

**MINUTES OF PUBLIC HEARING OF THE TOWN BOARD OF  
THE TOWN OF HUNTER HELD ON TUESDAY, JUNE 13, 2023,  
ON DRAFT LOCAL LAW FOR SHORT TERM RENTALS HELD  
AT THE MOUNTAIN TOP LIBRARY LOCATED ON RTE. 23A  
IN TANNERSVILLE, NEW YORK.**

|                 |                                      |                            |
|-----------------|--------------------------------------|----------------------------|
| Present:        | Sean Mahoney                         | Supervisor                 |
|                 | David Kukle                          | Councilman                 |
|                 | Raymond Legg                         | Councilman                 |
|                 | Ernest Reale                         | Councilman                 |
|                 | Dolph Semenza                        | Councilman                 |
|                 | Corina Pascucci                      | Town Clerk                 |
| Others Present: | Marc Czermerys                       | Planning Board Chairman    |
|                 | Sarah Pellizzari                     | Code Enforcement Officer   |
|                 | Robert Blain                         | Superintendent of Highways |
|                 | Plus, all names on attached listing. |                            |

Supervisor Mahoney opens the Public Hearing at 6:00 PM with the Pledge of Allegiance to the Flag.

Jeff and Ilana Marcus who reside in Colonel Chair Estates. They have concerns over the odor, unsightliness and distance between dumpsters and the road. They also have fire safety concerns about cars parked in the roadway at rental homes around them and noise issues. They state these homes are often rented for corporate events; they reside in a residential area that has become commercial.

Supervisor Mahoney states the larger short term rental properties will be required to go through site plan review with the planning board which will address garbage disposal and parking. He adds that neighboring landowners would be made aware of site plan activity as public hearings would be required.

Councilman Kukle states the occupancy determined by the Code Enforcement Officer is the number of people that will be allowed in the building based upon their Certificate of Occupancy.

Discussion about the maximum number of overnight guests allowed.

Natalie Yantovshiy makes the following statements and asks the following questions:

- The definition of a short-term rental in the law is duplicative.
- Why are Bed & Breakfasts excluded from the law?
- Requests a more detailed definition of what a bedroom is.
- Finds maximum and minimum number of cars allowed for parking confusing.
- Questions number of fire extinguishers required in the law, feels it is excessive if the main floor of the building has an open concept.
- Asks why the law states dumpsters must be 10 feet from roadway, why not 6 or 7. Also, why regulate how often garbage must be picked up.
- Questions degree of urgency for the contact person to be notified.
- Feels that disturbing the peace should not be in the law, feels it should be worked out between neighbors.
- Asks why the number of people per bedroom is limited.

- Asks if the inspections are annual?

Councilman Legg states the Town Board has erred on the side of caution and safety when it comes to fire extinguishers.

Councilman Semenza states the law must be good for both the people who live here and the people trying to make an income. He adds that residential areas have become commercial. He adds that wells and septic systems were not built to accommodate 30 plus people.

Supervisor Mahoney addressed the questions asked above about garbage cans and dumpsters being required to be 10 feet from the roadway. He states that we snowplow our roads so the cans and dumpsters must be far enough back, so the snowbank does not impact the pickup of trash. He adds that originally the law required screening of the dumpsters, and this has been removed from the draft law as a compromise. He adds that some places don't have their garbage picked up regularly and this law would be establishing a minimum standard for people to operate and if they don't, they will not get a permit. He states that there will be thresholds for urgency. He states the limit on a bedroom is double occupancy and the law accounts for bunkbeds with the plus two. He states the inspections will be on an annual basis.

Councilman Reale later points out that the short-term rentals owned by Natalie Yantovshiy are in the Village of Hunter.

Dylan Marcus feels this should not be a debate over what the difference is between a good law and a convenient law, adding that the search for perfect clarity is not realistic. He feels that if you are a business in a residential area and have chosen to commercialize your home, you have the obligation to go the extra mile.

Councilman Kukle references the last sentence in the draft law under Purpose and Scope: this local law seeks to achieve a balance between those who offer their homes as short-term rentals properties and those who choose not to do so.

Serhiy Yevtushenko asks what happens if a neighbor simply doesn't like the short-term rental owner and they call in false complaints, can the license be revoked.

Supervisor Mahoney states the intent of the law is to vet the complaints.

Kathy B. asks what the cost is for all of this and the cost of enforcement?

Supervisor Mahoney states taxes will not go up because of this, adding that the costs are to be driven by revenue from the permit. He states this law is because numerous incidents of concerned neighbors pertaining to short-term rentals have been reported. He adds the town is not looking to put anyone out of business, the town wants a minimum standard to be established. Regarding enforcement, he states the plans for the administration of this law is the Town of Hunter Police Department, the Code Enforcement Officer and the town has hired an intern and potentially will be adding a part-time Code Enforcement Officer with all costs being covered by fees associated with the law.

Councilman Legg states the homes will be inspected when a permit is applied for which will eliminate bedrooms with no ingress/egress.

Unknown speaker asks about the town's noise ordinance.

Supervisor Mahoney states the town does have a noise ordinance in effect which essentially facilitates the police to come and tell the occupants of the residence to turn their music down and inform them that they don't want to have to return.

Alan Higgins states there are indoor and outdoor noise detectors that the short-term rental owners can install at their properties which will send an alert to them or their property maintenance contact when noise levels go above what is acceptable.

Discussion on fee schedule – not yet a public record. Supervisor Mahoney states the fee schedule will be public record once it has been adopted.

Discussion was held about adding a fee to the schedule for re-inspections.

Dana Larson asks what the process will be for seeking out short-term rentals operating without a permit, what is the incentive for getting a permit. She feels that a magnifying glass is being placed on the short-term rentals but not on other residences. She states that short-term rental owners put a lot of work into their properties and will not require an inspection but where is the accountability for everyone else. She states everyone should be held to high standards.

Supervisor Mahoney states the service that the town will contract with has an address feature integrated in real time which is constantly creating a list of short-term rentals on the various platforms and those properties will be flagged if they do not have a permit. He adds that if they don't get a permit then they will be removed from the platforms. He adds that the town has property maintenance laws and site plan laws that govern all property in the Town of Hunter.

Supervisor Mahoney makes a MOTION to close the Public Hearing at 7:24 PM. Seconded by Councilman Semenza.

Ayes -5-

Noes -0-

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Corina Pascucci, Town Clerk, RMC  
Town of Hunter