live in their  
25 house during the year and they move

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2 out in the summertime and rent it out  
3 because that's when they can make the  
4 most money and that enables them to  
5 stay here the rest of the year. I  
6 think people have sympathy for that.  
7 The question is, how do you legislate  
8 around all that? And if you have too  
9 many bells and whistles, you're back  
10 to this enforcement question. And so  
11 the general -- again, going around in  
12 circles.

13 But the reason why I think most  
14 codes focus in on this kind of  
15 resident component that it doesn't  
16 mean if somebody is basically a  
17 resident and living in that house.  
18 And how do you define living in that  
19 house if they're using it on some sort  
20 of regular basis? In which case, most  
21 people that's about six months of the  
22 year. The other six months of the  
23 year, if they need to rent it out  
24 because they have gone away or they're  
25 moving out for a month or two because

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2 they need the money and their bunking  
3 up with a family member, I think  
4 that's why people draft the laws the  
5 way I've seen them drafted. Again, it  
6 still takes you back to you need to  
7 set your goals and your objectives and  
8 that will determine kind of what you  
9 can do.

10 I wish had a better answer on  
11 the delta and the long-term housing.  
12 I just haven't been able to come up  
13 with a solution on that.

14 DEPUTY MAYOR BRENNAN: Well,  
15 even whatever you do with the -- so  
16 say we nail down the 30 day short-term  
17 definition, then we have to decide how  
18 we're going to limit it or not limit  
19 things that fall into that category.  
20 Whatever we do there, as a policy, is  
21 going to influence the market because  
22 it always does, right? It may be in  
23 ways we don't anticipate. But what we  
24 are seeing now in the Village is  
25 directly related to market conditions

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2 and demand. And then the  
3 opportunities are here in Greenport  
4 because of current code, what it  
5 allows, the lack of enforcement. So a  
6 lot of the money floating for  
7 investment properties is absolutely  
8 tied to the policy that the Village  
9 has set. So when we do this, when we  
10 nail down some new policies here, it's  
11 going to impact the market,  
12 absolutely. To the extent that we  
13 regulate short-term rental under the  
14 30 days, that will have some impact on  
15 long-term housing, even if we don't  
16 address the 33 to 365 days because  
17 it's going to change the calculus for  
18 some people on whether they're buying  
19 investment properties here or not.  
20 I'm not talking about the second home,  
21 but the investment property, which is  
22 multiple homes by one or even  
23 absentees.

24 I think anecdotally I've heard  
25 that a lot of people are buying

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2 properties with all cash. It's  
3 difficult for people to get into the  
4 market if they're going to get a  
5 mortgage because it's a slower  
6 process. So we know that when people  
7 are throwing all cash into a home,  
8 it's an investment opportunity because  
9 they are moving one kind of asset to  
10 another, right? They're taking some  
11 cash out, some securities out and they  
12 are buying a property. That's clearly  
13 investment driven. And that's part of  
14 the problem. So as we toggle the  
15 number of rental opportunities or the  
16 number of days, we will be affecting  
17 those investor decision-making and  
18 what they want to do and whether  
19 Greenport is the right place for it or  
20 the Town of Southold or Shelter Island  
21 or the Catskills.

22 TRUSTEE ROBINS: But, Patrick,  
23 being a real estate agent by the way,  
24 I can tell you, I've experienced like  
25 over the last couple of years is that

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2 cash is not an indicator necessarily  
3 that people are buying properties as  
4 investors, you know? People that  
5 acquire a property, they may rent it  
6 part-time, but they're also living in  
7 it, so that cash indicator is not a  
8 guarantee.

9 DEPUTY MAYOR BRENNAN:

10 Understood. Understood. Not in all  
11 cases.

12 TRUSTEE ROBINS: No.

13 TRUSTEE PHILLIPS: And I think  
14 to take your point, if we are going  
15 away from an investment property or if  
16 we limit the number of days for the  
17 short-term rentals, and now they want  
18 to think, okay, we will turn it into  
19 longer days on rental, they're still  
20 going to be, how do I recoup? The  
21 long-term rental monthly rate is not  
22 going to go down. It's going to  
23 either stay where it is, which we  
24 already know is pretty high for many  
25 long-term. I don't think it's going

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2 to decrease because the investment  
3 property is going to be looking to  
4 recoup what it lost with the  
5 short-term rental.

6 DEPUTY MAYOR BRENNAN: Yeah. I  
7 don't think it would go down. It will  
8 go up to what the market will bear.  
9 Because people who are looking -- it's  
10 going to be limited by the demands.  
11 So people who are looking for  
12 month-long vacations will be looking  
13 at Greenport or some place Upstate New  
14 York or wherever, and they'll make  
15 their decision based on what can I  
16 get? Am I going to pay \$10,000 a  
17 month for --

18 TRUSTEE PHILLIPS: I'm also  
19 talking about deciding long-term, what  
20 is the going rate now? \$10,000 a  
21 month for a long-term rental?

22 TRUSTEE ROBINS: For a long-term  
23 rental? More than that.

24 (Whereupon, there was inaudible,  
25 indecipherable cross-talk amongst the

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2 parties present.)

3 DEPUTY MAYOR BRENNAN: -- for a  
4 single-family home.

5 TRUSTEE ROBINS: Three bedroom.

6 TRUSTEE PHILLIPS: An  
7 investment -- anybody investing in  
8 that property who is making the  
9 short-term rental quickly, is going to  
10 have to turn it, they will be looking  
11 towards that monthly rent to be  
12 accommodating that investment they put  
13 into it already.

14 DEPUTY MAYOR BRENNAN: They'll  
15 be looking toward it, but it will be  
16 capped by demand in the marketplace.  
17 So the demand right now is high for  
18 the short-term rental and not so high  
19 for monthly opportunity.

20 MAYOR STUESSI: If we are  
21 talking accurately, I don't believe  
22 it's inaccurate, but more accurately,  
23 the demand is high for very limited  
24 portion of the year. The demand is  
25 high in the summer, it's not high, you

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2 know, eight months out of the year.

3 That's a total different thing. Other  
4 than some occasional wedding, holiday,  
5 et cetera, et cetera.

6 It would seem to me is what  
7 Trisha had suggested, what makes a lot  
8 of sense is to allow some level of  
9 benefit to people who are committed to  
10 the community and living here half the  
11 time to rent their residence if it's  
12 their place, but not to allow them to  
13 then start buying other ones and  
14 renting those out. That helps to  
15 solve for creating some additional  
16 housing. In particular, as it relates  
17 to two-family. We don't have many  
18 three-family. But --

19 CHAIRPERSON HAMMES: The  
20 question for you -- because right now  
21 it's not permitted. So the question  
22 is whether you want to do that or not,  
23 but I threw that out there because if  
24 you're -- again, I threw a lot of  
25 things out there for you guys to

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2 consider. But I would note that the  
3 current code doesn't allow short-term  
4 rentals other than a single two-family  
5 unit.

6 MAYOR STUESSI: Then in regards  
7 to condos, I think that can be  
8 addressed.

9 CHAIRPERSON HAMMES: I think we  
10 just need to make it clear because I  
11 think, frankly, under our code, it  
12 falls within a multiple-family  
13 dwelling. So the question for this  
14 Board is, whether or not if the owner  
15 of the condo fell into whatever that  
16 criteria is, that homeowner gets a  
17 short-term rental permit, whether they  
18 should get it or not.

19 Technically under our code, I  
20 think you need to have Brian confirm  
21 this, nobody in the condo should be  
22 getting a short-term rental or  
23 shouldn't be getting a rental permit,  
24 but I don't -- that was kind of  
25 something when I was going through it,

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2 I thought this is something that had  
3 never been -- it's probably been  
4 overlooked and not thought about.

5 TRUSTEE ROBINS: Most condos  
6 have their own rules and regs.

7 CHAIRPERSON HAMMES: They do.  
8 You can't override those. I mean, you  
9 can override -- if they say you can't  
10 rent it out, then you can't rent it  
11 out.

12 MAYOR STUESSI: But it would  
13 seem to me in creating new code, new  
14 law from the Village, it would make  
15 sense if we are going to allow  
16 somebody --

17 (Whereupon, there was inaudible,  
18 indecipherable cross-talk amongst the  
19 parties present.)

20 CHAIRPERSON HAMMES: -- treat  
21 them the same as a single homeowner.

22 MAYOR STUESSI: Of course. Why  
23 would we penalize somebody who has a  
24 condo versus a single- or two-family  
25 house? And as it relates to somebody

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2 who is renting out a room in their  
3 house, I don't see --

4 CHAIRPERSON HAMMES: Unless it's  
5 the hosted short-term rental.

6 MAYOR STUESSI: I mean, in a lot  
7 of ways, I would feel even more safe  
8 knowing my neighbor is there if  
9 they're renting a room than I do about  
10 somebody who is totally absentee. And  
11 that's the comment from a lot of folks  
12 is that, I don't know who is there all  
13 the time. If somebody is around, you  
14 feel better about it.

15 CHAIRPERSON HAMMES: You can't  
16 get into the business of going into  
17 people's houses to see if they are  
18 there or not. What I've seen with  
19 hosted short-term rentals or people  
20 that have that exception is, that  
21 generally it's even its own category  
22 and the ads for those types have to  
23 make it clear that the owner has to be  
24 on site, the owner has to certify what  
25 their intention is. It's kind of like

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2 a bed and breakfast. It's the same  
3 thing as we require the bed and  
4 breakfast facilities definition in the  
5 code, which is, it has to be  
6 incidental to the primary use and  
7 they're on site when they're hosting  
8 guests.

9 MAYOR STUESSI: As it relates to  
10 creating something that the Village  
11 can manage effectively and it's going  
12 to be drawn up legally, so we can  
13 actually manage it. What's being done  
14 on Shelter Island relative to these  
15 different tiers of income of the  
16 homeowner, that sounds like a rabbit  
17 hole I wouldn't want to touch because  
18 I do know how much effort is spent by  
19 our Housing Department just managing  
20 the rentals, which has the whole  
21 income thing. I would not want to get  
22 into that for short-term rental.

23 CHAIRPERSON HAMMES: I would  
24 note on that, too, that they have  
25 additional layers of restrictions on

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2 that. So it's not just you make the  
3 income limit, they limit the number of  
4 times you can rent a year. So that is  
5 not something that I, again, it's not  
6 my call, it's your call. The limiting  
7 the number of times you can rent, to  
8 me, for a Village of our size, is an  
9 administrative challenge as we are at  
10 the time would not be something I  
11 would really --

12 MAYOR STUESSI: No. If you look  
13 at the ones, and I certainly have not  
14 read as much as you have, but the ones  
15 that I read that are problematic are  
16 the ones that have all the different  
17 nuances.

18 CHAIRPERSON HAMMES: I think  
19 it's one thing if you're a big urban  
20 area and all have a big staff that  
21 monitor this and pay a lot of people,  
22 but I think similar is always better.

23 DEPUTY MAYOR BRENNAN: I agree.  
24 I agree.

25 I just feel very strongly though

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2 that if we attack this in the  
3 narrowest sense, we are missing a huge  
4 opportunity if we don't use this to  
5 try to influence our housing goals. I  
6 think what we are -- the housing thing  
7 is going to affect -- it's already  
8 affecting employees, staffing, the  
9 Village's ability to hire and fill  
10 positions, volunteers in the fire  
11 departments, populating our Boards or  
12 schoolteachers. I don't think we can  
13 just ignore it.

14 MAYOR STUESSI: I don't think  
15 anybody here is suggesting to ignore  
16 it. It's a big issue. What do you  
17 think we should do?

18 DEPUTY MAYOR BRENNAN: Well, I  
19 just think the way I described it at a  
20 prior meeting is to kind of use the  
21 levers that we have to see how -- what  
22 we're doing here, how we anticipate  
23 that that will influence our housing  
24 needs. I don't want to -- I don't  
25 want to ignore it.

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2 I know, Julia, I think you were  
3 saying you feel like it can't be done.  
4 Maybe you feel like it can't be done  
5 in this discussion, that it can't be  
6 accomplished. Is that what you were  
7 saying?

8 TRUSTEE ROBINS: I'm not sure it  
9 can be done, to be honest with you.  
10 None of the real estate transactions  
11 that I have done in the last couple of  
12 years have actually been for  
13 investors. Everybody is using the  
14 properties themselves, so I don't know  
15 how many investors there are out  
16 there. Certainly some, there's no  
17 question about it. I don't think we  
18 have a count on it, you know? If you  
19 go around to every real estate agent  
20 on the North Fork, how many investors  
21 have you sold properties to recently?

22 MAYOR STUESSI: But this seems  
23 to make the case for having the basis  
24 we would only allow the short-term  
25 rental permits for somebody that has

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2 some level of residency here.

3 TRUSTEE ROBINS: No. I agree  
4 with that. I agree with the one  
5 rental per property owner basic  
6 concept then.

7 (Whereupon, there was inaudible,  
8 indecipherable cross-talk amongst the  
9 parties present.)

10 MAYOR STUESSI: -- we can try to  
11 get consensus on that issue.

12 CHAIRPERSON HAMMES: I just -- I  
13 am struggling because I wish I had a  
14 bulletproof answer, Patrick, because  
15 my heart is with you. I think it's  
16 really hard for a single-family. It's  
17 less hard for a two-family, maybe a  
18 three-family in terms of what you and  
19 I have discussed in the past that one  
20 of those units at least has to be  
21 resident.

22 Again, I look at where I live,  
23 which is near where you live, and I  
24 know that two or three places that  
25 used to have full-time tenants that

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2 have been converted to two short-term  
3 rentals, right?

4 TRUSTEE PHILLIPS: But yet I'm  
5 looking down -- down Manor Place and  
6 we are looking down Munson, most of  
7 those are fully year-round houses.  
8 You don't see so many short-term  
9 rentals.

10 TRUSTEE ROBINS: There's one on  
11 there, but that's it. Everybody else  
12 is full-time occupancy.

13 (Whereupon, there was inaudible,  
14 indecipherable cross-talk amongst the  
15 parties present.)

16 TRUSTEE PHILLIPS: -- there are  
17 ones.

18 TRUSTEE DOUGHERTY-JOHNSON: I'm  
19 not sure just because some streets  
20 have them. I mean, some streets have  
21 them and I'm not sure -- I mean, I'm  
22 not saying both are true, but I'm  
23 not --

24 CHAIRPERSON HAMMES: Both are  
25 true --

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2 (Whereupon, there was inaudible,  
3 indecipherable cross-talk amongst the  
4 parties present.)

5 TRUSTEE DOUGHERTY-JOHNSON: --  
6 neighborhoods that have year-round  
7 people, but it's not everywhere. And  
8 if we are trying to increase it, then  
9 we have to deal with -- and obviously  
10 not areas, that area, but the rules  
11 and codes have to support what you  
12 guys are talking about and maybe less  
13 than that, you know, if that's the  
14 goal.

15 CHAIRPERSON HAMMES: I just  
16 think the easiest lever on housing is  
17 to try to get some of these to two- or  
18 three-families that got converted into  
19 short-term rentals across the board  
20 back to long-term rentals.

21 MAYOR STUESSI: In what Patrick  
22 is saying, I think we all want to  
23 achieve, seems like a complete  
24 no-brainer, is to have a residency  
25 test for -- in the case of a

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2 two-family, one of the units, if we  
3 were to consider allowing short-term  
4 in a three-family, that you only allow  
5 one short-term in that house.

6 TRUSTEE PHILLIPS: Which is  
7 exactly how it started out and that --  
8 when the original code was written. A  
9 multifamily was that a resident that  
10 could -- a short-term rental, one of  
11 the apartments had to be a  
12 two-family -- excuse me -- then they  
13 had to have -- they had to live in the  
14 house --

15 TRUSTEE DOUGHERTY-JOHNSON: I  
16 think --

17 TRUSTEE PHILLIPS: -- and that's  
18 where the investment problems started  
19 to flip up.

20 CHAIRPERSON HAMMES: Well, the  
21 problem is, is we don't have a  
22 definition. There's this whole  
23 question of what does owner-occupied  
24 mean? And unfortunately, one, it  
25 wasn't enforced. And two, people took

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2 it to, as long as I'm there once in a  
3 blue moon, or I have a room with a  
4 lock and a key on it that I keep in my  
5 basket, it's owner-occupied.

6 And so I think, you know, the  
7 one way, which is to fix what we have  
8 today, so it actually goes to what the  
9 intent and the goals are. But again,  
10 Patrick, I spent so much time on this  
11 because I was very outspoken six years  
12 ago. I was opposed to short-term  
13 rentals. I don't like them. I don't  
14 think they are appropriate in a  
15 residential neighborhood. I've  
16 evolved over time. I still generally  
17 rather see full-time residents. I,  
18 frankly, would rather see second  
19 homeowners that come out here, like I  
20 used to before I was a full-time  
21 resident, that came out all year and  
22 still supported -- maybe not as  
23 often -- but still supported the  
24 business community in the offseason.  
25 That's the ideal world. How you get

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2 there is, unfortunately, challenging.

3 TRUSTEE PHILLIPS: And I think  
4 that was the original goal when the  
5 rental code had been written, which  
6 somehow got segued off to, you know,  
7 oh, well, if it's not a rental, have a  
8 long-term rental and you know, that  
9 just became a loophole.

10 DEPUTY MAYOR BRENNAN: Yeah.  
11 When I look back on that, I think  
12 those two carve outs were appropriate.  
13 I think they align to what we are  
14 talking about now, right?

15 CHAIRPERSON HAMMES: Which is  
16 the lack of a definition.

17 DEPUTY MAYOR BRENNAN: One, you  
18 live there or you have a long-term in  
19 the other. Yeah. So in the execution  
20 or the actual reality, but it didn't  
21 work out as well.

22 Yeah. I'm not against  
23 short-rentals. I don't want anyone to  
24 think that. There has to be a  
25 component of short-term rentals for

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2 all of the things that we've touched  
3 whether we don't want too many hotels,  
4 we recognize that the business  
5 district needs it. It's all in the  
6 balance.

7 Let me ask you something about  
8 the one per property owner. If I -- I  
9 live in a home right now and I own it,  
10 my wife and I own it, if I buy another  
11 house in the Village, myself or  
12 through an LLC or something, which is  
13 quite common, is that a property owner  
14 that's entitled to --

15 CHAIRPERSON HAMMES: The way I  
16 seen the codes working is most of the  
17 codes, not all, but most of them don't  
18 allow short-term permits except for  
19 properties that are owned by an  
20 individual or a couple, by natural  
21 persons or through a trust, the  
22 beneficiaries of the estate. A lot of  
23 people use that for their estate  
24 planning purposes. They don't  
25 generally allow them for LLCs and

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2 corporations. Although there may be a  
3 way with legal counsel to structure it  
4 to get that end result. And they say  
5 that one permit limitation applies to  
6 kind of -- I don't know the right  
7 politically correct term would be --  
8 unit, so if you couldn't do it where  
9 you own one house and your wife owns  
10 one house and you both got one permit,  
11 it's kind of like the unit. So the  
12 beneficiaries of the trust are  
13 entitled to one, the -- if you were  
14 the homeowner and own a separate  
15 property, if you're married or your  
16 domestic partner, you're only entitled  
17 to one. That's what the codes read  
18 that I've looked at have done.

19 DEPUTY MAYOR BRENNAN: So this  
20 is the area I think we have a risk of  
21 being exploited.

22 CHAIRPERSON HAMMES: I  
23 understand, that's why I've looked at  
24 it.

25 MAYOR STUESSI: So if we have to

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2 determine what our intent is, we can  
3 challenge legal with drafting it  
4 properly. It would seem to me to  
5 reach the goal you're talking about,  
6 we've all talked about, that it should  
7 only be allowed for your residence,  
8 where you are living. Not you buy  
9 some other house and run a business --

10 DEPUTY MAYOR BRENNAN: Right.

11 MAYOR STUESSI: -- you want to  
12 rent that one? It's a minimum of a  
13 month. Not short-term. Less than a  
14 month by New York State law.

15 DEPUTY MAYOR BRENNAN: It seems  
16 fair.

17 TRUSTEE ROBINS: Seems fair to  
18 me, Kevin. It's really what I was  
19 thinking basically.

20 MAYOR STUESSI: Lily.

21 TRUSTEE PHILLIPS: Let's walk  
22 this through again so we are clear.  
23 We are talking about a short-term  
24 rental being under 30 days?

25 MAYOR STUESSI: Anything under

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2 30 days --

3 TRUSTEE ROBINS: One to 29 days  
4 would be short-term rental?

5 MAYOR STUESSI: And it would  
6 need to be --

7 CHAIRPERSON HAMMES: You have to  
8 have a permit and then the people  
9 eligible for a permit are eligible for  
10 one permit as a unit.

11 MAYOR STUESSI: For their  
12 place --

13 (Whereupon, there was inaudible,  
14 indecipherable cross-talk amongst the  
15 parties present.)

16 CHAIRPERSON HAMMES: -- some  
17 degree of residential component to  
18 make it eligible for that permit.

19 TRUSTEE PHILLIPS: We've  
20 discussed this way back when and then  
21 all of a sudden it changed to two  
22 weeks and then --

23 CHAIRPERSON HAMMES: Well, we  
24 are talking about a flat ban.

25 TRUSTEE PHILLIPS: Well, then it

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2 doesn't matter at this point.

3 (Whereupon, there was inaudible,  
4 indecipherable cross-talk amongst the  
5 parties present.)

6 DEPUTY MAYOR BRENNAN: -- I was  
7 pushing toward the 14-day flat ban.

8 TRUSTEE PHILLIPS: It was a flat  
9 ban.

10 DEPUTY MAYOR BRENNAN: We are  
11 talking about -- what we really are  
12 talking about is 30 days, anything  
13 under 30 days is short-term and it's  
14 prohibited and there's an exception.

15 CHAIRPERSON HAMMES: That's  
16 exactly.

17 DEPUTY MAYOR BRENNAN: One  
18 exception. We used to have two  
19 exceptions. And that second exception  
20 where we can have a two-family home or  
21 one unit with a tenant long-term, I  
22 think we -- we need to be careful.  
23 Are we willing to give up that second  
24 exception? Will that create long-term  
25 housing opportunities?

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2 (Whereupon, there was inaudible,  
3 indecipherable cross-talk amongst the  
4 parties present.)

5 TRUSTEE DOUGHERTY-JOHNSON: If I  
6 live in a two-family, I live here  
7 year-round, I can get one permit and  
8 that can be for the other apartment.  
9 I can short-term rent it under 30  
10 days, so we are not really getting rid  
11 of that exception.

12 DEPUTY MAYOR BRENNAN: No.  
13 There was another exception.

14 (Whereupon, there was inaudible,  
15 indecipherable cross-talk amongst the  
16 parties present.)

17 CHAIRPERSON HAMMES: I guess the  
18 question is, are we getting rid of the  
19 exception where somebody who is not a  
20 resident, but owns a two-family house,  
21 could have a long-term tenant defined  
22 as 12 months in one of them and be  
23 entitled to a short-term for the  
24 others? So that's the question.

25 TRUSTEE ROBINS: Doesn't that

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2 make them an investor basically,  
3 though?

4 DEPUTY MAYOR BRENNAN: So  
5 setting aside your question, I think  
6 that had some value. I felt like that  
7 was creating a long-term housing  
8 opportunity by incentivizing that  
9 property owner, even though they don't  
10 live there, is incentivizing them  
11 because they can create some remedy  
12 for short-term.

13 CHAIRPERSON HAMMES: They have  
14 to have a long-term.

15 MAYOR STUESSI: I know of a  
16 specific case in the Village where  
17 it's a two-family house, somebody who  
18 lives here and works here, lives in  
19 one half of the two-family house and  
20 then the other half is rented out  
21 short-term. And the owner apparently  
22 comes and visits short-term there.  
23 But it seems fair to me, if you're  
24 creating a residence and half of it is  
25 leased.

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2 TRUSTEE PHILLIPS: That was the  
3 original intent when you did it. And  
4 somehow it turned into, and I -- we  
5 all know of several examples of  
6 two-family houses that were bought as  
7 investments and they are both being --

8 CHAIRPERSON HAMMES: Because the  
9 code didn't get enforced.

10 (Whereupon, there was inaudible,  
11 indecipherable cross-talk amongst the  
12 parties present.)

13 TRUSTEE DOUGHERTY-JOHNSON: --  
14 there was no difference to even have a  
15 rental permit that says short-term  
16 permit -- this is what the long-term  
17 tenant and this is --

18 CHAIRPERSON HAMMES: And also  
19 now with the State's law, it's going  
20 to make it much easier to pierce.

21 MAYOR STUESSI: You need seven  
22 years of case law, too, for all of  
23 that. So I think we need to focus on  
24 looking forward to what we want to  
25 achieve and then we have the right

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2 legal team to draft it appropriately.

3 DEPUTY MAYOR BRENNAN: So  
4 assuming that this second caveat, the  
5 second carve out could meet our  
6 enforceability test, do we all agree  
7 that there's value in this second  
8 exception?

9 TRUSTEE PHILLIPS: Well, I  
10 think, it was agreed back then when we  
11 wrote the code. I still agree with it  
12 because it gives the opportunity --  
13 because there are people who already  
14 own houses that way and what we are  
15 going to do? Restrict them to change  
16 their -- their business model, if  
17 that's what you want to call it. But  
18 it was the original intent. And I  
19 think that the code needs to be  
20 changed. I said that from the  
21 beginning. That was the weak point in  
22 the code. And we legally have been  
23 discussing that weak point for the  
24 last year and a half.

25 DEPUTY MAYOR BRENNAN: So it is

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2 your feeling that we could nail this  
3 down and make it enforceable?

4 TRUSTEE PHILLIPS: I think if we  
5 get back to the point of people  
6 declaring if they are short-term and  
7 what is short-term and it's only a  
8 year permit, okay? If you're renting  
9 a full-year rental, long-term rental,  
10 then have them as a two-year permit,  
11 so that way you will get the database  
12 as to what is short-term, so that it  
13 will get an idea that -- and other  
14 people get the idea, do we really have  
15 as much being short-term? Yes, we all  
16 observe things. We don't have the  
17 data to back it up either.

18 DEPUTY MAYOR BRENNAN: I agree.  
19 If we settle on 30 days, with these  
20 two exceptions, we haven't  
21 fundamentally changed what we allow,  
22 technically what we allow.

23 CHAIRPERSON HAMMES: Which is  
24 clarify and make it enforceable.

25 DEPUTY MAYOR BRENNAN: We're

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2 changing the enforceability, the  
3 process, we are creating opportunity  
4 to collect the data. I think we all  
5 agree is essential.

6 TRUSTEE PHILLIPS: How do we  
7 make that type of policy to say yay or  
8 nay on short-term rentals without  
9 really knowing what we have? I  
10 just -- and we said -- you and I said  
11 this way back when this code was put  
12 into existence, you have to make the  
13 code enforceable. You have to be able  
14 to make it enforceable. And the  
15 loopholes just -- the language --

16 MAYOR STUESSI: Close the  
17 loophole, like we don't have -- again,  
18 I don't think we should look back. I  
19 think we need to look forward. And if  
20 this Board's intent is, and it sounds  
21 like we are all on the same page of  
22 this residency test of establishing  
23 basically you're half a year, we will  
24 have legal draft that. You can do it  
25 for your residence if it's a

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2 single-family. Or in the case of a  
3 two-family, one of them has to be  
4 rented full-time, and then the other  
5 one can be short-term.

6 And the last one would be, does  
7 the Board believe we should allow for  
8 a three-family? And if so, what  
9 should be the standard there? I would  
10 consider it for a three-family if only  
11 one of the three units is a  
12 short-term. The other two must be --

13 DEPUTY MAYOR BRENNAN: When you  
14 say "three-family," do you mean  
15 multifamily? Like three or more?

16 CHAIRPERSON HAMMES: I wouldn't  
17 go above four, three personally, but  
18 that's me. You can do it however you  
19 want.

20 MAYOR STUESSI: The condos are  
21 not multifamily.

22 (Whereupon, there was inaudible,  
23 indecipherable cross-talk amongst the  
24 parties present.)

25 CHAIRPERSON HAMMES: -- the

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2 property next door to me has four  
3 units.

4 TRUSTEE DOUGHERTY-JOHNSON:

5 There may be a few out there.

6 MAYOR STUESSI: We don't have  
7 anymore four units in the Village, do  
8 we?

9 DEPUTY MAYOR BRENNAN: We don't  
10 have family -- three-family category.  
11 We have don't have a three-family --

12 CHAIRPERSON HAMMES: Anything  
13 above multifamily, you could put it in  
14 the code as to whatever you want it  
15 to.

16 DEPUTY MAYOR BRENNAN: I guess  
17 what I am getting out is, to your  
18 point, we have to -- we are addressing  
19 one, two, I would just make the rest  
20 of it multifamily.

21 MAYOR STUESSI: I agree.

22 TRUSTEE ROBINS: It's still only  
23 one --

24 (Whereupon, there was inaudible,  
25 indecipherable cross-talk amongst the

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2 parties present.)

3 CHAIRPERSON HAMMES: -- under  
4 the current code, multifamily is not  
5 entitled to short-term rental.

6 MAYOR STUESSI: So if it's  
7 multifamily, rather it's three units  
8 or seven units, only one unit could be  
9 rented short-term.

10 CHAIRPERSON HAMMES: Right now  
11 none can.

12 MAYOR STUESSI: I was  
13 suggesting --

14 TRUSTEE ROBINS: I think that's  
15 pretty clearcut. I think that makes  
16 sense.

17 DEPUTY MAYOR BRENNAN: The  
18 easier thing to do is to not extend it  
19 to multifamily. It's going to be  
20 easier for us to get a consensus.

21 TRUSTEE DOUGHERTY-JOHNSON: For  
22 the consensus? Maybe. I don't know.  
23 I mean, it seems pretty clear. It's  
24 enforceable. I'm okay as long as it's  
25 just one. I'm okay with multifamily.

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2 TRUSTEE ROBINS: One, regardless  
3 of how many units are in a building.

4 TRUSTEE DOUGHERTY-JOHNSON:  
5 Again, I don't feel superstrong about  
6 the one.

7 CHAIRPERSON HAMMES: I think  
8 there is very -- to get to the point,  
9 there's very few examples of this, but  
10 there are some.

11 TRUSTEE DOUGHERTY-JOHNSON: I  
12 mean, there are right now. And I  
13 think there are quite a few without  
14 having real data.

15 DEPUTY MAYOR BRENNAN: I guess I  
16 was thinking about what Front Street  
17 developed into --

18 (Whereupon, there was inaudible,  
19 indecipherable cross-talk amongst the  
20 parties present.)

21 CHAIRPERSON HAMMES: -- unless  
22 we are changing that. I would have  
23 thought that would be a conversation  
24 at the time that you revisit downtown.

25 DEPUTY MAYOR BRENNAN: Okay.

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2 CHAIRPERSON HAMMES: Right now,  
3 you can't have a short --

4 DEPUTY MAYOR BRENNAN: That's  
5 what I was thinking, multifamily in  
6 the commercial district.

7 MAYOR STUESSI: I don't think we  
8 should change anything in the  
9 commercial district.

10 TRUSTEE DOUGHERTY-JOHNSON: I  
11 think there are --

12 (Whereupon, there was inaudible,  
13 indecipherable cross-talk amongst the  
14 parties present.)

15 TRUSTEE DOUGHERTY-JOHNSON: --  
16 perhaps right now, none of them are  
17 short-term.

18 CHAIRPERSON HAMMES: They are  
19 because they're not legally supposed  
20 to be, so you will be expanding it.

21 TRUSTEE DOUGHERTY-JOHNSON: I  
22 was saying I don't think having a  
23 short-term rental would be opening  
24 that if we set -- said multifamily  
25 includes everything above three.

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2 DEPUTY MAYOR BRENNAN: So in  
3 that case, a property in a two-family  
4 zone that has three or four units, we  
5 allow one short-term in that property.  
6 Now we are losing long-term housing.  
7 What -- are we okay with that?

8 CHAIRPERSON HAMMES: It seems  
9 counter to your goal.

10 DEPUTY MAYOR BRENNAN: It's  
11 counter to my goal.

12 TRUSTEE DOUGHERTY-JOHNSON:  
13 True. That --

14 DEPUTY MAYOR BRENNAN: It's not  
15 allowed now, right?

16 (Whereupon, there was inaudible,  
17 indecipherable cross-talk amongst the  
18 parties present.)

19 CHAIRPERSON HAMMES: -- the  
20 answer to this -- not an answer. It  
21 sounds like where you were circling  
22 around on basically -- not looking  
23 backwards, Kevin, but to say if we  
24 really look at what the fundamental  
25 intent of our current code was, we are

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2       probably okay with that. The problem  
3       is that it's not drafted in a way that  
4       it's been enforceable and also it's  
5       been a question on enforcement on it.  
6       So the intention is to fix that if  
7       your policy objectives are weighted  
8       more towards housing and community  
9       character and all that, it wouldn't  
10      seem right now you would want to  
11      expand that because the reason that  
12      you're providing it is for one  
13      supplemental income for homeowners and  
14      two at the bottom of the list is that  
15      lodging option. To fill in that  
16      missing lodging for downtown. I'm not  
17      sure that taking a multifamily and  
18      allowing more short-term rentals in  
19      that sense meets of either of those  
20      objectives.

21               TRUSTEE DOUGHERTY-JOHNSON: I  
22      guess, to me logically it seems a  
23      little unfair because if you have two  
24      apartments, you can short-term rent.  
25      If you have three apartments, no, you

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2 can't.

3 CHAIRPERSON HAMMES: Well, I  
4 think the logic behind the current  
5 code probably was, frankly, the  
6 multifamily are only supposed to be  
7 something that looks like the Lakeside  
8 Apartments, right? Because the  
9 multifamily code says you have to have  
10 all these other things, which is not  
11 necessarily -- I mean, I question  
12 whether -- and I don't know the answer  
13 to this and I don't want to open a can  
14 of worms, but it's not totally clear  
15 to me that all things that are  
16 multifamily actually have COs for each  
17 of the units that are being treated as  
18 multifamily use in the Village. And I  
19 would think if you did the data, it  
20 would require that the individual  
21 units, you know, be approved.

22 DEPUTY MAYOR BRENNAN: We could  
23 punt on this multifamily question.

24 CHAIRPERSON HAMMES: You're  
25 eventually going to deal with

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2 multifamily in the code.

3 (Whereupon, there was inaudible,  
4 indecipherable cross-talk amongst the  
5 parties present.)

6 TRUSTEE ROBINS: -- let's try to  
7 keep it as simple as possible.

8 TRUSTEE PHILLIPS: I think part  
9 of the goal is, there's two things  
10 here. First of all, we are getting  
11 closer to a consensus of the original  
12 code had the intent of what we wanted  
13 to accomplish back then with the one-  
14 and two-family. Multifamily, we  
15 didn't even discuss multifamily. We  
16 just left it alone because we felt  
17 they more likely were more long-term  
18 rentals already.

19 But the other thing is, is that  
20 we are getting to the point that the  
21 code that we have to rewrite, it would  
22 be much easier to make it enforceable  
23 and get those goals out sooner, than  
24 to get the public hearing and then to  
25 start rewriting the whole Chapter 103.

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2 I think that --

3 MAYOR STUESSI: The rental codes  
4 are going to get rewritten.

5 TRUSTEE PHILLIPS: Well, I know.  
6 It's still going to have the same  
7 basic policies that we talked about a  
8 year ago.

9 Patrick, maybe I'm not, are you  
10 getting where I'm going with that one?

11 DEPUTY MAYOR BRENNAN: I think  
12 we all agree. We don't have to tackle  
13 multifamily right now.

14 TRUSTEE PHILLIPS: Right. We  
15 don't have to.

16 DEPUTY MAYOR BRENNAN: Keep it  
17 simple.

18 TRUSTEE ROBINS: We should. We  
19 don't have to get lost in the weeds.  
20 Let's get something done.

21 DEPUTY MAYOR BRENNAN: So we  
22 want to make sure that this is  
23 enforceable. The draft -- the last  
24 draft code was like 28 or 30 pages,  
25 right? And we got some pushback from

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2 the community.

3 (Whereupon, there was inaudible,  
4 indecipherable cross-talk amongst the  
5 parties present.)

6 DEPUTY MAYOR BRENNAN: -- and  
7 all that. But how do you create --  
8 you need it to be ironclad, right? So  
9 if you're tasked with drafting that,  
10 whether it's Trisha working on it or  
11 Brian or Jarred, the tendency is going  
12 to try to make it bulletproof and  
13 that's going to make it long.

14 CHAIRPERSON HAMMES: Not only  
15 that, most codes that are enforceable  
16 have gone on this. There are some  
17 provisions like that, I've looked at  
18 codes, again, on this. Trying to  
19 figure out where you can pair that  
20 back. There are somethings that can  
21 come out, but most of it is there to  
22 ease enforcement for the Village.

23 MAYOR STUESSI: So because this  
24 is, again, the existing codes is  
25 getting put in the shredder. And we

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2 have new codes that are going to be  
3 written. I don't see it as being  
4 anymore complicated or less if it  
5 addresses the multifamily issue. We  
6 just need to make a decision as to  
7 whether we believe we should include  
8 it or ban it in the new code. And  
9 again, not looking back. We need to  
10 make a decision. Do we want to allow  
11 for it in multifamily or should it be  
12 banned in multifamily?

13 TRUSTEE PHILLIPS: Or is it  
14 going to have somebody legally come at  
15 us because we're discriminating -- not  
16 discriminating -- because we are not  
17 looking at multifamily? And going to  
18 the point of what Lily was just  
19 saying, you allow two-family but you  
20 don't allow the three-family.

21 DEPUTY MAYOR BRENNAN: Didn't we  
22 already have that risk? We're  
23 essentially not changing this, right?  
24 It has existed for years this way.  
25 Have we been challenged on it?

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2 TRUSTEE PHILLIPS: I don't know.  
3 Wasn't there some challenge?

4 CHAIRPERSON HAMMES: The  
5 challenge, my understanding is that  
6 the challenge on the last law was  
7 based on the --

8 DEPUTY MAYOR BRENNAN: If we  
9 change --

10 (Whereupon, there was inaudible,  
11 indecipherable cross-talk amongst the  
12 parties present.)

13 MAYOR STUESSI: I'm simply  
14 asking the question as the Board, we  
15 need to make a decision. Do we want  
16 to include multifamily and allow for  
17 it or ban it out right in the new  
18 codes?

19 TRUSTEE ROBINS: Show hands.

20 MAYOR STUESSI: Julia, what's  
21 your perspective?

22 TRUSTEE ROBINS: I say yes.

23 MAYOR STUESSI: Allow one unit  
24 in multifamily?

25 TRUSTEE ROBINS: In multifamily,

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2 with no restrictions in multifamily.

3 MAYOR STUESSI: Lily.

4 TRUSTEE DOUGHERTY-JOHNSON: I  
5 don't know. I'm a little lost on  
6 this. To Patrick's point, it does --  
7 it sort of goes against the housing  
8 goal. Even though it kind of makes  
9 logical sense. I don't know. I guess  
10 I'm not sure it matters that much.

11 DEPUTY MAYOR BRENNAN: So I  
12 would say, you're using the term  
13 "ban," we are prohibiting short-term  
14 rentals here, right? We are creating  
15 two exceptions. That's where I'm  
16 comfortable right now with those two  
17 exceptions. I think that expanding or  
18 creating another exception for  
19 multifamily is actually going to  
20 undermine the long-term housing goal.  
21 That's where I'm at right now.

22 MAYOR STUESSI: So you think it  
23 should be prohibited in the new law  
24 for multifamily.

25 Mary Bess.

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2 TRUSTEE PHILLIPS: I have always  
3 thought that multifamily should not --  
4 it should be long-term rentals.  
5 Because just this year, activity  
6 within the -- looking at the activity  
7 of a multifamily house, okay? There  
8 are families that interact with each  
9 other, they're a part of, you know,  
10 multifamily or a four-family is like a  
11 little community. And I think  
12 creating short-term rental into that,  
13 is -- it's not -- I'm not comfortable  
14 with it. I happen to agree with  
15 Patrick.

16 MAYOR STUESSI: So the other one  
17 or two other issues that we had talked  
18 about before we need to make a  
19 determination on. My recollection of  
20 multiple discussions is that the Board  
21 felt a one-year permit for short-term  
22 and a two-year permit for long-term,  
23 everybody good with that?

24 DEPUTY MAYOR BRENNAN: I think  
25 that makes a lot of sense. You got to

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2 give two years or more for the  
3 long-term. Otherwise it's too much  
4 work for people to keep their tenants  
5 in place. I mean, everything  
6 becomes --

7 TRUSTEE PHILLIPS: Or do you  
8 want to make -- I'm not -- do you want  
9 to make the long-term permit rental  
10 three years? That gives an incentive  
11 to --

12 CHAIRPERSON HAMMES: Most of the  
13 ones I've seen -- I haven't seen three  
14 years to the --

15 (Whereupon, there was inaudible,  
16 indecipherable cross-talk amongst the  
17 parties present.)

18 CHAIRPERSON HAMMES: -- it's  
19 hard for you because of the health and  
20 safety inspection issues.

21 DEPUTY MAYOR BRENNAN: That  
22 gives you enough time to anticipate  
23 what you're doing with your property,  
24 if you're the person living there or  
25 family, it gives enough time to make

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2 alternate decisions about your life

3 or --

4 MAYOR STUESSI: Lily.

5 TRUSTEE DOUGHERTY-JOHNSON:

6 Yeah.

7 MAYOR STUESSI: Julia, you said  
8 you were good.

9 All right. So the last item is  
10 permit fees for long-term and  
11 short-term.

12 TRUSTEE PHILLIPS: I think  
13 short-term rentals should be higher  
14 than the long-term ones. What were  
15 some of the numbers that were  
16 suggested?

17 TRUSTEE ROBINS: \$600. I would  
18 start it at \$600, right?

19 CHAIRPERSON HAMMES: I'm not  
20 trying to provide legal advice because  
21 I am not, but my understanding is that  
22 the fees -- you can't set them because  
23 you're trying to basically encourage  
24 certain types of behavior there. They  
25 have to be worded in some basis for

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2 a --

3 (Whereupon, there was inaudible,  
4 indecipherable cross-talk amongst the  
5 parties present.)

6 CHAIRPERSON HAMMES: -- so the  
7 question, which I think is one of the  
8 reasons why in the draft I proposed  
9 the same for a one or two year, it's  
10 for a different period, so it's de  
11 facto more because you can get back  
12 short-term.

13 And then to go to your point,  
14 Patrick, that one lever you would have  
15 on trying to encourage 12 months might  
16 be to give people a break on the fees  
17 if they were to have a 12-month lease  
18 when they came for their two-year  
19 permit.

20 TRUSTEE DOUGHERTY-JOHNSON: So  
21 you have \$250 in here for --

22 (Whereupon, there was inaudible,  
23 indecipherable cross-talk amongst the  
24 parties present.)

25 CHAIRPERSON HAMMES: -- I put for

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2 \$500 for permit, unless you have the  
3 long-term use, then it's \$250.

4 DEPUTY MAYOR BRENNAN: So if we  
5 keep the fee the same, but we have the  
6 period as one year versus two years,  
7 it's effectively twice the cost or  
8 half the cost. I don't think that  
9 recognizes necessarily the extra  
10 burden of doing a short-term rental  
11 work on the Village. So I think that  
12 would be an argument to be made that  
13 the one to two ratio, that keeps it --  
14 that's all things being equal, right?  
15 That only factors for time. But I  
16 think we have to decide whether the  
17 fact that there is a legitimate reason  
18 to increase it, not to penalize or --  
19 but is it necessary? Do you see it as  
20 being more work?

21 MAYOR STUESSI: Absolutely.

22 DEPUTY MAYOR BRENNAN: Why?

23 MAYOR STUESSI: Well, number  
24 one, we would be doing an inspection  
25 once a year instead of once every two

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2 years.

3 CHAIRPERSON HAMMES: But you're  
4 getting the fee every year. What  
5 about the cost if you were going to do  
6 whatever data --

7 MAYOR STUESSI: We got it --

8 CHAIRPERSON HAMMES: -- it's the  
9 data scraping that costs more for  
10 short-term rentals.

11 DEPUTY MAYOR BRENNAN: What  
12 about the fact that there are more  
13 rental periods in a year in  
14 short-term?

15 MAYOR STUESSI: Yeah. I mean,  
16 there is going to be some level of  
17 oversight that's going to be different  
18 even if you have the assistance of the  
19 software, you're still having to watch  
20 it.

21 TRUSTEE DOUGHERTY-JOHNSON: Also  
22 you're going to --

23 MAYOR STUESSI: Thirty rentals  
24 in a year, pick a number.

25 (Whereupon, there was inaudible,

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2 indecipherable cross-talk amongst the  
3 parties present.)

4 TRUSTEE DOUGHERTY-JOHNSON: --  
5 it's that paperwork, right? It's the  
6 extra step that you don't need for the  
7 long-term.

8 TRUSTEE PHILLIPS: Is the \$250  
9 fee realistic? Maybe that needs to  
10 be --

11 CHAIRPERSON HAMMES: You've  
12 raised all your fees in the last year,  
13 I would have thought the rental permit  
14 fee de facto people with that, it  
15 would have regular rentals.

16 DEPUTY MAYOR BRENNAN: \$250  
17 sounds low to me. What is \$250 in  
18 terms of office work? Not much.

19 MAYOR STUESSI: Nothing.

20 CHAIRPERSON HAMMES: The  
21 entertainment permit is \$275 for two  
22 years.

23 TRUSTEE DOUGHERTY-JOHNSON:  
24 Right. But also if you're trying to  
25 incentivize people to rent long-term

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2 to people, you don't necessarily want  
3 to have an additional large fee. I  
4 mean, I'm not saying \$250 is large.

5 CHAIRPERSON HAMMES: I have to  
6 go. You're getting paid.

7 No. I think that, again, what  
8 the actual numbers are, you guys need  
9 to kind of -- the same way when you  
10 looked at your fee structure overall,  
11 you're supposed to be tying it to your  
12 cost, to get to your point, Patrick.

13 But I do think that there's the  
14 opportunity, if you want to take it,  
15 wherever you set that cost to give  
16 somebody who actually has a 12-month  
17 lease for that delta issue a little  
18 bit of a break.

19 DEPUTY MAYOR BRENNAN: Yeah. I  
20 think we all agree. You were just  
21 advising us as not to use it as an  
22 incentivizing took.

23 CHAIRPERSON HAMMES: I guess a  
24 better way to do it is you can't use  
25 it as a penalty.

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2 MAYOR STUESSI: If you look at  
3 the level of management it's going to  
4 take oversight dealing with a longer  
5 term, two-year rental permit versus a  
6 one-year with short-term rentals and  
7 how many. The amount of work is  
8 dramatically different.

9 DEPUTY MAYOR BRENNAN: And then  
10 we can only split this -- I mean, it's  
11 arbitrary what we do here.

12 TRUSTEE DOUGHERTY-JOHNSON: Also  
13 though, aren't these taken -- it's  
14 easy for us to change these fees like  
15 everything else.

16 CHAIRPERSON HAMMES: I think the  
17 way to draft it is that to set a  
18 higher amount and then you guys  
19 determine --

20 (Whereupon, there was inaudible,  
21 indecipherable cross-talk amongst the  
22 parties present.)

23 TRUSTEE DOUGHERTY-JOHNSON: --  
24 best we can without completely  
25 changing the whole code. I like

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2 the --

3 MAYOR STUESSI: We're doing this  
4 for a year, so we need --

5 TRUSTEE DOUGHERTY-JOHNSON: I  
6 understand. I like the idea of  
7 keeping it \$250 for the long-term  
8 lease personally. And -- but doing  
9 above that for maybe just a regular  
10 long-term and then maybe if we can do  
11 the short-term for more, if that --

12 MAYOR STUESSI: I looked at Jane  
13 Ratsey Williams' suggestion --

14 (Whereupon, there was inaudible,  
15 indecipherable cross-talk amongst the  
16 parties present.)

17 MAYOR STUESSI: -- I thought it  
18 was a thousand.

19 CHAIRPERSON HAMMES: It was  
20 \$600.

21 (Whereupon, there was inaudible,  
22 indecipherable cross-talk amongst the  
23 parties present.)

24 DEPUTY MAYOR BRENNAN: -- I  
25 think out of the gate here, we should

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2 have like a three to four to one kind  
3 of ratio here, so \$750 versus the \$250  
4 for the long or a thousand.

5 CHAIRPERSON HAMMES: \$750,  
6 \$250 -- \$750 for one-year short-term  
7 lease, \$500 for a two-year permit,  
8 unless you have to -- when you come in  
9 and get it, you have the 12-month  
10 lease in place, then it's \$250.

11 DEPUTY MAYOR BRENNAN: Yes.

12 CHAIRPERSON HAMMES: Going once,  
13 going twice.

14 MAYOR STUESSI: Wait a second.  
15 You're getting --

16 CHAIRPERSON HAMMES: You got the  
17 delta 30 days, 365. So if I come in  
18 to get my long-term permit, but I say  
19 I want my long-term permit, I'm --

20 MAYOR STUESSI: You're paying  
21 for a two-year permit.

22 CHAIRPERSON HAMMES: Whatever.  
23 But if I come in and say I have a  
24 12-month lease, I have a tenant in  
25 here for 12 months long-term, I get a

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2 break on my \$500 fee or whatever.

3 MAYOR STUESSI: You're still  
4 getting a two-year permit.

5 TRUSTEE DOUGHERTY-JOHNSON:  
6 That's what it is now. \$250 permit  
7 for two years, that's what people have  
8 been paying. And there are people who  
9 are renting long-term. I don't know.  
10 I don't see it right this second to  
11 raise that permit on people who are  
12 renting long-term, which is what we  
13 are trying to incentivize.

14 DEPUTY MAYOR BRENNAN: I hear  
15 you.

16 CHAIRPERSON HAMMES: I mean, I  
17 don't know if you need to raise all  
18 the fees. I think the fees were set  
19 in stone for so long. It's really you  
20 need to look at what the cost of what  
21 the work that is done by the building  
22 inspector and figure out how it  
23 correlates here.

24 DEPUTY MAYOR BRENNAN: That's an  
25 argument for not raising the fees too

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2 much at this point in time.

3 TRUSTEE PHILLIPS: We really  
4 need to figure out what the workload  
5 is and dealing with it then.

6 The other thing is where do we  
7 fit in to purchase a program?

8 MAYOR STUESSI: We didn't have  
9 anything because we didn't have the  
10 law that was --

11 CHAIRPERSON HAMMES: You'll want  
12 that program.

13 MAYOR STUESSI: Absolutely. If  
14 you get the law done and pass it, we  
15 can implement it.

16 (Whereupon, there was inaudible,  
17 indecipherable cross-talk amongst the  
18 parties present.)

19 TRUSTEE PHILLIPS: We have to  
20 have it, that's what I'm saying, so --  
21 and I think the fee -- I think we  
22 should leave it alone.

23 MAYOR STUESSI: Go and let --

24 (Whereupon, there was inaudible,  
25 indecipherable cross-talk amongst the

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2 parties present.)

3 MAYOR STUESSI: Patrick, what  
4 has been asked? What is your  
5 suggestion on long-term?

6 DEPUTY MAYOR BRENNAN:  
7 Currently, \$250 a year or two years,  
8 so let's leave that where it is, so we  
9 don't make any change to that. We are  
10 not incentivizing or disincentivizing  
11 on the two-year permit for long-term  
12 rentals.

13 TRUSTEE DOUGHERTY-JOHNSON: If  
14 they have a 12-year lease -- 12-month,  
15 that's what I was suggesting.

16 TRUSTEE PHILLIPS: Here's what I  
17 was hearing: Short-term rental, we  
18 were going to raise the fee, which we  
19 haven't determined. There was a  
20 discussion of if someone came in for  
21 the -- under 12-month rental. In  
22 other words, they only rent it for six  
23 months, then that was one fee. And  
24 that if they have a long-term lease  
25 for a year-round tenant, then we would

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2 give them a different fee than the one  
3 that's coming. So in other words,  
4 you're setting up time limits for  
5 defining long-term. You're defining  
6 two different long-term -- actually,  
7 one I think we need to make long-term  
8 a 12-month time frame, just to make it  
9 clear that that's the long-term.

10 What are we going to call the  
11 delta?

12 TRUSTEE ROBINS: A year-round  
13 rental.

14 (Whereupon, there was inaudible,  
15 indecipherable cross-talk amongst the  
16 parties present.)

17 MAYOR STUESSI: We don't need  
18 three tiers for rental permit rates.  
19 We need two.

20 TRUSTEE PHILLIPS: Lily was  
21 talking about making the 12 month one  
22 a different fee, so --

23 TRUSTEE DOUGHERTY-JOHNSON:  
24 Well, I was saying keeping at the fee  
25 it is now. \$250 for two years, if you

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2 have a long-term, 12-month tenant  
3 where they lease that. That was  
4 Trisha's suggestion. I think it's a  
5 good one. I mean, if you think it's  
6 too onerous, we could not. But to  
7 Patrick's point, if you come in and  
8 you just say, I want a rental permit,  
9 a long-term, not short-term, and I pay  
10 \$250. I may be renting my house for  
11 three months in the summer for  
12 \$15,000, should I be paying \$250?

13 TRUSTEE ROBIN: That's a  
14 different permit. That's a short-term  
15 rental permit.

16 (Whereupon, there was inaudible,  
17 indecipherable cross-talk amongst the  
18 parties present.)

19 TRUSTEE DOUGHERTY-JOHNSON:  
20 That's not a short-term rental.  
21 That's not less than a month. So  
22 that's why we are slightly  
23 incentivizing people who are renting  
24 year-round, too.

25 MAYOR STUESSI: Hold on a

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2 second, right? I think we are  
3 conflating things. The New York State  
4 definition of short-term is less than  
5 30 days. We can have legal draft  
6 something, my belief it is when we ask  
7 them this question, of establishing  
8 whatever we are going to call a  
9 long-term year-round rental permit,  
10 which it's going to be a year  
11 minimum --

12 TRUSTEE ROBINS: 365 days.

13 MAYOR STUESSI: 362, whatever it  
14 has to be. So that's \$250 for two  
15 years. And anything less than that,  
16 whatever we are going to call it,  
17 meets short-term, less than a year.

18 TRUSTEE DOUGHERTY-JOHNSON: But  
19 if I rent my house for three months in  
20 the summer, that's not short-term, by  
21 what you just said.

22 MAYOR STUESSI: We are going to  
23 call it -- whatever we title the  
24 permit, it's going to have short-term.

25 DEPUTY MAYOR BRENNAN: That's

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2 where we started.

3 TRUSTEE PHILLIPS: That's what  
4 we were talking about.

5 MAYOR STUESSI: But understand,  
6 it's two tiers of permits, not three  
7 tiers.

8 DEPUTY MAYOR BRENNAN: Two tiers  
9 of permits. Trisha recommended three  
10 tiers of fees.

11 TRUSTEE PHILLIPS: Which is  
12 getting back to the number of days in  
13 order to classify long-term a certain  
14 number of days and the other long-term  
15 is being under a certain number of  
16 days, whatever you want to call it.

17 MAYOR STUESSI: Well, if  
18 somebody is renting for three months  
19 or four months, they are going to be  
20 getting twenty grand a month.

21 TRUSTEE DOUGHERTY-JOHNSON:  
22 Right. But they don't need a  
23 short-term rental permit by what we  
24 are just -- I mean, if we are sticking  
25 with the plan of what you said. You

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2       said short-term is less than a month,

3       30 days, so if I want to rent my house

4       for the whole summer, July, August and

5       September, I don't need a short-term

6       rental permit. I need a -- I go to

7       Village Hall, I say I want a long-term

8       permit, and what's the fee? If the

9       fee is \$250, great, I make a whole lot

10      of money. I mean, I don't think the

11      fee is going to charge people \$3,000

12      or whatever. But I do think it makes

13      sense to give people who are

14      renting -- I mean, there are right now

15      people who are renting in Greenport,

16      not market rate, two year-round

17      people. And I don't know why we want

18      to raise the fee on them particularly.

19      I think we do maybe want to raise the

20      fee definitely short-term, but perhaps

21      also on people who are maybe renting

22      for who knows how long it is. It's

23      not short-term, but it's not

24      necessarily two year-round tenants

25      either.

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2 MAYOR STUESSI: What I'm  
3 suggesting, because I think we could  
4 put those two in the same bucket  
5 that's less than a year rental,  
6 whatever it's called.

7 TRUSTEE ROBINS: Two fees.

8 MAYOR STUESSI: Because the  
9 reality is, the person is going to  
10 rent for a month, a monthly rental,  
11 over three months or four months,  
12 whatever it is, is likely going to  
13 make more money than somebody who's  
14 renting out a room short-term, but  
15 just two fees. Keep it \$250 for the  
16 year-round rental, however it's  
17 described for the number of days, for  
18 two years.

19 TRUSTEE DOUGHERTY-JOHNSON: But  
20 it's still two fees, but it's still  
21 two different permit.

22 MAYOR STUESSI: Correct.

23 TRUSTEE DOUGHERTY-JOHNSON: But  
24 each fee is not going with each permit  
25 because again, I can still rent my

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2 house for three months and I'm not  
3 getting a short-term rental permit. I  
4 can still pay \$1,000.

5 MAYOR STUESSI: Either way it's  
6 still a short-term rental permit.  
7 Whatever it's called, it can be called  
8 the Lily permit and it's less than a  
9 year-round rental permit.

10 TRUSTEE DOUGHERTY-JOHNSON: So  
11 that means we would have three  
12 permits.

13 MAYOR STUESSI: No. Two  
14 permits. There is the year-round  
15 permit, which means you're getting a  
16 two-year permit, but you're renting  
17 for a year minimum full-time. And  
18 then there's less than full-time.

19 TRUSTEE DOUGHERTY-JOHNSON: But  
20 that's not just what we all discussed  
21 about just under 30 days.

22 MAYOR STUESSI: That's just a  
23 definition. I'm suggesting less than  
24 30 days.

25 (Whereupon, there was inaudible,

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2 indecipherable cross-talk amongst the  
3 parties present.)

4 TRUSTEE DOUGHERTY-JOHNSON: If  
5 we want to know who is renting  
6 short-term, but now we only have a  
7 permit that's less than a year --

8 TRUSTEE ROBINS: I don't want to  
9 know how many days you're renting it  
10 for. We just want to know are you  
11 renting at all. That's all you need  
12 to get a permit if you want to rent.

13 TRUSTEE DOUGHERTY-JOHNSON: No.  
14 I think we've always -- since we've  
15 had this discussion, we want two  
16 because everyone says we don't  
17 actually know how many short-term  
18 rentals we have because we only have  
19 one permit.

20 MAYOR STUESSI: But we're going  
21 to have two permits. You're going to  
22 have the full-time permit and then the  
23 less than full-time.

24 TRUSTEE PHILLIPS: What Lily is  
25 trying to say is that we have the

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2 number of days, which is going to be a  
3 short-term rental. Then we have those  
4 who rent their houses out for the  
5 summer for 90 days and then they  
6 become full-time residents back in  
7 their home again. That's the one  
8 you're talking about I think.

9 TRUSTEE DOUGHERTY-JOHNSON: I'm  
10 just saying that if you have people  
11 that rent for like three months,  
12 that's not the short-term rental. And  
13 then we don't know if it's -- if we  
14 just have those two, we don't know  
15 what the short-term rental versus what  
16 the renting for three months.

17 TRUSTEE ROBINS: I think we only  
18 need two permits, so --

19 MAYOR STUESSI: How would you  
20 not know? You're going to -- you're  
21 going to know it's being rented for  
22 less than a year.

23 TRUSTEE DOUGHERTY-JOHNSON:  
24 Right. But you're only going to know  
25 if it's rented for a year or more, or

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2 a year or less.

3 DEPUTY MAYOR BRENNAN: That's --  
4 it doesn't get more --

5 TRUSTEE DOUGHERTY-JOHNSON:  
6 You're not going to know if it's  
7 short-term.

8 DEPUTY MAYOR BRENNAN: It's  
9 going --

10 MAYOR STUESSI: Well, if we  
11 implement software, you're going to  
12 have a good basis if they're going  
13 through the websites, it's going to  
14 give you a report that says what it  
15 is.

16 TRUSTEE DOUGHERTY-JOHNSON: To  
17 Trisha's point, we need to register --  
18 or just in general talking about this,  
19 if we want to know if we have "X"  
20 number of short-term rentals under a  
21 month --

22 MAYOR STUESSI: Putting aside  
23 the State's definition for what  
24 short-term is, I think if we are  
25 talking about creating housing and

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2 where we don't have -- where we are  
3 not creating housing, it's less than a  
4 year rental. A three-month rental is,  
5 you know, supercedes short-term by New  
6 York State's definition, but it's less  
7 than a year rental.

8 TRUSTEE DOUGHERTY-JOHNSON:

9 Right. But if it's -- are we making  
10 it -- but then we are going back to,  
11 so if you aren't domicile here, you  
12 can't rent your house for three  
13 months or --

14 MAYOR STUESSI: No. We are just  
15 saying it's the same permit.

16 TRUSTEE DOUGHERTY-JOHNSON:

17 Okay. The same permit, but different  
18 fees.

19 MAYOR STUESSI: No. It's the  
20 same fee. Less than a year is, pick a  
21 number, \$1,000 fee to get your rental  
22 permit and it stays \$250 for your  
23 two-year full-time rental.

24 TRUSTEE DOUGHERTY-JOHNSON:

25 Short-term rental permit --

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2 (Whereupon, there was inaudible,  
3 indecipherable cross-talk amongst the  
4 parties present.)

5 TRUSTEE DOUGHERTY-JOHNSON:  
6 Maybe we should just -- I don't know  
7 how to figure this part out.

8 TRUSTEE PHILLIPS: Maybe we can  
9 get this portion of it, we can always  
10 deal with that --

11 MAYOR STUESSI: Doesn't  
12 everybody agree that something less  
13 than an annual rental is, putting  
14 aside the State's definition of  
15 short-term, that's basically  
16 short-term, right? If it's a  
17 three-month rental for the summer.

18 DEPUTY MAYOR BRENNAN: Yeah.  
19 That's what -- I think that's what we  
20 are all talking about.

21 TRUSTEE DOUGHERTY-JOHNSON: But  
22 then we are changing what we just all  
23 said, so then doesn't the code have to  
24 say, okay, if you're renting less than  
25 a year, you need a short-term rental

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2 permit?

3 MAYOR STUESSI: It's going to be  
4 titled with whatever. Then the  
5 definition is going to say, short-term  
6 is less than 30 days and then whatever  
7 is less than annual is --

8 TRUSTEE PHILLIPS: Maybe the  
9 less than 30 days should be called  
10 transient rental permit or something  
11 other than that short-term. I think  
12 that's what the Town of Southold --

13 TRUSTEE ROBINS: You need one  
14 for short-term and one for year-round,  
15 that's it. That seems really simple  
16 to me. Am I wrong?

17 DEPUTY MAYOR BRENNAN: What is  
18 short-term?

19 TRUSTEE PHILLIPS: What's your  
20 definition of short-term?

21 TRUSTEE ROBINS: Anything over  
22 30 days, you know, and less than 365  
23 or 362 or whatever.

24 TRUSTEE DOUGHERTY-JOHNSON:  
25 Thirty days and 361.

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2 DEPUTY MAYOR BRENNAN: Yeah.

3 That's where we started the evening,  
4 saying if there's no definition for  
5 the middle.

6 MAYOR STUESSI: And all I'm  
7 saying is, if there's a definition  
8 added in that defines the middle, we  
9 can ask legal to put that together for  
10 us that's less than a year.

11 DEPUTY MAYOR BRENNAN: So we  
12 have two permits, two fees, the  
13 dividing line being 12 months.

14 TRUSTEE ROBINS: Right. And  
15 after --

16 DEPUTY MAYOR BRENNAN: And if  
17 you're in the shorter rental, anything  
18 less than 12 months, there's a special  
19 condition for under 30 days. There's  
20 two carve outs. There's the  
21 owner-occupier and then the --

22 MAYOR STUESSI: And if legal  
23 tells us that we have to create some  
24 separate permit for between 30 days  
25 and annual, then we do it.

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2 DEPUTY MAYOR BRENNAN: Okay.

3 MAYOR STUESSI: I'm just trying  
4 to keep it more simple to manage. I  
5 think we are all in agreement.

6 DEPUTY MAYOR BRENNAN: I think  
7 we have consensus over the basics,  
8 it's just getting a little confusing.

9 TRUSTEE PHILLIPS: It's  
10 confusing the number of days again.  
11 And I think perhaps it would probably  
12 be best to come up with because  
13 they're going to be creating  
14 definitions that we are going to be  
15 reviewing.

16 TRUSTEE ROBINS: They will send  
17 us a draft first.

18 MAYOR STUESSI: Just back to the  
19 fee, everybody is in agreement with  
20 that year-round rental permit would be  
21 for two years and that would stay at  
22 \$250, correct?

23 TRUSTEE ROBINS: Yes. Yes.

24 MAYOR STUESSI: So whatever is  
25 less than an annual rental permit, is

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2 going be for one year, correct?

3 What do we think that fee should  
4 be?

5 DEPUTY MAYOR BRENNAN: I'd say  
6 like three to four, \$750 or \$1,000  
7 would be my suggestion. We don't  
8 really know what the cost is to manage  
9 this, but my gut is three to four  
10 times more expensive.

11 TRUSTEE DOUGHERTY-JOHNSON: That  
12 sounds reasonable.

13 DEPUTY MAYOR BRENNAN: Do you  
14 want to go with three? \$750, \$250?  
15 No, that actually's six times more.

16 TRUSTEE ROBINS: \$750 is a good  
17 start.

18 DEPUTY MAYOR BRENNAN: That's  
19 six times more expensive because only  
20 for one year.

21 TRUSTEE ROBINS: Right.

22 TRUSTEE DOUGHERTY-JOHNSON:  
23 \$500.

24 DEPUTY MAYOR BRENNAN: \$500 per  
25 year is effectively four times factor.

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2 Do that, \$500 and \$250.

3 TRUSTEE PHILLIPS: That's fine.  
4 I think that's fair.

5 DEPUTY MAYOR BRENNAN: Okay.

6 TRUSTEE ROBINS: Yeah.

7 MAYOR STUESSI: Everybody okay?

8 DEPUTY MAYOR BRENNAN: You got  
9 it.

10 MAYOR STUESSI: Yep. It's video  
11 recorded, too. Nothing else anybody  
12 can think of? I mean, I feel like  
13 we've covered all the points that  
14 allows for people that live in the  
15 Village to create some extra income,  
16 but not, to your point, to start  
17 get -- creating an investment vehicle  
18 for renting out other houses. And it  
19 sounds to me, if I heard correctly,  
20 the consensus of the Board was to not  
21 include multifamily in any allowable  
22 exceptions. Ultimately, you would not  
23 be able to get a short-term permit for  
24 multifamily.

25 DEPUTY MAYOR BRENNAN: Right.

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2 Which is basically adhere to the  
3 currently policy.

4 TRUSTEE PHILLIPS: We're already  
5 doing it supposedly.

6 MAYOR STUESSI: And then the  
7 condo thing should be a no-brainer for  
8 legal to draft because that's treated  
9 by New York State law. It's a  
10 separate, if you have ownership, your  
11 units will be a single-family house.

12 Any parting thoughts?

13 DEPUTY MAYOR BRENNAN: I don't  
14 think we should discuss this much  
15 longer.

16 MAYOR STUESSI: Probably.

17 TRUSTEE PHILLIPS: We're done.  
18 We have gotten to the point where  
19 everyone is agreeing. And I think  
20 that we need to get it done.

21 MAYOR STUESSI: Right. Fine.  
22 We will get it drafted. And we need  
23 to set a call for review of legal just  
24 to answer any legal questions and then  
25 have Trisha work on it with counsel.

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2 And they have already been talking on  
3 it.

4 Wonderful. Thank you,  
5 everybody. Make a motion to close the  
6 meeting.

7 DEPUTY MAYOR BRENNAN: Second.

8 MAYOR STUESSI: All in favor.

9 (Whereupon, there was a  
10 unanimous, affirmative vote of the  
11 Board.)

12 MAYOR STUESSI: Meeting  
13 adjourned. Thank you.

14 (Whereupon, the Board of  
15 Trustees Special Work Session was  
16 adjourned at this time.)

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

I, DOMENICA RAYNOR, a 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 21st day of May,  
2025.

*Domenica Raynor*

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DOMENICA RAYNOR

<b>\$</b>	<b>14-week</b> <sup>[1]</sup> - 4:11 <b>180</b> <sup>[2]</sup> - 26:16, 38:22	<b>7</b>	<b>addressed</b> <sup>[1]</sup> - 80:8 <b>addresses</b> <sup>[1]</sup> - 115:5 <b>addressing</b> <sup>[1]</sup> - 105:18 <b>adhere</b> <sup>[1]</sup> - 149:2 <b>adjourned</b> <sup>[2]</sup> - 150:13, 150:16 <b>administrative</b> <sup>[1]</sup> - 84:9 <b>adopt</b> <sup>[2]</sup> - 20:18, 52:19 <b>adopted</b> <sup>[1]</sup> - 13:25 <b>ads</b> <sup>[1]</sup> - 82:22 <b>advice</b> <sup>[1]</sup> - 120:20 <b>advising</b> <sup>[1]</sup> - 125:21 <b>affect</b> <sup>[2]</sup> - 29:10, 85:7 <b>affecting</b> <sup>[2]</sup> - 75:16, 85:8 <b>affordability</b> <sup>[3]</sup> - 21:21, 28:11, 28:17 <b>affordable</b> <sup>[1]</sup> - 29:8 <b>agent</b> <sup>[2]</sup> - 75:23, 86:19 <b>aggressive</b> <sup>[1]</sup> - 15:19 <b>ago</b> <sup>[7]</sup> - 3:25, 12:4, 33:25, 34:2, 71:11, 91:12, 113:8 <b>agree</b> <sup>[22]</sup> - 19:15, 34:7, 35:10, 36:5, 36:8, 37:2, 38:11, 39:17, 63:25, 84:23, 84:24, 87:3, 87:4, 101:6, 101:11, 102:18, 103:5, 105:21, 113:12, 118:14, 125:20, 143:12 <b>agreed</b> <sup>[1]</sup> - 101:10 <b>agreeing</b> <sup>[1]</sup> - 149:19 <b>agreement</b> <sup>[2]</sup> - 146:5, 146:19 <b>Airbnb</b> <sup>[2]</sup> - 33:12, 55:24 <b>Airbnbs</b> <sup>[1]</sup> - 5:11 <b>align</b> <sup>[1]</sup> - 92:13 <b>allow</b> <sup>[26]</sup> - 15:11, 25:16, 26:8, 26:24, 39:22, 40:7, 40:13, 53:12, 62:16, 79:8, 79:12, 80:3, 81:15, 86:24, 90:4, 93:18, 93:25, 102:21, 102:22, 104:7, 109:5, 115:10, 115:19, 115:20, 116:16, 116:23 <b>allowable</b> <sup>[1]</sup> - 148:21 <b>allowed</b> <sup>[10]</sup> - 12:24, 17:10, 17:18, 22:10, 31:22, 31:24, 45:12	<b>52:18, 95:7, 109:15</b> <b>allowing</b> <sup>[5]</sup> - 46:12, 56:19, 61:11, 90:3, 110:18 <b>allows</b> <sup>[3]</sup> - 10:5, 74:5, 148:14 <b>alone</b> <sup>[2]</sup> - 112:16, 130:22 <b>alternate</b> <sup>[1]</sup> - 120:2 <b>amendments</b> <sup>[1]</sup> - 20:5 <b>AMIs</b> <sup>[1]</sup> - 21:20 <b>amount</b> <sup>[8]</sup> - 30:22, 48:25, 51:16, 53:9, 53:10, 55:22, 126:7, 126:18 <b>AND</b> <sup>[1]</sup> - 1:10 <b>anecdotally</b> <sup>[1]</sup> - 74:24 <b>animal</b> <sup>[1]</sup> - 61:6 <b>annual</b> <sup>[5]</sup> - 12:14, 143:13, 144:7, 145:25, 146:25 <b>answer</b> <sup>[8]</sup> - 19:17, 38:15, 73:10, 87:14, 109:20, 111:12, 149:24 <b>anticipate</b> <sup>[3]</sup> - 73:23, 85:22, 119:22 <b>anyway</b> <sup>[1]</sup> - 16:14 <b>apartment</b> <sup>[1]</sup> - 98:8 <b>apartments</b> <sup>[6]</sup> - 23:9, 49:3, 90:11, 110:24, 110:25, 111:8 <b>applicable</b> <sup>[1]</sup> - 14:10 <b>applies</b> <sup>[1]</sup> - 94:5 <b>appreciated</b> <sup>[1]</sup> - 34:25 <b>appropriate</b> <sup>[3]</sup> - 11:7, 91:14, 92:12 <b>appropriately</b> <sup>[1]</sup> - 101:2 <b>approve</b> <sup>[2]</sup> - 14:19, 55:8 <b>approved</b> <sup>[5]</sup> - 15:8, 31:21, 54:19, 54:22, 111:21 <b>arbitrary</b> <sup>[1]</sup> - 126:11 <b>area</b> <sup>[8]</sup> - 7:17, 37:24, 38:4, 39:9, 43:11, 84:20, 89:10, 94:20 <b>areas</b> <sup>[2]</sup> - 46:23, 89:10 <b>argue</b> <sup>[1]</sup> - 21:17 <b>arguing</b> <sup>[2]</sup> - 28:6, 56:5 <b>argument</b> <sup>[7]</sup> - 51:2, 51:23, 52:25, 53:3, 59:25, 122:12, 129:25
<b>\$1,000</b> <sup>[4]</sup> - 58:14, 138:4, 142:21, 147:6 <b>\$10,000</b> <sup>[2]</sup> - 77:16, 77:20 <b>\$100,000</b> <sup>[1]</sup> - 12:18 <b>\$15,000</b> <sup>[1]</sup> - 133:12 <b>\$150,000</b> <sup>[2]</sup> - 12:19, 65:8 <b>\$200</b> <sup>[1]</sup> - 58:19 <b>\$250</b> <sup>[22]</sup> - 121:21, 122:3, 124:8, 124:16, 124:17, 125:4, 127:7, 128:3, 128:6, 128:10, 129:6, 131:7, 132:25, 133:10, 133:12, 134:14, 136:9, 137:15, 142:22, 146:22, 147:14, 148:2 <b>\$275</b> <sup>[1]</sup> - 124:21 <b>\$3,000</b> <sup>[1]</sup> - 136:11 <b>\$300</b> <sup>[2]</sup> - 55:23, 58:19 <b>\$500</b> <sup>[6]</sup> - 122:2, 128:7, 129:2, 147:23, 147:24, 148:2 <b>\$600</b> <sup>[5]</sup> - 55:22, 58:14, 120:17, 120:18, 127:20 <b>\$750</b> <sup>[6]</sup> - 128:3, 128:5, 128:6, 147:6, 147:14, 147:16	<b>2</b> <b>20</b> <sup>[1]</sup> - 64:6 <b>2025</b> <sup>[2]</sup> - 1:14, 151:18 <b>21</b> <sup>[1]</sup> - 1:14 <b>21st</b> <sup>[1]</sup> - 151:17 <b>270</b> <sup>[1]</sup> - 38:22 <b>28</b> <sup>[2]</sup> - 42:22, 113:24 <b>286</b> <sup>[1]</sup> - 43:4 <b>29</b> <sup>[1]</sup> - 96:3	<b>7</b> <sup>[1]</sup> - 71:11 <b>9</b> <b>90</b> <sup>[3]</sup> - 41:3, 69:15, 140:5 <b>A</b> <b>ability</b> <sup>[2]</sup> - 61:15, 85:9 <b>able</b> <sup>[6]</sup> - 8:20, 20:14, 56:22, 73:12, 103:13, 148:23 <b>absentee</b> <sup>[2]</sup> - 70:25, 82:10 <b>absentees</b> <sup>[1]</sup> - 74:23 <b>absolutely</b> <sup>[4]</sup> - 74:7, 74:12, 122:21, 130:13 <b>acceptable</b> <sup>[1]</sup> - 71:19 <b>acceptance</b> <sup>[1]</sup> - 71:18 <b>accessory</b> <sup>[5]</sup> - 6:12, 25:5, 25:8, 25:14, 25:21 <b>accommodating</b> <sup>[1]</sup> - 78:12 <b>accommodation</b> <sup>[1]</sup> - 30:5 <b>accommodations</b> <sup>[1]</sup> - 30:23 <b>accomplish</b> <sup>[3]</sup> - 36:17, 37:4, 112:13 <b>accomplished</b> <sup>[1]</sup> - 86:6 <b>according</b> <sup>[2]</sup> - 42:25, 43:2 <b>accurately</b> <sup>[2]</sup> - 78:21, 78:22 <b>achieve</b> <sup>[2]</sup> - 89:23, 100:25 <b>acknowledge</b> <sup>[1]</sup> - 59:3 <b>acquire</b> <sup>[1]</sup> - 76:5 <b>action</b> <sup>[1]</sup> - 151:12 <b>activities</b> <sup>[1]</sup> - 18:5 <b>activity</b> <sup>[3]</sup> - 48:18, 118:5, 118:6 <b>actual</b> <sup>[2]</sup> - 92:20, 125:8 <b>actually's</b> <sup>[1]</sup> - 147:15 <b>add</b> <sup>[1]</sup> - 36:22 <b>added</b> <sup>[1]</sup> - 145:8 <b>additional</b> <sup>[5]</sup> - 12:22, 13:6, 79:15, 83:25, 125:3 <b>address</b> <sup>[5]</sup> - 7:14, 26:6, 26:22, 40:22, 74:16	<b>addressed</b> <sup>[1]</sup> - 80:8 <b>addresses</b> <sup>[1]</sup> - 115:5 <b>addressing</b> <sup>[1]</sup> - 105:18 <b>adhere</b> <sup>[1]</sup> - 149:2 <b>adjourned</b> <sup>[2]</sup> - 150:13, 150:16 <b>administrative</b> <sup>[1]</sup> - 84:9 <b>adopt</b> <sup>[2]</sup> - 20:18, 52:19 <b>adopted</b> <sup>[1]</sup> - 13:25 <b>ads</b> <sup>[1]</sup> - 82:22 <b>advice</b> <sup>[1]</sup> - 120:20 <b>advising</b> <sup>[1]</sup> - 125:21 <b>affect</b> <sup>[2]</sup> - 29:10, 85:7 <b>affecting</b> <sup>[2]</sup> - 75:16, 85:8 <b>affordability</b> <sup>[3]</sup> - 21:21, 28:11, 28:17 <b>affordable</b> <sup>[1]</sup> - 29:8 <b>agent</b> <sup>[2]</sup> - 75:23, 86:19 <b>aggressive</b> <sup>[1]</sup> - 15:19 <b>ago</b> <sup>[7]</sup> - 3:25, 12:4, 33:25, 34:2, 71:11, 91:12, 113:8 <b>agree</b> <sup>[22]</sup> - 19:15, 34:7, 35:10, 36:5, 36:8, 37:2, 38:11, 39:17, 63:25, 84:23, 84:24, 87:3, 87:4, 101:6, 101:11, 102:18, 103:5, 105:21, 113:12, 118:14, 125:20, 143:12 <b>agreed</b> <sup>[1]</sup> - 101:10 <b>agreeing</b> <sup>[1]</sup> - 149:19 <b>agreement</b> <sup>[2]</sup> - 146:5, 146:19 <b>Airbnb</b> <sup>[2]</sup> - 33:12, 55:24 <b>Airbnbs</b> <sup>[1]</sup> - 5:11 <b>align</b> <sup>[1]</sup> - 92:13 <b>allow</b> <sup>[26]</sup> - 15:11, 25:16, 26:8, 26:24, 39:22, 40:7, 40:13, 53:12, 62:16, 79:8, 79:12, 80:3, 81:15, 86:24, 90:4, 93:18, 93:25, 102:21, 102:22, 104:7, 109:5, 115:10, 115:19, 115:20, 116:16, 116:23 <b>allowable</b> <sup>[1]</sup> - 148:21 <b>allowed</b> <sup>[10]</sup> - 12:24, 17:10, 17:18, 22:10, 31:22, 31:24, 45:12	
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