

Minutes for Oct. 10 Public Meeting and Public Hearing

6 p.m. Auditorium

Attending: Pam Kueber (PK), Tom Delasco, Kate McNulty-Vaughan, Jim Harwood

Documents:

- Agenda
- Short-Term Rental bylaws
- Notice of Public Hearing
- Minutes for Sept. 24
- State definition for short term rental
- Correspondence from Mark and Jennifer Shapp, Michael Feder, and Town Counsel.
- Powerpoint presentation
- Sign-in sheet

Meeting was recorded by Clarence Fanto, Berkshire Eagle, and CTSB-TV

Minutes:

PK opened the meeting then opened the public hearing. TD read the Notice of Public Hearing. PK gave an overview presentation of the Short-Term Rental bylaw to attendees, then opened the hearing to comments and questions from the public.

Comments included:

- Tom Werman, as B&B owner, pays for inspections and has a lot of other requirements he has to meet and those doing STRs in the same business don't seem to have to meet the same requirements. JH said that enforcement of such issues are the purview of other departments within Town.
- Rinaldo Del Gallo, concerned with definition as it might relate to month-to-month rentals. Board clarified that such long-term tenancy/lease relationships were not considered short-term rentals.
- Cindy Weis, asked about clarification related to longer-term rentals such as two months for Tanglewood. Board confirmed short-term rentals are for rentals of 31 days or less.
- Fred Baron, question about multifamily units. Planning Board explained how bylaw would apply.
- Mark Smith, question about how registration would work. JH said this would be covered in the general bylaw being prepared by the Board of Selectmen. Question also rental of rooms. TD explained that transient use of a room is less than 31 days and reiterated that the new bylaw proposal would allow short-term rental of up to two bedrooms any time of year as long as owner or tenant was on premises.
- Suzanne Pelton, asked whether this would prevent people from buying houses to use as full-time short-term rentals without ever living in the house. Board said the intent was that the 75-day limits set on short-term rental of entire dwelling units would keep that from happening.
- Courtney Gilardi, asked about parking requirements. Board clarified intent, which was to keep vehicles from overwhelming a neighborhood. She also asked about the days set, JH reiterated

that the board was unanimous about number of days in relation to intensity of use within neighborhoods.

- Jeff Lynch, noting that he representing several Inns and B&Bs, spoke on issue of inequitable competition and what they have done to be compliant. Reiterated that current interpretations of the existing bylaw lack clarity. Did not feel that the 75 days would deter competition for outside buyers to buy housing to turn into fulltime short-term rentals. Asked whether definition would block full-time STR if there was not a fulltime resident. Board responded that if it were egregious the building inspector could get involved and that there were still the day-number limits as a deterrent.
- Ariel Smith, suggested rewording the sign guidelines to say no “advertising” signs. Discussion about whether parking on streets is legal, etc. Asked if tenants in an apartment building could rent, within days limit for parcel. Asked re registration process; that also will come from Select Board.
- Mark Manoli, said state regulations didn’t seem to be enough for us, we are hurting more people in favor of the few.
- Jim Biancolo, also commented on registration requirements, more discussion of parking, some discussion about events requirements, and question about the definition.
- Rinaldo Del Gallo, asked about right to write the ordinance. PK responded this was granted within state law explicitly. TD said other cities in Mass. have passed STR bylaws and they are much more restrictive.
- Lauryn Franzoni, commented positively on the process to come up with the bylaw and that it addresses with sensitivity the things that have been brought up.
- Susan Foulds, concern over having enough lower priced housing affordable for young families, retirees, and long term rentals – a dearth locally and in the county. Fulltime STRs take those units off the market. Thinks 75 days is too liberal but better than unfettered STRs.

PK closed Public Hearing. Returned to public meeting.

Board discussed changes to the bylaw including public comments and input from Town Counsel. Made one word change each in purposes and signs; struck registration requirement since there is going to be a general bylaw; incorporated town counsel wording suggestions in several locations; added clause to definition taken from state; for clarity, split multiple dwelling units on one parcel into its own section.

Deferred review of Sept. 24 minutes to the next meeting.

Next meeting will focus on planning for Nov. 7 Special Town Meeting and working on Land Use section of Master Plan.

Meeting ended.

Respectfully submitted,

Pam Kueber and Kate McNulty-Vaughan