

STR Task Force meeting, Monday, August 29, 2022

Call to order at 5:07PM. 20 in attendance+/-, 3 on zoom.

Ann Bordeianu (AB) Moderator

Shannon Martinez (SM) Town Manager

Lisa Hoekstra (LH – re: STR platforms: Granicus and GovOS)

Community Member (CM)

AB called to order. General info and background about the STR Task Force. Community input from a diverse group. Focus on the good, neutral and negative impacts on community. Goal is to work with town leaders for fair, sensible and enforceable regulations / ordinances.

Reviewed current ordinance - based on “4.20 PROHIBITED USES Any use not specifically permitted is prohibited. (Amended 3/14/2000)”

STRs are not currently allowed. Need to define via zoning ordinances to allow STRs. Also look at various impacts in various land use and zoning districts. Looking for consistency between ordinances and zoning districts. Impacts on town administration, police and fire departments. Impacts on resources that are for residents only. General town infrastructure, impact on schools, work force housing and affordable housing for families.

CM Question / comment: If we don’t have enough long-term rental properties or workforce housing, we lose some financial support from the state.

AB Review about how info regarding meetings, documents, agenda, videos, zoom etc. is available. Group wants a reflection of what the town really wants and have reached out to town officials. Have researched many other towns and their ordinances. Introduced the Guiding Principles document. Take the guidelines and combine with current zoning as well as consistent with Master Plan, state RSAs and case law in NH.

SM Intro of Granicus and GovOS as two STR management platforms. The Granicus PP is available to view on the town manager webpage. Looking at other systems as well that will connect with current software. Will also be dependent on adopting building codes. STR management companies provide consistent “scrapping” of STR platforms for up-to-date data about rentals. Have backend compliance assistance.

LH Read pages from the Granicus PP regarding services they offer, starting with identification of STRs in Sunapee. They work with our ordinances for compliance. Also offer a 24/7 hotline assistance. Cost to town is dependent on how many STRs there are.

SM: Explained process going forward: suggestions would come to her, then there will be two avenues of evaluation. Before the registration process the system would need to be vetted by various constituents, followed by a time for community members to comment. Might use Google docs for this. Then would go to Planning and Board of Selectman to review. Would ask for Department Heads' input prior to Boards' input. Their suggestions would be integrated as well.

SM con'td: Looking for lots of feedback from constituents. Will need to go with a software platform of some sort. Current systems can't support what is needed.

CM question / comment: What is the timing for documents to be presented to boards and how will they be presented to the boards?

SM Looking at a 10 day "feed-in" period for review and feedback from residents before finalized. Definitions would be discussed and run by town council - feels we need to have the rental definitions writ large.

AB Began discussion about "Guidelines" handout.

CM questions / comments: #3 on handout about multi-family dwelling units and possible restrictions.

AB The attempt is to discourage investors from buying 2+ unit houses and turning them into STRs.

CM questions / comments: Could multi-family dwelling units be limited to just 1-2 STRs within the building? Is there a risk to long term residents in an apartment building if 2 are used as STRs?

CM questions / comments, cont'd: Need global ordinances that are applied equally. Can't apply regulations from 2000 to today's needs. STRs are "hotels". Can use current ordinances, the zoning map, reviewed 1 district at a time, about 75% of the town is rural residential. Current ordinances do give direction on hotels and motels – just need definitions. Spirit of the ordinances was to direct decisions. The definitions aren't in the 21st century. Each STR should go through a Site Plan Review that meets the criteria of the defined hotel / motel.

CM question / comments: The intent of #9 on the "Guidelines" document was to define and permit STRs via zoning with Rural residential via Special Exception.

SM read definition of hotel / motel from Cordell Johnston, STR consultant to the town: *"HOTEL, MOTEL, AND INNS (REPLACE): A building or group of buildings that contains two or more living accommodations constituting the temporary abode, for 30 days or less, of six or more transient persons whose primary residence is elsewhere. "Hotel" includes hotel, motel, condominium hotel, timeshare, or other type of interval occupancy or ownership, together with indoor or*

outdoor facilities for dining, relaxation, or recreation for such occupants. "Hotel" may also include customarily accessory facilities, services, and activities, such as outdoor recreation, for guests and the general public."

And

Transient is described as residing in one location for 30 days or less.

AB Hotels and motels are regulated by the state. Should the group be looking at the state regulating STRs?

CM question / comments: Hotels and motels are regulated very differently by the state. Fire safety, egresses, etc. Bed and Breakfasts are in a different category as well, partly because of building type. STRs tend to be residential structures that are operating as a home-based business. A home-based business would require a Site Plan Review to open discussion about impact on neighborhood.

CM question / comments cont'd: Then "home business" would need to be re-defined. As well as type of dwelling.

AB Goes back to furthering discussions about transient lodging, such as B&Bs, tourist homes, ect. because it fits better there than in hotel / motel and look at where they are allowable.

CM question / comments: Disagree about STRs being hotels / motels. Isn't a TH nearly the same as a STR with a slight change in definition? The difference between THs and STRs is sometimes owner-occupied vs non-owner occupied. Finalizing definitions is what town counsel has suggested from the start as the foundation for everything else.

AB: #6 on Guidelines document: about local contact needed for STRs. If not owner occupied then a local contact. Read email from Lt Cobb, "Someone in charge who can respond from a reasonable distance in a reasonable amount of time in the absence of a property owner." "Reasonable time" in touch within 30 -60 minutes by phone or in person.

CM questions / comments: Could be a neighbor or security company. "In touch" versus in person – in person not realistic.

SM: A software platform would help with having local contact info – have a 24/7 hotline.

DO OUT AB: follow up with police. In touch in person or by phone?

CM questions / comments: #7 on Guideline document – "frequency" of registration of 2 years. A frequency was not discussed or agreed to at the last meeting.

DO OUT SM will ask Cordell about frequency of registrations.

AB #8 on Guidelines document: Use of resident only town resources, most specifically Dewey Beach. Should STR guests have access to Dewey Beach as residents do? This year has been limited to 1 pass per household.

CM question / comment: Needs to be clear what “guest” means. Much discussion about what guest means and intention of the Dewey Beach deed, including comments from a Dewey family member.

SM Similar questions were raised and addressed in the 1980s. The term “guest” can go either way. Can the Dewey family write something to codify / remove the ambiguity of the term “guest” in the deed?

Dewey family member: Deed is permanent; Can’t change it – it says “forever”. Things in the deed are not being adhered to. Complimentary of how beach is currently being run.

AB: Spirit of the Dewey Beach deed is for residents, not their paying guests. Can be an enforcement challenge.

SM: Reviewed how the decision was made for this year to be one pass per household. Different than the transfer station / beach pass issued to residents.

CM questions / comments How is Dewey Beach this year with the changes? Any data to share yet? Protecting the rights of Sunapee citizens.

CM: Town should consider some sort of electronic ID system.

CM questions / comments: Can the beach question even be voted on. A guest is not paying to stay with a friend or family, so therefore a STR guest cannot use it because they are paying to stay.

AB: Continue with #8 on Guidelines document, re: transfer station is for residents only.

SM: Best practice would be for a trash service required for STRs.

CM: comments / questions: Maybe charge a fee for STR guests to use the transfer station. Maybe change the hours the transfer station is open since other receptacles have been overflowing. Hard to manage when owners not nearby or don’t have local assistance. Different requirements for STRs vs THs.

AB: #9 on Guidelines document, re: STRs complaint with town ordinances and town zoning ordinances.

CM question / comment: Those ordinances still to be defined.

AB: Next meeting in 2 weeks.

Meeting adjourned at 6:42PM

Respectfully submitted,

EM Hoekstra