

-Public Comment: Judi Matthews

I watched the Town Meeting on 4/16/20 including the discussion of the resolution to limit rentals in the town of Chatham during this time of NY Pause.

I agree with Councilmen Wapner and Weldon that this resolution should be a broad statement. I think that all homeowners should be encouraged to keep our town as safe as possible by following the guidelines provided by the state and county. STRs should not be specifically recognized because they are not an accepted use in our current zoning code. All visitors who come to our town should be encouraged to maintain the 14 day quarantine as required by New York State.

Please read this at the next Town Board Meeting

Thank you,

Judi Matthews

-Public Comment: Adelle Kleiman-Levine

Good Afternoon Donal:

I watched this month's Town Board meeting on YouTube and was glad to see that everyone appears safe and healthy.

It is unfortunate that a discussion concerning the Coronavirus and protecting Town residents became a venue for discord and disrespect. Differences of opinion are healthy and necessary if we are to live in a democracy. A healthy discourse of disagreeing parties, however, should never become personal. Personal attacks made publicly while the government is in session is not productive. This is not a way for government to function. There are opportunities outside of Board meeting for personalities to calmly voice their positions.

With regard to the rental discussion, I support an amendment to the Resolution that states all rental properties including those of a short term nature. I also suggest that the Resolution address the temporary nature of the situation and that it's because of the Virus that it was proposed to protect the health and well being old Town residents.

Stay safe.

ADELLE Kleiman-Levine

-Public Comment: Gayla Cirone

Hi All,

Thank you for broadcasting live the board meeting. In some feeds I have been a part of there is a way to have people share comments/public comments on a side bar. Maybe one person being responsible to read them out loud. Can one of your tech people figure how to do that.

As far as the controversy that came up, I wanted to share my comment to it. I thought I saw a reply First, during an emergency normal regulations seem to not apply. There must be a law that speaks to that. I too agree that to hold off for public comment is noble. I honor Abi for what she meant, to ask STR to hold off at this point and not rent due to homestay and protect the community request. I also would agree with what John spoke about- that to say All home owners includes STR's and that does include a larger community to jump on board.

As someone mentioned, if an owner came to the board with a particular situation then you would take it case by case and deal with it that way.

You all are doing an amazing job approaching difficult and not so difficult responsibilities while learning how to function together.

Gayla Cirone

-Public Comment: Bart Thibadeau

Dear Mr. Collins:

I am opposed to the resolution proposed at the April 16 Town Board meeting merely asking STR owners to avoid renting their properties during the coronavirus pandemic emergency. The resolution suggests that such businesses are currently permitted and, absent the pandemic, perfectly welcome in the Town of Chatham. But in fact, STRs are not legal under the current zoning code. The message that the Board should send to STR owners is that they must suspend operations until such time as the zoning code has been revised to permit and set standards for short-term rentals.

Such a message would address the concern about transient STR guests spreading the virus, and would also give STR owners a solid response to pressures from Airbnb and other agencies with whom they have contracted.

As your current meeting format does not permit me to make this short statement in person, I request that you read it to members of the Town Board at your next meeting.

Thank you.
Bart Thibadeau

-Public Comment: Carol L Moore

Supervisor Collins:

I was in "virtual" attendance at the April 16th Town Board meeting held via YouTube and offer the following comments. Given the widespread public interest in the issue of short-term rentals, the Board's failure to give the public reasonable notice in advance that STR's would be the subject of discussion and a resolution is inexplicable and objectionable, particularly in light of this Board's professed commitment to transparency and public participation.

Also, I note that the Resolution 87-2020 appended to the calendar for the April 21 meeting is not the same resolution that was discussed at Thursday night's meeting. It is difficult for the public to adequately prepare for meetings when the subject matter and substance keeps changing from one meeting to the next. Even with the additional language added to the resolution, though, I find it objectionable and ill-advised, particularly as the ongoing public discussion of the STR issue has been placed on hold during the statewide "pause."

Short-term rentals (including those provided through entities such as Airbnb and Homestay) are not a permitted use in any residential zoning district in the Town of Chatham. Under the binding jurisprudence of this State, where a municipality's zoning code specifies permitted uses (as our Code does), anything that is not specified is expressly "not permitted," that is, it is illegal. The proposed resolution effectively legitimizes STRs, and implicitly empowers STR owners to voluntarily determine whether and to what extent they wish to continue their illegal rental activity during the pandemic. The proposed resolution thus goes beyond the scope of protecting the public health, safety and welfare. That objective could be better met by a resolution encouraging all Town residents and property owners to comply with the governor's "New York on PAUSE" order, and requiring all persons traveling to or visiting Chatham from outside the state or from areas of the state with a high infection rate to self-quarantine for a period of 14 days.

I look forward to the time when the Board is able to enact a comprehensive law regulating STR's that is legally sound and reflects community consensus to the greatest degree possible. Until then, I urge the Board to maintain the status quo and not grant STR properties a status they do not merit.

As the YouTube format does not enable me to offer this comment in person, I request that this letter be read into the record and entered into the minutes of the Special Town Board meeting on April 21st. Thank you.

Respectfully, Carol L. Moore

-Public Comment: Cindy Bobseine

4/20/20

Dear Supervisor Collins,

Please read this letter at the town board meeting on 4/21/20, as it constitutes PUBLIC comment, made so that the board and members of the public will hear and consider this opinion.

I am writing regarding the resolution related to the COVID-19 pandemic that was advanced and then tabled at the April 16 board meeting. I appreciate the board's attention to health, safety, and welfare for citizens of the Town of Chatham at this difficult time. I also appreciate your citation of the Governor's recommendation to avoid all necessary travel in order to limit the spread of the virus.

Having listened to the discussion at the April 16, 2020 board meeting about the specifics of this resolution, I must agree with Board Members Weldon and Wapner. To the degree that any "encouragement" to property owners in the Town is needed to desist from renting unnecessarily, a broad statement to that effect is adequate. At this juncture, such a recommendation seems to be well after the time it may have provided guidance to property owners, but if the board believes a resolution will affect the public's judgment relative to adherence to all of the conditions set forth By Governor Cuomo, I have no objection to that. However, the resolutions that have been presented to date also specify forms of short term rentals as a target for the recommendation, which is both unnecessary and confuses health and safety with an issue that you acknowledged was "controversial" when you moved to table the resolution.

As you are well aware, STRs are an illegal use under the present zoning law as they are not identified as a permitted use under current code. To specifically call out to owners of these illegal businesses is to tacitly acknowledge that they exist and potentially give them legal standing in the future, while we all know that they are currently illegal under current code. I understand that the board has been eager to come to some conclusion on the STR question for the Town of Chatham, and that the pandemic has truncated the process due to the need to work on basic government functions. That is unfortunate, but as you have recommended the cessation of committee meetings during the pandemic, it makes sense that any board work to publicly influence the status of STRs in the town should also be delayed. I believe the resolution as it was presented, referencing STR owners, goes beyond any legitimate intent to protect public health, safety and welfare. I ask that the board NOT approve that resolution, and if they can agree to provide more general guidance, that they approve a more general resolution to all of the citizenry of the Town.

Sincerely,

Cindy Bobseine

-Public Comment: Jeanne Veillette Bowerman

Dear Town Supervisor and Councilmen,

I watched the April 16th meeting on YouTube and wanted to clear up some misinformation regarding the need for STR owners to have some sort of specific documentation from the town in order to cancel reservations without penalty.

I am only speaking to Airbnb regulations, as I am not familiar with other hosting sites.

As of the writing of this email, an Airbnb host can only cancel reservations made before March that are booked up to May 31st without financial penalty and/or loss of a Super Host status, which is a coveted status and would take 3 months to earn back and is a rather large "ding" on their listing.

<https://www.airbnb.com/help/article/2701/extenuating-circumstances-policy-and-the-coronavirus-covid19>

As quoted in the above link:

"Reservations for stays and Airbnb Experiences **made on or before March 14, 2020, with a check-in date between March 14, 2020 and May 31, 2020, may be canceled before check-in.** This means that guests who cancel will receive, at their option, travel credit or a full cash refund, hosts can cancel without charge or impact to their Superhost status, and Airbnb will either refund, or issue travel credit in an amount that includes, all service fees. **Reservations for stays and Airbnb Experiences made on or before March 14, 2020, with a check-in date after May 31, 2020, are not currently covered for COVID-19 related extenuating circumstances.** The host's cancellation policy will apply as usual."

The only way a host could cancel a reservation made for after May 31st for COVID reasons is with documentation, such as the local municipality deeming it necessary to restrict travelers. It's unclear if a "strongly recommend" wording would assist any STR owners from canceling without penalty, but it is very clear that any mandate would have to specifically state a recommended STR restriction in it for it to even be considered.

Even prior to COVID, documentation is always required to cancel a reservation under extenuating circumstances. If there is a death, a death certificate must be supplied. If there is an illness, documentation from a doctor must be provided. If it's a government mandate, the following is stated on the Airbnb cancellation page:

"Government-mandated obligations including jury duty, travel restrictions, court appearances, and military deployment. You'll be asked to **provide a copy of the official notice dated after the reservation was booked**, including the name of the person fulfilling the obligation."

I've seen an extreme amount of social media comments by Chatham residents wanting some sort of broader lockdown of our town during COVID, and an official stance by our Town Board on recommendations. Most people are just assuming STRs can easily shut down, without consequence, but that is not the case.

I know most hosts have already shut down their homes for transients, but summer reservations were made months ago. If those hosts want to open their homes to house locals in need of quarantining from an immediate family member who might test positive, or healthcare workers in need of housing instead, they'd need some sort of documentation to cancel an existing reservation made for after May 31st to do so.

I do believe the entire Board wants what is best for the town. Therefore, it seems logical that if the Board is concerned Crellin Park cannot open in the summer months, they would also want to provide a path for the STR owners to be able to cancel their reservations, too, for the benefit of the health and safety of our entire community.

I hope this information is helpful for your discussions and consideration.

Respectfully,
Jeanne Veillette Bowerman
East Chatham
