

June 22, 2023

The Town Board of the Town of Warwick held a Hearing to Appeal the Revocation of Airbnb Permit for 7 Silo Lane, Warwick NY, said public hearing was held on Thursday, June 22, 2023 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor opened the public hearing at 7:00 p.m.

**ATTENDANCE:** Supervisor Michael Sweeton  
Councilman James Gerstner  
Councilman Floyd DeAngelo  
Councilman Russell Kowal  
Councilman Kevin Shuback

Attorney for the Town, Jay Myrow

**LEGAL NOTICE:** The Clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on June 14, 2023.

(Copy of this legal notice is printed at the end of these minutes.)

Supervisor Sweeton – The first item tonight is a hearing on a revocation of an Airbnb permit. This is a hearing because Mr. Spiegel’s property is operating as an Airbnb, it has a permit but it was revoked for a violation of Chapter 129 for two portions of that code. One was advertising for more guests than it was approved for and the other was for garbage being left out for an extended period of time. Mr. Spiegel had submitted a response to that revocation notice and the Board has received that to go over explaining his side of that. The code does allow him to ask for an appeal, so your permit stays in effect until a decision by the Board is made.

Adam Spiegel – 7 Silo Lane – There are two items here, one is a view of our property from the camera system and the other is a letter that we wrote to our neighbors that was delivered to each of them today. “Good evening, I would like to address the concerns surrounding the potential revocation of our short-term rental permit for 7 Silo Lane. I wish to express my utmost respect for the valuable time and resources that the board has devoted to this matter.

It has come to our attention that a neighbor, acting in good faith, submitted an email to the building department along with accompanying photos, citing issues such as excessive guest numbers and the improper management of trash on our property. While we understand that these allegations have raised legitimate concerns, I assure you that they do not accurately reflect the diligent efforts we have put forth in maintaining our property and adhering to the guidelines outlined in our permit.

To address the matter of guest numbers, we have taken proactive steps to ensure strict compliance with the specified headcount for each group that visits our property. We have exterior cameras installed covering each door of our property enabling us to closely monitor and verify that the headcount matches the reservation. Furthermore, I personally dedicate a significant amount of time each week to the upkeep of the property, and we have

a full-time property assistant who attends to the house a minimum of 1-2 times per week, ensuring its well-maintained condition.

Regrettably, it is true that we listed the maximum allowable guests for our property as 12, rather than the permitted 8. I take full responsibility for this oversight, and I offer my sincere apologies for any confusion or inconvenience it may have caused. I would like to provide some context for this decision. During my attendance at town board meetings in December, it was made apparent that a considerable number of rental properties were operating without proper permits. In the hope that the town would take decisive action against these non-compliant rentals, we erroneously adjusted our guest count to remain competitive. Unfortunately, it appears that progress in addressing these violations has been limited, as a brief 15-minute search reveals an alarming number of properties exceeding the maximum allowable guest limit without facing repercussions. This lopsided playing field makes it increasingly challenging for us to compete with other rentals in the area. Additionally, the revocation proposal is also based on concerns regarding our trash management. The neighbor's complaint was related to Memorial Day Weekend with a group of 10 guests staying at the property that checked out Sunday afternoon and moved the trash bins to the curb upon departure. The trash was not collected on our normal Tuesday pick up due to the holiday. I was unaware of the trash rescheduling for the holiday, otherwise I would have had the trash cans brought out to the street on Tuesday by our property assistant. I must acknowledge that due to the extremely dry conditions, bears have been attracted to the area, and an unfortunate incident occurred where the trash was disturbed shortly before the neighbor's photograph was taken. We understand the gravity of this issue and accept full responsibility. Rest assured; we will take immediate action to prevent such incidents from occurring again by installing bear straps on our trash bins and ensuring the trash bins are moved no sooner than the day prior to our collection day. In retrospect, we recognize that open and direct communication would have been instrumental in addressing these concerns proactively and preventing their escalation. Therefore, today we have taken the initiative to personally deliver a letter to each of our neighbors, expressing our sincerest apologies and outlining our commitment to rectifying the situation, while striving to foster a positive relationship with our fellow Silo Lane neighbors.

I humbly implore the board to consider the broader context of our actions and the genuine efforts we have undertaken to maintain our property. We have set several rules and standards that our guests must adhere to which maintains a peaceful environment amongst the neighborhood. We are fully dedicated to working closely with the town and our neighbors, and we pledge to promptly address any concerns that may arise, while ensuring that our property operates in full compliance with all regulations. Thank you for your time."

Supervisor Sweeton – Thank you for that statement. I would probably take exception to the fact that we are not trying to pursue illegal Airbnb's because we are. As you and I talked when you came into my office, I did tell you the Board is in favor of the phenomena of Airbnb, we think it has a place and we just want owners to be responsible. You've certainly indicated you've taken that step and we appreciate that.

**Councilman Shuback – You stated that you know of other places that are exceeding occupancy let the Building Department know so we can go after them also. The way I read it there are people renting and not following the rules. If we don't know about or the Building Department doesn't know about it then we can't do anything about it.**


**Adam Spiegel – I never found it to be my place.**

**Councilman Shuback – I understand but if you want a level playing field then everyone has to abide by the rules.**

**Adam Spiegel – I did a very brief survey and I did find several properties in a short period, so as much as I understand there are many steps taken to maintain the short-term rental environment in this area. My understanding was just from afar it seemed what was available on line and those listings were still out there. I have not been involved since December with that committee.**

**Supervisor Sweeton – They provided the name of the service that was supposedly going to allow us to do that so much easier and as it turned out that service at the entry rate does not allow you to do that, so we subsequently did not pursue that. It was going to be thousands of dollars to get the service where you could actually find the address. That's part of the issue with Airbnb, so our Building Department that does all of their normal functions also processing all of the permits for the Airbnb people spending what time they can visually looking at the pictures to say I know where that house is, then we can cite them. It may seem simple from the group that was living that every day, but it's not quite as simple in practice. Regardless, it is the owner's property and they are responsible for managing it and that's all we are asking people to do. We're not trying to tell you don't do it, we want you to be good friends and neighbors and we want you to be successful if that's what you've chosen to do and that's fine. The Board isn't going to decide tonight, they want to digest what you've given them, your permit remains in effect until our next board meeting July 13<sup>th</sup>. I appreciate it and thank you for coming tonight and for your time.**

**ADJOURN THE APPEAL HEARING: Motion Councilman Gerstner, seconded Councilman Shuback To adjourn the appeal hearing until the July 13<sup>th</sup> Town Board Meeting. Motion Carried (5 ayes, 0 nays) 7:11 p.m.  
06-22-23 CP**

  
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Eileen Astorino, Town Clerk

**LEGAL NOTICE**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Warwick will hold a hearing regarding the Revocation of a Short Term Rental Permit located at 7 Silo Lane Warwick, NY 10990 on Thursday, June 22, 2023 at 7:00 p.m. at the Town Hall, 132 Kings Highway, Warwick, NY or as soon thereafter as the matter may be heard.

All interested persons will be given the opportunity to be heard.

**DATED:** June 14, 2023

**BY ORDER OF THE TOWN  
BOARD OF THE TOWN OF WARWICK  
Eileen M. Astorino  
Town Clerk**