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Town Clerk

Town of Santa Clara, New York

This letter represents the Upper Saranac Lake Association's comments and support regarding the proposed Local Law No. 02 of 2022, which would create town Short Term Rental regulations.

The Upper Saranac Lake Association (USLA) represents about 550 members, most of whom own property on the shores on Upper Saranac Lake, Fish Creek ponds and several ponds in the Saranac Inn area. The mission of the Upper Saranac Lake Association is to improve the quality of life for the Upper Saranac area. Our membership includes owners or tenants in the Upper Saranac watershed, their extended families and others who share our commitment to promoting environmental protection and the responsible and safe recreational enjoyment of our beautiful watershed.

We underline parts of our Mission statement because we strongly believe it is **every** land owner's responsibility to work toward these goals in the quest for a more perfect watershed. It is only through mutual respect for your neighbors that we can successfully share the same lake environs.

Each home represents a substantial investment that needs to be protected. People who purchase land and/or camps here expect a peaceful, relaxed environment where outdoor activities are both safe and enjoyable. And renters should not expect less for their rental fee. Dirty lake water, excess noise and lighting, congestion and oversteering of the lake is to be strongly avoided.

We believe the concept of a Short Term Rental Law will help promote good neighbor relationships and enhance the understanding of these relationships to renters and owners who are substantially absent from lake activities.

We believe all properties in the town should be subject to the same rules so would like the Town to consider the following suggestions as they develop this law:

1). We propose that any property which is used as a short term rental more than a total of 14 days per year should fall under this law irrespective of how much the owner uses the property during the year or the location of the owner's legal address.

2. There should be no 'grandfathered in' rental properties or properties excluded from applying. Properties that fail to apply or renew within an annual application period, and/or do not conform to the physical property regulations written in the law should be excluded until the next annual application period. Any conforming property should be eligible to seek a permit during the annual application period.

3. Change of property ownership should require a new application by the new owner within 60 days of ownership transfer if the property is current rented at time of sale closing. It is assumed all properties included in this law are zoned as Single Family Homes as defined by the State of New York.

4. Given the high demand for short term rental properties in the town; many are already reserved for 2022 and parts of 2023. We suggest that once a law is enacted, the property owner has 90 days to apply for a permit but one year to make the property conform to the law's physical property standards. This will allow for possible construction/renovations to take place and/or adjustments to future rental contracts in a timely manner.

5. Septic systems: We agree with the town's proposal for periodic inspections/certifications of septic systems. In a 2017 Upper Saranac Foundation survey of lake shore owners, fully 35% of the respondents stated they had not pumped out their septic system in the previous four years. In the same survey, 40% of the responses said their domestic water source was either a shallow well or the lake. The typically high level, consistent use of rental properties demands ensuring properly working septic systems – making lake water quality maintenance extremely important for health and safety reasons.

6. Septic inspections should not be provided by companies that remediate and/or install septic systems. A separation of duties is essential to prevent misconduct. Perhaps as part of the application process, the TOSC Code Enforcement Officer could conduct the septic dye test inspection. Once the law is passed, we would estimate 20-30 inspections per year.

7. We agree with the proposed law regulation regarding the number of people allowed to use a rental property. Excess noise, light, boating and parking issues effect not only the rental property but also its neighbors.

6. We agree with the proposed law's regulations regarding Short Term rental property use for Commercial/Corporate events. However, it might be better to have a uniform event law related to ALL properties in the town to maintain a more uniform level of peace and quiet while also protecting the watershed relevant to item 5 above.

7. We recommend a definition of Commercial/Corporate events be installed in Article 2 – Definitions. A commercial/corporate event is one where additional services beyond a simple property rental are provided. Non-conforming service would include the property owners, affiliates, or others related to the owners in any way.

USLA hopes that our recommendations, suggestions and concerns regarding this proposed law are not viewed as opposing development and progress but rather as collaborating as a stakeholder in enhancing and maintaining the wilderness character and pristine waters for future generations. It is essential that all of our residents and renters coexist within our Adirondack community to maintain the delicate balance necessary for long term quality living.

Thank you for considering our input and the opportunity to participate.

Regards,

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President, USLA

Dave Powalyk
Vice President, USLA

CC: USLA Governmental Affairs Committee