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June 22, 2021

Village of Nelsonville Board of Trustees  
c/o Village Clerk  
Nelsonville Village Hall  
258 Main Street  
Nelsonville, NY 10516

To Whom it May Concern:

We are writing this letter in connection with the Village's ongoing deliberations over short term rentals.

When we began considering a move to the Hudson Valley in late 2019, one of the things we considered was this issue of short-term rentals / Airbnb regulations. We were looking for a town that had a sense of community and, having stayed in Airbnb's in New York towns such as Beacon (more local) and Margaretville (in the Catskills), we had some first-hand experience in seeing how it might impact neighborhoods.

We have not gotten involved to-date because we have been supportive of the draft regulations the Village Trustees originally prepared and made available to the public and felt comfortable that we were in complete alignment with community sentiment – based on both the Village's survey and our own conversations on the Haldane blacktop, at kids' sporting events, etc.

However, as the public discussion has continued, we have noticed that the most active and vocal public comments have not been from what we think is a majority of families in support of thoughtful regulation, but rather from a minority of residents who would be adversely impacted.

So, we thought it would be helpful to speak up and outline our thoughts on the issue – which we believe are shared by many of our neighbors.

#### Safety and Community

Nelsonville is a close-knit community, and part of what creates such a safe space for our kids is knowing our neighbors and feeling good about letting our kids walk to their friends, to and from school, through the woods and into town. The increasing overflow from hikers and day-trippers is already creating concern, but that is not something that can be regulated, and is somewhat contained to the western part of town closer to Cold Spring and day-time hours. The more we introduce transients, the more that changes.

But this is not just an issue for us with kids, as it has the potential to impact a whole host of other quality of life and safety issues for the entire village. Noise. Trash. Speeding. Taking care of our woods and natural environment. All of these issues not only put a stress on safety and quality of life, but also put additional strain on our limited municipal services such as trash collection, police, fire and EMT.

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### Housing Stock

My family and I were fortunate enough to have been able to move into a town that we have come to really appreciate and love over the last 15 months. But we first-hand saw the issues around housing stock when we started looking to move here in late 2019.

- The more open and flexible a short-term rental policy there is, it follows that you will tend to see buyers who are either zombie owners (landlords) or – perhaps more likely – buying with the intent to generate at least some rental income (“part timers”). In either case, what this could well do is (i) drive the cost of homes for purchase up and (ii) eliminate long-term rental opportunities.
- This will likely be exacerbated as people from the city settle into the new “work from home economy” and might be looking to live part time outside the city. I know of at least one colleague who is now trying to live in his second home in the Hudson Valley for 50% plus 1 day of the calendar year for tax purposes (whereas he was considering selling pre-pandemic).
- These trends might be good for folks looking to sell, but for those of us looking to stay and live in the Village, it could have a dramatic impact on the community. And it will make it harder for young adults that grew up here and young families looking to move here to find affordable and available housing.
- And those are two groups that: (i) help keep our schools strong; (ii) support our local businesses – not just during “peak” season and weekends, but Monday through Thursday and year round; and (iii) continue to create a sense of community (e.g., ensuring there are enough kids to field little league teams or cub scouts and brownies troops, or support nursery schools, or the arts; increasing the pool of potential volunteers for critical services throughout the community).

### Zoning

While we are sympathetic to the impact this might have on a handful of people who have made decisions over time assuming they would be able to continue with short term rentals (and may well be good and responsible “hosts”), we should not lose sight of reality. Houses zoned residential are supposed to be for residential use. Properties zoned commercial are zoned for commercial use. If someone bought a house next to a property zoned commercial (or as a hotel), they would know to expect a flow of folks from outside our community.

Our understanding is that these regulations will actually provide more flexibility to owners of residential property than is technically permitted now by effectively rezoning properties that obtain a permit to allow for short term rentals.

### Exceptions

In reading and listening to the public debate both here and in Cold Spring, we are comfortable with the idea of a defined exception to the proposed 5% cap on permits to allow for the issuance of special permits

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around traditional events such as the West Point graduation, where the permit would be one-time in nature and limited in duration.

While we cannot speak to the stress that might put on our Village's resources, or how to review and approve any of these requests, we think this type of exception can be managed in a way that would alleviate much of the risk otherwise associated with open-ended short-term rentals. This would also mitigate some of the impact the cap might otherwise have.

#### Cap on Permits

As some neighbors have raised at prior meetings, we believe the proposed cap of 12 permits per year (or 5% of residences) is an essential and critical element of the proposed regulations. Other provisions – such as requirements around how many days someone must live at a residence, how far someone can be from the property during the rental, etc. – are smart and strong deterrents against absentee landlords, but are far more “gray” and difficult to monitor and enforce.

If time proves that the Village can either increase the cap or relax other aspects of the regulations without an adverse impact on the community, it can revisit doing so over time – but after, and with the benefit of, real-world experience on how these regulations have actually impacted short term rentals and our community. Nothing being contemplated would preclude that.

If instead the Village puts in place too few regulations, any adverse impact could be irreparable or long-lasting.

#### Conclusion

We understand that these regulations may have an adverse impact on a handful of residents (although we note that the current number of active Airbnb listings is well below the proposed cap), and that not all listings are created equal (on-site vs. off-site host, Main Street vs. woods, etc.). That said, the purpose of regulation is to set out very clear and non-discriminatory guidelines that everyone can understand and that is in the best interests of the community at large.

For all of these reasons, and many others we have read about and listened to during prior meetings here, and in Cold Spring, and in other communities, we are in favor of the regulations as currently presented by the Trustees (most critically the proposed 5% cap on permits) and believe they are in the best interest of the Village as a whole.

Sincerely,

Alexis Dean and David Herman  
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