

APPROVED
11/14/2022

**October 27, 2022
Town of Taghkanic
Town Board Meeting**

Note all documents in these minutes may be clicked on and enlarged for easier reading

6:45 pm: The Taghkanic Town Board held a meeting on the above date to review the STR Draft Regulations. *Supervisor Ryan Skoda* opened the meeting with the Pledge of Allegiance and moment of silence.

Town Board:

Present:	Ryan Skoda	Supervisor
	Elisabeth Albert	Board Member
	Elizabeth Craig	Board Member
	Kara Gilmore	Board Member
	Linda Swartz	Board Member
	Cheryl Rogers	Clerk

Absent:

Supervisor Ryan Skoda turned the meeting over to *Board Member Elizabeth Craig, Chair of STR Committee:*

Board Member Elizabeth Craig handed out the revised draft dated 10.27 to the Board Members and audience, and noted the changes since the last meeting, in red text. Additional revisions were suggested, noted here in blue text.

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DEFINITIONS FOR TERMS USED IN SHORT-TERM RENTAL DRAFT

Noted a definition for Adjacent Property is needed, to the following effect: A property that shares boundary lines with the STR property, including those separated by a road and immediately across from it.

10-27-22 Domicile: *Probably an unnecessary term for our purposes. Board members agreed with this change since any reference to Domicile was taken out of this draft.*

10-27-22 Resident Owner: *An Owner or Owners of a Dwelling in the Town of Taghkanic who make a notarized attestation or otherwise document their presence in the Dwelling for a Minimum of XX days/calendar year shall be understood to be Resident Owners, regardless of whether they are I residence full-time or part-time in any particular year.*

Noted a specific number of days must be agreed upon, Board members generally in favor of at least 60 days, some residents feel that is too few.

10-27-22 Un-hosted Short-Term Rental (STR): The short-term rental of an entire Dwelling ~~which is the Domicile of its owner, but~~ from which the Resident Owner is absent during the entire rental period.

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I. SHORT-TERM RENTALS ALLOWED ONLY BY RESIDENTS OF THE TOWN OF TAGHKANIC

10-27-22

Owner must provide the town with proof of ownership and must ~~provide a notarized attestation or other documentation that establishes Owner's presence in the Dwelling a minimum of XX nights per calendar year. demonstrate that property is the Owner's Domicile by use of the property's address as owner's residential address on at least two legal documents such as driver's license or other government photo ID, voter registration, or federal or state tax returns.~~

10-27-22

Owner must document residency ~~for a minimum of XX~~ nights per year ~~a minimum of~~ for **at least** one year prior to operating as an STR.

Noted for both changes above, the same specific number of days must be agreed upon, as for definition of Resident Owner.

II. REGISTRATION AND PERMIT REQUIRED FOR SHORT-TERM RENTALS

10-27-22

#B2 Evidence that property Owner is a Resident of the Town of Taghkanic, **as defined in Item 1, above.**

~~Two legal documents to support Owner's attestation that property is the Domicile of the Owner, such as driver's license, voter registration, or federal or state tax returns showing property address as Owner's residential address;~~

~~A notarized affidavit affirming that Owner has been in residence within the calendar year.~~

#B8 STR Permit must be renewed annually by application to Code Enforcement Officer.

Noted must clarify when each annual period begins – from January 1? Or original Application date?

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III. INSPECTION A PREREQUISITE FOR APPROVAL OF A SHORT-TERM RENTAL PERMIT

- A. Owner must arrange and pay for inspection by an independent licensed *New York State Home Inspector who must confirm that Dwelling and all regulated property features meet all health, fire, and safety requirements of local STR regulations before a STR Permit will be ~~approved~~ issued.*
- B. Upon completion and approval of Inspection, a STR Permit will be ~~approved~~ issued by the Code Enforcement Officer and filed with the Town Clerk.
Discussion followed of how much time the process of application, record-keeping of inspections, etc. will require for the CEO; all of the following kept in the draft.
- C. If an Inspection fails, CEO will advise applicant in writing of corrective action required.
- D. Re-inspection may be required as a prerequisite for annual STR Permit renewal, if there is reason to believe conditions of the property have changed.
- E. Upon receipt of an application for renewal of the STR Permit, the CEO will advise Owner in writing if re-inspection is required and will give the reason for this decision in writing.
- F. Owner will arrange any required re-inspection as per item ~~2-A~~ ~~III-D~~, above.

IV. TYPES OF SHORT-TERM RENTALS PERMITTED IN TAGHKANIC

~~#A1b~~ The name and contact information for the Local Host must be shared with all Owners of properties ~~within 1000'~~ **adjacent to the STR property lines and with the Code Enforcement Officer of the Town.** *Noted that in addition to changing this to "adjacent" properties, all references to Local Host should be updated to consistently read "Designated" Local Host.*

~~#A4~~ ~~There may be at most four Bedrooms in an Un-hosted STR and no more than 10 guests including children.~~

~~#B2~~ ~~There may be at most two Bedrooms the owner's residence offered for rent in an Un-hosted STR and no more than 5 guests including children.~~

The Board noted the typo in this section, which should have read "Hosted" STR, and discussed and ultimately disagreed with reasons for limiting capacity in a Hosted STR more strictly than in an Un-hosted STR, and further agreed that all capacity requirements should be the same for all types of STRs and should be included in section IV-D that is already devoted to capacity limits.

#C An Accessory Dwelling STRⁱ: The Short-Term Rental of an Accessory Dwelling located on the same lot as the Owner's ~~Domicile~~ Dwelling will be permitted under the following conditions:

~~#C2~~ ~~No more than four adult STR guests may be accommodated in an Accessory Dwelling.~~ *Same note as above, same capacity limits for all STRs, and move to section IV-D.*

V. EXPIRATION OF STR PERMIT WITH SALE OR TRANSFER OF PROPERTY

- A. STR Permits issued in the Town of Taghkanic are non-transferable.
- B. All STR Permits ~~are rendered null and void~~ shall terminate upon any change in Ownership of the property.
- C. New Owners must register for and obtain a new STR Permit prior to any STR of the property.

VI. SUNSET PERIOD

- A. A Dwelling or portion of a Dwelling which was operating as a Short-Term Rental prior to the adoption of these laws, that is not yet in compliance as a Short-Term Rental pursuant to these local laws, may continue to operate for a “Sunset Period” of one year from the date that the STR laws go into effect.
- B. At the conclusion of the one-year Sunset Period such a right will terminate.
- C. ~~The temporary right to operate does not absolve the Owner of any obligation to comply with applicable safety regulations.~~

Noted that VI-C is redundant to VI-D, and should be eliminated, and after a lengthy discussion of what precisely a Sunset Period should allow, the Board noted that specific required safety regulations must be spelled out clearly.

All **Board Members** agreed that **Board Member Elizabeth Craig** should make all changes that were suggested. She will send the revised draft to Town Board members via email. When **Board Member Elizabeth Craig** receives all Board Members’ approval she will then send to Cheryl, who will forward to our Land Use Attorney Robert Fitzsimmons.

Audience Comment: Donay Queenan brought up a recent advertisement for a local STR that saying it was a great place to hold a wedding. There was significant discussion about the use of STRs as “event” venues, and the Board agreed that it should re-visit the idea of prohibiting large gatherings but agreed that the language in previous drafts was overly restrictive. Elizabeth Craig will try to re-write to specifically prohibit use of STRs as event venues.

Executive Session: **NONE**

With no further business, on a motion by **Board Member Kara Gilmore**, seconded by **Board Member Elisabeth Albert** the meeting was adjourned at 8 **pm**, carried unanimously by all members present. The next Regular meeting will be **November 14, 2022** at the Taghkanic Town Hall.

Audience:	Chris Tallackson	Jeff Tallackson		
ZOOM				
Audience:	Joyce Thompson	Donay Queenan	Joann Klein	Susan Raymond
