



TOWN OF MADISON

CONNECTICUT

Regular Meeting – January 10, 2023

Board of Selectmen

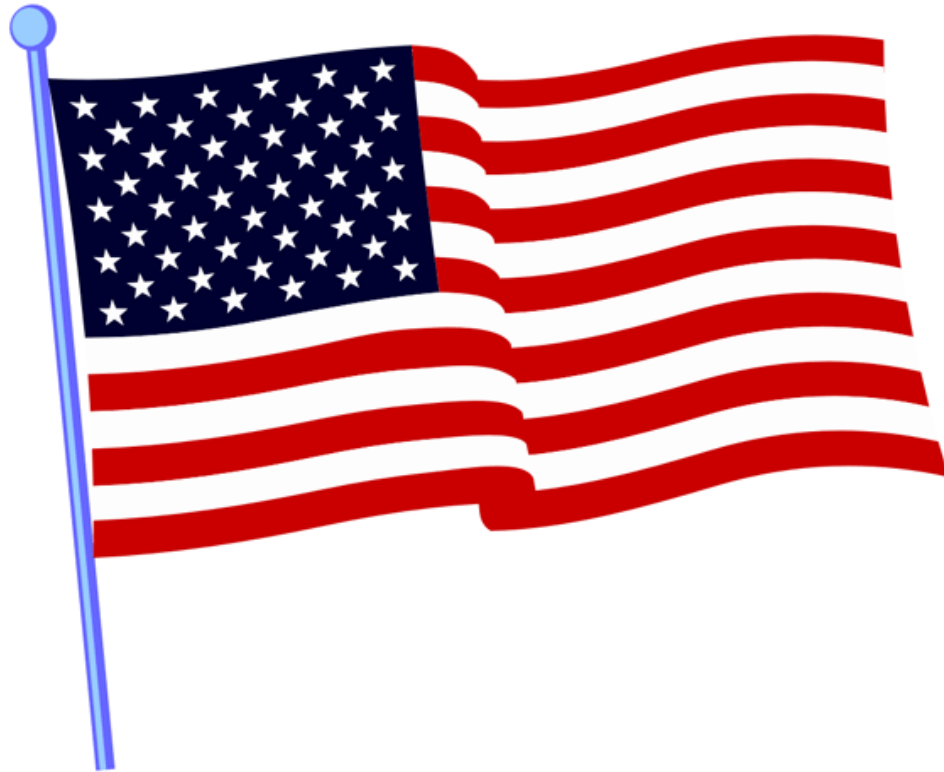
In Memoriam

Selectwoman Noreen Kokoruda

AUGUST 4, 1947 – DECEMBER 21, 2022



Pledge of Allegiance



First Selectwoman's Update

- Town awarded two new Federal Grants in recent Omnibus Spending Package
 - Emergency Operations Center/Firehouse Expansion Project:** \$2.5 million to help fund expansion of Madison Hose building and create dedicated EOC.
 - Emergency Shelter Project:** \$1 million to help fund installation of back-up generator at Polson to establish new Emergency Shelter.

Summary of Major Grant Awards in 2022*

Grant	Project	Amount
CT Urban Act	Academy	\$4M
CT DECD Brownfields Assessment	Academy	\$200K
CT STEAP	Madison Center Project	\$500K
CT Transit Oriented Development	Madison Center Project	\$760K
CT Transit Oriented Development	Woodlands Rd Sidewalk Project	\$206K
Federal Community Directed Spending	Firehouse Expansion/Emergency Operations Center	\$2.5M
Federal Community Directed Spending	Emergency Shelter/Polson Generator	\$1.0M
Total in 2022*		\$9.2M

* Not all inclusive. Excludes some Public Works projects and routine programming grants, etc.

Discussion of Short-term Rentals

BOS STR Ordinance - Potential Objectives

- BOS must determine key objectives for creating a short-term rental (“STR”) ordinance
- Possible objectives based on public feedback so far: **DRAFT**
 - Identify, monitor and track STR activity in Madison
 - Encourage STR property owners to follow best practices
 - Mitigate neighborhood nuisance issues
 - Protect neighborhood quality of life by reducing rental turnover
 - Discourage corporate owners seeking investment properties only
 - Maintain property owners’ flexibility to generate supplemental income to offset property ownership costs
 - Preserve Madison’s 100 year+ legacy as a summer vacation community
 - Acknowledge economic development role of STRs in providing accommodation options to local visitors and resident families

Progression of STR Ordinance Options

Register

- Enables collection of information on STR activity, which could be used for future regulation
- Identifies point of contact, responsible party for property
- Documents and tracks problems/nuisances
- Creates transparency for neighboring properties on rental activity
- Provides mechanism for Town to educate property owners on best practices
- Requires limited Town staff hours

Regulate

- Places limitations on use such as rental days, occupancy, parking, ownership, etc..
- Potential to mitigate some neighborhood nuisance issues by reducing rental activity
- Provides mechanism to determine property health/safety compliance
- Potential to discourage or prohibit “corporate” owners
- Requires Town staff hours for compliance, inspections, enforcement, complaints, etc.
- Zoning regulations could be considered as an alternative to Town ordinance

Restrict

- Option to ban all STR activity
- May eliminate some neighborhood nuisances by reducing frequency of turnover
- Opportunity to discourage or prohibit “corporate” owners
- Very restrictive to existing property owners, eliminating flexibility and source of income
- Significantly reduces visitor access to overnight accommodation options in Madison
- Zoning regulations could be considered as an alternative to Town ordinance

Potential Ordinance Terms

- Considerations for Madison in defining, implementing, and enforcing a STR Ordinance

Topic	Sample CT Ordinance - Simsbury	Madison Considerations
Purpose	<ul style="list-style-type: none"> • Regulate short-term rentals through permitting process • Ensure compliance with state/local rules • Monitor and track activity 	<ul style="list-style-type: none"> • Need to determine desire to regulate v. register, monitor, track activity • Need to align with BOS objectives
Definition of Short-term Rental	<ul style="list-style-type: none"> • Rented for 1-29 consecutive days • Separate sleeping areas, access to one full bathroom, cooking area 	<ul style="list-style-type: none"> • Threshold could be less than 30 days • Could establish lower thresholds such as 21 days, 14 days, etc. • Excludes B&Bs, hotels, motels
Application Requirements	<ul style="list-style-type: none"> • Permits issued for 2 years • Detailed information on property • Signed affidavit property is in compliance with Town health, zoning, building, fire codes • Initial safety inspection required • Initial Fee of \$200. Renewal @ \$130 	<ul style="list-style-type: none"> • Regulation would require additional Town staff hours to complete safety inspections, develop database, administer permits • Permitting Fees generally would not offset administrative costs • May include “Good Neighbor” packet • Consider “right” to inspect
Limits on rentals	<ul style="list-style-type: none"> • Rental max of 100 days per year • One rental permit per property and only one portion of a residence/ADU 	<ul style="list-style-type: none"> • May consider no limit on rental days • Difficult for Town to monitor/track • May limit 1 permit per owner. Cannot apply for multiple properties

Potential Ordinance Terms (cont.)

Topic	Sample CT Ordinance - Simsbury	Madison Considerations
Owner qualifications	<ul style="list-style-type: none"> • Defines owner as holding legal right to property or is beneficiary, and must use property as legal residence • Must spend at least 183 days a year at their property 	<ul style="list-style-type: none"> • Very restrictive definition. Would disqualify seasonal residents, family trust owned properties, LLCs • Consider a more permissible definition of owner
Owner oversight	<ul style="list-style-type: none"> • If not onsite during rental, must provide contact information • Considered local if within 20 miles • If not local, must identify local emergency contact 	<ul style="list-style-type: none"> • Allow owner to designate a primary point of contact that meets criteria
Occupancy	<ul style="list-style-type: none"> • Lesser of 6 persons or 2 persons per each bedroom unit 	<ul style="list-style-type: none"> • Very restrictive, especially for larger or older/unconventional homes • Could limit to renter family group or up to a certain number of unrelated individuals. Could exclude small children • Could be difficult to track
Safety Requirements	<ul style="list-style-type: none"> • Smoke detectors, egress, building code requirements, compliance with Town regulations 	<ul style="list-style-type: none"> • Need to determine which “safety” standards would need to be met • Will require additional staff time • Could rely on self certification process

Potential Ordinance Terms (cont.)

Topic	Sample CT Ordinance - Simsbury	Madison Considerations
Neighbor notification	<ul style="list-style-type: none"> • Abutters (or within 100 ft) notified by applicant when initial application submitted 	<ul style="list-style-type: none"> • Establish a “Good Neighbor” Policy
Use of Accessory Dwellings	<ul style="list-style-type: none"> • May be used for ST Rentals but must meet local standards 	<ul style="list-style-type: none"> • Require to comply with zoning regulations
Enforcement	<ul style="list-style-type: none"> • Employees or designees of the Town by the Town Manager • Land Use Office handles permitting • Power to suspend or revoke license, issue fines of up to \$250/day of violation • Appeals process 	<ul style="list-style-type: none"> • Need to determine enforcement agency for Town and develop appeals process • Will require additional staff time outside of business hours • Need to determine inspection criteria and rights
Parking	<ul style="list-style-type: none"> • Town determines number of parking spaces and size requirements • Prohibition on overnight street parking 	<ul style="list-style-type: none"> • Overnight prohibition may be problematic for some properties • Consider an overnight • Need to consult with MPD on other applicable parking rules
Conduct/Use restrictions	<ul style="list-style-type: none"> • Prohibition on indoor/outdoor events • No sleeping outside • No signage advertising property • Unreasonable noise or other disturbances 	<ul style="list-style-type: none"> • Need clarity on prohibited events, definition for standards for noise and unreasonable disturbances • Can Town create noise ordinance that applies to STRs only

Possible Next Steps for BOS

- Finalize STR Ordinance objectives and develop applicable terms
- Work with Town staff and Town Counsel to develop draft STR Ordinance based on objectives/terms
- Get feedback from impacted Town Boards & Commissions (i.e. P&Z, EDC, Police Commission, etc.)
- Send draft STR Ordinance to Public Hearing
- Modify draft STR Ordinance based on public feedback, send to second Public Hearing
- Adopt STR Ordinance