



Town of Washington  
Conservation Advisory Commission

September 7, 2023

To: TOW Town Board

Re: **Short Term Rental Law**

The Town of Washington Conservation Advisory Commission (“CAC”) is writing regarding the Resolution dated August 29, 2023, and related regarding short term rentals (the “August STR Resolution”). Our comments are consistent with the CAC’s duty, as set forth in the local law establishing the CAC, to “advise the Town Board of the Town of Washington on matters affecting the preservation, development, and use of the natural and man-made features and conditions of the Town insofar as quality, ecological integrity, vistas, and other environmental factors are concerned.” With that limited charge in mind, the comments below follow up on our letter of July 12, 2023, and focus on the potential for noise pollution, water pollution, and other environmental factors.

We note that the August STR Resolution has some improvements over the prior resolution adopted in June. We note that the permitting process appears to be more stringent in several respects and that the requirements for remedying noise complaints require a speedier resolution. We also note that the August Resolution does not appear to supersede environmental laws, unlike the prior version.

We remain concerned that the maximum number of occupants in a short-term rental under the STR Resolution is a fixed number, 12, which may be more than what the dwelling’s septic and water systems were designed to handle and exceed what adjacent property owners expect. We still think that this relatively high maximum number is likely to lead to noise pollution and other environmental concerns, especially if it is not tailored to the size of the dwelling or the surrounding location or the norm for the neighborhood and may have a diminishing effect on the natural and man-made environment presently enjoyed by the existing residents in that area.

The August STR Resolution raises a new concern related to the new definition of “owner.” While both the June and the August STR Resolutions limit “owners” to two STR permits, the definition of “owner” in the August STR Resolution has been revised to be the person or entity holding title to the property. This opens the possibility that a corporate group of companies could hold an unlimited number of properties in the TOW as long as each member of the corporate group holds only two permits. If this is not the intended result of the new definition of “owner,” the definition should be further revised. The CAC continues to believe that absentee STR owners are less likely to be concerned with environmental harm on their property than owner-occupied STRs.

The CAC again appreciates the opportunity to provide these comments, and we hope they are helpful.

Sincerely,

Conservation Advisory Commission