

Village of Cold Spring
Village Board of Trustees
85 Main Street, Cold Spring, NY 10516

Public Hearing
5-6-2021

The Village of Cold Spring Board of Trustees held an online Public Hearing via video conference pursuant to Executive Order 202.1 on Thursday May 6, 2021 at 6:30pm. Present were Mayor Merandy and Trustees Marie Early, Kathleen E. Foley and Frances Murphy.

PUBLIC HEARING

The Village Board held a public hearing to consider proposed local laws on adding Chapter 100 Short Term Rentals (STR) and amending sections: 134-2 Word Usage and Definitions, 134-7 Regulations for R-1 One Family Residence District, 134-8 Regulations for R-3 Multifamily Residence District, 134-9 Regulations for B-1 General Business District, 134-12 Regulations for I-1 Office-Light Industry District, 134-13 Regulations for I-2 Heavy Industry District, 134-15 Regulations for B-4 Designated Medical and Health Care Facility District and 134-15A Regulations for B-4A Medical and Health Care Facility Mixed Use District.

Mayor Merandy made introductory remarks noting that:

- All persons will be heard beginning with Village residents, followed by Village business owners and Village property owners and then all others
- This hearing is a SEQR Type I action
- The Board is present to listen to all concerned parties
- The proposed local law is a draft and is not “set in stone”
- Speakers will each have three minutes

Mayor Merandy made a motion to open the public hearing. Trustee Murphy seconded and the motion passed unanimously at 6:40 pm.

PUBLIC COMMENT

Alex Miller, 45 Main St. commented that:

- He is concerned about provisions regarding noise, trash and the parking environment
- He’s had no problems with STR renters because his family also lives at the property
- Community character is not impacted (by STR) if the property is owner occupied
- He disagrees with proposed STR densities in the designated zones

Marianne Remy, 5 Cedar St. commented that:

- She agrees with the comments made by Alex Miller

- STR law should differentiate between whether the entire house is rented or only a portion
- The number of rental nights should depend upon this distinction
- The three year residency requirement is onerous
- \$2 million liability insurance coverage is too high as \$1 million is customary

Irene Pieza, 6 Paulding Ave commented that:

- She is not opposed to STR regulation
- STR owners should form an organization with a point person to monitor issues/complaints that arise
- Village website should indicate instructions about how to complain directly to Airbnb rather than having the Village be responsible
- She is concerned about the current high turnover in STR renters

John Lane & Charlotte Palmer Lane, 5 Mountain Ave commented that:

- They are 22-year residents in the Village
- They agree with the previous comments
- They have formed an ad hoc group: Cold Spring Union of Hosted Airbnb Residents and sent the Village a detailed email expressing their comments and concerns about the proposed law
- The proposed limits on the number and length of rentals will negatively impact Airbnb hosts
- The lottery is not an appropriate way to determine who can host

Ellen Dinerman, 425 East Mountain Road South commented that:

- STR income is important to hosts
- The lottery system is not an appropriate way to determine who can host
- She would like to see up to ten day stays

Matt DeGraaf, 32 Market St. commented that:

- He agrees with the previous comments, especially making a distinction about full or partial home rentals
- He has hosted 150-170 one night stays over the past year and would like to increase the number of allowable rentals (in a given year)

Bill McComish, 29-31 Rock St. commented that:

- The I-1 district is not included in the proposed law; he finds this distinction unfair and problematic.

Eliza Starbuck, 173 Main St. commented that:

- She was speaking as a private citizen.

- She favors a tiered approach

Michelle McCoy, 25 Mountain Ave. commented that:

- She lives next to an STR and the STR has been a problem
- If off-street parking is not available, the STR host should secure guest parking elsewhere
- What do condominiums permit relative to STRs?

Tara Vamos, 6 Rock St. commented that:

- The 60 day limit is too short
- Parking requirements are onerous
- Two night limit is capricious
- The 20 minute response (by hosts) to any complaints/issues is a good idea

Agnes Im, 13 Parrott St. commented that:

- The 300 foot separation between hosting properties is confusing
- The Village should look to how other municipalities have addressed STR's
- 120 nights per year is standard in the Hudson Valley

Alan Spiegel, 6 Rock St. commented that:

- Proposed law is overly restrictive and will limit STR hosts' ability to rent their properties

Aaron Wolfe, 24 Parsonage commented that:

- The idea of STR regulations is good
- Village should encourage visitors without cars (to alleviate parking problems)
- Enforcement of STR law may be difficult and the police officers may require additional training to address these new situations that may arise

Tom O'Quinn, 6 Chestnut St. commented that:

- He and his partner have an Airbnb property in Palm Springs
- He doesn't like the lottery and believes it will pit residents against each other
- High fines for noise violations would alleviate this problem

Tara Carroll, 59 Armando Road commented that:

- She is the owner of 69 Main St
- The proposed law unintentionally preclude her from renting
- There should be a Village committee to review and comment upon the proposed STR law
- Could there be a tiered system for properties in business and residential zones?

Dave Marzollo, 265 Lane Gate commented that:

- He owns property and a business at 75 Main Street
- He questions what problem is this law trying to solve
- Most people want to rent in an area that is walkable to the Village
- Airbnbs create less trash
- Airbnbs don't destroy community character
- Noise is a legitimate concern, but hosts can control this
- High fines (for noise, trash and similar) are a better solution than permits

Melia Marzollo, 265 Lane Gate commented that:

- Proposed regulations are "too much"
- It would be good to hear from other jurisdictions

Phil Heffernan, 7-9 Church St. commented that:

- "This is a solution in search of a problem"
- Current situation is well-managed and not a problem
- Existing Airbnbs are not causing a noticeable problem
- A lottery system is not feasible
- Most visitors to his STR come without a car
- Requirement for permits is a good idea

Matt Francisco, 18 Orchard St. commented that:

- The community's desire for STR regulations was demonstrated by the large attendance at the last public meeting
- Noted that a legal path has been available for property owners in the B1 District to operate their buildings as B&Bs/hotels. STRs are not the only option in the B1.

Tom Corless, 180 Main St. commented that:

- Proposed rules are restrictive
- Noise complaints should be made to the police (at the time they occur) rather than to the Village Board
- Will proposed law lead to spot-zoning?
- Airbnbs are kept in good condition

Tracy Bunye, 44 Parrott St. commented that:

- She would like to have the ability to rent her family's home for a longer term when they go on vacation and this rental income is what finances their vacation. Proposed law would preclude them from renting

- Proposed fees are onerous

Shelley Gilbert, 38 Mountain Ave commented that:

- Noise and traffic are problems that should be addressed first

Heather Hooks, 50 Healy Road commented that:

- She understands and sympathizes with the concerns that have been expressed
- She is concerned about an adverse economic impact (should the law be enacted)
- Proposed law is overreaching

Ethan Timm, 18 Cedar St. commented that:

- He has submitted an email with detailed comments
- He agrees that current laws and regulations are sufficient to address negative issues related to STR's
- Do Airbnbs really have a negative impact upon the community?
- The 300 foot radius is problematic and not clearly defined

Tara Vamos, 6 Rock St. commented that:

- She lives six feet away from the Marzollo's property and only recently became aware that it was a STR

Irene Pieza, 6 Paulding Ave commented that:

- She lives very close to three Airbnbs and this bothers her
- Who will enforce provisions of the law?

Denise Friedly, 7-9 Church St commented that:

- She has surveyed 106 past guests and:
 - Half drive and half take the train
 - Of those who drive, 19 park on the street and the balance on the property's driveway
- 80% want a "quick getaway"
- 90 persons reported spending over \$100
- 24 persons reported spending over \$300
- 66% plan to return
- 92 percent didn't use public restrooms

Tom Corless, 180 Main St commented that:

- It's easy to put up with bad neighbors for a short period of time
- STRs create economic benefits for the Village

- Additional public hearings should be held
- Volunteerism is declining anyway and not due to STRs

David Marzollo, 265 Lane Gate commented that:

- The law should be phased in to minimize the economic impact upon STR hosts who've suffered during the COVID pandemic
- Without STRs there are no other places for visitors to stay (in the Village)
- Local businesses need tourists

Matt DeGraaf, 32 Market St. asked where additional written comments should be sent. Board members said emails can be sent to yccsclerk@coldspringny.gov or via US Mail to: Village Clerk, 82 Main St.

Arahm & Nadia Mokhtar-Lee, 27 Mountain Ave. commented that:

- They apologize for behavior of large parties at their STR in the past
- After that last public meeting, they changed their hosting policies, placing limits on the number of people
- They typically rent the entire house
- They don't wish their past mistakes to negatively impact other STR hosts

Mayor Merandy made a motion to close the video conference portion of the public hearing, but to leave the public comment period open for at least one week. Trustee Early seconded and the motion passed unanimously.

ADJOURNMENT

Mayor Merandy made a motion to adjourn. Trustee Foley seconded and the motion passed unanimously at 8:18 pm.

Submitted by: M. Mell

Mayor Merandy

Date