

New STR law goes into effect

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She later added, "If (an existing STR operator says), 'Oh, we're just going to keep doing it the way we've been doing it, and we're not going to go in and do the regulations and the fees associated ...' - if we find out that you've been operating and you are not registered with the village, you will be shut down. And if you don't cease immediately, you will be fined."

Deputy Mayor Vic Eydt said, "Everybody's starting from scratch," as far as the municipality is concerned.

Also at Tuesday's meeting, trustees voted to cap the number of STR properties at 50, and to enact both a fee schedule and a temporary moratorium on future short-term rentals.

Realtor and STR owner Tom Deal suggested the new law was rushed, and that the board should take more time to review resident remarks.

"We need to work together to come up with rules and regulations that are fair to everyone involved," he said. "I'm not sure why we need to overregulate something because there may be one or two bad actors."

Trustee Nick Conde said, "The longer this goes on, the more (STR applicants) we get."

Welch acknowledged the new law isn't perfect, and that it could be tweaked during the moratorium or at a later date.

"If there's revisions to be made, they'll be made," she said.

Fee Schedule

Board members voted to approve the following annual fee schedule for STR properties:

- √ Application fee for bed and breakfast, \$50
- √ Application fee for short-term rental, \$50
- √ Annual fee for short-term rental, \$500
- √ Building inspection fee for short-term rental, \$250
- √ Fire inspection fee for short-term rental, \$250

A handful of residents balked at these prices.

Deal said he has had Niagara County provide similar approvals for a grand total of \$200.

Resident and STR owner Gretchen Broderick called the fee schedule "punitive" and "counterintuitive."

Former Deputy Mayor Claudia Marasco said a sliding scale could be implemented for village residents, but Clerk Shannon Fundis said such action would constitute discrimination.

Trustee Tina Coppins said the fees are reflective of the additional village services required to ensure STRs are safe and code-compliant.

Penalties

The STR application requires owners to identify a contact who can be notified if anything untoward is taking place at the rental site.

There was some debate as to who should be called in these situations - the owner, the village, the Lewiston Police Department - particularly after hours. Conversation suggested noise complaints would be sent to the LPD, while maintenance matters such as garbage placement or landscaping would be taken up with the landlords.



The Village of Lewiston has adopted a new short-term rental law. On Tuesday, residents spoke with the Village Board about STR policies.

Welch said owners "don't want to be in violation, because there's fines."

Coppins added, "They can lose their license."

Eydt noted, "They have to renew each year. It's not in perpetuity. They have to go through this procedure every year. If there is violations, if there's a problem, we pull their license next year. They don't get the chance to do it again."

Moratorium

With the new law in place, board members said the next course of action is to review and approve the existing STRs.

The motion to pass a moratorium reads, in part:

"WHEREAS, tourism is an important part of the local economy, including short-term rentals at hotels, and increasingly, in residential neighborhoods; and

"WHEREAS, in recent years, the density and frequency of rentals of less than 30 days, or short-term rentals, in residential neighborhoods has increased, due in large part to the web-based marketing tools such as Airbnb, Vacation Rental by Owner, and the like; and

"WHEREAS, the increase in transient occupancy has had an adverse impact on residential neighborhoods subsequently generating excess noise, traffic and trash; and

"WHEREAS the Village of Lewiston Board of Trustees is in the process of studying the issue in order to make recommendations on the best approach for the Village, including conducting work session(s), other studies, and proposing an ordinance regarding the regulation of short-term rentals.

"NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Lewiston, that in order to protect the public health, safety and welfare, it is in the best interest of the Village to declare a



temporary moratorium on issuing business licenses on short-term rentals.

"BE IT FURTHER RESOLVED by the Village of Lewiston Board of Trustees, that beginning with the effective date of this Ordinance, no new short-term rental licenses shall be approved or issued through April 17, 2023, three months from the date of this ordinance."

Fundis said, "Since we announced at the last meeting that, 'We have a list, this is what we're working with,' we've had seven to 10 phone calls. 'Well, I want one. Well, I bought a house to renovate to make one.' If we don't create a law and start limiting, it is going to escalate."

As of now, there is no waiting list for future STR applicants.

Boat Slips

Following the STR conversation, trustees voted to increase the Lewiston Landing boat slip fees by \$300 for the 2023 season, noting there hasn't been a rate change since before the onset of the coronavirus pandemic.

In that time, "millions of dollars"

worth of renovations have taken place, Welch said, including a new walkway and installation of floating docks.

Residents will pay \$1,500, while non-residents will be charged \$1,800.

Other Approvals

The board voted to approve the following motions:

- √ A request made by Coulter Farms to host a farm stand daily from 8 a.m. to dusk from late spring through the fall season (possibly into winter) at the Lewiston Landing area adjacent to the fish-cleaning station. This swatch of grass abutting Center Street is the only area trustees are making available for such an operation on Water Street. The proprietors will complete a facility use permit and pay the village \$25 for each day they sell goods.
- √ Development plans as proposed for 869 Cayuga St. (Syros Restaurant), which could include the addition of three apartments and up to three retail units.
- √ The appointment of Joshua Janese as an alternate member to the Planning Commission.

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