



VILLAGE OF MILLBROOK

35 MERRITT AVENUE PO BOX 349 MILLBROOK, NY 12545
TEL: 845-677-3939 FAX: 845-677-3972 VILLAGEOFMILLBROOKNY.COM

TIM COLLOPY
MAYOR

SARAH WITT
CLERK/TREASURER

NICOLE ZEKO
DEPUTY CLERK

Date: August 2023

Village Board of Trustees
35 Merritt Ave
Millbrook NY, 12545
Re: Short Term Rentals (STR)

According to the new Short-Term Rental (STR) Law Section 3 (A):

A STR may be allowed subject to an application for a permit, renewable on an annual basis.

Permits issued for STRs shall be limited to a maximum of fifteen (15) within the Village (decided by a public lottery on an annual basis). No permit may be allowed for any lot located within two (2) lots from where a current permit has been issued from a public lottery draw. Notice of the application prior to issuance of a permit shall be provided to adjoining property owners within 250 feet of the property on which the permit has been issued.

Please be advised:

- Applications will be accepted starting [START DATE- END DATE]
- If there are fifteen (15) or more applications, there will be a lottery public drawing on [DATE]
- There are only fifteen (15) STR applications for the year [YEAR]. If there are less than fifteen (15) applications during open enrollment, then the applications will be accepted on a first-come, first-served basis until the fifteenth (15th) application has been issued. *(No other applications will be accepted for the [YEAR] season)*

Thank you,
Village Zoning Code Department



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SHORT TERM RENTAL APPLICATION

COMPLETED APPLICATION, FEES, AND ALL REQUIRED DOCUMENTATION MUST BE PROVIDED AT THE TIME OF SUBMISSION.

APPLICANT INFORMATION

NAME: _____
ADDRESS: _____
MAILING ADDRESS: _____
E-MAIL: _____ PHONE NO.: _____
EMERGENCY CONTACT NAME AND PHONE NO.: _____

PROPERTY INFORMATION

STREET ADDRESS: _____
GRID NUMBER: _____
RESIDENCE (CHECK ONE): ONE FAMILY TWO FAMILY THREE FAMILY
TOTAL NUMBER OF DWELLING UNITS: _____
NUMBER OF STORIES & YEAR STRUCTURE WAS BUILT: _____
TOTAL NUMBER OF PAKING SPACES: _____
SEWER (CHECK ONE): MUNICIPAL ON-SITE SEPTIC SYSTEM

REQUIRED DOCUMENTATION WITH APPLICATION:

- SITE PLAN OF PROPERTY
- PHOTOGRAPH OF STRUCTURE
- FLOOR PLAN (DRAWN TO SCALE)
- PROOF OF PROPERTY OWNERSHIP
- COPY OF DRIVER'S LICENSE
- NON-REFUNDABLE \$500 FEE- THIS FEE INCLUDES THE 1st FIRE INSPECTION

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- Once the application is received and determined to be completed, the Code Enforcement Officer will review submitted documents for compliance (additional information may be requested).
 - Once the application is approved you will be notified by the Code Official or the Village Fire Inspector to schedule a Fire-Safety Inspection.
 - Once the Code Official or Fire Inspector has completed the required inspection and deems the structure compliant, you may visit the Building/Zoning Department for your Certificate of Occupancy (C of O) and a Registration Plaque to operate a STR.
 - The CofO to operate a STR is valid for one {1} year from date of issuance. The CofO must be renewed and approved on an annual basis to continue to operate an STR. Failure to renew annually will result in a monetary fine explained in sub-section (M).
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I hereby certify and acknowledge by my initials and signature below the following:

- _____ * The applicant is complete and accurate.
- _____ * I have received and understand the applicable STR Zoning Ordinance
- _____ * I am the owner and reside at the subject property making me owner-occupied.
- _____ * A register including names, addresses and dates of occupants shall be made available to the Village Code Official and records must be kept for a minimum of 3 years.
- _____ * An annual Fire Safety inspection is required- \$150 for each inspection after the first year.

Signature (Prospective Owner-Operator)

Sworn to me this _____ day of _____, 20_____

Notary Stamp:

Notary Public Signature

OFFICE USE ONLY

DATE: _____ APPROVED: _____ DENIED*: _____

*REASON FOR DENIAL: _____

SIGNATURE/ CODE ENFROEMENT OFFICER

Short Term Rental Law:

(1) Purpose. The purpose of this section is to establish a set of regulations applicable to publicly advertised non-hosted short-term rentals of residential property. These regulations are in addition to all other provisions of this Chapter. In the adoption of these standards the Board of Trustees find that non-hosted short-term rentals have the potential to be incompatible with surrounding residential uses, especially when several are concentrated in the same area, thereby having the potential for a deleterious effect on the adjacent full-time residents. Special regulation of these uses is necessary to ensure that they will be compatible with surrounding residential uses and will not act to harm and alter the neighborhoods they are located within.

(1) Definition. A non-hosted single-family or two-family dwelling, or an accessory dwelling unit, in which at least one and not more than three bedrooms are publicly advertised for overnight accommodation, the rates for which include lodging only, and in which no public restaurant is maintained, and no other commercial services are offered. A qualifying property must be the owner's primary residence and be owner occupied for at least 260 days each calendar year.

(2) A short-term rental may be allowed subject to an application for a permit, renewable on an annual basis, and compliance with the following standards:

A. Permits issued for short-term rentals shall be limited to a maximum of fifteen (15) within the Village decided by lottery on an annual basis. No permit may be allowed for any lot located within two (2) lots from a lot where a current permit has been issued from a lottery draw.

B. The property shall be designed, maintained, and operated to preserve and complement the residential appearance of the site and the existing character of the surrounding area. There shall be no change permitted to the residential character of the outside appearance of the building, either using colors, materials, or lighting.

C. An owner leaving Dutchess County overnight during the rental period must engage the services of agent with the right to enter and maintain possession of the dwelling. This agent must be available twenty-four (24) hours a day to respond to tenant and neighborhood concerns and be capable of responding within two hours of notification from the Village.

D. There shall be no more than six occupants as lodgers at any given time, with a maximum of two occupants per bedroom.

E. The guest bedrooms shall be limited to the principal dwelling and/or one accessory building. Any guest room in an accessory building shall have sanitary facilities within that accessory building approved by the applicable authority.

F. Short term rentals are limited to sixteen (16) days in any one calendar year and no more than one rental is allowed within a seven (7) consecutive day period.

G. The owner shall collect and preserve registration records for a minimum of three years.

H. Parking shall be consistent with Section 120-16 and Table 3. Any required additional parking shall not be allowed in front of the principal structure by expanding use of an existing driveway.

I. If a property owner publicly advertises their dwelling, copy of the permit must be displayed within the interior during the duration of its validity. The availability of the rental to the public shall not be advertised on the premises.

J. If a property owner publicly advertises their rental, the Village permit number must be included in the listing.

K. An annual satisfactory inspection from the Code Enforcement Officer is mandatory prior to issuance of a permit. The owner shall give reasonable access for inspections to be conducted to ensure compliance with the provisions of the Village of Millbrook Code, the NYS Uniform Fire Protection and Building Code and Department of Health Code.

L. All guests are subject to the provisions of Section 120-13, the General Performance Standards, and of the enforcement provisions of Section 120-62. The owner/agent is responsible for informing each guest of these provisions.

M. A property found not to be in compliance with any section of this law will be subject to a monetary fine in accordance with the schedule below, in addition to any and all applicable remedies and penalties found in Section 120-62 that do not conflict with this section.

1. A one thousand-dollar (\$1,000.00) fine will be assessed for the first offense.

2. A two thousand-dollar (\$2,000.00) fine will be assessed for the second offense.

3. A third violation will result in the revocation of the permit, or if the property is operating without a permit the owner will be prohibited from applying.

N. At the time of passage of this law, property owners operating a short-term rental in violation of the above listed standards will be given a ninety (90) day grace period in which to apply for a permit.