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VILLAGE OF GREENPORT COUNTY OF SUFFOLK

STATE OF NEW YORK

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BOARD OF TRUSTEES

REGULAR SESSION

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Third Street Firehouse  
Greenport, New York

July 26, 2018  
7:00 p.m.

B E F O R E :

- GEORGE HUBBARD, JR. - MAYOR
- JACK MARTILOTTA - DEPUTY MAYOR
- MARY BESS PHILLIPS - TRUSTEE
- DOUGLAS W. ROBERTS - TRUSTEE
- JULIA ROBBINS - TRUSTEE
  
- JOSEPH PROKOP - VILLAGE ATTORNEY
- PAUL PALLAS - VILLAGE ADMINISTRATOR
- SYLVIA PIRILLO - CLERK

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2 (The meeting was called to order  
3 at 7:00 p.m.)

4 (Whereupon, all stood for the  
5 Pledge of Allegiance.)

6 (Whereupon, a moment of silence  
7 was held for Kenneth Arthur Higgins,  
8 James O. Hillis, Anthony Holmes, John  
9 Martin "Krocket" Krukowski, Barbara  
10 Reibling, Fern L. Simpson.)

11 MAYOR HUBBARD: Okay, we have a  
12 couple announcements. The annual  
13 Shakespeare in the Park performances  
14 will be held on August 2nd, 3rd and 4th  
15 in Mitchell Park beginning at 7:00 p.m.

16 The Village Special Election  
17 regarding the Volunteer Fire Department  
18 Length of Services Award Program will  
19 be held from noon through 9:00 p.m. on  
20 August 14th at the Third Street  
21 Firehouse.

22 We had a request, Holly would like  
23 to speak a little bit before we get  
24 into the public hearings about an  
25 event.

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2 MS. VANZETTA: Hi, my name is  
3 Holly Vanzetta (phonetic). I currently  
4 live in Southold, and I was a member of  
5 this community for several years; and  
6 the reason I'm here is for the lighter  
7 side of things.

8 My son Sam, who is sitting there  
9 right now, is seven and he has just  
10 completed three-and-a-half years of  
11 daily treatment for leukemia  
12 successfully (indicating).

13 (Applause.)

14 And it was kind of a big deal, so  
15 we would like to celebrate. So many  
16 members of this whole community have  
17 come out and helped me as a single mom  
18 in this community to get through it, to  
19 succeed, CAST, members of churches in  
20 this community, several members that  
21 are in this room, families. It's just  
22 important to me that it's a community  
23 event. We want to celebrate by having  
24 a potluck celebration to bring  
25 awareness to the good things and also

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2 that, you know, there are still  
3 children that need more attention.

4 September is Childhood Cancer  
5 Awareness Month. I'd like to have this  
6 party on August 20th and bring  
7 awareness to the fact that more  
8 children need to be recognized, and I  
9 just want to have a party and Sam wants  
10 to go to Fifth Street Beach, I don't  
11 know anyone that doesn't; and I would  
12 like to encourage, you know, the  
13 children from his class and community  
14 members to all come to the potluck from  
15 5:00 to 9:00.

16 Okay, that's it.

17 MAYOR HUBBARD: Thank you.

18 Next item is the public hearing,  
19 wetlands permit application submitted  
20 by Brooke Epperson on behalf of Erika  
21 Cabral to construct a new garage,  
22 covered cabana, hot tub pool on the  
23 property located at 127 Bay Avenue.

24 This has been noticed. And there  
25 are a few issues with the application.

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2 The CAC has looked at it, but we're  
3 gonna hold the public hearing, take  
4 comments and then we'll move on from  
5 there.

6 MR. PALLAS: Thank you, Mayor.

7 The CAC visited the site. There  
8 were a few things we need clarification  
9 on, specifically where exactly the FEMA  
10 flood line was, it was difficult to  
11 tell from the FEMA maps and the site  
12 plan. We requested and we have  
13 received, we received them yesterday, I  
14 haven't had a chance to revisit the  
15 site to do a more thorough  
16 investigation. I will do that as soon  
17 as I can.

18 Just as another note, from  
19 everything I can tell, the garage, the  
20 only thing that now appears to be in  
21 the wetlands is the pool itself. All  
22 the other structures that were noted  
23 are not in the wetlands, it would be  
24 just for the pool.

25 MAYOR HUBBARD: Okay.

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2 MR. PORTILLO: Hi. Good evening.

3 Thank you for having me. I'm Anthony  
4 Portillo from AMP Architecture and I'm  
5 representing the applicant. They could  
6 not make it tonight, apologize. Our  
7 offices are at 15400 Main Road in  
8 Mattituck.

9 Thanks, Paul.

10 And we did deliver the plans with  
11 the hundred-year flood plain, and the  
12 five-foot interval topo that was  
13 requested after the CAC meeting that  
14 was on Tuesday of this week. I think  
15 it was yesterday, so to my  
16 understanding, they want to review that  
17 and they will provide a letter of what  
18 their recommendation is.

19 I just wanted to indicate that I  
20 did some research on the building code  
21 and FEMA requirements, and I had a  
22 quick conversation with Paul, and I  
23 just wanted to state that based on my  
24 research, I can provide this to the  
25 Building Department and the Board, that

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2 a pool that's below ground is allowed  
3 inside of the flood plain area. There  
4 just isn't allowed to be any  
5 obstructions that are above ground, so  
6 as long as it's completely below grade,  
7 it is allowed by FEMA and ASCE 24,  
8 which is what the building code looks  
9 at as the FEMA codes.

10 So I just wanted to let you guys  
11 know that, and Paul and I can provide  
12 that on the drawings, if you'd like,  
13 the code references.

14 MAYOR HUBBARD: Thank you.

15 MR. PORTILLO: Sure.

16 MAYOR HUBBARD: Anybody from the  
17 public that would like to comment on  
18 this public hearing?

19 (No response.)

20 Okay. I will offer a motion to  
21 keep the public hearing open until the  
22 Building Department can finish  
23 reviewing the plans and everything  
24 else, and we will discuss this at next  
25 month's meeting.

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2 TRUSTEE MARTILOTTA: Second.

3 MAYOR HUBBARD: All in favor?

4 TRUSTEE ROBERTS: Aye.

5 TRUSTEE ROBBINS: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 MAYOR HUBBARD: Opposed?

8 (No response.)

9 Motion carried.

10 Okay, the second public hearing we  
11 have is a proposed amendment to Chapter  
12 103, Rental Properties of the Village  
13 of Greenport code to create regulations  
14 regarding the transient or short-term  
15 rental for residential properties and  
16 units.

17 There's a version that's out there  
18 that's been talked about for six years  
19 between Code Committee, the Village  
20 Board, all around. We had a rental law  
21 that was passed six years ago, we  
22 modified that this last year to include  
23 all rentals in the rental code and this  
24 is trying to streamline and add some of  
25 the Airbnbs per se into future

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1 compliance.

2  
3 If you read it, owner-occupied is  
4 allowed per code, you just need a  
5 rental permit. Something that was  
6 added just recently by myself in  
7 talking to the Village Attorney and  
8 Village Administrator, a two-dwelling  
9 unit and one of them is a full-time  
10 rental, then you do need to go before  
11 the Planning Board for a special use  
12 permit for the second one to try to  
13 promote long-term rentals so that  
14 everything doesn't turn into Airbnb.

15 What's proposed right now is, if  
16 it is not owner-occupied doing an  
17 Airbnb which is basically running it  
18 like a business, it needs a special use  
19 permit from the Planning Board. That's  
20 what we have proposed right now.

21 We're here to get comments from  
22 the public. I see we got a big crowd  
23 here, so everybody has a chance to  
24 speak and talk on it, just when you  
25 come up, name and address for the

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2 record and let's try to limit to five  
3 minutes per person, so everybody has  
4 time and we can get everybody's  
5 comments in.

6 I will open this up to the public.  
7 Who would like to speak?

8 MS. ALLEN: Good evening. Chatty  
9 Allen, Third Street.

10 I mentioned this in the past, I  
11 like pretty much everything that is  
12 written down, except I think you should  
13 make it very simple for now to get it  
14 onto the books as owner-occupied,  
15 year-round tenant only.

16 There's a lot of people buying  
17 two-family homes for the sheer purpose  
18 of doing short-term rentals. By having  
19 year-round resident or owner-occupied,  
20 I like that because, hopefully, maybe  
21 it can bring some more rentals back  
22 into the Village that aren't there. We  
23 don't have these homes basically, all  
24 of them are sitting idle because  
25 nobody's living in it unless it's gonna

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1  
2 be for a weekend.

3 But I think for now just to get it  
4 onto the books, it should be  
5 owner-occupied, year-round rental only.  
6 I don't like the idea of sending it out  
7 to one board. I think that's gonna  
8 turn into too much litigation and too  
9 many problems with one person being  
10 approved and another person not being  
11 approved.

12 And I don't know if it's being  
13 done yet, but there should be a very  
14 steep fine because people that run  
15 these short-term rentals, they're  
16 getting megabucks for two, three  
17 nights, a hundred dollar fine is  
18 nothing to them; so I think the fine  
19 needs to be steep when they're not  
20 following the rules.

21 Thank you.

22 MR. McMAHON: Good evening. My  
23 name is Devin McMahon. I'm a lifelong  
24 resident of Greenport. Up until a few  
25 months ago, I served as chairman for  
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2 the Planning Board for the Village. I  
3 served as a member of that board for a  
4 total of five years.

5 I have been dealing directly with  
6 this issue personally, professionally  
7 as a volunteer throughout that time.

8 The insurgence of the investors  
9 both local and from out of town have  
10 purchased a significant portion of the  
11 housing stock for the sole purpose of  
12 running unauthorized undeniably  
13 commercial enterprises in residential  
14 areas. This has had a very real, very  
15 negative effect in the community.

16 I'm very happy to see that this  
17 board is continuing to discuss ways to  
18 address this issue, but I don't think  
19 this proposed law in its current form  
20 is the answer. In fact, I think it  
21 will make things worse.

22 The proposal would effectively  
23 codify approval for Airbnbs. You can  
24 make the counterargument that, no, they  
25 would still need to get approval from

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1 the Planning Board. Okay, but you just  
2 wrote into the code that it is an  
3 acceptable conditional use for a  
4 residential property. If I read the  
5 language of this proposal, and I owned  
6 fifteen houses in the Village that I  
7 wanted to turn into hotels, I would be  
8 thrilled. I'd have fifteen proposals  
9 on the docket at the next Planning  
10 Board meeting, and if you denied those  
11 proposals but grant one to my neighbor,  
12 then you would have -- better have  
13 really good detailed reasons for  
14 denial, there would be fifteen new  
15 lawsuits for the Village to deal with  
16 the following week.

18 It's not fair for you to pass the  
19 buck and put this burden on the  
20 Planning Board. The only real effect  
21 this proposal would have is to shift  
22 the angry mob from one meeting to  
23 another. You're paid to be here,  
24 they're volunteers. I can't tell you  
25 the number of times I was running a

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2 meeting and there were a dozen or more  
3 angry residents there to object to a  
4 particular proposal. Oftentimes, they  
5 brought up very legitimate grievances  
6 and concerns that needed to be ironed  
7 out. There were also a lot of people  
8 there simply because they didn't like  
9 the applicant or they didn't trust them  
10 to be respectful neighbors.

11 Likability and/or lack of trust  
12 cannot be the metric by which a  
13 conditional use is approved or denied.  
14 I think there is a very real  
15 possibility that might happen under  
16 this proposal.

17 I do not believe the Planning  
18 Board should be given authority to  
19 allow rentals shorter than a month on  
20 any property that is not occupied  
21 primarily by the owner. That's my  
22 personal preference, but I've heard  
23 compelling arguments for two-week  
24 limits. I think that's reasonable.

25 To clarify what I'm talking about

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1 here is, the property in question is  
2 your primary residence, you live there  
3 at least fifty-one percent of the time,  
4 you can rent your entire home out for  
5 two weeks, a month, several months at a  
6 time without issue. No paperwork, no  
7 approvals necessary. If you own the  
8 property and you want to rent it out  
9 for six months, no problem, no  
10 paperwork, no approvals. If you own a  
11 property that is your primary  
12 residence --

13  
14 AUDIENCE MEMBER: I'm having a  
15 hard time hearing.

16 MR. McMAHON: Hello. I'm very  
17 sorry.

18 If you own a property that's your  
19 primary residence, but you have a spare  
20 bedroom that you want to occasionally  
21 rent out for a night or a weekend or a  
22 few days, then you already fall under  
23 the existing section of the code that  
24 deals with bed and breakfast. You need  
25 to submit a site plan that shows you

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1                   BOT REGULAR - 7-26-2018  
2                   have adequate off-street parking,  
3                   proper egress for fire safety, et  
4                   cetera, that you're adhering to all the  
5                   same safety standards that every other  
6                   registered bed and breakfast in the  
7                   Village has to live up to.

8                   If you own a residential property  
9                   that you do not reside in, you want to  
10                  rent it out on a short-term basis,  
11                  that's clearly a commercial venture in  
12                  a residential neighborhood without  
13                  adhering to any of the existing codes.  
14                  Then no. Stop it. It's bad for the  
15                  Village.

16                 I'm not saying you're a bad person  
17                 by any means. I'm saying what you're  
18                 doing is bad for the Village. The Fire  
19                 Department can't find enough  
20                 volunteers, business can't find  
21                 workers, people who want to work here  
22                 year-round can't find housing;  
23                 meanwhile, half the properties in the  
24                 Village are sitting empty eight months  
25                 of the year.

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2 As long as I've been alive,  
3 weekenders have been an integral part  
4 of this community. I'm not concerned  
5 about those houses. I am concerned  
6 about the houses that never have a  
7 member of the community living in them.

8 For the argument that Airbnbs are  
9 good for businesses in the Village, no  
10 doubt they help bring in traffic four  
11 months a year, May to September, you  
12 know, roughly.

13 I'm a bar manager here in the  
14 Village and I bar-tend at another local  
15 restaurant on other nights. Those  
16 restaurants are full all day long. All  
17 summer, we're turning away customers.  
18 My livelihood and the health of the  
19 businesses I work for depends on being  
20 as busy as possible as often as  
21 possible. We don't need more foot  
22 traffic on a Saturday in August, we  
23 need foot traffic on a Wednesday in  
24 February.

25 You get that by having year-round

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1 residents whether they own the property  
2 or they're renting it from somebody  
3 else. We need local customers  
4 consistently throughout the year.

5  
6 Few other concerns with the  
7 language proposed, but I can go on for  
8 hours, and there's a lot of people who  
9 want to speak.

10 Quickly, I had two other comments.

11 Create definitions for short-term  
12 housing and long-term occupancy. You  
13 need to have definitions for everything  
14 in between, monthly rentals, six-month  
15 rentals. Distinctions should be made  
16 between how this applies to  
17 single-family, two-family and  
18 multifamily houses. That is not  
19 addressed as far as this goes.

20 Thank you.

21 MAYOR HUBBARD: Thank you.

22 MS. MORAN: Hi, my name is Julia  
23 Moran. I'm at 809 Main Street.

24 We're against the proposed  
25 regulation. We don't think our

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1  
2 property should be restricted in an  
3 attempt to assist -- I am focused on  
4 the bed and breakfast owners because  
5 those are the most recent news article  
6 and their business. I'm gonna focus on  
7 that issue.

8 Bed and breakfast owners are  
9 businesses which run in residential  
10 neighborhoods. I am a neighbor; I have  
11 two houses, and I tolerate strangers  
12 coming and going because I understand  
13 the owners there are trying to run  
14 their business. When we're renting out  
15 our property, they show the same  
16 respect that we have for their running  
17 their business.

18 Changing this requirement to  
19 fourteen days will put an end to the  
20 majority of short-term rentals.

21 We have families coming in for  
22 weekend weddings, coming to the Village  
23 to shop and visit wineries, and as the  
24 previous person said, all of these  
25 people support the local economy. I

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1  
2 don't think this is all bad for the  
3 community.

4 We bought our first house in  
5 Greenport in 2007, and five years  
6 later, we bought a second house in  
7 Greenport because we wanted to rescue  
8 it from neglect. It had been a  
9 long-term rental, and for sixteen  
10 years, it had been neglected. No one  
11 was taking any care of this house and  
12 we came and we rescued this house.

13 So long-term rentals are not  
14 always the answer to problems. It's on  
15 the corner of Webb and Main Street.  
16 It's the big blue house and it took us  
17 four years of paying local tradespeople  
18 and suppliers to fix up that house.

19 (Applause.)

20 We support this community, but we  
21 decided that instead of selling our  
22 first house, we're gonna keep it. We  
23 don't want to sell it, we think it's an  
24 excellent investment.

25 And we also have a huge family.

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1  
2 My husband grew up in a house with  
3 sixteen kids and sometimes they all  
4 come out and we will use both of these  
5 houses, but in the meantime, we are  
6 gonna do short-term rentals and we  
7 think we have certainly shown our  
8 investment in the community and we  
9 don't think we should be restricted.

10 I feel like it's a little bit of a  
11 bait-and-switch here. I mean, when  
12 people -- we went into this thinking  
13 that we wouldn't have a problem with  
14 this and now we're being told, no, even  
15 though you put all this money into the  
16 community, now we're gonna restrict  
17 your ability to use the property.

18 I also am a little bit concerned  
19 about the way the law is proposed and I  
20 do think I understand that there are  
21 some definitions that need to be worked  
22 out, but when I hear owner-occupied,  
23 there is a certain feeling I get from a  
24 lot of discussion that goes on around  
25 here about locals versus non-locals.

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1  
2 And I have to say, it is really  
3 concerning to me because we are a  
4 member of this community, although I  
5 think we will never be locals; I think  
6 your parents have to be born here to be  
7 locals. But it's very disappointing to  
8 me to have this discussion about locals  
9 versus non-locals.

10 I also think it would be a very  
11 good basis for a legal challenge if  
12 that kind of distinction stayed in  
13 place.

14 I think that there is a broader  
15 purpose to the proposal. We should  
16 review it. At one point, the purpose  
17 of this was to create affordable  
18 housing, keep housing prices down. I  
19 heard people who were true locals  
20 coming up here and saying, well, then  
21 you're interfering with my property  
22 rates, this is my biggest asset, I want  
23 to be able to sell it at some point and  
24 retire. And so if really what we're  
25 trying to do is keep prices down, we

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1 should say that that's the purpose of  
2 the regulation.  
3

4 I mean, people should be  
5 straightforward. The legislative  
6 purpose is completely absent. It's  
7 just to regulate for what purpose? If  
8 we're looking to deflate the market  
9 values, if we're looking to subsidize  
10 bed and breakfast owners, if we're  
11 looking to stop investment in the  
12 Village, we should face it head on and  
13 then figure out how to address whatever  
14 the issue is. I don't think we can  
15 just put a restriction into place if we  
16 haven't even agreed upon the right  
17 question.

18 Thank you.

19 MS. HAMMES: Good evening. My  
20 name is Tricia Hammes, and I live on  
21 Main Street in Greenport.

22 I want to thank the Village Board  
23 for holding this public hearing today  
24 on this important topic to all Village  
25 homeowners and residents.

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2 I've owned a home in Greenport  
3 since 2001, and I've seen a lot of  
4 change in the Village over the years.  
5 Much of it positive, some of it  
6 negative.

7 I've given a lot of thought of the  
8 issue of short-term rentals over the  
9 last few years and all the arguments  
10 back and forth. At this time, after  
11 due consideration of various arguments  
12 with pros and cons, I believe that the  
13 Village should impose a prohibition on  
14 all short-term rentals in a manner at  
15 least as restrictive as that of the  
16 rest of the Town of Southold, i.e., a  
17 fourteen-night minimum rental period to  
18 all properties including those that are  
19 owner-occupied.

20 Personally, I would prefer to see  
21 the period set at twenty-eight days,  
22 but I appreciate that this may not be  
23 realistic in the current environment.

24 I'd like to address a few points  
25 related to the current proposal as well

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2 as the rationale behind my support for  
3 a blanket limit on short-term rentals.

4 First and foremost, since the Town  
5 of Southhold's adoption of a  
6 fourteen-night minimum rental policy, I  
7 believe that the character and the  
8 nature of the Village has been  
9 significantly altered as a result of,  
10 and frankly disadvantaged by, being on  
11 a different playing field than the rest  
12 of the Town of Southhold.

13 Since Southhold's adoption of the  
14 law, an increasing amount of Village's  
15 housing stock has been bought up as or  
16 converted into investment properties  
17 which are geared solely towards  
18 short-term rental. In addition, a  
19 number of what have been historically  
20 long-term rentals and multifamily  
21 residences have also been converted  
22 into short-term rentals.

23 The Village already has a  
24 disproportionate amount of tourist  
25 driven housing stock in the form of

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1 hotels and B&Bs compared to the greater  
2 Southold area. The increase in  
3 properties being turned into short-term  
4 rentals is, in my opinion, changing  
5 Greenport from a community that people  
6 visit to being more and more  
7 principally a vacation weekend  
8 destination where some people either  
9 make their home or maintain a secondary  
10 residence.  
11

12 The impact of this has been  
13 evident in the increase in traffic and  
14 parking issues in the Village during  
15 the summer season and weekends with  
16 people coming to Greenport to visit and  
17 the more dramatic slowdown of business  
18 in the off-season for restaurants and  
19 stores in town as less and less people  
20 are here on a full-time residence  
21 basis.

22 I do not want to see the Village  
23 turn into other areas like the New  
24 Jersey Shore or some of the beach towns  
25 in Florida and other tourist areas

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1 where every third or fourth property is  
2 for rent on a short-term basis. I  
3 believe strongly in the fabric of the  
4 residential community of the Village  
5 and don't want to see it further eroded  
6 as a result of the decreasing full-time  
7 residential population.  
8

9 Unless the Village is put on the  
10 same footing as the surrounding area in  
11 terms of regulation of short-term  
12 rentals, it will be a target for  
13 speculative property investors and we  
14 will continue to hemorrhage residential  
15 housing stock.

16 In the event that the Board  
17 determines to move forward with the  
18 current proposal or any similar  
19 proposal that is not a blanket  
20 prohibition on short-term rentals, I  
21 strongly believe that a property owner  
22 who wishes to offer a short-term  
23 rental, whether in their own home or in  
24 a secondary property owned by such  
25 person, should need to demonstrate a

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1 significant nexus with the Village of  
2 Greenport, including maintaining it as  
3 their primary residence for voting,  
4 driver's license purposes and the such  
5 in order to minimize speculative  
6 investment and ensure that landlords  
7 are the people that are part of the  
8 Village community and have,  
9 quote/unquote, skin in the game.  
10

11 In addition to fundamentally  
12 changing the nature of the Village  
13 community, the proliferation of  
14 short-term rentals, as many have noted,  
15 has had a significant adverse impact on  
16 the availability of long-term  
17 affordable housing for local residents.  
18 It's imperative that the Village and,  
19 frankly, the greater Town of Southold  
20 focus on how to encourage and  
21 incentivize the addition of workforce  
22 housing to encourage a vibrant  
23 year-round economy on the North Fork.  
24 While I do not believe that regulating  
25 short-term rentals will solely solve

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1  
2 this issue, I do believe that the  
3 proliferation of investment property  
4 owners has driven up property values  
5 and rents to a level that makes it  
6 difficult for local working people to  
7 afford, and as a result, in a decrease  
8 in the availability of long-term  
9 rentals.

10 In addition, I believe that many  
11 multifamily homeowners have moved away  
12 from longer-term rentals in favor of a  
13 higher perceived return in the  
14 short-term rental market. It's a  
15 proven fact across the U.S. and  
16 everywhere where these types of  
17 short-term rentals have proliferated  
18 that when short-term rental markets are  
19 vibrant, there is a loss of affordable  
20 long-term housing for full-time  
21 residents.

22 I know that some people argue that  
23 the Village doesn't have a right to  
24 regulate short-term rentals, that is  
25 their property and they should be able

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1 to use it as they see fit. The courts  
2 have long held that municipalities have  
3 the right to zoning variance to effect  
4 municipal planning and segregate uses  
5 for property that are incompatible with  
6 other uses, including to maintain the  
7 residential nature of neighborhoods  
8 where people live.

9  
10 I don't believe that most people  
11 would support commercial enterprises  
12 being able to freely establish  
13 themselves in residential communities  
14 and that is in effect whether you call  
15 them Airbnb, VRBO or anything else  
16 where short-term rentals are.

17 Second, with respect to the  
18 current proposal put forth by the  
19 Village Board, while I think it's a  
20 step in the right direction, I'm very  
21 concerned that without setting forth  
22 very specific criteria of governing the  
23 requirements applicable to the granting  
24 of the permit, including permits  
25 similar to those contained in Section

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1  
2 157b7 of the Village code applicable to  
3 bed and breakfast, but a decision by  
4 the Planning Board to deny conditional  
5 use permits will give rise to  
6 significant litigation for the Village.

7 And given the high  
8 (unintelligible) attached to this issue  
9 and the length of time the Village has  
10 already spent debating whether there  
11 should even be any regulations, it's  
12 highly unlikely that the Village will  
13 be able to achieve a consensus on what  
14 additional criteria should apply to the  
15 granting of a conditional use permit  
16 for a short-term rental beyond the  
17 general guidance provided by Section  
18 150.20 of the Village code. Absent  
19 more specific criteria which can be  
20 applied on a black-and-white basis, I  
21 think this board needs to give serious  
22 consideration for the strong likelihood  
23 of litigation and disputes arising from  
24 a denial by the Planning Board of a  
25 grant of conditional use permit in this

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1 context; unless the Planning Board  
2 consistently denies this application,  
3 in which case it will have a blanket  
4 prohibition.  
5

6 Third, after much thought and  
7 consideration, I'm in agreement that  
8 there's not a lot of principal  
9 distinction between an official  
10 permitted bed and breakfast or,  
11 frankly, a hotel and a residence that's  
12 being used continuously as a short-term  
13 rental. Because of this, I believe  
14 that if people feel strongly that they  
15 want to use their residence as a  
16 short-term rental, they should be  
17 required to comply with the  
18 requirements set forth in 157b7 of the  
19 code to become a permitted bed and  
20 breakfast and go through the same  
21 approval process as applicable to bed  
22 and breakfast.

23 I'm highly sympathetic to the  
24 plight of those who have consciously  
25 decided to make a living by running a  
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2 bed and breakfast being put on a  
3 different playing field than an  
4 investor or homeowner that's just  
5 trying to maximize return on their  
6 residential or, in many cases,  
7 investment property.

8 In conclusion, I feel very  
9 strongly that the Village Board needs  
10 to take action to prohibit any rentals  
11 in all houses located in residential  
12 neighborhoods in the Village for a  
13 period of at least fourteen days. I  
14 think this is an imperative first step  
15 in helping to maintain the fabric of  
16 the Village's community as a great  
17 place to live with wonderful people as  
18 neighbors and to also help to build a  
19 vibrant economy that is not based  
20 solely on tourism.

21 I'm not naive enough to think that  
22 the Village is not going to continue to  
23 be a tourist destination and I do  
24 believe that recognizing that and  
25 working with that fact is essential to

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2 the long-term plan in the Village, but  
3 that doesn't mean that we should allow  
4 it to become an unfettered investment  
5 zone that leads to growth that is only  
6 seasonally and non-residentially  
7 focused.

8 The Village is my home as it is  
9 for many others and I want it to be a  
10 vital full-time community that is  
11 shared with visitors, not a vibrant  
12 tourist destination where non-residents  
13 constitute the majority of people using  
14 the homes in neighborhoods that  
15 comprise the Village.

16 Thank you for your time and  
17 consideration.

18 MAYOR HUBBARD: Anybody else want  
19 to address the Board?

20 Name and address first.

21 MS. MILOT: Alice Milot.

22 My son just recently-- I'm here  
23 to speak for my son who could not be  
24 here. He just recently, probably about  
25 eight months ago, bought a house in

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1 Greenport, and I'd like to read  
2 something that he wrote for everyone to  
3 hear.  
4

5 TRUSTEE ROBERTS: Mayor, can we  
6 get an address for the record?

7 MS. MILOT: Carpenter Street, 619  
8 Carpenter Street.

9 My dad also lives here, and my  
10 aunt who is also here.

11 This is from my son:

12 I recently purchased a house in  
13 Greenport, and I rent it on Airbnb. I  
14 am twenty-eight years old and I've  
15 saved my butt off for the last five  
16 years to do so.

17 I live in New York City, but have  
18 been coming to the North Fork and  
19 Greenport, my entire life. I spend as  
20 much time out here as possible. My  
21 grandparents planted the original  
22 Pellegrini Vineyard site in 1988. I've  
23 spent summers fruit thinning, falls  
24 picking pumpkins at Krupski's, winters  
25 ice skating at Town Green, and in

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2 spring I was lucky enough to spend  
3 fixing up an 1820s house on Carpenter  
4 Street with my family -- that includes  
5 me -- that desperately needed work.

6 My search for a home started a few  
7 years back when my grandparents sold  
8 their farm in Cutchogue and moved to  
9 Peconic Landing. Our family, for the  
10 first time in my life, no longer had a  
11 home base on the North Fork. It felt  
12 strange not spending holidays out here  
13 together, more so when my grandmother  
14 passed last year.

15 This motivated me to work harder  
16 and save more to make my dreams of  
17 owning a home and having a home base  
18 for my family out here a reality.

19 The fact is that renting out my  
20 house periodically for around three  
21 months total a year will allow me to  
22 financially keep the property and enjoy  
23 it with my family for the other nine  
24 months of the year.

25 My average renters stay six days.

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1 Why do renters rent my house? It could  
2 be that I've spent countless hours  
3 fixing up my property to be attractive  
4 and to market it well. Renters love  
5 the look and style of my new updated  
6 home, thanks to my grandfather who  
7 comes from Peconic Landing to water the  
8 window boxes and keep the house looking  
9 great three times a week, but no, the  
10 number of reasons people rent my house,  
11 eighty percent of renters so far is so  
12 they can bring their children and dogs  
13 with them on vacation.

14  
15 To the B&B owners that complain  
16 about short-term renters, what I would  
17 like to say to them is that your  
18 renters, on average, stay less time  
19 than mine. I would also say that it's  
20 not my fault that you have not adapted  
21 to what consumers want. There is no  
22 lack of demand and certainly that  
23 Airbnb to ban [sic] will only continue  
24 to grow in Greenport. List your B&B on  
25 Airbnb if you have not done so already,

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1  
2 I see some on there, and make your  
3 business friendlier to families and  
4 dogs. Many hotel owners in town I have  
5 spoken with have no issue with  
6 short-term rentals on Airbnb. They  
7 market themselves well and are booked  
8 well in advance.

9 What I will say to the Village is  
10 that you cannot underestimate the  
11 impact of the seventy-or-so-odd  
12 properties that rent on Airbnb in  
13 Greenport have in bringing economic  
14 benefit. I would say that platforms  
15 like Airbnb and Uber are not going  
16 away, and you can study countless cases  
17 of cities or towns that have tried to  
18 overregulate them and failed. This is  
19 the twenty-first century.

20 And I'm sure you're aware that  
21 Shelter Island is currently involved in  
22 a horrible legal battle between the  
23 Town Board members and those that want  
24 to rent short-term after trying to  
25 regulate them. This case looks like it

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1  
2 may end up in the New York Supreme  
3 Court. Banning short-term rentals may  
4 be deemed unconstitutional under the  
5 Fourteenth Amendment.

6           Lastly, I repeat that because I  
7 can rent my house periodically  
8 throughout the year, it will sit empty  
9 if I did not, I can afford to keep the  
10 property and enjoy it and all the Town  
11 has to offer with my family. The  
12 flexibility of shorter-term rentals is  
13 vital, and I want to be able to use my  
14 house, especially in the summer. I am  
15 not getting rich off this business,  
16 simply just getting by, so I can enjoy  
17 Greenport with my family as much as I  
18 can.

19           This property is so special to my  
20 family and me. To threaten our ability  
21 to maintain it and use it to regulate  
22 to protect the very few who have not  
23 adapted their business to what  
24 consumers want is not what this country  
25 is about. This house is my American

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1 dream, please do not take it away with  
2 regulations.  
3

4 Thank you.

5 JACQUES: My name is Jacques. I  
6 live at 160 Sterling Street in  
7 Greenport.

8 Little bit of history first. I  
9 had a business on the South Shore in  
10 Southampton and wanted to move in with  
11 my female friend, and I was advised by  
12 somebody to look on the North Fork and  
13 believe it or not, I had never heard of  
14 the North Fork.

15 Took a ferry, came over there.  
16 The same day -- you're laughing. The  
17 same day we rented a business in  
18 Greenport after never having been here.  
19 That tells you, number one, what I like  
20 and what a lot of other people like.  
21 It's what they see in Greenport.

22 Subsequently, we bought a  
23 humongous house and the name of the  
24 house is W-O-R-K and everybody  
25 basically knows that house ritual, it

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2 takes a lot of work to keep it up.

3 We own a rental house next door in  
4 which long-term renters have been at a  
5 very low rent for many, many, many  
6 years; so I have a right to kind of  
7 lean a certain way because we have  
8 done -- we rent our house to long-term  
9 people.

10 I basically got up and stand here  
11 because there are a few things. Number  
12 one, it becomes very emotional, as the  
13 lady proved. If you have been to  
14 Southold Town hearings, the same  
15 emotions creep up. People have spent  
16 money and now say, what am I gonna do,  
17 this is my investment?

18 What if I opened a stand in front  
19 of somebody's store in Greenport, in  
20 front of somebody's house,  
21 noncommercial property, and started  
22 selling something out of the stand?  
23 Can't do it, not commercial. What are  
24 we doing commercially renting in  
25 noncommercial zones, folks? That is a

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1 basic issue.

2 We're changing, yes. Being up to  
3 date, a lot of things will not go away,  
4 but this issue is slightly or very much  
5 different from the Ubers and the other  
6 items because there are people that are  
7 hurt here. There may be people that  
8 gain from it; overall, people get hurt  
9 because of it.  
10

11 We run a business here too. I  
12 have seen tremendous change. We have  
13 had a business for forty-five years,  
14 and I'm here to tell you, you will see  
15 big holes in Greenport Village very  
16 soon. They are already happening. A  
17 lot of businesses are closing up. We  
18 will close up eventually because I'm  
19 turning eighty, and I don't want to do  
20 it anymore, but I'm in great shape and  
21 I could do it. But there are a lot of  
22 businesses that will go out of  
23 business, folks. Be aware of it.

24 Secondly, if we're standing  
25 outside the business on Main Street,

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1                   you see all these groups -- the first  
2                   time it happened a few years ago --  
3                   six, seven, eight girls are walking by.  
4                   Where are they going? There's nothing  
5                   down that way. Well, they're going  
6                   home. They're going to the Airbnb.  
7                   But none of these people spend any  
8                   money besides the beer and a hot dog in  
9                   Greenport. Believe me. I've looked.  
10                  We've asked them. Because they don't  
11                  have a lot of spendable money.

12                  Full-time renters are different.  
13                  They occupy the city. We had a  
14                  business where you needed two or three  
15                  people at the Christmas season just to  
16                  get through things. Summertime left  
17                  and whatever they had, twenty,  
18                  twenty-five personnel that walk down  
19                  the street gave the impression that  
20                  there was business, there were people,  
21                  there was ambiance. After they left,  
22                  that unfortunately changed and the more  
23                  Airbnb we do, the residents or  
24                  full-time residents we have, the less

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2 traffic will be during the week in the  
3 Village.

4 Two or three years from now, as  
5 you're sitting here, maybe not  
6 everybody, because, after all, you are  
7 elected, you'll see Greenport will be  
8 going through drastic changes, and it  
9 already has. If you want to ask for  
10 someone with -- ask me because I stand  
11 outside, I look over the weekend what  
12 is happening and it's not a pretty  
13 picture.

14 MR. WILE: Ian Wile, 234 Fifth  
15 Avenue.

16 I'm very impressed by the weight  
17 of all the comments, I think, on all  
18 sides. It's clearly an emotional and  
19 complicated issue.

20 The biggest thing I always think  
21 about is, you know, I'm reading in the  
22 newspaper, and I see a few other  
23 municipalities dealing with this  
24 problem like New York, London, San  
25 Francisco, Paris. Places with huge

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1  
2 planning boards, huge legal departments  
3 and spend countless resources trying to  
4 figure it out, so you're not alone, and  
5 I don't even know how anybody in this  
6 room can try and guide you in the best  
7 way because it's a problem that around  
8 the world, they're trying to crack.

9 I think nobody expected Airbnb to  
10 sort of swell, to go worldwide as much  
11 as it has, and in the small space, it  
12 certainly made its impact.

13 My own history, we very much like  
14 the emotional appeal we heard. I was a  
15 perfect candidate for the mortgage  
16 crisis. I bought a house when I  
17 couldn't afford it, it had a two-family  
18 unit. We rented out the second unit in  
19 order to pay the mortgage. We rented  
20 it out as a -- to a long-term tenant,  
21 and we used the downstairs weekends and  
22 part-time until we could finally make  
23 our move to be here full-time. Without  
24 the opportunity, whether it was  
25 long-term or short term, I wouldn't

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1  
2 have my house today because I wouldn't  
3 have that opportunity.

4 We tried various things, we did  
5 short-term, medium-term and long-term  
6 in my rental time, and I'm pleased that  
7 over the years, we have been able to  
8 live in the house and take the second  
9 kitchen out, and that became our home  
10 and we sort of swelled and grown into  
11 it, but when we took the second unit  
12 off, I had an awareness that we were  
13 removing a piece of available apartment  
14 housing.

15 It was not a big space, and I  
16 would say that most of the people we  
17 rented to were under thirty and not  
18 interested in buying a house yet. They  
19 were trying to find their way in the  
20 world. And Greenport needs enough  
21 spaces for people to find their way,  
22 and maybe one of those ways is to buy a  
23 house and short-term rent it out, so  
24 you can get to a place where you can  
25 achieve that and maybe it's not.

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2 I think my big takeaway from the  
3 law that's being proposed is that,  
4 well, the day count seems like it  
5 course some consternation and needs  
6 some good thinking. What I see here is  
7 not a prohibition, so if you're  
8 twenty-something and you can get into a  
9 house, you should grab it and keep it  
10 rented, and, you know, I'd love to see  
11 it rented long-term, but if the  
12 economics or your use interest is that  
13 you want to be able to spend nine  
14 months with your family, I think that's  
15 an interesting piece.

16 I think what I see here is there  
17 is an attempt to make some model where  
18 you could come and say, I would like to  
19 be able to do these things, and you  
20 could gain approval, so it doesn't seem  
21 to be as black or white as there is no  
22 Airbnb or there is Airbnb, since what I  
23 read here is that if I have a  
24 two-family house like I had once upon a  
25 time, that I would have greater leeway

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1  
2 to work than I do if I'm just buying it  
3 as a non-owner-occupied. I've been in  
4 front of this board and, poor Devin,  
5 and the planning boards and the zoning  
6 boards for non-short-term housing with  
7 a similar set of issues to say when  
8 people have speculative housing,  
9 whether it's long-term or short-term,  
10 just buying houses as investment,  
11 whether it's to create long-term units  
12 or short-term units, you are, in fact,  
13 creating a business in a residential  
14 zone.

15 I feel some of the anger towards  
16 the B&Bs which I honestly feel is  
17 misguided. These are -- bed and  
18 breakfasts have had to go through a  
19 series of governmental appearances,  
20 they've had to pitch for their business  
21 plan in a residential area and are  
22 subject to different parking  
23 regulations than a house with a B&B and  
24 they're paying taxes, most of the  
25 Airbnbs and VRBOs don't have to pay.

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2 I feel -- unfair business playing  
3 field, and I think that, you know, I'm  
4 a big watcher for accidental  
5 consequences, you know, and what I fear  
6 is that if it's just easier to do  
7 Airbnb, I don't understand why anybody  
8 would have an official B&B and not rent  
9 out the biggest houses in town. Now  
10 that group of people came to various  
11 boards and are operating under certain  
12 different set of rules. We have houses  
13 on our block that I know are Airbnb  
14 units that consistently rent to a dozen  
15 or more people that have fifteen or  
16 more cars pull in and I, having sat  
17 through different forums when B&B had  
18 to do that, there are certain parking  
19 requirements or even as a long-term  
20 housing, there is a requirement for 1.5  
21 cars per unit, et cetera.

22 I think we have to understand that  
23 the use for a short-term rental has a  
24 greater impact on building than the  
25 code currently shows in terms of

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1 parking, right. So I would expect that  
2 if I had to come up here for an Airbnb  
3 permit, somebody might say, how many  
4 rooms do you have? I have three. How  
5 many, you know, do you have 1.5 car  
6 spaces? I've never been able to figure  
7 out how to park a half car, but, you  
8 know, would there be more spaces  
9 required for an Airbnb? I think there  
10 are some components in there that  
11 may -- to the points that have been  
12 brought up by both directions, I don't  
13 want to see this village exposed to  
14 litigation unnecessarily.

16 What I think, you know, you're on  
17 an incredible right track in terms of  
18 trying to crack this nut, but I'd like  
19 to see, instead of weighing down the  
20 Planning Board or the Zoning Board with  
21 a set of complicated appeals every  
22 time, it might be nice to see some  
23 guidance in terms of, you know,  
24 short-term rental requires certain  
25 different parking weight than a

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1 residential. That way, you can give  
2 preference, if I'm a speculative  
3 investor, maybe what I'm going to start  
4 to do, well, I can make more money  
5 maybe per week on a short-term rental,  
6 but I can buy, execute, be in and fill  
7 this other piece of housing easier, and  
8 I can decide as a businessperson, would  
9 I rather invest in this house and  
10 create long-term housing or invest in  
11 this house and create short-term  
12 housing? Both are fine by law, but  
13 require different set of hurdle,  
14 different set of legal challenges,  
15 different set of, you know, be required  
16 to file hotel taxes, be required to  
17 provide parking.

18  
19 I will say from a business  
20 standpoint, I know, I think I echo  
21 Devin, I will never complain about the  
22 amount of summer business except that  
23 we're exhausted, but I absolutely will  
24 say in the last twelve months, I can  
25 point to hard data that says that the

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1  
2 midwinter, midweek population is  
3 reduced by thirty to forty percent, and  
4 I think if you want to turn into a  
5 ghost town, you know, that's a real  
6 caution.

7 I'm with Devin, I love being busy,  
8 but I love being busy all year. I'm  
9 not a seasonal place. I open all  
10 year-round. I'm there for everybody.  
11 My favorite days are Wednesdays.  
12 That's not a big Airbnb day, you know.  
13 My thing is that, you know, there's  
14 room for both of these things, but I  
15 think biggest, most complicated batch  
16 is not the twenty-eight-year-old who  
17 wants to create an anchor for his  
18 family. I think that's where my  
19 passion is. I recognize that. I think  
20 that that's what we should be about,  
21 the future permanent resident, you  
22 know, the person who is trying to sink  
23 a claw in so they can find a home here,  
24 which is very different than somebody  
25 bought four, five, six, seven, eight

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2 places to create large places.

3 I think that your appeal hit a  
4 nerve with me because it's in the  
5 middle between all these other things  
6 and it can't be left out.

7 It's complicated, I wish everybody  
8 the best, but we should aim to preserve  
9 our year-round population or  
10 opportunities for them. There will  
11 soon be not enough people to clean the  
12 part-time house. We're missing staff.  
13 We're missing young people who will be  
14 future old people here.

15 Thank you.

16 MS. GRUBER: Donna Gruber, 151 Bay  
17 Avenue.

18 I'm going to be much shorter  
19 because there were some great wise  
20 researched heartfelt words spoken here  
21 tonight.

22 My point of view is that there's  
23 enough here for everyone. There's just  
24 enough here. You don't -- you can  
25 differentiate your rentals that aren't

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1  
2 hotels and Airbnbs to longer term, so  
3 like your son, I did the same thing  
4 your son did, there's no way I could  
5 afford to live here unless I made money  
6 out of my house.

7 So your son, he's doing it right,  
8 like longer, right, so he's  
9 differentiating the market, he's doing  
10 six days, he's not the one that's doing  
11 it for half price for one night  
12 whenever, so they can sleep over their  
13 friend's house and make money. That's  
14 how I look at it.

15 I'm not saying business numbers or  
16 anything like that. There is enough  
17 business and peace in this village for  
18 everybody. Let me have the one or two  
19 nights and the three nights, let  
20 someone get the one months, don't do  
21 less than, you know, ten days. I've  
22 always done ten to fourteen days  
23 because then that group gets that  
24 amount of money, and that's their  
25 business. You can't have people coming

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2 in, I mean, I'm not sure, what is your  
3 son -- if you don't mind me asking,  
4 what does he rent a night for how many  
5 bedrooms?

6 MS. MILOT: It depends.

7 MAYOR HUBBARD: We're not going  
8 back and forth.

9 MS. GRUBER: Anyway, I don't think  
10 any of us, the B&Bs, the hotels or the  
11 homeowners or the investors should  
12 separate and start fighting. I think  
13 that's just stupid wasted time. I've  
14 been coming to these meetings for like  
15 five years and unfortunately nothing  
16 has been regulated yet, so I don't  
17 think -- I think clean and easy, the  
18 way it's going on all around us, so  
19 we're not a target. Like people from  
20 other B&Bs in the Town of Southold came  
21 to show solidarity with us tonight  
22 because they are seeing much more  
23 enforcement with houses that should  
24 never be rented in the first place.  
25 They're being rented at slashed prices

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1 to put other businesses, hotels, B&Bs  
2 out of business. There's less parties.

3  
4 There was someone that just fined  
5 \$11,000 out in Orient Point for being  
6 found out twice, for having an illegal  
7 rental two nights, one nine, tons of  
8 cars, everything like that.

9 I think for the people doing it  
10 right and want to earn money for their  
11 house so they can live here, do it  
12 longer-term. Do it legitimate. Be  
13 different than hotels, be different  
14 than a restaurant.

15 AUDIENCE MEMBER: (Unintelligible.  
16 )

17 MAYOR HUBBARD: We're not gonna be  
18 going back and forth.

19 MS. GRUBER: No. That's all  
20 right. I wanted to address like three  
21 things, that was one of them.

22 AUDIENCE MEMBER: (Unintelligible.  
23 )

24 MAYOR HUBBARD: Please.

25 Direct the comments to the Board

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2 and --

3 MS. GRUBER: Unregulated. There's  
4 no regulation. I have regulation.  
5 Airbnb doesn't have regulation. Right,  
6 the one regulation could be a time  
7 period. That's what's going on all  
8 around us.

9 I can hear everybody murmuring.

10 I think there's enough room for  
11 everyone. I think it should be two  
12 weeks, that's it. Make your money. If  
13 you don't want to do one week for the  
14 two-week price, great, you've got your  
15 own market. You can't just pick all  
16 the little stuff, it's just not fair.

17 That's my -- Tricia, you hit on so  
18 many awesome comments.

19 Thank you.

20 MAYOR HUBBARD: Anybody else want  
21 to address the Board?

22 MS. ANTONIADIS: Sophia  
23 Antoniadis, 857 Main Street.

24 I did send a letter to Sylvia  
25 Pirillo, and I'm not sure if it was

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1 distributed. I'm just gonna read the  
2 letter.  
3

4 This is overly complicated, and  
5 there's -- I don't believe this  
6 proposed law is the solution because it  
7 opens up more issues legally.

8 So we're a property owner in  
9 Greenport. Our home is in the Historic  
10 District, and we have been working on  
11 restoring that house for approximately  
12 two years, but before I start, I have  
13 the constitutional right to own  
14 property, and to use it and enjoy it,  
15 sell it, lease it, and mortgage it and  
16 do pretty much whatever I want to  
17 within the law.

18 And our home is on Main Street and  
19 it's a magnificent Queen Anne Victorian  
20 built in 1903, and you probably have  
21 noticed the structure because it's  
22 tremendous, it has the pergola and it  
23 has more than five bedrooms, and it has  
24 multiple living rooms and the library  
25 and double dining rooms and grand

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1 halls.

2  
3 And not too long ago, this home  
4 was in terrible disrepair. And I have  
5 been approached by bed and breakfast  
6 owners and neighbors thanking us for  
7 restoring it.

8 Now, this is a labor of love, this  
9 is not a financial investment because  
10 the amount of labor and time that's  
11 gone into this property, there is no  
12 way I can recoup it. I've tried to  
13 rent it through Sotheby's in Greenport.  
14 I was unable to rent it on a  
15 month-to-month or yearly basis because  
16 it is a five-plus-bedroom home. So who  
17 is going to rent a five-bedroom home?  
18 Well, just someone who is gonna make it  
19 a share house.

20 That's exactly what I think you're  
21 trying to prevent. We don't take  
22 boarders. We don't take share houses.  
23 And we do not sell hotel occupancy.  
24 It's a one-family residence in a  
25 one-family, in a residential zone; and

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1 I think that's what it means in the  
2 code. Residential zone is one- and  
3 two-family. I have the right to rent  
4 it to tenants, and I do provide lease  
5 agreements with them. And what's  
6 interesting is that the tax law allows  
7 me to rent that home from one day to  
8 thirty days to a year, both the IRS,  
9 and I have documents, allow you to rent  
10 your home for any period of time. The  
11 State of New York has multiple dwelling  
12 laws that go into effect for  
13 three-families and above, and anything  
14 under three-family is deemed in the  
15 State law to be called a private  
16 dwelling.  
17

18 And private dwelling is just that,  
19 it's not regulated. And I am totally  
20 opposed to this regulation for many  
21 reasons.

22 This regulation is not going to  
23 curtail visitors because the urban  
24 dwellers haven't just recently  
25 discovered the North Fork, there's

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1  
2 plenty of documentation from the  
3 Southold Historical Society and the  
4 Oyster Pond Historical Society that the  
5 North Fork was being overrun with  
6 summer visitors from New York, the  
7 villagers that are committed to  
8 temperance are overly soled, boarders  
9 are disorderly, these are excerpts from  
10 a book called In Her Own Name written  
11 by Federico Wasserburg (phonetic) who  
12 documented living in Orient in 1881.

13 So travelers to this area is not  
14 new, and we're just having another  
15 wave, you know, every twenty, thirty  
16 years, there's another wave, and it  
17 changes and Airbnb is really just a  
18 platform for advertising. I mean, back  
19 then it was the newspaper or word of  
20 mouth, and people were advertising and  
21 visiting here for days or weeks on end.

22 So I'm not really sure if the  
23 Village is trying to curtail hotels and  
24 motel industry because why else would  
25 you allow another hotel on Front

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1  
2 Street? If the competition is so steep  
3 for the bed and breakfast industry,  
4 perhaps you should have petitioned the  
5 hotel that's going up on Front Street.

6 And a bed and breakfast is a  
7 business. I have to make that  
8 distinction because when I went on a  
9 website to determine who the homeowners  
10 are of the bed and breakfasts in the  
11 Village of Greenport, the homeowners  
12 are not the name of the bed and  
13 breakfast. The bed and breakfast is a  
14 business, probably incorporated, and  
15 they have obtained a conditional permit  
16 to run a business out of a one- and  
17 two-family zone. So they're a  
18 business.

19 And unfortunately, I do feel, you  
20 know, if you're in pain and your  
21 business is not doing well, you just  
22 have to work on it because it is a  
23 business venture. So bed and  
24 breakfasts are a business, they're a  
25 boutique, hotel, the State sales tax

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1 department also has clear language  
2 about that.  
3

4 Several weeks ago in another, I  
5 think, planning, a hearing that was  
6 here, a work meeting, sales tax came  
7 up. That issue is really not  
8 applicable to people who rent out real  
9 property. Sales tax is not collectible  
10 on realty property rentals, and this  
11 law is overly limiting. It is going to  
12 be very difficult for the Village to  
13 enforce, and I don't know what basis  
14 the Village has to regulate a private  
15 dwelling. If there is a dwelling that  
16 is renting out rooms in the manner of a  
17 bed and breakfast, by all means, they  
18 should obtain a conditional use permit,  
19 but I don't see why if I rent out my  
20 home, I need to go to the Planning  
21 Board and get a conditional use permit  
22 when I have a one-family, and I rent it  
23 out as a one-family.

24 I am within the zoning, I am  
25 compliant within the zoning

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1 regulations. It's a one-family being  
2 rented as a one-family.  
3

4 I do love the Village. I love the  
5 size of it. I love its dedication to  
6 historic preservation, but I think this  
7 regulation is not quite the right  
8 tactic and will be overly complicated  
9 and just headed towards legal battles.

10 MS. SMITH: Liz Smith, 309 South  
11 Street.

12 Wow, I want to say thank you to  
13 everybody that showed up and is willing  
14 to speak their piece, this isn't an  
15 easy one. And I didn't come here  
16 tonight with a predetermined anything,  
17 I really came in listening mode, and  
18 the one thing that I've heard over and  
19 over again is the talk of change and  
20 how much Greenport is changing and  
21 whether that's waves of change,  
22 perhaps, I wasn't around in the 1800s,  
23 I don't know, or a steady and constant  
24 change. It's been making me think  
25 about what's comp plan, who is

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1  
2 Greenport and what do we want to be in  
3 the future. And I was just recently  
4 looking at the LWRP which is our comp  
5 plan in Greenport, and so I'd offer  
6 that perhaps it's time to, and this  
7 might be happening, so sorry if it is,  
8 but it might be time to go back and  
9 revisit and say, are we happy, do we  
10 feel like that's where it needs to be.  
11 I believe it's unfinished in some  
12 regard. So that's the big thing that  
13 strikes me.

14 The low hanging fruit that strikes  
15 me -- what is the big low hanging  
16 fruit? Incentives, we have fines, it's  
17 been brought up a whole bunch of times.  
18 The South Fork does it fairly well.  
19 Clearly Orient Point does it as well,  
20 but that does get into the enforcement  
21 piece, and so I put that question back  
22 to the Board, do we have the  
23 capabilities and the staff to truly  
24 enforce this, and if we don't, what are  
25 we potentially getting ourselves into

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2 because it seems that it could be just  
3 as complicated once we put it on the  
4 books if we can't enforce it.

5 The rental advertisement, having a  
6 permit number in a rental advertisement  
7 seems like just a really super easy  
8 no-brainer way to help connect dots, so  
9 I just want to, that's like me bolding  
10 and underlining things.

11 Then the Planning Board, so  
12 somebody said that it's about seventy  
13 Airbnbs running in Greenport. I do not  
14 know if that's, maybe it's higher, but  
15 let's just say seventy, and if we  
16 followed a permit process that would  
17 have to go before the Planning Board or  
18 a different board and we're looking at  
19 a two-year permit which seems to be  
20 what a lot of the other towns are  
21 looking at, that's thirty-five, let's  
22 pretend, a year hearings that you would  
23 need to have. So now you need to have  
24 thirty-five, that's an additional three  
25 public hearings every month. Just, you

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1  
2 know, simple math there to get the  
3 boards to approve this and make it  
4 happen.

5 That's feels really burdensome and  
6 onerous and a little bit crazy to me,  
7 so I just want to say that out loud.

8 I'll also say that as someone who  
9 works a sort of regular job and travels  
10 for work, having public hearing at 4:00  
11 p.m. for something as important as this  
12 might not be the right equation to  
13 really allow residents to come and  
14 speak their mind; although there was a  
15 great point made earlier about it  
16 becomes a popularity contest, so point  
17 taken, but timing also matters.

18 I'm gonna stop, there's lots of  
19 people that want to talk.

20 Thank you so much.

21 MS. LATHAM: I've been asked to  
22 read something as well, so I'm gonna  
23 read that first and then --

24 MAYOR HUBBARD: Okay. Name and  
25 address, please.

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2 MS. LATHAM: Can I make his  
3 comments first and give his name?

4 MAYOR HUBBARD: We just need to  
5 put your name to the comments, so just  
6 say your name and address first,  
7 please.

8 MS. LATHAM: My name is Sarah  
9 Latham, and my address is 817 Main  
10 Street.

11 So I'm reading this on behalf of  
12 Mark Lumaina (phonetic), 119 Main  
13 Street, owner and BID Board member.

14 I applaud the mayor for stepping  
15 in front of this bullet of  
16 non-owner-occupied short-term rentals.  
17 It takes guts to lead the effort to  
18 protect the community's interests.

19 If we are interested in keeping a  
20 year-round community, a bustling  
21 downtown twelve months a year, a strong  
22 volunteer Fire Department; if we are  
23 interested in keeping our customs and  
24 traditions; if we're interested in  
25 remaining a tight-knit community, we

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1  
2 all will do everything in our power to  
3 regulate or eliminate our available  
4 residential housing stock from becoming  
5 part of someone's investment portfolio.

6 Why do we have our own Village  
7 government? I would like to believe  
8 that the reason lay in our belief in  
9 and ability to protect this jewel we  
10 are so fortunate to live and work in.  
11 If we continue to allow outside forces,  
12 outside money to dictate our future, we  
13 will have no future at all. Many  
14 tourist destinations across the country  
15 are taking hardline stances to protect  
16 locals and the culture of the area. I  
17 suggest we do the same. Regulate the  
18 current short-term rentals, make sure  
19 they are in compliance with these new  
20 rules that the mayor suggests, but  
21 continue to seek a solution on this  
22 matter.

23 This is a Band-Aid, I hope it  
24 doesn't fall off in the water of  
25 hypocrisy and paperwork. This battle

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2 is not over. There is still time to  
3 protect the Village of Greenport from  
4 losing its soul. This Board will be  
5 remembered in years to come by how they  
6 dealt with residential,  
7 non-owner-occupied short-term rentals.  
8 Are we more afraid to lose some friends  
9 than to save our village?

10 I'm sure my restaurant's menu has  
11 been removed from every short-term  
12 rental refrigerator, and I'm okay with  
13 that. This is bigger than any one of  
14 us.

15 Again, I applaud Doug and the  
16 mayor for stepping up. I hope our  
17 village follows suit.

18 Again, those remarks come in, so  
19 thank you.

20 I don't need to say my name again,  
21 right?

22 MAYOR HUBBARD: No.

23 MS. LATHAM: I believe that we as  
24 a community are responsible for putting  
25 forward our vision of what we want it

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2 to look like and when necessary  
3 providing regulations that uphold that  
4 vision.

5 I am fully aware that our area  
6 will continue to attract second-home  
7 owners and transient visitors who want  
8 to spend weekends and summer months  
9 here. Greenport is only going to  
10 become more and more of a destination  
11 as the South Fork continues to become  
12 saturated and The New York Times  
13 continues to write us up. I believe  
14 that the trustees are here to help us  
15 who voted them into their current roles  
16 to represent our interest want to live  
17 in and raise our families in towards  
18 this end, I feel that doing something  
19 to regulate the short-term rental  
20 market now is of the utmost importance.

21 In the most recent draft of the  
22 change to our Village code, short-term  
23 rentals were defined as the rental of  
24 real property or a portion thereof for  
25 a term of less than fourteen days. I

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support this definition.

Mayor Hubbard, you are quoted in the Suffolk Times as saying your hope is for something short and simple. To me, the answer is simple. We have existing regulation in place for short-term rentals in neighborhoods whose homes are zoned residential. To date, this code has been applied to bed and breakfast facilities, simply extend these regulations to any rental less than fourteen days.

While I welcome them into my own home, I do not want our community to become oversaturated with transient visitors who spend only one weekend each summer or perhaps only one weekend in their life here in Greenport. While this is my business, yes, by requiring this type of business to be owner-occupied, you retain a family living here in the Village year-round.

Further, as a bed and breakfast owner, I find that unregulated

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1 short-term rentals threaten my own  
2 business. Yes, businesses must adapt  
3 to a changing reality, but when I'm  
4 restricted in the number of rooms that  
5 I can rent and the number of occupants  
6 in that room, it becomes harder to  
7 compete with another property that can  
8 share the cost of the home rental with  
9 as many occupants as they feel  
10 comfortable renting to, and has been  
11 discussed already, many of. These  
12 types of rentals don't pay State sales  
13 tax or Suffolk County occupancy tax.

14  
15 If this unregulated competition is  
16 allowed to continue, then I would be  
17 forced to sell my home and move to a  
18 new community, something I have had to  
19 consider.

20 I fear that as homes in Greenport  
21 come on the market, they are  
22 overwhelmingly purchased by investors  
23 and we risk having a community of  
24 investment homes to the detriment of  
25 our schools, libraries and Fire

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1 Department, all examples of  
2 institutions that are currently being  
3 infected by a dwindling year-round  
4 population.  
5

6 While it does take a balance  
7 between year-round residents,  
8 second-home owners and transient  
9 visitors for Greenport to succeed, we  
10 are dangerously tipping towards the  
11 transient visitor and with our current  
12 reputation, towards a party crowd.  
13 These visitors are increasingly staying  
14 in homes of investors, some of who have  
15 no social investment in our community,  
16 only financial.

17 The second half of the draft to  
18 the change to the Village code simply  
19 kicks the can down the street to the  
20 Planning Board. This makes no  
21 significant change to the situation,  
22 gives no guidelines for our community  
23 and presents the Planning Board with  
24 the risk of litigation. The only thing  
25 the Planning Board should be involved

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2 with is the site plan approval required  
3 by Section N, bed and breakfast code,  
4 which I suggested be extended to  
5 short-term rentals. At the very least,  
6 the regulations for both short-term  
7 rentals and bed and breakfast should be  
8 the same, and the code should be  
9 revised to reflect that.

10 I do understand that enforcement  
11 can be a challenge in a small village.  
12 I feel strongly that if the penalties  
13 are steep enough, those violations that  
14 you are able to issue with your limited  
15 enforcement resources will serve as a  
16 warning to others.

17 The perception should be that the  
18 Village of Greenport welcomes  
19 second-home owners who intend to be a  
20 real part of our community and  
21 short-term renters in safe, regulated  
22 homes, guaranteeing their neighbors can  
23 enjoy living in a neighborhood, not a  
24 business district.

25 The inaction of the Board to date

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2 is an action in and of itself.

3 Continued inaction will only continue  
4 to support investors buying up our  
5 housing stock and tipping the scale  
6 even further out of balance. It is  
7 time to regulate short-term rentals.

8 MR. SALADINO: John Saladino,  
9 Sixth Street.

10 Some of us have been addressing  
11 this to some of you prior to Airbnb  
12 being in existence; at that time, it  
13 was called the shared economy in 2008  
14 with a previous mayor. Some of us  
15 raised the question about the shared  
16 economy and it was dismissed because it  
17 wasn't a big impact on the Village at  
18 that time. Now it seems that it is.

19 I think it's undeniable, even  
20 perhaps by Airbnb owners, Airbnb  
21 clients, Airbnb participants that  
22 short-term rentals have an adverse  
23 effect on long-term housing stock. I  
24 think that's empirical data. I think  
25 it's undeniable. If the goal of this

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1 board is to provide more year-round  
2 housing, something has to be done about  
3 short-term rentals.  
4

5 Someone came up before and the  
6 phrase that struck me in her  
7 impassioned plea was, don't put a  
8 restriction on my son's business, this  
9 is his business. Carpenter Street is,  
10 I believe, the R2; I don't think there  
11 should be a business in the R2. As a  
12 member of the Zoning Board of Appeals,  
13 I'm intimately familiar with this, and  
14 I have a problem with that. To open a  
15 business unrestricted in a residential  
16 zone, I don't think should be allowed.

17 A question of litigation came up.  
18 Riverhead Town, Southampton Town, East  
19 Hampton Town have short-term rental  
20 laws in effect. They have all been  
21 challenged. Every single one of those  
22 municipalities, the law has been  
23 challenged and has been upheld in court  
24 by a supreme court judge. Right now  
25 Shelter Island Town enacted a law and

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1 they expect -- is it being litigated?

2 I'm not even sure if it's being

3 litigated, but if it mirrored --

4 AUDIENCE MEMBER: (Unintelligible.

5 )

6 MR. SALADINO: Am I talking?

7 If it mirrors the law that's in

8 effect in the four other townships,

9 those laws have been upheld, it's

10 unlikely that an administrative law

11 judge or a supreme court judge will,

12 perhaps, rule differently.

13 At the work session, I heard the

14 mayor say, this is a compromise. I'm

15 not quite sure who we're -- to be a

16 compromise there has to be more than

17 one person involved; I'm not sure who

18 we're compromising with. Is it the

19 short-term rental owners? I'm just not

20 sure.

21 My thought is, if we want to make

22 it easy, mirror the law in Southold.

23 That law has been challenged, it's been

24 upheld. If it's challenged in

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2 Greenport, it's easy enough to defend.  
3 To put, I think Trustee Roberts said  
4 sixty-four, was your number, short-term  
5 rentals?

6 TRUSTEE ROBERTS: Yes, last  
7 summer.

8 MR. SALADINO: Last summer  
9 sixty-four short-term rentals, I'm not  
10 really sure if either of us know how  
11 many of those are owner-occupied, but  
12 if we -- thirty percent, forty, even  
13 fifty percent, that puts thirty or  
14 forty applications in front of the  
15 Planning Board. As someone that's  
16 familiar with a public hearing, I can  
17 tell you, it gets proposed to them at a  
18 work session, it's perhaps put on the  
19 regular meeting agenda, if not, it goes  
20 on the next month's agenda, it's got to  
21 be noticed, it's a two- or a  
22 three-month process; and it's not a  
23 five-minute process, it wasn't like  
24 this wetlands permit that we heard  
25 here. People are going to have an

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1  
2 opinion about it.

3 So you're talking about the guy  
4 that's number thirty in the queue to  
5 get his application in front of the  
6 Planning Board, perhaps being twelve,  
7 fourteen, sixteen months down the road  
8 to get his public hearing heard in  
9 front of the Planning Board. That's  
10 unrealistic, it's -- I think the Board  
11 should fish or cut bait; you should do  
12 something about short-term rentals or  
13 not. You should pass a law that is  
14 definitive, that doesn't leave a lot to  
15 interpretation.

16 I think the Planning Board is all  
17 here tonight and, they will tell you,  
18 you know, sometimes it's hard --  
19 sometimes to them, the path is clear.  
20 I go to Planning Board meetings, I see  
21 the path is clear, this house deserves  
22 consideration, a house perhaps a block  
23 away doesn't deserve consideration. In  
24 their mind, it's clear and they can  
25 make an argument for that, but then the

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1 person that feels they're being  
2 discriminated against, now progresses  
3 an Article 78 and they claim it's  
4 arbitrary and capricious, we have to  
5 pay. They have to pay \$20,000, we have  
6 to pay our attorney a couple hundred  
7 dollars to defend that, but it's a  
8 laborious process.

9  
10 You should take that process out  
11 of the equation. You should codify  
12 something that's been upheld.

13 I'm not here to defend Airbnb, the  
14 bed and breakfast; there's enough of  
15 them here to defend themselves. They  
16 have to do certain things to be in  
17 business, the parking, room size,  
18 egress, hours, even the food they're  
19 allowed to serve, you know, they're --  
20 so to let somebody come in and open a  
21 business without regulation, in zoning  
22 there's a tenet that you weigh the  
23 benefit to the applicant as opposed to  
24 the detriment to the Village. I mean  
25 it sounds easy, and if you look at some

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1  
2 of these things and you add up what the  
3 detriment to the Village is, it becomes  
4 really easy that the applicant, the  
5 benefit, the applicant is not entitled  
6 to this benefit.

7 I would urge you to -- I  
8 understand it took a while to get to  
9 this point. I would urge you to not  
10 discard what you are doing, but rethink  
11 it and make it more definitive, take  
12 the statutory board out of the process,  
13 codify it where either you're allowed  
14 to do it or you're not allowed to do  
15 it. I think that would be easier on  
16 everybody.

17 Thanks for listening.

18 MAYOR HUBBARD: Anybody else want  
19 to address the Board?

20 MS. ELKIN: Hi. Brigitte Elkin,  
21 912 Main Street.

22 I am an active real estate agent  
23 in the Village, and I'm on the North  
24 Fork. I am a bed and breakfast owner  
25 in Greenport, and I live next to two  
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2 non-owner-occupied short-term rentals,  
3 so I'm definitely gonna put that  
4 five-minute timer on my phone here.

5 From a real estate perspective, I  
6 think it's really important to think  
7 about how Airbnb and short-term rentals  
8 in general are going to affect our real  
9 estate, our little real estate bubble  
10 which is quite healthy right now in  
11 Greenport.

12 Short-term rentals, traditionally  
13 someone who had a home was renting to a  
14 long-term tenant if they weren't living  
15 in it. Those rentals have now been  
16 transferred to short-term rentals, or  
17 many of them. By my count, for every  
18 thirteen homes available in the Village  
19 that could be rented long-term, only  
20 one of them is being rented long-term.  
21 So the other twelve are being rented to  
22 short-term tenants. This drives up the  
23 prices of rent in the Village and it  
24 also drives up prices of homes.

25 So even if you're buying a home

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1 right now in Greenport Village and  
2 aren't planning to rent it, you might  
3 be overpaying for that home because if  
4 tourism, these tourists that are  
5 staying in these Airbnbs, we're linked  
6 to the tourist industry, right, so a  
7 hurricane happens or a flood happens or  
8 a financial crisis happens and so on,  
9 these homeowners are going to be the  
10 first one to put their homes on the  
11 market because the way that they're  
12 making money is now no longer, and then  
13 that is all gonna affect all the prices  
14 of our homes in this room.

15  
16 So from a real estate perspective,  
17 Airbnb does have a big effect.

18 And then I think, you know, I'm  
19 going to repeat myself a little bit  
20 from the work session a couple weeks  
21 ago, but myself and my husband were  
22 shopping for a home last year, we were  
23 looking at a certain price range and  
24 couldn't make it work with low  
25 inventory here, so we increased our

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1 budget and ended up buying a bed and  
2 breakfast and we offset our mortgage  
3 with short-term rentals.  
4

5 So I'm very sympathetic to those  
6 in this room that do the same with --  
7 or like Ian, you started out with your  
8 home and did the same thing. I  
9 understand that. But as Sarah pointed  
10 out, there are a number of regulations  
11 we have to follow, and I think the most  
12 important one is that we do live there.  
13 And business is good.

14 For us, it's not about protecting  
15 our business, it's about protecting our  
16 community. The neighbors next to us  
17 that don't live there and rent out  
18 their home, they don't live there. We  
19 have no neighbors, the mailman doesn't  
20 go to their door. So bed and breakfast  
21 owners, they live there, they petition  
22 things like the speed limit, they show  
23 up for these meetings, they're gonna  
24 send their kids to the school, they're  
25 not just renting a home to make money,

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1 we're renting a home to live here; and  
2 I think that's a really important  
3 difference to note.  
4

5 I also want to make one note about  
6 the guests' behavior. I do think the  
7 guest behavior is different in my  
8 observation being a bed and breakfast  
9 and being next to two that are not bed  
10 and breakfasts and are rented out  
11 without owners. Our guests don't have  
12 kitchens, so they're going out to eat,  
13 and we know that because we're making  
14 the reservations in advance for them to  
15 go out to eat. They are exploring the  
16 area, they've done a lot of research,  
17 from my observation, the people that  
18 are renting these Airbnbs are cooking,  
19 sometimes they're not even buying  
20 groceries or alcohol here. We've  
21 watched them unpack the car and go  
22 straight in the house and they're  
23 barbecuing and they're cooking, so I'm  
24 kind of on Devin's side of the coin  
25 when we talk about our economy, we

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2 don't see much of a hit there.

3 And I think I just, to be honest,  
4 to be really honest, Eric and I have  
5 discussed this legislation, again it's  
6 a good business for Airbnb and  
7 ourselves. If you pass this, I don't  
8 know that I'll live in my home. I mean  
9 honestly, if that's the regulation  
10 that's dropped and as bed and  
11 breakfasts, we don't have to live in  
12 our home, I think a few of us won't.  
13 That fourth room that I can now --  
14 apparently, that's not regulated, would  
15 make a lot of money. Eric and I could  
16 buy a home in a different community or  
17 the same community but a quieter  
18 section of it and not have to deal with  
19 our neighbors that are renting out to  
20 Airbnb. So I'd hate to see that  
21 happen, but it's something I seriously  
22 have to consider and I'm sure it's  
23 something that other people are  
24 seriously going to consider.

25 I think, again, it's my message

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2 here, it's not about business, it's  
3 about community, and we only are one  
4 square mile, I think we really need to  
5 fight hard to protect that.

6 MS. GORDON: Linda Gordon, 218  
7 Fifth Street.

8 The focus is on Airbnbs on these  
9 short-term rentals. What happens to  
10 people who go away for the winter,  
11 retired people? There used to be a  
12 whole segment of winter rentals, so  
13 they would rent out their home for a  
14 couple months while they were gone to  
15 Florida or warmer climate and then come  
16 back for the other period of time.

17 I think the focus being on Airbnb  
18 excludes a lot of people who want  
19 short-term rentals, and if you wanted  
20 to do something that would be simple,  
21 maybe you would say something like,  
22 let's do it for a year, let's give out,  
23 issue permits for thirty days with a  
24 limit of, someone could get maybe up to  
25 six months because I think if you go to

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2 Florida, you'd have to be, it's under  
3 six months where you're a resident  
4 there, something like that, but that is  
5 a whole other group of people that are  
6 not being regarded because everybody is  
7 so focused on Airbnb.

8 And so I think that a short-term  
9 rental for people like that. We have a  
10 lot of snowbirds, and they would be a  
11 short-term rental for the few months  
12 that they go away and then they come  
13 back to their home.

14 Thank you.

15 MAYOR HUBBARD: At this point, the  
16 Clerk has several letters that we had  
17 received. I'm gonna have her read them  
18 into the record, and then we'll see if  
19 there is any additional comments.

20 MS. PIRILLO: The first is from  
21 Ralph Caoutte, dated today, Thursday,  
22 26th of July.

23 In regards to both the public  
24 hearing on rentals, and in regards to  
25 seeing a circulating petition/list of

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1  
2 concerns and recommendations from some  
3 of the more zealous residents of  
4 Greenport, we have several notes and  
5 recommendations ourselves that we would  
6 like read or entered into records in a  
7 public fashion just as these other  
8 zealous recommendations are.

9           They are as follows: Amongst  
10 overreaches and/or unreasonable rec's  
11 rent of two months or less within a  
12 year, use of guest logs, a two-week  
13 minimum, \$500 fine for a first offense.  
14 Come on now. Not needed are visual  
15 displays of permitting and having to  
16 seek a very qualified building  
17 inspector is rather an overreach.

18           Our notations are based on forays  
19 with, quote, other communities,  
20 unquote, at least some as detected with  
21 these other recommendations  
22 circulating, and not out of an  
23 alarmist, NIMBY reaction or reaction to  
24 change in and of itself, nor a need to  
25 control or have a voice on every issue

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2 around as the know-all. In fact, this  
3 is the first we've spoken in six years  
4 perceiving ourselves as moderate-type  
5 citizens and neighbors truly open and  
6 reasonable.

7 I do have as well considerable  
8 experience civically with policy having  
9 much past experience in educational  
10 administration and civic community work  
11 in New England. After tomorrow I am  
12 back in Greenport and off my teaching  
13 responsibility and can answer and  
14 respond in person as needed.

15 Regards, Dr. Ralph Caouette and  
16 Maureen Golisz Caouette.

17 Letter from David Corwin, dated  
18 today, 26th of July.

19 Ladies and gentlemen, I am opposed  
20 to making Airbnb-type rentals or  
21 short-term rentals, quote/unquote, a  
22 conditional use requiring Planning  
23 Board approval.

24 These types of rentals are in  
25 effect hotel rooms operated in the R1

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2 and R2 Districts. These rentals are  
3 depleting the housing stock of the  
4 Village for year-round rentals and  
5 driving rent rates up.

6 Nothing can be gained by  
7 legitimizing Airbnb-type rentals but  
8 more of the existing unsatisfactory  
9 situation. I am not living in a  
10 residential zoned area to have the  
11 house down the street or next door  
12 rented out for the weekend. I am  
13 living in a single-family house in a  
14 residential zone to have the  
15 opportunity to know my neighbors and  
16 have the peace of mind of living in a  
17 stable community.

18 Adding the additional task to the  
19 Planning Board's duties of judging  
20 whether a property can be a conditional  
21 use for Airbnb-type rentals is a  
22 mistake and will only make an  
23 overburdened Planning Board's job more  
24 difficult.

25 This is a poorly drafted and

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1  
2 poorly thought out addition to the  
3 Village code.

4 It is time the Village Board does  
5 its duty and enforces a thirty-day  
6 minimum on rentals and eliminates the  
7 use of dwellings in the residential  
8 districts as hotel rooms.

9 Communication from Brian  
10 Cheeseman, dated 25th of July.

11 Hi Sylvia. Unfortunately I am  
12 unable to attend the Board of Trustees  
13 meeting tomorrow night. If possible I  
14 would appreciate if you could have the  
15 below read to be on record at the  
16 meeting. Please let me know if you need  
17 any information from me to do so.

18 Thanks again.

19 I am writing to express my  
20 opposition to the proposed conditional  
21 use rental permit law. I own a home in  
22 Greenport Village that is my second  
23 home. I frequent Greenport as often as  
24 I can, but when I cannot be there I  
25 rent it short-term to no more than four

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1  
2 people at a time. I do not do it to  
3 earn a profit, and it does not come  
4 close to earning a profit. It simply  
5 provides a little extra money to help  
6 pay for the maintenance that the house  
7 requires. I have been doing this for  
8 several years, and the homeowner before  
9 me did this at the house for  
10 approximately fifteen years, so the  
11 home has been operating this way for  
12 close to twenty years.

13 I am not in favor of the proposed  
14 conditional use rental permit law  
15 because it is very unclear as to the  
16 time frame, cost, and ability to get  
17 approval for the conditional use, and  
18 does not take advantage of the demand  
19 for short-term rentals in the Village  
20 to generate funds for a better purpose.

21 I am in favor of a more permanent  
22 solution that does take advantage of  
23 the demand. I believe all short-term  
24 rentals should be taxed the same as  
25 B&Bs and hotels, if not more. I

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1 believe part of the tax should go to  
2 the Village to help subsidize  
3 affordable housing, and I believe there  
4 should be a cap on the number of days a  
5 single-family home can be rented in a  
6 year to short-term tenants to  
7 discourage purely for-profit short-term  
8 rental home ownership.  
9

10 I recommend that the proposed  
11 conditional use rental permit law not  
12 be enacted, and that efforts are  
13 focused on developing a permanent  
14 solution that allows short-term rentals  
15 in a measured manner and that uses the  
16 tax revenue from short-term rentals to  
17 generate funds for affordable housing  
18 and other beneficial purposes in the  
19 Village.

20 Thank you very much for your time.

21 Brian.

22 Communication from Randy Wade,  
23 dated July 25, 2018.

24 Thank you for tackling the current  
25 housing situation brought on by online

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1 rental platforms initiated to support  
2 extra income for homeowners now  
3 morphing into speculators running  
4 transient lodging businesses in our  
5 residential districts.  
6

7 Proposed, number one, the code for  
8 bed & breakfast should remain for  
9 owner-occupied homes renting a room and  
10 bath.

11 Two, in addition to the  
12 definitions in the draft code, define  
13 residential as thirty days or more and  
14 transient as less than thirty days, as  
15 commonly understood in zoning terms.

16 The definition of short-term  
17 rental should be a, quote, minimum of,  
18 unquote, not as written, quote, less  
19 than fourteen days, unquote. The code  
20 provides for owner-occupied shorter  
21 stays in R1 and 2 already within the  
22 bed and breakfast regulations.

23 If the Village wants to have the  
24 Planning Board review all rentals not  
25 owner-occupied of between two and four

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1 weeks, or for terms between two weeks  
2 and one year as written, that would be  
3 good.  
4

5 Three, as other municipalities  
6 have done, require that it be rented  
7 for no more than two months a year and  
8 that the owner lives there as a primary  
9 or secondary residence or a tenant,  
10 have a ten-month lease for the rest of  
11 the year.

12 See requirement for guest log to  
13 track this, as well as the code  
14 enforcer reviewing online calendars.  
15 Proof can be the absence of another  
16 dwelling within a fifty-mile radius.

17 Number four, whether the owner  
18 rents an entire dwelling unit or a  
19 separate apartment on the property, the  
20 rental should be a two-week minimum.

21 Five, for more than two dwelling  
22 units on a lot, only the second unit  
23 may be rented for transient use, not  
24 the third, et cetera.

25 Six, make fines a minimum \$500 for

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the first offense, going up from there.

Seven, neighbors should be notified prior to renewing a rental permit application and complaints considered.

Eight, the rental permit number should be displayed on the house and used in all advertisements.

Nine, all accessory short-term rentals between two and four weeks should be required to maintain a guest logbook with names and home addresses of overnight guests, guests' license plate numbers if traveling by car, dates of stay, and the room or dwelling unit assigned each guest. The log must be available for inspection by City staff upon request.

Ten, the Village should offer a competitive professional salary to secure a qualified building inspector.

Thank you for your consideration.

MAYOR HUBBARD: Thank you.

Anybody else wish to comment?

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2 MR. SAUER: Hi. My name is  
3 Clayton Sauer, 104 Bay Avenue,  
4 Greenport, New York.

5 A lot has been said. I think a  
6 lot of the points have been made for  
7 both views, I guess. And one thing  
8 that has not been said and I have to  
9 kind of bring it to light is, we're not  
10 the villains, the B&Bs in Greenport are  
11 not the villains. There is no bad guy.  
12 We had to go to these meetings and  
13 these Planning Boards and all this and  
14 go multiple times over months for the  
15 size of the sign to have the color  
16 approved and everything, and we went  
17 through all that because we love the  
18 town and we wanted to live here.

19 The only way we can live here is  
20 to have a B&B. We have to have a  
21 business, so we follow every rule. We  
22 have three rooms. We have the parking.  
23 We've got everything that we're  
24 supposed to have and it's just bizarre  
25 to me that people are like vilifying

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1 the B&Bs tonight, and I don't get that.  
2 I think it's bizarre. I mean, we have  
3 been here, I think it was for close to  
4 twenty years back when Diane Jack and  
5 the Bartlett House, we ran with the  
6 Christmas parade and I don't know, I'm  
7 not judging, I don't know what the  
8 short-term Airbnb people are doing, but  
9 I know we did a lot. The guy had  
10 Victorian Lady ran with the jail and we  
11 were trying to get the  
12 [unintelligible], you know this is what  
13 we are.

14 We are not villains and it just  
15 kind of pisses me off. Sorry. But  
16 we're doing our best to try to maintain  
17 our businesses and all we really are  
18 looking for is parody and if we have to  
19 have no more than six guests -- when I  
20 went tonight because I didn't write  
21 anything down obviously, and I went  
22 onto Airbnb and I saw the first one  
23 that popped up said they could have  
24 sixteen guests, and don't worry if it's

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1 full because if it is, you can go to  
2 our other house, so there are two  
3 unoccupied dwellings that are renting  
4 thirty-two.  
5

6 That pretty much knocks out every  
7 B&B in Greenport as well as most of  
8 Harborfront Inn, so we do have, I  
9 think, a bit of a gripe when things are  
10 not even, on a level playing field.  
11 That's all we're looking for. If you  
12 want to have your house as free, but we  
13 are just trying to make a living. You  
14 know, one of us is up for sale now and  
15 one of us had a baby and we're just  
16 trying to make a living and live in our  
17 house, living here.

18 I'm on Bay Avenue in January when  
19 there is me and about three other  
20 people, and I'm still here.

21 So that's about all I have to say.

22 Thank you very much.

23 MAYOR HUBBARD: Anybody else want  
24 to talk at the public hearing?

25 (No response.)

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2 Okay. I'll offer -- do we want to  
3 close the public hearing or keep it  
4 open for comment?

5 TRUSTEE ROBERTS: I'll offer a  
6 motion to close.

7 MAYOR HUBBARD: Okay. Do we have  
8 a second?

9 TRUSTEE MARTILOTTA: What would be  
10 the advantage to closing as opposed to  
11 keeping it open?

12 TRUSTEE ROBERTS: We can't discuss  
13 it until --

14 MAYOR HUBBARD: We close this  
15 chapter of it and anything else, if we  
16 rewrite or change anything, we have to  
17 re-do it.

18 TRUSTEE PHILLIPS: Second.

19 MAYOR HUBBARD: Motion seconded to  
20 close the public hearing.

21 All in favor?

22 TRUSTEE ROBERTS: Aye.

23 TRUSTEE ROBBINS: Aye.

24 TRUSTEE MARTILOTTA: Aye.

25 TRUSTEE PHILLIPS: Aye.

1  
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MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

Thank you to everybody that came.

Now we're gonna open for the public to address the Board on any topic before we go to our regular agenda.

MR. WILE: Speaking of invading barbarians.

Most of you know I've been in contact with a very large set of Vikings that are currently posted off the coast of Maine who would very much like to visit Greenport, and I believe they will probably find Airbnb houses to stay in.

They have built this boat, it's the largest Viking ship built in modern times, and I don't know how many Viking ships have been built in modern times. The whole thing is new to me, truthfully, it's not my circus. I happen to think it's very cool.

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2 They came into Greenport two weeks  
3 ago and anchored out in Pipes Cove and  
4 it was some kind of outrageous sight to  
5 come upon in the middle of Boston  
6 Whalers to see hordes of Vikings coming  
7 to shore.

8 When I sent some pictures around,  
9 a lot of people came to me and said, I  
10 didn't even know they were going to be  
11 here and, frankly, I'm not so sure the  
12 Vikings knew they were going to be  
13 here.

14 They've sailed up the coast and  
15 would like to come back and stay  
16 officially. To try and streamline some  
17 of that visit, I've offered to cover  
18 the dockage, so we don't have to talk  
19 about free handouts, but one of the  
20 things they do travel with is the  
21 picture they sent me and I think Paul  
22 has spent some time looking at it.  
23 They have a variety of land-based  
24 exhibits ranging from heavy retail to  
25 heavy educational. I've expressed the

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1 restrictions for Mitchell Park, I  
2 guess, against retail to them, but when  
3 I came today, I know it's last minute,  
4 but we all kind of chatted a bit, I  
5 have a public assembly permit that I  
6 would like to present. As I said,  
7 Paul, earlier today, it's, I'm sure,  
8 besides last minute notice, it's  
9 unorthodox and I don't have a full  
10 description of everything that they  
11 would like today, but what I would  
12 propose or what I would ask is if there  
13 is a way to define the restrictions  
14 that would be available to them and  
15 some kind of opportunity available to  
16 them that we could extend from  
17 Greenport that I'd be happy to  
18 communicate that to them and if it  
19 doesn't fit their model, so be it.

21 You know, maybe if they would  
22 still like to come in by ship,  
23 wonderful. If it just doesn't fit  
24 their travel or their itinerary, then  
25 we could just at least make a gesture

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2 to try and bring them ashore.

3 It's a very cool boat, it's a  
4 hundred fifteen feet long, sounds like  
5 there's some space in the marina, it  
6 would be August 16th through 19th.

7 They built this thing and sailed  
8 it across the North Atlantic. It's an  
9 open boat with fifty oars on each side.  
10 The whole thing is somewhat crazy and  
11 it's worth seeing in person.

12 What I was proposing would be  
13 tented area in front of the Green  
14 building where it is typically approved  
15 and then just some guidance, if you are  
16 interested in extending this approval,  
17 some guidance so we could tell them  
18 what's restricted. Obviously, I  
19 already know some of them from the  
20 code, no food, no beverage, no retail.

21 I believe they have a big  
22 educational component. They have a  
23 screen, they have a film that I've  
24 reached out to the theater about maybe  
25 screening and doing a talk in there or

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2 a talk in the schoolhouse if that's  
3 available.

4 It's sort of an opportunity I  
5 thought I would present to the Board.  
6 Again, it's not my organization or  
7 operation, we just have a couple of  
8 Greenport residents on board who are  
9 sailing at the moment and that would  
10 love to bring it home.

11 I'm happy to send further  
12 information. I do have an application  
13 that I'm happy to hand in and I'm also  
14 happy to be sent packing, I told  
15 everybody I would show up.

16 MAYOR HUBBARD: We did talk about  
17 that. I mean I'm sure will talk about  
18 or the guidelines of what is and isn't  
19 allowed with the stuff that they  
20 normally do. It has to fit the model  
21 of what everybody else has to do in  
22 Mitchell Park, you know.

23 MR. WILE: We talked a bit about  
24 that, a restriction on commerce  
25 essentially.

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2 MR. PALLAS: Yeah, just a couple  
3 things from their website, the official  
4 merchandise sales, can't do that; deck  
5 tour ticket sales, again, can't do  
6 that; local food and beverage vendors,  
7 no vendors allowed. That seems to be a  
8 big piece of what they are looking to  
9 do.

10 MR. WILE: They have landed in  
11 some places with a full-on circus where  
12 they're meant to stay for a week and  
13 it's kind of a big thing and then I  
14 think they've gone some places and just  
15 docked, so.

16 MR. PALLAS: Again, all the detail  
17 here, other than that, I just wanted to  
18 make sure the Board was aware of what  
19 they normally do.

20 MR. WILE: What they usually do.

21 TRUSTEE ROBERTS: Are these  
22 friendly Vikings?

23 MR. WILE: The captain is --  
24 they're all characters, right, you've  
25 signed up from wherever you are in your

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1 walk of life to go wander around the  
2 globe on this boat. They have come  
3 ashore some places apparently and put  
4 tents up, you know, in an island or  
5 residence or, you know, they're sort of  
6 a funky group of people.  
7

8 Most of them are young, the first  
9 mate is, I would say, probably  
10 twenty-five, he's from Portugal and had  
11 moved up to Norway and jumped on this  
12 boat and has been teaching selectorial  
13 navigation on board and, you know, it's  
14 really just kind of a fascinating  
15 thing.

16 They're, I believe, mostly  
17 supported by Norway as a cultural  
18 exchange and it's a, you know, it's an  
19 operation that does that.

20 TRUSTEE ROBERTS: We don't have  
21 any information to act on tonight,  
22 right?

23 MR. PALLAS: Just one other item  
24 that was pointed out to me, one of the  
25 other items they have are corporate



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1  
2 them with any other feedback and then  
3 we can -- I'm happy to meet with you if  
4 there's an interest.

5 TRUSTEE PHILLIPS: So, Ian, let me  
6 just ask a question. I think what  
7 you're clearly getting to is you're  
8 looking perhaps for us to either pass a  
9 resolution just saying go ahead and  
10 look into the information of having  
11 this particular activity, depending  
12 upon the information gathering and what  
13 can be done, what can't be done.

14 MR. WILE: Yes.

15 TRUSTEE PHILLIPS: You're  
16 technically trying to save the dates of  
17 the dock; is that what you're trying to  
18 say?

19 MR. WILE: The dock, I think I'm  
20 willing to handle on a straight  
21 commerce to facilitate this  
22 conversation that I'll make as easy as  
23 renting some dock space and I'll  
24 collect it from my fellow, you know,  
25 somebody rather, but simplifying it,

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2 I'll commit to that.

3 My question only because they will  
4 ask is, can we come ashore with a tent  
5 full of educational, and if that was  
6 approved in front of Mitchell Park then  
7 I can say yes, if it's not, so be it,  
8 it's fine.

9 Obviously, they would normally do  
10 deck tours and that kind of thing.  
11 Maybe I convince them to do a free day  
12 since they're not paying anything. You  
13 know, we haven't been able to have that  
14 conversation.

15 I just know from some of that chat  
16 that there were a lot of people who  
17 were disappointed they couldn't see the  
18 boat. If I can bring the boat to be  
19 here to see it, that's kind of the  
20 extent of my interest. Past that, it  
21 really is somebody else's business and  
22 I'm just trying to facilitate.

23 TRUSTEE ROBBINS: Can I say  
24 something, Ian?

25 MR. WILE: Yes.

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2 TRUSTEE ROBBINS: This isn't the  
3 first time they have approached, they  
4 never approached the Village, but they  
5 did approach the BID back in the fall  
6 and they came and made quite a  
7 presentation to the BID at that time,  
8 and then they were talking about a  
9 \$35,000 appearance fee. I think I told  
10 the BID, if they were interested in  
11 doing anything in the Village, they had  
12 to contact the Village, and that was  
13 kind of the end of it. They came back  
14 again, maybe two months ago and said  
15 we're willing to come for a much  
16 reduced, you know, fee of \$5,000, but  
17 they were looking for mid August  
18 sometime.

19 We actually did have some  
20 meetings, you know, we discussed it at  
21 one point at one of our meetings, you  
22 know, the BID basically, you know, we  
23 consulted with Paul Pallas to talk  
24 about the fact that this was kind of,  
25 it was a short-notice thing at that

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1  
2 time.

3 MR. WILE: Sure.

4 TRUSTEE ROBBINS: And this is even  
5 shorter notice and, you know, my thing  
6 is I would support a public assembly  
7 permit, but we're kind of backing into  
8 it; in other words, you know, well,  
9 okay, these are all the things you  
10 can't do, but, you know, if by chance  
11 you happen to fit in, you know, we're  
12 good with that. Especially since even  
13 though this is just one ship, you know,  
14 I'm thinking back to the Tall Ship  
15 thing where it took us a  
16 year-and-a-half of planning to pull  
17 that off and even though it's a much  
18 bigger event, this is still a ship  
19 that's gonna come to our dock, and  
20 wants to use our park and everything  
21 like that, and I personally am not  
22 comfortable acting this quickly on it.

23 MR. WILE: That's fine. So as  
24 I've said, it's not my operation. I  
25 would, without being overly forceful, I

BOT REGULAR - 7-26-2018

1 would say that a ship can come into the  
2 dock if there is space, right; so if  
3 I'm willing to pay for the ship to come  
4 into the dock, that doesn't seem to be  
5 a question. I'm not trying to be  
6 overly dramatic here, but a dock, if  
7 the boat is able to arrive, if I can  
8 get the boat here, that's fine. I came  
9 to, essentially, only ask permission to  
10 use any other spaces. I'm totally fine  
11 to tell them no because, again, not my  
12 circus, and if they decide that it's  
13 not worth it to come visit then that's  
14 their choice; it's fine.

16 TRUSTEE ROBBINS: I just wanted to  
17 back up and say, myself, as well as the  
18 BID was certainly impressed and I'd  
19 love to see the boat come here. We  
20 kind of suggested to them, why don't we  
21 plan something for next year, you know,  
22 we would love it to happen in the  
23 shoulder season. We thought it would  
24 be much better than right in the middle  
25 of the summer.

1 BOT REGULAR - 7-26-2018

2 MR. WILE: I think it's the nature  
3 of --

4 TRUSTEE ROBBINS: -- and I believe  
5 they're staying on this side of the  
6 Atlantic from what I understood from  
7 them. They're not heading back to  
8 Norway.

9 MR. WILE: I'm quite sure that  
10 they're building in a North American  
11 tour that links together someplace  
12 where they're welcome to do a large  
13 event and pay for the rest of their  
14 trip, and the places where they're  
15 coming and can't make anything probably  
16 don't get to tell them quite as much  
17 about what they can do and what they  
18 can't do. If it's on the way to  
19 someplace where they can make some  
20 money, they might stay for free.

21 TRUSTEE ROBERTS: Has anybody  
22 reached out to the Maritime Museum  
23 which is a fully equipped maritime  
24 education center?

25 MR. WILE: Be happy to. I have  
Flynn Stenography & Transcription Service  
(631) 727-1107

1 BOT REGULAR - 7-26-2018

2 not heard much from them. I would say  
3 that financially it's not gonna be a  
4 solution and they don't have any space  
5 there for this, so they're not gonna  
6 solve any of that.

7 Again, I'm hesitant to even  
8 describe it as a problem; it's not a  
9 problem, it was a question and I  
10 offered on behalf of a group of  
11 citizens to present to the Board, so  
12 past that, I know that it's last  
13 minute, some of these things if we had  
14 ninety days' notice, I'd love to bring  
15 it, the nature of my existence seems to  
16 be ten days out.

17 MAYOR HUBBARD: Okay.

18 Let me just clarify. We have a  
19 marina, we have open space and we rent  
20 out the space. You're willing to pay  
21 for somebody to come in a spot that's  
22 empty, and that's why we have a marina  
23 and that's what we're trying to do.  
24 Not saying, this isn't a lot of  
25 planning, but we have room for the

BOT REGULAR - 7-26-2018

1 boat, you're gonna pay for the boat to  
2 be here and we're making revenue off of  
3 that, I think that's a good idea. It's  
4 a small -- I spoke about this with Paul  
5 Pallas, if it's a small tent, ten by  
6 ten, something they're gonna put up and  
7 do some educational things, you really  
8 don't need a mass public assembly  
9 permit because when you rent a boat  
10 down there, you want to put something  
11 on land, you're allowed, you know,  
12 within reason. If it's gonna be  
13 something bigger than that -- clarify  
14 with Paul what's gonna go on.

16 If we need to, I'd rather not vote  
17 on it this evening, I'd rather have a  
18 special meeting next week, get some  
19 clarification on this, so we all know  
20 what we're voting on, then they go out  
21 of the guidelines of Mitchell Park, we  
22 definitely can't do that, then we're  
23 voting on something that we don't even  
24 know what's gonna happen.

25 MR. WILE: Fully understood and I

1 BOT REGULAR - 7-26-2018

2 think the biggest reason that I would  
3 say the mass assembly, even if I told  
4 them you couldn't put a tent up is  
5 because -- know for sure, this boat  
6 lands at this dock one way or another,  
7 there is a mass assembly.

8 MAYOR HUBBARD: Yes, people come  
9 see the boat, it will be, I understand  
10 that.

11 MR. WILE: Whether you do the  
12 permit or not, truthfully there's  
13 people, so if there is an opportunity  
14 for the Village, we'd like to make it.  
15 Past that, I'm really not trying to  
16 cause a thing. It was just Vikings.

17 MAYOR HUBBARD: Okay. Work with  
18 Paul, get the information and  
19 everything else, it gets circulated  
20 around the Board and then we can  
21 discuss that.

22 Anybody else want to discuss any  
23 topic?

24 MS. RUDER: I just have one quick  
25 comment. My name is Penelope Ruder, I

BOT REGULAR - 7-26-2018

1 live on Second Street.

2  
3 I just heard, and this is probably  
4 a good night to say this, I've met a  
5 lot of new people because of the  
6 volunteer work I've been doing with the  
7 pantry and the community potlucks. I  
8 want to tell you that people see  
9 through the tourism to the bones of our  
10 Village; and they love it, so I just  
11 want to pass that on that, you know,  
12 with all that's going on, all the  
13 summer activities, the bones are there,  
14 they're great, and whatever I can help  
15 do to preserve that, please let me  
16 know.

17 MS. BOSWORTH: Rachel Bosworth,  
18 417 Main Street.

19 So this is another controversial  
20 topic, but I will keep it very brief.

21 I just want to know if there has  
22 been any further discussion on parking  
23 solutions for all residents. I just  
24 want to reiterate that I personally, I  
25 know I talked about this a few times,

1 BOT REGULAR - 7-26-2018

2 no desire personally to park on Front  
3 or Main Street, just be in some other  
4 areas, but I've seen traffic discussed  
5 in different local forums, in the  
6 papers, and so I wanted to know if the  
7 Village was considering anytime soon  
8 thinking about something that could  
9 work for all residents.

10 MAYOR HUBBARD: At this point  
11 right now, no. We have not had any  
12 further discussion about that. We  
13 talked about it briefly at a couple  
14 work sessions about trying to do  
15 something with the MTA property and  
16 other stuff like that, we really have  
17 not had a serious discussion on that  
18 yet.

19 TRUSTEE ROBERTS: In fairness, we  
20 talked about looking into Adams Street  
21 last, the work session we talked about  
22 potentially revisiting --

23 MAYOR HUBBARD: Doing that behind  
24 the laundromat, that's not -- I think  
25 she's asking about a resident permit to

1 BOT REGULAR - 7-26-2018

2 be able to park in certain areas which  
3 is a bigger-scale picture which we have  
4 not gotten into that part of it.

5 MS. BOSWORTH: Okay.

6 MAYOR HUBBARD: There was a  
7 discussion behind the laundromat, those  
8 six spots, making those one-hour  
9 parking spots so workers don't park  
10 there all day and people can get in and  
11 out of the laundromat and the  
12 drugstore.

13 MS. BOSWORTH: Okay.

14 MAYOR HUBBARD: But that's the  
15 only part of the discussion besides  
16 talking about the property on Fourth  
17 Street to see if we can push the MTA to  
18 be able to do something with that, but  
19 they've been reluctant on that to add  
20 more parking spots.

21 MS. BOSWORTH: So perhaps in the  
22 future in the next --

23 MAYOR HUBBARD: Yeah. Once we get  
24 through these other couple big topics  
25 right now, we get these taken care of,

1 BOT REGULAR - 7-26-2018

2 we will definitely be discussing that.

3 MS. BOSWORTH: Okay. Thank you.

4 MAYOR HUBBARD: You're welcome.

5 Anybody else want to address the  
6 Board?

7 (No response.)

8 Okay. Move on to the regular  
9 agenda.

10 I'll offer Resolution 07-2018-1.  
11 Resolution adopting the July 2018  
12 agenda as printed.

13 So moved.

14 TRUSTEE ROBERTS: Second.

15 MAYOR HUBBARD: All in favor?

16 TRUSTEE ROBERTS: Aye.

17 TRUSTEE ROBBINS: Aye.

18 TRUSTEE PHILLIPS: Aye.

19 TRUSTEE MARTILOTTA: Aye.

20 MAYOR HUBBARD: Opposed?

21 (No response.)

22 Motion carried.

23 TRUSTEE ROBERTS: Resolution  
24 07-2018-2.

25 Resolution accepting the monthly

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BOT REGULAR - 7-26-2018  
reports of the Greenport Fire  
Department, Village Administrator,  
Village Treasurer, Village Clerk,  
Village Attorney, Mayor and Board of  
Trustees.

So moved.

TRUSTEE ROBBINS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE ROBBINS: Resolution  
07-2018-3.

Resolution approving the request  
of the Greenport Fire Department to use  
a portion of the Fifth Street  
Beach/Park on July 29, 2018 for the  
Annual Fire Department Picnic.

So moved.

TRUSTEE MARTILOTTA: Second.

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BOT REGULAR - 7-26-2018

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE MARTILOTTA: Resolution

07-2018-4.

Resolution ratifying the hiring of  
Lauren Rock and Jayla Moore as  
seasonal, part-time camp counselors and  
carousel employees at a pay rate of \$11  
per hour, effective June 12, 2018.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

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BOT REGULAR - 7-26-2018

Motion carried.

TRUSTEE PHILLIPS: Resolution  
07-2018-5.

Resolution ratifying the hiring of  
Sandre Jesse Belgira as a seasonal,  
part-time camp counselor and carousel  
employee at a pay rate of \$11 per hour,  
effective June 26, 2018.

So moved.

TRUSTEE ROBERTS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE ROBERTS: Resolution  
07-2018-6.

Resolution ratifying the hiring of  
current employee Edward Ferger as a  
lifeguard at Fifth Street Beach at a  
pay rate of \$15 per hour, effective

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BOT REGULAR - 7-26-2018

July 2, 2018.

So moved.

TRUSTEE ROBBINS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE ROBBINS: Resolution

07-2018-7.

Resolution ratifying the hiring of Michael Foote as a seasonal, part-time park attendant at the Village of Greenport Mitchell Park Marina at a pay rate of \$11 per hour, effective July 13, 2018.

So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

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BOT REGULAR - 7-26-2018

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE MARTILOTTA: Resolution  
07-2018-8.

Resolution approving an increase  
in the hourly wage rate for Adam  
Brautigam, from \$15.60 to \$17 per hour,  
effective August 1, 2018 owing to the  
assumption of additional duties, per  
Article VII, Salaries and Compensation,  
Section 9 (a) Merit Clause of the  
collective bargaining agreement  
currently in force between the Village  
of Greenport and CSEA Local 1000.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

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MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE PHILLIPS: Resolution

07-2018-9.

Resolution approving an increase in the hourly wage rate for Jason Doucett, from \$16.64 to \$18 per hour, effective August 1, 2018 owing to the assumption of additional duties, per Article VII, Salaries and Compensation, Section 9 (a), Merit Clause of the collective bargaining agreement currently in force between the Village of Greenport and CSEA Local 1000.

So moved.

TRUSTEE ROBERTS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

1 BOT REGULAR - 7-26-2018

2 Motion carried.

3 TRUSTEE ROBERTS: Resolution  
4 07-2018-10.

5 Resolution authorizing Treasurer  
6 Brandt to perform attached Budget  
7 Amendment 3933, to fund the  
8 installation of the cooling tower water  
9 treatment system, and directing that  
10 Budget Amendment 3933 be included as  
11 part of the formal meeting minutes for  
12 the July 26, 2018 regular meeting of  
13 the Board of Trustees.

14 So moved.

15 TRUSTEE ROBBINS: Second.

16 MAYOR HUBBARD: All in favor?

17 TRUSTEE ROBERTS: Aye.

18 TRUSTEE ROBBINS: Aye.

19 TRUSTEE PHILLIPS: Aye.

20 TRUSTEE MARTILOTTA: Aye.

21 MAYOR HUBBARD: Opposed?

22 (No response.)

23 Motion carried.

24 So moved.

25 TRUSTEE ROBBINS: Resolution

1 BOT REGULAR - 7-26-2018

2 07-2018-11.

3 Resolution approving the Public  
4 Assembly permit application submitted  
5 by Charles Ritchie on behalf of the  
6 Fireboat Firefighter Museum for the use  
7 of a portion of Mitchell Park from 5:00  
8 p.m. through 7:00 p.m. on August 24,  
9 2018, from 9:00 a.m. through 4:00 p.m.  
10 on August 25, 2018, and from 9:00 a.m.  
11 through 2:00 p.m. on August 26, 2018  
12 for the 80th anniversary celebration of  
13 the Fireboat Firefighter with the  
14 application fee for this Village  
15 co-sponsored event to be waived, and  
16 with approval contingent upon the  
17 receipt by the Village of the  
18 additional event insurance obtained by  
19 the Fireboat Firefighter Museum.

20 So moved.

21 TRUSTEE MARTILOTTA: Second.

22 MAYOR HUBBARD: All in favor?

23 TRUSTEE ROBERTS: Aye.

24 TRUSTEE ROBBINS: Aye.

25 TRUSTEE PHILLIPS: Aye.

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TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE MARTILOTTA: Resolution

07-2018-12.

Resolution approving the Public  
Assembly permit application submitted  
by Doug Roberts on behalf of  
Educational Solutions Consulting to use  
a portion of the Fifth Street  
Beach/Park from 5:00 p.m. through 9:00  
p.m. on August 20, 2018 for Sam's  
Celebration, a fundraiser.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

BOT REGULAR - 7-26-2018

TRUSTEE PHILLIPS: Resolution  
07-2018-13.

Resolution approving the use of  
the softball field on Moore's Lane by  
the Eastern Long Island Hospital from  
5:00 p.m. through 9:00 p.m. on  
September 20, 2018 for the annual  
Hospital Fundraiser.

So moved.

TRUSTEE ROBERTS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE ROBERTS: Resolution  
07-2018-14.

Resolution approving the attached  
Quote and Authorizations from Paperless  
Solutions, Inc. for providing scanning,  
categorization and other related

Flynn Stenography & Transcription Service  
(631) 727-1107

1 BOT REGULAR - 7-26-2018

2 services, and authorizing Mayor Hubbard  
3 to sign the contract between the  
4 Village of Greenport and Paperless  
5 Solutions, Inc.

6 So moved.

7 TRUSTEE ROBBINS: Second.

8 MAYOR HUBBARD: All in favor?

9 TRUSTEE ROBERTS: Aye.

10 TRUSTEE ROBBINS: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 TRUSTEE MARTILOTTA: Aye.

13 MAYOR HUBBARD: Opposed?

14 (No response.)

15 Motion carried.

16 TRUSTEE ROBBINS: Resolution

17 07-2018-15.

18 Resolution ratifying the  
19 attendance of Deputy Clerk Jeanmarie  
20 Oddon at the NYMIR sponsored Records  
21 Management Essentials workshop at the  
22 Suffolk State Office Building in  
23 Hauppauge, New York on July 10, 2018,  
24 with the standard mileage reimbursement  
25 to apply.

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BOT REGULAR - 7-26-2018

So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE MARTILOTTA: Resolution

07-2018-16.

Resolution hiring Karen Rotan as an account clerk typist at a pay rate of \$15 per hour, effective August 1, 2018. All health insurance and other full-time employment benefit provisions specified in the current contract between the Village of Greenport and CSEA Local 1000 apply to this hiring, as does the standard twenty-six-week Suffolk County Civil Service probationary period.

So moved.

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BOT REGULAR - 7-26-2018

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE PHILLIPS: Resolution

07-2018-17.

Resolution declaring as surplus,  
and no longer needed for municipal  
purposes, the transformers detailed in  
the attached list.

So moved.

TRUSTEE ROBERTS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

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BOT REGULAR - 7-26-2018

Motion carried.

TRUSTEE ROBERTS: Resolution  
07-2018-18.

Resolution authorizing the sale of  
the transformers declared as surplus,  
per the attached list, to T&R Electric,  
for \$1,677 total.

So moved.

TRUSTEE ROBBINS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE ROBBINS: Resolution  
07-2018-19.

Resolution approving the payment  
of \$45 per inner scenic panel, for a  
total of \$630, to Patrick Calkins, for  
photographing each of the fourteen  
painted Village of Greenport carousel

1 BOT REGULAR - 7-26-2018

2 inner scenic panels.

3 So moved.

4 TRUSTEE MARTILOTTA: Second.

5 MAYOR HUBBARD: All in favor?

6 TRUSTEE ROBERTS: Aye.

7 TRUSTEE ROBBINS: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE MARTILOTTA: Aye.

10 MAYOR HUBBARD: Opposed?

11 (No response.)

12 Motion carried.

13 TRUSTEE MARTILOTTA: Resolution

14 07-2018-20.

15 Resolution authorizing the  
16 solicitation of bids for the  
17 replacement of the roof and gutters on  
18 the Station One Firehouse at Third and  
19 South Streets, and directing Clerk  
20 Pirillo to notice the solicitation of  
21 bids accordingly.

22 So moved.

23 TRUSTEE PHILLIPS: Second.

24 MAYOR HUBBARD: All in favor?

25 TRUSTEE ROBERTS: Aye.

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TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE PHILLIPS: Resolution

07-2018-21.

Resolution authorizing the solicitation of bids, if required, for the replacement of the gutters on the ancillary, a/k/a back building on the grounds of the Station One Firehouse at Third and South Streets, and directing Clerk Pirillo to notice the solicitation of bids accordingly.

So moved.

TRUSTEE ROBERTS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

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BOT REGULAR - 7-26-2018

(No response.)

Motion carried.

TRUSTEE ROBERTS: Resolution

07-2018-22.

Resolution approving the attached Inter-municipal Agreement between the Village of Greenport and the Town of Shelter Island for the Town's use of the marine pump-out station, and authorizing Mayor Hubbard to sign the Inter-municipal Agreement between the Village of Greenport and the Town of Shelter Island regarding the marine pump-out station.

So moved.

TRUSTEE ROBBINS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

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BOT REGULAR - 7-26-2018

TRUSTEE ROBBINS: Resolution  
07-2018-23.

Resolution approving all checks  
for Fiscal Year 2017/2018 per the  
Voucher Summary Report dated July 20,  
2018, in the total amount of \$93,223.78  
consisting of all regular checks in the  
amount of \$93,223.78.

So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

TRUSTEE MARTILOTTA: Resolution  
07-2018-24.

Resolution approving all checks  
for Fiscal Year 2018/2019 per the  
Voucher Summary Report dated July 20,  
2018, in the total amount of

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BOT REGULAR - 7-26-2018

\$618,664.54 consisting of all regular checks in the amount of \$408,778.90 and all prepaid checks including wire transfers in the amount of \$209,885.64.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

Okay. I just want to thank everybody, I know they're not here now, but thank everyone that came here. We got a lot of good input on the short-term rental law. We're gonna have the discussions and everything else and we'll come back and see where we go with that.

I'll offer a motion to adjourn at 9:03.

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BOT REGULAR - 7-26-2018

TRUSTEE PHILLIPS: Second.

So moved.

TRUSTEE ROBERTS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE ROBERTS: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MARTILOTTA: Aye.

MAYOR HUBBARD: Opposed?

(No response.)

Motion carried.

Thank you.

(Time noted: 9:03 p.m.)



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## Sylvia Pirillo

---

**From:** Sylvia Pirillo  
**Sent:** Thursday, July 26, 2018 2:47 PM  
**To:** Douglas Roberts; George Hubbard; Jack Martilotta; Julia Robins; Mary Bess Phillips  
**Subject:** a couple items

---

**From:** Ralph Caouette <[caouetteralph@gmail.com](mailto:caouetteralph@gmail.com)>  
**Sent:** Thursday, July 26, 2018 1:26 PM  
**To:** George Hubbard  
**Subject:** Re: a couple items

George--

Hello. Wrote to you last week. In regards to both the public hearing on rentals, and in regards to seeing a circulating petition/list of concerns and recommendations from some of the more zealous residences of Greenport, we have several notes and recommendations ourselves that we would like read or entered into records in a public fashion just as these other zealous recommendations are..

They are as follows:

Amongst overreaches and/or unreasonable rec's--

- \* rent of two months or less within a year
- \* use of guest logs
- \* a two week minimum
- \* \$500 fine for a first offense, come on now

Not needed are visual displays of permitting and having to seek a very qualified building inspector is rather an overreach.

Our notations are based on forays with 'other communities', at least some as detected with these other recommendations circulating, and not out of an alarminst, NIMBY reaction or reaction to change in and of itself, nor a need to control or have a voice on every issue around as the know all. In fact, this is the first we've spoken in six years perceiving ourselves as moderative type citizens and neighbors truly open and reasonable. I do have as well considerable experience civically with policy having much past experience in educational administration and civic community work in New England. After tomorrow I am back in Greenport and off my teaching responsibility and can answer and respond in person as needed.

Regards,

Dr. Ralph Caouette & Maureen Golisz Caouette

Please enter into record

Thanks George

DAVID S. CORWIN, 639 MAIN STREET, GREENPORT, NY 11944-1431  
631-477-0184 corwin@optonline.net

July 26, 2018

Village Clerk Sylvia Pirillo, RMC  
Village of Greenport  
236 Third Street  
Greenport, NY 11944



Dear Clerk Pirillo:

Please read the enclosed letter addressed to the Village Board into the Public Hearing on "Short Term Rentals" scheduled for July 26, 2018.

If I remember correctly the last time I requested a letter be read into the Public Hearing it was not read.

The Village Board demonstrated at the July Work Session that they do not take written or emailed correspondence seriously; therefore I ask that the enclosed letter be read into the record.

Respectfully yours,

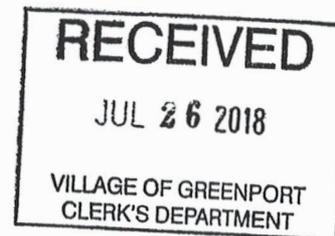
A handwritten signature in cursive script that reads "David S. Corwin".

David S. Corwin

DAVID S. CORWIN, 639 MAIN STREET, GREENPORT, NY 11944-1431  
631-477-0184 corwin@optonline.net

July 26, 2018

Village Board  
Village of Greenport  
236 Third Street  
Greenport, NY 11944



**Subject: Amendments to Chapter 103 and 150 of the Village Code – AirBnB Type Rentals**

Ladies and Gentlemen:

I am opposed to making AirBnB type rentals or "Short Term Rentals" a conditional use requiring Planning Board approval.

These types of rentals are in effect hotel rooms operated in the R1 and R2 districts. These rentals are depleting the housing stock of the Village for year round rentals and driving rent rates up.

Nothing can be gained by legitimizing AirBnB type rentals but more of the existing unsatisfactory situation. I am not living in a residential zoned area to have the house down the street or next door rented out for the weekend. I am living in a single family house in a residential zone to have the opportunity to know my neighbors and have the peace of mind of living in a stable community.

Adding the additional task to the Planning Board's duties of judging whether a property can be a conditional use for AirBnB type rentals is a mistake and will only make an overburdened Planning Board's job more difficult.

This is a poorly drafted and poorly thought out addition to the Village Code.

It is time the Village Board does its duty and enforces a 30 day minimum on rentals and eliminates the use of dwellings in the residential districts as hotel rooms.

Respectfully yours,

A handwritten signature in cursive script that reads "David S. Corwin".

David S. Corwin

## Sylvia Pirillo

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**From:** Brian Cheeseman <bkcheeseman@gmail.com>  
**Sent:** Wednesday, July 25, 2018 9:25 PM  
**To:** Sylvia Pirillo  
**Subject:** Board of Trustees Meeting - Email to be read on record

Hi Sylvia. Unfortunately I am unable to attend the Board of Trustees meeting tomorrow night. If possible I would appreciate if you could have the below read to be on record at the meeting. Please let me know if you need any information from me to do so. Thanks again.

I am writing to express my opposition to the proposed conditional use rental permit law. I own a home in Greenport village that is my second home. I frequent Greenport as often as I can but when I cannot be there I rent it short term to no more than 4 people at a time. I do not do it to earn a profit, and it does not come close to earning a profit. It simply provides a little extra money to help pay for the maintenance that the house requires. I have been doing this for several years, and the homeowner before me did this at the house for approximately 15 years, so the home has been operating this way for close to 20 years.

I am not in favor of the proposed conditional use rental permit law because it is very unclear as to the timeframe, cost, and ability to get approval for the conditional use, and does not take advantage of the demand for short term rentals in the village to generate funds for a better purpose. I am in favor of a more permanent solution that does take advantage of the demand - I believe all short term rentals should be taxed the same as B&Bs and hotels, if not more. I believe part of the tax should go to the village to help subsidize affordable housing, and I believe there should be a cap on the number of days a single family home can be rented in a year to short term tenants to discourage purely for-profit short-term rental home ownership. I recommend that the proposed conditional use rental permit law not be enacted, and that efforts are focused on developing a permanent solution that allows short term rentals in a measured manner and that uses the tax revenue from short term rentals to generate funds for affordable housing and other beneficial purposes in the village.

Thank you very much for your time.

Brian  
607 760 3108

**TO:** Mayor George Hubbard and Village Board

**FROM:** Randy Wade, 6th Street

**DATE:** July 25, 2018

**RE:** **Short Term Rental Regulations to Preserve Greenport's Working Housing & Residential Character**

Thank you for tackling the current housing situation brought on by online-rental platforms initiated to support extra income for home owners now morphing into speculators running transient lodging businesses in our residential districts.

**Proposed:**

1. The code for bed & breakfast should remain for owner-occupied homes renting a room and bath.
2. In addition to the definitions in the draft code, define Residential as 30 days or more and Transient as less than 30 days, as commonly understood in zoning terms. The definition of Short Term Rental should be a "minimum of" **NOT** as written "**less than 14 days**". The code provides for owner occupied shorter stays in R-1 & 2 already within the Bed and Breakfast regulations. If the Village wants to have the Planning Board review all rentals not owner occupied of between 2 and 4 weeks, or for terms between 2 weeks and one year as written, that would be good.
3. As other municipalities have done, require that it be rented for no more than 2 months a years and that the owner lives there as a primary or secondary residence or a tenant have a 10 month lease for the rest of the year. See requirement for guest log to track this, as well as the code enforcer reviewing online calendars. Proof can be the absence of another dwelling within a 50 mile radius.
4. Whether the owner rents an entire dwelling unit or a separate apartment on the property, the rental should be a two week minimum.
5. For more than two dwelling units on a lot, only the second unit my be rented for Transient use, not the third, etc.
6. Make fines a minimum \$500 for the first offense, going up from there.
7. Neighbors should be notified prior to renewing a rental permit application and complaints considered.
8. The rental permit number should be displayed on the house and used in all advertisements.
9. All accessory short-term rentals between 2 and 4 weeks should be required to maintain a guest log book with names and home addresses of overnight guests, guest's license plate numbers if traveling by car, dates of stay, and the room or dwelling unit assigned each guest. The log must be available for inspection by City staff upon request.
10. The Village should offer a competitive professional salary to secure a qualified Building Inspector.

Thank you for your consideration.

## Sylvia Pirillo

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**From:** Sofia <acetweety@aol.com>  
**Sent:** Friday, July 20, 2018 8:31 AM  
**To:** Sylvia Pirillo  
**Subject:** Short Term Rentals - Opposition to any law

Greetings Ms. Pirillo,

Please accept this letter in Opposition of instilling a Short Term Rental Law in the Village of Greenport, as I understand the Village is re-visiting this issue.

As the property owners in the Village of Greenport, we have a vested interest and are concerned that our Constitutional Rights will be taken away with any new law. The Constitution of the United States of America protects our private property rights especially the right to acquire, use, enjoy, sell, lease, mortgage and dispose of real property as we see fit.

Perhaps you are familiar with our home on Main Street, it is a magnificent Queen Anne Victorian built in 1903 located in the Historic District. This is an amazing structure with more than 5 bedrooms, multiple living rooms, library, kitchen, double dining rooms and grand halls. Not long ago, this house was in tremendous disrepair and we have invested hundreds of hours of loving labor to restore it to today's grandeur. This house is by no means rented as a "share house" nor take in "boarders" nor sell hotel like occupancy. It is a one family residence, located in the residential zone of the village. As property owners, we have the right to rent it to "tenants", provide a lease agreement and neither New York State nor New York State Sales Tax Department prohibits us to rent it for any length of time, not one year, not one month, not one day...that that is because it is a Private One Family Residence, and can, if we wish, rent as real property.

### **What is the purpose of the Short Term Rental Law?**

#### **Do you want to discourage weekend visitors?**

If that is the case then perhaps you can put a stop on all the favorable newspaper articles constantly written about the North Fork and Greenport, in particular take for example the recent New York Times article printed on July 12, 2018, "36 Hours in Greenport". Can the Village curtail the media?

**Do you think Greenport and the North Fork have been recently discovered by urban dwellers and wish to curtail their visits?**

If that is the case, perhaps you should read In Her Own Name, written by Fredrica Wachsberger that details and exhibits articles about Orient and the North Fork being "overrun with summer visitors from New York, and the village's famous commitment to temperance was being sorely tried.....boarders were so disorderly they were thrown out...." "As usual, what was seen as a potential windfall by some members of the community was experienced with horror by others." "The new influx of home-buyers and builders created its own momentum." "The year 1881 would be eventful." Travelers to this area is not new but just a new wave to the prior waves occurring for close to two centuries.

### **Is the village under pressure by the hotel and motel industry to curtail or eliminate rentals of private homes to families interested in renting during the seasons?**

The hotels and motels are full and in such demand that a brand new, under construction, is scheduled to open soon on Front Street. The Soundview was recently purchased by a hotel chain. It appears that the hotel industry is "booming" or has a bright future to attract new investors. They are counting on making money on their investments. The hotels and motels are located in commercial districts and therefore have to operate and compete for their business. They are businesses that are open to free market of unrestricted competition. They sell hotel occupancy and related hospitality services.

### **Is the village under pressure by the Bed and Breakfast business owners?**

The Bed and Breakfast managers recently voiced their opposition to one and two family rentals at a village work session.

Why are they targeting the rental of real property? Who coined the term "Short term rental"?

Real estate can be rented for any rental period. The rental of real property is not the same as a hotel rental and hospitality services. Real estate is rented by the complete dwelling unit that is private and includes a kitchen. **The New York State Sales Tax Department is in agreement with this statement.**

Please keep in mind that a Bed and Breakfast is a business, it is a boutique hotel where the guests spend time with the innkeeper and rent the use of a room.

In many of the cases in Greenport Village, the Bed and Breakfast business is **not the deeded owner of the property** being used as a Bed and Breakfast.

The property title and deeds are not in the names of the Bed and Breakfast established entities but mostly owned/titled by individual people. The business had to obtain a zoning variance to operate as a "business" in **our** residential zoned area. They are granted a conditional permit. The Bed and Breakfast variance is limited and not a continuing use on the property, it is granted to the person operating the Bed and Breakfast which sells hotel services and not the rental of real property. It is subordinate, meaning low ranking, it is solely, may I say, special permission to operate a hospitality hotel business in a residential zone.

The business owners have **no right** to request any law as their business do not have a vested interest in the real estate of this community. The business does not pay real estate taxes because they are not the titled owners.

Technically, many of the Bed and Breakfast establishments are "tenants" of the real property they operate from even if no formal rent is collected.

They are a BUSINESS and for what ever the reason they were established, operate a hotel like environment, hospitality.

With this conditional permit, they have permission to run a boarding house, to house travelers that are unrelated strangers and as many as in 4 different occupied rooms, they cook and serve meals, perform daily housekeeping maid service, host happy hours and other entertaining events and the innkeepers interact with the guests during their stay.

The Bed and Breakfast industry is a NYS Sales Taxable **service**. It **must** collect sales and hospitality tax as they are selling hotel occupancy.

They are a boutique hotel and offer an alternative to the hotel or motel industry and if their business is "down 18 percent" perhaps it is because of the competition of new hotels in the area or the deterioration and lack of upkeep of the bed and breakfast establishment itself.

Regardless of the increase or decrease in business, it is an enterprise that must compete with other hospitality establishments and completely different from a one and two family home rental. In fact, the Bed and Breakfast operators should be GRATEFUL to have the special variance to operate a BUSINESS in a residential zone.

They host guests and do not rent to tenants. They do not have a landlord/ tenant relationship but have an innkeeper/guest relationship.

Renting a one or two family house does not need any special zoning. Residential zones already exist.

New York State Sales Tax Department does not require property owners to collect sales tax on the rental of real property but they do tax the services provided by the hotel establishments.

In fact NYS Sales Tax Department clearly states that no sales tax is to be collected from a rental of real property even if furnished and provided with linens.

As long as the rental is for the real property and there is no housekeeping, food, serving of meals or hotel services provided, the rental is deemed as rental of real property and not a hospitality or selling of hotel

occupancy. [https://www.tax.ny.gov/pubs\\_and\\_bulls/tg\\_bulletins/st/hotel\\_and\\_motel\\_occupancy.htm](https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/hotel_and_motel_occupancy.htm)

Additionally, at one time, NYS Sales Tax had a one week minimum but this has been eliminated and thus there is no minimum stay required what so ever.

[https://www.tax.ny.gov/pubs\\_and\\_bulls/tg\\_bulletins/st/hotel\\_and\\_motel\\_occupancy.htm](https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/hotel_and_motel_occupancy.htm)

The Division of Tax Appeals has issued this no minimum stay requirement for any rental of real property because it is not the same as a hotel services thus not subject to sales tax. <https://www.ttrus.com/article.php?id=149>

The Village of Greenport should not create a new law.

If a property owner is operating a Bed and Breakfast type establishment without the proper zoning variance, perhaps the Village should address each case independently.

If a property owner makes illegal apartments, that is for the Village to address each case independently.

If there is excessive noise from a property, that too should be addressed on a case by case basis.

A new law limiting the existing rights of private property owners of one and two family homes will violate our Constitutional Right, is subject to an expensive lawsuit, is contradictory to the NYS Sales Tax Ruling and is a manipulation by the Bed and Breakfast, hotel and motel industry that is completely confusing the fact that **they are the exception** to the residential zoning, the hospitality industry is putting a "spin" on the reason for the request of the new law and are patting themselves on the back as promoters of business in Greenport, well perhaps the Bed and Breakfast establishments should relocate from their current residentially zoned areas to a commercially zoned location. They have unreasonable expectations of what they are entitled to.

Residentially zoned one and two family homes have their right to be rented or used as deemed by their owner with no minimum nor maximum stay and the NYS Sales Tax Department memorandum confirms this.

Respectfully,

Sofia Antoniadis

This post was authored by Amy Lavine, Esq.

A California case decided in January rejected the plaintiffs' request for a preliminary injunction in their lawsuit challenging the City of Hermosa Beach and its ban on short term vacation rentals. The court found that the plaintiffs were unlikely to succeed on their claim that the short term rental ban violated the California Coastal Act. *Johnston v. City of Hermosa Beach*, 2018 WL 458920 (1/17/18).

Following years of debate among local officials and residents, the City of Hermosa Beach enacted an ordinance in 2016 that prohibited short term vacation rentals (STVRs) in residential zones. STVRs were technically prohibited even before the ordinance was enacted, as they were not specifically allowed under the residential zoning regulations and thus were deemed prohibited uses. Despite the fact that they were not actually permitted uses, the number of STVRs in the city had ballooned in recent years, along with increased complaints from other residents, and these growing concerns prompted the city to officially prohibit STVRs. As enacted, the ordinance provided that residential rentals for less than 30 days were unlawful in all residential zoning districts within the city and for all types of dwellings, including single family, multiple family, mobilehome, and professional housing units. The ordinance also prohibited advertising for STVRs in the city, whether such advertisements were made in print or through online websites like Airbnb.

The plaintiffs were city residents who rented their homes as STVRs and relied on short term rentals for a substantial part of their income. They sought a preliminary injunction to prevent loss of income and other financial and non-financial irreparable harm, but the trial court denied their request for injunctive relief because it found that they were unlikely to succeed on the merits. The trial court's decision more specifically explained that the plaintiffs' claim under the Coastal Act was unlikely to succeed because the ordinance did not qualify as a "development" subject to review and approval from the Coastal Commission; the prohibition on advertising for STVRs was not an unconstitutional restriction on commercial speech because the First Amendment does not protect commercial speech advertising illegal activities; and they were unlikely to establish any vested nonconforming use rights because STVRs had never been a permitted use and a valid nonconforming use could not arise from the prior illegal use of their properties. The trial court also engaged in a balancing process and considered the financial harm the plaintiffs would suffer as a result of the ordinance, but it ultimately determined that the plaintiffs' financial interests were outweighed by the city's interests in regulating STVRs.

The plaintiffs did not pursue their First Amendment and vested rights claims on appeal, and they recast their claim that the ordinance violated the Coastal Act, arguing instead that the ordinance was preempted by the Coastal Act. But regardless of how they phrased their Coastal Act claim, the court agreed with the decision below that the plaintiffs were unlikely to succeed on the merits.\*\*\* There was no basis for preemption in this case, the court explained, because the city had the authority to enact the ordinance as a police power regulation and nothing in the Coastal Act gave the Commission any role in that process. The Coastal Commission's authority to review and/or preempt city ordinances was in fact rather narrow, the court explained, as it extended only to the review of coastal development permits and the approval or disapproval of local coastal plans. Neither type of review was at issue before the court, as the city did not have a

local coastal plan at the time the ordinance was enacted, and the plaintiffs had conceded at trial that the ordinance was not a “development” under the Coastal Act. Additionally, the sections of the statute relating to lower cost visitors and visitor-serving commercial facilities only applied to the review of local coastal plans, and thus the plaintiffs reliance on these sections was also misplaced.

\*\*\*Although the decision in this case was favorable to Hermosa Beach, a case decided in March found that a similar short term rental ban was in fact a “development” subject to the permit and approval requirements in the Coastal Act. The ban in that case, *Greenfield v. Mandalay Shores*, was imposed by a homeowners association, not the local government, however, and unlike this case it impacted an extensive area of coastal land.

*Johnston v. City of Hermosa Beach*, 2018 WL 458920 (1/17/18).

## Sylvia Pirillo

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**From:** Mary Wade <vision4me@icloud.com>  
**Sent:** Thursday, July 12, 2018 2:29 PM  
**To:** George Hubbard; Jack Martilotta; Mary Bess Phillips; Douglas Roberts; Julia Robins  
**Cc:** Paul Pallas; Sylvia Pirillo  
**Subject:** Short Term Rental Regulations  
**Attachments:** Notes 7-2-18.pdf

Dear Mayor and Board,

I was very disappointed to see the draft short-term rental law that abdicates all responsibility for providing reasonable regulations to protect the Village's housing stock and opens up the village to investors. It is confusing in its strange definitions of one year and 2 weeks. Residential as a zoning term, as my comments below state, is considered to be one month or more and shorter than that is now NOT permitted in R-1 and R-2. What are you considering 2 - 4 wrecks? Why are homes with a second apartment excluded? How can you throw all responsibility onto the Planning Board whose authority is limited to applying regulations to each application?

I would hope you would create an alternative regulation now for Public Comment that includes the recommendations below. I have talked to too many people driven from their rental by investors looking to profit from short-term rentals—NOT, as AirBnB claims to support, the homeowner looking to rent to get a little help with their expenses. I am happy to discuss further with any of you.

Please reconsider. Randy Wade 917-655-6939

Begin forwarded message:

**From:** Mary Wade <vision4me@me.com>  
**Subject:** Short Term Rental Proposed Regulations and Research  
**Date:** July 2, 2018 at 12:27:22 PM EDT  
**To:** Sylvia Pirillo <spirillo@greenportvillage.org>, George Hubbard <ghubbard@greenportvillage.org>  
**Cc:** Paul Pallas <pjpallas@greenportvillage.org>

Hi Sylvia,

Can you please forward to the Village attorney and perhaps print as well? The Mayor is meeting with him today and tomorrow to go over regulation changes. The text bullets came unnumbered so I am also attaching a pdf.

Hi George,

Let me know if I can help or explain anything further.

Thanks, Randy

**Air BnB Regulations for Greenport**  
Submitted by Randy Wade

Transient or Short-term Housing is currently not allowed in the zoning code in R-1 and R-2 districts except as a Bed & Breakfast with the owner present. A residential district has been established to create calm, healthy and quiet environments apart from commercial districts. The zoning term Residential means either an owner-occupied domicile or a dwelling unit rented for a

minimum of 30 days for the same purpose. 'A shorter rental period would be "transient." Other ancillary home occupations are permitted with the owner present and are also specified in the code as well as conditional uses requiring Planning Board approval.

Any code revision should define Residential Use and Transient Use to clarify.

The real estate brokers used to, and may still, represent summer rentals of a minimum one month or it would not be worth the small fee. Now computerization and AirBnB have made it easy for shorter term rentals to find customers. The one month minimum did not seem to impact the number of rentals available to workers. The new short-term rentals have had a serious impact on year-round rental availability and opened a new market for commercial tourism landlords.

Operating housing for tourists is a business that previously had required an investment in commercial property, payment of commercial property taxes, commercial utility bills and received much more scrutiny than a typical residential home receives from the County and Village.

AirBnB claims to support the sharing economy where owners can get a little extra money to help pay their mortgage. They have been supportive of homes rented by owners as an ancillary use of their property. The following proposed changes would be consistent with this and each proposal has been instituted elsewhere:

1. Institute the "one home-one listing" law for residential properties in Greenport and since the hamlet is so small add "or within a 50 mile radius."
1. The code for bed & breakfast can remain for owner occupied homes renting a room and bath. The code enforcer can look at online platforms to ensure that it is clear the entire home has not been advertised for rent short-term.
1. If the owner is not on-site in a second unit, the rental should be a two weeks minimum. Greenport should be consistent with Southold and other east end towns. The code enforcer can easily see online if owners are advertising for shorter and fine them. [Perhaps the proposed regulation should offer up one week as an alternative for the public hearing and this could be determined after public input.]
1. For more than two dwelling units on a lot, only the second unit may be rented for Transient use, not the third, etc.
1. As other municipalities have done, require that it be rented for no more than 3 months a years. Some municipalities require it be a primary residence of the renter for 9 months of the year but Greenport has a tradition NYC workers keeping a second home here that they may or may not consider their primary residence but that they come out to year-round.
1. Make fines a minimum \$500 for the first offense, going up from there.
1. Neighbors should be notified prior to a permit application and complaints considered prior to renewal.
1. A Transient Occupancy Tax (TOT) of 9% should be paid to the village, the code should identify other taxes that need to be paid such as the County's tourism tax. [Pasadena has a quarterly online reporting system for this.]

1. The rental permit number should be displayed on the house and used in all advertisements.
1. All accessory short-term rentals are required to maintain a guest log book with names and home addresses of overnight guests, guest's license plate numbers if traveling by car, dates of stay, and the room assigned each guest. The log must be available for inspection by City staff upon request.

As much as possible, regulation should avoid a windfall going to a few or a situation that encourages hostility between neighbors. Fair and reasonable regulations applied to all will benefit the village.

#### RANDOM SNIPPETS COPIED FROM THE INTERNET OR SYNTHESIZED

NYC and San Francisco have "one home one listing" laws. Air BnB enforces this. <https://www.airbnb.com/help/article/1333/why-can-t-i-have-listings-at-more-than-one-address-in-select-locations>

Type 1 rentals—long term  
Type 2—short-term or transient

Wachsmuth found reason to believe that Airbnb has indeed raised rents, removed housing from the rental market, and fueled gentrification—at least in New York City  
<https://www.mcgill.ca/urbanplanning/people-0/wachsmuth>

It is true that in NYC Professional hosts in NYC make up 12% of short-term rentals but earn 28% of overall income.

NYC fines from \$1,000 to \$5,000

...New York State's Multiple Dwelling Law (MDL), which forbids short-term rentals of fewer than 30 days in buildings with three or more units, unless the owner is present.

<https://www.citylab.com/equity/2018/03/what-airbnb-did-to-new-york-city/552749/>

San Francisco - Renter must live at location 275 days per year with a maximum of 90 rented days annually

New Orleans - 60 day minimum days rented in French Quarter and 30 days elsewhere

Pasadena - owner must live 9 months out of year on property with limit of 90 days rented per year. Business license not required but permit is. Three violations can pull permit. For duplex second unit can be unlimited hosted if owner in primary house. For triplex only the second can be a short term rental. Must pay quarterly 12.11% TOT, Transient Occupancy Tax, on rent & other paid expenses such as cleaning, pet fee, late check-out. Must report each quarter even if not rented on-line. <https://ww5.cityofpasadena.net/planning/short-term-rental-regulations/>

San Luis Obispo - cannot be within 200' of similar rental on block

Boulder, CO. Must be primary residence to rent short term.

Jacksonville, FL - only in commercial district

Breckenridge college 5.9% tax + 2.9% to state.

Arizona state tax at 6.5% plus local

**Palm Desert, Arizona** transient occupancy tax 9% tax

**Seattle** - \$14 a night, two rentals only (primary & one short term) after a year a 3rd if their primary residence, the small downtown area would be grandfathered in

**Eugene, OR** - 4.5% tax, no more than 5 unrelated persons or family, no money charged for housing on wheels—only one per property, property owner must occupy one if two dwellings on property.

**Austin** will phase out all short-term rentals by 2022.

**Portland, Oregon** - Type A Accessory Short-Term Rental is one where the resident rents no more than 2 bedrooms to overnight guests. A Type A Accessory Short-Term Rental Permit is required, which includes a safety inspection as part of the permit approval and neighborhood notification.

Type B Accessory Short-Term Rental is one where the resident rents between 3 and 5 bedrooms to overnight guests. A Land Use Conditional Use Review application is required along with a site inspection or self-certification for the same safety features as the Type A rental. Please visit a BDS planner in the Development Services Center or phone them at (503) 823-7526 to discuss a Type B accessory short-term rental and the Land Use Conditional Use Review process.

**City of Portland:** 6% (5% to City general fund; 1% to Travel Portland), and  
**Multnomah County:** 5.5% (2.5% Convention Center Phase II, .275% hotel operators, 2.725% Convention Center Phase I)

For both A & B: Must reside in home 9 months, so non-hosted max 3 months.

City requires the accessory short-term rental permit number to be included in all advertising or other listing services and be prominently displayed in the dwelling unit. The Revenue Bureau will also request your permit number when you register for the Transient Lodging Tax.

...you must provide a Neighborhood Notice to property owners abutting or directly across from your property as a courtesy. As long as you meet the requirements for accessory short-term rentals and renew your permit every two years you are allowed to rent up to two of your bedrooms to overnight guests.

\$1,000 to \$5,000 fine for not posting and other violations.

All accessory short-term rentals are required to maintain a guest log book with names and home addresses of overnight guests, guest's license plate numbers if traveling by car, dates of stay, and the room assigned each guest. The log must be available for inspection by City staff upon request.

**The ten cities** where Airbnb is effectively **illegal** are: Fort Worth, Jacksonville, Kansas City, Los Angeles, New Orleans, Santa Barbara, Fresno, Atlanta, Denver, and Oklahoma City.

**Santa Fe** - All rentals of less than 30 days must now register for either a short term rental permit (residential zoning) or registration permit (commercial, BCD, industrial, resort or other). Increased cap of residential permits from 350 to 1,000. This cap level will be evaluated by City Council in 18 months. It can be adjusted through action of a resolution and public hearing. Eliminated the restriction of 17 rentals per year but kept the limitation of one rental every 7 days.

Short-term rental permits will not be issued for more than two short-term rentals units directly adjoining each other on a residentially-zoned street.

Clarified that a short-term rental permit is non-transferable. If a person who has a short term rental permit sells their property then the permit reverts back to the City of Santa Fe. The buyer would need to apply for a new permit after taking ownership of the property.

For renewals, applicants can submit self-compliance statement and other documents.

In addition to notifying neighbors applicants shall notify homeowners or neighborhood associations.

The one-time application processing and inspection fee was reduced from \$150 to \$100. Annual permit fees for residentially-zoned units and accessory units decreased from \$350 to \$325. Registration permits for non-residential and resort units are now \$100 where there was no cost previously. Any short-term rental permits or registrations that are issued will automatically include a business license.

Added a 30-day extension for permit renewal for a fee of an additional \$50.

The fees for enforcement have increased. If caught with non-permitted or registered rental you are given a fine of \$500 for the first 14 days of the violation then \$250 fine for each additional day of violation. If realtor is advertising illegal STR then they could lose their business license in the City. Liens can also be put on property if fines are not resolved.

The applicants must now list where they advertise (i.e. VRBO, Airbnb) on their application. Additionally, the permit or registration numbers must be listed in the advertisement. Short-term rental permits will not be issued when there are HOA or covenants prohibiting short-term rentals.

Short-term rental uses must be for residential purposes only and do NOT include vents and large celebrations.

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## **Air BnB Regulations for Greenport**

Submitted by Randy Wade

Transient or Short-term Housing is currently not allowed in the zoning code in R-1 and R-2 districts except as a Bed & Breakfast with the owner present. A residential district has been established to create calm, healthy and quiet environments apart from commercial districts. The zoning term Residential means either an owner-occupied domicile or a dwelling unit rented for a minimum of 30 days for the same purpose. 'A shorter rental period would be "transient." Other ancillary home occupations are permitted with the owner present and are also specified in the code as well as conditional uses requiring Planning Board approval.

Any code revision should define Residential Use and Transient Use to clarify.

The real estate brokers used to, and may still, represent summer rentals of a minimum one month or it would not be worth the small fee. Now computerization and AirBnB have made it easy for shorter term rentals to find customers. The one month minimum did not seem to impact the number of rentals available to workers. The new short-term rentals have had a serious impact on year-round rental availability and opened a new market for commercial tourism landlords.

Operating housing for tourists is a business that previously had required an investment in commercial property, payment of commercial property taxes, commercial utility bills and received much more scrutiny than a typical residential home receives from the County and Village.

AirBnB claims to support the sharing economy where owners can get a little extra money to help pay their mortgage. They have been supportive of homes rented by owners as an ancillary use of their property. The following proposed changes would be consistent with this and each proposal has been instituted elsewhere:

1. Institute the "one home-one listing" law for residential properties in Greenport and since the hamlet is so small add "or within a 50 mile radius."
2. The code for bed & breakfast can remain for owner occupied homes renting a room and bath. The code enforcer can look at online platforms to ensure that it is clear the entire home has not been advertised for rent short-term.
3. If the owner is not on-site in a second unit, the rental should be a two weeks minimum. Greenport should be consistent with Southold and other east end towns. The code enforcer can easily see online if owners are advertising for shorter and fine them. [Perhaps the proposed regulation should offer up one week as an alternative for the public hearing and this could be determined after public input.]
4. For more than two dwelling units on a lot, only the second unit may be rented for Transient use, not the third, etc.

## Notes from Web Research on Air BnBs

5. As other municipalities have done, require that it be rented for no more than 3 months a years. Some municipalities require it be a primary residence of the renter for 9 months of the year but Greenport has a tradition NYC workers keeping a second home here that they may or may not consider their primary residence but that they come out to year-round.
6. Make fines a minimum \$500 for the first offense, going up from there.
7. Neighbors should be notified prior to a permit application and complaints considered prior to renewal.
8. A Transient Occupancy Tax (TOT) of 9% should be paid to the village, the code should identify other taxes that need to be paid such as the County's tourism tax. [Pasadena has a quarterly online reporting system for this.]
9. The rental permit number should be displayed on the house and used in all advertisements.
10. All accessory short-term rentals are required to maintain a guest log book with names and home addresses of overnight guests, guest's license plate numbers if traveling by car, dates of stay, and the room assigned each guest. The log must be available for inspection by City staff upon request.

As much as possible, regulation should avoid a windfall going to a few or a situation that encourages hostility between neighbors. Fair and reasonable regulations applied to all will benefit the village.

### **RANDOM SNIPPETS COPIED FROM THE INTERNET OR SYNTHESIZED**

NYC and San Francisco have "one home one listing" laws. Air BnB enforces this.  
<https://www.airbnb.com/help/article/1333/why-can-t-i-have-listings-at-more-than-one-address-in-select-locations>

Type 1 rentals—long term  
Type 2—short-term or transient

Wachsmuth found reason to believe that Airbnb has indeed raised rents, removed housing from the rental market, and fueled gentrification—at least in New York City  
<https://www.mcgill.ca/urbanplanning/people-0/wachsmuth>

It is true that in NYC Professional hosts in NYC make up 12% of short-term rentals but earn 28% of overall income.

## Notes from Web Research on Air BnBs

NYC fines from \$1,000 to \$5,000

...New York State's Multiple Dwelling Law (MDL), which forbids short-term rentals of fewer than 30 days in buildings with three or more units, unless the owner is present.

<https://www.citylab.com/equity/2018/03/what-airbnb-did-to-new-york-city/552749/>

San Francisco - Renter must live at location 275 days per year with a maximum of 90 rented days annually

New Orleans - 60 day minimum days rented in French Quarter and 30 days elsewhere

Pasadena - owner must live 9 months out of year on property with limit of 90 days rented per year. Business license not required but permit is. Three violations can pull permit. For duplex second unit can be unlimited hosted if owner in primary house. For triplex only the second can be a short term rental. Must pay quarterly 12.11% TOT, Transient Occupancy Tax, on rent & other paid expenses such as cleaning, pet fee, late check-out. Must report each quarter even if not rented on-line. <https://ww5.cityofpasadena.net/planning/short-term-rental-regulations/>

San Luis Obispo - cannot be within 200' of similar rental on block

Boulder, CO. Must be primary residence to rent short term.

Jacksonville, FL - only in commercial district

Breckenridge college 5.9% tax + 2.9% to state.

Arizona state tax at 6.5% plus local

**Palm Desert**, Arizona transient occupancy tax 9% tax

**Seattle** - \$14 a night, two rentals only (primary & one short term) after a year a 3rd if their primary residence, the small downtown area would be grandfathered in

**Eugene, OR** - 4.5% tax, no more than 5 unrelated persons or family, no money charged for housing on wheels—only one per property, property owner must occupy one if two dwellings on property.

**Austin** will phase out all short-term rentals by 2022.

**Portland, Oregon** - Type A Accessory Short-Term Rental is one where the resident rents no more than 2 bedrooms to overnight guests. A Type A Accessory Short-Term Rental Permit is required, which includes a safety inspection as part of the permit approval and neighborhood notification.

## Notes from Web Research on Air BnBs

Type B Accessory Short-Term Rental is one where the resident rents between 3 and 5 bedrooms to overnight guests. A Land Use Conditional Use Review application is required along with a site inspection or self-certification for the same safety features as the Type A rental. Please visit a BDS planner in the Development Services Center or phone them at (503) 823-7526 to discuss a Type B accessory short-term rental and the Land Use Conditional Use Review process.

**City of Portland:** 6% (5% to City general fund; 1% to Travel Portland), and  
**Multnomah County:** 5.5% (2.5% Convention Center Phase II, .275% hotel operators, 2.725% Convention Center Phase I)

For both A & B: Must reside in home 9 months, so non-hosted max 3 months.

City requires the accessory short-term rental permit number to be included in all advertising or other listing services and be prominently displayed in the dwelling unit. The Revenue Bureau will also request your permit number when you register for the Transient Lodging Tax.

...you must provide a Neighborhood Notice to property owners abutting or directly across from your property as a courtesy. As long as you meet the requirements for accessory short-term rentals and renew your permit every two years you are allowed to rent up to two of your bedrooms to overnight guests.

\$1,000 to \$5,000 fine for not posting and other violations.

All accessory short-term rentals are required to maintain a guest log book with names and home addresses of overnight guests, guest's license plate numbers if traveling by car, dates of stay, and the room assigned each guest. The log must be available for inspection by City staff upon request.

**The ten cities** where Airbnb is effectively **illegal** are: Fort Worth, Jacksonville, Kansas City, Los Angeles, New Orleans, Santa Barbara, Fresno, Atlanta, Denver, and Oklahoma City.

**Santa Fe** - All rentals of less than 30 days must now register for either a short term rental permit (residential zoning) or registration permit (commercial, BCD, industrial, resort or other).

Increased cap of residential permits from 350 to 1,000. This cap level will be evaluated by City Council in 18 months. It can be adjusted through action of a resolution and public hearing.

Eliminated the restriction of 17 rentals per year but kept the limitation of one rental every 7 days.

Short-term rental permits will not be issued for more than two short-term rentals units directly adjoining each other on a residentially-zoned street.

## Notes from Web Research on Air BnBs

Clarified that a short-term rental permit is non-transferable. If a person who has a short term rental permit sells their property then the permit reverts back to the City of Santa Fe. The buyer would need to apply for a new permit after taking ownership of the property.

For renewals, applicants can submit self-compliance statement and other documents. In addition to notifying neighbors applicants shall notify homeowners or neighborhood associations.

The one-time application processing and inspection fee was reduced from \$150 to \$100. Annual permit fees for residentially-zoned units and accessory units decreased from \$350 to \$325. Registration permits for non-residential and resort units are now \$100 where there was no cost previously. Any short-term rental permits or registrations that are issued will automatically include a business license.

Added a 30-day extension for permit renewal for a fee of an additional \$50.

The fees for enforcement have increased. If caught with non-permitted or registered rental you are given a fine of \$500 for the first 14 days of the violation then \$250 fine for each additional day of violation. If realtor is advertising illegal STR then they could lose their business license in the City. Liens can also be put on property if fines are not resolved.

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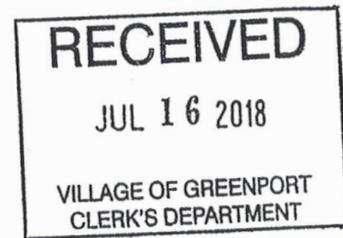
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Charles Milot  
619 Carpenter Street  
Greenport, NY 11944



July 8<sup>th</sup>, 2018

Mayor George Hubbard Jr  
Village of Greenport  
236 Third Street  
Greenport, NY 19944

Dear Mayor George Hubbard Jr,

I wanted to write to you to tell my side to the proposal to change "short term" rental laws. I still do not fully understand what is being proposed so I will be attending the meetings on Thursday July 19<sup>th</sup> and July 26<sup>th</sup> and doing my due diligence but thought it would be important to put below in front of you prior to any more developments.

I recently purchased a house in Greenport and I rent it on Airbnb. I am 28 years old and have saved my butt off for the last five years to do so. I live in NYC but have been coming to the North Fork and Greenport my entire life. I spend as much time out here as possible. My Grandparents planted the original Pellegrini Vineyards site in 1988 (Island Vineyards). I've spent Summers fruit thinning, Falls picking pumpkins at Krupski's, Winters ice skating at Town Green, and this Spring I was lucky enough to spend fixing up an 1820's house on Carpenter street with my family that desperately needed work. My search for a home started a few years back when my grandparents sold their farm in Cutchogue and moved to Peconic Landing. Our family for the first time in my life no longer had a home base on the North Fork. It felt strange not spending holidays out here together, more so when my Grandmother passed last year. This motivated me to work harder and save more to make my dream of owning a home and having a home base for my family out here a reality.

The fact is that renting out my house periodically for around 3 months total a year will allow me financially to keep the property and enjoy it with my family for the other 9 months of the year.

My average renter stays 6 days. Why do my renters rent my house? It could be that I've spent countless hours fixing my property up to be attractive and I market it well. Renters love the look and style of my now updated home (thanks to my Grandfather who comes from Peconic Landing to water the window boxes and keep the house looking great three times a week)—but no—the number one reason people rent my house (80% of renters so far) is so that they can bring their children and dog with them on vacation.

To the B&B owners that complain about short term renters what I would say to them is that your renters on average stay less time than mine. I would also say that it is not my fault you have not adapted to what consumers want—there is no lack of demand and certainly that demand will only continue to grow in Greenport. List your B&B on Airbnb if you have not done so already (I see some on there) and make your business friendlier to families and dogs. Many hotel owners in town I have spoken with have no issue with short term rentals and Airbnb—they market themselves well and are booked well out in advance.

What I will say to the village is that you cannot underestimate the impact that the 70 or so odd properties that rent on Airbnb in Greenport have in bringing economic benefit. I will also say that platforms like Airbnb and Uber are not going away and you can study countless cases of cities or towns that have tried to over regulate them and failed. This is the 21st century.

As I am sure you are aware Shelter Island is currently involved in a horrible legal battle between the town/board members and those that want to rent short term after trying to regulate them. This case looks like it may end up at The New York Supreme Court. Banning short term rentals may be deemed unconstitutional under the 14<sup>th</sup> Amendment.

Lastly, I'll repeat that because I can rent my house periodically throughout the year (it would sit empty if I did not) that I can afford to keep the property and enjoy it and all the town has to offer with my family. The flexibility of shorter term rentals is vital as I want to be able to use my house too (especially in the summer)! I am not getting rich off this "business" simply just getting by so I can enjoy Greenport with my family as much as I can.

This property is so special to my family and me. To threaten our ability to maintain it and use it, to regulate to protect the very few who have not adapted their businesses to what consumers want is not what this country is about. This house is my American Dream please do not take it away with regulation!

Sincerely,

A handwritten signature in cursive script that reads "Charles Milot".

Charles Milot

631-258-5252