

Approved 9-25-2017 by PK and DR

Short Term Rentals (STR) Subcommittee

Sept. 11, 2017

Superintendent's Conference Room

Lenox Town Hall

1:30 p.m.

Attending: Ken Fowler (KF), Pam Kueber (PK), Kate McNulty-Vaughan (KMV), David Neubert (DN), Deb Rimmner (DR)

Absent with notification: Molly Elliott

Attending briefly (to review agenda): Clarence Fanto, Berkshire Eagle

Documents used during the meeting:

- Timeline to Nov and May Meetings
- Updated alternative Aug. 31 draft Listening Tour draft
- Permutations: How to regulate Short-Term Rentals (handed out but not discussed)

Discussion:

1. **Update on State Legislation and possible Building Code updates** – PK informed the group that Town Planner had heard informally from BRPC that the state legislature is likely to take up legislation in the new year and in addition, the administrators of the building code are looking at updates specifically addressing Short-Term Rentals. DR said that summer had slowed confirmation of a followup meeting with that building commissioner and that she would pursue it. Obviously, if building codes issues for STRs were addressed specifically in the building codes, this would make it a lot easier for our building commissioner to enforce. DR said she also would check with Rep. Pignatelli's office on status of legislation.
2. **Review timeline to meet Nov. and May Town Meeting deadlines and discuss our target timing for amendment** – PK handed out color copies of Timeline to Nov. and May Meetings document. She updated group on discussion with Town Manager in which he let us know that if we wanted to address any aspect of Short-Term Rentals at the Nov. Town Meeting, we could do so. In PK's words: Knowing that the entire process is going to take a while, do we want to "take one bite out of the elephant at a time?" in particular related to the issue of whole-house, non-occupied owner STRs, whose allowability has been interpreted different ways in the current bylaw. The group also discussed whether this presented an opportunity to clarify to investors the risk of buying entire homes to convert into fulltime STRs given differing interpretations of the existing bylaws. Members PK, KMV and DR stated concerns about taking a piecemeal approach, concerned it would be off-putting to voters and suggesting that it would be more effective to go through our entire process and present any and all bylaw updates as one comprehensive package. PK also pointed out that, as shown in the timeline, we had very little time to make any changes

happen in time for a November meeting given the two Planning Board meetings left between now and the time when a Public Hearing would need to be scheduled. It was agreed that we would have one final discussion on this at our next subcommittee meeting in case any members found an elegant way to make an interim bylaw change.

3. **Feedback and recommended changes based on August “testing” of Listening Tour Outreach Materials** – The group reviewed the Aug. 31 Outreach draft. The group liked the Likert Scale approach a lot, but agreed the questions needed work. DN had some background in writing effective polling questions, and the group spent about an hour discussing how to write good polling questions (in each question, create tension between two “goods” or two “bads” so that participants must think through and judge the tradeoffs); discussed the need to understand what information we were trying to get from the questions before we write/finalize them, and attempted some rewrites. The group brainstorming on questions come up with some good general ideas but ultimately it was agreed that since everyone now understood the process, each person should send their ideas to DR, who would edit everything into one document to be reviewed at the next subcommittee meeting.
4. **Next steps: Begin to plan outreach calendar** – PK relayed that several people she had interviewed in testing the outreach document recommended that we meet with small groups, rather than large groups, to ensure we get good participation. The group decided to continue this discussion after we have the Outreach documents completed and to think about the best outreach process in the meantime.
5. **Next meeting:** Monday, Sept. 18, 1:30 p.m., Superintendent’s Conference Room. Discuss next steps and agenda. To include:
 - Update on state legislation (DR)
 - Any ideas on Nov. warrant item
 - Continued discussion – possible finalizing – of Outreach materials (DR)

Respectfully submitted,

Pam Kueber

9/12/2017

PJK