

April 11, 2024

The Town Board of the Town of Warwick held a Hearing on an Appeal of a Revocation of a Short-Term Rental for 21 Distillery Road, Warwick NY. Said public hearing was held on Thursday, April 11, 2024 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Dwyer opened the public hearing at 7:30 p.m.

ATTENDANCE: Supervisor Jesse Dwyer
Councilman Floyd DeAngelo
Councilman Russell Kowal
Councilman Kevin Shuback
Councilman Thomas Mattingly

Attorney for the Town, John Buckheit

LEGAL NOTICE: The Clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on April 3, 2024.

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

Supervisor Dwyer – This is a revocation hearing for 21 Distillery Road, a short-term rental property within the Town of Warwick, whereby a short-term rental permit was revoked by the Building Department for various reasons, and I assume that the contingents we have here are members of 21 Distillery?

Robin Mazzocca – Owner, 21 Distillery Road, Warwick, NY – We decided to do a couple of Airbnb rentals just like first time learning. I had somebody write up like a little brief paragraph, my cousin's a grant writer, I'm not the best writer and all that, so she wrote me up like a little blurb to put on the website, and I believe at the time she wrote the incorrect writing of what we could do with that property. And in terms of learning, I called the town maybe a week prior to the letter that we got the violation, and I spoke to a woman, Stephanie, and I asked like, oh, can we do this? Like, just ask permission, because we're new. Me and my daughter are moving out here full-time as of June. She's going to be attending Warwick Valley High School, and I don't want to do anything that I'm not supposed to, which she says to me that you cannot do this, absolutely not, you can't have any events, you can't have any parties. So, I said, all right, I asked for permission, I found out the answer, like I said, I'm just learning this whole Airbnb process, short-term rental, and then a week later I got the violation in the mail. Since then, though, I went on myself and changed everything that it should be on Airbnb that said it's not supposed to. And so, you guys said that we're definitely not allowed to have the Airbnb, it's still listed right now, but I'm not accepting any reservations. But I went on and changed everything to as it should be, as you guys want, that you can't have any events, and nobody's allowed to stay in any part of the property that they shouldn't, and what was it else? No private events or parties.

Supervisor Dwyer - I think there were a few things. The loft, you're not using the loft as a bedroom, right?

Robin Mazzocca - Yeah.

Supervisor Dwyer - The on-site catering, the on-site parties, the on-site events, and the loft. So those have been removed.

Robin Mazzocca - Yeah, everything I have printed out, everything that, like, what it says now or whoever reviews the Airbnb account can look and see that everything's been changed to the correct way that it should be. We haven't even had anybody stay. We have three reservations on there that have, like, reviews, and the three people are my family that, like, I totaled it at zero because to be a super host in the town or, like, to be a host, we have to have good standing reviews. So, my family, like, wrote, like, oh, we stayed there, and they did. So, like, I haven't even, like, had anybody at the property yet. Nobody's staying and nobody's done anything that they shouldn't have.

Supervisor Dwyer - The time you opened up the short-term rental until now you've never had the public stay on the property?

Robin Mazzocca - Not one person. Nobody has stayed.

Supervisor Dwyer - So, you haven't made a dollar from that property?

Robin Mazzocca - Zero.

Supervisor Dwyer - Would you be able to provide that as some sort of documentation to the town board?

Robin Mazzocca - Yeah, everybody, the three reviews that are on there are all family members. Everybody that, or they're all my family. Everybody came over for a private family Thanksgiving dinner, which I asked Stephanie that too, can I have a private, like, explaining of a family. Like, I'm sure everybody here has, you know, Thanksgiving dinner. So, my family was over, and they used that stay as, like, their blurb for their review and I totaled everybody's total to zero. Like, you can do that on Airbnb. Like, they can make a reservation, then you go and give a discount, make it zero, and then they wrote a review. You can't write a review unless you stay.

Supervisor Dwyer - Right.

Robin Mazzocca - So, I have not had it rented out once. I only have one rental that will be for July, and I have not canceled it yet until this hearing.

Supervisor Dwyer - Okay. You should be fine for July. I'd like you to provide documentation that shows that you've generated no profit, no revenue through that Airbnb. I think that would be compelling information for the Town Board to consider and if you can do that, then we'll revisit this and I would think probably have a positive outcome.

Robin Mazzocca - Okay.

Supervisor Dwyer - All right?

Robin Mazzocca - Sorry.

Supervisor Dwyer - No problem. That's all right. Accidents happen. Just, you know, we are trying to be very strict with short-term rentals because a lot of people invest a lot of money into doing it correctly, and we want to make sure that property values and neighbors are protected and investments are protected, and we just want to make sure that everybody is following the rules.

Robin Mazzocca - Absolutely.

Supervisor Dwyer - So, we appreciate when people do, and, you know, we understand that mistakes do occur. So, if you can, just try to get that to me maybe through email tomorrow, I would hope.

Robin Mazzocca - Okay. Is there an email I can send it to?

Supervisor Dwyer - Supervisor@townofwarwick.org and just send that over to me, and then the town board will consider how to move from there.

Robin Mazzocca - Okay, perfect.

Supervisor Dwyer - All right?

Robin Mazzocca - Thank you so much.

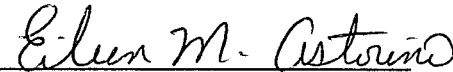
Supervisor Dwyer - No problem. Thanks for coming. Are there any other comments on the revocation hearing? There being none, may I have a motion to close the hearing?

Attorney Buckheit - Supervisor, I will say that at this time I recommend a reserved decision pending the provision of the additional information, and then we will close the hearing. Okay. We do reserve that.

Supervisor Dwyer - You made the motion, Tom?

Councilman Mattingly - I make the motion of what John said.

CLOSE THE APPEAL HEARING: Motion Councilman Mattingly, seconded Councilman Shuback to close the appeal hearing. Motion Carried (5 ayes, 0 nays) 7:37 p.m.
04-11-24 CP


Eileen Astorino, Town Clerk