



Deposition of:
Work Session

January 21, 2020

In the Matter of:
Joint Work Session

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COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

Work Session With
Short-Term Rental Review Board

January 21, 2020; 6:00 p.m.

Talbot County Community Center
Easton, Maryland

COUNCIL MEMBERS:

- Corey W. Pack
- Chuck F. Callahan
- Frank Divilio
- Pete Leshner
- Laura E. Price

Reported by
Diane Houlihan

| | |
|---|--|
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| <p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2</p> <p>3 MR. PACK: Good evening, everyone. We're</p> <p>4 going to go ahead and get started our work</p> <p>5 session. This is work session number two on</p> <p>6 the matrix to the STR revisions that we</p> <p>7 received from the STR Board.</p> <p>8 Right now we only have one board member</p> <p>9 with us. Good to see you, Mr. McQuay, this</p> <p>10 evening. Good to see you, sir. We'll</p> <p>11 hopefully get one more of the STR Board members</p> <p>12 here with us this evening as we go through the</p> <p>13 rest of the matrix.</p> <p>14 And then we have a second matrix that was</p> <p>15 made of comments we received from you all, the</p> <p>16 public. And any Council member who wishes to</p> <p>17 pull anything from the second matrix can do so</p> <p>18 for Council consideration today.</p> <p>19 We also have some staff recommendations</p> <p>20 that will more than likely be introduced to us</p> <p>21 this evening, as well as a recommendation from</p> | <p>1 There's been a lot of work put into moving</p> <p>2 this forward, and I just want to say thank you</p> <p>3 to everyone who participated in that process.</p> <p>4 Thank you to the Council.</p> <p>5 MR. PACK: Thank you.</p> <p>6 And I'll turn it over to Mr. McQuay, as</p> <p>7 the sole member of our STR Board. I know we</p> <p>8 have some change-over. We have one member</p> <p>9 whose term has elapsed. We had another member</p> <p>10 who stepped down, Mr. Hall.</p> <p>11 So I'll turn to you for any opening</p> <p>12 comments from the STR Commission.</p> <p>13 MR. McQUAY: Yeah. I don't know much</p> <p>14 about why the members stepped down.</p> <p>15 But I was looking over what we did at the</p> <p>16 last meeting, and looks like we made pretty</p> <p>17 good progress on it. So that's about where I</p> <p>18 am. We'll see what happens tonight and go from</p> <p>19 there.</p> <p>20 MR. PACK: Well, thank you for being here</p> <p>21 with us as well.</p> |
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| <p>1 several Council members that we will review</p> <p>2 tonight as well.</p> <p>3 So quite a bit of things we have to go</p> <p>4 through. We are scheduled to go until</p> <p>5 eight p.m. Everyone set their clocks and</p> <p>6 watches for eight p.m.</p> <p>7 And we're picking up where we ended last</p> <p>8 time, which was 24A, I believe, Ms. Verdery.</p> <p>9 MS. VERDERY: That's correct.</p> <p>10 MR. PACK: 24A is where we ended last</p> <p>11 time.</p> <p>12 Any opening comments from you or from</p> <p>13 members of staff before we do so?</p> <p>14 MS. VERDERY: I'd just like to say again</p> <p>15 real quick thank you to the Short-Term Rental</p> <p>16 Review Board for all their recommendations and</p> <p>17 also for the public participation and to the</p> <p>18 staff, the Office of Law, Permits and</p> <p>19 Inspections, Planning & Zoning, who helped</p> <p>20 compile all of this and then make the</p> <p>21 recommendations into the legislation.</p> | <p>1 Any opening comments from any member of</p> <p>2 Council before we get into discussion?</p> <p>3 MS. PRICE: I don't think the green light</p> <p>4 works.</p> <p>5 MR. PACK: You probably have it muted.</p> <p>6 MS. PRICE: Technical assistance.</p> <p>7 MR. PACK: We're going to go ahead and get</p> <p>8 started, then.</p> <p>9 Ms. Verdery, we picked up on 24A that I</p> <p>10 have here. That was dealing with a</p> <p>11 recommendation regarding moratoriums. So I'll</p> <p>12 turn it over to you to lead us through the</p> <p>13 discussion.</p> <p>14 MS. VERDERY: So there are several</p> <p>15 subsections to section 24, and we had noted</p> <p>16 that it would be up to the Council as to</p> <p>17 whether they wanted to introduce or have</p> <p>18 further discussion on any of these individual</p> <p>19 topics.</p> <p>20 As noted, 24A is a moratorium. And I</p> <p>21 haven't heard any suggestion on Council's part.</p> |

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1 It's certainly up to your discretion as to
 2 whether you want to move forward with that or
 3 move forward and just have Council advise if
 4 there is anything in section 24 that they'd
 5 like to further discuss.
 6 MR. PACK: Well, I'll start it off. My
 7 voice is not the best this evening. But I did
 8 look at this quite extensively. I didn't feel
 9 that a moratorium was needed at this time,
 10 being this is the first year of the STR Board
 11 being in place, the first year of the new
 12 revisions to the STR policy.
 13 There's still some things we're trying to
 14 work out. That's why we're here tonight. I
 15 don't think a moratorium would be a necessary
 16 or prudent step at this time.
 17 So I would not be in favor of that. Those
 18 are my sentiments on that.
 19 MS. PRICE: Just 24A?
 20 MR. PACK: That's the question we're
 21 starting with, yes, ma'am.

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1 MS. VERDERY: Previously you took a straw
 2 vote.
 3 MR. PACK: Yeah. I just want to make sure
 4 that we had complete time to vet it before I
 5 ask for the vote.
 6 Any Council member at this time who wishes
 7 to move 24A over for Council consideration, let
 8 me see by a show of hands.
 9 No one, Ms. Verdery. That fails.
 10 Next one, Ms. Verdery.
 11 MS. VERDERY: The next one is to disallow
 12 short-term rentals except the owner's principal
 13 residence. The board had decided that that was
 14 a code change that would require a regulatory
 15 review and left it to the Council to make that
 16 consideration.
 17 In contrast, several citizens have noted
 18 that many STRs are future retirement homes or
 19 long-standing family homes and used as vacation
 20 destinations. And they are rented to
 21 supplement the costs of improvements and

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1 maintenance associated with those dwellings.
 2 MR. PACK: Any comment by any member of
 3 Council?
 4 MS. PRICE: When we went through this
 5 about a year and a half ago, that is something
 6 that Easton has in their -- enacted, and I
 7 think Mr. Leshner was a part of that.
 8 I think we had a lot of conversation about
 9 that. There were people who wanted that to be.
 10 I personally kind of like that idea and the
 11 amendment or the -- when I introduced an
 12 amendment back then, I had suggested maybe you
 13 put a five-year or something like that time
 14 limit on it so that it would enable people to
 15 purchase a home for future retirement and rent
 16 it for a period of time, which would just
 17 discourage the truly outside investors.
 18 So whether that's a topic to discuss in
 19 some way, that you would -- it would be your
 20 principal residence for retirement within a
 21 certain period of years, I would be interested

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1 in discussing.
 2 I don't know if anybody else is interested
 3 at all.
 4 MR. DIVILIO: I see this as two-fold.
 5 One, the goal is to eliminate short-term
 6 rental options because a lot of the homes are
 7 owned by people who aren't living here, it's a
 8 vacation property.
 9 And two, if they're trying to make sure
 10 that there's somebody that they can hold
 11 responsible or accountable while the property
 12 is rented, that's a goal.
 13 And I see that we're doing that with our
 14 code enforcement that we have and requiring
 15 there be somebody who is maintaining the
 16 property, the registered agent for it. I think
 17 that that accomplishes the goal of having
 18 somebody that we can hold accountable. So
 19 don't see that as something that's needed.
 20 MS. PRICE: I mean that house itself
 21 wouldn't necessarily need to be the principal

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1 residence, but they would need to be a resident
 2 of Talbot County at least part time.
 3 Because we just got some information that
 4 of all the new licenses, there was like 57 or
 5 so applications or whatever, about half or so
 6 were truly just people that had no interest as
 7 far as living in Maryland or in Talbot County.
 8 So I think in discussing something to get
 9 people who have a little bit more vested
 10 interest in being a part of the community is
 11 where that discussion was going.
 12 MR. DIVILIO: And I can understand that
 13 and appreciate that. But if they want to
 14 continue to rent the house out and they want to
 15 continue to have a place to come back to,
 16 they're going to have a vested interest in the
 17 community being a safe, quiet area.
 18 So I just don't see the need for having a
 19 resident live in the house. I don't think that
 20 that's going to do anything to change the
 21 outcome.

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1 MS. PRICE: Or in the county. Like you
 2 could own two homes. You live in one house and
 3 have another property, but you're part of
 4 Talbot County.
 5 MR. DIVILIO: Right. We're fortunate, a
 6 lot of people want to retire here from other
 7 states. And I think that's kind of what we're
 8 seeing more of.
 9 MS. PRICE: Right. The retirement is not
 10 the problem.
 11 It's the ones who are just living out of
 12 the area, out of the state, and they only buy
 13 them as investment properties. And I don't
 14 think that's what we're trying to -- I think
 15 it's great if somebody is going to live here
 16 and retire here in a few years. We'll take
 17 their retirement income, right?
 18 But the ones that don't contribute at all
 19 to our economy, they don't pay any income taxes
 20 here, they don't spend time here. Spending one
 21 week a year to me is not the same thing.

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1 But I know that there's probably not a lot
 2 of appetite for this, but I just wanted to give
 3 a little of the history from when we went
 4 through this a year and a half ago and what
 5 other areas -- I mean St. Michael's has gotten
 6 more restrictions on it. And Easton, obviously
 7 you have to have a principal residence within
 8 the Town of Easton.
 9 It's only in the county that we have the
 10 issue.
 11 MR. PACK: Anyone else? Okay. I'll ask
 12 for a show of hands at this time by Council
 13 members who want to move this one forward for
 14 consideration for vote.
 15 By no one, Ms. Verdery.
 16 MS. VERDERY: Okay.
 17 MR. PACK: Moving onto 24C.
 18 MS. VERDERY: This is a change in the
 19 version of the building code. There were a few
 20 citizens that asked that we amend the
 21 requirement, which currently states that we use

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1 the most recently adopted building code, which
 2 in Talbot County is the 2003 code, building
 3 code.
 4 The county has a significant number of
 5 historic homes and homes constructed prior to
 6 2003. Some of those are listed on the
 7 historic -- Maryland Inventory of Historic
 8 Properties, where interior or exterior
 9 renovations may impact that listing and may
 10 cause them to lose their status if they were
 11 required to make certain changes.
 12 MR. PACK: Okay. Any comment from Council
 13 on this one, 24C?
 14 MR. LESHER: Yeah. I'm not sure. It
 15 could, in fact, have an impact on historic
 16 status. More likely on national register
 17 status than on the Maryland inventory, though.
 18 I don't think that there's any mechanism for
 19 delisting from the Maryland inventory and
 20 there's no implication from listing. There's
 21 no protection or privilege that comes from

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| <p>1 listing with that.</p> <p>2 But the point in the context of national</p> <p>3 registered properties, of which there are, I</p> <p>4 don't know, 60 some listings in the Talbot</p> <p>5 County (inaudible) districts, certainly is</p> <p>6 valid.</p> <p>7 MS. VERDERY: This kind of also plays into</p> <p>8 24D, which is about grandfathering of the</p> <p>9 building code.</p> <p>10 MR. PACK: Yeah.</p> <p>11 MS. VERDERY: So they kind of go hand in</p> <p>12 hand as to whether you're going to use that</p> <p>13 code and then what would be grandfathered if</p> <p>14 you did or didn't use that code.</p> <p>15 MS. PRICE: Why wouldn't we want to be on</p> <p>16 the most up-to-date building code?</p> <p>17 We can talk about the historic registry</p> <p>18 and whether people are exempted or not later.</p> <p>19 But keeping that aside, why wouldn't we</p> <p>20 want to be on the most recent building code and</p> <p>21 stay up to date with that as new building codes</p> | <p>1 windows or something to meet the 2018 code?</p> <p>2 Maybe in 2021, it's changed again and it's a</p> <p>3 different size. Would you have to go back and</p> <p>4 change another each time you make application?</p> <p>5 So if you --</p> <p>6 MS. PRICE: So at what point do you get</p> <p>7 current, though? This is nearly 20 years old.</p> <p>8 MS. VERDERY: I'm sorry?</p> <p>9 MR. CALLAHAN: I don't think you get</p> <p>10 current. I think where we need to go with this</p> <p>11 is what you're trying to achieve.</p> <p>12 And I think what you're trying to achieve</p> <p>13 is safety and escape route. That's really what</p> <p>14 you're trying to do because of people moving in</p> <p>15 the house, you need to bring it to a safety</p> <p>16 standard so they can get out with a fire or an</p> <p>17 emergency situation.</p> <p>18 So that's really where we need to go, not</p> <p>19 necessarily dig ourself in the weeds with a</p> <p>20 code, sort a building code.</p> <p>21 MS. PRICE: So what was the one main</p> |
| <p>1 come forward?</p> <p>2 MR. DIVILIO: If you sell a house, a</p> <p>3 residential house that you're living in, to</p> <p>4 somebody else, do they have to bring the house</p> <p>5 up to code?</p> <p>6 MS. VERDERY: No. It's at the time of</p> <p>7 construction --</p> <p>8 MR. DIVILIO: And it's still being</p> <p>9 considered a residence that the State.</p> <p>10 MS. VERDERY: That's correct.</p> <p>11 MR. DIVILIO: If it's a short-term rental,</p> <p>12 it's still considered a residence, right?</p> <p>13 MS. VERDERY: That's correct.</p> <p>14 MR. DIVILIO: So if the use isn't</p> <p>15 changing, why would we be applying a different</p> <p>16 code?</p> <p>17 MS. VERDERY: And the question is also</p> <p>18 each year when you get your renewal license or</p> <p>19 every other year for renewals, if the code</p> <p>20 changes, do you then have to go back and make</p> <p>21 further amendments, even if you replaced your</p> | <p>1 difference? Wasn't it about the other</p> <p>2 detectors?</p> <p>3 MR. PACK: Carbon monoxide.</p> <p>4 MR. CALLAHAN: Carbon monoxide, yeah.</p> <p>5 MS. PRICE: And that's in another building</p> <p>6 code, but we could address that carbon monoxide</p> <p>7 just as a separate issue.</p> <p>8 MR. PACK: We already did that.</p> <p>9 MS. PRICE: Already did that one?</p> <p>10 MR. CALLAHAN: Correct.</p> <p>11 MS. PRICE: Cool. But I do think that</p> <p>12 they're different issues as to what building</p> <p>13 codes you're on versus who would apply for a</p> <p>14 waiver and what we do with those historic homes</p> <p>15 and the national registry, which we can get to.</p> <p>16 MR. CALLAHAN: Right. So I would agree</p> <p>17 that sort of 24C and 24D, I'm probably not on</p> <p>18 board with going the route we're going with</p> <p>19 that because there's certain things in the code</p> <p>20 that I think are going to present a problem.</p> <p>21 So we have --</p> |

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1 MS. PRICE: You mean in a more recent code
 2 or this 2003?
 3 MR. CALLAHAN: In general, in general with
 4 the code, in general. Bringing everything up
 5 to sort of -- it's a difference of bringing
 6 things up to standard versus safety and escape
 7 routes. It's a different situation.
 8 So I think what we want to try to achieve
 9 is basically a safety situation, not that we're
 10 bringing electrical codes and plumbing codes
 11 and stuff to that extreme up to code. So I
 12 think we have sort of something here that we're
 13 going to present a little bit later that might
 14 be a better alternative with where we need to
 15 go with this.
 16 MS. O'DONNELL: Can we do it now?
 17 MR. CALLAHAN: Sure, yeah, absolutely.
 18 So I would like to propose and create a
 19 minimum safety standard.
 20 So Mary, could you read the amendment,
 21 please?

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1 MS. O'DONNELL: Sure. If I could hand
 2 these out.
 3 MR. CALLAHAN: Yes.
 4 MS. O'DONNELL: And we don't have enough
 5 for the entire crowd, but we have some.
 6 So at the request of Mr. Callahan, this
 7 document was created, which was --
 8 MR. PACK: Can Mr. McQuay have one?
 9 MR. McQUAY: Yeah. I didn't get one. All
 10 right, thank you.
 11 MS. O'DONNELL: The document discusses
 12 what is in current law. The current law refers
 13 to fire extinguishers in the kitchen and then
 14 compliance with the International Residential
 15 Building Code adopted by Talbot County, which
 16 has been mentioned, is the 2003 code currently
 17 with respect to emergency escape and rescue
 18 openings, exits, and smoke alarms.
 19 The proposal would be in reference to the
 20 International Residential Building Code,
 21 creating minimum safety standards for

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1 short-term rental properties.
 2 Then the document indicates six different
 3 categories of requirements that would be under
 4 in order to meet those minimum safety
 5 standards.
 6 The first one is the same as in the
 7 current local code, fire extinguishers in the
 8 kitchen or any other area which flammable or
 9 combustible materials are kept or stored.
 10 The second is also retaining what is in
 11 current local law, also in the 2003
 12 International Residential Building Code.
 13 Interconnected smoke alarms.
 14 The third requirement would be carbon
 15 monoxide monitors when fuel-fired appliances
 16 are present. That is not currently in the
 17 Talbot County code. It is in the 2003
 18 International Residential Building Code as well
 19 as the 2012 to 2018 International Residential
 20 Building Code.
 21 The fourth would be rescue openings. And

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1 the rescue openings must be present in every
 2 bedroom. The standards for rescue openings
 3 would be a minimum clear opening of five square
 4 feet. Under current law, it's 5.7 square feet
 5 for upper floors under the 2003 International
 6 Residential Building Code. The second is a
 7 minimum width of 20 inches, which is in current
 8 law under the 2003 IRC. The third is a minimum
 9 height of 24 inches.
 10 So basically what that means is for five
 11 square feet, you could use 20 times X to get to
 12 five square feet, 24 inches times Y to get to
 13 five square feet. Those are the minimum width
 14 and height that you're allowed.
 15 You can't obviously -- 20 inches times 24
 16 inches is not five square feet. So you can't
 17 do 20 times 24. It's just describing the clear
 18 opening size.
 19 Number five is that the primary emergency
 20 escape egress requirements are stairwells would
 21 be a minimum of 30 inches wide at handrail

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1 height and a minimum height of six foot from
 2 the stairway tread to the ceiling. Any
 3 stairwell shorter than six feet, eight inches
 4 from the stairwell tread to the ceiling should
 5 provide illumination of the area in the event
 6 of an emergency.
 7 So this says that you can be approved if
 8 you have a minimum height of six feet. But if
 9 it's between six feet and six, eight, you have
 10 to have illumination of that area in the event
 11 of emergency.
 12 Under current law, the width is 36 inches
 13 and the height is six, eight.
 14 And the last standard is for upper floors,
 15 there must be one primary emergency escape
 16 egress exit meeting the above standards, but a
 17 secondary escape exit shall be provided at the
 18 furthestmost point from the primary escape exit
 19 and may consist of an emergency roll-up ladder
 20 for use to exit a window. And there is no such
 21 requirement in current law.

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1 So that is the proposal to create minimum
 2 safety standards to go away from compliance
 3 under the International Residential Code and
 4 different versions of that code, but to create
 5 a minimum safety standards related to these
 6 type of properties.
 7 MR. LESHER: Are these proposed standards
 8 modeled on something that's adopted elsewhere?
 9 Is there some emergency services or code
 10 organization that's endorsed these minimum
 11 requirements?
 12 MR. CALLAHAN: I would say no, Pete. I
 13 would say that I thought very hard about -- and
 14 I got with staff and I got with Brett. And
 15 Brett might want to say something.
 16 I sort of, with my experience with the
 17 fire department, in my experience in building,
 18 I feel that these are very fair. I feel like
 19 what we're trying to achieve is a person that's
 20 going into a home and going upstairs is aware
 21 of how to get out and get out safely.

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1 So when we mean illuminate the stairway,
 2 we mean it could be -- doesn't have to be
 3 something fancy. But when you really think
 4 about how somebody is going to get out of a
 5 stairway if it's only six foot, I'm treating it
 6 as that person going out.
 7 So we're lowering the standards. It's
 8 supposed to be six, eight and we're lowering it
 9 to six foot. That person really needs to be
 10 able to understand how to get out because they
 11 could hit their head.
 12 So I tried to use somewhat of a common
 13 sense effect on some of these regulations. So
 14 even though it's a home and the owner uses it
 15 every day, but then maybe 14 weeks out of the
 16 year somebody else uses it. So I took that in
 17 sort of my thought process on how to do some of
 18 these standards.
 19 As far as the ladder is concerned, is that
 20 overkill. In my opinion, it's not. It's that
 21 person being able to get out. Yes, they could

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1 jump out the window. But at the same time if
 2 they know there's something wrong on the second
 3 floor and you have a ladder there, I think it
 4 gives, I think it really gives the person a
 5 little bit of comfort level that they can get
 6 out if there's an emergency. It shows the
 7 person that is renting the place that they've
 8 done safety aspects of it, not necessarily
 9 bringing the electric up to code. It's more of
 10 a safety issue to me.
 11 MS. PRICE: Well, I do think that we need
 12 to run this by the fire chiefs or that
 13 organization and also our Emergency Service
 14 Department to see if those openings they
 15 feel -- I mean I appreciate with your
 16 experience with the fire department and
 17 whatnot, but I think that we should present
 18 these to them and ask them if these openings
 19 are big enough.
 20 I mean 30 inches wide is not very wide for
 21 some, unfortunately for some people and 20

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1 inches wide for the -- is also not very wide to
 2 get out. Twenty inches is --
 3 MR. CALLAHAN: So what you have to
 4 understand is seven square feet is allowed on
 5 the first floor, okay. And the regulation on
 6 the score floor, it's not written there, is
 7 5.7.
 8 So I've come down a little bit and allowed
 9 the square footage to come down a little bit
 10 because trying to make one size fit all with
 11 the older homes --
 12 MS. PRICE: I don't think anybody can get
 13 out 20 inches wide. I mean I might not be able
 14 to get out something 20 inches.
 15 So anyway, I just think we should go to
 16 our Emergency Services Departments and fire
 17 departments and see if those openings --
 18 because they're getting in also with gear on.
 19 So it's not just people getting out. It's the
 20 fire department and stuff being able to get in.
 21 And with their gear, they can't --

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1 MR. CALLAHAN: So what you have to really
 2 look at is in an emergency situation, it's
 3 technically getting out. The fire department
 4 is getting in no matter what. It's getting
 5 out.
 6 MR. PACK: True.
 7 MR. CALLAHAN: Is what you really have to
 8 look at.
 9 So no matter what, your thought process is
 10 a little bit of the opposite.
 11 The fire department, this is why we don't
 12 have anything on the front door, they're
 13 getting in. They're getting in the back door
 14 and the front door. No matter what the size
 15 is, they're getting in. Okay.
 16 So it's really getting out that is some of
 17 the issue.
 18 MS. PRICE: They may have to get in
 19 another way depending on where the fire is.
 20 So anyway, I'm just saying I'm not going
 21 to go one way or the other on this tonight

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1 because I've just seen it for the first time.
 2 But I do think that we should present
 3 these numbers to our Emergency Services
 4 Departments and see if they think that they are
 5 adequate. And if they do from a safety aspect,
 6 then maybe we can go with that. But certainly,
 7 we need to present it to the professionals who
 8 are doing the job.
 9 MR. PACK: Yes, Mr. McQuay.
 10 MR. McQUAY: Some of these standards on
 11 here were suggested by state fire associations
 12 across the country. The thing about the
 13 windows and the openings there, they were
 14 suggestions by state fire associations.
 15 MR. PACK: Are you speaking in reference
 16 to the minimums that Mr. Callahan just
 17 introduced?
 18 MR. McQUAY: Yeah.
 19 MR. PACK: Okay. Well, Mr. Callahan, I
 20 will certainly say that it's a very interesting
 21 proposal.

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1 And I think you're correct. I think when
 2 Council first were looking at the building code
 3 last year, well, last Council, I think we went
 4 too far afield into changing the code, making
 5 people change windows and doors and everything.
 6 I think this is more what the Council was
 7 looking for, safety in the home of someone
 8 renting that space, renting that home for a
 9 weekend and being able to exit the home in case
 10 of an emergency. So I think you're right on
 11 point with bringing these minimum safety
 12 standards up for discussion.
 13 Your experience in the fire department and
 14 also as a builder, I would give that credit
 15 here this evening as well.
 16 So I think these are reasonable. And
 17 Mr. McQuay said they do meet some standards
 18 that he's also looked into.
 19 And to Mr. Divilio's earlier statement
 20 regarding if this property is being sold, and
 21 he is an insurance agent, we wouldn't require

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| <p>1 them to change windows and doors if the</p> <p>2 property was changing hands through an at-arm</p> <p>3 sale.</p> <p>4 So I will support moving this forward</p> <p>5 myself this evening. I think you touched on</p> <p>6 some very good points tonight.</p> <p>7 MS. PRICE: So can we move it forward but</p> <p>8 can we still have our Emergency Services</p> <p>9 Departments look at it?</p> <p>10 MR. PACK: Absolutely, yeah. We'll just</p> <p>11 move it forward. (Inaudible) final vote.</p> <p>12 MR. CALLAHAN: Absolutely, absolutely.</p> <p>13 MS. PRICE: So we can send this off to the</p> <p>14 fire chiefs.</p> <p>15 MR. PACK: So if there's no further</p> <p>16 discussion, I will ask for a show of hands to</p> <p>17 move this forward this evening. By</p> <p>18 Mr. Divilio, Mr. Callahan, and myself.</p> <p>19 MR. DIVILIO: And just for a point of</p> <p>20 procedure, are we striking C and just -- or</p> <p>21 does it matter having this apply to both C and</p> | <p>1 comment.</p> <p>2 MR. CALLAHAN: So I sort of feel like --</p> <p>3 and Mary can help me with this. I'm thinking</p> <p>4 if things go well with this amendment, that</p> <p>5 that takes care of that and this sort of</p> <p>6 applies to everything.</p> <p>7 MS. O'DONNELL: That --</p> <p>8 MR. CALLAHAN: So there is no</p> <p>9 grandfathering.</p> <p>10 MS. O'DONNELL: Potentially, yes.</p> <p>11 I mean I think that under the</p> <p>12 conversations that you and I had, that you felt</p> <p>13 like that these are the minimum standards and</p> <p>14 that everyone should follow the minimum</p> <p>15 standards and that there's not exemptions or</p> <p>16 waivers associated with that.</p> <p>17 MR. CALLAHAN: Right.</p> <p>18 MS. O'DONNELL: And in that situation, we</p> <p>19 would have to have a change to law to make that</p> <p>20 clear that the waiver section under 63.3</p> <p>21 doesn't apply to this kind of a situation.</p> |
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| <p>1 D?</p> <p>2 MR. CALLAHAN: That's how I'm taking it.</p> <p>3 MS. VERDERY: There's some more</p> <p>4 information just on the grandfathering question</p> <p>5 on the back side.</p> <p>6 MS. O'DONNELL: But I think that the</p> <p>7 response is your answer to 24C is this proposal</p> <p>8 that you're moving forward.</p> <p>9 MR. DIVILIO: Yes.</p> <p>10 MS. O'DONNELL: Three to two. So that</p> <p>11 would be what we would put into this document</p> <p>12 whenever it was completed.</p> <p>13 MR. DIVILIO: Okay. Thank you.</p> <p>14 MS. PRICE: I'm not against. I'm just</p> <p>15 waiting -- I would like to see their -- let</p> <p>16 them review it.</p> <p>17 MR. CALLAHAN: Yeah.</p> <p>18 MS. O'DONNELL: But there is a document on</p> <p>19 the back is a discussion about D.</p> <p>20 MR. PACK: Okay. So on the back we have</p> <p>21 regarding 24D, and that's the grandfathering</p> | <p>1 So it's a conversation of if those are the</p> <p>2 minimum standards, then that's it, that's the</p> <p>3 floor, no one can go underneath the floor. Or</p> <p>4 if people feel that there should be a historic</p> <p>5 home for those 60 national registry, that</p> <p>6 should there be an exemption even to those</p> <p>7 minimum standards for certain categories. And</p> <p>8 that was the conversation that I was trying to</p> <p>9 facilitate.</p> <p>10 MR. CALLAHAN: Sure, sure.</p> <p>11 MR. PACK: Let me ask Mr. Lesher. Looking</p> <p>12 at the minimum safety standards that</p> <p>13 Mr. Callahan just proposed, do you see any need</p> <p>14 for a waiver provision for any historical</p> <p>15 structures if the minimum standards are in</p> <p>16 place?</p> <p>17 MR. LESHER: I haven't the foggiest idea.</p> <p>18 MR. CALLAHAN: So what I've sort of</p> <p>19 thought through is bringing in my experience</p> <p>20 with the older homes and doing restoration</p> <p>21 work, I sort of took in consideration sort of</p> |

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| <p>1 the standards that I feel that wouldn't hurt</p> <p>2 and really preserve, which is a big one, which</p> <p>3 is the stairways, which is lowering it six</p> <p>4 foot.</p> <p>5 And I took in consideration on the second</p> <p>6 floor because a lot of older homes have the</p> <p>7 smaller windows.</p> <p>8 But I kind of feel like everybody -- and I</p> <p>9 have on some of these applications, I have been</p> <p>10 hired to go ahead and bring some of these</p> <p>11 windows up to standard. And I think what</p> <p>12 people -- it's a misconception that when you</p> <p>13 want to change one of the windows, it's really</p> <p>14 a lot easier than you think. I mean yes, the</p> <p>15 window goes up and down. There's several</p> <p>16 different ways we can handle a new opening.</p> <p>17 And I'd be glad to talk to anybody that</p> <p>18 sort of needs some guidance on that.</p> <p>19 But lowering the standards from 5.7 to</p> <p>20 five, I feel like in the historic situation</p> <p>21 that would help things, but yet on the first</p> | <p>1 times where that homeowner, if they've got a</p> <p>2 house that's in the early 1900s, I think</p> <p>3 they're going to want to make it safe for that</p> <p>4 person coming in that doesn't know that house.</p> <p>5 So I think this does do what it needs to do.</p> <p>6 MR. PACK: All right.</p> <p>7 MS. PRICE: I have a question about the</p> <p>8 windows. Sometimes it's not necessarily that</p> <p>9 you have to make the opening itself bigger, but</p> <p>10 you just change the type of window. So</p> <p>11 maybe --</p> <p>12 MR. CALLAHAN: Correct, you're correct.</p> <p>13 MS. PRICE: So for those types of things,</p> <p>14 if they've got a window that just goes up and</p> <p>15 down and the top doesn't move.</p> <p>16 MR. CALLAHAN: Right.</p> <p>17 MS. PRICE: I think that maybe they should</p> <p>18 still change the window but not the size of the</p> <p>19 opening if they can get an opening -- I'm</p> <p>20 sorry. A window that allows more access.</p> <p>21 MR. CALLAHAN: You're 100 percent right.</p> |
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| <p>1 floor, that's a standard. So I just sort of</p> <p>2 feel like that's going to be the magic number</p> <p>3 that we sort of need for safety.</p> <p>4 Yes, I was taking it upon myself with my</p> <p>5 experience. I just -- we're doing something</p> <p>6 here to try to, once again, and I said this a</p> <p>7 couple of years ago, we're really trying to</p> <p>8 make something one shoe fit everything. And</p> <p>9 that's very, very difficult when you're doing</p> <p>10 something in the 1800s versus 2020.</p> <p>11 So I'm trying to balance out, like</p> <p>12 Ms. Price is, I'm trying to balance out the</p> <p>13 emergency situation and the code that staff has</p> <p>14 to implement. So we're just trying to make it</p> <p>15 fit a lot of things.</p> <p>16 And one of the huge things is entries and</p> <p>17 escapes. That's how I'm sort of looking at it.</p> <p>18 And I've done enough work throughout the 34</p> <p>19 years that I've done it, I think this really</p> <p>20 fits.</p> <p>21 And I think there are going to be certain</p> | <p>1 So a lot times we have to do, we either do</p> <p>2 what they would call a double hung. It slides</p> <p>3 up and down. And then if that doesn't meet it,</p> <p>4 we can either do a casement that cranks out or</p> <p>5 a slider that gives you that correct opening.</p> <p>6 MS. PRICE: So when we're going through</p> <p>7 this and we get more into the weeds on it, I</p> <p>8 wouldn't want someone to think that that old</p> <p>9 window that they've had in there for 100 or 150</p> <p>10 years that really doesn't allow much of an</p> <p>11 actual access to get in and out, that they</p> <p>12 would still be maybe required to change the</p> <p>13 type of window but not the size of the opening.</p> <p>14 If we can continue some talks on it.</p> <p>15 MR. CALLAHAN: That's my point. You're</p> <p>16 hitting it right on the head. The point is not</p> <p>17 changing the opening but changing the type of</p> <p>18 window that's in there.</p> <p>19 MS. PRICE: Right. So I wouldn't want</p> <p>20 anybody to read this like oh, I don't have to</p> <p>21 do anything to my windows. They still may have</p> |

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| <p style="text-align: right;">Page 38</p> <p>1 to do something. They might have to change the 2 window but not cut open a bigger hole. 3 MR. CALLAHAN: Correct, correct. That's 4 why I've looked at this so we don't have to cut 5 the whole thing out and get into siding and 6 drywall and the whole nine yards. 7 We're changing the actual window itself, 8 like the sash itself, making it a bigger 9 opening. It's a different type of window that 10 is actually what you would call just a window 11 that you take the doubles out and you slide 12 another window. It gives you the opening. 13 So it's just another way to sort of make 14 things work. 15 MR. PACK: Thank you, Mr. Callahan. 16 MR. DIVILIO: Just one kind of question on 17 this. So with this waiver, you guys have no 18 discretion over the short-term rentals. 19 Is there a waiver process currently? 20 MS. VERDERY: There's currently only a 21 process for renewals, not for new applications.</p> | <p style="text-align: right;">Page 40</p> <p>1 MS. PRICE: But if there is a minimum 2 standard, then you wouldn't have a waiver 3 process. That's it. What you're saying is 4 there would be no waivers. 5 If that doesn't, for reason that doesn't 6 go through, some of the conversations that 7 people have been having -- I mean to me there's 8 a difference between -- somebody stopped me and 9 said well, my house was built 30 years ago and 10 that's not what the code was. And I'm thinking 11 I live in a house that's 35 years old. Chuck, 12 you've been there. There ain't nothing 13 historic about my house. As a matter of fact, 14 I just changed all my windows. 15 MR. CALLAHAN: They're up to standard, 16 right? 17 MS. PRICE: I know I'm keeping my heat in 18 a little better. 19 But point being, to me there's a big 20 difference between a house that's 35 years old 21 and a house that's 135 years old.</p> |
| <p style="text-align: right;">Page 39</p> <p>1 But the planning officer has the 2 discretion associated with the renewal whether 3 I want to take it to the board or not. And 4 when it came to these safety measures, at this 5 point I have referred them to the board. And 6 at this point, there have been no approvals for 7 any waivers associated with safety standards 8 from the board. 9 MR. DIVILIO: Okay. And it seems to me 10 that -- and I like the idea of a waiver because 11 I imagine something that was built in 1800 that 12 is brought up to code but just unique. I feel 13 like it could fit, it could be safe, it could 14 work. 15 But if we almost regulated these things to 16 death, there isn't much opportunity to even 17 apply a waiver or discretion over anything. Is 18 that. . . 19 MS. VERDERY: It's pretty limited right 20 now. 21 MR. DIVILIO: Okay.</p> | <p style="text-align: right;">Page 41</p> <p>1 And if somebody just, they said my house 2 was built in the '70s and I don't want to have 3 to change my windows because it's 2003 building 4 code, I'm sorry, no. There's nothing historic 5 about a house built in the 1970s. You're going 6 to have to get up to whatever code we have or 7 whatever minimum safety standard. 8 If it was something that was historic, I 9 mean I'm saying there's a difference between 10 something that's 30 years old and 100 years 11 old. And I think that people should agree on 12 that, that if it's not a historic -- and I know 13 Mr. Leshner and I have had conversations about 14 whether it's on a historic registry or not and 15 if we had to do a waiver process. 16 And then if you did, then you would 17 certainly have to disclose that to the person 18 who's renting the house. If we end up having 19 to give in to any type of waivers for truly 20 historic things that are registered, then they 21 should have to sign a disclosure to hold not</p> |

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| <p>1 only the person who's renting harmless but also</p> <p>2 the county harmless because we're the one</p> <p>3 issuing the permit. And you wouldn't want them</p> <p>4 coming back to sue us because the opening was</p> <p>5 too small, the stairwell was too short, or</p> <p>6 whatever.</p> <p>7 But we may not have to deal with that if</p> <p>8 we have a different type of minimum safety</p> <p>9 standards.</p> <p>10 MR. CALLAHAN: Okay.</p> <p>11 MR. PACK: I want to now call for a show</p> <p>12 of hands who wants to move 24C over for final</p> <p>13 vote. Council.</p> <p>14 MS. PRICE: I thought you just did that.</p> <p>15 MR. DIVILIO: 24D.</p> <p>16 MR. PACK: I'm sorry. 24D.</p> <p>17 MR. CALLAHAN: Yeah. For the</p> <p>18 grandfathering.</p> <p>19 MR. PACK: Anyone by a show of hands on</p> <p>20 24D?</p> <p>21 MS. PRICE: Do we know if we even need to?</p> | <p>1 a historic property, which goes through a</p> <p>2 vetting process. Then maybe there's an option</p> <p>3 for a grandfathering or a waiver process in</p> <p>4 that.</p> <p>5 Most people don't realize it, a change in</p> <p>6 windows is one of the most biggest reasons why</p> <p>7 homes can be delisted.</p> <p>8 MR. CALLAHAN: Yeah. And I would agree</p> <p>9 with you, Miguel. I just, I think like you're</p> <p>10 probably right. There could be cases out there</p> <p>11 in future years to come that I don't know if</p> <p>12 the word grandfather is the right word.</p> <p>13 I think it's going to be a waiver of some</p> <p>14 sort that has to go in front of the board and</p> <p>15 they make a determination what that waiver is.</p> <p>16 And I feel with our standard, with our</p> <p>17 standard, they're going to look at our</p> <p>18 standard. If it goes through versus the</p> <p>19 waiver, what they're asking for.</p> <p>20 So I think there's -- once again, it's</p> <p>21 another balancing act on why the waiver was</p> |
| Page 43 | Page 45 |
| <p>1 MR. PACK: It wouldn't be moved now.</p> <p>2 MR. SALINAS: Mr. Pack, just one thing to</p> <p>3 follow up on on Council Member Price's</p> <p>4 comments.</p> <p>5 The one thing that could cause a delisting</p> <p>6 of a historic property, whether it's in our own</p> <p>7 overlay district, which we have about 20</p> <p>8 something properties in the county, or it's</p> <p>9 listed with the national register, is if there</p> <p>10 is required changes to the windows that -- in</p> <p>11 order if you're going to meet the net opening,</p> <p>12 you got to do it like a double hung, like</p> <p>13 Council Member Callahan mentioned. The windows</p> <p>14 they take into serious consideration. If those</p> <p>15 windows are changed to something that is not</p> <p>16 within its historic context, could cause a</p> <p>17 delisting of that property.</p> <p>18 So you may want to consider a</p> <p>19 grandfathering of properties, very strict, very</p> <p>20 strict criteria. I mean it has to be in one of</p> <p>21 our overlay districts or it has to be listed as</p> | <p>1 requested.</p> <p>2 So I'm not necessarily against a waiver on</p> <p>3 a house that's 1850, but I feel like then</p> <p>4 that's where if we end up doing a standard</p> <p>5 safety escape route, then that's where the</p> <p>6 committee really needs to make that decision.</p> <p>7 MS. PRICE: If I'm --</p> <p>8 MR. LESHHER: So we're not talking about</p> <p>9 grandfathering an earlier version of the</p> <p>10 building code because we're talking about</p> <p>11 properties that are built before building codes</p> <p>12 were devised and promulgated.</p> <p>13 So this would really be about a waiver</p> <p>14 process for structures that -- contributing</p> <p>15 structures within one of the county's zoned</p> <p>16 historic districts or structures that are</p> <p>17 listed or deemed eligible for listing on the</p> <p>18 national register.</p> <p>19 MR. CALLAHAN: I would agree with that.</p> <p>20 MR. LESHHER: Of which there are, as I</p> <p>21 said, 60 some. Some of which are districts,</p> |

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| <p>1 some of which are inside municipalities. And 2 those would not, of course, pertain to -- would 3 not be covered by this. It would be once you 4 get down to those that are in the county, that 5 list is fairly small.</p> | <p>1 explore and live and experience things. 2 So I think let's try to get on the safety 3 aspect of it. And then that's why we have a 4 waiver and they can make a decision.</p> |
| <p>6 MR. CALLAHAN: Yeah.</p> | <p>5 MR. LESHHER: Frankly, with these</p> |
| <p>7 MS. PRICE: Do we have any idea if anybody 8 has ever applied to be a short-term rental who 9 was on the historic registry?</p> | <p>6 relatively stringent outlines that I've just 7 articulated, I'd rather go this route than 8 coming up with an alternate to the code 9 requirements and just --</p> |
| <p>10 MS. VERDERY: At least one.</p> | <p>10 MR. CALLAHAN: Right.</p> |
| <p>11 MR. SALINAS: Yeah. At least one right 12 now we have.</p> | <p>11 MR. LESHHER: -- forget about that. 12 Just provide the waiver for those</p> |
| <p>13 MS. PRICE: What did we do with him?</p> | <p>13 legitimately historic properties as a way of --</p> |
| <p>14 MS. VERDERY: He's kind of in flux right 15 now because his stairway and some other things 16 don't meet the requirements. So he's waiting 17 to see what --</p> | <p>14 and the rationale for this is presumably the 15 same as the rationale for the creation of the 16 bed and breakfast licensing program back years 17 ago. It's creating economic value for these 18 properties that might otherwise (inaudible)</p> |
| <p>18 MS. PRICE: So is it just a stairway but 19 he's okay on windows?</p> | <p>19 pressures to be demolished or altered.</p> |
| <p>20 MR. SALINAS: I thought that they were not 21 okay on windows. And I think they've had some</p> | <p>20 MR. CALLAHAN: Right, right. 21 MS. PRICE: So it's not an automatic</p> |
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| <p>1 conversations with Maryland Historic Trust, who 2 expressed some concerns about replacing the 3 windows.</p> | <p>1 waiver. They would have to go in front of the 2 Short-Term Rental Review Board and have it 3 reviewed.</p> |
| <p>4 Now, if they have to, they'll replace them 5 but --</p> | <p>4 MR. LESHHER: I guess -- 5 MR. DIVILIO: We could set up a process</p> |
| <p>6 MS. PRICE: Maybe if you're buying that 7 historical home, maybe you shouldn't rent it 8 out because you have to be safe. I mean 9 maybe -- so the question is whether or not we 10 have -- I don't think we allow for 11 grandfathering. I think if we do anything, you 12 go through an application for a waiver.</p> | <p>6 for it. I think tonight it would just make 7 sense to move forward with saying that we're 8 open to reviewing waiver legislation and then 9 coming up with a plan for it. 10 MS. PRICE: Right.</p> |
| <p>13 MR. CALLAHAN: Right.</p> | <p>11 MR. CALLAHAN: Right.</p> |
| <p>14 MS. PRICE: But maybe we don't even want 15 to go there since there's so few and maybe it's 16 not safe to rent a historic home. Maybe that's 17 just the way it's going to be.</p> | <p>12 MS. PRICE: But I wouldn't want to make 13 any of them automatic because we don't know. 14 MR. CALLAHAN: Well, no. Right.</p> |
| <p>18 MR. CALLAHAN: I wouldn't quite go that 19 far. I just wouldn't.</p> | <p>15 MS. PRICE: Any waiver process should go 16 through that whole board over there. 17 MR. CALLAHAN: Absolutely. Right, right.</p> |
| <p>20 There's a lot of older places and castles 21 all over the world that we want to go in and</p> | <p>18 MR. PACK: Okay. Since we don't have that 19 language in front of us to consider tonight, as 20 Mr. Divilio just said, we'll have staff maybe 21 draft something for consideration for us to</p> |

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| 1 look at once this comes before Council for a 2 final vote. | 1 MR. LESHHER: No. I don't think so. I 2 think we're talking about two separate |
| 3 So moving on to the last -- | 3 processes. |
| 4 MR. LESHHER: Can we discuss the virtue of 5 doing this instead of what we just discussed 6 about the alternate minimum safety standards, 7 this is an alternate route? | 4 MR. PACK: Well, if you're putting in 5 place a minimum safety standard, this is the, 6 as Mr. Callahan said, the bottom rung, this is 7 the lowest opening you can have, five foot for 8 your upper windows, six foot for your 9 stairwell, 36 wide is the minimum, you can't go 10 anything lower than that. Thirty inches. |
| 8 MR. PACK: Those are two separate. | 11 MS. PRICE: That's pretty narrow. |
| 9 MR. LESHHER: I thought that was the intent 10 of those others, was -- that route really, 11 frankly, makes me a little nervous if that's 12 not being used in any other jurisdiction. | 12 MR. PACK: Thirty inches wide. |
| 13 I'd rather provide this waiver in these 14 specific instances rather than providing this 15 blanket lower set of minimum safety standards. | 13 If you're saying from, if I'm hearing what 14 you're saying, correct me if I'm wrong, if 15 you're saying there's a home in a historic 16 district, a historic home that cannot meet 17 five-foot opening in the upper floor windows 18 and it's historic, it's designated as one of 19 those 60 some homes you just indicated, then 20 they can go before the STR Board and request a 21 waiver because they're historic. |
| 16 MR. CALLAHAN: But what you have to do is 17 when you give a waiver, we have to give them 18 something to go by. So where are they going to 19 go by? | |
| 20 MR. LESHHER: So these minimum alternate 21 minimum safety standards would apply only in | |
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| 1 those waiver cases? | 1 That's what I thought you were saying. |
| 2 MR. CALLAHAN: Correct. So when you 3 provide a waiver -- not necessarily. | 2 MR. LESHHER: That is what we're 3 discussing. |
| 4 So if you're providing a waiver on 5 something not on this list. | 4 MR. PACK: That's what I thought you were 5 saying. |
| 6 MR. LESHHER: Right. | 6 So the minimum that Mr. Callahan laid out, 7 said these are the minimums for everybody, 8 including those historic homes. But if you are 9 a historic home, you could ask the board to 10 consider an even lower minimum because of your 11 historic. |
| 7 MR. CALLAHAN: You see what I'm saying? 8 So what's not on that list, how are they going 9 to handle it? Are they going to say no or are 10 they going to make them bring it up to these 11 standards? | 12 MR. CALLAHAN: Status. |
| 12 MR. LESHHER: So if we're going to provide 13 this waiver for those historic properties, who 14 are we directing these lower minimum safety 15 standards? Who is this for? | 13 MR. PACK: Status. Thank you. Is that 14 what I'm hearing you saying? |
| 16 MR. DIVILIO: 1950s, '70s. | 15 MR. LESHHER: Right. Except I would rather 16 stick with code for everybody and provide that 17 way out, that waiver process -- |
| 17 MR. CALLAHAN: Everybody else. | 18 MS. PRICE: Only for the historic -- |
| 18 MR. LESHHER: That makes me nervous. | 19 MR. LESHHER: -- for the legitimately 20 historic properties. |
| 19 MR. PACK: I mean those homes in those 20 historic districts would also apply for the 21 minimum standards, safety standards. | 21 MR. DIVILIO: So code is what brings in |

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| <p>1 all the plumbing, electric --</p> <p>2 MR. PACK: That's what we're trying to get</p> <p>3 away from.</p> <p>4 MS. PRICE: So then okay, if we're talking</p> <p>5 about houses built in the '50s, '60s, and '70s,</p> <p>6 then you could do this, but you could make it</p> <p>7 match the code and not make those openings</p> <p>8 smaller.</p> <p>9 MR. PACK: Let's do this. Since that's</p> <p>10 already been moved over and we're going to have</p> <p>11 final discussion when we bring it before</p> <p>12 Council, tonight is just a straw vote. We're</p> <p>13 not really putting anything in legislation</p> <p>14 tonight.</p> <p>15 And Mr. Leshner, if you wanted to offer up</p> <p>16 another comment based on those historic homes,</p> <p>17 then you could certainly do that for us to</p> <p>18 consider as well.</p> <p>19 MR. LESHER: Okay. So that wouldn't be in</p> <p>20 the draft, that would have to be offered as an</p> <p>21 amendment?</p> | <p>1 applications issued where the windows failed</p> <p>2 inspection. And it was pretty obvious to me</p> <p>3 that the people that applied had no idea what</p> <p>4 they needed.</p> <p>5 And so by the time they got here, we had</p> <p>6 to send them back to the staff.</p> <p>7 All that information should be made clear</p> <p>8 on the application I think in order people can</p> <p>9 determine then when they see that.</p> <p>10 MR. CALLAHAN: When they see this.</p> <p>11 MR. McQUAY: They can see.</p> <p>12 MR. CALLAHAN: Right.</p> <p>13 MR. McQUAY: Do I want to do that or</p> <p>14 just --</p> <p>15 MR. CALLAHAN: Correct.</p> <p>16 MR. McQUAY: -- forget about it.</p> <p>17 MR. CALLAHAN: Right. They don't have to</p> <p>18 look through a code book. They've got six</p> <p>19 things here to take a look at.</p> <p>20 MR. McQUAY: That's right.</p> <p>21 MR. CALLAHAN: That is what you have to</p> |
| Page 55 | Page 57 |
| <p>1 MR. PACK: Correct.</p> <p>2 MR. CALLAHAN: Mr. Leshner, the other thing</p> <p>3 that sort of we have to take into</p> <p>4 consideration, okay, is staff going out and</p> <p>5 inspecting these places.</p> <p>6 This gives them six things to take a look</p> <p>7 at for safety standards, for escape routes. So</p> <p>8 you also have to take a hard look at what we're</p> <p>9 doing, making standards for staff to look at</p> <p>10 and implement.</p> <p>11 So when they're going out there, they're</p> <p>12 not spending two days out there figuring out if</p> <p>13 everything is up to code.</p> <p>14 So this really simplifies a lot of things</p> <p>15 and yet code enforcement is going to be looking</p> <p>16 at things. And if they see something, they're</p> <p>17 going to say no. But at the same time, it does</p> <p>18 help on time and money for the county to</p> <p>19 simplify this stuff.</p> <p>20 MR. McQUAY: One thing I wanted to bring</p> <p>21 up to you. We looked at a number of</p> | <p>1 do. And it simplifies the whole process.</p> <p>2 MR. McQUAY: That hasn't been done this</p> <p>3 year.</p> <p>4 MR. CALLAHAN: Right.</p> <p>5 MS. PRICE: And I think that concept is</p> <p>6 fine.</p> <p>7 I'm not convinced on the numbers. So if</p> <p>8 you're now talking about a house, and I thought</p> <p>9 we were talking about the more historic ones,</p> <p>10 if you're now talking about the houses from the</p> <p>11 '50s, '60s, and '70s where they have the</p> <p>12 ability to make that opening bigger, then so be</p> <p>13 it. They may have to do that.</p> <p>14 So you could stick to the list of six, but</p> <p>15 stick with what the size is on the building</p> <p>16 codes, with maybe the exception of the</p> <p>17 stairwell because that's not necessarily</p> <p>18 getting in or out.</p> <p>19 The windows I'm uncomfortable with, and I</p> <p>20 might want to talk about sticking with the</p> <p>21 current law of 5.7 and keeping the list of six</p> |

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| Page 58 | Page 60 |
| <p>1 but not changing that particular number, which</p> <p>2 then goes ahead and makes sure you don't have</p> <p>3 to do the electrical, plumbing, things like</p> <p>4 that.</p> <p>5 We don't want the houses burning down,</p> <p>6 either, from the electrical problem, right?</p> <p>7 MR. CALLAHAN: Yeah, right.</p> <p>8 MR. PACK: So when these are brought</p> <p>9 before Council for the introduction, of course,</p> <p>10 we'll have that discussion and also for public</p> <p>11 hearing for any other changes you might want to</p> <p>12 make.</p> <p>13 Again, Mr. Leshner, I just wrote down what</p> <p>14 I believe you were saying is historic homes</p> <p>15 that cannot meet the minimum safety standards</p> <p>16 are allowed to ask the STR Review Board for a</p> <p>17 waiver of the standard or standards as it will</p> <p>18 change the historic status of the home.</p> <p>19 So those homes would first have to be on a</p> <p>20 registry that they are historic. And that if</p> <p>21 they can't meet those safety standards that we</p> | <p>1 us.</p> <p>2 MS. SUSS: Sorry I'm late.</p> <p>3 MR. PACK: That's okay. Your mike may</p> <p>4 need to be turned on.</p> <p>5 MS. SUSS: Right here?</p> <p>6 MR. PACK: Yeah. We're on 24E.</p> <p>7 MS. SUSS: I see. Yeah.</p> <p>8 MR. PACK: I'll ask by a show of hands</p> <p>9 which Council members want to move this one</p> <p>10 forward. No.</p> <p>11 This one fails, Ms. Verdery. So we're not</p> <p>12 going to treat STRs as B&Bs. Okay.</p> <p>13 Ms. Verdery, before I ask Council for any</p> <p>14 members who want to pull any of the public</p> <p>15 comments off the public comment matrix, were</p> <p>16 there any staff considerations that you want us</p> <p>17 to look at at this time?</p> <p>18 MS. VERDERY: There is. Staff has</p> <p>19 provided you with a document associated with</p> <p>20 enforcement of unlicensed STRs. Some</p> <p>21 additional copies.</p> |
| Page 59 | Page 61 |
| <p>1 just moved over, then that waiver provision</p> <p>2 would be in place for those homes.</p> <p>3 That's what I thought you said. But if</p> <p>4 you want to add that in at a later date, that</p> <p>5 will be great.</p> <p>6 So the last thing, Ms. Verdery, is 24E.</p> <p>7 And that's dealing with treating STRs the same</p> <p>8 as a bed and breakfast, hotels, and motels.</p> <p>9 MS. VERDERY: That's correct. Under the</p> <p>10 current provisions, the hotels, the B&Bs</p> <p>11 specifically do not need to -- are not required</p> <p>12 to meet the inspection compliance with the IRC,</p> <p>13 they do not include on-site management, and</p> <p>14 they have a distance requirement between the</p> <p>15 structures for licensing, and they are also</p> <p>16 allowed to host special events at a B&B.</p> <p>17 MR. PACK: I don't think anyone wants</p> <p>18 that.</p> <p>19 Any further comment from Council on moving</p> <p>20 this one forward, treating STRs as B&Bs?</p> <p>21 Good seeing you. Thank you for joining</p> | <p>1 So the code compliance officers have</p> <p>2 discretion in the code under other</p> <p>3 opportunities for enforcement. The current</p> <p>4 language as written is pretty restrictive in</p> <p>5 the options that are associated with</p> <p>6 enforcement for someone who is operating or</p> <p>7 advertising an unlicensed short-term rental.</p> <p>8 So we would like to amend section</p> <p>9 19033.20A to state that a license issued</p> <p>10 pursuant to 19063 of this chapter is required</p> <p>11 for all short-term rentals. The short-term</p> <p>12 rental without such license is prohibited and</p> <p>13 anyone operating or advertising an unlicensed</p> <p>14 short-term rental shall be subject to a fine of</p> <p>15 not less than \$500 and shall not be entitled to</p> <p>16 apply for a short-term rental period up to 12</p> <p>17 months from the date of the violation.</p> <p>18 That amendment is associated with taking</p> <p>19 out a date that had previously been put into</p> <p>20 the code of November 2018, which is long past</p> <p>21 now, as well as amending the code to have a</p> |

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| <p style="text-align: right;">Page 62</p> <p>1 period of up to 12 months versus --</p> <p>2 MS. PRICE: Why up to? I mean because</p> <p>3 then you got discretion. Someone might say I</p> <p>4 only want to do it for three months, and then</p> <p>5 it's not even --</p> <p>6 MS. VERDERY: It's at the discretion of</p> <p>7 code compliance.</p> <p>8 MS. PRICE: Yeah. I don't know if I want</p> <p>9 to leave that discretion up there. I think</p> <p>10 that they need to lose a season. If they're</p> <p>11 advertising and it's prohibited and we've had</p> <p>12 enough discussion now for two years that</p> <p>13 everybody knows that you're supposed to have a</p> <p>14 license.</p> <p>15 MR. DIVILIO: Not everybody. Because we</p> <p>16 had a situation where a house was inherited</p> <p>17 after somebody passed away and they were trying</p> <p>18 to use it. They were doing this to earn</p> <p>19 income.</p> <p>20 And so it's pretty quick with the software</p> <p>21 that we have that we can catch it. And if</p> | <p style="text-align: right;">Page 64</p> <p>1 you can always go in front of a judge or the</p> <p>2 jury or whatever --</p> <p>3 MR. DIVILIO: I think --</p> <p>4 MS. PRICE: If there's some absolute</p> <p>5 extenuating circumstance. But I don't know</p> <p>6 that I want to change the language to say up</p> <p>7 to. I don't know how else you can do it.</p> <p>8 MR. DIVILIO: Well, that's it, by giving</p> <p>9 them discretion and holding them accountable.</p> <p>10 We're going to have to hold Mary Kay</p> <p>11 accountable to this as well. I think that</p> <p>12 they've been through this process --</p> <p>13 MR. PACK: It will fall on Brett's</p> <p>14 shoulders.</p> <p>15 MS. VERDERY: Mike. Keep it going down.</p> <p>16 MR. PACK: Let's hear from Mike on this</p> <p>17 portion of it.</p> <p>18 Mike, can I hear from you?</p> <p>19 MR. DUELL: Yes, sir. Many of our cases</p> <p>20 are discretionary, and there are aggregating</p> <p>21 and mitigating circumstances. So our fines are</p> |
| <p style="text-align: right;">Page 63</p> <p>1 somebody does it without realizing, we're on it</p> <p>2 quick. And we can hold them accountable</p> <p>3 quickly, get the money.</p> <p>4 And in my opinion, it's more important to</p> <p>5 get a license in their hand so that we can</p> <p>6 track and hold somebody accountable than it</p> <p>7 would be to just defer and say no, go ahead,</p> <p>8 you're going to have to sell or foreclose or</p> <p>9 what have you. I think that that would be</p> <p>10 harder on any individual who simply made a</p> <p>11 mistake by not knowing.</p> <p>12 MS. PRICE: I just think people know at</p> <p>13 this point.</p> <p>14 And I mean I don't like leaving it that</p> <p>15 way. If you have some other thing where you</p> <p>16 can go in front of a board and plead your case</p> <p>17 and maybe get a PBJ, but I think if you</p> <p>18 knowingly did it, and most people are going to</p> <p>19 know at this point. We've had enough</p> <p>20 discussion for two years.</p> <p>21 I wouldn't want to put that in there, but</p> | <p style="text-align: right;">Page 65</p> <p>1 appropriate to the special situation that we</p> <p>2 often encounter.</p> <p>3 They're consistent based on what is done.</p> <p>4 When somebody shows clear intent, disregard for</p> <p>5 the law, it goes to the heavier fine. If it's</p> <p>6 a mistake of the mind and they just forgot to</p> <p>7 do it, then it would go the other way.</p> <p>8 But all our chapters have the same type of</p> <p>9 enforcement.</p> <p>10 MR. PACK: So you're saying this change</p> <p>11 would give you what you don't have now, right</p> <p>12 now you got to hit them with both the \$500 and</p> <p>13 the full year?</p> <p>14 MR. DUELL: Yes, sir.</p> <p>15 MR. PACK: So this would give you some</p> <p>16 latitude on those special cases that you</p> <p>17 believe, based on your experience and your</p> <p>18 investigation, that it may have been an</p> <p>19 oversight on the homeowner's part or</p> <p>20 extenuating circumstances that would allow you</p> <p>21 to either do a lesser fine or --</p> |

| Page 66 | Page 68 |
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| <p>1 MS. PRICE: No. The fine doesn't change, 2 doesn't look like it.</p> <p>3 MR. PACK: Well, not less than 500. Or it 4 would allow you to do a lesser number of months 5 of a suspension.</p> <p>6 MR. DUELL: That's correct.</p> <p>7 MR. PACK: Okay.</p> <p>8 MS. PRICE: Mary, is there any other way 9 to write that that basically says it is a year, 10 a year unless, rather than up to, which doesn't 11 necessarily put in someone's mind that it 12 would -- really the penalty is a year. Is 13 there any other way to word this?</p> <p>14 MR. PACK: You can wordsmith it to say 15 anything you want it to say.</p> <p>16 MS. O'DONNELL: I mean under the current 17 code, there's an ability to do what's called an 18 administrative review for the amount of the 19 fine.</p> <p>20 Up to this point, I have not interpreted 21 that to include this provision because it talks</p> | <p>1 MS. O'DONNELL: What I'm saying is that 2 under current law, there's the administrative 3 review process. So that potentially could be a 4 process that could be used by Council.</p> <p>5 MR. PACK: So this change would give Frank 6 the latitude to go above the 500 if he felt 7 that it was warranted?</p> <p>8 MR. DUELL: Absolutely.</p> <p>9 MR. PACK: So you can even go --</p> <p>10 MS. SUSS: Not less than.</p> <p>11 MR. PACK: Not less than. But where the 12 former language, current language, it sticks at 13 500.</p> <p>14 So this would give you now the ability to 15 go over that \$500 limit if someone was just 16 grossly disregarding the law. And if you 17 wanted to apply the full year, you could hit 18 them with 600, 700, 800 bucks plus a year, 19 depending on the gravity of their case.</p> <p>20 But likewise, if it was someone that you 21 felt was a clear oversight, the \$500 would be</p> |
| <p data-bbox="776 1060 844 1087">Page 67</p> <p>1 about the amount of the fine.</p> <p>2 There are several different ways to appeal 3 a code violation. One way is to take it to the 4 Board of Appeals. And then you're challenging 5 the underlying are you guilty of the event. 6 Then you can also challenge the amount of fine.</p> <p>7 Under chapter 58, there's also the ability 8 for this administrative review, which obviously 9 we have not had an administrative review 10 hearing I think ever. We have a couple right 11 now going through that process. It's a retired 12 judge who has agreed to hear these for us.</p> <p>13 But in those cases, you are admitting 14 you're guilty and it's the amount of fine that 15 the administrative review considers.</p> <p>16 As of right now, the amount of the fine is 17 not -- I don't view that as an amount of the --</p> <p>18 MS. PRICE: I wasn't talking about the 19 fine. I'm talking about the 12 months.</p> <p>20 MS. O'DONNELL: I understand.</p> <p>21 MS. PRICE: Right.</p> | <p data-bbox="1393 1060 1461 1087">Page 69</p> <p>1 imposed as a minimum and then perhaps a 2 lesser -- okay.</p> <p>3 MS. SUSS: Can I say one thing?</p> <p>4 MR. PACK: Oh, sure. More than one thing.</p> <p>5 MS. SUSS: Just very -- I can think of 6 maybe one or two times where it was something 7 that where it seemed a little blatant, but it 8 was like shadowy.</p> <p>9 Most, and it's only been going on for a 10 year. We're been doing this for a year, not 11 two years. I mean I know you all have been 12 talking about --</p> <p>13 MS. PRICE: That's what --</p> <p>14 MS. SUSS: -- a couple of years, yeah.</p> <p>15 But like all year long there were many 16 people that fell within like not knowing that 17 they had to reapply because their license 18 had -- they hadn't reapplied. So we went 19 through that all year long.</p> <p>20 So I think that we're still going through 21 a learning curve. That's just what I wanted to</p> |

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| <p style="text-align: right;">Page 70</p> <p>1 say.</p> <p>2 MR. PACK: Sure. And we appreciate that.</p> <p>3 And I think that goes to the point that</p> <p>4 Mr. Divilio was trying to make earlier. Okay.</p> <p>5 Any further comment?</p> <p>6 MR. LESHER: I tend to be biased toward</p> <p>7 giving the staff discretion over these things.</p> <p>8 There are situations that become inherently</p> <p>9 unfair, and staff has that opportunity to reach</p> <p>10 fairness, whether it is the higher fine or the</p> <p>11 lesser amount of time. In either of these</p> <p>12 cases, I tend to want to give the staff that</p> <p>13 discretion to be able to administer this</p> <p>14 provision.</p> <p>15 MS. PRICE: I just wish there was another</p> <p>16 way to write it that basically said it's a</p> <p>17 year. And then again, if there's another way</p> <p>18 to word it with the unless you have the</p> <p>19 administrative review and it is proven that you</p> <p>20 made a boo-boo or you didn't know.</p> <p>21 But at some point, we have to expect</p> | <p style="text-align: right;">Page 72</p> <p>1 But I think we were the first one.</p> <p>2 MR. PACK: We were the first one.</p> <p>3 MR. DIVILIO: And we're still, as you</p> <p>4 said, we're still finding some hiccups and some</p> <p>5 problems going through this.</p> <p>6 We can certainly tighten it up, but the</p> <p>7 whole industry is in an infancy at this point</p> <p>8 right now. And to expect anybody off the</p> <p>9 street to know everything and to know</p> <p>10 everything that we put in place, I don't expect</p> <p>11 that now --</p> <p>12 MR. PACK: All we're saying --</p> <p>13 MR. DIVILIO: I think we can get to that</p> <p>14 point down the road.</p> <p>15 MS. PRICE: You should at least know you</p> <p>16 need to have a license. Whether you know all</p> <p>17 the little intricacies of minimum standards and</p> <p>18 things like that, but you ought to know at this</p> <p>19 point that you need to have a license, that you</p> <p>20 just can't go out and rent it without getting</p> <p>21 it permitted.</p> |
| <p style="text-align: right;">Page 71</p> <p>1 people to know. I mean and we have -- when we</p> <p>2 were going through this a year and a half ago,</p> <p>3 it was in the middle of an election and it was</p> <p>4 pretty out there. I mean people -- we had</p> <p>5 people coming out by the hundreds. We have all</p> <p>6 the people that have been coming out for these</p> <p>7 work sessions. So I just feel like if you're</p> <p>8 living here in Talbot County, you ought to</p> <p>9 know.</p> <p>10 And if you're out of the area and you're</p> <p>11 not paying attention and you're out of the area</p> <p>12 and you're not even a resident here, then you</p> <p>13 need to -- you've doing it as an investment for</p> <p>14 commercial purposes, then you need to be hit</p> <p>15 with not being able to rent it.</p> <p>16 MR. DIVILIO: I think after going to MACo,</p> <p>17 when we sat in the room for the short-term</p> <p>18 rental, it amazed me how advanced Talbot County</p> <p>19 is on this and how much we've studied it and</p> <p>20 worked on it compared to any other -- well,</p> <p>21 maybe Deep Creek might have been ahead of us.</p> | <p style="text-align: right;">Page 73</p> <p>1 MR. PACK: I think two things, Ms. Price.</p> <p>2 I understand what you're saying.</p> <p>3 But I think we have to -- I feel that we</p> <p>4 need to trust that the compliance officer is</p> <p>5 going to do his due diligence to weigh the pros</p> <p>6 and cons of the particular incident. And if he</p> <p>7 feels in his experience and through his</p> <p>8 investigation that a heavier fine or heavier</p> <p>9 punishment needs to be imposed, then he can go</p> <p>10 for the full year and impose that.</p> <p>11 If he feels he needs to go over the \$500</p> <p>12 limit because of the gravity of the penalty,</p> <p>13 then he can go ahead and impose that.</p> <p>14 So I feel that this gives him what he</p> <p>15 doesn't have right now. The way this current</p> <p>16 language, you look right above it, the current</p> <p>17 law is very strict and very rigid and doesn't</p> <p>18 give him any latitude.</p> <p>19 And as we just heard from our commission</p> <p>20 member, there has been some of a learning curve</p> <p>21 through this first year.</p> |

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1 And we are very much ahead of other
 2 counties, we are, Mr. Divilio. I was quite
 3 surprised when we went to MACo this past summer
 4 of how many counties were looking for us for
 5 the example. They said how are you all doing
 6 it, how did you all figure this out. And I was
 7 like well, look at the top of my head, now you
 8 know how we figured it out. I'm losing my hair
 9 over this thing.

10 So I feel that we have made a number of --
 11 it may seem clumsy to you all. It may seem
 12 that we're bumping our heads around it. But if
 13 you go talk to other counties, they haven't
 14 even gotten nearly as far as we've gotten with
 15 STRs, nearly as far as we got.

16 So we're making great strides here. And I
 17 think this just gives us another tool in the
 18 toolbox. Allows you to weigh out pros and
 19 cons. I'm in favor of it. I think it gives
 20 you what you need to do your job adequately.

21 So if there's no further comment, I'm

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1 going to ask for a straw poll to move this
 2 forward at this time by a show of hands. By
 3 Mr. Leshner, Mr. Pack, Mr. Divilio, and
 4 Mr. Callahan. Okay.

5 Go ahead.

6 MR. CALLAHAN: There's one thing I would
 7 like to bring to staff to actually work on, a
 8 proposal.

9 I would like to see staff take a look at
 10 the 500-foot minimum surrounding on high
 11 density.

12 MR. PACK: If I may, could you go to page
 13 16 in your second packet.

14 MR. CALLAHAN: This little one?

15 MS. VERDERY: Fifteen.

16 MR. PACK: Page 15. What we're into now,
 17 we received a number of comments from you all.
 18 And this is the second packet.

19 And what I'm directing Mr. Callahan to is
 20 page 15 of the second packet regarding the
 21 distance, the 1,000-foot distance of

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1 notification from the STR.

2 And I believe, Mr. Callahan, this probably
 3 speaks more to what you were alluding to on
 4 page 15, number nine.

5 MR. CALLAHAN: Correct, correct.

6 So we've had a number of people reach out
 7 to us about some of these areas that are high
 8 density with the STRs. And when we have to
 9 sort of reach out to 1,000 feet, that creates
 10 literally hundreds of letters that need to be
 11 sent out.

12 And I kind of feel like it's a costly
 13 situation for that property owner. So I think
 14 it might be something that we want to take a
 15 look at in the high density areas, that we
 16 switch things back to 500 feet.

17 MS. VERDERY: We have specific zoning
 18 districts defined in our code for residential
 19 and village districts that I think would be
 20 applicable to what you're speaking of.

21 So we could craft language in the sections

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1 that would apply for new and renewals, that in
 2 those particular zoning districts, it would be
 3 reduced to 500 feet versus the 1,000 foot to
 4 neighboring properties.

5 MR. CALLAHAN: Okay. I would like to see
 6 staff do that if possible.

7 MR. PACK: So are you looking at VHs, VMs,
 8 Ms. Verdery, so in the --

9 MS. VERDERY: Yes. It would be the three
 10 village zoning districts that we have, village
 11 hamlet, village mixed, and village residential;
 12 as well as the RR, which is the rural
 13 residential; and the TR, which is town
 14 residential. And those five zoning districts.

15 MS. PRICE: Seems like almost everybody
 16 unless you're out in the middle of nowhere.

17 MS. VERDERY: No. That's actually very
 18 small in comparison to the rural conservation,
 19 the western rural conservation zoning districts
 20 that we have. Those districts have, the
 21 conservation districts have a density of one

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1 dwelling unit per 20. They're generally the
 2 larger lots that we have.
 3 The areas that I speak of typically have a
 4 lot size of 10,000 to maybe 30,000 square feet
 5 in size. So in those zoning districts with a
 6 minimum lot size that's that small, it's a
 7 significant number of people that you're
 8 reaching out to.
 9 MS. PRICE: So we talked about the sign,
 10 which now is going to say -- have the little
 11 thing above it that says zoning application
 12 pending with the short-term rental.
 13 Does that only go at the property or does
 14 it go at like an entrance road to the
 15 neighborhood or anything like that?
 16 MS. VERDERY: It goes on the property and
 17 it's required to be where it's visible. So to
 18 people who are passing the property. So if you
 19 are a corner lot or you front on two different
 20 streets, you need to put one on each of those
 21 streets. But if you're only fronting in one

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1 area, it needs to be visible in the front near
 2 the access point of your residence.
 3 MS. PRICE: And when does that sign go up?
 4 At the same time as the mailing-ish?
 5 MS. VERDERY: Fifteen days prior to the
 6 board review.
 7 MR. LESHER: Where does this thousand
 8 feet, or 500 foot if this alternate is to be
 9 offered, does that start at the property line
 10 of the subject property, from there out?
 11 MS. VERDERY: It's from the subject
 12 dwelling. So from that dwelling, we draw
 13 1,000-foot circle, or now potentially 500-foot
 14 circle, from the dwelling that's being rented.
 15 MR. LESHER: The perimeter of that
 16 structure?
 17 MS. VERDERY: Right.
 18 MR. LESHER: So if I have a large lot in
 19 one of these zones that is zoned for small
 20 lots, if the lot is large enough, I might not
 21 even be addressing this, need to address this

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1 to the neighbors? Say if my house is on a
 2 large lot and it's offset to one side, I've got
 3 a 600-foot lot. Even the neighbor might not
 4 need to get notice under this provision?
 5 MS. VERDERY: No. So the provisions say,
 6 A, that is properties that are contiguous to a
 7 short-term rental property; B, properties that
 8 are across a roadway, easement, or right of way
 9 from a property; and then C, is the within
 10 1,000-foot distance; and then D are property
 11 owners -- are homeowner's association.
 12 And based on the decisions that have been
 13 made by the Council, we propose to do an E,
 14 which is for the private road, which would be
 15 everyone along a private road.
 16 MR. LESHER: So you must meet only one of
 17 those provisions in order to get a notice?
 18 MS. VERDERY: Right, that's correct.
 19 MS. PRICE: So if it's a homeowner's
 20 association, everybody in that neighborhood.
 21 MS. VERDERY: The representative of the

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1 homeowner's association is notified.
 2 MS. PRICE: Only the representative of the
 3 homeowner's association. Should it be changed
 4 to the property line? You know, 500 feet out
 5 from the property line, because you might
 6 get --
 7 MR. DIVILIO: -- you're touching.
 8 MS. VERDERY: But you're already going to
 9 have a contiguous requirement. So everybody
 10 who is already contiguous is going to be
 11 notified.
 12 MS. PRICE: But the second house over
 13 might not get a notification, and I think the
 14 second house over probably should.
 15 So would it be difficult to say --
 16 MR. DIVILIO: But if they're three miles
 17 down the road. It's almost impossible to get
 18 this. Then you start thinking about the water
 19 cutting in and water coming up to the road,
 20 then the next property. Could be within 500
 21 feet --

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1 MS. PRICE: Three miles. But the three
 2 miles wouldn't hit your 1,000 feet either.
 3 MR. DIVILIO: That's what I'm saying. But
 4 you're not -- it could be the next door
 5 property. But if you own 100 acres and you're
 6 in the middle of it, you're not notifying
 7 anybody.
 8 MS. PRICE: We're talking about high
 9 density areas right now.
 10 MS. VERDERY: Right.
 11 MS. PRICE: We're only talking about the
 12 high density going from 1,000 to 500.
 13 MS. VERDERY: The other problem is there
 14 are no two parcels that are shaped exactly the
 15 same, and a lot of them are very unique
 16 configurations.
 17 So it is much easier for us to put a point
 18 on a map where that structure is and come out
 19 1,000 feet than try to figure out where all of
 20 those unique lines are and how each of those
 21 boundaries from that 1,000-foot. It's a lot

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1 easier for the notification if we use the
 2 dwelling.
 3 MR. PACK: Are you taking that starting
 4 point from the -- so you're not starting from
 5 the center of the structure, you're starting
 6 from the outside point of the structure? So
 7 from the edge of a corner or from the front
 8 door?
 9 MS. VERDERY: Right. I mean we put a
 10 point in the middle of the structure and then
 11 we go out 1,000 feet. So if anybody is right
 12 on that edge, we put them in because the
 13 structure is potentially 50 feet long by
 14 however many wide.
 15 So we see where that line falls on
 16 adjoining properties. If somebody's line is
 17 very close to that, we usually tell them to add
 18 those into the requirement because they're
 19 technically within 1,000 foot of the dwelling.
 20 MR. PACK: Okay. So this would only
 21 impact those high density areas. So it's VR,

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1 VM, VH, RR, and TRs that are listed.
 2 MS. VERDERY: And the County Council did
 3 go through a significant remapping of our
 4 villages to try to take out properties that
 5 were large.
 6 MR. PACK: We did.
 7 MS. VERDERY: Village properties. So
 8 having that same impact which we would have
 9 historically is a little different now.
 10 MR. PACK: Okay. So this was a public
 11 comment that came in on page 15 requesting one
 12 mailing to neighbors within 500 feet of an STR.
 13 The density portion is under staff comment.
 14 Okay. So that's not even offered at this time.
 15 MR. CALLAHAN: Yeah.
 16 MR. PACK: On page nine, Council, under
 17 public comment matrix, Mr. Callahan is offering
 18 that we bring in number nine. Has a 12 beside
 19 it.
 20 MR. CALLAHAN: Right, right.
 21 MR. PACK: Okay. For one mailing for

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1 neighbors within 500 feet of an STR. And
 2 Council comment is the density areas that are
 3 outlined VH, VM, VR, TR.
 4 MR. LESHER: There's a further public
 5 comment in here, comment 78, about those in
 6 line of sight. These other provisions have
 7 been taken care of, but we haven't addressed
 8 line of sight.
 9 I presume that's going to be largely
 10 across waterways and things like that.
 11 Does staff have any -- it might be a
 12 little trickier in terms of determining.
 13 Does staff have any input on that line of
 14 sight provision?
 15 MS. VERDERY: Yes. That's already in the
 16 code for across the water in C, it's currently
 17 there. It says including line of sight within
 18 1,000 feet across waterways of the short-term
 19 rental dwelling.
 20 So that's a provision that we use even
 21 with Board of Appeals for variances and special

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| <p>1 exceptions and notifications. So we already</p> <p>2 use that 1,000 foot across the waterway for</p> <p>3 many of our other projects and boards and</p> <p>4 commissions.</p> <p>5 MR. PACK: So that's already covered.</p> <p>6 MS. VERDERY: So we left that. We've only</p> <p>7 amended the reduce to 500 feet for the</p> <p>8 surrounding properties not across a waterway.</p> <p>9 MR. LESHHER: That line of sight provision</p> <p>10 would be unaffected by this change?</p> <p>11 MS. VERDERY: That's correct. As we</p> <p>12 propose it.</p> <p>13 MR. PACK: So Ms. Bogan and Edwards to</p> <p>14 reduce the 1,000-foot requirement and, as we</p> <p>15 already talked about, to stay within 500 feet</p> <p>16 of the STR.</p> <p>17 And so if there's no further comment, I</p> <p>18 would ask that for a show of hands to move the</p> <p>19 500-foot mailing in those density areas.</p> <p>20 MR. CALLAHAN: To 500 instead of 1,000.</p> <p>21 MR. PACK: Right. Instead of 1,000 foot.</p> | <p>1 MR. PACK: Two years.</p> <p>2 MS. VERDERY: He thinks it might be 250</p> <p>3 for the renewals.</p> <p>4 MR. SALINAS: I'll check.</p> <p>5 MS. VERDERY: But we have done an</p> <p>6 evaluation. Mr. Leshher had asked us to review</p> <p>7 what our costs are associated with</p> <p>8 administering this.</p> <p>9 And we have talked with everyone who is</p> <p>10 involved in that process, from the receptionist</p> <p>11 who accepts the documents and processing the</p> <p>12 application to staff who has to write a staff</p> <p>13 report and participate in the board.</p> <p>14 And we feel as though that we would</p> <p>15 probably come to you during the upcoming budget</p> <p>16 cycle and ask for those applications to be</p> <p>17 amended, the cost for those to be more</p> <p>18 consistent with what it actually costs staff</p> <p>19 time, Office of Law, as well as --</p> <p>20 MS. PRICE: So probably a little higher?</p> <p>21 MS. VERDERY: Correct.</p> |
| Page 87 | Page 89 |
| <p>1 Just in those density areas.</p> <p>2 Any further comment? Ask for a show of</p> <p>3 hands to move this forward at this time. By</p> <p>4 Council, Ms. Verdery.</p> <p>5 Council members, looking at the public</p> <p>6 comment matrix, many of these we've already</p> <p>7 touched on. Are there any other public</p> <p>8 suggestions that any other Council member</p> <p>9 wishes to pull off this matrix at this time?</p> <p>10 MS. PRICE: The renewal.</p> <p>11 MR. CALLAHAN: I got one. Go ahead.</p> <p>12 MS. PRICE: It's a question.</p> <p>13 MR. PACK: Okay.</p> <p>14 MS. PRICE: There's a fee for the one-year</p> <p>15 initial.</p> <p>16 Is the fee the same for the two-year</p> <p>17 renewal? Do you get two years for the price of</p> <p>18 one?</p> <p>19 MS. VERDERY: No. It's \$300 for a new</p> <p>20 application and 150 for renewals.</p> <p>21 MS. PRICE: And the renewal lasts?</p> | <p>1 MR. LESHHER: Whatever it is to make it</p> <p>2 revenue neutral just -- the county shouldn't be</p> <p>3 subsidizing.</p> <p>4 MS. PRICE: Right.</p> <p>5 MR. LESHHER: The STR program.</p> <p>6 MS. VERDERY: Right. So we've determined</p> <p>7 those numbers just briefly trying to figure</p> <p>8 those out.</p> <p>9 MR. SALINAS: It's 250 for renewal.</p> <p>10 MS. VERDERY: 250 currently. So we'll be</p> <p>11 presenting you with the actual numbers and</p> <p>12 support for what the numbers should be moving</p> <p>13 forward.</p> <p>14 MR. PACK: Okay. Thank you.</p> <p>15 One thing I wanted to bring out of the</p> <p>16 public comment section of it, Council, was</p> <p>17 starting on page 17. And I want to ask the</p> <p>18 board also direct their attention to page 17.</p> <p>19 There's basically no policy or changes</p> <p>20 that are being offered up by the public, but</p> <p>21 there's a pretty substantial list of comments</p> |

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| <p>1 that are offered under conduct of the board.</p> <p>2 Again, there's no changes being offered up, but</p> <p>3 those comments, when I read through them, did</p> <p>4 give me some pause.</p> <p>5 So I would ask that you all just draw your</p> <p>6 attention to those comments on page 17 and also</p> <p>7 page 18. Again, there was no -- the public</p> <p>8 didn't offer any changes, but just wanted to</p> <p>9 draw your attention to those comments. Okay.</p> <p>10 MS. PRICE: I spoke to the chairman. And</p> <p>11 sometimes we're hearing the comment in</p> <p>12 isolation and not as part of the broader</p> <p>13 conversation. And so some of the comments when</p> <p>14 you just read them like this, look bad. But</p> <p>15 then when you get them in context of what was</p> <p>16 going on, they made a little more sense.</p> <p>17 So you don't -- sometimes you get the</p> <p>18 soundbite and not the whole thing.</p> <p>19 MR. PACK: I think it was -- and I do</p> <p>20 agree with you, Ms. Price, that that does</p> <p>21 occur.</p> | <p>1 MR. CALLAHAN: Okay. Does that mean, and</p> <p>2 the way I'm understanding, does that mean</p> <p>3 actually just on the property at all times? So</p> <p>4 if we are having an event or a birthday party</p> <p>5 or something to that effect, we're still only</p> <p>6 allowed to have 12 people?</p> <p>7 MS. VERDERY: That's correct.</p> <p>8 MR. DIVILIO: Children. You said adults.</p> <p>9 MS. VERDERY: There is an age limit for</p> <p>10 children that are --</p> <p>11 MR. SALINAS: Eighteen months of age or</p> <p>12 less are exempted from the occupancy.</p> <p>13 MS. PRICE: I think the point is they</p> <p>14 don't want them to become party sites to have</p> <p>15 intrusiveness on the neighbors because if</p> <p>16 you're living in the house, you might have a</p> <p>17 party or two a year. Unless you're</p> <p>18 Mr. Callahan, you have a party every weekend.</p> <p>19 MR. CALLAHAN: I do.</p> <p>20 MS. PRICE: But you never invite me.</p> <p>21 But if you're a short-term rental, that's</p> |
| Page 91 | Page 93 |
| <p>1 But there were a number of comments from a</p> <p>2 number of different persons, individuals.</p> <p>3 So again, I just ask you guys take a look</p> <p>4 at that.</p> <p>5 So Council, any other public comment?</p> <p>6 MR. CALLAHAN: I have one.</p> <p>7 MR. PACK: You have another one?</p> <p>8 MR. CALLAHAN: Yeah. Let's start off on</p> <p>9 the minimum occupancy. It looks like a lot of</p> <p>10 people --</p> <p>11 MR. PACK: What page number?</p> <p>12 MR. CALLAHAN: Fifteen.</p> <p>13 MR. PACK: Fifteen?</p> <p>14 MR. CALLAHAN: Yeah. So Mary Kay, so</p> <p>15 remind me for occupancy on how many people?</p> <p>16 MR. PACK: Twelve.</p> <p>17 MR. CALLAHAN: Can stay if the house has</p> <p>18 eight bedrooms?</p> <p>19 MS. VERDERY: It's a maximum of two</p> <p>20 persons per bedroom up to 12 occupants, adult</p> <p>21 occupants. So you can only have 12 occupants.</p> | <p>1 somewhat different --</p> <p>2 MR. CALLAHAN: You want me to comment?</p> <p>3 MS. PRICE: It's your birthday; isn't it?</p> <p>4 MR. CALLAHAN: It is, it is.</p> <p>5 MS. PRICE: Oh, dear. We might have a</p> <p>6 birthday party.</p> <p>7 But if it's a vacation rental, you could</p> <p>8 end up with a party there every week. And that</p> <p>9 might get to be intrusive. So I believe that</p> <p>10 that's why we did that, that we didn't want a</p> <p>11 whole bunch of people coming over.</p> <p>12 It's a place to stay, enjoy the community,</p> <p>13 hopefully go out to eat and all that, not to</p> <p>14 necessarily be entertaining and having parties</p> <p>15 at the short-term rental property, which is why</p> <p>16 I think we put that restriction into place,</p> <p>17 that we didn't want large quantities of people</p> <p>18 because it starts infringing on the neighboring</p> <p>19 properties.</p> <p>20 MR. CALLAHAN: So would it sort of be</p> <p>21 worth talking about not necessarily keeping 12</p> |

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| <p>1 people there, but possibly having sort of a --</p> <p>2 I'm just thinking through this because I've</p> <p>3 actually been thinking through it a little bit.</p> <p>4 So only 12 people can sleep there, but yet</p> <p>5 at, I'm just using this as an example, at eight</p> <p>6 or nine o'clock, there's a time frame where</p> <p>7 everybody goes to bed, so to speak, and there's</p> <p>8 12 in there.</p> <p>9 But yet if you're having a birthday party</p> <p>10 or some type of celebration, that 16 people are</p> <p>11 allowed there. Then after the dinner,</p> <p>12 everybody leaves.</p> <p>13 So if there is a problem and the</p> <p>14 enforcement come there at nine o'clock or</p> <p>15 eight o'clock or whatever we deem is</p> <p>16 appropriate, that possibly there's 12 people</p> <p>17 there and there's not 16.</p> <p>18 MS. PRICE: The properties are all so</p> <p>19 different.</p> <p>20 MR. CALLAHAN: But that's my point.</p> <p>21 MS. PRICE: On property that's two or</p> | <p>1 and bonfires in the backyard.</p> <p>2 We're trying to legislate a problem that</p> <p>3 hasn't existed yet. We haven't received --</p> <p>4 MS. PRICE: But it would in a place like</p> <p>5 Rio Vista. So that's why it's very hard to</p> <p>6 apply one standard. It's like when we went</p> <p>7 through the noise ordinance.</p> <p>8 MR. DIVILIO: They have an HOA that they</p> <p>9 can apply, right. So their neighborhoods would</p> <p>10 be able to tighten restrictions if they wanted</p> <p>11 to.</p> <p>12 MS. PRICE: We don't enforce their HOA.</p> <p>13 MR. PACK: We don't enforce HOAs.</p> <p>14 MS. PRICE: Correct. So the point is that</p> <p>15 you had to apply some standard that's going to</p> <p>16 work for the majority of places.</p> <p>17 So again, out in the middle of somewhere</p> <p>18 where it's one per 20, it isn't a problem. But</p> <p>19 you can't say the standard is different unless</p> <p>20 you say it's different in certain zones. In</p> <p>21 the high density you can't and out in the</p> |
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| <p>1 three or five acres, it's honestly, I agree,</p> <p>2 it's not a problem.</p> <p>3 But in a place like Rio Vista, it's a</p> <p>4 problem.</p> <p>5 MR. DIVILIO: But the people are so</p> <p>6 different. If you've got a group of senior</p> <p>7 ladies who are here for a bunco tournament</p> <p>8 during the middle of the day, that's totally</p> <p>9 different than if you've got a bunch of -- I</p> <p>10 don't even know. Nobody in their 20s are even</p> <p>11 coming to party because we offer them nothing.</p> <p>12 People are so different. What they're</p> <p>13 coming -- Talbot County sells itself to come</p> <p>14 here, enjoy the meals, come enjoy the quiet,</p> <p>15 the bay, the --</p> <p>16 MS. PRICE: You just said it. You said</p> <p>17 the quiet.</p> <p>18 MR. DIVILIO: Yes. Because 12 people can</p> <p>19 be quiet.</p> <p>20 This room is quiet, and look at them. If</p> <p>21 they're all here, they're not throwing parties</p> | <p>1 conservation you could.</p> <p>2 Then are we opening a can of worms? If</p> <p>3 we're changing the requirement to 500 feet for</p> <p>4 certain zoning districts, then do you say okay,</p> <p>5 in those zoning districts, you can only have</p> <p>6 two per bedroom because you probably don't have</p> <p>7 a very large house in those zoning districts</p> <p>8 and if you're out in a property that's</p> <p>9 five acres or so, you're not going to bother</p> <p>10 anybody else?</p> <p>11 It just becomes very cumbersome to apply</p> <p>12 that regulation in different circumstances,</p> <p>13 which is why we tried to keep it as simple as</p> <p>14 possible and say this is for people to come and</p> <p>15 stay.</p> <p>16 And when you say eight or nine o'clock,</p> <p>17 well, that's not what we did with like the</p> <p>18 noise ordinance. Like ten or 11 for the music</p> <p>19 and things like that.</p> <p>20 And honestly, if somebody is in their home</p> <p>21 and they've come home from work, because</p> |

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| <p>1 remember the neighbor is working, you get home 2 at five or six o'clock and you want to sit out 3 back and enjoy a cocktail and enjoy the quiet. 4 But at six o'clock, the vacation renewal next 5 door is having a birthday party. Chuck's 6 birthday party in the vacation rental, right. 7 That's disturbing and -- 8 MR. CALLAHAN: It could be. 9 MR. DIVILIO: It could be. It could be 10 their 75th birthday and that's not going to be 11 a wild party. 12 MS. PRICE: But again -- 13 MR. DIVILIO: You keep coming back to 14 this. 15 MS. PRICE: What if you don't know and it 16 is going to start disturbing in a residential 17 neighborhood. 18 MS. SUSS: What if Chuck lives next door 19 forever? 20 The difference, when vacation renewals are 21 next door, people come and go and there could</p> | <p>1 that three or more of the Council agreed that 2 this was the best course of action to take 3 because there are so many different 4 circumstances. 5 If you can change it for well, it's 6 probably okay over here, and then all of a 7 sudden in a place that has 10,000 square foot 8 lots, it's a problem. 9 MS. VERDERY: When we had this 10 conversation with the Council when we drafted 11 this legislation, we had both the Rio Vista, 12 Bentley Hay community were very vocal about it, 13 as well as some larger, five-plus-acre lots, 14 but they had swimming pools that were closer to 15 their adjoining neighbors. 16 And when they had pool parties, there was 17 great concern about the noise level that was 18 created. They cranked up the radio at the 19 pool, they had pool parties that were impacting 20 the neighbors. And that's part of why we 21 created this legislation and didn't make it</p> |
| Page 99 | Page 101 |
| <p>1 be one party a year. But if you have Chuck 2 Callahan next door, you could have one every 3 weekend. 4 MS. PRICE: You could. 5 MS. SUSS: And he'll never leave. 6 MS. PRICE: But guess what, (inaudible). 7 MS. SUSS: Right. Anybody could live next 8 door and live there for a long time. 9 MS. PRICE: All joking aside, being 10 realistic, if you're living in the house 12 11 months out of the year, you're probably not 12 having a party every weekend. 13 However, if you're in a vacation rental, 14 the likelihood is more that you would be having 15 people over because you're on vacation. But 16 the people on either side of you are not on 17 vacation. 18 And we went through this for months in 19 2018 and we talked through this and we had 20 public hearings and we had these very same 21 conversations. And we came to an agreement</p> | <p>1 specific to well, if your property is larger 2 than this size, it's okay, versus smaller than 3 that size, it's not. 4 It seemed to be a concern regardless of 5 the property size. 6 MR. SALINAS: We do have, in 33.20 of the 7 code where it specifies that if you're using 8 the property as a short-term rental, that there 9 are certain things that you cannot do. You 10 can't have a wedding, you can't do a corporate 11 retreat or some sort of banquet or fundraiser, 12 you can't shoot off fireworks, and you can't 13 have any other activity that exceeds the noise 14 limitations in the county code. 15 So whether there's four people on the 16 property or 12 people on the property or 17 whatever that number is going to be, anything 18 they do currently, if there's going to be a 19 violation, it's going to be -- and they're not 20 doing a special event like that, it's going to 21 be related to noise most likely.</p> |

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| <p>1 MR. CALLAHAN: Mike, have we had any</p> <p>2 violations too many people on the property?</p> <p>3 MR. DUELL: Yes, we have.</p> <p>4 MR. CALLAHAN: We have.</p> <p>5 MR. DUELL: And they were fined. I</p> <p>6 believe it was \$1,000 to the license holder.</p> <p>7 It was a party situation, and it was -- it</p> <p>8 got loud.</p> <p>9 By the same token, I know I've been on one</p> <p>10 over the summertime where it was early</p> <p>11 afternoon. It was a birthday party. Most of</p> <p>12 the occupants had already left, and there was</p> <p>13 just a five-year-old child's birthday party.</p> <p>14 And the renters said yes, it got a little loud</p> <p>15 and we got in the pool and had a good time.</p> <p>16 But we didn't take action in that sense, in</p> <p>17 that instance.</p> <p>18 MR. PACK: I think to Ms. Price's point,</p> <p>19 Mr. Callahan, when we came up with this last</p> <p>20 year or last term, I think we were trying to</p> <p>21 err on the side of community tranquility,</p> | <p>1 areas that we just talked about. It could be.</p> <p>2 It could get quite noisy in those smaller</p> <p>3 areas.</p> <p>4 MR. CALLAHAN: So Council, so we've done</p> <p>5 with the 500 foot, that's with high density.</p> <p>6 Would we even look at the less density</p> <p>7 places --</p> <p>8 MS. PRICE: No. Just because of what Mary</p> <p>9 Kay just said. One property owner that we</p> <p>10 heard from a lot was on a very large,</p> <p>11 multi-million-dollar estate, and yet the other</p> <p>12 house -- the house, neighboring house was --</p> <p>13 and the pool was rather close, even though the</p> <p>14 lots were large because they were on the water</p> <p>15 because you're going to tend to build it down</p> <p>16 there. And that was one of the biggest</p> <p>17 problems we had leading up to it.</p> <p>18 And honestly, if you got 75-year-old</p> <p>19 ladies playing bunco inside, nobody is going to</p> <p>20 complain, probably nobody is even going to know</p> <p>21 if a couple of extra people come over to the</p> |
| Page 103 | Page 105 |
| <p>1 putting in place the standard of 12, minimum of</p> <p>2 12.</p> <p>3 MS. PRICE: Maximum.</p> <p>4 MR. PACK: Maximum of 12. Thank you.</p> <p>5 Maximum of 12. And they have to be listed on</p> <p>6 that rental document. Was also to give Mike</p> <p>7 some direction when he got to the property as</p> <p>8 far as how to handle that situation.</p> <p>9 So it was also to consider what he would</p> <p>10 need when he got a complaint to come there and</p> <p>11 pull that rental certificate and look at the</p> <p>12 names that were there and match them up to who</p> <p>13 was on the property. That would be his</p> <p>14 instrument to use for that.</p> <p>15 And also we just needed to put in place,</p> <p>16 again, for community tranquility, if you put it</p> <p>17 that way, a particular standard. I think the</p> <p>18 number of 12 is what we came up with.</p> <p>19 I'm not right now to the point of changing</p> <p>20 it. I think it is working. It's more for the</p> <p>21 good of the community on those smaller density</p> | <p>1 house. I'm not saying that you should have any</p> <p>2 extra people come over to the house. But if it</p> <p>3 is something very small like that and you've</p> <p>4 got your mom and dad come over while you're</p> <p>5 renting a property, technically you're not</p> <p>6 supposed to do it. But if you're just sitting</p> <p>7 in the house, you're not going to get the</p> <p>8 complaint.</p> <p>9 It's that when you get the complaint, you</p> <p>10 have an open the door and he's got something to</p> <p>11 follow.</p> <p>12 But I don't think the 75-year-old four</p> <p>13 ladies playing bunco is going to be a problem</p> <p>14 because nobody is going to complain about it.</p> <p>15 MR. DIVILIO: I would if I don't get</p> <p>16 invited.</p> <p>17 MR. PACK: You haven't offered up any of</p> <p>18 these for consideration. Any one of these you</p> <p>19 want to offer at this time?</p> <p>20 MR. CALLAHAN: I don't have a whole lot of</p> <p>21 help here.</p> |

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| <p>1 MR. PACK: I just want to make sure.</p> <p>2 MR. CALLAHAN: Okay.</p> <p>3 MR. PACK: No, okay. So are there any</p> <p>4 other public comment that any other Council</p> <p>5 member looked at they want to offer up at this</p> <p>6 time?</p> <p>7 MR. McQUAY: I have one.</p> <p>8 MR. PACK: Yes, Mr. McQuay.</p> <p>9 MR. McQUAY: At the last meeting --</p> <p>10 MR. PACK: Can you give us the page</p> <p>11 number?</p> <p>12 MR. McQUAY: Page seven.</p> <p>13 MR. PACK: Page seven.</p> <p>14 MR. McQUAY: Article 21.</p> <p>15 MR. PACK: I think we've already covered</p> <p>16 that, but let's go back.</p> <p>17 MR. McQUAY: Yeah.</p> <p>18 MS. PRICE: Which group are you in?</p> <p>19 MR. PACK: The public comment section.</p> <p>20 MR. McQUAY: Yes.</p> <p>21 MS. VERDERY: Are you in the public or the</p> | <p>1 not an STR rental, but just to actually rent?</p> <p>2 MR. McQUAY: I'm not sure. They're</p> <p>3 renting the large mansion house or the estate.</p> <p>4 That's the property they're renting, but I</p> <p>5 don't have any details about what they're --</p> <p>6 how they work it.</p> <p>7 MR. CALLAHAN: So if they're just renting</p> <p>8 it to rent out their guest cottage for four</p> <p>9 months and they're offering just a rental for a</p> <p>10 nurse that wants to rent something for three</p> <p>11 months or four months, maybe -- I mean that's a</p> <p>12 good point, but that could be.</p> <p>13 MR. McQUAY: Yeah.</p> <p>14 MR. PACK: So you're saying that on the</p> <p>15 particular property, they were renting for long</p> <p>16 term and for short term?</p> <p>17 MR. McQUAY: Right.</p> <p>18 MR. CALLAHAN: They were advertising.</p> <p>19 MR. PACK: Advertising.</p> <p>20 MR. CALLAHAN: They were advertising it,</p> <p>21 but what type of rental --</p> |
| <p>1 board's comments?</p> <p>2 MS. SUSS: He's in this.</p> <p>3 MR. PACK: That's the revision from last</p> <p>4 time. That's what we covered last time.</p> <p>5 MR. McQUAY: Yeah.</p> <p>6 MR. PACK: That's already been voted on.</p> <p>7 Do you have a question about what we did last</p> <p>8 time, Mr. McQuay?</p> <p>9 Let me pull that document up. Page seven.</p> <p>10 MS. PRICE: (Inaudible) lease per rental.</p> <p>11 MR. McQUAY: I asked a question up here at</p> <p>12 the last meeting about two rentals on the same</p> <p>13 property.</p> <p>14 And I noticed -- I was told that the</p> <p>15 county doesn't have any influence over</p> <p>16 long-term rentals, but I notice down in Langdon</p> <p>17 Farm about a month ago, they had a sign out</p> <p>18 that advertised short and long-term rentals. I</p> <p>19 mean theoretically you could have two rental</p> <p>20 groups on the same property.</p> <p>21 MR. CALLAHAN: Are they renting them for,</p> | <p>1 MS. PRICE: Well, what if you had a big</p> <p>2 house and a little house and you're renting the</p> <p>3 big house as long-term rental, can you then</p> <p>4 rent the smaller house, or vice versa, as a</p> <p>5 short-term rental?</p> <p>6 MR. PACK: No.</p> <p>7 MS. VERDERY: The code doesn't allow it.</p> <p>8 MR. McQUAY: I think they're only renting</p> <p>9 the large house. The smaller house is being</p> <p>10 used by the caretaker.</p> <p>11 MS. SUSS: You're talking about Langdon</p> <p>12 Farms?</p> <p>13 MR. McQUAY: Yeah.</p> <p>14 MS. SUSS: Yeah. They came in front of us</p> <p>15 for a short-term rental.</p> <p>16 MR. McQUAY: Yeah, they were here. Yeah,</p> <p>17 they did.</p> <p>18 MR. CALLAHAN: That's a good point.</p> <p>19 MR. PACK: Any other on the public comment</p> <p>20 matrix?</p> <p>21 Again, much of this we covered last time.</p> |

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| <p>1 Do you have anything, Mr. Divilio? Do you 2 have anything? Pete, you have anything? Okay. 3 And I don't have anything on there myself. 4 Are there any other additional staff 5 comments or considerations at this time? 6 MS. VERDERY: No, sir. 7 MR. PACK: There are none. Okay. So we 8 have just about 15 minutes. Any closing 9 comments? 10 MR. CALLAHAN: Yeah. I would really like 11 to voice my appreciation to everybody that's 12 been e-mailing us and taking that in 13 consideration, spending time to e-mail us. 14 Sometimes it's hard for all of us to get back 15 to you, but we all try to acknowledge that you 16 have e-mailed us. 17 We're working really hard for you guys to 18 try to balance this whole thing out. I know 19 it's not something everybody gets and everybody 20 wants, but we're doing our best I think all of 21 us as a community.</p> | <p>1 That's kind of why we're here and we're 2 tweaking this thing. I think we have a great 3 document, just like Mr. Divilio said. We're 4 setting standards throughout the state on how 5 to do this. So I want to commend everybody for 6 your guys' input in helping us do that, too. 7 So I just want to thank everybody. 8 MR. PACK: Okay. Just for information 9 purposes, nothing that we did here this evening 10 or the last work session changes anything at 11 this point. These are just straw votes. 12 Staff is going to now take what we decided 13 on to move forward. Those will be drafted into 14 a final matrix or final document, and then they 15 will be scheduled for introduction by Council 16 at a later date. So all the votes taken here 17 today were just to move them over to the 18 Council's consideration for introduction. They 19 still have to be introduced. 20 There will be a public hearing, and that 21 will allow you to come forward and give your</p> |
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| <p>1 It's been good because I think you guys 2 have been great. You've been treating us with 3 respect, and I really appreciate that. 4 And I want to thank the committee for your 5 hard work. I really do. I know we need a 6 couple new people. We're going to find you 7 some new people. I appreciate you hanging in 8 there with us. I know it's sometimes a 9 thankless job. But you're very, very crucial 10 to this process and we really, really 11 appreciate it. So I want to thank you on that. 12 And as far as staff is concerned, I know 13 sometimes Council puts you in a position to try 14 to balance a lot of things out. And I really 15 want to thank you guys for sitting down with us 16 and trying to come up with a simple plan. I 17 think we've got great work here. You guys 18 worked hard to try to massage this stuff for us 19 and the public. So it's hard for you guys to 20 do that. 21 And we don't get it right all the time.</p> | <p>1 input on those items that are introduced. 2 So we had a lot of discussion here this 3 evening. Don't go back home and say they 4 changed things. Nothing has been changed. 5 It's just been moved over so that when we come 6 together for our normal Council meeting, they 7 can then be introduced. A public hearing will 8 be set. You will have an opportunity to come 9 in, give your comments to us at that time, 10 write to us as you've been doing. As 11 Mr. Callahan said, we really appreciate your 12 comments. 13 We have taken time to put those into the 14 matrix because we wanted to show you that we 15 were listening. And a couple of those have 16 been brought up and have been moved forward 17 even tonight. 18 So don't think that this ends the process. 19 It does not end the process. It's just the 20 middle stage of the process. 21 MS. VERDERY: Planning Commission.</p> |

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1 MR. PACK: Yes. And the Planning
 2 Commission would also weigh in on it as well.
 3 Thank you, Ms. Verdery.
 4 So Mary Kay, do you or Ms. O'Donnell want
 5 to clarify any of my steps that I may have
 6 missed?
 7 MS. VERDERY: No. That's correct. Once
 8 the Council introduces it, then it will be
 9 referred to the Planning Commission.
 10 The Planning Commission will have their
 11 public hearing and go through their process and
 12 make a recommendation on all of those
 13 amendments that have been proposed and moved
 14 forward by the Council.
 15 And then it will move forward to the
 16 County Council, and they will also have a
 17 public hearing. So there's ample opportunity
 18 again for public participation.
 19 MR. PACK: Do you have a time frame when
 20 you will have a final document posted on the
 21 website to be looked at?


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1 Are we going to post those before
 2 introduction for persons to look at or are you
 3 going to wait for introduction, the matrix?
 4 MS. O'DONNELL: The matrix we can
 5 definitely post to the website.
 6 Generally Council's procedure is to not
 7 distribute legislation before it's introduced.
 8 MR. CALLAHAN: Then that gives the public
 9 (inaudible) to give comment.
 10 MR. PACK: Right. We'll wait then for
 11 introduction.
 12 Mike, anything from you?
 13 MR. DUELL: No, sir.
 14 MR. PACK: Brett?
 15 MR. GARDNER: No, sir.
 16 MR. PACK: Miguel?
 17 MR. SALINAS: No.
 18 MR. PACK: Mary Kay?
 19 MS. VERDERY: No.
 20 MR. PACK: Mary?
 21 Anything else from STR Board?

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1 MS. SUSS: No.
 2 MR. PACK: Any final comments from
 3 Council? No.
 4 Again, we thank you all very much for
 5 coming out and being part of this.
 6 Again, the process is not over. You will
 7 be hearing from us shortly when we're going to
 8 schedule this for introduction.
 9 Thank you.
 10 (Work Session concluded at: 7:48 p.m.)
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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, Talbot
 5 County Council Audio, personally appeared before me
 6 at the time and place herein set according to law,
 7 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 23rd
 day of January, 2020, at Easton, MD.

 Diane Houlihan
 Notary Public
 My commission expires September 16, 2021

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