

June 27, 2023

**PUBLIC HEARING, TOWN OF THURMAN, JUNE 27, 2023**

A meeting of the Town Board of the Town of Thurman, County of Warren and the State of New York was held at the town hall, 311 Athol Road, Athol, NY on the 27<sup>th</sup> day of June 2023.

**BOARD MEMBERS PRESENT:**

Debra Runyon     Supervisor  
Randy Galusha     Councilperson  
Ed Brown           Councilperson

**BOARD MEMBERS ABSENT:**

Charles Bills       Councilperson  
Doug Needham     Councilperson

**ALSO PRESENT:**

Cynthia Hyde     Town Clerk

Supervisor Runyon called the meeting to order at 6 pm with the pledge to the flag.

Supervisor Runyon read the proposed local law for noise control and opened the public hearing.

**THE FOLLOWING PEOPLE SPOKE:**

Brian Hall  
Renee Shattuck  
Ernest Hilpertshauser  
Keith Parent – In favor  
Paula Hubert - In favor

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Tracy Creeden

Karma Smith – In favor

The Public Hearing for Noise Control closed at 6:40 pm

Supervisor Runyon read the proposed Local Law establishing a moratorium on short term rentals.

Hearing on the proposed Local Law establishing a moratorium on short term rentals opened at 6:47 pm

**THE FOLLOWING PEOPLE SPOKE:**

Keith Parent

Tracy Creeden

Brain Hall – Opposed

Paula Hurbert

Ernest Hilpertshauser

Renee Shattuck

Kathrine Combs

**RESOLUTION 53-2023**

**RESOLUTION TO ADOPT LOCAL LAW # 10F 2023 A MORATORIUM (attached) ON SHORT TERM RENTALS**

On a motion of Councilman Brown, seconded by Councilman Galusha, the following resolution was

**ADOPTED** Ayes 3 Runyon, Galusha, Brown  
Nays 0

**WHEREAS** the purpose of this law is to provide for a temporary moratorium on the increase of residential properties being utilized as short term rentals, and

**WHEREAS** the Thurman Town Board is in the process of studying the issue in order to make recommendations on the best approach for the town, including

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conducting work sessions, other studies, and proposing a local law regarding the regulation of short-term rentals, and

**WHEREAS** this local law is enacted pursuant to New York Municipal Home Rule Law and is attached to this resolution for your review, be it

**RESOLVED** that in order to protect the public health, safety, and welfare, it is in the best interest of the town to declare a temporary moratorium on short term rentals.

**MOTION:**

On a motion of Councilman Galusha, seconded by Councilman Brown, the following motion was passed

Motion Carried Ayes 3 Runyon, Galusha, Brown  
Nays 0

The town board called a public hearing on proposed Local Law # 2 of 2023 a Local Law to Control Noise in the Town of Thurman and the Town Board Meeting on July 20, 2023 will be held at 6pm instead of 4:30 pm.

**ADJOURN:**

On a motion of Councilman Brown, seconded by Councilman Galusha, the town board adjourned the meeting at 7:27 pm

**MOTION CARRIED** Ayes 3 Runyon, Brown, Galusha  
Nays 0

Respectfully Submitted

Cynthia Hyde, Town Clerk  
July 05, 2023

**TOWN OF THURMAN**

**LOCAL LAW #1 – 2023 MORATORIUM ON SHORT TERM RENTALS**

This local law shall be known as a local law establishing a moratorium on short term rentals in the town of Thurman

Be it enacted by the Town Board of the town of Thurman as follows:

**SECTION 1. DEFINITIONS**

For purposes of this local law, the term “short term rentals” means a residential property that is rented to a visitor for less than 30 days.

**SECTION 2. INTENT**

The recent trend of existing residential structures being used by owners for the primary purpose of renting to short term rental occupants has increased, creating concern that the residential character of the town is changing. Short term vacation rentals can create conflicts with their residential neighbors in the absence of regulations. This is particularly evident in situations where the property owner is not present during times of short-term rental occupancy. The Thurman Town Board feels that more specific regulations are necessary to prevent conditions that may be detrimental to the public health, safety, and general welfare. There is a need for a temporary pause on any new short-term rentals while the Thurman Town Board is in the process of studying the issue in order to make recommendations on the best approach for the town, including conducting work sessions, other studies, and proposing a local law regarding the regulation of short-term rentals. A failure to enact this temporary moratorium could result in unrestricted growth that would negatively impact the character of the community.

**SECTION 3. REGULATIONS**

Except as otherwise provided herein, effective on the effective date of this local law, and continuing for a period of three months from the effective date, unless the town board, by resolution, establishes an earlier date, no short-term rental occupancy use shall be established or expanded, either in a primary structure or any accessory structure. The prohibition referred to above shall not apply to short term rental occupancy uses that were registered with Warren County as of the effective date. A property that is already registered as a short term rental with Warren County and changes hands during this moratorium will be grandfathered. The new owner will have thirty days to register as a short term rental owner.

**SECTION 4. PENALTIES FOR OFFENSES**

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Any person or entity acting in violation of the provisions of this local law shall be guilty of an offense punishable by a fine not to exceed two hundred and fifty dollars. Each day of continuance of a violation shall be considered a separate offense. Any person or entity acting in violation of this local law shall become ineligible for a future short term rental permit.

**SECTION 5. EFFECTIVE DATE**

This local law shall take effect upon filing in the Office of the Secretary of State.