

East Lyme Short Term Rental Committee September 12th, 2023 Meeting
Minutes

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Minutes of EAST LYME SHORT TERM RENTALS AD HOC COMMITTEE - 09/12/23

Date and time: 09/12/23 7:00 PM to: 09/12/23 8:26 PM

Present: Brooke Stevens, Recording Secretary, Anne Santoro, Anne Thurlow, Paul Formica, John Cellino, Gary Cicchiello, Greg McIntire, Gary Farrugia, Daniel Beachy (not sworn in as a member until after the meeting adjourned.)

CC: David Garside, Chief Building Official, Bill Bundy, Fire Marshal, William Mulholland, Zoning Official, Mark Zamarka, Town Attorney

Location: East Lyme Town Hall Upper Conf. Room, 108 Pennsylvania Avenue, Niantic, CT, 06357

Link: <https://app.meetingking.com/meetings/404523>

Topics

1. Call Meeting to Order/Pledge

Note Co-Chair Santoro called the meeting to order at 7:00 p.m. and led those assembled in the pledge of allegiance.

2. Public Delegations

Note Ms. Santoro noted the first of the two public hearings which they're required to have, will be scheduled by them officially this evening, and will take place on September 25th, 2023, at 7:00 p.m. She added there will be more opportunities to speak at that public hearing.

Note Ms. Santoro called for Public Delegations.

2-1. Carrie Clark-Hallawell of 20 Attawan Ave

Note Ms. Clark-Hallawell offered some of the following remarks:

She wants to share her perspective as a short-term renter.

In 2020, she and her husband bought their dream house on Attawan Ave.

They weren't looking to buy a house, but she had just retired, and the pandemic got them thinking about where they want to spend their future.

Her husband is an airline pilot, he will retire in seven years, and they'll move here full time at that point.

Until then, the only way they can afford the house is by offsetting the expenses through short-term rentals.

They don't make a profit, but it helps keep their retirement dream alive.

From the get-go they were concerned about the perils of short-term rentals.

They wanted to ensure their home didn't get damaged and that their neighbors weren't bothered.

In their neighborhood in New Fairfield, Connecticut, short term rentals have been made illegal for less than a 14-day rental period.

This was largely due to two incidents.

Both incidents were unwanted yet fairly minor.

She questions the severe regulations that have been imposed due to a limited number of incidents which have now become legendary stories.

East Lyme has always attracted summer folks looking for country living and now they have incredibly limited options.

In Niantic, they've done several things to help mitigate the issues for their own property.

Their advertisements on Airbnb and Vrbo make it clear that this isn't the Jersey Shore or Jones Beach, and no beer coolers are allowed on the beach.

They highlight that it's a quiet residential family neighborhood.

They explain that they allow small quiet gatherings but that loud parties are not permitted.

In addition, the beach association they belong to requires that all homeowners have their renters read and sign a sort of code of conduct that states all the local rules.

They have their renters sign and text a photo of this to them for each stay.

She believes their warnings have worked.

She regularly checks with her neighbors to ensure they haven't been bothered.

The renters they've had are not any more disruptive than any of their full-time neighborhood residents.

We live near beaches, and this is a wonderful beach vacation town.

Short term rentals provide a vastly different experience than staying in a hotel.

They rarely have a group of drinking buddies at their place.

Instead, they have siblings who reunite, former Niantic residents, families mourning losses, parents visiting college students, over a dozen small 60th birthday celebrations, and a wedding with 15 guests.

The couple who got married baked their own wedding cake in their kitchen.

You can't do this in a hotel, and that's why people love short term rentals.

In terms of revenue to the town, she has lots of numbers that can show them how much they believe their renters bring to the town, and it's pretty startling just in restaurants and shopping alone.

She understands that some people want to do completely away with short term rentals, and in her opinion, that would be an overreaction.

She proposes they put more structure around the short-term rental process in order to mitigate the number of potentially unruly visitors.

They could create a formal complaint mechanism where reasonable complaints are filed, and homeowners will have three strikes and you're out system.

At the very least mandate that homeowners put specific verbiage in their advertisements that makes it clear that disruptive behavior will not be tolerated here.

She'd be happy to be a part of any of this going forward, whether it be for idea brainstorming or by providing homeowner numbers and information.

2-2. Kimberly Barrett McCord of 22 Atlantic, CB

Note Ms. McCord stated some of the following:

She has a family cottage at Crescent Beach.

She drove down from her permanent home in Granby, Connecticut so that she could speak, and will be back for the public hearing.

Both sets of great grandparents bought houses at Crescent Beach back in 1820.

Her family has been here for generations.

These are second homes, as are many of the homes here in the beach communities.

She read a book called Saving the Family Cottage, which seems very relevant.

As families can no longer afford a second home, as generations go down and they have to split it amongst siblings, cousins, among many family members, it becomes very complex, to own a family cottage and a vacation home.

In 2020, she and her husband actually bought out some cousins so that they could be the official owners of their beloved beach home.

They had to begin renting short term on VRBO a few weeks a year, to be able to offset their expenses and to allow them to maintain the home.

She thinks the Committee can all imagine what happens to homes that are second homes owned by family members, that become rundown and dilapidated, when family members can no longer maintain them.

She thinks short term rentals can be a really good option for saving some of these family cottages as well as keeping them in the families that have had them for over 100 years, like her family.

2-3. Rober Vancour of 107 South Beechwood, GNH

Note Mr. Vancour noted some of the following:

He sees from the previous minutes that they're looking at what the definition of a short-term rental is.

They need to determine that first, before they do anything else.

They also need to consider whether there is sufficient off-road parking.

He thinks we have to look at maybe ending on street parking in residential areas.

Whoever owns the short-term house should be required to register with the town in addition to their beach association, if they belong to one.

Every year before renting a house the owner should be required to have a complete safety inspection performed by the fire marshal's office to verify that there are working smoke detectors, carbon monoxide detectors, adequate fire extinguishers, and an escape plan.

The plumbing of the house should also be inspected to ensure compliance with pollution regulations.

The town has a good noise ordinance, and those decibels and rules should be posted in each rental.

Most of the beach associations' roads are private and controlled by their own particular regulations, and this needs to be differentiated from the public roads that are under the jurisdiction of the police.

We should make sure that this is clear to avoid minor and inappropriate operation of golf carts and small motor vehicles.

We should look at the number of bedrooms that are within a particular residence, when considering the number of occupants permitted.

We don't want Hartford Road in Old Lyme, in East Lyme.

2-4. Lynn Caulkins of 19 & 21 Saunders Drive

Note Ms. Caulkins offered the following remarks:

They have rented her mother's house for probably 30 years, mostly on a yearly basis.

They've had more trouble with yearly renters than they've ever had with short term renters.

They have the verbiage in their rental advertisement, which states that they live on the property, that it's a nice quiet residential neighborhood, and so forth.

It's been fantastic.

They've had people here from Munich, Germany, and a young family from London.

It's a two-bedroom house, so it usually attracts mothers, fathers, grandparents, and the like.

They've had the loveliest people you could ever imagine rent their house.

Many of these people are looking to buy in the area.

The point made about short term rentals being under a week is well taken, and perhaps that should be prohibit that.

The irony is she feels that these people aren't coming here to do a lot of damage or to be a problem to a town.

They're here to go to weddings, funerals, graduations, visit kids, things of that nature.

The reality is if people are here for under three days, the first day they don't check in until three to four o'clock, they have dinner, they go buy some groceries, they drive around the town.

They go to bed, the next day, they probably have an agenda set out, and they're gone by 10:00 a.m. the next morning.

It's likely, they're the lesser of your problems.

As far as regulations go, she'd hate to see them ban them altogether.

They're a great asset to our community and help to support downtown businesses.

She does think people should be required to register with the town.

2-5. Carol Hurst of 35 South Lee Road, GNB

Note Ms. Hurst offered the following:

Her family has owned property in Giants Neck since 1944.

Her father was a resident state trooper here, and she can detail some of her father's experiences with this.

When you have nightly stays, you end up with something like Sound View.

You have drugs, murder, and the like.

There used to be problems with short term rentals with the teenagers who would destroy the house and apartments.

This can happen again if you're going to do this.

People who rent out their homes need to be onsite.

As far as the noise is concerned, the police do nothing.

The police are too busy and don't have time to be worrying about noise.

You're more apt to get families with the weekly stays.

Nightly stays bring the parties and loud noise.

2-6. Margaret Puzzo of 15 Bay View Road, GNH

Note Ms. Puzzo said some of the following:

She and husband and bought their house 10 years ago in Giants Neck Heights, and they love it.

She knows that there's been an increase in short term rentals.

She thinks it would be good to set up some protocols and controls.

The streets are really tight, so it's dangerous to have people parking on them.

She thinks the number of bedrooms of the rental should be taken into consideration with the parking, and that should be focused on more than the number of nights someone is staying.

2-7. Donna Barrett of 54 South Washington, CB

Note Ms. Barrett briefly discussed how if you go to the historical society, they have many photographs of the last 100 years from the various beach communities, which illustrate that East Lyme has a very long history of short-term rentals.

She said a rental of a hotel room, or a house is not all that different, and she doesn't think rentals have been much of a negative over the decades.

2-8. Dan Anselmo, 79 Spring Glen Road, GNH

Note Mr. Anselmo said he's Vice President of the Giants Neck Heights Association Board and offered some of the following remarks:

He's here to represent the Board, and they're absolutely not looking to eliminate anything at all.

They are looking for some advice and guidance, even an ordinance that the renters can follow.

They've had absolutely phenomenal renters and ones that have parked 14 cars on the front lawn.

He's also seen a literal party bus rented to bring everyone to the beach.

As far as renting to teenagers, he doesn't think that has ever happened.

He has yet to see anybody renting to teenagers.

Note Ms. Puzzo replied that there used to be fraternities and sororities who would rent for a long weekend.

2-9. Brian Cooney of 39 Attawan Ave

Note Mr. Cooney shared the following:

They've been renting their place out for three years and it's been wonderful.

They do weekly rentals most of the summer, as well as three-to-four-day stays.

They've never had a bad guest.

Airbnb and VRBO ratings really help.

They don't rent to anyone who has below a 4.5 rating.

2-10. Phil Bucchi of 65 Bay View, GNH

Note Mr. Bucchi said some of the following:

He's come down to the beach community now for 54 summers.

He owns his place and also rents it out via Airbnb and VRBO.

He's had zero problems and no issues.

Parking has always been an issue here.

Not many insurance companies will insure Airbnb or VRBO to completely protect you.

His insurance is much higher on his Airbnb than his regular house, which is much larger, has more bedrooms, and is assessed at a higher rate.

All the things that people are talking about as far as safety precautions he has to do in order to validate his insurance.

He has to take pictures of his internal plumbing, hardwired fire extinguishers, and the like.

These sites help you to vet your clients.

He has the rules written out for the guests, for when they arrive.

2-11. Gail Shea of 28 South Lee Road, GNB

Note Ms. Shea said the bigger picture here, is that residential neighborhoods are being commercialized.

She added that she lives in another town in addition to East Lyme and has seen it there as well; real estate agents are buying up houses and renting them, and single-family neighborhoods are being turned into commercial neighborhoods.

2-12. John Diamantakos of 42 Indian Woods Road

Note Mr. Diamantakos offered the following remarks:

He has a welcome book for his guests.

He's very specific about the rules.

Everybody has the opportunity to include their house rules on their listings.

He thinks quiet hours would be a great idea.

This respects both guests who might be unfamiliar with community norms and neighbors who need their sleep.

They could designate specific areas for short-term rental parking.

Even trash management- providing secure trash bins with clear instructions in the home as to when to dispose of garbage.

He thinks local business partnerships is a strong point.

Hosts can encourage guests to patronize local businesses by providing guides or discount vouchers, thereby benefiting the local Niantic and East Lyme community.

Safety measures, the installation of security cameras and proper lighting around the property can offer added safety for both guests and neighbors.

In terms of occupancy limits, a reasonable limit should be set.

Regular communication would be beneficial.

Maybe create a neighborhood forum or newsletter where hosting neighbors can communicate openly about upcoming rentals, special events or other related news.

Host certification could be required, where basic safety and community guidelines could be discussed.

He doesn't want to see anything done that will kill the entrepreneurial spirit.

For some, rentals may be helping put their kids through college.

2-13. Isabel Georgian of 27 Bay View Road, GNH

Note Ms. Georgian made some of the following remarks:

What she's heard tonight is personal stories of mom and pops trying to hold on to a family home or making a little extra money on the side, it's not corporations that are coming in.

She's next to a short-term rental and they're much better to deal with than traditional neighbors.

It's important to look at the data.

What is the data that supports that you need to have all these regulations?


How many incidents are happening?

Is it an Airbnb versus a regular rental?

Does anything even need to be changed?

2-14. James Weaver of 21 Manwaring Road, OGB

Note see attached correspondence.

 [3197_001.pdf](#)

Note Ms. Santoro read the attached correspondence from Mr. Weaver into the record.

3. Approval of Minutes of Regular Meeting of August 14th, 2023

Note see attached minutes.

 [Minutes_of_EAST_LYME_SHORT_TERM_RENTALS_AD_HOC_COMMITTEE_08_14_23.pdf](#)

Decision MOTION (1)

Mr. Formica moved to approve the meeting minutes of August 14th, 2023, as submitted.

Mr. Farrugia seconded the motion.

Motion carried, 7-0-0.

4. Reports by Town Officials

4-1. Bill Mulholland, Zoning Official

Note see attached memorandum.

 [Mulholland_Memorandum.pdf](#)

Note Mr. Mulholland said some of the following:

He's written a memo to cover some of the issues that have come up, and provided some reading material that includes what our current zoning code has in place, an ordinance from Simsbury that was recently passed, some materials from New York City, who are currently wrestling with this issue.

He also included a draft ordinance prohibiting anything less than 30 days, which he wrote for Noank, but they never enacted.

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Note Mr. Mulholland read his actual memorandum into the record.

Note Mr. Mulholland said they should feel free to contact his office anytime, he's happy to answer questions, or do additional research if needed.

Note Mr. Mulholland noted the following in regard to Noank:

They wrestled with it for three or four years.

They ultimately chose to allow it for 30 days.

They monitor the websites twice a week and they have 100% compliance.

They too ran into the same issue, of the community being essentially flooded and becoming more commercialized.

They considered an ordinance but everything over there is part time.

It's a couple hours a week so they don't have real staff.

Note He added that he thinks it's a community choice, and there is not necessarily a right or wrong answer.

4-2. Dave Garside, Building Official

Note see attached memorandum.

 [Garside_Memorandum.pdf](#)

Note Mr. Garside noted the following:

His job is to administer and make sure that the building code is being applied properly.

In the building code we do define transient nature as 30 days or less, but occupancy is in the IBC, International Building Code, which is an r1 use.

Residential use is usually designed for a single family to occupy the structure at all times.

So, the code is kind of ambiguous.

How you use the building is important.

You can have a building that you use for a business selling antiques and then one day decide to do an auction.

That becomes a change in occupancy because now you're bringing in a group of people over 50.

He formally reached out to both the State Building Inspectors Office and to ICC, International Code Council, for their guidance.

He conveyed that we have companies coming in, who are purchasing properties for the sole purpose of renting them out, and they're not looking to occupy them as a single-family dwelling unit.

He's asked if the rental is less than 30 days, if it requires that occupancy code be changed.

His goal is to make sure whatever is being done here is being done lawfully.

Once he gets a response from them, we should have a better understanding which path we should take.

4-3. Bill Bundy, Fire Marshal

Note Mr. Bundy shared the following:

He checked with neighboring towns and his information is exclusively relating to the office of the fire marshal of the local municipalities as it pertains to their involvement with short term rentals, code enforcement, inspections, or anything of that nature.

New London, Norwich, Old Saybrook, Waterford, and Montville all do not have a town ordinance.

Anything relating to the local fire marshal is related to a single-family residence, which means the fire marshal has no authority.

That's not to say that they don't share commonalities of all the points that have been brought up on both sides of the debate, but currently, as it relates to the fire marshal's office, they treat them as single-family residence.

He looked at how are these properties are impacting services out of his office.

In 2022 there were over 3,000 Fire and EMS calls throughout the town, and about 2,400 of those were EMS.

There's no way to differentiate whether a call was from a single-family or short-term rental property since they're not registered.

In terms of the beach communities, he no data to support that crazy parties with bonfires are happening on the beach.

As it stands now, anyone wishing to have a bonfire on the beach has to contact his office so they can check the air quality index.

His authority comes from State Statute, chapter 541.

Lodging houses are licensed by the town.

They get inspected annually, for things such as working fire extinguishers, working smoke detectors, verification of appropriate egress, no safety or fire code violations.

The definition of a lodging house by State Statute is "such houses that are patronized by roving or transient persons to whom beds or rooms are first and as contained accommodations for not fewer than five people, tourists' camps, cottages that are rented by the day."

They have a handful of lodging houses in town.

They register annually with the town, pay their permit fee, and they inspect them.

Aside from that, they don't know what's operating as a lodging house if they're not registered.

Unless there is a change in the occupancy, he has no authority to go and do safety checks in other homes that are rented out.

In terms of parking issues, it only falls under his jurisdiction if the parking impedes fire apparatus.

Note Mr. Cicchello asked how long an inspection takes and Mr. Bundy replied, an hour or less, it's pretty much a cursory walkthrough.

Note Ms. Santoro noted they're working with Chief Finklestein to receive a presentation from the police at some point in the future.

5. Distribution of Reading Materials and Brief Discussion

Note see attached documents vol 1.

 [Cicchello Documents vol 1.pdf](#)

Note see attached documents vol 2.

 [Cicchello Documents vol 2.pdf](#)

Note Co-Chair Cicchiello distributed reading material for the Committee to review.

6. . Report by Co-Chairs

Note Ms. Santoro said she's going to see about putting a notice on the main page of the website, so that people have an easier time maneuvering to their notices, agendas, and minutes.

7. Scheduling Future Meetings

Note Ms. Santoro noted they will have a Regular Meeting immediately following the public hearing they schedule, and at that point, they can determine further meeting dates.

7-1. Public Hearing- Monday September 25th,2023

Decision MOTION (2)

Ms. Thurlow moved that NOTICE IS HEREBY GIVEN that the East Lyme Short Term Rental Committee will hold a public hearing at 7:00 p.m. on Monday, September 25, 2023, at the East Lyme Town Hall, Upper Meeting Room, 108 Pennsylvania Avenue, Niantic, Connecticut to receive comments concerning the Town of East Lyme's possible regulation of short-term rentals. Interested persons are invited to attend and be heard.

Dated at East Lyme, Connecticut on this 12th day of September 2023.

TOWN OF EAST LYME

SHORT TERM RENTAL COMMITTEE

By _____

Anne Santoro, Its Co-Chairperson

Mr. Cicchiello seconded the motion.

Attorney Zamarka noted that given the turnout this evening, a bigger venue may be needed. He added that the notice is not effective until published in the newspaper and that they can make the approval subject to, the possibility of changing the venue prior to the publication of the legal notice.

Ms. Santoro called for a vote of Motion (2) with the amended language that they're likely to change the location ahead of the legal notice publication in the newspaper.

Motion carried, 7-0-0.

Note

8. Public Comment

Note There was none.

9. Committee Member Comments

Note Co-Chair Santoro called for Committee Member comments.

9-1. Greg McIntire

Note Mr. McIntire said some of the following:

He thinks what we heard was pretty much what we expected to hear.

There are what he perceives to be traditional short-term rentals, along with a new variety of short-term rentals.

The new variety seems to be the general area of concern.

It's a complex issue.

He thinks everybody will agree there are times where the parking, the safety and noise become an issue.

It's good to have an ordinance or zoning that we can look to for guidance.

9-2. John Cellino

Note Mr. Cellino remarked that he wants to thank everyone for their comments, they were excellent, and gave them a lot to think about. He looks forward to addressing this again on the public hearing date.

9-3. Gary Farrugia

Note Mr. Farrugia shared the following:

He lives in Saunders Point and he's a member of the Oswegatchie Hills Club, which is a social group.

They've been looking at this issue for about a year but only in terms of facility usage.

It's certainly a subject that's got people's attention.

There are some people who are very concerned about it, but it's also a neighborhood like many of the other beach communities here where there's a long history of renters.

In fact, the neighborhood was started with cottages for the most part.

So, trying to come up with a good balance here is going to be the work of this committee and he's proud to be a part of it.

9-4. Paul Formica

Note Mr. Formica said some of the following:

He's been in the political world for a long time serving here as First Selectman for eight years and as the State Senate for eight years.

He's currently the President of the Giants Neck Beach Association, and he's the owner of a short-term rental that he's had for about a year and a half with a partner.

he's been in government a long time and one thing he's learned in government is the less government you have, the better off most people are.

He thinks we have to be mindful of that, as we work to fashion a solution.

There are some situations that require an outline and a guidance for, and as always, we have to consider public safety as the number one priority.

The Committee's charge is to report their ideas and forward them to the Board of Selectmen, where they will fashion any new regulations or ordinance if deemed appropriate.

We're basically a recommended body here.

He too has been looking at this issue over the last year and he can tell you they've probably had more problems dealing with pickleball.

He thinks we should proceed with caution as to as to how we do this, and that they can utilize cooperation with the Council of beaches to try to come up with a final solution on this.

He's grateful to have the opportunity to be a part of this and thanks everyone for their time and interest.

9-5. Anne Thurlow

Note Ms. Thurlow offered the following remarks:

She doesn't own any short-term rentals.

There are a couple in her neighborhood, but she doesn't have a real opinion one way or another.

She looks forward to reading all the materials and hearing what everyone has to say.

She recently read an article about how villages in Italy are having the same discussions about this, that we are.

9-6. Gary Cicchiello, Co-Chair

Note Mr. Cicchiello discussed the importance of the public letting them know what's going on. He wants to hear more about how short-term rentals are managed, and he wants to hear how we can coexist with short term rentals and maintain the character of East Lyme.

9-7. Anne Santoro, Co-Chair

Note Ms. Santoro thanked everyone for coming and speaking, and said she looks forward to their comments on the 25th. She added that public feedback is a vital part of the Committee's work.

10. Adjournment

Decision MOTION (3)

Mr. Formica moved to adjourn the September 15th, 2023, meeting of the East Lyme STR Ad Hoc Committee at 8:26 p.m.

Mr. McIntire seconded the motion.

Motion carried, 7-0-0.

Note Respectfully Submitted,
Brooke Stevens, Recording Secretary