

Dianne Boisvert

From: Constance Preston
Sent: Wednesday, February 9, 2022 5:20 PM
To: Andrew Port; Dianne Boisvert
Subject: Fw: Short Term Rentals

From: Jane Snow <jsnowcat@gmail.com>
Sent: Tuesday, February 8, 2022 2:40 PM
To: edcameronbpt@gmail.com; Christine Wallace; Constance Preston
Subject: Short Term Rentals

To: Cllr Cameron, Chair Planning & Development Committee

Cllr Preston

Cllr Wallace

From: Jane Snow

Re: Short Term Rentals

February 8, 2022

Short Term Rentals have been in discussion since 2017. Cllr McCauley put forth an ordinance #46 to try and address this complex issue. I have nothing but the utmost respect for his efforts to put forth a finalized version that would have a clear process and rules guiding the operations of Short-Term Rentals and a process to protect abutters from operators that do not follow those guidelines. As he has gone thru this process it has become clear, in my opinion, that the departments will not support his efforts to address this.

At the Jan 25th mtg of the ZBA Short Term Rentals were not on the agenda but discussed at the end of the meeting. It was stated they met via Zoom with Council President Shand, Cllr McCauley, Cllr Cameron, Chair of Planning & Development, Andy Port, Jennifer Blanchette and KP Law. The ZBA stated they shouldn't be involved because they don't have the time. The ZBA supported the removal of the 2-prong approach- Zoning and licensing -that was in the current proposal. The Zoning officer would now check the application to see if the person qualifies. If denied by Zoning Officer, then they could apply to ZBA. Andy Port supported the Chairs summary of the changes. Now there will be no special permit, but by right. I found the discussion very concerning.

In 2019 I filed a complaint with the Zoning Officer as my neighbor had listed his home as an Airbnb and rented it out to a stag party. The guests parked all over my property and used inappropriate language when approached about where they had parked. When I called police, I was referred to Zoning Officer. I sent a letter stating that under our current zoning Airbnb's were not allowed: V-B Applicability of use regulations. "Except as provided in this ordinance, no building, structure, or land shall be used except for the purposes permitted in

the district, by right or by special permit, as described in this section." V-D Table of use regulations: Lodging house, Hotel/Inn, Bed and Breakfast are not permitted in R2. Airbnb is not listed as a lawful use under our Zoning Code. I asked that this be enforced.

The response I received was: "that the city did not have specific regulations regarding the rental of a single-family home to a single-family user on a short-term basis. When and if the city adopts short term rental zoning/permitting, then the Use would be viewed distinctly."

Other incidents occurred and I went from feeling very comfortable in my home to becoming very aware of the need to keep my doors always locked. It wasn't until the Aug 2020 at a STR meeting that Andy Port stated that KP Law was consulted and stated STR's are illegal as they are not listed in our table of uses. Land Court decisions support this. For a year what I clearly stated in my complaint was ignored, when in fact is was correct.

Currently nothing is being done to educate/inform residents that our current zoning does not allow Short Term Rentals. When I did my research last year only 52 of the estimated 185 existing units have registered. Most of the STR Units are in Wards 1,2, & 3 yet we are now considering allowing them city wide.

I truly wanted to be able to support this. I have spoken with Cllr McCauley many times trying to find a spot where I would feel comfortable with allowing Airbnb's. I do respect the work Cllr McCauley has done, but with the first-hand experiences I have had I just can't support "by right" with no special permits. It is a definite deal breaker for me. This is extremely unfair to residential homeowners and favors a small group (158) of Airbnb owners. This is not residents allowing guests in their home to help supplement their income they are clearly investment properties. In most cases no owner is on site when they are rented. Why are we changing city wide zoning for approximately 158 folks who want to run a business in a residential area? This is a very difficult issue as it is extremely time consuming and difficult to know to whom a property is rented- family? under 14 days a year? an exchange of homes for vacations? etc. It would require the city to hire an agency that has the technology to attempt to track all that. It would then be up to our staff to enforce the rules. If you have attended the meetings and listened staff is doing all it can to have little to do with short term rentals. After reading the current draft of ODN 46 I feel short term rentals should not be allowed and our staff should actively enforce our current zoning. If you have not had the experience of a short-term rental that is available for inconsiderate guests with no owner on site or any city department that seems to want to help, you have no idea the negative effect, it can have on a neighborhood. Without strong support from our Zoning Officer and the Planning Director this Ordinance will not be successful

Below is a chart I compiled in 2020 on the location of the Airbnb's I found online and the type of rental

Airbnb	2017	2020	% Increase	Plum Island	2020
Listings found on line- Inns, B&B and Plum Island not included	78	127	61%	Listings found on line-	58
# Registered		52		# Registered	37
Entire House	37	98	265%	Entire House	33
Town House	8	11	72%	Town House	
Entire Apartment	18	26	69%	Entire Apartment	8
Suits/Loft	5	11	45%	Suits/Loft	1
Rooms	10	29	30.40%	Rooms	1

	Total Units	Houses	TH	Apt	Condo	Suit / Loft
Ward 1	25	12		8		1
Ward 2	48	16	4	8	2	5
Ward 3	31	14	4	5	3	1
Ward 4	17	11	2			2
Ward 5	0	0	0	0	0	0
Ward 6	1	0	0	0	0	0
Location ?	5	2	1	1	0	1
Plum Island	88	33		3		1
Totals	185	98	11	26	5	11

Most of the listing fall between Kent St and the Sea Wall on Water St.

properties it effected.

Thank you for taking the time to read this. I am happy to share any additional data I have compiled on short term rentals.