

Short-Term Residential Rental Committee
Monday, November 25th 2024
5:00 PM
York Public Library

Committee Members:

Haven Hatch, Russell Osgood, Maria Lovo, Aaron Perkins, Doug Mindell, Mike Powers, Jay Moroney

Others Attending (Staff):

Dylan Smith, Durward Parkinson, Brian Trafton

Welcome and Introductions

- The committee reintroduces themselves to the group and reviews their background and reasoning for being on the committee
- Durward introduces himself and his role as a moderator for this committee
- Dylan Smith - director of planning introduces himself
- Brian from planning board introduces himself

Review of the Charge

- Mike reviews the charge verbatim from the document to the group

Minutes from Previous Meeting

- Haven verbalized an overview of the previous meeting which was mostly administrative.

Data Needs for Review of STRRs

- Discussion opens for data review collection
- Committee reviews list of data collection ideas provided by Dylan Smith
 - Committee assessed value or data collection / order of operations

Existing Short Term Rental Market Data

- Number of short term rentals in town would be the most helpful piece of data according to Dylan
 - Code office would want to support this / code is also looking for this information
 - Additional support for getting this data / useful for town
 - Osgood asks how and where the town got the number from before as there was an initial estimate of number of STRs in town floated
 - Dylan explained data was marketing estimate / not necessarily accurate
 - 5-20k estimate from data mining sites
 - Looking for more of a snapshot could be less expensive
 - Might have to go to select board for approval for spending \$\$
 - Turn around time to collect data could be maybe 1-2 weeks
- Committee agrees to the number of STRs being necessary
- Clarification on what occupancy rate is
 - person per room vs. nights booked
 - Hospitality perspective nights booked important / safety perspective persons per room important
- Committee does not feel like average nightly/weekly rate is relevant
- Clarification that STRs are not ADUs and ADUs are not allowed to be used as STRs
 - Permitted use / requirement on parking

- Suggestion to add amenities to trends
 - Note on fire pits, hot tubs etc
 - Want to know if firepits are a top amenity since firepits are a buzzword for STRs in town
- Data collection of revenue from STRs
 - Note from committee on ability to examine what would happen if we were to get rid of STRs
- Data on trends overtime
 - Committee notes specifically STR over the past 5 years in York specifically

Community Characteristics Data

- Note for Dylan to provide to the committee Housing Chapter of the Comprehensive Plan and the Comp Plan itself for further clarification
- Clarification on if demographics data is for STR owners or for users of STRs
 - Maine office of tourism provides data for travelers to maine if we want specific info on tourists
 - Note from committee more important to know the community demographics vs traveler demographics
- Suggestion from committee to use a survey to collect demographics data
 - Discussion on response rate / postcards info below provided by Dylan
 - Roughly 5k/4k in cost to send out postcards for survey responses (1 per household)
 - QR code on postcard / allowed paper copy
 - Success rate / statistically significant number of responses

Financial Data:

- Agreement from committee to make financial data secondary to above categories

Legal and Regulatory Data:

- Committee also agrees legal and regulatory data comes secondary to above topics
 - Regional data

Comparable Jurisdictions:

- Suggestion to explore more than just maine / regional towns & cities with STRs
- Suggestion to add research on towns/cities that considered but rejected ordinances

Enforcement Data:

- Understanding historical data collected and ways to collect this data in the future
- Suggestion to look at town wide data already available to determine if there is an issue
 - Complaints regarding fire pits, noise, trash, parking
- Dylan to reach out to police, fire, and code to meet with the committee
 - Code has expressed wanting to connect on STRs

Discussion on Individuals to Invite to Future Meetings:

- Police, fire, and code
 - More of a discussion / back and forth
- Hospitality professionals
 - air bnb / hotel & inn
 - Suggestion to ask chamber for hoteliers
 - Wanting to talk to hoteliers to see if they have been impacted by STRs
 - Either positively or negatively
- Realtors
- Additionally stakeholders
 - Shop owners, restaurant owners, shop owners
- Suggestions to reach out to the York Chamber of Commerce to invite business owners for a discussion on STRs

*Haven and Maria agree to send an email to the York Chamber to ask for a meetings from business owners to vocalize their opinions on STRs to the committee

Committee continues to discussion what info we want from the police, fire code,

- Data would like to have before we chat with them so the committee can review and prepare questions
- Progress report provided when we ask for more time

Formal request made to be on the selectboard meeting in January

- At the planning board meeting committee would like to have a progress report to share with the planning board
- Committee anticipates putting forth a request to extend deadline before putting forth formal recommendations to the selectboard on STRs

Open for Public Comment:

- **Question** from Ann Brzys - Question presented to Dylan
 - Are ADUs being used as STRs and who determines where the STRs are in town? What is an ADU? Ann expresses concerns on smoke alarms in ADUs and STRs. Final question on what happens when she calls police but doesn't file an official complaint.
- **Answers:**
 - Code enforcement office keeps a list of where past and current ADUs are.
 - ADU is defined in town ordinance
 - Deed restricted, long term not STR
 - Clarification from committee that committee is focusing on STRs not ADUs but since there may be misuse committee is looking at the whole picture
 - Clarification that whether you file a formal complaint or not all that data is collected by the police/fire
- **Comments** from Trevor Copan who is an STR owner.
 - Suggestion to open a night open to STR owners in addition to those committees listed.
 - Feedback on the one complaint he has ever had at his property he called it in himself and wants to clarify that looking into STR complaints may be from owners and not just neighbors. When you look at complaints it could be from responsible owners and that issues with neighbors could have been resolved since complaints have been made.
 - Trevor notes that the nature of STRs from owners may be that they put the property on and take it off and how does the committee plan to identify if it is owner occupied
 - Trevor expresses concern over occupancy rates and revenue
 - Trevor asks Osgood on insight on inspections for Ogunquit STR / how many issues are there
 - Osgoods states - got a lot of issues. Some grotesque safety concerns/ vs. smaller things that they let go
- **Comments** from Kirk Minnick
 - States he filled a freedom of information request with the state asked for data on hospitality rental tax and states you can't get that information as granular as he requested because Airbnb and VRBO collect the tax for STRs and report/provide it to the state in whole not by town or community
 - His feedback is that coastal communities generate the most revenue for STRs but if it paid in sum to the state is it not equally distributed to maine communities contributing
- **Comments** from Jim Smith
 - Comments that there is "no perfect data" / all data is valid
 - Requests that residents who live next door to STRs should also be included in the conversations in addition to those suggested from the committee

- Provided the committee with research from a survey report prepared by Kirk Minnick - notes that feedback is mostly from residents who supported the original ordinance
- His additional comments
 - Mom and pops need to be considered / not looking for bad STR owners
 - 2 bedroom smaller properties who have been renting for years vs. investor owned STRs pushing up evaluations
 - On the issue of complaints - we don't have a good system of collecting data or people have been told they don't have staff to deal with it - related to a concern of how accurate the data is based on that
- Maria notes that every meeting is open to public so committee welcomes everyone to partake in the discussions and there was no intent to leave out concerned parties

Review of Schedule and Future Meetings:

- Next meeting scheduled for the December 9th
 - Notes that some committee members will be zooming in
 - Town department meeting police, fire & code
- December 23rd next one
 - Topic will be data review
- January 6th
 - Continuation of data review
 - Prepare to prep current findings for select board
- January 13th
 - Request for more time at selectboard
 - Chair needs to be represent to request extensions
 - Official change to the charter
- January 27th
 - open discussion with hospitality stakeholders

Motion to adjourn

Time Adjourned: 6:34pm

Respectfully submitted,

Haven Hatch, Recording Secretary

Date of preparation of DRAFT minutes by the recording secretary: 11/25/2024

Date of adoption of FINAL minutes by the Board:

Short-Term Residential Rental Committee
Monday, December 9th 2024
5:00 PM
York Public Library

Committee Members:

Haven Hatch, Russell Osgood (zoom), Maria Lovo (zoom), Aaron Perkins, Doug Mindell, Mike Powers (zoom), Jay Moroney

Others Attending (Staff):

Dylan Smith, Durward Parkinson, Brian Trafton

Welcome and Intros

- Durward requests Committee to go through intros
- Fire & Code intros:
 - David Apgar York Village Fire Chief
 - Jeff Welch Beach Fire Chief
 - Harry Norton - Director of Code Enforcement

Durward notes committee has a time constraint and has to end at 6:00 for the select board meeting.

Introductory Remarks from Fire & Code:

- Apgar - been chief for 6 months / been doing inspections for about 20 years (2005). States he knows a lot of the buildings around town intimately because of this but does not know the Airbnbs because they (fire dept.) have not been tasked to do this. Landlords (STR owners) are very receptive when he has had interactions. Main concern (with STRs) is overloading those houses and having no control over it. Think the committee's task is the appropriate way to go about solving the issue.
- Chief Welch - notes that Apgar covered the basis. Inspections on yearly basis for seasonal hotels, motels, etc but yearly inspections does not include residential rentals or short term rentals. States his concerns with short term rentals and rooming houses are mostly related to life safety codes - making those properties safe for renters. Have not had a lot of complaints regarding STRs. Most of what they have found they dont like they have found in the field when responding to emergency services.
- Harry Norton - Big takeaway gets a complaint and will not be able to do anything about complaint under zoning ordinance. Only mentions are on parking and no STRs are allowed in ADUs or on a property where an ADU exists. Complaints he gets are - bad for the neighborhood, not being safe, rowdy. Thinks 64 was a good effort but looks forward to a practical approach.

Questions from the Committee:

Moroney - are fire pits in general an issue in town?

- Beach fire district / covers northern half of town (most of town) / in past 5-7 years 1-2 fire pits disputes / general complaint is smoke but no ongoing complaints or concerns with fire pits
- Village district - 45 years in the service / smoke or smell of smoke usual concerns. Increase in complaints over past 4 or 5 years specifically in the harbor specific - notes compact area / private residents turned into airbnb. In past 5 years no actual danger mostly disgruntled neighbor

Moroney - clarification request on any danger from fire pits:

- Apgar - fire pits need to be 10-25 ft away from house / most of them are in compliance distant wise

Moroney - What conditions are they seeing in houses that aren't safe / what are you seeing and how often / owner occupied vs STR?

- Welch says 50 / 50 split in concerns in properties with no overwhelming difference. Most common concerns of no fire alarms or disconnected alarms / no carbon dioxide detectors or gas detectors / older homes / dead batteries in detectors. Means of egress in living spaces bedrooms set up in attics and basements. Bedrooms with no windows / spaces converted to sleep more people.
- Concern is no enforcement / ordinance to fall back on. Apgar adds Harbor has a lot of older and larger houses, those turned in Airbnbs or STRS without ability to get them up to code and with proper egress.
- Porch fire is a big concern / many fires are caused by improperly disposed cigarettes. Apgar notes if older homes go from residential to commercial they can bring older homes up to today's code.

Perkins - Harry, what are the concerns you hear in your office?

- Norton - main concerns are what it is doing to the neighborhood and people feel as though it is a commercial use in a residential zone and but it is a residential use in the ordinance.
- Safety is a concern.
- Number one complaint is STRs are business use and should be required to have business license. Norton states town passed the use before they passed an ordinance.
- Norton grew up in York Beach and notes York has always had rentals but agrees that some properties should be looked at.

Perkins - How should the fire department be involved in this process knowing your resources are not limitless?

Practical Approach?

- Apgar explains the current process for a new business license in York. Notes on time consuming process but necessity. Welch agrees on needing them to be known and tracked in some way. Welch notes the guidelines in the NFPA Life Safety Code.
- Notes inspection during application and at minimum every 3 years after to maintain contact and safety.
- Full time staff at both stations that are doing inspections / knowing how many STRs will help fire dept. Determine manpower needed to inspect.
- Norton - at minimum a database and registration with a fee of properties. Would consider a delineation from residential vs. corporations owning and operating STRs. Non residential use vs. accessory residential use.
- Norton explains spot checks done based on sample size in ADUs. This approach could be applied to help monitor STRs.

Osgood - Largest Hurdle for inspecting?

- Welch - Largest hurdle noted from the fire dept is manpower to inspect properties. Determine threshold
- 100 a year for businesses / adding 5-6 hundred may be the threshold. Keeping them on a 3 year rotation will help with demand of inspections
- Average time to do an inspection - 30 mins up to like 2 hours depending on property size

Powers - Has anyone ever asked to be inspected?

- Welch states they get a handful of people asking for safety inspections after purchasing a new home. Generally people want to do the right thing / truly concerned about safety for the people they rent to.

Dylan Smith reviews questions typed out from Committee Members on Zoom:

Are there any regulations that deal with nuisance smoke / have there been regulations suggested for compact locations?

- Apgar says State mandates on when, where, what and how you can burn. When complaints on smoke are received people usually resolve it by talking with neighbors.

How often do smoke complaints come in?

- Half a dozen complaints a year / 90% of the time people comply over 10-15 years only 1 struggle

- Welch notes anything bigger than fire pit requires a permit
- No data tracking specifically on whether complaints are STR are not

What is the current life safety code?

- State Fire marshals NFPA 2018 editions & NFPA One and 101 Code
 - Becomes law when state adopts it
- Maine forest services gives recommendation on fire pit size
 - Laws as well that require permits

Overall feedback from Fire - life safety is FAR ahead of any fire pit concerns

Does the CEO have data or is it anecdotal on STR complaints?

- Norton says complaints are more frequent then in years past but only in position past two years. Notes complaints can be anonymous but they are tracked in a database.

ADUs used as STRs - should be zero - not allowed in the ordinance. Welch thinks it is likely happening.

Open to Public Comment:

Joe Lance Colwell

- Can you quantify how many complaints? Directed at Harry.
 - Database goes back to 2014 - under 10 complaints on STRs. Will send data to Dylan.
- Number of actual complaints from houses? Can you quantify how many houses complain?
 - Same house that usually complains
- Can you quantify the number of safety issues you've experienced / question directed to Fire.
 - Safety issues range from minimal to critical / not unusual to end up at an STR (for various reasons) and fire finds something they don't like i.e layout of building or means of egress
 - Renters don't complain about safety in STRs to fire / there for other reasons
 - Not overwhelming majority usually newly constructed

Jim Smith - York resi

dents

- All numbers are conjunctions / we don't know what is an STR vs. owners / looking forward to data

Dylan Update on Data:

- Data mining companies to provide us with update STR numbers
- Trying to get that info by the 23rd
- They are gonna show us a snapshot - number and location of STRs
- Company could provide proposals and ask select board for money if committee requests more data is necessary

Motion to adjourn

Time Adjourned: 5:59pm

Respectfully submitted,
Haven Hatch, Recording Secretary

Date of preparation of DRAFT minutes by the recording secretary: 12/09/2024

Date of adoption of FINAL minutes by the Board:

Short-Term Residential Rental Committee
Monday, December 23rd 2024
5:00 PM
York Public Library

Committee Members:

Haven Hatch, Russell Osgood, Maria Lovo, Aaron Perkins, Doug Mindell, Mike Powers, Jay Moroney

Doug Mindell - tried to join meeting via zoom/google

Others Attending (Staff):

Durward Parkinson, Brian Trafton

Welcome and Intros

- Committee introduces themself and the committee Chair reviews the meeting agenda.

Review of Minutes

- Haven read through minutes

Formal Complaints Submitted & Review of Complaints:

- Mike hands out printed copies of formal complaints that code enforcement has received over the past couple years. The complaints shared are specific to STRs. Six formal complaints over the duration of the database which Harry stated in the previous meeting goes back to 2014. There is brief discussion over how long STRs have been in town.
- Recap of Fire Departments input on complaints. Brian shares data on police department complaints (92) between 1/1/23 - 11/26/2024. Not easy to sparse into more concrete data beside "outside fire". Additional commentary reviewing previous feedback from the fire department regarding other safety concerns (i.e. missing smoke detectors, means of egress, etc).
- Osgood adds commentary that safety codes in homes would be the same in a STR but one of the issues with STRS is the unfamiliarity of being in a rental if an emergency was to happen. Example provided was finding a light switch in the dark. Osgood says more fire departments are not super strict on residential codes until it becomes an STR and then falls under code similar to a hotel. This leads into a discussion about codes.
- Osgood shares that over 16 people is the threshold of people for a residential lodging facility like an b&b to be required to have a residential sprinkler system and be categorized as a lodging facility. Additional commentary from Osgood on Ogunquit protocol to license and inspect lodging.
 - TA1 - short term rental / residential home
 - TA2 - bed&breakfast
 - TA3 - motel
- Osgood states that the occupancy of a home is based on sq footage. 200 sq ft per person.
- Brian adds that there are already some requirements for certain building types in the York town code (example: bed and breakfast need commercial kitchen).

Review of Data Mining Proposals:

- Mike switches topics to the data mining proposals that were shared with the committee.
- Maria explains that the link sent opens up to multiple proposals.
 - Rental Scape
 - Granicus
 - Avenue

- 900-1450 is the range in number of STRs that the proposals are quoting data for.
- Maria shares that the proposals are probably more data than we need at the present moment. Mike adds that the additional data could be useful for deeper discussion depending on the next phase.
- Perkins adds that using the pitch decks from these companies (that are dated pitch decks) as our source of data might not be the best approach for actual numbers. Idea to ask for new decks or to narrow down exactly what we are looking for data and request that (tiered approach).
- Mutual needs for data across the town so requests for data would benefit multiple people/departments. Helps with enforcement of ADUs in STRs.
- Dylan has meetings scheduled the first week in January with companies that submitted proposals to get more definite answers on pricing. Suggestion to update the RFP (scale down) to be exactly what the committee is looking for. Mike said he will connect with Dylan on it.
- Dylan also shared answers to public questions and other towns with potential ordinances related to STRs.

Summary of Select Board Request:

- Mike said he will complete something to share with the group to review prior to the meeting. The document will compose of a recap of what we have discussed and a request for extension to continue the conversation.

Discussion of Where the STR Discussion Started:

- The committee discusses where the topic of STRs needing an ordinance came from. Brian shares info on other towns, Osgood shares safety concerns, mention of comp plan, etc. Leads into a discussion on wanting to hear from other constituents i.e. residents, business owners, merchants, hoteliers etc. Haven and Maria work together to get surveys for business owners and connect via York Chamber. Aaron and Jay to tag team doing a residential survey.

Open to Public Comment:

- Joe Kelly
 - Concern with STRs is single family homes value and taxes going up artificially. Neighborhoods changing in the community. Available housing going to LLCs that will not go back into housing stock. Quality of life issues with living near large rentals. Would like to see rules in place and then commends the committee for their effort.
- Ed McKenna
 - Owns a rental that was built specifically for AirBnb was never in the housing stock. Comments that Garrison ave and a home on Century Hill are the driving force behind why this topic is being discussed. Adds that rentals have existed in York for years whether they were marketed on AirBnb or the paper / different advertising streams.
- Joe Colwell
 - Comp plan - collect STRs and then track them. Did an analysis of two neighbors. Saw an increase in part time owners but not necessarily an increase in STRs. Encourages to get all the data, regardless of STR or not - thinks there will be very few complaints. Many towns in Maine do not have ordinances.

Motion to adjourn: Mike Powers

Time Adjourned: 6:04pm

Respectfully submitted,
 Haven Hatch, Recording Secretary
 Date of preparation of DRAFT minutes by the recording secretary:

Date of adoption of FINAL minutes by the Board:

Short-Term Residential Rental Committee
Monday, January 6th 2025
5:00 PM
York Public Library

Committee Members:

Haven Hatch, Russell Osgood, Maria Lovo, Aaron Perkins, Doug Mindell, Mike Powers, Jay Moroney

Others Attending (Staff):

Durward Parkinson, Brian Trafton

Welcome and Intros

- Mike welcomes everyone. Committee introduces themself and the committee chair reviews the meeting agenda.

Proposal Review:

- Committee preferred two and there is interest to get competing quotes. Data provided felt like data we are interested in but would like an updated version. Dylan shares that the companies can come in and discuss their proposals with the committee either in zoom or in person. Is there a benefit from having them come in and chat.
- Cadillac package 20k for data. Code needs some of this data already. STRs are permitted in all zoning districts and there is a parking requirement. Different definitions and different use vs. single family dwelling.
- Note of having people from other communities to come in and talk about their regulations and ordinances as a helpful tool. Kittery to Kennebunkport and beyond. Dylan says he can help facilitate. Osgood notes that is a charge.

Town Survey:

- Put together by Aaron and Jay. Review of that later. Approach is to collect feedback from the community overall on the rentals. Trying to keep it around 10 questions to keep the threshold low.
- Mike reviews the questions and the committee makes adjustments to the questions.
- Suggestion to include an open invite to public comment post survey.
- Discussion of how to send out surveys, via mailer (postcard) to link to survey monkey or google form. An option to fill out a paper form to keep feedback options inclusive.
- Beginning of February is the goal for the survey to go out.

Selectboard Meeting:

- Mike will send email to Dylan asking to be on the next selectboard meeting. Dylan will connect with Town Manager. Mike will share overview of where the committee is at with our process and request for additional time.

Next meeting schedule for Monday the 27th @ 5:00pm

- **Monday February 3rd @ 5:00pm**

Open to Public Comment:

- Demaeu

- Concern of taxes - taxes went up 31%-37% because property near them was evaluated with the STR as a business. Concern for safety and integrity of safety. Want people visiting to not have a gun in the home.
- Leanne Moreny - neighborhood 135 (85 folks in the neighborhood). Property values almost doubled in one year based on the sales of three short term rentals. STRs influencing their tax evaluations. Neighborhoods of retirees with limited resources, legacy neighborhoods. Concern is on impact related to taxes. Would like to see STRs removed out of the residential category.
- Ed McKenna - survey question on unreported complaints and why people didn't report. Site address and neighborhood for issues in the survey. Post survey open comment should be more than 1 hour.
- Lydell - appreciates the committee. Owned and operated and STR but also supports an ordinance. Town needs structure and registration. Supports tiered systems. Concern is hotel style (larger) STRs not necessarily owner occupied and "mom & pop" style. The biggest issue for him is safety, and wants to see regulations similar to hotels & motels.
- Mark Kinton - stay focused on the facts & verifiable information. Talks about the pros of STRs. Highlights the negative impact an ordinance can have of the town's economy. Does not support a survey since the vote counts as a survey. Concern is we are creating a solution to a problem that doesn't exist.

Motion to adjourn: Mike Powers

Time Adjourned: 6:13pm

Respectfully submitted,
Haven Hatch, Recording Secretary

Date of preparation of DRAFT minutes by the recording secretary:

Date of adoption of FINAL minutes by the Board:

Short-Term Residential Rental Committee
Monday, January 27th 2025
5:00 PM
York Public Library

Committee Members:

Haven Hatch, Russell Osgood, Maria Lovo, Doug Mindell,

Not in attendance: Mike Powers

Others Attending (Staff):

Durward Parkinson, Brian Trafton

Welcome and Intros

Review of Selectboard Meeting:

- Notes from Mike on how the selectboard meeting went. Got approval for an extension. Just in the starting phase, data collection and not on path forward. Article posted was misleading

Meeting Minutes:

- Haven provides a review of the last meeting minutes. Discussion that we have not formally approved the past meeting minutes. Dylan will get the PDF of the meeting minutes online and the committee will review so we can formally vote to approve during the next meeting.

Presentation by Dave Brown from Deckard Tech:

- Deckard gathers data on all things real estate. Cast database on transactional. 10,000 websites nightly for STR. 60 data analysts that work in house - they do not sub out. They monitor calendars daily to track activity and bookings. Different dots colors to differentiate people in compliance and correct zoning.
- They can do a letter campaign based on their data. Example if we wanted to require people to register they could send out a mailing to STRs listed.
- Can bring you directly to the live listing for the properties they are showing.
- They will have history back to 2017. Military timestamp everything for evidence use.
- 98% accurate data science.
- Camden, Rockport, and Bangor are all customers currently using Deckard
- They can flag for possible violations.
- System admin who can grant permission to committee, police, fire, etc. Can limit what people are able to see.
- Formal complaints can go to the hotline from Deckard. Tracked within the property card. Properties have a profile once they register.
- Osgood - could be a registry and not just a data collection.

Open to Public Comment for Deckard Questions:

- Name?: Camden listings close to York listings, what is the fee structure? Base + mailing = \$35 per property. Up to 500 properties for add ons and then different dollar amounts per property after that. Additional staff needed to manage? Can be fully automated. Would not necessarily need any admin staff.
- Name?: Not currently discussing fee structure. Can use ADR to calculate a licensing / registration fee.

- Mr. Kinton - can you explain a little more about the complaints. Anyone in town could go online or call to file a complaint. Mr Kinton thinks it should be mandatory to provide contact info for people that are complaining.

Approved content and copy for survey next

Approved to extend meeting time from 6-6:30

Next meetings will be Feb 10th and 24th / new meeting time 5-6:30pm

- Maria to Zoom in on the 24th

Public Comment:

- Kevin Green - 5 meeting house lane in York
 - Survey was already done when town voted on STR proposal. Town was not interested in having an ordinance that would like us to take that into consideration. Would like to see more open and less leading questions. More of a broader view from the town perspective.
- Ed Mckenna
 - During the course of the last year, a lot of questions about complaints about noise, trash etc. Balance of importance.
- Sean Mickeon
 - Works in licensing and compliance. Tech lead of software engineers. Recommendation to hire a local software engineer to create exactly what we are looking for. Phases for the development of the projects. Could mentor with York High School students.
- Richard
 - Is there a mission statement and problem defined. Yes, on the website
- Mark Kinton
 - Survey questions - limit bias. Question 3 - implies concern. Question 4 - implies negative. Question 5 - leading the witness to think STRs will or could. How do you define character and traditional residence? Immediately leads to questions on regulation. How do you define impact, implication is negative. Slow the process down. How should the selectboard prioritize their mission?
- Don Rivers
 - Mission of this committee is to determine the need to regulate STRs. Instead of determining if we should, we are determining how to regulate, which is how he feels the presentation went.

Motion to adjourn: Mike

Time Adjourned: 6:18pm

Respectfully submitted,
Haven Hatch, Recording Secretary

Date of preparation of DRAFT minutes by the recording secretary:

Date of adoption of FINAL minutes by the Board:

Short-Term Residential Rental Committee
Monday, February 10th 2025
5:00 PM
York Public Library

Committee Members:

Haven Hatch, Russell Osgood, Maria Lovo,, Aaron Perkins, Jay Moroney

Not in attendance: Mike Powers & Doug Mindell

Others Attending:

Durward Parkinson, Brian Trafton, Dylan Smith

Meeting Minutes:

- Haven to send to Dylan the meeting notes and the committee to review on their own time. The next meeting the committee will vote on them.

Review of Committee Charge:

- Committee chair and Durward feel it is important to remind the committee and the public of the specifics of the charge.
- Durward reads the charge to the group.

Maria

- She feels like we are asking big brother to come into town which she doesn't like. She feels like we should not be doing the surveys, the voters already spoke when we voted. She thinks there is a need for registration of STRs and perhaps LTRs but that registration should be free. She thinks the simplest of ordinances would be able to satisfy everyone. Maria goes into specifics about the ordinance she thinks would be the most useful. Penalties for STRs if they do not comply specifically with fire and safety.
- Durward interjects and asks for specifics
- In summary, there should be a registration that is free that would assist with emergency services

Aaron

- Agrees with most of what she says aside from the need to do the survey. The charge asks for more information and Aaron thinks that the survey will help. Aaron points out that the vote was a more even split then.
- Agrees that an ordinance and registration is a no brainer but there may need to be a fee but he doesn't know exactly what that will look like.
- He thinks we should still talk to other constituents.
- Notes that our meetings are open but not every meeting is open to an hour of feedback.
- In terms of advising the select board we are looking for something on the November vote.
- Durward asks Aaron if he would like to talk to other constituents.

Russell

- Clear to him that a portion of the public that wants an ordinance. Thinks it failed because it was too complex.
- We know we have somewhere around 900 rentals - we don't need to dig that much deeper into the data about it.
- Thinks that the process has been quite public and agrees that we should still bring in business folk.

- He does believe that a registry and an ordinance is important for safety for the time. They do pose a risk to people that come stay in them. Life safety items. Concern continues to be houses that are larger and have attic or basement sleeping spaces
- Education component and inspection process.
- Still think we should look to other towns.

Brian:

- Safety aspect should be number 1. Permitting process is necessary. Suggested permitting fees should go on the assessed value of the house. Thinks we will need more people to do that. Thinks we should ask public for more input.
- Need to also look at a cap on the number / 10% of the housing stock. Dylan adds he hasn't heard that. So that it is easier to enforce. Jay does not agree because it infringes on someone's right to economic growth and that is not fair if it is based solely on the town's limited ability to enact it.

Jay:

- Wants to respect the charge handed down by the selectboard. We have an approximation with the survey that might be good enough without going to spend money but if the town wants more robust data then he thinks that would be fine too.
- Positive negative feedback. Agreed to collect data through the surveys for public and then commercials (merchants), thinks we should still go through those. They would round out the input and opinion on the town. Survey is an impression of town opinion. Both surveys.
- Other municipalities - that is a research project and how we do it depends. Thinks no on timing of having someone come in from other municipalities and towns. Rather spend money on someone to do the survey to collect the information on the other towns and their ordinances vs spending the money on the data collection of number of STRs and types.
- Not quite ready for an action piece yet, he feels we need to do more fact finding. Don't think we should be recommending something as robust as what was originally proposed. Unless during the fact finding process we find something that warrants such a robustness. Has not heard anything that makes him feel strongly about regulation.

Dylan:

- The town has put together a list of ordinances / listed the cities and town they have looked at.
- Dylan feels STRs have been around for a very long time. Thinks it has become a business model for venture capitalists beyond the mom and pop approach. There is a place for STRs in this town, economic vitality. Has always been and continues to be. Thinks there should be a balance. At least in compliance with health and safety.
- Provides some worry about what it (STRs) is/are doing to this community and where it could be going. Balanced approach is the way forward.
- Talking about investors from all over buying up homes and worries about what that does to the community.

Jay

- Adds that housing prices are incredibly dynamic and doesn't want STRs to get blamed for. Thinks we should continue with fact finding.
- Aaron agrees that housing prices are dynamic. Neighborhood character is something to consider and should be part of the discussion.

Durward

- The committee is trending in the direction of some sort of regulation.

- Is the committee okay with no more data mining specifically for the number STRs in town. Committee agrees no more information is needed to collect on the number of STRs in town.
- Consensus to move forward with the survey. Maria says no. Haven adds that the survey provides more than just yes & no. Dylan adds that public forum is intimidating and can be a place where it can be uncomfortable to share. Jay is in favor of both surveys. Jays opinions may move one way or the other, for example if there is a groundswell of issues. Similar with merchants' opinions.
- Russell cautious on questions we ask. Adjust the leading questions. Brian's question for Dylan, come up with a way to put survey online for people to access versus sending out the mailer. Certainly an approach.
- Concept of a survey voted yes - need to rework the questions.
- Consensus on having a public input night. Committee to allocate more time.
- Date and time for public comment should be on the postcard mailer - one night two hours, both community members and business.
- Dylan to take lead on collecting information on other town ordinances / non ordinances. Agreed no need to bring others in at this moment.

24th meeting - surveys need to be finalized. Draft in our hands prior to meeting for both community survey and business survey. Goes to property owners and votes and takes out duplicates. The town uses a firm, but there is always a risk.

Next meeting starts with minutes and then we go into survey discussion, finalize the date for the survey to go out and for the public.

Open to Public Comment:

Public Comment:

Ed McKenna

- In this discussion note of for and against, Thinks the first ordinance wasn't right. Didn't even solve the root of the issue. An attempt at something and it was too much.

Kirk

- He does evaluation and surveys, advises us to only ask questions people have the knowledge to answer.
- Consider the viability of the long term. STR number has exploded. Makes it easier for property owners to rent. Made it easier for property investors. Unhosted homes. Safety concerns and burden on tax payers. York is a tourist town, but he didn't buy his house in the tourist area, three of the homes are rentals now, this drives him to have concern and desire for regulation. Thanks the committee for time and effort.

Mark Kinton / Yorkshires drive

- Last May the townspeople did vote down an ordinance. First meeting in November went over ground rules, were adopted by the committee. Asks if we have reviewed the emails sent that are overwhelmingly against. The truth is in the data and wants us to stay focused on that. Feels that we may be creating an ordinance for a problem that doesn't exist.

Richard

- Impact that sales of STRs have on taxes. States that STRs are commercial businesses and not residential homes

Kevin Breene

- Price increases and affordability - lots of pricing. We have to look at much broader issues if we want to talk about affordability.

Joe Colwell

- Data ask - could document what we find as facts. These are the facts that we found. People have been getting pushed out of town, he has not seen data that suggest it is specifically STRs. No mention of STRs, it is a supply and demand issue. Talks about growing up in town and how it has always been seasonal. His own property has gone up 300%, ocean, mountains and lakes increase not related to STRs. Villainizing STRs. Maine has studied the data and it has shown it is not the cause.

Joe Kelly

- Asks If everything is all roseys why are we closing schools? Where are the children? McMansion rentals have no place in York. the 35 footers on Long Sands rd. Do we need rentals that can accommodate 24 people? Doesn't like people coming in and destroying the good will of the town. Had a bachelorette party behind him, and they weren't nice. Agrees we need balance. Believes it is a problem. Thinks it can be minimal. Tax them appropriately so we have enough resources to inspect them appropriately.

Lenna Moroney

- Garrison ave, difficult to talk so asks for patience. Concerns, how can we create an ordinance without knowing how many. Thinks we should understand how many we have. She is being impacted by STRs and the selling of them. Increases in taxes, spoke to people about data and sale of commercial properties hiding in neighbors as STRs. Homes for sale as direct result of STRs. Older people no longer afford taxes of homes because of the sale of STRs. There is an issue. Defining the homes, owner occupied, Committee should have a better handle.

Jim Smith

- Would like to hear discussion on the difference between regulation, licensing, etc. Wants to hear the differences. His biggest concern is community and how we are as York. Wants to maintain the sense of what we are. Some of us leave because of taxes. Houses going into STRs don't go back into neighboring houses.

Brian - would it be beneficial to hear from the assessor. Maria says she agrees. Russell notes on \$\$ effects but not who bought it or for what purpose. Ask the assessor questions. Real estate person, and an appraiser.

Motion to adjourn: 6:28pm

Time Adjourned:

Respectfully submitted,
Haven Hatch, Recording Secretary

Date of preparation of DRAFT minutes by the recording secretary:

Date of adoption of FINAL minutes by the Board:

Short-Term Residential Rental Committee
Monday, February 24th 2025
5:00 PM
York Public Library

Committee Members:

Haven Hatch, Russell Osgood, Jay Moroney, Brian Taftan, Mike Powers, Doug Mindell

Attending via zoom: Maria Lovo

Not in Attendance:

Jar Moroney, Aaron Perkins, Durward Parkinson

Durward Parkinson, Dylan Smith

Meeting Minutes:

- Haven reviews the meeting minutes from the February 10th meeting.

Thoughts on Current Standings of STR

- The committee discussed differing views on regulating short-term rentals (STRs), with a focus between owner-occupied homes and investment properties.
- Doug voiced opposition to conducting a survey, citing concerns about leading questions and emphasizing that last year's vote already provided community feedback. As an inn owner, Doug noted a potential impact on his business due to the rise of Airbnbs and stressed the importance of distinguishing between residents who rent out part of their home and businesses operating large, purely commercial properties. He suggested that some very small, infrequent rentals might not need to be regulated at all.
- Mike shared that he rents his home when he's not there and believes safety and standards should be consistent across all types of rentals, whether rented occasionally or year-round.
- Brian recommended studying how other towns handle STRs, noting that many have tiered ordinances and "good neighbor" rules that ensure renters are aware of local expectations.
- Mike supported the idea of a town rule guide for renters.
- Russell added that any exchange involving money is a business transaction, implying that all rentals should meet baseline standards, regardless of their scale.

STR Survey:

- The committee debated the effectiveness of using a survey versus holding a public forum to gather community input.
- Mike, expressed concern that survey responses might lack clarity or actionable outcomes, others questioned whether a survey would yield enough meaningful data to guide decisions.
- Brian, Doug, and Haven emphasized the importance of public input, especially for those who may feel intimidated or unfamiliar with the issue. They discussed ways to make it easier for people to share feedback, including setting up an email address and encouraging written comments.
- The committee agreed that a public forum would be the most effective approach, opting to hold it on March 31st to allow for proper promotion through newspapers, social media, and the town website. It was decided against placing a time limit on the forum to ensure everyone had a chance to be heard.

- A motion was passed to include business owners in the forum, and a suggestion was made to hold a preparatory meeting beforehand.
- Doug noted the importance of reviewing any written comments submitted during the forum, depending on how many are received.

Review of Schedule and Future Meetings:

- Mike will review with Diana meeting schedule
- Meeting on the 17th would be Luke - town assessor / Mike to reach out to appraiser as well

Public Comment:

Trevor - 7 Eastern Point

- Good idea for a public forum - not enough time in just four minutes. STRs to hotels are not exactly an apples to apples. Advertising platform - some hotels use AirBnB to advertise. There is something to say about reviews and safety. AirBnB asks for safety standards - guests are checking these types of things and leaving feedback. There is a clear incentive to have a clean and safe environment for STRs trying to be competitive. The majority of towns in the state of Maine don't have ordinances. Coastal towns have it, but a lot of interior ski/leaf peeping towns don't. York Harbor - neighborhood is changing. Harbor has always been transient, all summer long. Large hotels in small concentrated areas. Neighborhoods changing, more of a perception. Bought a house in the heart of a tourist area.

Kirk Minnick

- Lives in the Harbor. Has seen changes in his neighborhood. Has a list of why a survey would be difficult. Not coming up with leading questions is difficult. Stuffing the survey box is real. Thinks we have made a good decision. Thinks maybe having a small group setting would be more comfortable vs. talking in front of the whole crowd.

Jim Smith

- Resident of the Harbor and has seen some changes. Cautionary tale - caution us not to think in terms of yes or no / kinda. 90% see more of a tiered approach to STRs. If money passes hands, then there should be some sanction to do that. Most people fall in the middle. 120 people on the mailing list that would be satisfied with some registration.

Anne Bryce

- Lives in town and has also lived in Brunswick. Putting something (flyer) in the book bag of the kids going home. Not just posting it. The IRS does allow for two weeks each year for renting. There is some regulation on rentals but not inspections. Dylan states it has been discussed - staffing to do so is a concern. LTR is what she is concerned about. Russell adds that when you get an occupancy permit it is inspected for life safety.

Mark Kinton

- Thanks the committee. Question regarding collecting data for folks that want to share their thoughts. Will the emails from the first go around be counted as data. Mike adds that this question is a good clarification. Clean slate from feedback against that previous ordinance. Mark doesn't think it is an issue since people are not out the door. Agreed people voted at the ballot box. Close vote doesn't mean we should revisit issues. Who makes the decision and where do we draw the line? Does this mean we are undermining the democratic process? Opens the door to continuation and lack of finality. Remain mindful of a data driven

approach and the voice of the people. Respect individual property rights. Selectboard Option 3 - recommend to the committee that there is no need for further action.

Ed Mckenna

- Lives in harbor and owns STR. Vote was the vote. The strength of what we decide is really powerful.

Sean McKeon

- Rentals were down for AirBnBs as well. Created a chatbot. Upload documents and then ask questions. Adjusted prompts. Added 13 STR ordinances in the state of Maine (lists the towns). 7 of the 13 times do not have an STR cap. None prohibit fire pits. Two do not require fire pits. Yarmouth is free to register. LTR and STR for Yarmouth. Would like to know how the ordinance would affect the tax situation. Towns with ordinances had higher home value increases. Doesn't see a correlation between having an ordinance and keeping home evaluations down. Noted public comment not on the streams.

Motion to adjourn Mike Powers

Time Adjourned: 6:13pm

Respectfully submitted,
Haven Hatch, Recording Secretary

Date of preparation of DRAFT minutes by the recording secretary:

Date of adoption of FINAL minutes by the Board:

Short-Term Residential Rental Committee
Monday, March 24th 2025
5:00 PM
York Public Library

Committee Members:

Haven Hatch, Russell Osgood, Mike Powers, Doug Mindell

In Attendance:

Durward Parkinson

Not in Attendance:

Dylan Smith, Maria Lovo, Jay Moroney, Brian Trafton

Meeting Minutes:

Luke - Town Assessor

- Luke, the Town Assessor, attended the meeting to answer questions and share his perspective. He introduces himself and his background. He's been thinking a lot about short-term rentals (STRs) since October and has been in conversation with assessors from other Maine towns, including Camden, which has moved forward with licensing.
- Luke previously worked in code enforcement and noted that early concerns around STRs centered on neighborhood impacts like noise, parking, and septic systems—not taxes.
- A 2017 zoning amendment added STRs as an identified use, with a two-parking-space requirement. Since moving into assessing, Luke has seen STRs come up more frequently, especially following a few high-end sales in a beach neighborhood that raised overall assessed values.
- Luke stated, while it appeared STR sales may be inflating values, he explained that his adjustments remain conservative, and sales-to-assessment ratios were 88% and when known STR sales were removed it was closer to 94%. Does not feel that the assessments are abnormally high. Also noted this particular neighborhood had been overlooked for a few years noting that the tax increase would have felt like a higher increase over previous years. Overlooked through covid.
- Luke also stated that all three houses known to be sold for STRs sold for asking price, have been redone, and have better views. All things that go into assessing.

Committee Members ask Luke Questions:

- How STRs are assessed compared to single-family homes.
- Luke explained that currently, without a legal distinction or change in use, all homes are treated the same. If STRs were reclassified—like commercial properties—it could affect assessments differently. However, most beach properties wouldn't meet the current parking standard to qualify for STR use
- Conversation about classifying STRs vs. single family home for assessment purposes. Luke notes that if a STR sold to be single family and got reclassified, it would most likely never be able to go back to being an STR because of parking. This would be an issue in most of the beach neighborhoods.
- Camden's and Ogunquit's tiered system for STRs were mentioned. Enforcement of parking requirements, and how transitioning from traditional inns or B&Bs to STRs might affect classification was brought up.
- Luke emphasized that the biggest concern would be if York implemented regulations that suddenly restricted uses already being exercised, especially with nonconforming properties.
- Mike asked about the method used to assess STR vs single family. Luke stated if you have two identical homes and one is allowed to do more than the other (i.e short term rent) it is worth more money than the other home. If we have identified who can do more than others then they have an increase in value.

Allowed use now - observes what the code office does. Use permits and regulating, until that happens everyone is treated the same.

- Doug asks how parking is enforced. Luke explained, the code office doesn't have police that go around enforcing. Parking space is defined as 9x18 and ten feet off any lot line. Count towards lot coverage. 75% impervious. All of York Beach Zones 5, 6, 7 are all small lots with 30% lot coverage restrictions
- Luke mentioned another aspect of STR and explained that only one town is using these methodologies. *Income to value or cost to value.* What they are getting for rent. They aren't getting enough to justify using income. Companies/Investors are buying property and selling 3-4 years later and they rent them. They do not buy it for the purpose of renting, they buy it to resell. Cost approach, hybrid income approach. Adjust for what they are selling for.
- Mike asked about Camden's approach to differentiating between full-time, part-time, and owner-occupied rentals. Luke explained that Camden uses a three-tier system: owner-occupied properties, part-time rentals, and non-owner-occupied commercial properties. While the first two tiers are not assessed differently, non-owner-occupied commercial STRs are treated distinctly. He recommended reviewing Camden's ordinance for more detail.
- Brian asked about the classification difference between a traditional inn or B&B and an Airbnb. Luke clarified that inns and hotels already go through a separate, more robust process, often involving the Board of Appeals and changes to the property. Food service is one of the defining factors that separates a B&B from other types of rentals. Doug noted the gray area that has emerged due to changes in technology, while Brian added that in Freeport, innkeepers have been opposed to STRs.
- Aaron asked Luke about his greatest concern regarding STR regulation. Luke responded that his primary concern is the potential for the Town to unintentionally prevent property owners from continuing uses they've already been engaged in, particularly regarding pre-existing nonconformities. From both a property value and community standpoint, he emphasized the importance of allowing property owners the chance to comply with any new standards. When Haven asked how this ties into safety considerations, Luke clarified that his focus was on use and conformity, not safety regulations.

Discussion on Public Forum

- The committee confirmed that a public forum is scheduled for April 7th, 6–9:30 PM, with a brief introduction at the start to provide background and outline the committee's charge.
- Public comment will be limited to 3 minutes per person, and Durward will moderate.
- Comments can also be submitted ahead of time via email to STRR@yorkmaine.org, and those messages will be read into the record.
- The committee will review and organize feedback at the next meeting as they prepare a recommendation to present to the Select Board by August, in time for potential inclusion on the November ballot

Public Comment:

Kevin - 5 meeting house lane

- Kevin shared his thoughts on the rising home costs in the area, attributing it to supply and demand. He noted that York Beach is a beautiful location, and both during and after COVID, demand for homes has surged.
- Kevin mentioned that local and regional factors contribute to the high cost of housing and pointed out that the area is currently in a "housing rut," with a lack of new home construction. He raised concerns about the impact of high home prices on local residents, particularly with homes now reaching values around \$1 million, which he believes is not affordable for locals.
- Kevin also asked about the last dramatic increase in home prices, noting a steady rise over the past three years, with increases of 15-17%.
- Kevin further questioned how a commercial property assessment could apply to a residential property, and Luke clarified that it is not unusual in certain cases.

Ed Mckenna; Carriage Barn Lane

- Notes that the stream is very choppy according to my wife. Question for Luke and thanks everyone. You had mentioned that 3 properties sold on Garrison did not significantly increase taxes.

- Luke recaps, 12 sales in that neighborhood 3 were on high end 9 were residential. That added to the increase. Up to 88% of what the sales were. Tempered the impact that they had. Big change happening all at once.
- Ed notes the impact side of the street has on value, GIS map properties on the eastern side vs western side. 50 ft / 100ft closer to water value goes up. Lower assessment when they have no view. Luke confirms.
- If you propose a commercial rate / how much more expensive would they be. Luke states he can't know until he separates them. Unknown.

Mark Kinton - York

- How you would know if the property was being sold for STR vs. single family use.
- Property that was purchased for over 1 million and they tore it down for season use. Notes tear downs affecting values. Luke adds if they immediately apply to tear it down it is purchased for land so that is factored into the assessment.

Richard - York Street

- The three houses sold / have been sold as STR
- Believe when he saw the tax bill went up not because of STR. That just seems like easy pickings on homeowners. States there are 74 questions on the ballot in May. 9-10 involve jacking up the price for the budget. Tax and STR. Not sure if they are connected. 74 questions in front of a bunch of people but they vote yes anyway it affects everyone.
- Asks if anyone looked at the positive economic impact. Where is the positive impact economically? Conversely, if this was to be shut down, limited, or restricted, presumably the purpose of the rules, what is the negative impact? Does that change the tax rate even more?
- 4-6 weeks ago someone did a presentation on stats. Someone who lives in town who could do the stats could do it for 10th of the price and involve kids from the highschool. Has anyone followed up with him?

Lisa Hedger - Cape Neddick

- No longer has STRs, did build a house as an STR. Not used as an STR anymore, sold to a family. Newer homes on Garrison, notes it is a well established neighborhood but they are not new homes. Put a lot of money into the home because the home had raccoons. Recognizes there are problems but suggests regulations are not going to solve anything. We have the internet whether you are on air bnb or not you can rent a home.

Ann - 135 Garrison.

- Amy is an exception to the rule. Calls STRs "unregulated hotels" and states they are being used as STRs. This is a different animal. Big money that is maximized out for the biggest buck. A Tier system would be a fair system. People who are invested in this community. Police should not be the front desk for these operators (STRs).

Motion to adjourn Mike / seconded Russell

Time Adjourned: 6:08pm

Respectfully submitted,
Haven Hatch, Recording Secretary

Date of preparation of DRAFT minutes by the recording secretary:

Date of adoption of FINAL minutes by the Board: