

Alexis Dean and David Herman
246 Main Street
Nelsonville, NY 10516

June 22, 2021

Village of Nelsonville Board of Trustees
c/o Village Clerk
Nelsonville Village Hall
258 Main Street
Nelsonville, NY 10516

To Whom it May Concern:

We are writing this letter in connection with the Village's ongoing deliberations over short term rentals.

When we began considering a move to the Hudson Valley in late 2019, one of the things we considered was this issue of short-term rentals / Airbnb regulations. We were looking for a town that had a sense of community and, having stayed in Airbnb's in New York towns such as Beacon (more local) and Margaretville (in the Catskills), we had some first-hand experience in seeing how it might impact neighborhoods.

We have not gotten involved to-date because we have been supportive of the draft regulations the Village Trustees originally prepared and made available to the public and felt comfortable that we were in complete alignment with community sentiment – based on both the Village's survey and our own conversations on the Haldane blacktop, at kids' sporting events, etc.

However, as the public discussion has continued, we have noticed that the most active and vocal public comments have not been from what we think is a majority of families in support of thoughtful regulation, but rather from a minority of residents who would be adversely impacted.

So, we thought it would be helpful to speak up and outline our thoughts on the issue – which we believe are shared by many of our neighbors.

Safety and Community

Nelsonville is a close-knit community, and part of what creates such a safe space for our kids is knowing our neighbors and feeling good about letting our kids walk to their friends, to and from school, through the woods and into town. The increasing overflow from hikers and day-trippers is already creating concern, but that is not something that can be regulated, and is somewhat contained to the western part of town closer to Cold Spring and day-time hours. The more we introduce transients, the more that changes.

But this is not just an issue for us with kids, as it has the potential to impact a whole host of other quality of life and safety issues for the entire village. Noise. Trash. Speeding. Taking care of our woods and natural environment. All of these issues not only put a stress on safety and quality of life, but also put additional strain on our limited municipal services such as trash collection, police, fire and EMT.

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Housing Stock

My family and I were fortunate enough to have been able to move into a town that we have come to really appreciate and love over the last 15 months. But we first-hand saw the issues around housing stock when we started looking to move here in late 2019.

- The more open and flexible a short-term rental policy there is, it follows that you will tend to see buyers who are either zombie owners (landlords) or – perhaps more likely – buying with the intent to generate at least some rental income (“part timers”). In either case, what this could well do is (i) drive the cost of homes for purchase up and (ii) eliminate long-term rental opportunities.
- This will likely be exacerbated as people from the city settle into the new “work from home economy” and might be looking to live part time outside the city. I know of at least one colleague who is now trying to live in his second home in the Hudson Valley for 50% plus 1 day of the calendar year for tax purposes (whereas he was considering selling pre-pandemic).
- These trends might be good for folks looking to sell, but for those of us looking to stay and live in the Village, it could have a dramatic impact on the community. And it will make it harder for young adults that grew up here and young families looking to move here to find affordable and available housing.
- And those are two groups that: (i) help keep our schools strong; (ii) support our local businesses – not just during “peak” season and weekends, but Monday through Thursday and year round; and (iii) continue to create a sense of community (e.g., ensuring there are enough kids to field little league teams or cub scouts and brownies troops, or support nursery schools, or the arts; increasing the pool of potential volunteers for critical services throughout the community).

Zoning

While we are sympathetic to the impact this might have on a handful of people who have made decisions over time assuming they would be able to continue with short term rentals (and may well be good and responsible “hosts”), we should not lose sight of reality. Houses zoned residential are supposed to be for residential use. Properties zoned commercial are zoned for commercial use. If someone bought a house next to a property zoned commercial (or as a hotel), they would know to expect a flow of folks from outside our community.

Our understanding is that these regulations will actually provide more flexibility to owners of residential property than is technically permitted now by effectively rezoning properties that obtain a permit to allow for short term rentals.

Exceptions

In reading and listening to the public debate both here and in Cold Spring, we are comfortable with the idea of a defined exception to the proposed 5% cap on permits to allow for the issuance of special permits

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around traditional events such as the West Point graduation, where the permit would be one-time in nature and limited in duration.

While we cannot speak to the stress that might put on our Village's resources, or how to review and approve any of these requests, we think this type of exception can be managed in a way that would alleviate much of the risk otherwise associated with open-ended short-term rentals. This would also mitigate some of the impact the cap might otherwise have.

Cap on Permits

As some neighbors have raised at prior meetings, we believe the proposed cap of 12 permits per year (or 5% of residences) is an essential and critical element of the proposed regulations. Other provisions – such as requirements around how many days someone must live at a residence, how far someone can be from the property during the rental, etc. – are smart and strong deterrents against absentee landlords, but are far more “gray” and difficult to monitor and enforce.

If time proves that the Village can either increase the cap or relax other aspects of the regulations without an adverse impact on the community, it can revisit doing so over time – but after, and with the benefit of, real-world experience on how these regulations have actually impacted short term rentals and our community. Nothing being contemplated would preclude that.

If instead the Village puts in place too few regulations, any adverse impact could be irreparable or long-lasting.

Conclusion

We understand that these regulations may have an adverse impact on a handful of residents (although we note that the current number of active Airbnb listings is well below the proposed cap), and that not all listings are created equal (on-site vs. off-site host, Main Street vs. woods, etc.). That said, the purpose of regulation is to set out very clear and non-discriminatory guidelines that everyone can understand and that is in the best interests of the community at large.

For all of these reasons, and many others we have read about and listened to during prior meetings here, and in Cold Spring, and in other communities, we are in favor of the regulations as currently presented by the Trustees (most critically the proposed 5% cap on permits) and believe they are in the best interest of the Village as a whole.

Sincerely,

Alexis Dean and David Herman
246 Main Street



Melissa Harris <villageclerk@nelsonvilleny.gov>

Comment on Village STR legislation

1 message

Dove Pedlosky <pedlosky@gmail.com>

Fri, Oct 1, 2021 at 11:17 AM

To: Village Board of Trustees <villageboard@nelsonvilleny.gov>, Mindy Jeseck <villageclerk@nelsonvilleny.gov>, William O'Neill <mayor@nelsonvilleny.gov>

Dear Nelsonville Mayor and Trustees,

I'm unable to attend the Oct 18 public hearing in person, so I would like to submit this written comment for your consideration.

I support passing legislation to make STRs *legal* under our village code, while simultaneously adopting a "light touch" approach to regulating these rental units. I believe the current legislation manages to achieve this outcome. My interpretation of village code is that many STRs are currently in violation of village law as § 188-52 D restricts the letting of rooms to two people maximum with the owner present. I think our code should be updated to reflect the realities of the 21st century.

Most of us hope to preserve the community spirit that makes villages like Nelsonville such a gratifying place to inhabit. I'm fine with a neighbor renting their primary residence numerous times a year knowing that parking has been arranged, overcrowding won't be an issue, and the Village has an emergency contact to address any complaints.

This legislation also discourages property from being purchased as a 2nd home by owners who want to subsidize their upstate retreat by renting it as a short-term rental. The intent here is to help the Village remain primarily a community of full time residents, not a vacation spot. I grew up on Cape Cod, and I'm very familiar with what is lost when activity and signs of life are evident only in the summer and on weekends.

Some of the feedback against the legislation comes from owners who live on larger plots of land and are thus immune to the disturbances of a revolving door of visitors. Many in the village (myself included) live on small plots and in homes in close proximity to one another. This legislation helps to protect our quality of life, while still allowing villagers to make a decent amount of supplemental income. (I am not opposed to amending the legislation to allow more frequent days/year for primary residents who occupy larger plots in more remote locations.)

In my mind this legislation strikes a fair balance: it allows STRs to happen legally now and in the future, while providing a mechanism to ensure a high quality of life for all Nelsonville residents.

Thank you,

Dove Pedlosky
11 Secor Street

Donna Steltz
2 Fishkill Road
Nelsonville, NY 10516

10-8-2021

Village of Nelsonville Board of Trustees
c/o Village Clerk
258 Main Street
Nelsonville, NY 10516

To Mayor Bowman + Trustees:

I am writing this letter in support of
the Short Term Rental/Airbnb Regulations.

Our Community needs to have
Regulations like this in place to
Protect our Residents and to maintain
the Village, small town life.

It is very important and I would
like to see everyone on the Board vote
yes and put this into place today!

Thank you,
Donna Steltz

On Wed, Oct 13, 2021 at 10:50 AM Rudolf van Dommele
<rudolfvandommele@gmail.com> wrote:

Hi Chris, thanks for your reply. I was planning to see if I can catch Bill tomorrow morning. I think he works in the village on Wednesdays. He has asked me to bring my barn and outbuildings up to code and offered to help (I think..).

I'm not sure how much Bill is involved in crafting the proposed STR regulations but it seems like he's gotten ahead of them. In his 'friendly' letter from November 30th, 2020 we were accused of illegally having 'large gathering events and related food service', in violation of zoning code and NYS fire code. My requests for specific details have not been answered, nor have I been made aware of or have I been able to find anything in the code prohibiting such events. Pre-covid we used to entertain often at the house. We built it for that purpose. Now we mostly enjoy just sharing it with families or friends, some of whom we connect with through Airbnb. Yes, we did host a wedding on community day. Ali and Corey have been regular guests for years. He proposed to her in our Airstream and she said yes on condition that they would get married at our house. We never planned to turn our property into a wedding venue, and we have never advertised it as such anywhere. In fact the Airbnb listing shows "no events allowed". Of course we would still like to enjoy our property and celebrate as we see fit.

Apparently there were also complaints about our Airstream campsite.

The language in the current code, prohibiting Trailer parks or Mobile home sites is ambiguous. Ambiguous enough for previous administrations and also for Bill Bujarski to have left it alone for years. The glowing reviews for the campsite may leave anyone cold, but it takes a particularly bitter soul to actively try to do away with it, for what? Bill said it's a 'neat idea'. Mike Bowman says it is the kind of place he would have liked to stay at. We've met so many good people just like them, young and old, couples or sometimes just a lone traveler wanting to get out of the city for a day or two.

You can read the reviews and you'll get the idea. I hope you understand how gratifying it is to share this beautiful place that is our home with our guests.

We are passionate about this, and I think our reviews reflect that.

So on page 1 of proposed STR regulations it is now spelled out clearly "no campers or trailers", and also "no events such as weddings or concerts", lest anyone get the idea to rent out a camper or have a wedding on their property.

It is very very difficult to believe that these proposed regulations are pertaining to anyone other than us. We feel attacked and we lose sleep over this. When we come to the meetings we feel like we're sitting in front of the prosecution, judge and jury all in one. Having been anonymously accused of non specific disturbances and having violated non existing regulations.

I used to think Nelsonville was the greatest little village.

I helped clean up our woods, volunteered on the trail committee, petitioned against the cell tower and ran for office. Now, when I pass village hall, I feel a knot in my stomach. It is important to me, for you to know how I feel.

As for my ideas; I will repeat some that I have stated in meetings.

- The urgent need for these new regulations has not been substantiated. The fact that other communities are implementing rules is irrelevant. At this time Nelsonville has 4 listings on Airbnb, two of them ours. (it looks like Mary Lou Cacetta's neighbors have given up. Their place is no longer listed)
- Only one complaint has been recorded in the last 10 years. From the Costellos on Fishkill Road with something about parking on a shared driveway and a car alarm at the highway garage.

There must be a reason that the code states that complaints have to be in writing. Rumors and gossip have no place in official business.

- The public hearing on STR in April was attended by a number of people on the defensive and just one person (of the public) in support of restrictions
- There is no evidence to support the argument that we are at risk of becoming a community of 'zombie hotels'. Of the 90 properties that have changed hands in Nelsonville in the last 10 years not a single one has been used for the sole purpose of providing short term rentals.
- Mr. Cacetta's concern about criminal Airbnb guests, 'casing the joint', for a heist of is unfounded.
- Safety inspections, if mandated, should apply to all properties if implemented. In a previous meeting I asked about this and was told by you that the law requires an inspection anytime occupants of a house change. This is simply not true. A bank may require this for finance underwriting.

Municipalities inspect for certificate of occupancy and that's it.

-Nothing in the current code prohibits us from renting out our property for any period of time. We have enjoyed short term rentals for many years and wish to continue to do so. We consider this a vested right, even as the code may change. This 'grandfather clause' is applied broadly in Nelsonville. New board of health regulations would have condemned more than half of the homes in our village, because of non-conforming septic systems, cesspool and even abandoned wells used as such, according to Bill Bujarski.

As a final thought for now

I would like to suggest that the smart thing to do is to wait.

Cold Spring just voted to implement STR regulations and these will likely be challenged and tested.

We could learn from this and collect some real data in the meantime. Your fear that in that time five more houses will be converted to zombie hotels is unlikely give the current trend.

This is a lot! But it feels good to get it out, and not in the 'heat of the moment' during a meeting.

Thank you for reading and I hope we can continue a conversation about this.

Respectfully,

Rudolf van Dommele



Melissa Harris <villageclerk@nelsonvilleny.gov>

STR draft code

1 message

Kelly House <kellygraphy@me.com>
To: Pauline Minners <villageclerk@nelsonvilleny.gov>
Cc: House Kelly <kellygraphy@me.com>

Fri, Oct 15, 2021 at 8:26 AM

To the Nelsonville Board and residents,

I am writing in support of the STR draft code.

I know from attending the meetings virtually that the board has thought carefully and considerately about the issues that are created by Short Term Rentals.

The STRs seem to have proliferated in the past few years to the extent that neighbors are fed up with them. Surely many are playing by the rules, but in fact there aren't very many rules and it seems time to create some so that everyone is on the same page in understanding what their rights and obligations are.

Although it would be ideal to weigh each property owner's offerings individually and regulate them accordingly, it would be a huge job for which there is no budget at this time. So I agree that the best approach for now is to apply a set of uniform regulations and to let the situation play out. Perhaps one solution would be to offer those seeking STR permits a change in real-estate tax status thereby creating the funds that would be necessary to accommodate their regulation.

The Board has already made some tweaks and expressed the willingness to be flexible. I am confident that down the road there will be the opportunity to revisit the entire concept of STRs both from the perspective of the business-lessors and from the surrounding homeowners and neighbors.

Respectfully,
Kelly House



Melissa Harris <villageclerk@nelsonvilleny.gov>

Constituent Stance on STRs in Nelsonville

2 messages

Josh Kaplan <josh@randolphschool.org>
To: villageboard@nelsonvilleny.gov, mayor@nelsonvilleny.gov
Cc: Jenny <jenny.ninyo@gmail.com>

Sun, Oct 17, 2021 at 8:31 PM

Dear Mayor Bowman and esteemed Village Trustees:

We write this letter today to express our interest in the proposed bill related to short-term rentals in Nelsonville. The current proposed solution is intended to protect our community from being taken advantage of, to the point of losing its character or worse, becoming untenable for residents. We have resided here for 7 years, and an important reason for that has been the offset to our expenses stemming from people's interest in visiting our community and renting out our home. Our home has become the most important possession to our family, and how we use it (or allow others to use it), makes it possible for us to continue being part of this community (we can, and do, pay our taxes with income generated from STR). Additionally, we benefit from the wonderful, community-centered, short-term rentals offered by our friends and neighbors. We live far from family, and they like to visit as often as possible. Our options are to put them up in a substandard hotel off I-84, the motel on 9, or into the warm and welcoming home that introduces our friends and relatives to the place we call home, where they can walk the neighborhoods and through the woods to our house.

This bill is not targeting the prevention of a *zombie community* brought on by overzealous, impersonal real estate developers. This bill is not strengthening the community's ability to maintain its peaceful charm. This bill is not empowering residents to invest in our own community, in their own homes. This bill is limiting the potential of our tiny town, for what appears to be an interpersonal dispute.

We don't want developers buying up property and renting it exclusively for profit. We want people who live in the community to be able to supplement their incomes and welcome folks from the outside, in. Simply, a bill that requires residency is sufficient to this end. Along these lines, we don't need a cap on permits available. This would cause competition amongst people who "might" rent and people who actively rent out their property. Also, has anyone polled the community to gauge interest? Of the 200+/- homes, how many are actually interested in offering short-term rentals? As of the time of this letter, only 5 properties in Nelsonville are listed on Airbnb. Our home is one of them, and it is only available to rent for the infrequent weekends that we travel out of town.

We don't want loud parties or large groups to disturb the peace and quiet of our hamlet. We already have local ordinances in place to prevent noise or unruly & unneighborly behavior. The troopers and sheriff's department make rounds and respond to complaints at night. This redundancy would be a waste of ink.

We don't need a limit on days a property can be rented, if the owner is required to be a resident. This is limiting for our neighbors who own multi-unit homes. Current building codes prevent the construction of new outbuildings in most of Nelsonville already, preventing the proliferation of such rental units, but preserving possibility for those who are already invested.

We don't need to stir the pot over a matter that is helping, not hurting, our community. We don't need to sour the relationship of residents to local government. We just need to enforce a residency requirement, and codes already in existence. We need to preserve the possibility of short-term rentals for tourism and for the community's quality of life.

And finally, when we bought our home, we bought the land it sits on. What we choose to do in our home and with our home is entirely our right, so long as it does not impede on the freedom of our neighbors. If the freedoms of members of our community have not been impacted by short-term rentals, then how is it reasonable to for a bill to limit the freedoms of the community itself? We remember who limits freedoms and who upholds freedoms when we exercise our right to vote. And at that time, we think about who is using time, energy, and resources to invest in our community.

Nelsonville could be building a playground for the growing numbers of families moving to the area or dealing with the dangerous corner on Spring/Secor & Main.

Respectfully,

10/18/21, 10:14 AM

Village of Nelsonville Mail - Constituent Stance on STRs in Nelsonville

Josh & Jenny Kaplan
49 Har Mil

Michael Bowman <mayor@nelsonvilleny.gov>

Mon, Oct 18, 2021 at 8:14 AM

To: Josh Kaplan <josh@randolphschool.org>

Cc: Village Board of Trustees <villageboard@nelsonvilleny.gov>, Jenny <jenny.ninyo@gmail.com>

Josh and Jenny, thank you for the letter. We will enter it into the record of the public hearing and post it online with the others post-meeting.

[Quoted text hidden]

--

Michael Bowman

Mayor, Village of Nelsonville

(845)476-4373

mayor@nelsonvilleny.gov





Melissa Harris <villageclerk@nelsonvilleny.gov>

STR

1 message

Matthew Steltz <steltzm@yahoo.com>

Sun, Oct 17, 2021 at 8:40 PM

To: villageclerk@nelsonvilleny.gov

Cc: kerriesteltz@gmail.com

To Mayor Bowman and the Village Board,
Unfortunately, we will be unable to attend the Village meeting.
We'd like to express our support for any and all short term rental regulations the Village of Nelsonville will/can enact.
Thank you.
Kerrie and Matthew Steltz
293 Main St.

Sent from my iPhone

Dear Kris (and members of the board),

Thank you for the invitation to write to you directly. It's a welcome activity since I can't sleep. The information* you gave Rudolf and I after the meeting on Monday, September 20th has clarified things and I seem to mull it over and over when I should be sleeping.

I know my task was to write you 3 things I would change in your proposed legislation that would make it less painful for me but, in light of these new revelations* it's clear that anything I suggest would be useless.

*Kris has informed me that a neighbor has been complaining repeatedly about noise and not being able to sleep. We have been very careful to always comply with local noise ordinances and are always on premises to see that guests comply. Kris received a complaint as recently as Community Day, where our neighbor said we kept them awake. There is nothing to corroborate this complaint and we made sure to comply with the Nelsonville noise ordinance. My neighbor is worried I'll be upset if they speak to me directly. Kris sees no reason to dispute neighbor and assumes we are offenders and accused us of being "bad neighbors". She is trying to help the situation.

The reason I feel like anything I suggest would be folly is this:

This proposed legislation seems tailor-made to impede our activities specifically, and taken at face value (as facts) are the complaints by our anonymous neighbor. There has been no effort to corroborate any of these complaints or their motivations. I take issue with them. They offend me. I've always been a good neighbor. I would have taken any complaint made to me very seriously and remedied immediately. Instead of using the mechanism we as a community have, such face-to-face chats, phone calls, texts, emails or even filing a police complaint, this neighbor has taken it to you directly, and you have decided the complaints are valid and crafted a proposal in the hopes of remedying this person's problem with us.

This clarifies a lot. It all makes sense now. The hostile letter from the building inspector, the lumping together of the different zoning, even though several people have suggested that different zoning rules should be implemented including board member Kathleen Maloney. Those suggestions have never been entertained because this legislation is directed at *us*, specifically to target *us* and keep *us* from using Airbnb as we have been doing for so many years.

Ironically, these restrictions will change very little for my beleaguered neighbor. We will just have to rent for longer periods and those people we rent to can entertain as often as they like and have as many people as they like over. They can even get married on our lawn or in our barn. They could do it twice!

You know what might change our behavior though?

A chat, phone call or text with any of my lovely neighbors, all of whom I respect and admire and many of whom I consider my friends.

and so, in thinking about what I would love to change most out of this legislation, even though I feel like it's a moot point (it is still a satisfying exercise), I'd pick the following;

- 1) Permits: I don't particularly want the village to require that I have a permit to exercise our vested right to rent out our house for any period of time.

- 2) Limits on number of permits: We have multiple spaces that we list. For instance, we switch from our house to our apartment in the winter.
- 3) Inspections: I'm leery that I'm being targeted and have received a confounding and harassing letter from the building inspector... after all, who's to say our meticulously maintained home would "pass inspection". Luckily, if that does happen, we can just rent for the month and all bets are off.

In closing, I realize you are trying to do a thing here. I'd like to say that I appreciate the effort you all put into an often-thankless job. I do wish you were able to see from my perspective but I'm not going to hold my breath. I can see this train has left the platform. One favor please? Could you let my neighbor know that if they would care to chat, they know where I live? I promise I'll listen.

Thanks so much,

Sonia Rzyz-Ryski

To Whom It May Concern,

I am writing in regards to the short term rental laws that Nelsonville is looking to put into effect.

A Nelsonville resident of 11 years and a lifetime resident of Cold Spring, I am against any short term rentals that this community looks to approve. As a mother of four young children who play outside in our neighborhood daily, I find the transient nature of STRs to be unsettling. They're also detrimental to the very fabric of a neighborhood, driving up housing costs. By supporting property owners who may or may not be local residents, laws that allow STRs favor people looking to make the highest return on their property investment, not folks who want to move here, put down roots and become a part of the village.

Who in Nelsonville is vetting the renters who seek to utilize our community for short periods at a time? What are they using these STRs for? What is the impact of STRs on our local taxes? Are property owners paying any commercial taxes?

At a time when we don't have enough police, EMS and paramedics to properly serve our community, these un-vetted non-residents using STRs are taking up space with our emergency services.

Lastly, the seniors in this community are an intricate part of our long standing neighbors. This is a community that is based on families, trust, and a neighborhood made up of families that look out and protect each other. Allowing STRs would chip away at the fabric of this community and what makes Nelsonville such a unique community to live in.

I understand that this law will not completely be turned away. At the very least, the fines should be revised so they're much higher in order to put more pressure on those to comply.

STRs in any community is damaging to all! We, the taxpayers, deserve better.

Warm Regards,

Paul and Megan Cotter