

**JANUARY 28, 2023**

**SPECIAL MEETING PRESENTATION SHORT-TERM RENTALS**

**A Special meeting for the purpose of presentation of short-term rentals of the Village of Cassadaga was held on January 28, 2023, at 9:00 AM with Mayor William Dorman presiding. Trustees present included Bill Astry, Mark Wilson, Cindy Flaherty and Cathy Cruver**

**Pledge Of Allegiance**

**Guests included: Trudy Coulcher, 61 Park Ave., Lorraine Courson, 166 Maple Ave., Kathy and Peter George, 209 Dale Drive, Rudy Abersold, 43 Putnam Road, John Sipos, 5 Pennington, Jill Lawson, 61 Lakeview, Sue Asquith, 186 Dale Drive, Todd Anderson, 80 Maple Avenue, Bethany Burlingame, Maple Ave., Sean and Teri Seibert, 180 Dale Drive, Rick Vahl, Rt. 60, Tricia VeRost, 53 Park Ave., Helen Runge, 21 Lakeview Ave.**

**Opening comments from Mayor Dorman explained this isn't a public hearing but an information meeting on the draft for short-term rentals for Section 644 of our Zoning Law. The public can ask questions with a 3-minute limit concerning the language of the draft. A Public Hearing will be held once the board reviews it and makes changes and then will be sent to our attorney for his advice and legality of the draft. It then will be proposed by the board and a public hearing would be set for a future date.**

**The presentation of the short-term rental draft was given by Co-chairman of the Zoning review committee Ryan Burlingame. He was assisted by Co-chairman Rodney Waite with slide presentation. He went through a Power Point slide presentation explaining reasons and where materials and information was gathered and how the committee came to their decisions on wording. The presentation recapped key considerations, how the Comprehensive Plan guided the draft, the committee training sessions, references and communication from other municipalities, key terms, purpose and prohibitions, locations and density restrictions, house rules, application process in regard to pre-existing STR'S, special use permit process, compliance and penalties, and fees.**

**Questions were first opened up to the Village Board.**

**Mayor Dorman stated a more defined description of E. Location and Density Restrictions #6. Non-owner-occupied limits shall be two per owner. He thinks maybe our attorney can define this more clearly so a couple can't own more than 2. He also stated that large gatherings should be more defined.**

**Trusty Cathy Cruver thought A. Purpose could be paired down a bit with interest and process could be more concise. Wants to respect homeowners' rights and current paragraph she feels has appearance against STR. Ryan stated that no one on the committee is against STR'S.**

**She questioned where the 8% cap came from. Ryan explained that committee wants to keep housing market affordable and available for families that want to become part of the community and increase our population which was a goal in the Comprehensive Plan. The Village Board can change that number annually and their Organizational Meeting.**

**She asked if a ZBA hearing is required, and Ryan stated yes.**

**She is concerned with the word comfort because it could be controversial.**

**No further questions were asked by the board.**

**Rudy Abersold stated he was dead set against the moratorium but after reviewing the draft it brought chills and smiles to him. He has thanked the committee personally for their hard work and diligence. He urges the board to amend the current zoning with this section instead of a separate law. He did question the 8% on non-owner-occupied STR.**

**Steve Wickmark asked about the Special Use Permit not be transferred with property. What if the property was left in their will to their kids? Ryan stated that would have to be determined by the attorney if it continued.**

**Sean Seibert thanked the committee for their tremendous work on the draft. Does not agree with an STR having to have a Special Use Permit and feels the fees are too high. How come long term rentals do not have same criteria? He also doesn't agree with limiting STR'S because many people spoke in favor of them at public hearing about moratorium. Ryan stated that even though many people did not speak in favor of the moratorium at the public hearing is because they felt afraid by the aggression at the meeting. Many did call him and offered their support to the committee. Clerk Treasurer Astry explained the fees. Debbie Babbitt-Henry from Dept. Of State, Division of Building Standards and Code stressed the importance of fees when she was in her office training Wendy Spinuzza as new code enforcement officer. She told her that the fees that we charge for all permits, inspections and hearing should cover the cost of our Code Enforcement Officer and Zoning Officer and publishing of legal notices. These expenses should be a burden to the homeowner requesting the permits not to all taxpayers.**

**Rick Vahl stated that STR should be allowed to be transferred to children. He also stated that he was told that his mother in laws house would not be affected because it is business district. Ryan stated that they found out that NY state doesn't allow a 3-apartment dwelling to become a short-term rental unless it is owner occupied. She would be allowed if she is still living there and could rent out 2 apartments.**

**Trudy Coulcher appreciates the work done by the committee and they deserve a round of applause.**

**Trustee Astry moved, seconded by Trustee Cruver to adjourn the meeting at 11:02 AM. VOTE 4 AYES, 0 NAYS.**

**Respectfully submitted,**

**Roxanne Astry  
Clerk Treasurer**