

Planning Board Minutes, 06/29/2017

Minutes – Lenox Planning Board Short Term Rentals Subcommittee

June 29, 3 p.m. Land Use Room, Lenox Town Hall

Attended: Pam Kueber, Deb Rimmner, Kate McNulty-Vaughan, David Neubert

Not attending, with notice: Molly Elliott, Ken Fowler

Documents used at meeting:

- Process ppt dated June 27
- Host Compliance PPT

Minutes:

- **Policy Goals:** to have an inclusive, well-informed process & Committee with a focus on "what does 'the town' want" while ensuring fairness to the varied stakeholders, including the lodging/hotel industry and individual homeowners and neighborhoods, among others.
- **Committee set-up:**
 - Pam and Deb comprise the official subcommittee and members from other boards and committees are the advisory committee to the subcommittee
 - Pam is chair, Deb is co-chair
 - David Neubert representing Finance Committee
 - Kate McNulty Vaughan representing Affordable Housing
 - Molly Elliott representing School Committee
 - Ken Fowler representing Select Board
- **To ensure everyone was well grounded, the group reviewed and discussed what bylaws allow today**
 - Short Term Rentals (STRs) currently allowed under bylaw section 8.8.1 Seasonal Rental of Rooms: Owner-occupied rental of rooms Memorial Day to Labor Day and weekends through Columbus Day. Note, one Planning Board member researched and found no one registering these, which is also required.
 - Rentals over 30 days are not considered Short Term – for example, long-term common Lenox practice of people renting their homes to Tanglewood musicians or summer vacationers for two months over the summer are not considered Short Term Rentals (STRs) – they are the same as renting a house or apartment year-round.
- **Update on discussion at Planning Board meeting Monday night:**
 - Pam explained that two members were concerned/thought the Town should be enforcing the current bylaw now. Pam passed this info on to Town Planner to discuss with Town Manager. Building Commissioner (enforcement officer) reports to Town Manager, who reports to Select Board, so enforcement is their purview.
 - Regarding why we are having this subcommittee, Pam explained her concern that even though we have a bylaw that currently allows Short Terms Rentals, she believes that our bylaw does not allow rental of full houses without the owner present – and this is where the tourist market is growing. If we don't allow them, and other towns do, then travelers will stay in other towns, potentially at the detriment to our local tourist economy. Town needs to think this through including understanding what building codes allow/require.
 - David expressed his key concern that interested him in being on the subcommittee: Out-of-town investors buying houses and converting them to Short Term Rentals, depriving people who want to live in Lenox year-round the chance to buy a home. He knows of several examples already.

- **Discussed how to ensure good buy-in to the process and agreed it would include a combination efforts including 1:1 outreach and group meetings**
 - Right now, we are in outreach and listening mode – we are not jumping to policy/bylaw options. Pam to create documents for next meeting to use in outreach efforts:
 - One-pager with key info that explains situation today so that everyone in discussion is well-grounded. To include:
 - what bylaws allow
 - estimated size/number of current STR situation
 - Second page will include key questions to ask various stakeholders:
 - 1 - Vision: “What kind of Town do you want Lenox to be for year-round residents”
 - 2 - And then, given their vision, what they see at the key policy issues, opportunities and concerns around STRs
 - To help get good count of STRs currently being done, Pam will ask Gwen about getting paid report from hostcompliance.com
 - At next meeting we will aim to finalize these documents and then agree on next steps
 - We also will review stakeholder list to ensure it is complete
 - **Catalog bylaw options as we read/hear them come up**
 - Pam asked group the group that, as they may read and research STRs – and as they talk to people and ‘solutions’ come up -- to take notes on these various bylaw options so that we have a robust list when we get to the point in the process where we are considering policy revisions based on all the community input we’ve received. Example: Self-certification of building code requirements – is that possible? (We will also ask the building commissioner this question.)
 - **Additional Communications efforts**
 - Kate suggested Pam attend Select board meetings regularly to keep public in the loop
 - Pam at some point will put things on webpage
 - **Next meetings:**
 - Regular meetings: 1:30 pm on Mondays starting on July 10
 - Next meeting is July 6, 9 a.m. with Building Commissioner to understand building code issues for short term rentals

Submitted,
Pam Kueber
8/10/2017