

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
MAY 20, 2024, 6:30 P.M.  
WORK SESSION**

**10,134**

A Work Session of the Board of Trustees of the Village of Warwick was held on Monday, May 20, 2024, at 6:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard. Trustees: Barry Cheney, Carly Foster, Thomas McKnight, and Mary Collura. Also, present was Deputy Village Clerk, Jennifer Mante and Village Attorney, Stephen Gaba.

The Mayor called the meeting to order and led in the Pledge of Allegiance.  
The Deputy Village Clerk held the roll call.

**Discussion**

1. Draft Short-Term Rental Code.

The Village Attorney, Stephen Gaba, provided a summary of the draft code.

The discussion revolved around refining the existing short-term rental law, with particular focus on two main issues: owner occupancy requirements and response time for registered agents.

Regarding owner occupancy, there was a debate about whether to maintain the current six-month owner occupancy requirement or consider alternative options. Some members advocated for retaining owner occupancy to ensure property owners or their representatives are physically present, especially in residential areas. Concerns were raised about potential violations of the Dormant Commerce Clause and the practicality of enforcing such requirements.

The idea of categorizing short-term rentals into two types based on their primary use was discussed. This concept, observed in other jurisdictions, would distinguish between principal use and accessory use properties. By doing so, it was proposed that different regulations could be applied depending on the primary function of the property.

Regarding response time for registered agents, there was discussion about revising the requirement from "30 minutes travel time" to "able to respond in person within 30 minutes of being notified." This change aimed to emphasize the importance of timely on-site response rather than proximity to the property.

Additional points included refining definitions, such as removing the term "resident" from the definition of registered agent, and clarifying language related to notarization of application forms.

Concerns were raised about parking requirements, with a suggestion to align regulations with existing zoning laws for bed and breakfast establishments. This would ensure consistency across different types of accommodations and address potential parking issues, especially in residential areas.

Further research was proposed to examine parking regulations in the CBD and determine appropriate requirements for short-term rentals in that area.

The Board highlighted the need to balance regulatory measures with practical considerations and maintain consistency with existing zoning laws and neighborhood expectations.

Mr. Gaba and the Board went over the detailed changes to the draft. Once the edits were made, Mr. Gaba would circulate the draft for everyone to review before potentially moving forward with a resolution to set a public hearing.

### **Adjournment**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura, and carried to adjourn the work session at approximately 7:30 p.m.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Aye    Trustee Collura Aye

Trustee McKnight Aye    Mayor Newhard Aye

---

Jennifer Mante, Deputy Village Clerk