TOWN OF STANFORD TOWN BOARD

SPECIAL MEETING

THURSDAY, JUNE 26, 2025

The Town Board convened for a Special Meeting on Thursday, June 26, 2025 at 7 PM. The meeting was called to order at 7 PM with the Pledge of Allegiance.

Roll Call: Wendy Burton – present

Julia Descoteaux – absent

Eric Haims – absent

Nathan Lavertue – present

Theodore Secor – present

Also in attendance was Town Attorney Robert Butts.

MOTION TO ACCEPT AGENDA: A motion to accept the agenda was made by Wendy Burton, seconded by Theodore Secor. Motion carried.

NEW BUSINESS:

1. PUBLIC COMMENT FOR PROPOSED SHORT TERM RENTAL LAW: Supervisor Burton explained the reason for this Special Meeting was to have an informational workshop for the public to get their comments before the law was passed, which she felt was a good practice to do before every law. In the past, a local law was introduced, then a public hearing was scheduled, but if a proposed law was revised, then the same procedures would have to start all over again. For instance, the ADU law was done three times. She was hoping this would streamline the process and would have more of an impact on the Town Board’s deliberations on a proposed law. Supervisor Burton then read a synopsis of this short term rental law: the economic benefits along with a balance for the needs of the community, less than 30 days lease, to be offered on various websites, allowed in all zoning districts, considered a commercial use, subject to Building Inspector inspections and then only approved by him, to be renewed bi-annually, along with other details to be safe and meet with the State regulations; only a maximum of 55 applications will be allowed but as of now, we might have 51; we cannot get the list from the County, run by a firm named “Granicus” until we have a short term rental law; the applications will be on a “first come, first serve” basis with preference to owners already on the County register, with a 90-day grace period; documentation has to be submitted with the application; someone must be available to respond quickly to a problem, either the owner or their agent; there must be full compliance with the Board of Health regulations; no more than 2 adults per bedroom; smoke detectors, insurance coverage and a contract with the guests. Councilman Lavertue added that NYS amended the Real Property Law and are enacting this registry in September that could preclude anything a town could do, like manage their own registry so we are under a tights time constraint with this local law. Ms. Burton said that she wanted feedback from the public so that the Board can finish making changes at their July workshop, and thanked Kathy Zeyher for her help at their last workshop three weeks ago.

Johanna Shafer, Decker Road – asked if the Town had “Foiled” the County for their short term rental list? Ms. Burton replied that they just said no, with Atty. Butts adding that it will be available once the law is passed. Ms. Burton added that maybe the Town will do a mailing afterwards to alert the STR owners once we have the Granicus listing.

Stephanie Thatcher, Route 82 – asked about registration with the County; they are paying hospitality taxes, that get a ”hotel #” and Airbnb inspects quarterly.

Kathy Zeyher, Shelley Hill Road – stated that she was not sure about the urgency of this law passage of Sept. 23rd. Atty. Butts answered yes. Ms. Zeyher spoke of a webinar she attended that at the County level, that can opt in or out to collect occupancy taxes. She added that the September 23rd date had a 90-day window to opt in or out, and counties have another 9 months, and that local governments can continue to create laws after the effective date of the State law. Atty. Butts asked if this had already been enacted or was it just a proposal, and that he would look into this. Ms. Zeyher continued that State law did not prevent towns from having their own law, just a registry. Supervisor Burton said that she would speak with Michelle Hinchey about this. Kathy Zeyher then asked if this STR law would preclude duplexes, apartments, etc. in all zoning districts or would it just apply to single family residences. Mr. Butts responded yes, only single family residences. She asked when did the law take affect, right after it’s passed, and was told after it is filed with the Secretary of State in Albany, about 2 weeks or so. She also asked about fee schedules or application paperwork. The Supervisor replied that it was left out intentionally as maybe a part-time person would be hired. Ms. Zeyher

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mentioned about having a responsible person or agent should have a 2 hour response time to get to the property if there was an issue. Atty. Butts stated that this should be posted at the rental unit.

Johanna Shafer – if the responsible party was unavailable, it could be a plumber etc. if they were closer. She added that Airbnb is very particular about “wild parties.” Wendy Burton added that we need to work on that language but just need to have the problem resolved quickly.

Art Thatcher, Rt. 82 - #22, a contract between a short-term rental holder and a guest – a contract is already set up with Airbnb.

Stephanie Thatcher – you specify that in your listing with Airbnb and they all have to agree with their terms. Mr. Butts said that that language came from somewhere else, either another town’s or from Councilman Haims. Wendy Burton added that that will be discussed.

Johanna Shafer – mentioned that the law says we have to keep track of guests, but Airbnb does that, we’re not hotels and don’t want to have to do that, keeping a registry for three years, but she didn’t know how long Airbnb keeps their registry.

Supervisor Burton asked if you know anything about who comes?

Stacey Adams, Millis Lane – spoke of “instant book.”

Karen Sergio, Homan Road – does not do hers through Airbnb but books her guests herself.

Susan Mansell, Hunns Lake Road – stated that she was new to it but that both guests and hosts are rated from 1 to 5 and you can refuse if they don’t have a good rating. You rate them but Airbnb does all the work. Will the town implement noise restrictions? Airbnb just says to be good neighbors. Councilman Nathan Lavertue stated that the proposed law just says that the guests must comply with the town code. Ms. Mansell said that this is a quiet town and that guests like peace and quiet.

Art Thatcher – nothing is going on here and guests like that. Supervisor Burton said that if the neighbors were disturbed by noise they could call the Sheriffs or the Troopers.

Susan Mansell – asked about the septic and the number of people allowed. Was told the number of bedrooms, 2 adults per plus kids if necessary. Nathan Lavertue added that it must comply with the County. Atty. Butts added that the intention was to comply with the County Health Dept. requirements based on the number of bedrooms served by the septic system.

Johanna Shafer – it could be that the homeowner with extended family could go over that number, with Ms. Burton answering that it was probably not a common occurrence, and Mr. Lavertue adding that an greater number of people could be there during the day. Mrs. Shafer asked about the garbage matter – thought that the attitude of the law was offensive, and discussion followed about garbage cand throughout Town. Mr. Lavertue just stated that timely garbage removal was mentioned during the rental period.

Susan Mansell – asked about the number of people during the day, could it double? Ms. Burton said that no one would be “counting heads.” Mr. Lavertue also replied that “double occupancy” was permitted.

Stephanie Thatcher – asked about existing reservations as they were booked through September with no application submitted. Would we have to stop doing it? Everything is done through Airbnb. Attorney Butts answered that if you are going to rent you should conform with the law.

Sherry Mulkins, Upton Lake – what if you have 55 applications, are you then pre-qualified, not first come first serve? Both Nathan Lavertue and Wendy Burton replied.

Susan Mansell – how did you arrive at 55? Wendy Burton said that we knew we had 51 and Nathan Lavertue said only if they are registered. Teddy Secor mentioned the County’s database, Granicus, to which we do not have access yet.

Johanna Sahfer – said that the State had instituted this as there were greedy property owners in major cities, adding that Stanfordville is not like that. One person per application, more than one? This could leave the Town open to the same problems as NYC. If I stop having my STR, can I still have family and friends stay whenever? This law is directed at people not like us, it doesn’t make sense, we’re not like NYC, not a big business. Airbnb has changed, it used to be just run by two guys, now it’s a big business, on the NY Stock Exchange, too much advertising bow. It’s a different situation, and sorry we have to deal with. Ms. Burton replied that NYS passed this law.

Art Thatcher – asked what the difference between this law and the State law is. Attorney Butts replied that that our law has a limit on the number of units and the State does not. Mr. Thatcher stated that Airbnb is a commercial enterprise. With no state law rent could be collected with no taxes. Supervisor Burton said that the County collects the taxes, with Mrs. Shafer

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adding that not every state taxes. Mr. Butts stated that the State law is primary a tax law, with Mr. Thatcher asking if he would fare better under just the State law? Mr. Lavertue replied that he didn’t know, we’re just setting up road maps as we don’t know what they’ll do. Mr. Thatcher hoped that you would keep ours simple. Mr. Lavertue replied that could create vagueness. Supervisor Burton stated that we were the last town if the County to do a short-term rental law and looking at the State law, it will benefit the Town.

Sherry Mulkins – you looked at other towns’ laws? Nathan Lavertue answered yes, had spreadsheets, etc. and we looked at a lot of them.

Art Thatcher – will this affect my property taxes? Was told no.

Claire Copley - Hunns Lake Road – will the Town be taking over some kind of supervision of there? Yes. Added that she appreciates the drafting of this law as it needs local control and regulation.

Johanna Shafer – doesn’t agree, it could make the Town liable. We all have insurance, Airbnb has insurance too, but if the Town makes this law, it could make the Town liable. Mr. Butts replied, no, that the Building Department enforces through building codes. Mr. Lavertue, but not having one, we could be liable, no parameters, no checking with any regularity, and spoke of that deadly fire at the home in Clinton that could make the town liable, there are two sides. By not having a law, a town could be more liable with no parameters, no one is doing regular checks and all the towns in the County have already done one. We’re trying to write the best one possible but its hard to balance with practicality and safety; we did a lot of research and that’s why we are here tonight, to hear more comments.

Johanna Shafer – its unfair to have a limit of the number of short-term rentals. Attorney Butts said one permit per owner but could have multiple properties. Mrs. Shafer replied that 3 or 4 units, you are already limiting people. Mr. Butts said 55 applications. Mrs. Shafer – if you were late applying, one or two people could have multiple units and then 55 would be reached faster. Mr. Butts - 55 permits rather than 55 people. Limiting the number of units in town is the expectation would be able to accommodate everyone who already has one. And the 55 number can be changed if you have a few more. We are concerned with having too many that could impact the housing character of the neighborhoods. The “55” number was based on the credible 51 that we believe we have now. The number can be changed by Board resolution, we’ll see what the volume is and can be amended.

Michael Roche, Salt Point Turnpike – could be a limited number.

Claire Copley – seems like you should have a limit per family; one owner with ten units would not be good. Supervisor Burton agreed, but one of those people, that could be their sole income. Mr. Butts added that it could be a corporation, an LLC, each entity could have a separate owner.

Mike Shafer – then this law might help. Mrs. Shafer added, like Hudson, an Airbnb and town. Mrs. Burton – we’re definitely not Hudson.

Susan Mansell – nothing is stopping people having a rental for more than 31 days. Mr. Lavertue – then it would be a full-time rental, not short term; does Airbnb allow longer?

Johanna Shafer – yes then there is a reduction.

Susan Mansell – Airbnb is 28-day rental.

Kathy Zeyher – rental have no laws.

Johanna Shafer – pre-exiting structures with CO’s all legal, those people are in with no oversight but Airbnb asks all of that information. Ms. Burton – from a safety standpoint that makes sense.

Kathy Zeyher – long term rentals do get inspections; people who are renting from Airbnb, its safer to rent short term rather than long term.

Mike Shafer – if ours was another room in our house, that seems like an over-reach.

Susan Mansell – long term rentals don’t pay any tax?

Kathy Zeyher – just a higher assessment.

Mike Roche – just property tax going up.

Johanna Shafer – the Town could still be held liable but you should regulate in the owners’ best interests.

Art Thatcher – the permit will be for two years? Supervisor Burton said, yes, that was the standard in other towns with Mr. Thatcher saying, yes, that would be less of a burden.

Johanna Shafer – we pay the tax, does the money go to the Town and what would that money be used for? Wendy Burton replied that maybe additional help will need to be hired, but that will be assessed later on. Mrs. Shafer added that landlords can raise rental fees. Nathan Lavertue added that the permit term seems to be standard.

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Art Thatcher – there is no price on a permit yet? Wendy Burton asked about the average cost per night: $100 - $700 but obviously it varies. Mrs. Thatcher added that they have never raised their fees; they get repeat customers and they’re very comfortable. The Supervisor asked what was the most distressing part, with Art Thatcher replying that it was the “bureaucracy,” being commercial and have not had to do this for ten years, now more to do.

Mark Burduck – stated that there were 3 family farms that have been in the same family for over 100 years; can you add a guarantee that other farms could be excluded no matter what the count. Ms. Burton responded – farm stays? A great idea.

With no other comments, a motion to close this Special Meeting was made by Wendy Burton, seconded by Teddy Secor. Motion carried with all present in favor.

Respectfully submitted,

Ritamary Bell

Town Clerk