

VILLAGE OF FREEVILLE PLANNING BOARD MEETING
July 28, 2020

A meeting was held by the Village of Freeville Planning Board at the Village Hall, 5 Factory Street, Freeville, New York on Tuesday, July 28, 2020.

Present were: Chairman James Krebs and Member Brian Buttner. Also in attendance were Deborah Rude, Deputy Clerk and Karen Snyder, assisting/training Deborah Rude. Present via Zoom were: Member Thomas Cavataio and Member Justin DiMatteo. Member Stephanie Ortolano was present via Zoom but joined later in the meeting (noted when she joined).

The meeting was called to order at 7:00 p.m. by Chairman Krebs.

Chairman Krebs made a motion to accept the minutes from the June 23, 2020 meeting; seconded by Member Buttner. Approved by all.

Discussion was held regarding new Chairperson, as Chairman Krebs term is up.

Chairman Krebs nominated Member DiMatteo as Chairman, seconded by Member Buttner. All in attendance, aye. [Member DiMatteo came into the Village Clerk's office on Monday, August 10 to be sworn in as Chairman. His term will end 5/31/2022.]

Chairman Krebs made a motion, seconded by Member Cavataio, to appoint Member Buttner as Vice Chairman. All in attendance, aye. [Member Buttner came into the Village Clerk's office on Monday, August 5 to be sworn in as Vice Chairman. His term will end 5/31/2022.]

Discussion occurred regarding a potential Subdivision Review on Cook Street. Discussion regarding requirements for applicant to meet with CEO Rick Fritz prior to Sketch Plan and/or Subdivision Review. Chairman Krebs has been in contact with the applicant via email, and has discussed holding a Sketch Plan at the August 2020 Planning Board Meeting and formal Subdivision Review at the September 2020 Planning Board Meeting, if all necessary paperwork is submitted in a timely manner. [This has since been pushed forward another month; Sketch Plan in September, Subdivision review in October.]

Member Ortolano joined via Zoom (7:12pm). Chairman Krebs caught her up regarding the new Chairman/Vice Chairman appointees and Subdivision information.

Member Buttner distributed a handout for Members to review. He stated that he asked for the latest workings on Short Term Rentals/Airbnbs and this was given to him. Chairman Krebs stated that at the last Planning Board meeting we were working on Airbnbs, so this is appropriate to the conversation. He read the document aloud to the Members joining via Zoom: "Resolution regarding Short Term Rentals in the Town of Dryden (DRAFT)". [See attached document]

Chairman Krebs stated that the Village wants to adopt something similar, and asked for input on where it would be incorporated-Land Use Laws or Village Board of Trustee Law.

Member Buttner stated that he feels we should follow as closely as possible to wording of Town of Dryden, so as to remain consistent with the Town in which the Village resides. He also stated that he believes it should be added to the Zoning Law of the Village.

Member Ortolano brought up previous discussion on Short Term Rentals, specifically what was being done in Cayuga Heights. Mentioned changing definitions, registration process. The Planning Board had looked at NYS guidelines, rules and regulations.

Member Krebs questioned whether the board wanted to adopt something, add to Zoning Law.

Member DiMatteo said it should be added to Land Use Code. [Somewhat inaudible from him due to joining via Zoom.]

Discussion regarding adopting the Town of Dryden wording and definitions for Short Term Rentals. Went through the Town of Dryden Resolution and changed to apply to the Village of Freeville (see attached resolution).

Member DiMatteo brought up the November 2019 Village Planning Board Meeting, suggesting that "Airbnbs" be changed to "Short Term Rental" as "Airbnb" is a corporation.

From the Minutes of November 26, 2019:

Add a new §343.84:

§343.84 "Tourist Homes Bed & Breakfast" shall read as the following:

§343.84 Tourist Homes Bed & Breakfast: provisions of living accommodations – less than 14 days or fewer per year – STR (short term rental) unit
E.g.: Airbnb

Definition for Airbnb: Airbnb: A short term rental (STR) unit is a house, which is rented 14 days or fewer per year, beyond the 14 days the owner would petition the Village for Site Plan Review for the STR to be considered a business.

Member DiMatteo made a motion, seconded by Chairman Krebs, to amend Minutes of November 26, 2019. Minutes are hereby amended as follows (changes are highlighted):

Add a new §343.84:

§343.84 “Tourist Homes Bed & Breakfast” shall read as the following:

§343.84 Tourist Homes Bed & Breakfast: provisions of living accommodations – less than 14 days or fewer per year – STR (short term rental) unit

E.g.: Short Term Rental (14 days or fewer)

Definition for Short Term Rental (14 days or fewer):

Short Term Rental (14 days or fewer): A short term rental (STR) unit is a house, which is rented 14 days or fewer per year, beyond the 14 days the owner would petition the Village for Site Plan Review for the STR to be considered a business.

Changes to the “Resolution regarding Short Term Rentals in the Village of Freeville (DRAFT)” will be further discussed at the next meeting.

With no further business to be conducted or comments heard, Member Krebs made a motion, seconded by Member Buttner to adjourn the meeting. All those present were in favor, the motion carried.

The meeting was adjourned at 8:07 p.m.

Respectfully submitted,
Deborah Rude
Deputy Clerk

Resolution regarding Short Term Rentals in the Village of Freeville (DRAFT)

Whereas the Dryden Town is adopting Short Term Rental regulations and the Village of Freeville wishes to adopt consistent procedures.

Whereas Short term rentals have been increasingly popular over the last several years in many areas of the country including the Village of Freeville.

Whereas Short Term Rentals are not covered under the current Village of Freeville zoning law.

Be it resolved that the Village of Freeville Planning board recommends to the Village Board of Trustees the following changes to the Village of Freeville Zoning law.

Article 2: DEFINITIONS

Add Short Term Rental Definition

“SHORT TERM RENTAL - Rental of a residence or a portion of a residence by the same natural person or family of fewer than thirty (30) consecutive days.

ARTICLE 3: GENERAL REGULATIONS

Add Section 353.11

Section 353.11: Short Term Rentals

A. Short term rental is permitted only when the dwelling unit is the primary residence of the property owner.

B. Short term rental of a residence or a portion of a residence, meeting all of the following requirements:

a. Compliance with all Federal, State, County, and local laws, codes, rules and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code.

b. Permitted short term rental types:

i. Rental of a residence or a portion of the residence, such as a secondary self-contained accessory apartment or a room contained in a residence, for a maximum of thirty (30) days total in any calendar year where the owner is not present in the residence, provided that the owner of the residence or his/her agent is available locally in order to respond in a timely manner to complaints regarding the condition of the residence or the property at which the residence is located or regarding the conduct of occupants of the residence.

ii. Rental of a secondary self-contained accessory apartment, provided that the owner of the residence is present in the residence during the term of the rental.

iii. Rental of a room, or portion contained in a residence, provided that the owner of the residence is present in the residence during the term of the rental.