



Deposition of:
STR Board Work Session

August 29, 2019

In the Matter of:
Talbot County Council Work Session

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COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

Work Session

Short-Term Rental Review Board

August 29, 2019; 6:00 p.m.

Talbot County Community Center
Easton, Maryland

BOARD MEMBERS:

- Scott Kane
- Tammy S. Broll
- John F. Hall, Esq.
- David McQuay

Reported by
Diane Houlihan

<p style="text-align: right;">Page 2</p> <p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2</p> <p>3 MR. KANE: I'd like to call the meeting to</p> <p>4 order. Welcome.</p> <p>5 So this is the second work session for the</p> <p>6 Short-Term Rental Review Board. And I wanted</p> <p>7 to review the new cases that are here, some</p> <p>8 comments that I made in the last hearing, which</p> <p>9 was last Thursday.</p> <p>10 The first question is why are we here.</p> <p>11 And the answer is that we're answering a</p> <p>12 request from the Talbot County Council that</p> <p>13 they issued on July 9th, and then they gave us</p> <p>14 a specific direction as to how we were to</p> <p>15 proceed on August 13th.</p> <p>16 Give you a little background. We as a</p> <p>17 board were codified, formed, organized with the</p> <p>18 new legislation in section 190. It's section</p> <p>19 63. That new legislation established this</p> <p>20 board. We held our first organizational</p> <p>21 meeting in January of this year and then</p>	<p style="text-align: right;">Page 4</p> <p>1 received specific direction from all five</p> <p>2 Council members. That instruction is available</p> <p>3 by video if somebody wants to go online and</p> <p>4 take a look at it.</p> <p>5 But I summarize briefly, Council President</p> <p>6 Pack advised as follows: We're here to discuss</p> <p>7 and give the Short-Term Rental Board direction</p> <p>8 as to what we're looking for from them. And</p> <p>9 then again to us, if there were any other items</p> <p>10 that you saw repeatedly in your deliberations</p> <p>11 that you also want us to be aware of, we will</p> <p>12 be glad to also look at these as well.</p> <p>13 Council Vice President Callahan advised</p> <p>14 that's why we need a work session, to see</p> <p>15 what's working and what's not working. We need</p> <p>16 instructions from you, the Short-Term Rental</p> <p>17 Board, as to what is working and not working.</p> <p>18 If we need another work session or if we need</p> <p>19 another ten work sessions, which I didn't enjoy</p> <p>20 hearing that, we're going to get this right.</p> <p>21 We're going to listen to the public and make it</p>
<p style="text-align: right;">Page 3</p> <p>1 started hearings of applications in February.</p> <p>2 And we've conducted approximately eight or</p> <p>3 so hearings over that period of time and</p> <p>4 listened to approximately probably a little</p> <p>5 less than 20 applications, of which we have</p> <p>6 approved all of those applications, save</p> <p>7 several that we deferred action on. So that's</p> <p>8 our track record of activity.</p> <p>9 But to go back to the County Council's</p> <p>10 request, there was a Bill 1413 that was</p> <p>11 introduced in late spring of this year to talk</p> <p>12 about cleaning up and correcting some of the</p> <p>13 language in the bill that enabled this board.</p> <p>14 That's 190.63. That was considered over</p> <p>15 several sessions. And finally, it was decided</p> <p>16 on July 9th to let that bill die, as I</p> <p>17 mentioned, with specific direction to the board</p> <p>18 to come back with recommendations as to what we</p> <p>19 thought were the things that the county should,</p> <p>20 County Council should consider.</p> <p>21 There was a meeting on August 13th when we</p>	<p style="text-align: right;">Page 5</p> <p>1 right.</p> <p>2 And the three other Council members opined</p> <p>3 similarly.</p> <p>4 So that's the purpose of this work session</p> <p>5 today, for you to provide input to us.</p> <p>6 And I would like to thank all of you who</p> <p>7 have taken the time to show up for tonight for</p> <p>8 our session. Particularly to thank those 15 or</p> <p>9 so who have submitted written comments for</p> <p>10 tonight's session, as well as those who have</p> <p>11 taken the time to attend and, indeed, would be</p> <p>12 willing to speak, give us some benefit of your</p> <p>13 thoughts.</p> <p>14 Also like to thank the staff, who has</p> <p>15 worked tirelessly on this process and worked</p> <p>16 tirelessly in approving and working through all</p> <p>17 the intricacies of your applications for</p> <p>18 short-term rental applications, as well as the</p> <p>19 county attorneys' office for their excellent</p> <p>20 work and advice to the board.</p> <p>21 So here is how we're going to proceed.</p>

<p style="text-align: right;">Page 6</p> <p>1 We're going to first take the written 2 submissions. I think there were 13. That's 3 expanded to 15 with the latest that we've 4 received this afternoon. And I would like to 5 hear from those members, the board would like 6 to hear from those members who have taken the 7 time to write. 8 And then secondly, I would like to 9 recognize anybody that's here this evening that 10 wasn't able to attend the session last week. 11 Ask them to speak. 12 And then certainly anybody that's here and 13 has something to say, we'd like to recognize 14 you and allow you to speak. 15 I am advised by the stenographer who is 16 present to please speak into the microphone so 17 she can get a good, clean record of what you 18 have to say. 19 I would also like to note for the 20 record -- 21 SPEAKER: You, too, Scott.</p>	<p style="text-align: right;">Page 8</p> <p>1 question. And that is before you get started, 2 if you could explain to us how your 3 decision-making is going to work among you all 4 of the board? 5 In other words, will you have one 6 recommendation or five recommendations and will 7 you have dissenting views when you submit them 8 or will you all stand behind all decisions? Is 9 it going to be majority -- I mean you need to 10 tell us a little bit. 11 Will you guys be going on record in terms 12 of supporting -- 13 MR. KANE: Could you please identify 14 yourself? 15 MR. ROMERO: I'm sorry. Pete Romero. 16 MR. KANE: Could you sign in please? 17 To your question, we're proceeding as 18 we've held two work sessions, this being the 19 second. There's going to be a third work 20 session. 21 All of our meetings are conducted open and</p>
<p style="text-align: right;">Page 7</p> <p>1 MR. SALINAS: Mr. Chairman, on that note, 2 the court reporter said when you speak, the 3 board speaks, if you just put your microphone 4 closer. 5 MR. KANE: To me? 6 MR. SALINAS: To all of you, yes. 7 SPEAKER: Yes. That will be helpful. 8 MR. KANE: We're receiving more 9 instructions. 10 MR. SALINAS: Thank you. 11 MR. KANE: And then I note also that we 12 received one submission and a handout at the 13 end of our submission last time. I'd like to 14 make that number 39 on the record. 15 So if that agenda is acceptable to the 16 board, we will proceed that way. 17 And I would like to ask -- I'd like to 18 recognize the first submission, which is from 19 Brian Kane. Pointing out that he's no relation 20 to me. Please. 21 MR. ROMERO: I've just got a quick</p>	<p style="text-align: right;">Page 9</p> <p>1 in public due to the -- in compliance with the 2 Open Meetings Act of the State. 3 So we'll be holding another work session. 4 The tentative date for that is next Thursday at 5 our regularly-scheduled meeting at one o'clock 6 for next Thursday for considering all of the 7 testimony and proceeding accordingly to decide 8 how we are going to assemble all the 9 information that we received and how we're 10 going to deliver it to the county. So that's 11 an open work session, and you're welcome to 12 attend. 13 MR. ROMERO: But you still haven't 14 explained how exactly you're going to come to 15 either majority vote or consensus or how you're 16 going to do it. 17 MR. KANE: I thought I had, but we will 18 determine that at that meeting. 19 MR. ROMERO: Well, if you thought you had 20 but you're going to determine it at that 21 meeting --</p>

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<p>1 MR. KANE: I thought I had explained it to 2 you, that we will determine it at that meeting. 3 MR. ROMERO: Thank you. 4 MR. KANE: You're welcome. 5 I think everybody is aware we're a little 6 bit constrained I guess and it's been noted by 7 the County Council on the board. The Open 8 Meeting Act requires that any deliberation and 9 answers and consideration of questions such as 10 you've just raised requires us to meet in open 11 session. 12 So those questions that you raised have 13 not been answered, and we will be answering 14 them when we meet nominally next week. 15 So could I ask if Mr. Kane is present and 16 wishes to amplify on his submission? 17 If not, we'll move on to item number two, 18 which is a submission from Kathleen Schamel. 19 And is she present and wish to speak on her 20 submission? Welcome. 21 MS. SCHAMEL: Thanks.</p>	<p>1 of that when we're discussing the minutia of 2 these applications. 3 MR. KANE: Sure. People need to come to 4 Talbot County to participate in these 5 activities. 6 MS. SCHAMEL: Yeah. It's the backbone of 7 our economy. Sure. 8 MR. KANE: Do you have any specific data 9 or instances where rooms have been unavailable 10 so economic activity has been curtailed? 11 MS. SCHAMEL: -- looking at today that 12 suggests the major vacation rental companies in 13 town are ten percent of the rooms overall that 14 are available. 15 I mean the county economic development 16 office has been helpful in providing some of 17 those numbers showing the number of rooms 18 available versus how many of those are 19 short-term rental rooms. 20 MR. KANE: I guess my question is is the 21 economic vitality in Talbot County constrained</p>
<p>Page 11</p> <p>1 MR. KANE: Can you please identify 2 yourself? 3 MS. SCHAMEL: Kathleen Schamel, 4 St. Michael's. 5 MR. KANE: Okay. So we're in receipt of 6 your letter. Are there any things in your 7 letter that you wish to amplify on or clarify? 8 MS. SCHAMEL: I wanted to echo again what 9 Mr. Mariner brought up last week, the state 10 economic impact. Sort of has a waterfall 11 effect. So it's not only the homeowners that 12 are affected. 13 We're short on beds in the counties, which 14 means that tourists are limited where they can 15 stay. 16 With them not coming, then restaurants 17 aren't getting seats at their tables, 18 paddleboarding, kayaking activities, the 19 brewery. I mean it's the landscapers, the 20 housekeepers. It's a large impact on tourism 21 in the county, and I think we often lose sight</p>	<p>Page 13</p> <p>1 because there aren't enough overnight rooms or 2 do we have -- 3 MS. SCHAMEL: I think that's what we're 4 looking at. Do I have those numbers in front 5 of me, I don't. 6 But for example, Harbourtowne in 7 St. Michael's has been closed for one, two 8 seasons. That's a huge number of rooms that 9 we're not able to fill in St. Michael's. 10 MR. KANE: Yes. I'm certainly aware of 11 that. 12 Well, if there's some way that you could 13 look into that data and provide it to us, we 14 would be very interested -- 15 MS. SCHAMEL: Definitely something I've 16 been working with. 17 MR. KANE: Other questions? If not, I had 18 one. 19 I think you raised the question about the 20 definition of a resident agent -- 21 MS. SCHAMEL: Yeah. It seems to have been</p>

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<p>1 a lot of discussion, and I'm not sure that 2 we're all on the same page about it, what the 3 role is and what the specific responsibilities 4 are of a resident agent. Sure, yes, that was 5 something that I think, as a work session, it 6 definitely bears discussing.</p> <p>7 MR. KANE: Speaking personally, I think 8 you're exactly right because when I go back in 9 and look at some of the enabling legislation, 10 the role and the qualifications of a resident 11 agent are not defined.</p> <p>12 MS. SCHAMEL: Yes. And I understand this 13 is a learning process. This is your first 14 season. I respect that. But it's certainly 15 something that should be further delineated 16 very specifically.</p> <p>17 MR. KANE: Thank you for pointing that 18 out. I think that's something the board and 19 the County Council needs to consider --</p> <p>20 MS. SCHAMEL: It's been sort of 21 inconsistent from one meeting to the next as</p>	<p>1 pertains to resident agent where those 2 particular responsibilities maybe more fall 3 into the complaint hotline rather than the 4 resident agent, per se.</p> <p>5 MR. KANE: Yeah. You accurately 6 summarized the discussion last week. It was 7 what falls into the resident agent category and 8 what falls into the complaint category.</p> <p>9 MS. SCHAMEL: Really good feedback from 10 last week. So it was helpful.</p> <p>11 MR. KANE: Agreed. Anything else? Thank 12 you very much.</p> <p>13 I'd like to take up item number three, 14 which is a letter from Mr. William Cook. Is 15 Mr. Cook here and wish to exposit on his 16 submission? Okay. We'll accept that 17 submission as written.</p> <p>18 Item number four is a lengthy letter to 19 the board from Mr. Dan Watson. Is Mr. Watson 20 here and wish to speak on his submission? 21 It's a rather lengthy submission that</p>
<p>1 well. So that's really why I brought it up. 2 MR. KANE: What's been inconsistent? 3 MS. SCHAMEL: The discussion of the 4 responsibilities of that particular person.</p> <p>5 MR. KANE: Perhaps it may be, but we 6 certainly ask questions about the resident 7 agent to sort of figure out what the resident 8 agents are doing and what their charter is.</p> <p>9 MS. SCHAMEL: Sure.</p> <p>10 MR. KANE: And it turns out that it is 11 inconsistently viewed as to what the 12 qualifications are, what the role are.</p> <p>13 So I think you're exactly right. It is 14 something we need to take up and review. And 15 speaking for myself, not the board, but I think 16 we'll probably finish --</p> <p>17 MS. SCHAMEL: There was a great discussion 18 last week about the complaint hotline and how 19 that all is handled. And I think at several of 20 the hearings I've been present at, we've gone a 21 little bit too far into that discussion as it</p>	<p>1 requires I think some analysis and thought. 2 Since he's not here, we'll move on to item 3 number five, which was a submission from 4 Mr. Howard Snyder.</p> <p>5 Is Mr. Snyder here and wish to speak on 6 this point? Yes, please.</p> <p>7 MR. SNYDER: Good evening, board. My name 8 is Howard Snyder. I wrote a letter, which you 9 no doubt have in front of you.</p> <p>10 I would just emphasize that it seems very 11 odd to me that in a county of 37,000 residents, 12 there are currently, at least to my 13 understanding, at least four separate laws that 14 are being used to interpret or decide who can 15 have an STR and where.</p> <p>16 Easton has its own set of rules, and 17 Easton compromises about 43 or 44 percent of 18 the county. Combined with St. Michael's and 19 Oxford, they comprise about 50 percent. Those 20 two communities also have their own rules and 21 regulations. All three of them largely deal</p>

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<p>1 with restricting such STRs to principal 2 residences. Easton I think has a good system. 3 I recently read some information about the 4 city Of Denver, which is a much larger city, 5 but has rules that are very similar to Easton's 6 in terms of limiting STRs to residential, to 7 primary residences, principal residences. 8 The other thing that's interesting to me 9 is that the St. Michael's ordinance restricts 10 their STRs to their commercial district, which 11 in my humble opinion really calls the STRs 12 exactly what they are, commercial venture. 13 I have a site for the board to look at the 14 Denver ordinance on STRs, which deals with 15 primarily restricting them to the principal 16 residences. And I want to give each member of 17 the board and one for Ms. Suss as well that 18 site as far as I could gather it. 19 MR. HALL: Is this in an e-mail to us? 20 We've gotten some e-mails with sites, I didn't 21 know whether yours was included there.</p>	<p>1 MR. KANE: You please proceed. 2 MR. SNYDER: I get that all the time. 3 I simply want to suggest that she's raised 4 an issue that has not been addressed at any of 5 the hearings so far, and that is the issue of 6 the size of fees for STRs and any fines 7 associated with STRs, that the board and the 8 county need to be looking at that whole area so 9 that the traffic that is created for Planning & 10 Zoning, the STR board, and Council, if it needs 11 to get involved, that there are plenty of funds 12 in the county treasury to be able to perform 13 all those functions in order to be able to 14 properly police the issuance of the licenses 15 and the follow-up that needs to be done by the 16 inspectors and by Mr. Duell and so forth and so 17 on. 18 And I raise that question because I don't 19 know whether it's adequate now. My wife wanted 20 to raise that point, and I do think it's a good 21 one.</p>
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<p>1 MR. SNYDER: I did not e-mail it to you. 2 I didn't have time to copy it into an e-mail 3 and send it to you. I'm sorry. 4 MR. KANE: I think the request is could 5 you copy it into an e-mail? 6 MR. SNYDER: I can get somebody to help 7 me. I'm not very good at that. 8 MR. KANE: Mr. Hall will help you. 9 MR. SNYDER: But here is five copies for 10 your board and the notice down on the bottom. 11 And that's all I have, Mr. Chairman. 12 MR. KANE: Can you pass this out? Okay. 13 Thank you very much, Mr. Snyder. 14 The next item is item number six submitted 15 by Susan DuPont. Is Ms. DuPont here and wish 16 to speak on this? 17 MR. SNYDER: I'm her husband. May I say 18 something about that? 19 MR. KANE: She's directed you to say 20 something? 21 MR. SNYDER: She has.</p>	<p>1 So that's all I really want to say about 2 it. 3 MR. KANE: Okay. Was that the only point 4 that was in that letter? Were there other 5 points in the letter? 6 MR. SNYDER: There were other points, but 7 I don't want to take your time on that. 8 MR. KANE: Okay. All right. Questions? 9 Do you have any feeling for the numbers 10 involved, how much fees are collected? 11 MR. SNYDER: I have no sense of that. But 12 I do think that if they're going to continue to 13 be granted, I can see an issue developing about 14 keeping the funds available to properly 15 administer all this. 16 MR. KANE: Okay. 17 MS. O'DONNELL: Since Mr. Snyder is here, 18 Mr. Snyder had a question at the last meeting 19 about enforcement. 20 As many of the people in the room may 21 know, the County Council introduced an</p>

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<p>1 administrative resolution related to the</p> <p>2 possible stay of the enforcement for STRs --</p> <p>3 MR. KANE: Ms. O'Donnell. I think that's</p> <p>4 out of order.</p> <p>5 MS. O'DONNELL: Okay.</p> <p>6 MR. KANE: We can pick it up at the end.</p> <p>7 MS. O'DONNELL: It was Mr. Snyder's</p> <p>8 question last week. So I wanted --</p> <p>9 MR. KANE: Let's take that up at the end?</p> <p>10 MS. O'DONNELL: Sure.</p> <p>11 MR. KANE: Anything else?</p> <p>12 MR. SNYDER: No.</p> <p>13 MR. KANE: Questions of Mr. Snyder? Thank</p> <p>14 you very much.</p> <p>15 MR. SNYDER: Thank you.</p> <p>16 MR. KANE: Looking at item number seven, a</p> <p>17 letter by Mr. Robert Ebel. Is he here and wish</p> <p>18 to speak on his letter? I guess not.</p> <p>19 It's an interesting letter. It was direct</p> <p>20 counterpoint to the earlier testimony that</p> <p>21 there is no definition of resident agent</p>	<p>1 I think what we have seen through the past</p> <p>2 few months as the Short-Term Rental Review</p> <p>3 Board has conducted hearings is that there's a</p> <p>4 real value in this process. I think there's a</p> <p>5 value in terms of educating the STR permit</p> <p>6 applicants, and many of them are from out of</p> <p>7 the county. And through this process, they get</p> <p>8 to know exactly what their rights and</p> <p>9 obligations are.</p> <p>10 And I also think we've seen there's a</p> <p>11 value in bringing the neighbors together, as I</p> <p>12 believe this also came up at the first work</p> <p>13 session. You bring the neighbors into the same</p> <p>14 room with the applicants. And in several</p> <p>15 cases, that helped facilitate resolution of</p> <p>16 potential problems.</p> <p>17 I looked through the code, and I did see</p> <p>18 that there are other, of course, as we know,</p> <p>19 many other permits that the county issues. And</p> <p>20 I wasn't really able to find any that could be</p> <p>21 transferred upon sale. In most cases, it looks</p>
<p>1 qualifications or responsibilities, etc., in</p> <p>2 the legislation as it exists today, and he was</p> <p>3 proposing some specific language that covered</p> <p>4 that oversight.</p> <p>5 Let's move on to item number eight, a</p> <p>6 letter submitted by Monica Otte. Is she here</p> <p>7 to speak?</p> <p>8 MS. OTTE: Yes. Good evening. I'll just</p> <p>9 summarize my letter briefly if that's okay.</p> <p>10 MR. KANE: Certainly.</p> <p>11 MS. OTTE: I'm responding to a comment</p> <p>12 that was made at the first work session where</p> <p>13 there was a recommendation that the permit</p> <p>14 process be changed so that short-term rental</p> <p>15 permits are transferable with the sale of</p> <p>16 property.</p> <p>17 And I think that's a really bad idea. The</p> <p>18 provisions about prohibiting transfer of</p> <p>19 short-term rentals were in the code before</p> <p>20 NextStep 190, and I think they should be</p> <p>21 maintained.</p>	<p>1 like you have to go back and get approval. For</p> <p>2 the Liquor Board, for example, you can transfer</p> <p>3 a permit but you have to go through this</p> <p>4 process and it's spelled out in the code of</p> <p>5 getting approval from the Board of Liquor</p> <p>6 Licenses.</p> <p>7 If you own a B&B, you get a use</p> <p>8 certificate, not a permit. But if a new owner</p> <p>9 acquires that B&B, that new owner has to get a</p> <p>10 new use certificate. And there are some other</p> <p>11 examples in the code.</p> <p>12 And my last point is there was also</p> <p>13 testimony at the first work session about the</p> <p>14 impact of short-term rentals on property</p> <p>15 values. I think it's fairly safe to say that</p> <p>16 if you establish transferable permits, you're</p> <p>17 going to create a permanent STR. And how is</p> <p>18 that going to affect property values of people</p> <p>19 who live next door to that permanent STR? I</p> <p>20 don't think most people would want to buy a</p> <p>21 house and live next door to a permanent STR.</p>

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<p>1 So that's all I have.</p> <p>2 MR. KANE: Questions of Ms. Otte?</p> <p>3 MS. OTTE: Thank you very much.</p> <p>4 MR. KANE: Thank you. Item number nine,</p> <p>5 supplied by John and Monica Sewell. Are they</p> <p>6 here?</p> <p>7 MS. SEWELL: Actually Mr. Chairman, I</p> <p>8 wrote two letters. So I'm assuming the one</p> <p>9 you're talking about is for the importance of</p> <p>10 the STR owner to be at all meetings?</p> <p>11 MR. KANE: Yes. That's the one we're</p> <p>12 considering now. I see you have two letters.</p> <p>13 MS. SEWELL: We would like the board to</p> <p>14 consider how important we think it is for the</p> <p>15 STR owner to be at all meetings with the STR</p> <p>16 board when property is being discussed.</p> <p>17 We believe that the resident agent is</p> <p>18 mostly for the comfort of the renter and not</p> <p>19 concerned with the neighbors' concerns about</p> <p>20 incidents that have occurred, which the</p> <p>21 neighbors can feel change the general</p>	<p>1 commitment to the board for the resident agent</p> <p>2 at this time. They can come and go at their</p> <p>3 leisure.</p> <p>4 Or if you deal directly with the</p> <p>5 homeowner, then I believe things will be done</p> <p>6 more efficiently.</p> <p>7 MR. KANE: Okay. And so then your point</p> <p>8 is that the position of the resident agent is</p> <p>9 not defined and, therefore, they should not be</p> <p>10 in a position to represent the homeowner?</p> <p>11 MS. SEWELL: Correct, yes. I believe the</p> <p>12 homeowner should be here before the board so</p> <p>13 they understand.</p> <p>14 MR. KANE: Okay. Any comments?</p> <p>15 Let's move on to your second letter then,</p> <p>16 if we might.</p> <p>17 MS. SEWELL: During this workshop, I would</p> <p>18 like to ask the board for transparency and</p> <p>19 accountability to consider requiring the STR</p> <p>20 owners to provide an annual report each time</p> <p>21 they apply for a license renewal. This report</p>
<p>Page 27</p> <p>1 atmosphere of their neighborhood.</p> <p>2 Like Ms. Schamel and (inaudible)</p> <p>3 previously mentioned, the resident agent has no</p> <p>4 commitment to the STR board and can quit or be</p> <p>5 fired without the STR board ever knowing. And</p> <p>6 this has recently happened to an STR on Esby</p> <p>7 Road.</p> <p>8 Dealing with the owner directly avoids any</p> <p>9 misunderstandings and potential for loopholes</p> <p>10 to develop in the process. And we believe it</p> <p>11 will result in faster action and better results</p> <p>12 for everyone involved.</p> <p>13 MR. KANE: So the comments of what we had</p> <p>14 a few previously where you defined the</p> <p>15 qualification and the responsibilities of the</p> <p>16 resident agent, address your concerns or are</p> <p>17 your concerns broader than that?</p> <p>18 MS. SEWELL: We would just like a</p> <p>19 definition of exactly what their</p> <p>20 responsibilities are.</p> <p>21 It appears as though there is no</p>	<p>Page 29</p> <p>1 should include not only the total number of</p> <p>2 days the property was rented and the number of</p> <p>3 signed leases they made during the past year,</p> <p>4 but also the total number of guests they had</p> <p>5 for each event.</p> <p>6 Also, this report should contain a summary</p> <p>7 of any complaints the owners have received and</p> <p>8 should provide documentation with receipts that</p> <p>9 all Talbot County occupancy tax and Maryland</p> <p>10 State sales tax have been paid promptly.</p> <p>11 The benefit of this report would not only</p> <p>12 allow the county the opportunity to reconcile</p> <p>13 with the tax office, it would also allow the</p> <p>14 STR board to have a better understanding of</p> <p>15 what and who you are governing.</p> <p>16 Most businesses have to share this type of</p> <p>17 information with others with whom they do</p> <p>18 business. For example, banks will require this</p> <p>19 information. This report would become part of</p> <p>20 doing business and would encourage the</p> <p>21 short-term rental owners to keep good records.</p>

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<p>1 And just like the required notifications</p> <p>2 to neighboring properties, any cost of the</p> <p>3 report would be a tax deductible business</p> <p>4 expense.</p> <p>5 MR. KANE: Okay. Any questions of</p> <p>6 Ms. Sewell?</p> <p>7 I'd like to ask the staff, do we have any</p> <p>8 records such as this currently on short-term</p> <p>9 rentals? Do we collect this information?</p> <p>10 MS. VERDERY: What specific information?</p> <p>11 MR. KANE: Well, she's -- I don't know if</p> <p>12 you can follow this letter. But she's asking</p> <p>13 to provide an annual report basically for each</p> <p>14 property, including such things as the number</p> <p>15 of days the property was rented, number of</p> <p>16 guests, summary of any complaints, and then</p> <p>17 documentation of occupancy tax being paid, that</p> <p>18 type of thing.</p> <p>19 MS. VERDERY: We have the information that</p> <p>20 we can gain through our Finance Department in</p> <p>21 regard to the taxes that are paid, but we do</p>	<p>1 the board? I'd just like some clarity on what</p> <p>2 items from last week's workshop.</p> <p>3 I understood there were three violations</p> <p>4 for one STR that Officer Duell spoke of. And</p> <p>5 it was my understanding there have been</p> <p>6 hundreds of complaints that have gone directed</p> <p>7 to the Sheriff's Office, in which those details</p> <p>8 have not been discussed at these work hearings,</p> <p>9 workshop hearings.</p> <p>10 Am I understanding that correctly?</p> <p>11 MS. O'DONNELL: I'm sorry, I don't</p> <p>12 understand your question.</p> <p>13 MS. SEWELL: Well, there's been more than</p> <p>14 three complaints.</p> <p>15 MS. O'DONNELL: I think what Mr. Duell was</p> <p>16 talking about was one particular incident.</p> <p>17 MS. SEWELL: Yes.</p> <p>18 MS. O'DONNELL: And for that one incident,</p> <p>19 three violations were issued.</p> <p>20 MS. SEWELL: Correct.</p> <p>21 MS. O'DONNELL: I don't think that we gave</p>
<p>Page 31</p> <p>1 not collect -- and that will tell us the number</p> <p>2 of days that it was occupied because that's how</p> <p>3 the finance gets the taxes paid based on those</p> <p>4 number of days that someone occupies the</p> <p>5 residence.</p> <p>6 So we extrapolate or get that information</p> <p>7 based on finance, but we do not create any</p> <p>8 specific report at this time, especially not</p> <p>9 independently of each individual short-term</p> <p>10 rental.</p> <p>11 MS. SEWELL: How do you know they're</p> <p>12 paying the correct amount?</p> <p>13 MS. VERDERY: It's based on what they</p> <p>14 report, which it always will be.</p> <p>15 MR. KANE: So is this information publicly</p> <p>16 available?</p> <p>17 MS. VERDERY: They can file a Public</p> <p>18 Information Act request and obtain the</p> <p>19 information from finance.</p> <p>20 MR. KANE: Okay.</p> <p>21 MS. SEWELL: Can I ask one more thing from</p>	<p>Page 33</p> <p>1 out information about all complaints that have</p> <p>2 been received to date related to that property.</p> <p>3 I think that he was identifying a specific</p> <p>4 incident --</p> <p>5 MS. SEWELL: The one particular property,</p> <p>6 yes.</p> <p>7 MS. O'DONNELL: But the specific incident</p> <p>8 at the one particular property.</p> <p>9 MS. SEWELL: Correct. But there have been</p> <p>10 many more throughout the county.</p> <p>11 MS. O'DONNELL: Nothing about the public</p> <p>12 work session was a -- where the staff was to</p> <p>13 summarize all enforcement activities and all</p> <p>14 complaints that have been received.</p> <p>15 MS. SEWELL: I understand.</p> <p>16 MS. O'DONNELL: In fact, I've never</p> <p>17 received that data.</p> <p>18 MS. SEWELL: But the Sheriff's Office</p> <p>19 would have that information?</p> <p>20 MS. O'DONNELL: They would.</p> <p>21 I don't know -- as I'm sitting here right</p>

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<p>1 now, I don't know. I've never seen a document 2 that shows hundreds of complaints from the 3 Sheriff's Office.</p> <p>4 MS. SEWELL: Okay.</p> <p>5 MS. O'DONNELL: So I think that that could 6 be something that could be created, we could -- 7 I mean the whole purpose of involving the 8 sheriff and getting him to agree, that it was 9 to get more enforcement relating to these 10 things, related to the noise task force, having 11 him agree to be related to those issues.</p> <p>12 But I think that as we talked about with 13 the board, that is data that we could pull 14 together and gather, but I don't -- I'm not 15 aware of -- if that data has been created or 16 sought by Mr. Duell, it hasn't come to our 17 office.</p> <p>18 MS. SEWELL: Right, right. I was just 19 under the impression that there were several 20 more to the Sheriff's Office throughout the 21 county.</p>	<p>1 of anytime an officer goes on a noise 2 complaint. And that may not be related to an 3 STR. That may be a noise complaint and it may 4 be related to a criminal matter. So we get 5 this every day at eight o'clock in the morning 6 seven days a week.</p> <p>7 MS. SEWELL: Okay. Thank you.</p> <p>8 MR. DUELL: I can assure you there's not 9 hundreds of STR complaints.</p> <p>10 MS. SEWELL: Okay. Thank you.</p> <p>11 MR. KANE: Any further questions?</p> <p>12 MS. SEWELL: Thank you very much.</p> <p>13 MR. KANE: Thank you.</p> <p>14 MR. SALINAS: Mr. Chairman, I think there 15 are a number of people that are having a little 16 bit of trouble hearing. And we've tried to 17 adjust the volume, but it doesn't seem to be 18 working quite right. And we're looking for 19 somebody to fix that.</p> <p>20 But you may have to, when anybody speaks, 21 just put it really very close to the mike and</p>
<p>Page 35</p> <p>1 I mean I understand Officer Duell talked 2 about just that one particular STR.</p> <p>3 MS. O'DONNELL: Right. As I said, the 4 conversation was about one incident at one 5 property.</p> <p>6 MS. SEWELL: Right.</p> <p>7 MS. O'DONNELL: So I appreciate that you 8 have data that says that, but that's not what 9 was asked or discussed at the last meeting.</p> <p>10 MS. SEWELL: Fair enough.</p> <p>11 MR. KANE: Let me ask Mr. Duell, do you 12 have data on how many violations there are?</p> <p>13 MR. DUELL: Yes, sir. Every investigation 14 we're involved with since January, as far as 15 any STR violations, I would have to put it 16 throughout the entire county in a single digit 17 category since January 1st.</p> <p>18 What you're probably referring to is our 19 agreement with Sheriff Gamble with the noise 20 ordinance. And what we get is, with the 21 sheriff's cooperation, a daily automated report</p>	<p>Page 37</p> <p>1 maybe that will help a little bit.</p> <p>2 MR. KANE: Okay.</p> <p>3 MR. SALINAS: That works.</p> <p>4 MR. KANE: So item number 11, a letter 5 from Monica Otte. Is this the same letter that 6 you've already referred --</p> <p>7 MS. OTTE: I think this is the letter of 8 August 28th.</p> <p>9 MR. KANE: It looks to me like it's a 10 duplicate.</p> <p>11 MS. OTTE: Oh, maybe there's two copies of 12 it?</p> <p>13 MS. CORKELL: There's one thing different 14 in it.</p> <p>15 MR. SALINAS: It looks like a duplicate 16 actually.</p> <p>17 MS. CORKELL: There's something --</p> <p>18 MS. O'DONNELL: This paragraph is 19 different.</p> <p>20 MS. CORKELL: Right. There's one 21 paragraph.</p>

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<p>1 MR. SALINAS: Looks like there's a 2 paragraph that is inserted or different than 3 the other letter, Ms. Otte. 4 MS. OTTE: The last paragraph? 5 MR. SALINAS: I think it's the second to 6 last. It says finally, transferable STR 7 permits will cause the value of neighboring 8 properties to plummet. Who will want to live 9 next door to -- 10 MS. OTTE: I think I may have 11 inadvertently transferred two versions. So 12 maybe can I ask if they -- the one longer 13 version be accepted? 14 MR. SALINAS: Sure, which would be number 15 11 I believe, the one we're on now. 16 MS. OTTE: I'm sorry for that. Sorry to 17 cause any confusion. 18 MR. HALL: And you did, in fact, address 19 that very point, which was the loss of value. 20 MS. OTTE: Yeah, I did in my oral 21 testimony, yes. Thank you.</p>	<p>1 MS. LEBER: Hi. My name is Debbie Leber 2 from Easton. And I'm just speaking on behalf 3 of two short-term rentals that we have in our 4 neighborhood that are both very wonderful 5 neighbors. 6 And we've had absolutely, I've had 7 absolutely no issues with them. In fact, I 8 didn't even know we had a short-term rental in 9 the neighborhood until about a year ago. And 10 now I have a wonderful new neighbor who has 11 taken a house that has been unoccupied for the 12 last nine years, has bought it, fixed it up, 13 transformed it, has brought up the property 14 values in our neighborhood by doing that, and 15 has just been a delightful addition to the 16 neighborhood. 17 So I just wanted to speak on behalf of the 18 positive sides that the short-term rentals are 19 doing for our community. Thank you. 20 MR. HALL: I have a question. 21 MR. KANE: Where are you located?</p>
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<p>1 MR. SALINAS: So number 11 will supersede 2 number eight. 3 MR. KANE: All right. Moving on to item 4 number 12, which is a letter from Mr. Paul 5 Wilson. Is Mr. Wilson present and wishes to 6 speak? 7 SPEAKER: He's not here. Can you read it 8 into the record, Scott, or do you want me to? 9 MR. KANE: The submission is 10 self-explanatory. So we're just going to 11 accept it into the record. 12 SPEAKER: Okay. 13 MR. KANE: Moving on to item number 13, 14 which is a letter from the Talbot Preservation 15 Alliance. Is there anyone here to speak on 16 that letter? If not, we'll just accept it into 17 the record without comment. 18 Item number 14, which was added just a 19 little while ago, is a letter from Debbie 20 Wilkens. Is Ms. Wilkens present and wish to 21 speak on the letter?</p>	<p>1 MS. LEBER: I'm on Doncaster, Doncaster 2 Road. 3 MR. KANE: What's your address? 4 MS. LEBER: 27219 Pocahontas Avenue, off 5 of Doncaster. 6 MR. KANE: 27219. Okay. 7 MS. LEBER: Thank you. 8 MR. KANE: Is this the one -- 9 MS. O'DONNELL: I think Mr. Hall had a 10 question. 11 MS. LEBER: I'm sorry. I thought you were 12 done. 13 MR. KANE: Is this the property that we 14 approved earlier this year? 15 MS. LEBER: Yes, sir. 16 MR. KANE: Okay. So that's worked out 17 very well? 18 MS. LEBER: It has for us. And their 19 property, the back side, the living space area 20 is right next to where I am. And so if anybody 21 was going to be inconvenienced or hear loud</p>

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<p>1 noises, it would be me.</p> <p>2 And other than happy children playing in</p> <p>3 the pool, there's been absolutely no issues.</p> <p>4 MR. KANE: Okay. And are you the person</p> <p>5 that was on the private road? There was some</p> <p>6 concerns about that private road.</p> <p>7 MS. LEBER: No, I'm not.</p> <p>8 MR. KANE: Where are you located with</p> <p>9 respect to this?</p> <p>10 MS. LEBER: Just I'm next door to them but</p> <p>11 down the street, the way the road works.</p> <p>12 MR. KANE: Thank you very much.</p> <p>13 MS. LEBER: Any other?</p> <p>14 MR. KANE: I don't have any other</p> <p>15 questions.</p> <p>16 MR. HALL: Yeah. I noticed that the</p> <p>17 e-mail that came in is from a Debbie Wilkens.</p> <p>18 MS. LEBER: That was my old name.</p> <p>19 MR. HALL: (Inaudible) Mid-Shore Board of</p> <p>20 Realtors?</p> <p>21 MS. LEBER: That's where I work.</p>	<p>1 this another submission that we received?</p> <p>2 MS. CORKELL: Yes. She just handed it to</p> <p>3 me to give to you.</p> <p>4 MR. KANE: Okay. So it's a letter from</p> <p>5 Rebecca Ellison. Is she present and wish to</p> <p>6 speak?</p> <p>7 MS. ELLISON: Yes, good evening.</p> <p>8 MR. KANE: I'll mark this one Exhibit 16 I</p> <p>9 think to keep track.</p> <p>10 MS. ELLISON: Were you wanting people to</p> <p>11 sign in?</p> <p>12 MS. CORKELL: Yes, please.</p> <p>13 MS. ELLISON: All right. I will.</p> <p>14 My name is Rebecca Ellison. I'm a</p> <p>15 long-term resident of Talbot County with time</p> <p>16 off for a career in New York. We came here in</p> <p>17 1946.</p> <p>18 My family's home, we had it for 50 years.</p> <p>19 My mother died in 1996. I had been living</p> <p>20 alone with her there. It was bought by a</p> <p>21 person who went with the granite countertops</p>
<p>Page 43</p> <p>1 MR. HALL: So you are involved in this</p> <p>2 industry here?</p> <p>3 MS. LEBER: I am involved in this</p> <p>4 industry, but I'm not speaking from that point</p> <p>5 of view. I'm speaking from a neighbor's point</p> <p>6 of view.</p> <p>7 But I was at work today because I didn't</p> <p>8 have a chance to go home to send it from my</p> <p>9 home e-mail.</p> <p>10 MR. HALL: Okay.</p> <p>11 MR. KANE: Anything else?</p> <p>12 I'll recognize you at the conclusion of</p> <p>13 this.</p> <p>14 SPEAKER: Thank you.</p> <p>15 MR. KANE: Moving on to item number 15.</p> <p>16 It's a letter from Talbot County Department of</p> <p>17 Economic Development and Tourism from</p> <p>18 Ms. Vanhooser. Is she present and wish to</p> <p>19 amplify any of her remarks here? If not, we'll</p> <p>20 just accept that into the record.</p> <p>21 We have a handwritten letter here. Is</p>	<p>Page 45</p> <p>1 and adding another maybe 1,000 square feet.</p> <p>2 It's -- they sold it to somebody who has</p> <p>3 been using it for a short-term rental.</p> <p>4 What I do for a business, I'm a biologist</p> <p>5 and wrote a lot of grants. I now write grants</p> <p>6 for Historic Preservation. I'm very aware of</p> <p>7 what happens with historic buildings and how to</p> <p>8 get money for them, etc.</p> <p>9 This is a historic building. It -- the</p> <p>10 center section is from 1835. It has fabulous</p> <p>11 woodwork and whatnot. I should have brought my</p> <p>12 papers up here with me. I wanted to -- just</p> <p>13 looking at the situation in the simplest form</p> <p>14 to not take up your time, it is being rented.</p> <p>15 It's on your list of nine</p> <p>16 out-of-compliant, violation-containing</p> <p>17 buildings that are being considered for</p> <p>18 short-term rental. They had a permit, which</p> <p>19 apparently had, what was it that Laura Price</p> <p>20 was saying, that when they did the affidavit,</p> <p>21 they weren't as scrupulous as they could be.</p>

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<p>1 They missed the renewal date by quite a 2 bit. They were told to do a new application. 3 They balked at having a hearing for a new 4 application. They persuaded somebody to let 5 them put in a renewal. So now they're working 6 on a renewal, but they're in non-compliance. 7 This house is four and a half thousand 8 square feet. It has six bedrooms, according to 9 them. And -- well, it does, but it didn't when 10 we lived there. It also has five and a half 11 bathrooms. It has 14 acres. 12 It's partly -- it's halfway down Judith's 13 Garden Road. You go past the dog kennel on 14 Oxford Road and take a left. That's very 15 agricultural. 16 The neighbor on one side is the Shannahan 17 family. They probably have 380 acres. On the 18 other side, it would be Wintersell, which has 19 hundreds of acres also. And as a neighbor in 20 the middle, I have 25 acres. 21 I have -- we lived there for 50 years.</p>	<p>1 190-93.93, item A, the first thing that, I 2 didn't bring it up here with me, it says, you 3 can read it to me, it says a short-term rental 4 must have a license. They don't have a 5 license. It says that they're prohibited I 6 think. There's no enforcement of that. 7 I learned last night, actually this 8 morning that they are actively renting it. 9 But to back up a bit, it turns out that if 10 you -- they no longer go through the Eastern 11 Shore websites short-term vacation rental 12 website. They have their own website. 13 Out of curiosity on Monday or Tuesday, I 14 clicked on www.oldwintersell.com, and I got 15 infected with one of those things that pops up 16 an ad no matter what you're reading. You can 17 just look at your whatever, and here comes 18 these ads scrolling underneath, big square in 19 the middle. This, this, this. 20 I clicked on some things, and it seemed to 21 be an active rental thing. I said I was coming</p>
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<p>1 And when the house was sold, I bought the 2 farmland. I had been thinking of building a 3 retirement cottage there. 4 Judith's Garden Road is a private road 5 that those few of us, the Shannahan family 6 members and myself, we pay to maintain that 7 road. 8 The property in question is called Old 9 Wintersell. It was the original Wintersell 10 house was moved there. The old Wintersell 11 driveway turns off of Judith's Garden Road. 12 Because all of this is agricultural, we need to 13 have our culverts functioning. 14 For 20 years that I've owned the property, 15 there's been nothing but crushed culverts and 16 flooding of my fields. I had to get somebody 17 with a laser to re-ditch my fields, my 25 acres 18 so that now my wastewater goes into the Tred 19 Avon instead of the Oxford Island Creek. Now, 20 that's just a small thing. 21 The situation is that item A, what is your</p>	<p>1 with some dogs and three friends, and it gave 2 me a customer number and was all set to take my 3 money. So I went out and looked. 4 My home is across the Oxford Road. So 5 with the corn in the field, they don't walk in 6 my fields at this time of the year. 7 I went and I looked and I found that they 8 placed a sign on my property indicating how to 9 get to their property. They have a perfectly 10 big sign at the intersection of Old Wintersell 11 driveway and Judith's Garden Road, big sign. 12 And not more than 15 feet away, they've placed 13 another sign at the request of the Shannahans 14 further down the road because these customers, 15 with six bedrooms, they're renting to 12 16 people. It's \$4,091 for a required three-day 17 stay. 18 The Shannahans, Bob Shannahan, I hope he 19 doesn't mind me using his name, he told me that 20 his sister Jennifer, her house is -- the next 21 left turn is another short-term rental. They</p>

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<p>1 have eight people. So we have 12 plus eight, 2 contiguous properties. 3 And then there's Jennifer's driveway. And 4 she had nothing but carloads of people coming 5 in lost. So she's had a lot of trouble with 6 this on a daily basis. 7 So I'm like what, wait, they're -- they 8 don't have a license. He says well, they're 9 busy renting. 10 MR. KANE: If I might, you've raised a 11 number of issues -- 12 MS. ELLISON: So I've been to the -- had a 13 very nice talk with some of the code 14 enforcements. They say they can't help me, I 15 should either call, hire a lawyer. I don't 16 think so. No, no, no, no, no. 17 So here I am. Let's start from. . . 18 MR. KANE: The issues, again, the issues 19 that you raise are really complaints that need 20 to get filed with the county so they can -- 21 MS. ELLISON: I asked for the forms</p>	<p>1 see what the news is on BBC or whatever, I get 2 their ad. It's an active ad and people are 3 going in and out. 4 And they're being -- they're putting signs 5 on my property directing people in there. You 6 can see from the dust in the road it's active. 7 I don't feel I need to do any other thing. 8 You know about it. Please take it from there. 9 I'm not hiring a lawyer. I don't want to be 10 mad at him. I've never met him. Maybe he's a 11 nice man. Maybe he doesn't know. 12 But the thing that really tears at my 13 heart is that this is like a feeding frenzy 14 economically. This man is able to make 15 hundreds of thousands of dollars from a house 16 that he does not live in. He's bought the 17 acreage. He's very busy on the end of the 18 Miles River Bridge there. He's restoring that 19 and that's his whole intention. 20 He's not living there. He will never live 21 there. This is just an investment for him.</p>
Page 51	Page 53
<p>1 yesterday, and I was told that you had put 2 everything in abeyance until some unknown time, 3 that everything about complaints was on hold. 4 MR. KANE: No, that's not true. I mean 5 the complaint hotline is wide open and 6 Mr. Duell is here to -- 7 MS. ELLISON: Well, you know what. I've 8 never met this neighbor of mine. I had contact 9 through his real estate person as to whether I 10 want to sell my field so he could put in 11 (inaudible). 12 I don't want to be mad at him. Why should 13 I be the enforcer? I think I'm going to just 14 refuse right here and now to participate in 15 this. 16 My sense is if I see a robbery, I call the 17 police. They take it from there. 18 I'm telling you that this short-term 19 rental is not licensed, it's in non-compliance, 20 they're advertising in such a way that it 21 sticks on my phone. Every time I turn it on to</p>	<p>1 And he doesn't seem to care because if you're 2 advertising, there's a fine, \$500 for 3 advertising and they take away your license for 4 a year. Gosh, he's not only advertising, he's 5 doing what you said was prohibited. There 6 seems to be no punishment. 7 MR. KANE: I -- 8 MS. ELLISON: Now, I don't mean to 9 interrupt -- 10 MR. KANE: I hear your concern. But I'd 11 like to focus your testimony. If it's a 12 complaint, it needs to go to the compliance 13 officers. 14 So I would like to ask Mr. Duell, are you 15 aware of this situation? 16 MR. DUELL: Yes, sir. Dr. Ellison, we had 17 a long conversation last evening. And the 18 application is in process right now for this 19 gentleman's STR license. And there is a stay 20 on that at this point in time. 21 MR. KANE: So he has been renting without</p>

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<p>1 a license; is that correct?</p> <p>2 MR. DUELL: That's correct.</p> <p>3 MR. KANE: Did he ever have a license?</p> <p>4 MR. DUELL: Yes.</p> <p>5 MS. ELLISON: And it expired?</p> <p>6 MR. DUELL: Yes.</p> <p>7 MR. KANE: Okay.</p> <p>8 MS. ELLISON: And it was found to be in</p> <p>9 non-compliance. The problem is all the</p> <p>10 measurements about the doors and the windows.</p> <p>11 And there's a serious problem with the septic.</p> <p>12 But to go to the doors and windows, not</p> <p>13 one of these --</p> <p>14 MR. KANE: If you'll excuse me, we're well</p> <p>15 aware of the process that he has to go through</p> <p>16 and all the compliances that he has to reach.</p> <p>17 Now that will be addressed when he comes</p> <p>18 forward to make his application.</p> <p>19 MS. ELLISON: Not one of the six bedrooms</p> <p>20 is in compliance, not one. And it has to do</p> <p>21 with the number of dormers.</p>	<p>1 It has fabulous woodwork. It has the</p> <p>2 only -- only Isle of Raise has the same beaded</p> <p>3 pattern under the stairwell. The stair is a</p> <p>4 three-story hanging staircase, three stories.</p> <p>5 MR. HALL: Word of order, Mr. Kane. She</p> <p>6 has said nothing in the last 15 minutes that is</p> <p>7 helpful to this process. I'm tired of it.</p> <p>8 MS. ELLISON: I'm tired of it, too. But I</p> <p>9 can't sleep at night because this man is</p> <p>10 getting enough money --</p> <p>11 MR. HALL: Can you control her, get her</p> <p>12 out of here?</p> <p>13 MS. ELLISON: What?</p> <p>14 MR. HALL: Yes.</p> <p>15 MR. KANE: I'm attempting to. What I'm</p> <p>16 saying --</p> <p>17 MS. ELLISON: What I'm saying is he's</p> <p>18 making enough money that he can gut that</p> <p>19 building, and that's what will happen to your</p> <p>20 other historic buildings. End of story.</p> <p>21 I'll sign in and I'll be quiet. Thank you</p>
<p>Page 55</p> <p>1 And if you'll indulge me a moment --</p> <p>2 MR. KANE: That's exactly why this board</p> <p>3 is here. That's exactly why the process is</p> <p>4 here. So this person will come before the</p> <p>5 board when he's applying for a license and will</p> <p>6 address all of those issues at that time.</p> <p>7 MS. ELLISON: Good. Well, we'll lay the</p> <p>8 complaint aspect to rest.</p> <p>9 I have a secondary aspect, which is that</p> <p>10 so much money is coming into this. And I'll</p> <p>11 leave it to everybody's imagination what</p> <p>12 happens when people decide to buy up all the</p> <p>13 fancy waterfront historic properties and make a</p> <p>14 business of it.</p> <p>15 That has happened to my family home that I</p> <p>16 lived in for 50 years. The center portion is</p> <p>17 1835. It's called Old Wintersell because</p> <p>18 historically it was the house for Wintersell.</p> <p>19 It got moved into a field. And in 1946, my</p> <p>20 family bought it. And it had wings placed on</p> <p>21 it.</p>	<p>Page 57</p> <p>1 very much, Mr. Hall, for your attention.</p> <p>2 MR. KANE: Thank you for your testimony.</p> <p>3 MS. ELLISON: I think it's important that</p> <p>4 you know that someone is in non-compliance and</p> <p>5 the subject of --</p> <p>6 MR. KANE: Yes. But you've testified on</p> <p>7 that, and we've understood that, and you've</p> <p>8 heard the response from the compliance officer.</p> <p>9 MS. ELLISON: I just want you to know that</p> <p>10 the historic buildings can have all their</p> <p>11 dormers removed and their stairways pulled out</p> <p>12 and be not very historic anymore, if you want</p> <p>13 that to happen.</p> <p>14 That's what keeps me up at night.</p> <p>15 MR. KANE: That's outside the purview of</p> <p>16 this board.</p> <p>17 MS. ELLISON: I thought you were taking</p> <p>18 testimony on the effect and impact of</p> <p>19 short-term rentals.</p> <p>20 MR. KANE: I'd like to move on to the next</p> <p>21 point, and maybe at this point this would be a</p>

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<p>1 good time, Ms. O'Donnell, for you to talk about 2 the topic you were addressing before, which was 3 the new legislation that's in place.</p> <p>4 MS. O'DONNELL: Sure. So I don't know if 5 this mike -- I'm going to try to speak loudly. 6 I generally speak -- is this one better?</p> <p>7 SPEAKER: Oh, yeah.</p> <p>8 MS. O'DONNELL: Okay. So as many of you 9 may know, on Tuesday there were two pieces of 10 legislation introduced by the County Council. 11 One of them was an administrative resolution 12 and one of them was an ordinance.</p> <p>13 The administrative resolution, the purpose 14 of the administrative resolution is to create a 15 stay of enforcements to allow more time for a 16 certain category of short-term rentals to 17 continue to operate while the regulations for 18 190 are put into place.</p> <p>19 I could go through and read the whereas 20 clauses of that document, which kind of explain 21 why it is, the policy reasons behind why that</p>	<p>1 resolution to stay enforcement of Talbot County 2 Code section 190-33.20A for certain short-term 3 rental properties.</p> <p>4 Whereas, Talbot County adopted a new 5 framework for licensure of short-term rental 6 properties in the fall of 2018.</p> <p>7 And whereas, Talbot County Code 190-33.20A 8 provides license required, a license issued 9 pursuant to section 190-63 of this chapter is 10 required for all short-term rentals. 11 Short-term rentals without such license are 12 prohibited. Anyone operating or advertising an 13 unlicensed short-term rental on or after six 14 months from November 10, 2018, shall be subject 15 to a fine of not less than \$500 and shall not 16 be entitled to apply for a short-term rental 17 license for a period of 12 months from the date 18 of such violation.</p> <p>19 And whereas, the legislative intention of 20 Council for disallowing a property owner for 21 applying from a short-term rental for a period</p>
<p>1 legislation was proposed.</p> <p>2 The results of that, still pending. It 3 was not voted on. The County Council 4 introduced that resolution and set it over for 5 two weeks for public comment. So at the 6 Council meeting on September 10th, the Council 7 will receive public comment on that 8 administrative resolution.</p> <p>9 As people have testified, including 10 Dr. Ellison, 190-33.20 indicates that anyone 11 operating or advertising an unlicensed 12 short-term rental on or after six months from 13 November 10, 2018, shall be subject, shall be 14 subject to a fine of not less than \$500 and 15 shall not be entitled to apply for a short-term 16 rental license for a period of 12 months from 17 the date of such violation.</p> <p>18 And actually Mary Kay has the document. I 19 could read it because I think it is helpful to 20 read the whereas clauses.</p> <p>21 Whereas -- it's an administrative</p>	<p>1 of 12 months was intended to penalize those 2 property owners who were not currently licensed 3 yet were operating.</p> <p>4 And whereas, the six-month grace period, 5 before issuance of such violations, was 6 intended to allow property owners time to apply 7 for and receive a license before being 8 penalized for not operating within the law.</p> <p>9 And whereas, the process to obtain a 10 license has taken longer than Council has 11 anticipated. In some cases taking four months 12 to obtain an inspection for compliance with a 13 building code, which is just one part of the 14 process.</p> <p>15 And whereas, Council seeks to encourage 16 timely compliance with the new licensure 17 framework and not harshly penalize those 18 property owners who are attempting to comply 19 with the law and diligently seek renewal of 20 their past licenses with a period of 21 suspension.</p>
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1 And whereas, Council wishes to stay
 2 enforcement of Talbot County Code section
 3 19033.20A for short-term rental properties
 4 that, one, the applicant held a validly-issued
 5 short-term rental license for year 2018; two,
 6 the applicants 2018 license was not suspended
 7 or revoked due to a violation of the county
 8 short-term rental code; three, the
 9 application -- I'm sorry. The applicant is
 10 diligently pursuing renewal of such license to
 11 operate in 2019; four, the applicant filed the
 12 renewal application before March 1, 2019; and
 13 five, the applicant has passed Talbot County
 14 health potable water and sanitary facility
 15 inspections as applicable for the property
 16 during this period of transition to the new
 17 law.
 18 And whereas, authority for the enactment
 19 of this resolution derives from section 202 of
 20 the Talbot County Charter, which provides the
 21 County Council is responsible for the

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1 enforcement of the laws passed in the county.
 2 Now, therefore, be it resolved by the
 3 County Council of Talbot County that for
 4 short-term rental properties that, one, the
 5 applicant held a validly-issued short-term
 6 rental license for the year 2018; two, the
 7 applicant's 2018 license was not suspended or
 8 revoked due to a violation of the county's
 9 short-term rental code; three, the applicant is
 10 diligently pursuing renewal of such license to
 11 operate in 2019; four, the applicant filed the
 12 renewal application before March 1, 2019; and
 13 five, the applicant has passed Talbot County
 14 Health Department potable water and sanitary
 15 facility inspections, as applicable for the
 16 property.
 17 Talbot County shall not issue the penalty
 18 of disallowing applications to be filed for a
 19 period of 12 months for violations issued from
 20 the date of this resolution forward related to
 21 such property's operation as a short-term

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1 rental property in violation of Talbot Code
 2 dash, Talbot Code section 190-33.20A.
 3 This section two. The administrative
 4 resolution shall become effective immediately.
 5 So that administrative resolution was
 6 introduced at that same time. And also on
 7 earlier in that day when the document was
 8 ready, certain members of the public who are
 9 present received copies of a matrix, which
 10 indicated, which was a list of short-term
 11 rental properties that the county is aware are
 12 either advertising or operating.
 13 I wanted to provide a copy of that matrix
 14 to the board. I also have extra copies if
 15 people of the public would like copies.
 16 Just to clarify what this matrix is, this
 17 is all properties that the county is aware are
 18 advertising or operating currently. Or you see
 19 the dates that there's dates that we've
 20 indicated date of violation.
 21 The properties that are not highlighted in

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1 a color are properties that meet the category
 2 of the administrative resolution. The
 3 properties in yellow are properties that were
 4 applied after March 1th. The properties in
 5 blue are properties that have not filed an
 6 application at all. The properties in green
 7 are properties that are currently applied but
 8 did not have a 2018 license.
 9 So the properties without highlighting
 10 would be exempted, assuming the administrative
 11 resolution passes as it's currently drafted.
 12 The rest of the colored properties would not be
 13 exempted from the requirements of 3320 of fine
 14 plus a suspension.
 15 If you would note, just to focus this
 16 concept, the administrative resolution as
 17 currently drafted does not exempt fines. It
 18 simply exempts the 12-month no application
 19 period. Another --
 20 MR. HALL: Can you repeat that?
 21 MS. O'DONNELL: It doesn't exempt fines.

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<p>1 MR. HALL: Okay.</p> <p>2 MS. O'DONNELL: So it doesn't say that</p> <p>3 there's no stay on fines. Fines can still be</p> <p>4 issued.</p> <p>5 The only thing that is stayed is that</p> <p>6 12-month suspension period of time.</p> <p>7 Again, this has not passed. It was</p> <p>8 introduced. Several of the Councilmen wanted</p> <p>9 it to be held over to receive public comment.</p> <p>10 So that will be on the next meeting on</p> <p>11 September 10th beginning at 6:30 in the County</p> <p>12 Council room.</p> <p>13 There was also a piece of legislation that</p> <p>14 was introduced with that same category of</p> <p>15 people, would allow those people to be issued a</p> <p>16 provisional license until they can receive</p> <p>17 their 2019 license. That bill is scheduled for</p> <p>18 public hearing September 24th because it takes</p> <p>19 longer for bills, before bills can receive a</p> <p>20 public hearing.</p> <p>21 So that's kind of an update. And I wanted</p>	<p>1 Many of the people who are in green had</p> <p>2 prior licenses, they just didn't have a 2018</p> <p>3 license. The people in green, some of those</p> <p>4 people are going to be coming before you</p> <p>5 because they have filed applications.</p> <p>6 The Office of Law has not yet determined</p> <p>7 how we would handle the fact that the people in</p> <p>8 green have submitted applications. So the law</p> <p>9 says you can't submit an -- if the violation is</p> <p>10 12 months, you can't submit an application.</p> <p>11 They've submitted an application. So we're</p> <p>12 still analyzing what that means, what that --</p> <p>13 what we will do related to those people.</p> <p>14 MR. KANE: Okay.</p> <p>15 MR. McQUAY: I can tell you one of the</p> <p>16 names on this list is across from my shop, and</p> <p>17 they're actively renting.</p> <p>18 MR. KANE: So the issue is you don't feel</p> <p>19 that you have the authorization to tell them to</p> <p>20 stop renting?</p> <p>21 MS. O'DONNELL: I'm not sure I understand</p>
<p>Page 67</p> <p>1 to update particularly because of questions</p> <p>2 Mr. Snyder asked on the 22nd, which all this</p> <p>3 was in process. So now that has been presented</p> <p>4 to the County Council, and that's sort of a</p> <p>5 current status of the situation.</p> <p>6 MR. KANE: How many people on this matrix</p> <p>7 that you have here are renting and operating</p> <p>8 without a license right now?</p> <p>9 MS. O'DONNELL: All of them. That's what</p> <p>10 the list is.</p> <p>11 MR. KANE: All 15?</p> <p>12 MS. O'DONNELL: Is it 15? I thought it</p> <p>13 was 18. Everyone on this list, everyone on</p> <p>14 this list. That's what the list is. The list</p> <p>15 is people that the county is aware is</p> <p>16 advertising or operating.</p> <p>17 MR. KANE: Without a license?</p> <p>18 MS. O'DONNELL: They do not have a 2019</p> <p>19 license, correct.</p> <p>20 Many of them had -- people that are in</p> <p>21 white, the not highlighted, all had 2018.</p>	<p>Page 69</p> <p>1 the question.</p> <p>2 MR. KANE: They're renting and renting</p> <p>3 illegally without a license.</p> <p>4 So what action does the county attorney --</p> <p>5 SPEAKER: Speak up, Scott.</p> <p>6 MR. KANE: What action is the county</p> <p>7 attorney taking right now? What actions do you</p> <p>8 feel --</p> <p>9 MS. O'DONNELL: The county attorney's</p> <p>10 office, the Office of Law, handles the cases</p> <p>11 after notice of violations are issued and</p> <p>12 abatement cannot be obtained.</p> <p>13 The issue related to these cases is that</p> <p>14 chapter 58 of the county code has a lot of</p> <p>15 processes in place in order for code compliance</p> <p>16 to work with people, across all violations of</p> <p>17 the county code. Not just short-term rental,</p> <p>18 all violations of the county code.</p> <p>19 And in general, all violations of the</p> <p>20 county code, the purpose of code compliance is</p> <p>21 to obtain compliance. So that's what the work</p>

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<p>1 has been working towards.</p> <p>2 Usually there is not a shall requirement</p> <p>3 for issuing fines in any other part of the</p> <p>4 code. So no other part of the code says you</p> <p>5 shall issue a violation. In every other part</p> <p>6 of the code, the intention is for code</p> <p>7 compliance to work with people.</p> <p>8 MR. KANE: Okay.</p> <p>9 MS. O'DONNELL: So I can't -- right now I</p> <p>10 can tell you that and tell -- the County</p> <p>11 Council was very clear. I don't know if you</p> <p>12 were there for the whole meeting.</p> <p>13 The County Council was very clear as to</p> <p>14 the ones that are not highlighted that we are</p> <p>15 to stay enforcement until they rule on how to</p> <p>16 handle it.</p> <p>17 The other categories, I think that that's</p> <p>18 going to have to take some analysis by my</p> <p>19 office and work with Mr. Duell to determine --</p> <p>20 I mean I think how we handle the blue ones are</p> <p>21 very clear. There's no application.</p>	<p>1 administrative resolution on the 10th and on</p> <p>2 the legislation, the bill that was introduced,</p> <p>3 on the 24th.</p> <p>4 So I guess I would urge people that have</p> <p>5 something to say on either of these two matters</p> <p>6 to show up to County Council on those two dates</p> <p>7 because that's the appropriate avenue to have a</p> <p>8 comment on this matter, work in progress.</p> <p>9 MR. HALL: So neither one of these are</p> <p>10 currently in effect, but the administrative</p> <p>11 order I take it can be effective immediately</p> <p>12 after the next meeting if it's passed?</p> <p>13 MS. O'DONNELL: That's right. I mean</p> <p>14 Council, in the concern about setting it over</p> <p>15 was without something passed, there wasn't</p> <p>16 direction to staff. And each of them or many</p> <p>17 of them had comments that they didn't want to</p> <p>18 see things change from the status quo until</p> <p>19 they made a decision related to this.</p> <p>20 So that was the direction the staff took</p> <p>21 related to not issuing violations to the people</p>
<p>Page 71</p> <p>1 How we handle the ones that have filed</p> <p>2 applications, considering the language that</p> <p>3 says that we can only prohibit them from filing</p> <p>4 an application, what property rights have</p> <p>5 attached from the fact that they've already</p> <p>6 filed the application. There's some legal</p> <p>7 analysis that Mr. Hall would be aware of</p> <p>8 related to how to handle -- can we deny the</p> <p>9 violation, can we deny the application once</p> <p>10 it's been filed.</p> <p>11 There's some analysis we need to do about</p> <p>12 what we're willing to do in order to ensure the</p> <p>13 violations will be upheld by the Board of</p> <p>14 Appeals if they are appealed.</p> <p>15 MR. KANE: Questions? Limited to one.</p> <p>16 I think this is work in progress for</p> <p>17 everyone. And the County Council wrestled with</p> <p>18 this at some length. I was there for I think</p> <p>19 all of the discussion.</p> <p>20 And it was the decision of the County</p> <p>21 Council was to allow testimony on the</p>	<p>Page 73</p> <p>1 that are in white.</p> <p>2 MR. HALL: If the legislation passes, that</p> <p>3 takes three meetings?</p> <p>4 MS. O'DONNELL: Uh-huh.</p> <p>5 MR. HALL: And you've had a single meeting</p> <p>6 so far. And then it can't go into effect for</p> <p>7 another 90 days?</p> <p>8 MS. O'DONNELL: Sixty days.</p> <p>9 MR. HALL: Okay.</p> <p>10 MS. O'DONNELL: Right. They can combine</p> <p>11 the second and third reading.</p> <p>12 I think it's important to note that, as I</p> <p>13 just read, the enforcement relating to this</p> <p>14 could really have started May 10th, that there</p> <p>15 was that six-month grace period should not be</p> <p>16 ignored. It's not as if from January -- there</p> <p>17 was a six-month grace period related to this</p> <p>18 provision.</p> <p>19 MR. KANE: Any other questions?</p> <p>20 MS. ELLISON: I do have a quick question</p> <p>21 on your list, which is very helpful. Thank</p>

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<p>1 you. Why has no --</p> <p>2 MR. KANE: I'm sorry. This is out of</p> <p>3 order.</p> <p>4 MS. ELLISON: Oh, you said are there any</p> <p>5 questions.</p> <p>6 MR. KANE: Of the board of the Council.</p> <p>7 MS. ELLISON: Excuse me.</p> <p>8 MR. KANE: So let's move on and take</p> <p>9 additional testimony.</p> <p>10 MS. O'DONNELL: The only thing I want to</p> <p>11 make sure that we note, and I did forward this.</p> <p>12 Mr. Haas sent two e-mails with one, two, three,</p> <p>13 four links of different articles. And so we</p> <p>14 probably should take that as number 17 and 18</p> <p>15 on the list.</p> <p>16 I forwarded -- our process has been that</p> <p>17 the documents are received. I (inaudible), I</p> <p>18 forward them to all of you, and then I CC Susan</p> <p>19 Moran to make sure that Council also gets a</p> <p>20 copy of it.</p> <p>21 So those were, those links were forwarded</p>	<p>1 communities, and these things popped up.</p> <p>2 The last one I forgot to send was from the</p> <p>3 National Board of Realtors about short-term</p> <p>4 rental problems.</p> <p>5 MR. KANE: So what's your point on number</p> <p>6 17?</p> <p>7 MR. HAAS: That was the first one?</p> <p>8 MR. KANE: Yeah.</p> <p>9 MR. HAAS: It was just interesting</p> <p>10 articles I thought you all might want to see.</p> <p>11 The Denver article, it was very large, and</p> <p>12 I couldn't go through each of the items here.</p> <p>13 I was just sending them to you for your</p> <p>14 own use.</p> <p>15 MR. KANE: All right. And number 18 is?</p> <p>16 MR. HAAS: Very similar, but it was from</p> <p>17 the Board of Realtors.</p> <p>18 MR. KANE: Board of Realtors.</p> <p>19 MR. HAAS: National Board of Realtors.</p> <p>20 MR. KANE: Thank you. All right. Let's</p> <p>21 move on now to the other item.</p>
<p>Page 75</p> <p>1 to the board.</p> <p>2 MR. KANE: Is that acceptable, Mr. Haas?</p> <p>3 Do you have any comments to make with respect</p> <p>4 to item 17 and 18, which were the web links</p> <p>5 that you sent in?</p> <p>6 MR. HAAS: Only that the Denver link is in</p> <p>7 there. And also a link from the National Board</p> <p>8 of Realtors is in there, too.</p> <p>9 So I did submit four letters for the first</p> <p>10 meeting, but I was unable to attend. So I have</p> <p>11 some comment.</p> <p>12 MR. KANE: We'll deal with that.</p> <p>13 Seventeen and 18. So 17 is the link to the</p> <p>14 Denver regulations --</p> <p>15 MR. HAAS: I think there was three links</p> <p>16 on that one; wasn't there? There was Denver,</p> <p>17 Paso Robles, and. . .</p> <p>18 MS. O'DONNELL: Hostcompliance.com, how</p> <p>19 short-term rentals impact communities?</p> <p>20 MR. HAAS: Yes, yes. There were -- I just</p> <p>21 Googled short-term rental problems in</p>	<p>Page 77</p> <p>1 Mr. Haas had submitted several letters to</p> <p>2 us last week but weren't able to attend.</p> <p>3 Did you want to provide comment on any of</p> <p>4 those submissions?</p> <p>5 MR. HAAS: Yes, I do.</p> <p>6 MR. KANE: Okay. (Inaudible.)</p> <p>7 MR. HAAS: Pardon?</p> <p>8 MR. KANE: Which ones?</p> <p>9 MR. HAAS: We'll talk about the egress</p> <p>10 codes. That seems to have been a lot of</p> <p>11 conversation about these lately.</p> <p>12 MR. KANE: That would be number 15; is</p> <p>13 that correct?</p> <p>14 MR. HAAS: I don't know what your</p> <p>15 numbering.</p> <p>16 MS. VERDERY: Yes.</p> <p>17 MR. KANE: Mr. Hall, is that correct?</p> <p>18 Yes, egress code.</p> <p>19 So comments on that letter?</p> <p>20 MR. HAAS: Yes. Okay?</p> <p>21 MR. KANE: Yes.</p>

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<p>1 MR. HAAS: Okay. So just to give you a 2 little introduction, my name is Bob Haas. I 3 live on Riverview Terrace in St. Michael's. I 4 was a builder for 30 years, I worked for the 5 county as a building inspector for 11 years, 6 and I currently work part time for the Town of 7 Easton as a building inspector. So I kind of 8 have a little bit of background on the building 9 codes.</p> <p>10 So just to kind of bring you up to date 11 where these egress codes came from, the 12 emergency egress requirements were introduced 13 into the building code in the early 1980s by 14 the firefighters and the fire marshal 15 (inaudible). They did this because they saw 16 many fire deaths occurring in residential 17 buildings as a result of occupants being asleep 18 during the fire.</p> <p>19 The firefighters lobbied for egress 20 openings in sleeping rooms because their study 21 showed a fire will usually have spread before</p>	<p>1 fireman going through a smoke filled house, 2 going down the stairs and banging his head on a 3 short ceiling in a stairway. So that was 4 one -- that's the biggest reason I think the 5 codes were put in there.</p> <p>6 And this is an old code. This was in the 7 old short-term rental code, which leads me back 8 to what Ms. O'Donnell was saying about this new 9 thing. None of these properties, the nine 10 properties that have egress window problems, 11 was ever a valid license. They all signed 12 affidavits that they met all these 13 restrictions. And I'm not sure how many, but 14 I'm thinking probably some of them had used 15 professional real estate agents for their 16 listings. And a professional real estate agent 17 is a professional and they are licensed and 18 they are duly held to a higher code of account.</p> <p>19 Now, on the residential code. So when we 20 were doing the short-term rental code back two 21 years ago, it was written in the code that the</p>
<p>1 the occupants become aware. And by that time, 2 the normal exit pathways are blocked, leaving 3 no escape.</p> <p>4 The egress openings allow escape or access 5 by a firefighter through that sleeping room. 6 The size of windows were determined by 7 extensive testing by the national fire 8 departments at that time. There was talk about 9 the path of egress.</p> <p>10 I think in one of the houses they were 11 talking about a stairway that didn't meet the 12 right height.</p> <p>13 It's kind of the same thoughts with the 14 stairway. If you're in a strange house, and 15 these STRs would have people that maybe had 16 never stayed there before, or a fireman coming 17 in to help them if there was a fire in there. 18 You have people in there that don't have 19 knowledge of the house. So the code is kind of 20 trying to make it safe for them.</p> <p>21 So I mean you can imagine in a panic a</p>	<p>1 building code would be, I don't know exact 2 words, but it would be the code that was in 3 effect or the adopted code. Never said 4 anything about 2003 code.</p> <p>5 I think it was assumed that it would be 6 whatever code was adopted by the county at the 7 time.</p> <p>8 Just to let you know how the code works, 9 so every three years the building codes change 10 and every three years the state reviews the 11 code and allows municipalities to make changes 12 to the code with respect to their individual 13 communities.</p> <p>14 The one thing they can't do is they can't 15 make it easier or make it less of a code. They 16 can make it more restrictive, but they can't 17 make it less restrictive.</p> <p>18 Since 2003, Talbot County has had five 19 code updates. But they still, the only thing 20 Talbot County uses the 2003 code is short-term 21 rentals.</p>

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<p>1 Now, if you were updating now, Easton is</p> <p>2 and Talbot is probably going to require the</p> <p>3 2018 code be in effect.</p> <p>4 If you took the new 2018 code, the egress</p> <p>5 would not change from the 2003 code. Basically</p> <p>6 it's exactly the same.</p> <p>7 The thing that has changed, it was the</p> <p>8 next code issued right after 2003, was the</p> <p>9 requirement for carbon monoxide detectors.</p> <p>10 2003 does not require carbon monoxide</p> <p>11 detectors. And I'm sure as you know, there's a</p> <p>12 lot more deaths that happen from carbon</p> <p>13 monoxide in houses than not.</p> <p>14 So I saw that as just an oversight that</p> <p>15 when they were passing these laws, they just</p> <p>16 didn't realize that. And I'm sure that the</p> <p>17 county would want to bring carbon monoxide</p> <p>18 detectors into the code on this next time.</p> <p>19 So that's all I have to say about that</p> <p>20 one.</p> <p>21 MR. KANE: Is there also an issue about</p>	<p>1 MS. O'DONNELL: Right.</p> <p>2 MR. HAAS: 2018.</p> <p>3 MS. O'DONNELL: 2018. Right.</p> <p>4 MR. HAAS: Right.</p> <p>5 MS. O'DONNELL: And it would be awesome if</p> <p>6 we could have our 2018 building code put into</p> <p>7 the law.</p> <p>8 MR. HAAS: Yes, it would.</p> <p>9 MS. O'DONNELL: Because right now what</p> <p>10 happens is that it's not in the law.</p> <p>11 MR. HAAS: Right.</p> <p>12 MS. O'DONNELL: And so --</p> <p>13 MR. HAAS: But the State mandates that you</p> <p>14 follow that.</p> <p>15 MS. O'DONNELL: For new construction.</p> <p>16 MR. HAAS: Yes.</p> <p>17 MS. O'DONNELL: And for property</p> <p>18 maintenance issues, right.</p> <p>19 As you know, there's no requirement to</p> <p>20 retrofit a building to meet the 2018 code. And</p> <p>21 the county does not have any requirements for</p>
<p>Page 83</p> <p>1 lead paint?</p> <p>2 MR. HAAS: Yes.</p> <p>3 MR. KANE: Is that the next letter?</p> <p>4 MR. HAAS: Yes. I'm not sure what --</p> <p>5 MR. KANE: Anything else on number 15?</p> <p>6 MR. HAAS: I don't have anything. If</p> <p>7 anybody has any questions.</p> <p>8 MR. KANE: Any questions of Mr. Haas?</p> <p>9 MS. O'DONNELL: Can I respond briefly to</p> <p>10 the building code issues?</p> <p>11 MR. KANE: Sure.</p> <p>12 MS. O'DONNELL: I just wanted to indicate</p> <p>13 that as of right now, the building code that we</p> <p>14 have in our code, as you know, Mr. Haas, is</p> <p>15 still the 2003 code.</p> <p>16 MR. HAAS: But that's not the code the</p> <p>17 county enforces.</p> <p>18 MS. O'DONNELL: For new construction or --</p> <p>19 right. For property maintenance for</p> <p>20 residential under --</p> <p>21 MR. HAAS: Right. Residential --</p>	<p>Page 85</p> <p>1 following building codes for long-term rentals.</p> <p>2 Easton does, but we have no, like Easton does,</p> <p>3 we have no code for long-term rentals. Whether</p> <p>4 or not that's appropriate or not, we don't have</p> <p>5 any.</p> <p>6 But my point is that the purpose of using</p> <p>7 that language was in the hope that some day</p> <p>8 someone would introduce a bill that would</p> <p>9 upgrade us to the 2018 code and then we</p> <p>10 wouldn't have both of those points in place.</p> <p>11 MR. HAAS: Well, actually I think when</p> <p>12 we're going through this, we had put in or we</p> <p>13 had asked to have put in that the county use</p> <p>14 the current code that they're using, which in</p> <p>15 our minds again would have been the 2015 that</p> <p>16 they were using. Not way back to the 2003.</p> <p>17 And again, the only thing that changes is</p> <p>18 the carbon monoxide. And I just can't believe</p> <p>19 the county would want to not have carbon</p> <p>20 monoxide detectors in these houses.</p> <p>21 MS. O'DONNELL: I guess -- I mean I'm not</p>

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<p>1 going to argue with you.</p> <p>2 My point was is that for building, we have</p> <p>3 not focused, the county has not focused on</p> <p>4 updating the building code in our own code and</p> <p>5 making the building code their own.</p> <p>6 We can make the building our own. We have</p> <p>7 not focused on doing that.</p> <p>8 I understand your point. I think it's</p> <p>9 interesting what you just said was that you</p> <p>10 asked for 2015 and then you got 2003 last year.</p> <p>11 But I agree. Carbon monoxide is in the</p> <p>12 2018 code.</p> <p>13 MR. KANE: So sticking to the main issue,</p> <p>14 how would you suggest that we include carbon</p> <p>15 monoxide detectors be covered in short-term</p> <p>16 rentals?</p> <p>17 MS. O'DONNELL: I mean if the board wants</p> <p>18 to ask the Council to upgrade and enforce the</p> <p>19 2018 code, that's totally the board's</p> <p>20 prerogative, totally.</p> <p>21 But I wanted to note that for every other</p>	<p>1 problem much.</p> <p>2 MS. O'DONNELL: The issue is more in</p> <p>3 general the building code. The building code</p> <p>4 applies -- the building code that applies in</p> <p>5 general is the building code that was in effect</p> <p>6 at the time the property was built.</p> <p>7 So when you build a house, if you built a</p> <p>8 house in 1835, you had no building code.</p> <p>9 MR. KANE: We understand that issue.</p> <p>10 MS. O'DONNELL: Okay.</p> <p>11 MR. KANE: The issue at hand is what do we</p> <p>12 do about carbon monoxide detection.</p> <p>13 Seems very straight forward that we need</p> <p>14 to have carbon monoxide detection in these</p> <p>15 STRs. The question is how do you get there?</p> <p>16 MS. O'DONNELL: If that was the only</p> <p>17 issue, all you do is add I want carbon monoxide</p> <p>18 detectors.</p> <p>19 MR. HAAS: That would be one way to handle</p> <p>20 it.</p> <p>21 MS. O'DONNELL: It would be interesting to</p>
<p>Page 87</p> <p>1 construction, there's this weird bifurcated</p> <p>2 where our code says 2003 and we're actually</p> <p>3 enforcing 2018. And so I wanted to note that</p> <p>4 to the public that it's an issue.</p> <p>5 MR. KANE: Yeah.</p> <p>6 MS. O'DONNELL: But there's no pending</p> <p>7 legislation to change it.</p> <p>8 MR. KANE: The other issue is that some</p> <p>9 people with historic properties feel that 2018</p> <p>10 is more restrictive.</p> <p>11 Is that the case or not the case?</p> <p>12 MS. O'DONNELL: I don't know the building</p> <p>13 code well enough to be able to tell you that</p> <p>14 it's more restrictive or less restrictive.</p> <p>15 MR. KANE: Mr. Haas.</p> <p>16 MR. HAAS: Again, as far as the egress,</p> <p>17 it's not. It's the same. The egress</p> <p>18 requirement really hasn't changed.</p> <p>19 Now, there's been some changes for</p> <p>20 basements. You know, where if you have a full</p> <p>21 basement. But we really don't run into that</p>	<p>Page 89</p> <p>1 refer to the 2018 code in this section, when</p> <p>2 the actual building code part doesn't refer to</p> <p>3 the 2018 code is the point that I'm trying to</p> <p>4 make.</p> <p>5 MR. KANE: Understand. Yeah. All right.</p> <p>6 If there's nothing further on this point,</p> <p>7 let's move to number 16.</p> <p>8 MR. HAAS: Okay. Ms. O'Donnell brought</p> <p>9 that up. Talbot County enacted the minimum</p> <p>10 livability code for non-owner occupied rental</p> <p>11 units in 1999. And in my letter, I cited the</p> <p>12 chapters in the code.</p> <p>13 And it says that no person may rent or</p> <p>14 lease any housing unit to another person for</p> <p>15 occupancy or use unless the structure premises</p> <p>16 comply with provisions set forth in the article</p> <p>17 and everything.</p> <p>18 So what had happened was the State has a</p> <p>19 minimum property standard. And Ms. O'Donnell</p> <p>20 mentioned about the Town of Easton. That's</p> <p>21 basically what they enforce. So the State has</p>

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<p>1 this. So the State again said to local 2 municipalities, if you want to make your own 3 law, you can, but it's got to be more. 4 So 1999, Talbot County did that. And it 5 has a section for lead paint testing. 6 Now, when I was working for the county, 7 there was a lot of rentals. And the only time 8 we ever went out and did a minimum property 9 inspection was when we had a complaint from a 10 renter. Then we would go out and we'd make an 11 inspection per this code and we would make 12 recommendations to the landlord what they had 13 to do. 14 I feel now that the county is licensing 15 rental units and STRs, that the lead paint 16 issue should be applied to the short-term 17 rentals, the safety inspections. 18 MR. KANE: How would we do that? By 19 having -- 20 MR. HAAS: I think you would put that on 21 your list. They have certain dates. I can't</p>	<p>1 your comments and testimony. Yes. 2 MR. HAAS: There was more. I don't 3 know -- yeah. I did put this letter in, but I 4 don't know what number it is. 5 Again, regarding these egress window 6 problems and everything. It's been brought up 7 that it's not new. It's always been in the 8 code. The problem is the county never 9 inspected it. They left it up to the 10 individual filling out the application that 11 they were telling the truth and they understood 12 what the law meant. 13 Now it's caused a lot of problem with 14 getting these applications processed. 15 So I would suggest that the county 16 issue -- perform these inspections before the 17 application is complete. If somebody knows 18 they want to do a short-term rental, they know 19 they have to meet these conditions, they could 20 come in and request a safety inspection before 21 they make application.</p>
<p>1 remember. I think it's 1975 or something. If 2 a house is built prior to that date, then they 3 have to provide a lead paint test, which means 4 they have to hire a consultant, he has to go 5 out there, check the house. If there's no lead 6 paint, he writes a report and there's no 7 problem. 8 If there's lead paint in the house, then 9 they have to mitigate it. And there's a lot of 10 ways they can mitigate it. And that can be 11 added into a special exception. 12 I've asked Ms. O'Donnell about this 13 before, and I really haven't gotten an answer 14 back from her on how the county is going to 15 handle that. 16 It is a county law that was passed in 17 1999, minimum property standards. And it 18 clearly states no person may rent without this. 19 MR. KANE: Any questions of Mr. Haas? 20 Okay. 21 Hearing none, we thank you very much for</p>	<p>1 And it would do two things. It would let 2 them know if they had a problem. And if they 3 had a problem, they could make a decision 4 whether they wanted to do a short-term rental, 5 whether they wanted to spend the money to bring 6 the house up to date. 7 As far as the inspections, and again, 8 since I worked there, I know how the 9 inspections work. We got our inspections the 10 day before. So there wasn't a time frame. So 11 if somebody came in and wanted to do a safety 12 inspection, Planning & Zoning could turn it 13 over to the Building Department. That 14 inspection would be scheduled the next day. 15 They pay for the inspection anyway. If it 16 has to be a reinspection, they pay for it 17 anyway. 18 So I think that would loosen or it would 19 certainly save your time as a board because you 20 wouldn't be getting a lot of these 21 applications. And I think it would save the</p>

<p style="text-align: right;">Page 94</p> <p>1 county time because they wouldn't have to do 2 all the paperwork and shuffle all this paper 3 around. 4 So that was it. 5 MR. KANE: Okay. So it's also an 6 efficiency -- 7 MR. HAAS: Efficient, right. 8 MR. KANE: -- process. 9 MR. HAAS: I believe it would be. 10 MR. KANE: Hearing no other questions, 11 thank you for your testimony. 12 Let me ask is there anyone else in the 13 audience that had submitted a document to us 14 last week that wasn't here and wasn't able to 15 speak? 16 MR. SALINAS: Mr. Chairman, I think I see 17 Cassandra Vanhooser back there. She submitted 18 letter 15. She may want to speak. 19 MR. KANE: I note that she's come in. Let 20 me hold on that because I've asked the audience 21 if there's anybody that wants to speak on the</p>	<p style="text-align: right;">Page 96</p> <p>1 And let's face it, if somebody applies in 2 July and August, they're not going to have any 3 business because I just want to emphasize that 4 vacation rentals here are basically only 5 operational four months out of the year. 6 That's really all we're talking about. 7 And I just think it would help unburden 8 the Office of Planning & Zoning. And these 9 things all trickle down to other people who 10 have to do inspections and that kind of thing. 11 It's like a glut. 12 So that is the first thing that I would 13 like to see changed. I think it would just 14 make everything more efficient for everybody. 15 MR. KANE: Well, let me just ask staff. 16 Is that the case that it would free things up 17 if we allowed applications throughout the year 18 or not? 19 MR. SALINAS: I'm sure that our staff has 20 opinions on that. I think that's something we 21 would have to discuss internally.</p>
<p style="text-align: right;">Page 95</p> <p>1 prior. Yes. 2 MS. GOGAN: I'm Cathy Gogan, and I'm at 3 VIP Vacation Rentals. I was unable to be here 4 for the prior meeting, but I did submit two 5 letters. 6 One was dated August the 6th, and there 7 were two points that I made on that. 8 We've been talking about this list, these 9 people, and how it's been difficult for them 10 maybe to get their licenses. They've applied. 11 But there have been time issues. And I think 12 that it would help a lot if people could submit 13 their applications any time during the year the 14 way we used to do it so there isn't this big 15 backup. It's not a lot of waiting. 16 There are other people that submit 17 applications for licenses that have nothing to 18 do with short-term rentals, and they're being 19 held up because of this system of only being 20 able to apply January, February, July, and 21 August.</p>	<p style="text-align: right;">Page 97</p> <p>1 MR. KANE: Sorry? 2 MR. SALINAS: I'm sure our staff who 3 process the applications have opinions on that, 4 and that's something we need to discuss 5 internally and see -- 6 MR. HAAS: So you'll be providing us an 7 update on that? 8 MR. SALINAS: We can do that. 9 MR. KANE: Okay. Well, let's hold that 10 until we hear from staff. 11 MS. GOGAN: Okay. 12 MR. KANE: And your next point? 13 MS. GOGAN: The next point is the times 14 that the zoning board actually meets to 15 determine the licensing requirements. 16 I, for one, and I know other people that 17 have gone into Planning & Zoning and you've got 18 your package all ready with a million copies 19 and all this other stuff. And then you get 20 there, and they say -- I say I've got 21 everything, and they say no, you don't. They</p>

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<p>1 just enforced another rule. So it's like the 2 constant revolving door.</p> <p>3 I don't think that's a very efficient way 4 to do things for anybody, for the county. And 5 if we would just meet, like a lot of other 6 boards do, maybe a couple of times a year, 7 determine what the laws are and what you want 8 people to comply with, would be much more 9 efficient.</p> <p>10 MR. KANE: We've not changed any 11 requirements or any laws, any regulations in 12 the time that the Short-Term Rental Board has 13 existed. So we're taking our direction 14 entirely from section 3320 and also the section 15 19063. And we have not made any changes to 16 that whatsoever.</p> <p>17 MS. GOGAN: Okay. So is it every other 18 week that you meet? I mean how often do you 19 meet and decide on changes --</p> <p>20 MR. KANE: We meet as required. Sometimes 21 it's been every week. Sometimes it's been one</p>	<p>1 the process with the staff, it comes before us, 2 we hear it, and we make a decision that day.</p> <p>3 And as I indicated in my earlier remarks, 4 we've processed something like 20 of these. 5 We've approved all but about three, and those 6 three were deferred because of glitches within 7 the application. So they're due to come back.</p> <p>8 So we feel we're being very efficient at 9 that point.</p> <p>10 MS. GOGAN: Okay. I'm sorry. That's 11 really a Planning & Zoning Board issue. It was 12 in my letter.</p> <p>13 My August 15th letter also mentions about 14 the resident agents of record who represents, 15 speak with the short-term vacation rental 16 owners at application hearings and other 17 meetings.</p> <p>18 Since some of the owners don't actually 19 live locally, it prevents their attendance, 20 even though they are entitled to have adequate 21 representation.</p>
<p>Page 99</p> <p>1 month a week.</p> <p>2 But the way the process works, we get 3 passed our schedule by the staff when the 4 applicant has everything deemed to be ready, 5 they notice out the 15 days for the hearing, 6 and then we meet on that hearing date.</p> <p>7 MS. GOGAN: Okay. But don't you agree 8 that it might be a little more efficient if 9 things weren't always in flux, always --</p> <p>10 MR. KANE: I'm not sure what you mean by 11 always in flux.</p> <p>12 MS. GOGAN: Well, I mean when you meet, 13 you're also making determinations, or at least 14 Planning & Zoning I should qualify that --</p> <p>15 MR. KANE: We have nothing --</p> <p>16 MS. GOGAN: Nothing to do with them, okay. 17 All right. Well.</p> <p>18 MR. KANE: So maybe you need to go talk to 19 them.</p> <p>20 But our process is pretty clear. We get 21 the application. And once it's gone through</p>	<p>Page 101</p> <p>1 You were talking about the requirements 2 for the resident agents. I think that if that 3 was all spelled out, that would enter into that 4 situation, what their responsibilities are, 5 what their qualifications need to be.</p> <p>6 But basically I mean we are the reporters. 7 We report to the owners. They know everything 8 that's going on.</p> <p>9 MR. HALL: That's not true. I'm sorry, 10 Ms. Gogan.</p> <p>11 MS. GOGAN: Oh, really?</p> <p>12 MR. HALL: We had a lady come in here and 13 say I had no idea I had no license. Her rental 14 agency had not kept her informed.</p> <p>15 MS. GOGAN: Really?</p> <p>16 MR. HALL: I mean that does go on.</p> <p>17 MS. GOGAN: I had no idea.</p> <p>18 MR. HALL: We are concerned about the role 19 of the resident agent as to whether he or she 20 has any understanding that we're expecting them 21 to intervene on behalf of the --</p>

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<p>1 MS. GOGAN: Of the owners. I thought 2 that's (inaudible). I guess some people -- 3 MR. KANE: So I think you're in agreement 4 with the direction that we feel that we're 5 heading, which is to define the role of the 6 resident agent and what qualifications. 7 MS. GOGAN: Yeah. 8 MR. KANE: And there's also been testimony 9 that resident agents have been fired without 10 being replaced or that they have withdrawn, 11 MIA -- 12 MS. GOGAN: Well, that would be another 13 thing that should be required, if the resident 14 agent changes or whatever. 15 MR. KANE: And what the role of the 16 resident agent is. 17 MS. GOGAN: I think it's all workable. 18 Just need to iron out some stuff. 19 MR. KANE: You're exactly right. That's 20 one of the things that we need to iron out. 21 We're headed, and I think a number of</p>	<p>1 owner receive are from the renter's complaints 2 about the refrigerator is not working, the pool 3 has algae in it, those type of things? 4 MS. GOGAN: Could. It could. I mean a 5 lot of these owners have their own caretakers 6 that take care of all those things. 7 So if the owner wants me to be the only 8 one responsible for that, then I will. But if 9 they want to know about it, like if something 10 does break and their permission is required 11 with say it's a heating and cooling company or 12 something. A lot of time the heating and 13 cooling company will not perform what needs to 14 be done because they're afraid they won't be 15 paid unless they talk to the owners. So in 16 situations like that. 17 MR. KANE: What we're discussing here is 18 resident agent, the owner, whoever is really a 19 break fix requirement? 20 MS. GOGAN: I'm sorry, say that again. 21 MR. KANE: Is really a break fix</p>
<p>Page 103</p> <p>1 people from Eastern Shore have come and talked 2 to us in this formal setting about that, that 3 we need to have a clear delineation of the role 4 of the resident agent. 5 And what was becoming more clear as we go 6 through the testimony and listen to people is 7 that the resident agent is really an owner's 8 representative to receive complaints and input 9 from the renter. And that the complaint 10 process, I.E., neighbors, is more properly 11 handled through what is now the hotline and 12 Mr. Duell and his office, which has been set up 13 since the first of the year. 14 MS. GOGAN: Okay. A lot of the owners 15 themselves receive complaints, too. In other 16 words, in our contracts, there is my number, 17 our number is there. They can also contact the 18 owner if the owner wants it that way. So 19 that's also possible. 20 MR. KANE: Well, am I right about that, 21 that the complaints that the resident agent and</p>	<p>Page 105</p> <p>1 requirement? Something is broken, I need this 2 repaired. 3 MS. GOGAN: The resident agent, if they 4 have been designated as the person by the owner 5 in their rental agreement with the owner, they 6 can designate if they want you to be just fine, 7 go ahead. If it needs to be fixed, just take 8 care of it and send me a bill. 9 But it's really their choice. They may 10 say well, I don't want you doing that. What if 11 it involves \$1,000 or something? But again, it 12 gets into the definition of the 13 responsibilities of the agent. 14 MR. KANE: Okay. You had two letters. 15 There was a letter. . . 16 MS. GOGAN: Yeah, I did. I was talking 17 about that. 18 MR. KANE: Do you have anything to say on 19 it? 20 You've addressed the issues of the first 21 letter. Do you anything to say on the second?</p>

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<p>1 MS. GOGAN: The second one kind of 2 reiterates. That had to do with the resident 3 agent speaking for the short-term vacation 4 rental owner. 5 And then the other thing about I feel like 6 the application should be submitted any time of 7 the year. And that's really it. 8 MR. KANE: Okay. 9 MS. GOGAN: It was just a reaffirmation of 10 the first one. 11 MR. KANE: We understand both those 12 points. So thank you very much. 13 MS. GOGAN: Sure. Thank you. 14 MS. O'DONNELL: Chairman Kane, could I 15 speak to my understanding of the Council's 16 intent related to the resident agent in the 17 drafting and then give a little explanation as 18 to that and then -- or should we wait until if 19 you were going to address that issue? 20 MR. KANE: I really think we can wait. 21 We're going to have another work session</p>	<p>1 website that says that we will always meet on 2 Thursday at one o'clock. 3 MR. KANE: That was my understanding. So 4 you're saying we have to notice next Thursday? 5 MS. O'DONNELL: I think there should be 6 some discussion about if we now put it on the 7 website, is that sufficient time for -- 8 MR. KANE: That's what I'm asking. 9 MS. O'DONNELL: That's your call. 10 I'm raising the issue and then for y'all 11 to discuss. 12 MS. VERDERY: We also thought that staff 13 needed ample time to take all of these comments 14 and put them into some kind of matrix so we 15 could figure out what the comments were and how 16 they addressed the points that you said that 17 Council gave you for the board to address 18 and/or what comments should be potentially just 19 given to Council, referred to them for their 20 action. 21 So Monday is a holiday. And you want to</p>
<p>Page 107</p> <p>1 tentatively scheduled for next Thursday at 2 one o'clock in our regular meeting. 3 And I think we've heard testimony from the 4 public. We'll see if we get through everything 5 tonight. I hope we can. 6 MS. O'DONNELL: I think that some of the 7 things you've been saying are not aligned with 8 my knowledge and the drafting of the 9 legislation, but we can talk about it later. 10 And about the problem for September 5th is 11 that as of right now, that has not been 12 advertised publicly. So that's something we'll 13 have to talk about toward the end, is is there 14 sufficient time for us to advertise that for 15 next week. But let's finish this other. 16 MR. KANE: Well, as I understand it, we're 17 always advertised for a meeting on Tuesday I 18 think. 19 MS. O'DONNELL: I think that we've asked 20 you to reserve your time for that time. 21 I don't think there's anything on the</p>	<p>Page 109</p> <p>1 meet on Thursday. So I'm not sure how we can 2 potentially get that information together that 3 quickly. 4 MR. KANE: I feel the need to move quickly 5 and to respond to the Council and to respond to 6 these good people who have taken their time to 7 give us their input. 8 There's a lot here. And I think it's 9 going to take us more than one session. 10 So if the staff feels that they need more 11 time to provide analysis, maybe we'll have a 12 second session the following Thursday after the 13 5th. 14 I think we're going to have to get on top 15 of all of this and start to distill the 16 comments that we've got and find a direction to 17 report back to the County Council. 18 So I come back to the question can we -- 19 do we need to advertise? 20 MS. O'DONNELL: There's no -- I mean 21 there's nothing in the law that says what the</p>

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<p>1 time period is for advertising. There's 2 nothing that says that.</p> <p>3 MR. KANE: Okay. So we would be within 4 proper procedure if we decide to meet next 5 Thursday and post something quickly?</p> <p>6 MS. O'DONNELL: Yes. It could be posted 7 on the county website calendar and posted on 8 your website calendar. There's not -- I mean 9 we're not -- unfortunately, we really don't 10 have someone because of the county budget. We 11 don't a communications director. So we don't 12 have someone to issue a press release.</p> <p>13 We can reach out to the Star Democrat to 14 see if they would be willing to do some article 15 indicating and putting the date in the article. 16 It wouldn't be sufficient time to like put an 17 ad in.</p> <p>18 MR. KANE: I personally don't feel the 19 need to spend all the time advertising in Star 20 and places like that.</p> <p>21 I mean if we advertise it on the website,</p>	<p>1 rather than us just looking at our notes and/or 2 letters and trying to come up with a list of 3 all of the points that have been made.</p> <p>4 MR. KANE: Speaking personally, I would be 5 very interested in the comments from the board 6 here based on the testimony that's been 7 received to find out what we feel the important 8 issues are and proceed that way, which is what 9 I was thinking of doing on Tuesday -- Thursday 10 the 5th.</p> <p>11 Mr. Hall.</p> <p>12 MR. HALL: I think there would be value to 13 that because we all know that a lot of what has 14 been said over the last two months, weeks, we 15 simply -- you're asking us to get into the 16 middle of a political fight, and I'm going to 17 be very reluctant to do that.</p> <p>18 I haven't been elected to anything. And 19 whether or not it should be homeowner occupied 20 or whatnot, our work here is to see how we can 21 take the experience that we've had to date and</p>
<p>Page 111</p> <p>1 the county website, our website, if people want 2 to come, they'll get the word.</p> <p>3 There's no opportunity I don't think at 4 that session for input. It's just to get the 5 board, allow the board time to get their arms 6 around this body of testimony.</p> <p>7 What's the feeling of the board? Is next 8 Thursday at one o'clock acceptable to 9 everybody? I know with vacations and things 10 like that.</p> <p>11 MS. BROLL: I just feel that in order to 12 be effective, perhaps we need the information 13 provided to us in some format, which I believe 14 Ms. Verdery has mentioned. And they do not 15 have enough time in order to do that because of 16 the holiday on Monday.</p> <p>17 So although we may be able to meet on 18 Thursday, I'm not sure that the time wouldn't 19 be spent, better spent putting that off until 20 they are able to provide us with a matrix of 21 all the information in an orderly fashion</p>	<p>Page 113</p> <p>1 see whether we can perhaps move things more 2 quickly, more smoothly. And that's where I'm 3 going to be focused.</p> <p>4 I'm not going to be asking about major 5 changes to the substance of the law. And I am 6 going to be -- I'm going to resist being 7 involved in that kind of discussion.</p> <p>8 And I think we need to decide among 9 ourselves if we're going down that road. If 10 you all are going to stick your necks out and 11 recommend, for instance, that it be the 2018 12 building code, there should be an agreement on 13 whether or not you're even going to do that.</p> <p>14 MR. KANE: I fully agree, which is why I 15 think it would be very useful to get together 16 next week and decide where we have common 17 agreement.</p> <p>18 And you raise some very valid points as to 19 how far we should go. And I think those points 20 have also been raised by the County Council in 21 giving us direction as to how far or not how</p>

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<p>1 far to go.</p> <p>2 So that would be my recommendation. So</p> <p>3 without objection, let's schedule next Thursday</p> <p>4 the 5th for the next work session and a work</p> <p>5 session among ourselves.</p> <p>6 MR. HALL: With no public discussion at</p> <p>7 that point?</p> <p>8 MR. KANE: No public discussion. But the</p> <p>9 public is welcome to sit and observe.</p> <p>10 MR. HALL: And I take it the record is</p> <p>11 still open for written comment. And you can</p> <p>12 have the webmaster put notice on tomorrow?</p> <p>13 MS. O'DONNELL: Uh-huh.</p> <p>14 MR. KANE: Let's proceed that way.</p> <p>15 MS. O'DONNELL: I don't know if I</p> <p>16 sidelined if there's other people that wish to</p> <p>17 speak. I didn't intend to do that.</p> <p>18 MR. KANE: That's what I was going to move</p> <p>19 on to.</p> <p>20 It was suggested that we wanted to hear</p> <p>21 from Cassandra. So if you could come forward.</p>	<p>1 we know for sure.</p> <p>2 It would probably take thousands of</p> <p>3 dollars to do a real study where we did the --</p> <p>4 extrapolated the entire economic impact.</p> <p>5 But we know that second homes are</p> <p>6 13.3 percent. And this comes from our Tourism</p> <p>7 Economic numbers. I can actually forward that</p> <p>8 document to you as well. And that's about</p> <p>9 \$27 million in revenue to the county.</p> <p>10 These are all based on tax revenues that</p> <p>11 are provided from the comptroller's office to</p> <p>12 the Tourism Economics group, who is our</p> <p>13 contractor for the State of Maryland and for</p> <p>14 the DMOs, destination marketing organizations</p> <p>15 of the State, paid for this information.</p> <p>16 And also these numbers are direct revenue</p> <p>17 numbers of short-term rentals and tax revenue</p> <p>18 are from the county Office of Finance.</p> <p>19 MR. KANE: I had just a couple of quick</p> <p>20 questions.</p> <p>21 You said 162 short-term rental properties.</p>
<p>Page 115</p> <p>1 We received this letter just today I believe.</p> <p>2 MS. VANHOOSER: Yes. It took some time to</p> <p>3 pull together these numbers.</p> <p>4 So this is in direct response to your</p> <p>5 question to Mr. Mara last week about data for</p> <p>6 short-term rentals. And being the tourism and</p> <p>7 economic development director, I monitor those</p> <p>8 numbers and I wanted you to have the numbers</p> <p>9 from an official source.</p> <p>10 So I will say just briefly the numbers are</p> <p>11 available to you. The short-term rental people</p> <p>12 have them as well. And I'm willing to go over</p> <p>13 any of them you have questions about or leave</p> <p>14 it at that, here are the numbers.</p> <p>15 MR. HALL: I think it was helpful.</p> <p>16 There's so little very specific information</p> <p>17 about short-term rentals.</p> <p>18 MS. VANHOOSER: Right.</p> <p>19 MR. HALL: You're looking at it in a</p> <p>20 broader context.</p> <p>21 MS. VANHOOSER: These are the numbers that</p>	<p>Page 117</p> <p>1 We had testimony last week that there are 142.</p> <p>2 MS. VANHOOSER: Those are current, right?</p> <p>3 MS. O'DONNELL: It's possible those are</p> <p>4 from the towns also, that the 162 includes</p> <p>5 everyone who paid accommodations taxes. That</p> <p>6 would be my guess. I don't know that, but</p> <p>7 that's my guess.</p> <p>8 MR. KANE: So yeah. That's probably a</p> <p>9 good guess.</p> <p>10 MS. VANHOOSER: So it's broken down into</p> <p>11 towns and hotels, short-term rentals. And</p> <p>12 these are all short-term rental --</p> <p>13 MR. KANE: So 162 is really short-term</p> <p>14 rentals in the county, Easton --</p> <p>15 MS. VANHOOSER: I think it's all the</p> <p>16 county. But those are people who actually paid</p> <p>17 some sort of tax revenue. But I'll verify</p> <p>18 with. . .</p> <p>19 MR. KANE: If you could, please.</p> <p>20 MS. VANHOOSER: I will verify that.</p> <p>21 That's a good question.</p>

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1 MR. KANE: And the \$4.2 million revenue is 2 property taxes from --	1 MS. VANHOOSER: And that does not include 2 short-term rentals.
3 MS. VANHOOSER: No, no, no. That's actual 4 revenue for rentals. And that four percent is 5 based on that revenue.	3 MR. KANE: Got that. 4 MS. VANHOOSER: So I don't really have any 5 way of knowing the exact number of short-term
6 MR. KANE: So it's \$4.2 million in 2018?	6 rental rooms. So you count a hotel as in
7 MS. VANHOOSER: Right. And that's 8 calendar '18. So we don't have calendar year 9 '19 yet. We only have partial year.	7 rooms. But what I said is if there were one 8 room in each of those houses, which you know 9 there are many more of them, that's roughly the
10 And 2017 are the most recent numbers we 11 have from Tourism Economics.	10 equivalent of the Fairfield Inn and the Hampton 11 Inn.
12 MR. McQUAY: How are we able to get that 13 figure from the property owners?	12 MR. KANE: Okay.
14 MS. VANHOOSER: Pardon?	13 MR. McQUAY: Do you think that's an 14 adequate number of rooms to support the number 15 of people that come here, tourists, 1,171 16 rooms?
15 MR. McQUAY: How were you able to get the 16 \$4 million figure from the property owners?	17 MS. VANHOOSER: I haven't really thought 18 about whether it was adequate or not. That's 19 the number we have. I'm just reporting the 20 number we have.
17 MS. VANHOOSER: So they have to turn that 18 into the Finance Office when they pay taxes on 19 it. They pay taxes on that amount of money.	21 MR. KANE: Do you have occupancy rates for
20 Does that make sense?	
21 MR. HALL: So it's at least that?	
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1 MS. VANHOOSER: It's at least that.	1 those hotels?
2 MR. McQUAY: At least that much.	2 MS. VANHOOSER: No. And people are cagey 3 about giving their actual occupancy rates. 4 That's the equivalent of showing you my 5 checkbook.
3 MS. VANHOOSER: That's the number that has 4 been reported to the county Finance Office.	6 MR. KANE: (Inaudible.)
5 MR. KANE: So my next question is this 6 1,171 rooms in lodging. What does that mean?	7 And what is this figure 13.3, second homes 8 contribute 13.3 of tourism revenue in Talbot 9 County. What is that?
7 MS. VANHOOSER: So when you add up all of 8 our inventory of hotels and B&Bs and all of the 9 inventory we have minus short-term rentals, 10 it's 1,000 -- what did I say the number was?	10 MS. VANHOOSER: So Tourism Economics has 11 projected that that is the number or counted 12 that that is the number.
11 MR. KANE: 1,171.	13 So I should give you the entire document 14 because they break it down based on tourism tax 15 codes. And tourism codes are lodging and 16 retail and there's restaurants. So when you 17 look at the spending based on what second homes
12 MS. VANHOOSER: Yes.	18 bring in, it's about 13.3 percent of our total 19 revenue for tourism. So that's about 20 27 million and change.
13 MR. KANE: That's hotels and B&Bs?	21 MR. KANE: So if I understand this
14 MS. VANHOOSER: That's hotels, B&Bs, all 15 of the inventory we have in the county.	
16 MR. KANE: Hotels and B&Bs.	
17 MS. VANHOOSER: Yes.	
18 MR. KANE: Anything else?	
19 MS. VANHOOSER: I can't think of anything 20 else.	
21 MR. KANE: I can't either. Okay.	

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<p>1 correctly, you're figuring that people who are 2 in these second homes are really tourists 3 and --</p> <p>4 MS. VANHOOSER: Well, no. That there is a 5 tourism factor. So for example, in a 6 restaurant, one out of every three people who 7 walks in is a tourist. And that is the way the 8 comptroller counts that. That's the tourist 9 factor for revenue for a restaurant.</p> <p>10 And of course, these are -- I don't know 11 how they count all of those because they don't 12 release those numbers. We do know restaurants, 13 it's one in three. I think nationally they 14 count it one in four. In Talbot County, it's 15 probably one in three. But that's the way the 16 comptroller counts it.</p> <p>17 So when they look at a tourism factor for 18 a second home, they don't live here full time, 19 but they do bring revenue into the county. And 20 they bring it to attractions, they bring it to 21 restaurants, they bring it to retail, they</p>	<p>1 the market drives the number of rooms that you 2 have.</p> <p>3 MR. KANE: Yeah.</p> <p>4 MS. VANHOOSER: If we have too many rooms, 5 somebody is going to go out of business, right.</p> <p>6 So I don't look at it whether we need 7 more. I look at it whether you want to bring 8 your business here. Do you want to start a 9 hotel here. And if you do and you have the 10 resources to do that, then we'll help you do 11 that. I don't say we have too many hotels, you 12 can't come here.</p> <p>13 So the market determines what the 14 appropriate number of rooms is.</p> <p>15 MR. KANE: Well, I go back to your initial 16 statement that you said that you were 17 responding to Mr. Mara's question about rooms. 18 And he was very specific and his wife was very 19 specific that they felt that there was a 20 constraint on their business because there 21 weren't enough rooms.</p>
<p>1 bring it to all of these areas that are 2 considered tourism tax codes.</p> <p>3 And again, they count second homes in 4 Talbot County as 13.3 percent of our total 5 tourism revenue.</p> <p>6 MR. KANE: Okay.</p> <p>7 MR. HALL: But not all second homes are 8 short-term rentals?</p> <p>9 MS. VANHOOSER: Not all second homes are 10 short-term rentals, that's right.</p> <p>11 MR. KANE: 142 or 162.</p> <p>12 MS. VANHOOSER: 162 of them are.</p> <p>13 MR. KANE: Back to Mr. McQuay's question, 14 is there any way to determine whether we have 15 enough rooms? Because we've had people testify 16 that there aren't enough rooms to support the 17 economic base of the economy. Or do we have 18 enough rooms? I mean that's a very basic 19 question.</p> <p>20 MS. VANHOOSER: Well, it is a basic 21 question. But I don't know that -- typically</p>	<p>1 I was asking if you have support for that.</p> <p>2 MS. VANHOOSER: So what he was talking 3 about I think was, and I don't want to speak 4 for him, but the discussion surrounded around 5 Harbourtowne.</p> <p>6 And Harbourtowne has been closed for a 7 number of years now. And so we do know that 8 they had about a 60 percent occupancy rate. 9 Because they're closed, they're willing to tell 10 you that.</p> <p>11 And if you look at 100 rooms, two people 12 in a room, that's about 50,000 less people 13 visiting St. Michael's every year. And the 14 businesses have clearly felt that because many 15 of them have reported it independently of one 16 another. And I think that's what he was 17 talking about.</p> <p>18 MR. KANE: Okay. Any more information you 19 can shed on that while the record is still 20 open, we would greatly appreciate it.</p> <p>21 MS. VANHOOSER: All right. Thank you.</p>

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<p>1 MR. KANE: Thank you for your time. Okay.</p> <p>2 So we've reached the end of the written</p> <p>3 testimony. I'd like to press on if we can, see</p> <p>4 if we can wrap this up quickly.</p> <p>5 And I wanted to ask if there's anyone here</p> <p>6 that would like to provide testimony to our</p> <p>7 workshop? Yes.</p> <p>8 MR. SCHULTZ: Open for questions?</p> <p>9 MR. KANE: Yes. Please come up, lean</p> <p>10 close to the microphone, and please sign in.</p> <p>11 MR. SCHULTZ: Ward Schultz. My wife and I</p> <p>12 own property here for about the last 15 years</p> <p>13 in St. Michael's. So we've seen the community</p> <p>14 develop over that period of time.</p> <p>15 We're active members of the museum and</p> <p>16 promote the towns and many of our friends have</p> <p>17 had lots of people visit. We operate a</p> <p>18 short-term rental here, if you want to call it</p> <p>19 that.</p> <p>20 To us, it's our home. It's our second</p> <p>21 home. To us, it's not a business. We</p>	<p>1 of the neighbor's comfort, that's an issue and</p> <p>2 that should be regulated.</p> <p>3 We handle all of our rentals ourselves.</p> <p>4 We know every person. They come back repeated</p> <p>5 times. And typically it's a grandparent,</p> <p>6 parent, and child, it's family. They come into</p> <p>7 the town. They spend money. They go to the</p> <p>8 restaurants. I mean I can't imagine how much</p> <p>9 money is generated from just our tenants, just</p> <p>10 local economic benefit.</p> <p>11 So it's the taxes. We pay the same tax as</p> <p>12 everyone does plus more. And we have a whole</p> <p>13 crew of people that support that property and</p> <p>14 make sure it's pristine. I'm sure not</p> <p>15 everybody treats their property the same way.</p> <p>16 But I think what I'm hearing is that the</p> <p>17 rules are kind of geared around looking at a</p> <p>18 business. When it comes to safety, I'm not</p> <p>19 sure there's a difference property to property,</p> <p>20 business or non-business.</p> <p>21 But I just would like to know if there's</p>
<p>Page 127</p> <p>1 purchased the property under the proviso that</p> <p>2 we would rent it out enough to cover our costs.</p> <p>3 So having been to other meetings, it seems</p> <p>4 like the objections of the local residents</p> <p>5 toward this short-term rental idea are around</p> <p>6 the people that really don't live here, that</p> <p>7 are really more of an investor. And in that</p> <p>8 category, I would put those properties more in</p> <p>9 a business category as opposed to a second</p> <p>10 home, where we just simply generate the rent to</p> <p>11 cover our costs.</p> <p>12 We spend every nickel back right into the</p> <p>13 community. I can assure you of that. We only</p> <p>14 rent it out the number of weeks that we need to</p> <p>15 to cover our costs. But all of our contractors</p> <p>16 and service folks, they depend on us. We're</p> <p>17 their income. And their reaction to the change</p> <p>18 in the short-term rental rules is more or less</p> <p>19 just disbelief.</p> <p>20 Now, if you have an owner who is</p> <p>21 unattentive and distracted and not appreciative</p>	<p>Page 129</p> <p>1 been any consideration given for people who own</p> <p>2 a property here, spend a considerable amount of</p> <p>3 time. They're not really investors. They're</p> <p>4 people that bring their family here for a</p> <p>5 considerable part of the year. But is there</p> <p>6 any consideration being given, doesn't seem</p> <p>7 like it to me, separating those folks from the</p> <p>8 people would are really just buying a property</p> <p>9 to rent it out?</p> <p>10 That's to me, they're two different</p> <p>11 things. Because this is a license, it's being</p> <p>12 treated as a business license, yet I'm not in</p> <p>13 business. I'm just covering my costs. It's my</p> <p>14 home.</p> <p>15 MR. KANE: Is this second home in</p> <p>16 St. Michael's?</p> <p>17 MR. SCHULTZ: St. Michael's, yes.</p> <p>18 MR. KANE: In the commercial district of</p> <p>19 St. Michael's?</p> <p>20 MR. SCHULTZ: Nope.</p> <p>21 MR. KANE: Outside. So --</p>


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<p>1 MR. SCHULTZ: I'm on Harris Creek.</p> <p>2 MR. KANE: Sorry?</p> <p>3 MR. SCHULTZ: Harris Creek, Bozman</p> <p>4 Neavitt.</p> <p>5 MR. KANE: So you're in Bozman?</p> <p>6 MR. SCHULTZ: My address is St. Michael's,</p> <p>7 but I'm . . .</p> <p>8 MR. HALL: The question simply was this:</p> <p>9 St. Michael's, as we've heard, has a different</p> <p>10 set of rules. And we were wondering whether</p> <p>11 you were in the county --</p> <p>12 MR. SCHULTZ: My address is St. Michael's,</p> <p>13 but I'm . . .</p> <p>14 MR. KANE: Got it. That was my question.</p> <p>15 MR. SCHULTZ: I'm near Bozman.</p> <p>16 MR. KANE: And what's your primary</p> <p>17 residence?</p> <p>18 MR. SCHULTZ: My what?</p> <p>19 MR. KANE: Primary residence.</p> <p>20 MR. SCHULTZ: In Pennsylvania.</p> <p>21 MR. KANE: So how often do you come down?</p>	<p>1 to be. I don't know why somebody would object</p> <p>2 to submitting their schedule out of their tax</p> <p>3 returns to support that.</p> <p>4 Obviously if somebody is never here, it's</p> <p>5 an investment property. That kind of tells me</p> <p>6 it's more of a business versus a home.</p> <p>7 So we just had a window had to be replaced</p> <p>8 for three inches because we were short by three</p> <p>9 inches. And it's not an old home. It's not a</p> <p>10 historical property. It's a relatively new</p> <p>11 home. So we're following all -- we're trying</p> <p>12 to comply with all the rules, but it's just</p> <p>13 been a long slog.</p> <p>14 And all my contractors react the same way.</p> <p>15 Like what. They can't believe it because I'm</p> <p>16 part of their income.</p> <p>17 MR. KANE: We understand. So are there</p> <p>18 any questions?</p> <p>19 We certainly --</p> <p>20 MR. SCHULTZ: So has there been any</p> <p>21 consideration or not?</p>
<p>Page 131</p> <p>1 MR. SCHULTZ: We're here usually over a</p> <p>2 month a year.</p> <p>3 And our tenants aren't here much more.</p> <p>4 We'll rent about six weeks, and that provides</p> <p>5 us with enough to cover our costs, which are</p> <p>6 very substantial.</p> <p>7 MR. KANE: So you're here one month a year</p> <p>8 and your tenants are here six weeks?</p> <p>9 MR. SCHULTZ: About, yeah. I mean I have</p> <p>10 all the -- I have the owners of all our</p> <p>11 contractors, regardless of size, personal cell</p> <p>12 phone numbers. I mean if I need service on</p> <p>13 July 4th at two o'clock, I get it because we're</p> <p>14 here, we're local in that sense.</p> <p>15 But it just seems like we've been put in a</p> <p>16 bucket with all these more investment-type</p> <p>17 properties. So I was curious.</p> <p>18 Somebody mentioned number of days spent</p> <p>19 here. That's all on the tax return. That's</p> <p>20 all disclosed on the tax return. That</p> <p>21 information is available if you would want it</p>	<p>Page 133</p> <p>1 MR. KANE: For what?</p> <p>2 MR. SCHULTZ: For separating out a pure</p> <p>3 business from a homeowner.</p> <p>4 MR. KANE: I think if you follow the</p> <p>5 discussion, that's going to be a heavy lift for</p> <p>6 this board to get into that, all that detail.</p> <p>7 It may be that the County Council wants to</p> <p>8 get into it. It may be that they direct us to</p> <p>9 get into it.</p> <p>10 But at the moment, I don't believe that</p> <p>11 that's their direction to us.</p> <p>12 MR. SCHULTZ: Okay. The only other point</p> <p>13 I'd like to make is that since the short-term</p> <p>14 rental license is a biannual license, correct,</p> <p>15 I believe it should be transferable because by</p> <p>16 definition, it wouldn't be permeant because</p> <p>17 it's subject to renewal.</p> <p>18 Short-term rentals are subject to long,</p> <p>19 advanced periods of reservation. So if you</p> <p>20 were to sell your home and you had tenants</p> <p>21 scheduled or if it was somebody like me,</p>

<p style="text-align: right;">Page 134</p> <p>1 purchasing the home and being able to rent it 2 was a decision, was the critical factor, 3 probably a deal breaker, if it wasn't 4 transferable, that would probably chill the 5 market and reduce sale prices, which I don't 6 think anybody would agree is a good way to go. 7 So I just wanted to add that in. 8 MR. KANE: And how do you advertise your 9 property? 10 MR. SCHULTZ: On BRBO. 11 So we are hands-on. We know every person, 12 and we have many people that come back year 13 after year. For us it's worked out well and 14 our neighbors are happy with it. We've never 15 had a complaint. 16 So I understand some properties are 17 probably problem properties, and they should be 18 dealt with accordingly. But I'm not sure that 19 one size fits all in this case. 20 MR. KANE: I think we understand that. 21 Your points have been made very lucidly and I</p>	<p style="text-align: right;">Page 136</p> <p>1 our rental pool last summer in the same 2 neighborhood that we were fortunate to buy in, 3 it was just a coincidence, we made a decision 4 that this is where we want to retire. 5 And I have sat here with jangled nerves 6 all night. I am not a public speaker. I hoped 7 not to be back here again until I had to renew 8 my license, but I felt like to hear from this 9 side. 10 I'm the same as this couple. We only rent 11 it out as an end -- the means to the end for 12 us. We just want to cover our expenses. 13 Our home that we purchased sat empty for 14 many, many years and had fallen into disrepair. 15 We've talked to many people that said I looked 16 at that house and it just didn't make sense. 17 So we have done some things. It's 18 beautiful now. We've restored the pool. We 19 didn't plan on doing that. The lining was 20 ripped. 21 But anyway, I digressed. I could go on</p>
<p style="text-align: right;">Page 135</p> <p>1 think by others as well. So thank you for 2 that. 3 Anybody else that wants to testify here? 4 Yes, in the back. 5 MS. MILLER: I'm sorry. I know everybody 6 wants to go home. My name is Annette Miller. 7 My husband and I were so fortunate to get 8 our rental license back in May. 9 MR. KANE: What is your address? 10 MS. MILLER: 8512 Doncaster. 11 Thank you to my neighbor, who I did not 12 know was going to be here to testify on our 13 behalf, because we had a lot of upset neighbors 14 here at our hearing. 15 My husband and I got into this -- this 16 couple, they can be my twins. I live in 17 Pennsylvania. We have a short-term rental 18 here. We did not go into this for a business. 19 My husband and I have vacationed down here with 20 our families for years. We love this area. 21 We made a decision as we were floating in</p>	<p style="text-align: right;">Page 137</p> <p>1 all night. 2 But we love it here. We want to live 3 here. And we would not have been able to 4 vacation here as we did had we not had homes to 5 rent. Because we were not going to stay as a 6 family in separate hotel rooms. It gives you a 7 whole different experience. I'm in a hotel 8 room tonight because I just came down for the 9 night. My home is rented. So I couldn't stay 10 there. 11 But we spend as much time as we can there. 12 We love it. We have wonderful neighbors. 13 We have a couple who do not love the 14 short-term rental idea, and they're upset. 15 They told me to go home, they told me that I 16 wasn't welcome in the neighborhood. I would 17 never treat anyone that way. It's just 18 upsetting. 19 I feel like this can work. I just feel 20 like both sides need to be heard, and we need 21 to come to a good agreement. There's always</p>

<p style="text-align: right;">Page 138</p> <p>1 going to be bad apples, always. We can't 2 change that.</p> <p>3 So I appreciate what you're all doing. I 4 want to help however I can.</p> <p>5 We love where we're at. We love our 6 neighbors. I want to live here. But when I 7 hear the things that come back through the 8 grapevine, it just makes me feel very 9 differently about the area and makes me wonder 10 do I want to be here.</p> <p>11 My concern is are we listening to and 12 caving to the few bad apples that I think those 13 things can be fixed, or are we hearing the 14 whole picture of what people are trying to do 15 here.</p> <p>16 I don't -- as I said, I'm not a public 17 speaker. I get all lost in what I'm trying to 18 say. But just to hear that there are -- that 19 we are real people that have these homes.</p> <p>20 I don't know numbers or anything. I had 21 no idea that I had to get a license when I</p>	<p style="text-align: right;">Page 140</p> <p>1 focuses, I'd like to simply go over with you 2 your experiences.</p> <p>3 Obviously somebody told you at some point 4 that you did have to apply, and obviously you 5 knew that you had to apply by the February 6 deadline.</p> <p>7 MS. MILLER: Right. I read it all online. 8 I had no idea. I somehow stumbled on it online 9 when I was looking up something about the 10 county.</p> <p>11 MR. HALL: Okay.</p> <p>12 MS. MILLER: Yeah. No. I had no idea. I 13 don't know -- I now say I don't know if I would 14 have kept going. But once I started getting 15 into it, it became a little bit of a challenge 16 for me and I kept going.</p> <p>17 MR. HALL: And you got your application 18 in. And I remember you were like one of the 19 first ones that we heard.</p> <p>20 MS. MILLER: We settled February 1st. And 21 I was at the Post Office with my letters and I</p>
<p style="text-align: right;">Page 139</p> <p>1 bought this house. That's how ignorant we were 2 of this whole hot button down here. We thought 3 oh, we'll rent it out to our friends and it 4 will be a means to an end.</p> <p>5 So we bend over backwards to make sure our 6 guests are safe in our home and have a really 7 enjoyable time.</p> <p>8 And as the last gentleman said, we employ 9 a lot of local people to mow our yard, to keep 10 our pool clean, to clean the house, to do 11 whatever needs to be done. And I put a gift 12 basket in the house of local things for people 13 to enjoy and to promote the community. So I 14 feel like we have a place and I appreciate you 15 creating a forum where all of us can be heard.</p> <p>16 MR. KANE: Thank you very much for your 17 comments.</p> <p>18 MS. MILLER: Thank you.</p> <p>19 MR. KANE: Any questions?</p> <p>20 MR. HALL: Yeah. Since you've recently 21 been through the process, and that's one of our</p>	<p style="text-align: right;">Page 141</p> <p>1 was down at the zoning turning in all my stuff 2 that same day.</p> <p>3 MR. HALL: And did you experience any 4 delay in the inspections?</p> <p>5 MS. MILLER: We did. We had an experience 6 because of our home was built in the 1940s and 7 was added to. Our windows did not meet egress.</p> <p>8 The inspector that came to the home, I was 9 there that day. He told me that they did not 10 meet egress but that homes built later than a 11 certain period were being grandfathered in or 12 there was an addendum or whatever and he said 13 you're fine. He told us we passed.</p> <p>14 So three days before our hearing, we were 15 notified that we were not in compliance. So we 16 sat here at the hearing, and everyone told us 17 we weren't in compliance. Three days before we 18 were in compliance.</p> <p>19 My son works for a window company. I 20 could have had those windows switched in three 21 days.</p>

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<p>1 MR. HALL: I believe you. What I'm 2 interested in is how did, this person, how did 3 you get a hold of this first guy? 4 MS. MILLER: It was set up through the 5 zoning office. I can't remember his name. 6 MR. HALL: Does this have something to do 7 with the problem, these guys are IRC code -- 8 MS. O'DONNELL: In the beginning, there 9 was a misunderstanding from the -- in the first 10 few months of the inspections, there was a 11 misunderstanding as to which code should be 12 applied. 13 Because when a code inspector comes out to 14 a home that is being built, they use 2018 code. 15 When they are inspecting properties, older 16 properties for property maintenance issues, 17 they use the code that was in effect in the 18 time it was built. 19 MR. HALL: So -- 20 MS. O'DONNELL: So in our normal 21 business --</p>	<p>1 Anything else in the whole application 2 process that you thought should have been done 3 differently? 4 MS. MILLER: The letters. So it cost me 5 almost \$2,000 to mail letters out 6 unanticipated. And it also caused a lot of 7 fear with my neighbors. And suddenly people 8 were like oh, my word, there's a big problem 9 with the short-term rentals. But there was 10 already rentals in the neighborhood. 11 But because I had to mail them to such a 12 wide swathe, I didn't hear -- mostly what I 13 heard from people was positive, except people 14 that lived on either side of my name. 15 MR. HALL: We remember that. 16 MS. MILLER: And I get it, I get it. I 17 own two homes. I get it. 18 But just the upset that it cost. And 19 financially for me, it wasn't something that I 20 had necessarily factored in. I will in the 21 future now and it was fine. But that. . .</p>
<p>Page 143</p> <p>1 MR. HALL: (inaudible) relevant to the STR 2 code. 3 MS. O'DONNELL: That's right. And so some 4 of the people got caught up in that error. And 5 then it took longer and right before the 6 hearings. 7 And that's part of the bumps in the road 8 of the process that obviously the hope is will 9 not be happening for the future. 10 And all the county staff are extremely 11 apologetic as to the bumps in the road that 12 have been caused in that process. But there 13 are several, quite a few people were caught up 14 in that and had to get found out later actually 15 no, you didn't pass. And that caused issues. 16 MR. HALL: I'm sure, I'm sure. 17 MS. MILLER: There were four of us here 18 that day, and all four of us had that same 19 issue. 20 MR. HALL: I didn't recall that part of 21 it. Well, that is unfortunate.</p>	<p>Page 145</p> <p>1 MR. HALL: Let me ask you this. This goes 2 directly to one of the points. 3 You had to send out two certified 4 mailings; is that correct? 5 MS. MILLER: Yes. And tell them I was 6 doing it and then to notify them when my 7 hearing was. And there was also a sign placed 8 on our property. 9 So my thought was why couldn't the sign 10 say when the hearing was going to be. And 11 having to send a second -- I mean these people 12 were saying to me oh, my word. And one of the 13 gentleman even asked me why did you mail so 14 many letters. Well, I didn't want to. 15 I felt bad for the lady at the Post 16 Office. I'm down there. She's like -- there's 17 a big line behind me. And I was just this is 18 welcome in the neighborhood for me, go home. 19 Yeah. That was honestly the worst part, 20 other than this hearing, which was 21 nerve-racking.</p>

<p style="text-align: right;">Page 146</p> <p>1 MR. HALL: Thank you.</p> <p>2 MS. MILLER: Thank you.</p> <p>3 MR. KANE: Thank you. Anybody else to</p> <p>4 speak? Yes.</p> <p>5 MR. STRUTTA: I wasn't going to speak.</p> <p>6 MR. KANE: Could you identify yourself,</p> <p>7 please?</p> <p>8 MR. STRUTTA: Yes. My name is John</p> <p>9 Strutta. I own a property in Newcomb. I have</p> <p>10 had it for 31 years.</p> <p>11 As I say, I wasn't going to speak, but the</p> <p>12 last two speakers, they romanticized their</p> <p>13 homes and the way they live and such.</p> <p>14 But to my way of thinking, if it walks</p> <p>15 like a duck and talks like a duck, it's a duck.</p> <p>16 If you're renting out a property, you're</p> <p>17 taking money, it's a business.</p> <p>18 I've had my house for 31 years. I use the</p> <p>19 same contractors, I use the same people, I</p> <p>20 generate the same amount of money for the</p> <p>21 county being a private homeowner.</p>	<p style="text-align: right;">Page 148</p> <p>1 The same thing that these previous speakers</p> <p>2 alluded to.</p> <p>3 The problem with that is that they're</p> <p>4 asking me to get involved with their financial</p> <p>5 problems because they want to have renters. It</p> <p>6 totally changes the atmosphere around your</p> <p>7 property.</p> <p>8 Right out -- right next to the building</p> <p>9 that was being used as a short-term rental,</p> <p>10 there was a four-unit building that's had</p> <p>11 renters in there ever since I've lived there.</p> <p>12 They're long-term renters. They get</p> <p>13 assimilated into the neighborhood. They become</p> <p>14 neighbors. It's absolutely not a problem.</p> <p>15 With the short-term renters, one o'clock</p> <p>16 in the morning party breaks out on the dock, I</p> <p>17 got cigarette smoke coming in the window. The</p> <p>18 owner lives in Baltimore. All of a sudden,</p> <p>19 it's incumbent on me to have to deal with the</p> <p>20 problem.</p> <p>21 If I want to do it the easy way, I call</p>
<p style="text-align: right;">Page 147</p> <p>1 If you stand in the middle of my property,</p> <p>2 you literally can hit eight other occupied</p> <p>3 buildings with a stone. I've had one</p> <p>4 unlicensed renter, short-term rental next door</p> <p>5 to me 50 to 75 feet out my kitchen door.</p> <p>6 I have called the county about that to</p> <p>7 find out if it was licensed. They said they</p> <p>8 could send out an inspector. I said I'd rather</p> <p>9 handle it with my neighbor on a friendly basis.</p> <p>10 So approached her about it, and she was</p> <p>11 unwilling to go through the licensing procedure</p> <p>12 and all. So she stopped renting. But now she</p> <p>13 hasn't talked to me for two years. So that's</p> <p>14 how friendly that is.</p> <p>15 The property 100 feet out my bedroom has</p> <p>16 been owned for 35 years by a couple that we've</p> <p>17 been friends with. And now her daughter is</p> <p>18 going to inherit the property. She walks over</p> <p>19 and she says how do you feel about short-term</p> <p>20 rentals because we need to do a lot of things</p> <p>21 to this house and short-term rental would help.</p>	<p style="text-align: right;">Page 149</p> <p>1 the police. If I want to go confront people</p> <p>2 that I don't know at one o'clock in the morning</p> <p>3 or whatever kind of condition they're in, I</p> <p>4 don't know. Thirty or 40 years ago, that</p> <p>5 didn't bother me. I'm 72 now. That's a</p> <p>6 little -- you got to be a little more careful</p> <p>7 with that.</p> <p>8 But my concern is that with the kind of</p> <p>9 density that I'm dealing with, how is this</p> <p>10 going to be managed.</p> <p>11 Like I say, I've had this house for 31</p> <p>12 years. I've worked out my financial problems</p> <p>13 the way I've had to so I could keep it. I've</p> <p>14 retired. And now I want to live there. But I</p> <p>15 don't want two hotels within a 100 --</p> <p>16 unsupervised hotels within 150 to 100 feet of</p> <p>17 my house, walking across the lawn.</p> <p>18 They think the waterfront is for</p> <p>19 everybody. I don't know. You're sitting out</p> <p>20 having coffee in the morning, and here comes</p> <p>21 the dog. I'm not against dogs. I volunteer at</p>

<p style="text-align: right;">Page 150</p> <p>1 Talbot Humane and have for ten years, but I 2 don't bring them home and let them use the 3 front yard for a toilet. 4 When a renter is not here or when the 5 owner is not here, they don't know what the 6 renters are up to. Like I said, all of a 7 sudden, I have to be the police officer. 8 So what I'm really worried about is how 9 you're going to handle the density in enclaves 10 like St. Michael's up on Riverview Terrace, in 11 Newcomb over where I am. Neavitt, Bozman, 12 places like that. 13 I realize we have (inaudible) properties. 14 A place can have 20 acres or 150 acres and you 15 wouldn't know who was renting or if there ever 16 was a renter. But in a situation where I live 17 in, you know there's renters. You have to 18 start locking your doors. You don't know who 19 is who. 20 Ninety-five percent of them who come are 21 probably okay. But you never know what it is</p>	<p style="text-align: right;">Page 152</p> <p>1 MR. KANE: Second. We'll leave the record 2 open until the 3rd. So anybody that wants to 3 submit written comments or anything to the 4 board for consideration in this process, the 5 record will be kept open until close of 6 business, which is 4:30, on September 3rd. And 7 we'd love to hear from everybody in whatever 8 detail, length, short, long, whatever thoughts 9 you have. 10 And I would like to close by thanking 11 everybody for their time and patience and their 12 thoughts and really participation in this 13 process. 14 So with that, I'll declare us adjourned. 15 (Work session concluded at: 8:31 p.m.) 16 17 18 19 20 21</p>
<p style="text-align: right;">Page 151</p> <p>1 with strangers. It just changes the way you 2 live. It impacts my quality of life. 3 I choose not to be a short-term renter. I 4 know they're going to exist and that they have 5 to be dealt with. But I'm a little bit 6 concerned about what's going to happen in areas 7 where we've got density like the area that I 8 live in. 9 Okay. And I'm sorry. If it's a business, 10 it's a business. If you rent it, you're taking 11 money in, it's a business. It's as simple as 12 that. Thank you. 13 MR. KANE: Thank you very much. 14 Anybody else to speak? 15 Okay. If not, like to make a few 16 concluding remarks. 17 We're going to leave the record open. 18 We're going to meet again on September 5th. So 19 I would say we leave the -- what date is Labor 20 Day, the 2nd? 21 MS. O'DONNELL: The 2nd.</p>	<p style="text-align: right;">Page 153</p> <p>1 STATE OF MARYLAND 2 I, Diane Houlihan, a Notary Public in and 3 for the State of Maryland, County of Anne Arundel, 4 do hereby certify that the within named, Short-Term 5 Rental Review Board Audio, personally appeared 6 before me at the time and place herein set according 7 to law, was interrogated by counsel. 8 9 I further certify that the examination was 10 recorded stenographically by me and then transcribed 11 from my stenographic notes to the within printed 12 matter by means of computer-assisted transcription 13 in a true and accurate manner. 14 15 I further certify that the stipulations 16 contained herein were entered into by counsel in my 17 presence. 18 19 I further certify that I am not of counsel 20 to any of the parties, not an employee of counsel, 21 nor related to any of the parties, nor in any way interested in the outcome of this action. AS WITNESS my hand Notarial Seal this 6th of September, 2019, at Easton, MD.  Diane Houlihan Notary Public My commission expires September 16, 2021</p>

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