

Minutes of the Special Meeting of the Board of Warden and Burgesses on Monday, August 20, 2018 at 6 PM at 4 Nibang Ave, Fenwick, Ct,

Present: Warden Newt Brainard, David Savin, Jonathan Gengras, Arthur Wright, Frank Keeney, Pam Christensen, Robert Gay, General Manager Jeff Champion, ZEO Marilyn Ozols.

Not Present: Peter Brainard Jr.

Others Present: Wayne Arute, Lori Arute, Lucy Van Itallie Borge, Taysen Van Itallie, Jessica Gay, Chuck Chadwick

Approval of the Minutes

**A Motion was made by Jonathan Gengras seconded by Frank Keeney to approve the August 11, 2018 Minutes as presented.
PASSED UNANIMOUSLY.**

**A Motion was made by Pam Christensen seconded by David Savin to amend the August 11, 2018 Minutes to add the words “will be “” forwarded to Jessica Gay under Wardens Report in reporting the FYC Lease approval.
PASSED UNANIMOUSLY**

Open Forum for Residents to Speak

Wayne and Lori Arute handed a letter and packet of research concerning Short Term Rentals in the Borough. The Warden read the letter addressed to the Warden and Burgesses. (Attachment #1)

Jessica Gay spoke to the Burgesses asking them to take a “do nothing” approach to the Short Term Rental Issue in the Borough. She felt that there were regulations within the Borough that were in place to take care of many of the issues that the community was concerned with.

Lucy Van Itallie spoke to the definition of a “family unit” and that it included multi generations within a family living in one house in Fenwick.

General Manager’s Report

Jeff Champion had one item to Report concerning the EZ Links Program for the Golf Course. Frank Keeney spoke that the Park Commission met to discuss the Program and to review the additional information and they decided to direct Jeff to negotiate a three year contract to start in January of 2019. The Contract will be brought to legal counsel for review and then to the Burgesses at a future Meeting for their approval.

Treasurer’s Report

Bob Gay reported that it was decided that there would only be two signers on the Cash Management Account: Jeff Champion and himself. The Warden would vouch for the signers. It was again stated that the funds could only be transferred out of the Account and into the Borough Account for security purposes.

Frank Keeney reports that August revenues from the Golf Course were not good. There are four weekends in August: First weekend no revenue due to Member Guest, Second weekend-washout, Third weekend one day closed due to Ladies Tournament....Therefore, only one weekend left to derive income.

Frank Keeney also discussed reinstating the review of quarterly disbursements from the Borough Accounts by a Burgess. Jeff Champion will provide the report moving forward.

Board , Commission and Committee Reports

Harbor Management: Jonathan Gengras reported that the Commission met and reviewed the Shoreline Planning Units for the Borough's Shoreline. They asked Geoff Steadman to provide a budget estimate for him to develop four Planning Units so that they may go to the Burgesses for funding the Plan. The four areas are as follows:

- Fenwick Proper Shore to Breakwater
- Outer light to Inner light
- former Brainard property to the causeway
- Wilson Avenue

Park Commission:

Frank Keeney reported that Margaret Wade, Daryl, Jeff and himself were meeting this week with the Playground Contractor to discuss the condition of the Playground and determine what needs to be replaced and cost estimates.

Frank, Brooke Girty and Daryl are going to tour the Golf Course to determine what trees are a safety issue and to create a three year tree replanting program. The majority of the trees with safety issues are Norway Maples and they will be coming to the Board to request funding at a future meeting.

Frank and Greg Millard have met to discuss the comments and suggestions from Residents concerning last year's presentation of the Master Plan for the Golf Course. Frank will make a recommendation concerning implementation of some of the Plan at a future Burgess Meeting.

P & Z: Art Wright reported that a Public Hearing will be held this Wednesday.

Discussion of Short Term Rental Zoning Changes

The Warden stated that this will be a Board only discussion. Mike Zizka the land use attorney was present to answer questions and will assist in writing any regulation that would be the Burgesses recommendation to the Planning and Zoning Commission for their consideration.

The Burgesses discussed all comments that Residents brought forth in the Burgess Meeting from last week. Issues debated were: Privacy violations, Background Checks, Guidelines for Renters, Special Permits, Enforcement Difficulties, Ordinance vs Regulation, Continuity of Community, Fines, Duration of Rentals, Special Events in a Rental, Grandfathering of Properties etc.

At the conclusion of the Discussion it was determined that the Burgesses would meet the needs of the majority of the Community and that the Community has indicated that regulation for Short Term Rentals is necessary at this time in the Borough. They felt it was imperative to act on the Issue quickly as to

present a recommendation to Planning and Zoning in September and that a Public Hearing could be set for early Fall.

The goal of the recommendation was to limit the number of transients in the Borough and to maintain the character of the community. Mike Zizka agreed to have a draft of the Regulation ready for the Burgesses to approve at the next Burgess Meeting next week.

A Motion was made by Frank Keeney seconded by David Savin to ask Mike Zizka to draft a proposed Regulation to recommend to Planning and Zoning to limit the duration of a Single Family residence to no more than one renter in any two week period.

FOR: Wright, Savin, Gengras, Christensen

AGAINST: Keeney

MOTION PASSES

The Burgesses also requested for a definition of a “Single Family” and that a Guideline for Renters is written and available in the Borough Office.

A Motion was made by Pam Christensen seconded by Jonathan Gengras to approve the use of the Borough Property located at the Pier and Parking at 4 Nibang Avenue for the Ferrara Wedding to be held on June 29, 2019.

PASSED UNANIMOUSLY.

Two Issues were brought forth to be discussed at a later date:

- Application for use of Borough Property should have \$1000 deposit
- June should be included in the Borough Policy that does not allow Special Events on the Pier for July and August

NEXT MEETING: Thursday, August 30, 2018 at 5 PM

Being no further business, a Motion was made at 8 PM by Pam Christensen seconded by David Savin to close the Meeting.

PASSED UNANIMOUSLY.

Respectfully Submitted,

Julie G. LeBlanc, Clerk

Board of Warden and Burgesses
Borough of Fenwick
4 Nibang Avenue
Old Saybrook, CT 06475

August 20, 2018

Dear Members of the Board,

We write to you today to respectfully request that serious consideration be given to restricting short term rentals to a minimum of one month. We attended the meeting that was held on August 11, 2018. It appeared to us that the most vocal voices in the group were the individuals that had committed to renting on short term. The main reason for renting out their homes was due to either their financial gain or financial hardship. It did not appear that the impact on the Fenwick community as a whole was considered nearly enough.

We chose to purchase our home in Fenwick in 2009. We fell in love with Fenwick for many reasons- the beautiful, well kept homes, sense of community and the confidence that we would not have to encounter the problems and issues that "a short term beach rental" community bring. We enjoyed those things our first few years here. The current situation we experience is changing significantly. The community as a whole, should not be forced to change in a negative way, due to the financial needs of a minority. The sense of community alone cannot and will not be preserved if "the community is continually changing". We no longer even recognize the majority of people we see in Fenwick. It has become a revolving door of daily and weekly tenants. We have no idea who these people are or if the resident children are even safe around them. The residents of Fenwick have to rely upon the individuals who have chosen to rent out their properties to properly screen those they are choosing to rent to short term. The questions of the presence of a criminal background, sex offender registry, back ground check etc. may or may not be performed. We will need to rely on those who have stated they have a financial need or desire to rent, to perform that task for us. In reviewing the current ads that are running on various "VRBO" none of them mention any type of screening. One ad goes so far as to state "Fenwick is one of those rare places where doors remain unlocked and children roam". We can't think of a better advertisement to attract predators or thieves! These are the neighbors that we will have to rely on to preserve the integrity of Fenwick.

Please review some of the current ads enclosed that are running on the internet. You will see from the content that the motivation is not to attract a family that may some day purchase in Fenwick. It is a motivation to rent out a large home for financial gain. Most of the ads state events are welcome, pets are allowed and large numbers of people can be accommodated. Most of the ads state the home will sleep anywhere from 14 to 18 people. Most single families today, do not consist of that many people. It is not an intent to even attract a "single family" as defined by most recognized zoning regulations in CT. The most common definition of single family is "persons related by blood, marriage or adoption, or no more than 4 individuals occupying a dwelling unit who are committed to living together as a single housekeeping unit, in harmony with the surrounding neighborhood". We personally have watched various homes surrounding us, repeatedly rented to those who do not come close to fitting this description.

If Fenwick adopts a weekly short term rental policy, the flavor and character of Fenwick will be lost forever. Owners will be forced to police the behavior and activities of tenants. It will become a place of increased traffic, rotating tenants, increased parties and a perpetually full beach. You will no longer be "able to leave your doors unlocked and let your children roam". You will not know who your neighbors are, because they will change weekly!

Property values will be likely to decline. A home that is "forced to rent" due to financial hardship, is unlikely to be maintained to current standards. The wear and tear that regular rental use puts on a property escalates the decline. Perpetually parking cars for "14-18" persons, destroys the landscape. Allowing unfamiliar pets in the neighborhood increases the likelihood of pet attacks and dog bite incidents. The list goes on.... Fenwick as we have known it will no longer exist.

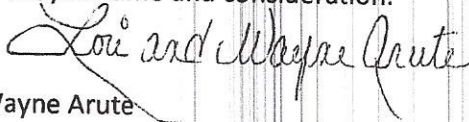
Over the past two years, we personally have experienced trespassing, inappropriate behavior, cars regularly traveling down our one way road in the wrong direction, and a number of other bothersome things. We are enclosing a few photos from the past year. It is clear from these pictures, the homes have not been rented out for "single family use" Fenwick regulations were clearly created with the intent to preserve "single family, non commercial use". We urge you are the Warden and Burgesses, to honor that.

Thank you for your time and consideration.

Sincerely,

Lori and Wayne Arute

9 Pettipaug Avenue

A handwritten signature in cursive script that reads "Lori and Wayne Arute". The signature is written in dark ink and is positioned to the right of the typed name "Lori and Wayne Arute".