

Approved 11-9-2017 by DR and PK

Minutes

Short-Term Rentals subcommittee

Nov. 1, 2017

10 a.m.

Lenox Town Hall Land Use Room

Subcommittee members attending: Pam Kueber (PK), co-chair; Deborah Rimmler (DR) co-chair; David Neubert (DN).

Audience: Jim Harwood; Clarence Fanto, Berkshire Eagle.

Meeting opened and PK stated she was audiotaping the meeting, as was Mr. Fanto. PK explained that after attending the last meeting, Mr. Kelly Brown, who could not be at this week's meeting, asked if we could open a phone line. PK said she had talked to Town Planner Gwen Miller about the request, and concerns surfaced about the availability of technology (in fact, the Land Use room does not have a table phone) as well as whether we would have to open this up to all. GM suggested that instead, we offer to audiotape the meeting, which we now are. At Mr. Brown's request we can send him the file via dropbox.

**Citizen's Open Forum:** Note, Mr. Harwood arrived after the meeting opened, but we will include a summary of his comments here as per the order of the agenda. Mr. Harwood said that short-term rentals had been going on in Lenox a long time and that he thought they were a good thing for the town in a way that is compatible. He said that we had laws in place already that deal with building codes and health issues, and that if any given short-term rental proved a problem they could be dealt with via enforcement through those means. He said that as an architect, he considered the building code issues often raised to be a red herring – that if short-term rentals were really a safety problem there would be data to show it. He said that in Lenox, the issue of affordable housing is the significant issue and that we need more affordable houses if we aim to bring more full-time residents to Lenox. He also said that he did not consider hotels and B&Bs to offer the same product as a short-term rental – they are different business models; he did agree that room taxes should be collected on short-term rentals just as they are on hotels and B&Bs. There was discussion among the subcommittee and Mr. Harwood about various aspects of how regulating short-term rentals comes down to determining “values” issues – that is, what type of town do townspeople want to the town to be. Mr. Harwood again brought up that the larger issue in Lenox was the lack of affordable housing and that perhaps the Town could consider, through its affordable housing efforts, filling those gaps by raising eligibility requirements / taking the lead in getting more mid-market homes built and other such efforts; PK suggested that liberalizing fulltime STRs would mean investors could take housing out of the market and then taxpayers would have to pay taxes to replace the units; it was agreed the topic needed more discussion. DR said it could be that allowing ADUs to be used as STRs could help fulltime residents afford to live here. In the end, Mr. Harwood summed

up by saying “don’t solve a problem that doesn’t exist.” It was agreed that the issues can get emotional and that the subcommittee should do its best to keep discussions focused around rational facts, and not anecdotes.

**Nov. 14 flyer** – The group finalized the flyer drafted and designed by Gwen Miller (thanks, Gwen!) for the Nov. 14 Community Roundtable Discussions. We will ask her to add a line defining STRs as 30 days or less, plus a blurb about the option to take the survey online starting Nov. 14. There was some discussion about launching the survey earlier and putting the link on the flyer, but it was decided there was not enough time to finalize the content of the survey – video needs to be split and re-recorded – before we began handing out the flyer tomorrow.

**Special Town Meeting Plans** – DN volunteered to help hand out flyers at STM tomorrow night (Nov. 2). PK said she would also ask Kate McNulty-Vaughan. PK can also help but may need to be inside meeting ahead of time to present Master Plan funding request.

**Other publicity efforts** -- The group discussed other ways to publicize the Nov. 14 sessions and agreed we would finalize everything at the next meeting, Monday, Nov. 6, at 10 a.m. Ideas include:

- Special Town Meeting flyer and mention during Master Plan presentation
- Eagle story
- Eagle calendar
- Town Website posting
- Public Notices that will go out on ListServe
- DR will ask about note to go out in school backpacks.
- DR suggested a template email that everyone could send out inviting contacts to the sessions
- Same email as above could be circulated to Chamber of Commerce and other stakeholder groups.
- Select Board on camera mention – PK will go tonight (11/1)

**Nov. 14 Presentations content and format** – There was discussion about how the Nov. 14 sessions would be run. We agreed we would finalize this at the Nov. 6 meeting. In general we agreed we would start with ½ information session – powerpoint and Q&A. Then the groups would break into table discussions. DR is going to work on the “form” they will report out – that is, what we want/need to get from them in terms of opinions to help us drive toward policy recommendations. PK mentioned focusing on the values identified and captured in the early versions of the survey, also the need to get concrete thoughts on (1) non-owner occupied, investor-owned fulltime STRs, and on (2) the recurring suggestion to let ADUs go STR as a way to help year-round residents better afford to live here. For next meeting we also agreed that we need to add slides on (1) Building Code – DR to handle; (2) Board of Health – PK will handle; (3) State legislation – PK will draft, DR will get update; and (4) different ways that Planning Board is

able to regulate STRs. The team also discussed whether to invite Airbnb from Boston and after discussion agreed to consider it.

**Minutes:**

- Minutes were approved unanimously by PK and DR as drafted for Sept 25; Oct. 1; and Oct. 23.

Next meeting: Monday, Nov. 6, 10 a.m.

Respectfully submitted,

Pam Kueber