

Date: 4/21/23

Dear Councilor Zeid and all City Council Members,

First, I want to thank the City Council members and the Planning Board for their efforts to put forth a STRU proposal in efforts to serve the purpose that was put forth by the Council one year ago... *"To allow STRs in the city in a limited capacity so that we don't disrupt the quality of life in the residential neighborhoods. To find a balance between the two"*. As a resident and a STRU owner, I too want to find a balance. Sadly, I feel like I am unfairly classified as an "Investor" STRU that is NOT PERMITTED to operate under this ordinance. After listening to our community's concerns, I feel the common theme of those for and against STRUs is LICENSURE. Keeping our city's goal is in mind (in blue italics above) and listening to the many valid points of our residents, I feel the STRU concerns can be more simply rectified by concentrating on the following licensing suggestions:

- 1) Immediately require a license for all operating STRUs. Perhaps allowing licensure for those that are registered with the state as of a certain date. In the last meeting there was mention of approximately 170 STRUs currently operating on and off PI. Likely there are a lot less that are registered with the state. There are 7,243 deeded homes in Newburyport (4,442 single families, 2,370 condos, and 431 multi-families). The STRUs make up 2% of deeded homes. A manageable number with the proper licensing restrictions.
- 2) Require each STRU to pay their state and city taxes immediately. At the last City Council meeting there was mention of the current loss of revenue due to lack of licensure. It was also suggested that we use STRU licensing funds to manage STRUs and/or contribute to affordable housing. Both suggestions are a win/win.
- 3) Impose restrictions on licensed STRUs regarding noise, trash, property appearance, parking, occupants etc.
- 4) Require PI STRU to have restrictions as well, while allowing reasonable variations in parking, number of occupants, # of units allowed etc. to account for the different nature of their beachfront residential neighborhoods.
- 5) Impose repercussions for multiple, valid STRU violations. Should a STRU owner have a certain number of valid violations, it can result in loss of their license.
- 6) Limit the number STRUs in the City of Newburyport based on a proper study and acceptable growth that will maintain a good *"quality of life in residential neighborhoods"* while balancing the need for STRUs in our community. Start with mapping where the current STRUs are located and study and understand where growth makes sense and balances our quality of life.
- 7) Limit the number of STRUs on PI based on a proper study and acceptable growth for a beachfront residential area keeping in mind the impact the STRUs will have on PI's residents as well as elsewhere in Newburyport.
- 8) Track the type of complaints we have receive(d) so we can better understand their nature.
- 9) Tweak the STRU licensee restrictions as we better understand the nature of the complaints.

I feel the proposed Ordinance is a complicated and unfair solution to a problem that I am not sure currently exists for the following reasons:

- 1) The Proposed Ordinance was drafted without knowing how many STRUs will be eliminated if it goes into effect and without understanding the financial impact it would have on the city.
- 2) The classifications of the "allowable uses", "Owner Occupied" and "Investor" STRUs, do not make sense after hearing the concerns of our citizens. It is a common theme that

- 3) many issues arise from units that are attached to others, sharing common entry ways, common o/d space, common walls, and floors. At the last meeting one Middle St. resident spoke of multiple units in one building being a sort of “flop house”; another resident at a prior meeting complained of noise through the “walls” and another complained of someone knocking on their condo door asking for “vanilla” and “the location of the common grill”. These types of attached units/condos are allowed under the “Owner Occupied” STRU but not by the “Investor” STRU. **What is the logic behind this?** I feel that this is a misclassification and allowable uses should be broken out into “Attached (or Condo STRUs)” and “Detached (or Single Family/Multi Family) STRUs”. *The “Owner Occupied” and “Investor” STRU classifications should also be changed for the following reasons:*
- a. The SF homes (detached) classified as “Investor” STRUs in R2 are NOT PERMITTED and should NOT be lumped together with condos because they are not the underlying issue based on the complaints.
 - b. It is unfair that the “Investor” STRU owners and residents (many who have spoke at prior meetings) would have their “Investor” STRUs eliminated based on these classifications, while the “Owner Occupied” snowbird can still operate despite being away from their home for months. Residents complained that the “Owner Occupied” snowbird STRU owners are not present during stays and therefore unable to respond to problems, but many “Investor” STRU owners who are minutes away, are NOT PERMITTED. **Why is the “Owner Occupied” snowbird being allowed but not the Investor Owned who many live close by? Have you considered the City’s legal ramifications if this Ordinance is passed with these unfair classifications that result in STRU eliminations?**
 - c. The “Owner Occupied” STRU classification allows a homeowner to go on vacation and rent out their home. A year ago, I asked the City Council the nature of the complaints that led to this Ordinance. Councilor James McCauley responded *“Noise, over-crowding, prostitution, illegal drugs, disturbance of the peace and excess trash.”* He mentioned that a lot of these complaints stemmed from an “Owner Occupied” couple that rented out their home while they went on a vacation. The guests proceeded to have a Bachelor Party that resulted in the use of illegal drugs and prostitution. This bachelor party was the source of many of the complaints listed above. The “Owner Occupied” classification allows for this type of rental.
 - d. The “Owner Occupied” STRU allows for someone to rent out their extra bedrooms in their condo or single-family homes (up to 6 additional people or 3 bedrooms). I tried to picture what this would look like. A neighboring condo or single family having 3 empty bedrooms and renting it out to 6 people (potentially from different families) while the owner was not required to be present? **Would our residents prefer this situation rather than renting out the entire “Investor” SF or Condo to one party? Has the City Council considered this? Why would this “Owner Occupied” STRU situation have a better “effect on the quality of life in the residential neighborhoods” than the “Investor” STRU? Please explain. Has the Council considered the parking implications, noise, over-crowding of neighborhoods in allowing this type of STRU?**
- 4) The Ordinance does not have defined STRU limits on PI or elsewhere. Plum Island is allowed unlimited STRUs and elsewhere in Newburyport each owner can have 1 “Owner Occupied” STRU. Per today’s public record there are 7,243 deeded homes in Newburyport. Meaning we can have potentially several 100s of STRUs with unlimited allowance on PI and each “Owner Occupied” STRU being allowed 1 STRU. **Have you calculated how many potential STRUs are allowed to operate on and off PI based on this Ordinance? Have you considered the potential impact on the “quality of life of the residential**

neighborhoods” without any limits on PI? Have you considered the impact of additional units off PI? If so, what is the impact? If not, why not?

- 5) The “Plum Island” STRU classification is extremely unfair to all Newburyport residents and STRU owners for the following reasons:
 - a. Does not eliminate “Investor” STRUs - as it does elsewhere
 - b. Allows for unlimited STRUs per owner – even if the owner doesn’t live in Newburyport. There is a potential for 1 investor buying up condos, SF, and MFs on the Island and run a large STRU business in our city... disastrous.
 - c. The potential for a lawsuit against our city because of unfair PI allowances and of the impact of these allowances might have on our residents on and off PI. **Putting the PI exclusion for said “zoning reasons” aside, if this Ordinance is passed who are we protecting on PI? The residents, the investors? Please explain. Have you considered the potential for lawsuits? Please explain?**
- 6) The Special Permit Granting Authority (SPGA) and Application Process (to be renewed every 3 years) is costly, restrictive, and extremely cumbersome. The City will use its’ funds and resources (people) to maintain the process. They potentially will have to defend why they are allowing one neighbor/area to operate a STRU and not another. Let’s start with a simpler licensing requirement with growth restriction based on a proper study. In addition, many of the Application Requirements, items iii. and iv. can be found on the City’s Assessor’s website such as no. of bedrooms, no. of bathrooms, parking, uses (SF, MF, Condo), etc. **Might this be a better and faster source of information to attach to an application? Why are we just targeting certain zoning areas with excessive requirements while other areas of the city do not have such a requirement?**
- 7) The #1 goal stated in the Memo of this Ordinance was to “honor the previous work that was done”. I feel this is an inappropriate goal if the previous work did not meet our purpose “To allow STRs in the city in a limited capacity so that we don’t disrupt the quality of life in the residential neighborhoods. To find a balance between the two”. Please consider changing what has been done in the past if it wasn’t the right solution. The common solution I am hearing is LICENSURE!

I want to thank everyone for their time and dedication and your consideration of my thoughts and comments in this letter. I really hope we can collectively work *“To allow STRs in the city in a limited capacity so that we don’t disrupt the quality of life in the residential neighborhoods. To find a balance between the two”* with a more equitable and simpler solution, licensure.

Kind regards,
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