

Public Hearing - 8-26-19 - Lake Placid, NY
Town of North Elba - Land Use Code - 8-26-19

AMENDING

THE VILLAGE OF LAKE PLACID/TOWN OF NORTH ELBA
LAND USE CODE TO ADD RELATIONS PERTAINING TO
SHORT-TEAM RENTALS

DATE: August 26, 2019

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 MR. POLITI: Good evening, everyone.

3 On behalf of the Town and Village Board, I am going
4 to call this public hearing to order and ask that
5 you please rise and solute our flag.

6 FROM THE FLOOR: I pledge allegiance
7 to the flag of the United States of America and to
8 the Republic for which it stands, one Nation under
9 God, indivisible, with liberty and justice for all.

10 MR. POLITI: Thank you. There being
11 a quorum, I'm going to introduce everyone just
12 before we begin. Scott Monroe is to my right,
13 raise your hand, yeah. Village Board member Jason
14 Leon to my right. Art Devlin to my right. Mayor
15 Craig Randall, Peter Holderied, Bob Miller, Derek
16 Doty, Jack Favro and Jay Rand, Town Board members.
17 We welcome you here this evening. Could I -- madam
18 clerk, could you please read the notice?

19 MS. ESTLING: Notice of public
20 hearing. Please take notice that the Village Board
21 of the Village of Lake Placid and Town Board of the
22 Town of North Elba will hold a public hearing on
23 Monday, August 26, 2019, at six p.m. at the
24 conference center, 2608 Main Street, second floor,
25 Lake Placid, New York, to consider a local law

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 regarding vacation rentals in the Village of Lake
3 Placid, Town of North Elba.

4 The text of the proposed local
5 law is available for inspection by any interested
6 person at the offices of the Village clerk or Town
7 clerk, 2693 Main Street, Lake Placid, New York, as
8 well as NorthElba.org. All interested persons are
9 invited to attend the public hearing and will be
10 given an opportunity to be heard. If you plan to
11 read a prepared statement, it would be helpful to
12 provide for accuracy of minutes. Signed Lorie
13 Curtis Dudley, Town clerk, and Anita Estling,
14 Village clerk.

15 MR. POLITI: Thank you, Anita. For
16 those of you who don't know me, I'm Roby Politi and
17 I'm the town supervisor of the Town of North Elba.
18 The purpose of this hearing is to receive both oral
19 and written testimony from the public relative to
20 the proposed provisions of this short-term rental
21 law.

22 This has been a long process that
23 began in 2017. The Town and Village and the
24 Community Development Commission have met on
25 various occasions to address the impacts of

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 short-term rentals on our community as well as
3 residential neighborhoods. The end result has been
4 the drafting of a local law, which we believe is a
5 step forward toward mitigating many of the negative
6 effects pertaining to such uses.

7 We have addressed parking,
8 occupancy, public safety, permitting, enforcement
9 and violations. It may not be a perfect law, no
10 law is, but it is a step forward towards regulating
11 an unrestrained situation and it is inevitable that
12 the law will be subject to further change as time
13 passes.

14 For those of you intending to speak
15 this evening, the clerk will call your name.
16 Please approach the podium, would you please give
17 us your name again very slowly and your local
18 address. We hope that you have taken the time to
19 read the recent modifications in the proposed law
20 and that you will focus on those issues which are
21 relevant to you. This is not a question and answer
22 forum. When the oral portion of the hearing is
23 closed, the Boards will hold the record open until
24 September the 13th for the receipt and inclusion of
25 additional written testimony.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 I want to thank you all for
3 attending and for your insight. The Town and
4 Village Boards will use this information gathered
5 here this evening for consideration in further
6 modifying or moving to enact the law. So madam
7 clerk, would you please call the first witness?

8 MS. ESTLING: First speaker is
9 Anthony Pascarelli, the second will be Rik Cassidy.
10 A reminder, you have three minutes and at thirty
11 seconds I will give you a heads up. Anthony?

12 MR. PASCARELLI: Thank you. Hello
13 everyone. My name is Anthony Pascarelli. I live
14 in Wilmington, New York, 33 Quaker Mountain Road.

15 I'm a caretaker for a property on
16 Lake Placid. They just started doing Air B and Bs
17 and I had been running into all kinds of
18 situations, feeling life threatened. There's only
19 supposed to be ten people on the property, the fire
20 alarm goes off, I get called in the middle of the
21 night. I call the contact person, can't get ahold
22 of them. It takes me twenty minutes to get up
23 here. I show up, there's twenty cars in the
24 driveway, all kinds of lights flashing, music
25 blaring.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 I go up to the window, there's four
3 strippers in there, two of them in chairs with
4 their legs behind the -- you know, doing what they
5 do. All the furniture is moved. You know, this is
6 a multi-million dollar home, all antiques. I'm not
7 a big guy. There's twenty cars, how many guys came
8 in a car, each car, you know? So I called someone
9 and said, "Give me ten minutes. Call my phone."
10 One of the guys seen me through the window, came
11 outside started to talk to me. Of course they send
12 out the biggest guy, six foot five whatever, to
13 back him up and pretty much told them they were
14 going to have to drag it. Anyway, I talked to
15 them, ended up letting them stay because I didn't
16 want to kick them out, driving around Lake Placid
17 drunk to go wherever else to stay.

18 So anyway that's one incidence.
19 Just this weekend, I had some more people out
20 there. I went and got the garbage, I find a piece
21 of wood from an antique chair. I start looking
22 around, there's a chair missing, a different chair
23 is put in the spot. I call the guy. He's, you
24 know, hard to get a hold of. Finally left him a
25 message, he gets back to me, says he made phone

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 calls and that they threw it in the fireplace. I
3 had neighbors calling me. The fire alarm went off
4 in the morning after leaving them messages to get a
5 hold of me because I was getting the complaints.
6 Neighbors --

7 MS. ESTLING: Thirty seconds.

8 MR. PASCARELLI: Neighbors had to
9 sleep with their windows closed and it's
10 embarrassing and it's funny for me to be here, yes,
11 because I'm working for someone but they're done
12 with it, you know. They don't like putting me in
13 the situation and apologizing to the community.
14 And I have more but I guess I don't have that much
15 time so it's just an ongoing situation where it's a
16 big house. They rent other places --

17 MR. POLITI: Time is up.

18 MR. PASCARELLI: -- and everybody
19 stays there for the day.

20 MR. POLITI: Thank you.

21 MR. POLITI: Next up Rik Cassidy,
22 followed by Donna Morris Calvey.

23 MR. CASSIDY: Gentlemen, ladies. I
24 usually don't need this. I'm Rik Cassidy, 525
25 McKenzie Pond Road. I was born and raised in Lake

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 Placid. My sons were born and raised in Lake
3 Placid. I have nine grandchildren living here in
4 Lake Placid. I was on the Village Board for six
5 years, my dad was on for over twenty years.

6 In the nineties, I brought up this
7 problem about this to the Village Board as Jim
8 Morgan -- and we didn't do anything. We should
9 have taxed them then, we didn't. It's a lot of
10 money gone now but the important thing is I'm not
11 against vacation rentals, I'm against how many we
12 have. I've called seven other communities; Lake
13 Tahoe, South Lake Tahoe, North Lake Tahoe, see if I
14 remember all of these, Honolulu, Sedona, Arizona,
15 Lake George, Skaneateles and Key West. All of
16 them. No more. They said too much. Now, these
17 are places that are four times bigger than us and
18 they have just a little bit more -- fewer -- almost
19 as many or about the same as we have vacation
20 rentals here and they said no more. They all said
21 the same thing: We're losing our community. We
22 are losing our community and our history and our
23 history is important. You know, we've put on two
24 Olympics here in Lake Placid with the people that
25 lived here. Most of them had key jobs, a lot of

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 were involved in it at the time and it's important
3 that we keep what's left of this community.

4 Now the Village Board has the
5 proposal that addresses that that says no more
6 right now and I think we should have a moratorium
7 now until we make a decision one way or another but
8 if we don't make a moratorium now, there are going
9 to be a lot of houses getting scooped up. I'm sure
10 of it and I really think it's important that we do
11 it now and try to maintain the community we have
12 here in Lake Placid.

13 I love this community and you know,
14 I can't say more than that and I was going to,
15 again, have a prepared statement. I said no, I'm
16 speaking from the heart and I want to thank
17 everybody. Thanks for your time and good luck to
18 everybody else.

19 MS. ESTLING: Thank you. Next up,
20 Donna Morris Calvey followed by Doug Calvey.

21 MS. CALVEY: Again, I'm Donna Morris
22 Calvey and the local address is 93 Elm Street.

23 We all know there's a shortage of
24 affordable housing in Lake Placid. In fact,
25 community members and leaders have been concerned

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 for a while since the report was submitted in 2010
3 by the L.A. Group for the Tri-Lakes housing task
4 force, which examined the housing crisis in Lake
5 Placid and other nearby communities and detailed
6 the steps to combat it. They found that new
7 construction of affordable housing is required to
8 support year-round residents, students, transients
9 and the growing aging population. But small
10 communities have such limited resources and
11 struggles it took this latest movement to regulate
12 short-term rentals to shine the spotlight on the
13 affordable housing problem again.

14 I would like to commend Emily
15 Kilburn (phonetic spelling), the chair of the joint
16 housing committee, as well as members Dean
17 Dietrich, Eli Schwartzber, Peter Roland and Jessica
18 Kelly who are spearheading the work to finally
19 address this. But I'm concerned despite the
20 efforts of the Town Board and the Village Board to
21 establish regulations for short-term rentals, some
22 members of the community are blaming S.T.R.s for
23 problems unrelated and are not fully appreciating
24 the economic benefits S.T.R.s bring to this
25 community.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 I believe these regulations do a
3 very good job and I urge the Town Board and Village
4 Boards to stay the course and just make a few
5 changes to prevent just a few of the rules from
6 killing the goose that's been laying the golden
7 eggs. I encourage members of the community to show
8 appreciation for the joint housing committee. I
9 mean, these are volunteers and they're dedicating
10 their evenings and days to trying to solve this
11 problem, which will take time.

12 Again, the Town Village Board
13 members, I would like to just ask if the regulation
14 allows two persons per bedroom plus two, why
15 shouldn't it also allow the same number of cars
16 parked for these individuals if there's adequate
17 parking? Secondly --

18 MS. ESTLING: Thirty seconds.

19 MS. CALVEY: -- why should S.T.R.
20 homeowners and caretakers be held liable for the
21 bad behavior of our guests, even if they spell out
22 the legal requirements in rental agreements? We
23 strongly encourage the Boards to table this
24 proposal until they work out the last few very
25 important details. Thank you.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 MS. ESTLING: Thank you.

3 MS. CALVEY: And I would like to
4 submit a statement from Todd and Sharon Mitendorf
5 who could not attend because of a death in the
6 family.

7 MS. ESTLING: Thank you very much.
8 Next up is Doug Calvey followed by Bryce Cutler.

9 MR. CALVEY: I don't like following
10 her. Doug Calvey, 93 Elm.

11 We built and own High Peaks house on
12 the corner of Hillcrest and Elm. The former early
13 1900s house that was there was on the market for
14 over two years when we purchased it. We rent out
15 our house around a hundred nights a year,
16 predominately for reunions and special occasions
17 such as anniversaries, for some reason eightieth
18 birthdays are very big and bridal parties.

19 A couple weeks ago, we had a family
20 and bridal party stay eight nights for their
21 daughter's wedding. The family made a wedding plan
22 and secured lodging for this important event over
23 one year ago. For their a hundred and thirty
24 wedding guests, they lined up rooms at the White
25 Face Club, Crowne Plaza, Golden Arrow and some of

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 the other hotels. My point with that was hotels
3 and S.T.R.s do need each other just like the
4 Yankees and Red Sox fans.

5 This family -- this family's wedding
6 budget was seventy-five thousand, which included
7 rehearsal dinner and reception at the Cottage,
8 wedding and reception at the White Face Club,
9 shuttle service, bridal party catering, hair
10 styling, et cetera. On top of this was the money
11 spent on hotel stays, food, shopping on Main
12 Street.

13 Now let's imagine a potential future
14 scenario of a similar wedding family interested in
15 Lake Placid for its lodging options to stay
16 together for a week in a vacation house while their
17 guests stay in hotels. This hypothetical family
18 secures blocks of hotel rooms one year in advance
19 and looks for vacation rentals, houses, for the
20 bridal party and immediate family and that's --
21 like I said, we met with people this morning that
22 were exactly that. The immediate family likes to
23 stay together. But they are not able to lock
24 anything down because the S.T.R.s don't know if
25 their permit will be renewed within the timeframe.

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 Not able to secure their preferred lodging choices,
3 they move their destination wedding to Stratton,
4 Vermont or Mont-Tremblant or many of the other
5 places that are available. Or worse case, which
6 really worries us, is this hypothetical family is a
7 week from checking in when they are notified their
8 rental house is not available due to revocation of
9 their permit from unsubstantiated complaints by an
10 area resident who might have a vendetta against
11 S.T.R.s.

12 With the currently written
13 regulations, it's possible for anybody to file an
14 unsubstantiated complaint, which could result in
15 the owner's S.T.R. permit's suspension --

16 MS. ESTLING: Thirty seconds.

17 MR. CALVEY: -- thank you -- while
18 an appeal is being processed. We believe the law
19 needs to be modified to one, allow an appeals
20 process if a violation is submitted during which
21 time the property can continue with its rentals and
22 two, allow only an abutting neighbor to complain to
23 the Town or enforcement offices. Thank you very
24 much.

25 MS. ESTLING: Thank you. Next up is

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 Bryce Cutler followed by Eric Schwenker.

3 MR. CUTLER: Good evening,
4 everybody. Bryce Cutler, 10 Middle Street. I am
5 one of the owners of the Lake Placid House. I am
6 speaking tonight to tell you a little bit about why
7 I am here and why we purchased the home in Lake
8 Placid.

9 My wife brought me here for my
10 fortieth birthday nearly ten years ago and we had a
11 memorable first weekend away and stayed the at the
12 Crowne Plaza. It was our first of many trips to
13 Lake Placid and we have stayed at almost every
14 hotel in town and we also have stayed at a couple
15 of short-term rentals with friends over the years.
16 We have been back at every season and loved it so
17 much that we purchased a house with our friends and
18 business partners.

19 We rent our house because when we
20 are not using it, it is very beneficial to help
21 cover some of the expenses. We just closed on our
22 property in December of last year and I can assure
23 you we are not getting rich on our property. We
24 are very considerate of our neighbors, both when we
25 are using the house and with the renters we approve

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 the rent the house. They have to go through an
3 approval process to rent our house.

4 When we purchased our house, we
5 thought that we would rent it to people from within
6 the three to four hour drive but as we have
7 discovered, many families love to come to Lake
8 Placid from all over the country and our first
9 three guests came from Detroit, Chicago and North
10 Carolina for Christmas, New Year's and a ski week
11 with their families to stay together.

12 Although I have only been enjoying
13 this community for ten years, I have some great
14 life memories that have been made here. I have
15 never had a bad experience with anyone here and
16 have supported many of the businesses in town. I
17 treat this place like it is my hometown. We care
18 about our neighbors and community here just as much
19 as we do our home communities where we have our
20 primary residence.

21 I know there are short-term rental
22 home owners who are absentee and just rent to the
23 highest dollar; that is not us. That is not many
24 of us who are here before you tonight. I ask you
25 to please hold off on the proposed legislation and

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 work together to keep our community the wonderful
3 place that is it is. Eliminating or deeply
4 restricting the short-term rentals just pushes away
5 families to other places and decreases our exposure
6 to the revenue that these renters bring to everyone
7 in our community. Thank you.

8 MS. ESTLING: Thank you. Next up,
9 Eric Schwenker followed by Ethan Perry.

10 MR. SCHWENKER: Good evening. I'm
11 Eric Schwenker, a representative of Gold Medal
12 Hospitality, which is a group of home owners and
13 tax payers in the Town of North Elba and the
14 Village of Lake Placid. I'm also a frequent user
15 of short-term rentals in the Lake Placid region for
16 the last number of years with friends as part of a
17 reunion effort, where we every year engage and ski
18 rental for use of White Face to get together again.

19 In any event, I am addressing you
20 here today on behalf of Gold Medal Hospitality and
21 on behalf of them, let me just turn to the Boards
22 of the Village of Lake Placid and the Town of North
23 Elba and thank you for the substantial efforts that
24 you have done in redrafting these proposed
25 regulations. Gold Medal has always been in favor

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 of reasonable regulation for short-term rentals.
3 As you just heard from the speaker before me, they
4 appreciate that because they take care to determine
5 who they're renting to but also while we thank you
6 for that, Gold Medal does not believe that the
7 Boards have reached really a gold medal of
8 regulation, which we feel that this community
9 deserves.

10 I'll address two points and two
11 issues to take into consideration relative to the
12 proposed law. The first is section eleven point
13 four, which purports to impose strict criminal
14 liability on property owners for conduct of
15 another. First and foremost, the United States
16 Supreme Court has wildly disfavored strict
17 liability for criminal statutes but the idea that
18 it would impose strict criminal liability on
19 conduct of another is submitted by Gold Medal that
20 the penal law of the State of New York and various
21 common law holdings from the Court of Appeals would
22 prohibit such imposition.

23 The second issue, although not all
24 of the issues that we would care to address, but
25 the second issue that I think requires the

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 discussion here tonight was just addressed by the
3 speakers before me is that there's no opportunity
4 for a stay. It's eliminated in section eleven
5 point two. That seems to run contrary to a state
6 statute, which is section two sixty-seven dash A,
7 which provides for the -- that a stay is mandatory,
8 even in enforcement proceedings. So while the
9 proposed law tends to eliminate a stay under eight
10 point three of the existing Town of North Elba code
11 --

12 MS. ESTLING: Thirty seconds.

13 MR. SCHWENKER: -- that would
14 again -- that's not where it starts. That's not
15 where the stage derives from. It derives from two
16 sixty-seven A of the Town law. We urge you, on
17 behalf of Gold Medal, to table the discussion
18 further to address these deficiencies to again,
19 reach that gold medal of regulation. Again, thank
20 you, though, for what you've reached.

21 MS. ESTLING: Thank you. Next up is
22 Ethan Perry followed by Deborah Brown.

23 MR. PERRY: Good evening. Ethan
24 Perry, 213 Victor Herbert Road.

25 As a psychotherapist, I quite often

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 recommend to my clients that they travel north to
3 Lake Placid to enjoy the high peaks, serene lakes
4 and awesome history of this area. They return from
5 here inspired and invigorated.

6 Our family has been in the
7 Adirondacks for generations and it's that same
8 feeling that inspired my family to invest in this
9 town so that our relatives and friends would have a
10 meeting place for generations into the future.
11 While we've been here, we've used all of our rental
12 income to restore our home which dates back over a
13 hundred years in order to sustain its legacy as a
14 meeting place for friends and families to enjoy
15 Lake Placid. Like others in this area, we want to
16 provide the best experience for renters so that
17 they will return year after year to partake in all
18 that Lake Placid has to offer. To that end, we
19 continue to work towards a high standard of
20 accommodation and management and I believe everyone
21 here is aiming to accomplish legislation that
22 maintains a high standard of accommodation, which
23 respects the needs of our neighbors. We're seeking
24 to preserve for home owners who do maintain these
25 high standards the right and opportunity to rent

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 their -- excuse me -- rent their property to
3 short-term visitors.

4 Progress has been made on the
5 proposed legislation, which would regulate these
6 properties but we still have further to go to make
7 sure the legislative process is done fairly. Only
8 with fair legislation in place can we make sure
9 that the -- can we make sure that we continue to
10 provide economic support to the local economy. The
11 numbers that are mentioned here about our impact to
12 the local economy should not be taken lightly or
13 taken for granted. Budgets have already been set,
14 money has already been allocated for projects in
15 this town, so why disrupt the rhythm of income
16 coming into Lake Placid when vacation rentals have
17 such a positive economic impact on this community?

18 Those who visit our homes wish to
19 return to Lake Placid and they also recommend the
20 area to others. If the environment is made
21 unfriendly and inhospitable to the experience these
22 families have grown to love, they will seek other
23 locations to have their family reunions or get-
24 togethers. In addition, the negative optics
25 created by an unfriendly business environment could

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 have far-reaching effects on the town.

3 The Internet, social media and
4 changes in priorities have created a culture where
5 individuals wanting to obtain a home away from home
6 experience have sought out home rentals. This does
7 not mean that traditional accommodation is falling
8 behind, far from it, as the data show. But we can
9 work towards a system which supports the town and
10 the economic interests to residents. We do care
11 about affordable housing for all. This issue is
12 wide-spread across New York State and has been for
13 decades, far before the advent of Air B and B and
14 V.R.B.O. The cause is not short-term rentals but
15 it's a multi-faceted cause that includes pre-World
16 War II homes being inefficient and needing
17 significant maintenance and repairs. And the cost
18 of ownership also exceeding what incomes can
19 afford.

20 Many of the homes purchased by
21 vacation rentals were on the market needing
22 significant work and no locals were buying these
23 homes. Vacation rental owners bought them and
24 restored them. So I hope we can work together to
25 address the faults with the current proposal and

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 develop more just regulations so that we can
3 continue to help this economy thrive. Thanks.

4 MS. ESTLING: Thank you. Next up
5 Deborah Brown followed by Staci Atakaett.

6 MS. BROWN: My name is Debbie Brown
7 and the address is 337 White Facing Lane.

8 I have been coming to Lake Placid
9 for the past twelve years and a couple of years
10 ago, I finally bought a property which I rent out
11 mostly during the summer. I use the home myself
12 whenever I can and never make quite enough to cover
13 all my expenses but I pay my taxes, provide jobs
14 for local services, buy groceries here, eat at the
15 restaurants, play mini-golf, have a gym membership
16 and between my renters and me, we contribute to
17 Lake Placid's healthy tourist economy.

18 It seems that one of the issues
19 driving the proposed regulatory laws about
20 short-term rentals is the year-round residents
21 feeling that the sense of community has been lost.
22 I understand that having trash and noise issues
23 next door to one's home are frustrating. The
24 proposed laws are starting to deal with those
25 issues but I have heard a lot of talk blaming the

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 short-term rentals for destroying the sense of
3 community in the Village, even though the number of
4 local residents has remained the same.

5 I maintain that Lake Placid itself
6 is the catalyst behind these changes. Think about
7 it. There are so many events here, huge events,
8 which are gladly hosted year after year attracting
9 participants and spectators from outside the area.
10 It's not the short-term rentals that are causing
11 more and more visitors each year to want to come to
12 Lake Placid, it's the yearly horse shows, the iron
13 man, the lacrosse tournaments, Olympic training,
14 the upcoming Winter World University Games, et
15 cetera, et cetera, that have turned Lake Placid
16 into an exciting and fun destination. Clearly, the
17 visitors are demanding short-term rentals,
18 especially groups of five or more people who prefer
19 a vacation home to a rental -- to a hotel. Unless
20 the Village wants these groups to spend their time
21 and dollars in other towns instead of in Lake
22 Placid, then all we have -- then we all have to
23 actually be thankful for the visitors who come here
24 and provide salaries and jobs for the local
25 residents and businesses and tax money to the

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 village.

3 Lake Placid can try to regain its
4 lost sense of community by discontinuing these
5 events and thereby reducing the number of visitors
6 but I'm pretty sure we're long past that
7 possibility. However, if we had a task force made
8 up of representatives from the various interested
9 groups.

10 MS. ESTLING: Thirty seconds.

11 MS. BROWN: In other words, local
12 residents, short term rental owners, hotel owners,
13 board members, et cetera area, perhaps we could get
14 some of the sticking points of these proposed laws
15 ironed out and come up with legislation that is
16 fair and keeps Lake Placid as a lovely place to
17 live, work, compete, and vacation and start
18 creating a new sense of community.

19 MS. ESTLING: Thank you. Next up
20 Staci Atakaett, followed by Peter Bolos.

21 MS. TAKACH: Good evening. My name
22 is Staci Atakaett. I am a proud -- I'm proud to
23 call myself a local of Lake Placid. I live at 3
24 Stagecoach Way, which is to most locals, a Lake
25 Placid Stagecoach Inn.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 My husband and I have owned the Lake
3 Placid Stagecoach Inn since 2017 and own a few
4 S.T.R.s. I was first introduced to Lake Placid in
5 '04, when my husband, then boyfriend, brought me
6 here to take in the splendor of the fall in the
7 Adirondacks. We stayed at an S.T.R. and the White
8 Face Club. It was our own little romantic getaway
9 from the craziness of life. We returned to that
10 same S.T.R. at least six times over the next five
11 years. During our visits, we patronize local
12 restaurants, bars, shops, gift shops. We got
13 engaged on top of (phonetic spelling) and then
14 later married at the White Face Club.

15 If it wasn't for that S.T.R. and the
16 White Face Club, I would not have understood that
17 it's possible for us to live here in Lake Placid
18 and make a living. We've worked our tails off to
19 get here. My husband and I are not from a family
20 or families of financial means. What that means is
21 we worked and scraped and sacrificed short-term
22 wants for long-term goals. We worked seventy plus
23 hours a week to get here. We are the pinnacle of
24 hard work and dedication to a goal and to this
25 town.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 Our properties contribute over
3 twenty-six thousand dollars a year in property tax,
4 as well as school tax, along with three percent bed
5 tax and occupancy -- excuse me and sales tax, which
6 vary upon occupancy. That doesn't even scratch the
7 surface of what we do for the town for other local
8 businesses. House keepers, care takers,
9 restaurants, attractions, community members that we
10 refer business to.

11 I am all for smart regulation. We
12 spend a lot of time educating our guests as to what
13 the expectations are. We don't over rent our
14 houses. We have ample parking. We also make sure
15 that they understand the noise ordinance in the
16 town. We want to make sure that our properties are
17 good for not only out of town visitors but keep our
18 community as to what we fell in love with so long
19 ago. We've done this all without any input from
20 the town and we've never had an incident.

21 S.T.R.s are the future, the way
22 people want to travel. We can stay relevant or be
23 another north country town that dies due to lack of
24 industry, commerce or attraction. Saranac Lake and
25 are lying and waiting for Lake Placid to make a

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 mistake so they can reap the benefits and build
3 their towns to the replacement for Lake Placid.
4 I'm glad you think it's funny.

5 Members of this community and parts
6 of this legislation try to make a distinction
7 between --

8 MS. ESTLING: Thirty seconds.

9 MS. TAKACH: -- provisions between
10 locals and non-locals, it creates a hostile,
11 exclusive environment that is by definition
12 selective enforcement. Selective enforcement is an
13 issue that this town combats on a daily basis
14 because the laws and codes get passed without clear
15 and concise regulation. This ambiguity is what
16 muddies the water and gets the town into trouble.
17 I implore you tonight to but a stay on voting.
18 There are still proportions of the proposed
19 legislation that are contradictory in multiple
20 sections and other sections are simply illegal. We
21 are, in my opinion, ninety percent there.

22 MS. ESTLING: Time is up.

23 MS. ATAKAETT: We're all most at a
24 hundred.

25 MS. ESTLING: Thank you. Next up,

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 Pete Bolos followed by Huda Scheidelman.

3 MR. BOLOS: Good evening. I'm Peter
4 Bolos. My wife, Sandra, and I have been coming to
5 Lake Placid for somewhere around thirty years and
6 I've seen a lot of changes go on in Lake Placid and
7 honestly, I haven't seen a lot of negative changes
8 in Lake Placid. We have a place up on Morning Side
9 Drive.

10 When we first started coming to Lake
11 Placid, we would drive through this town and think
12 Main Street is really quaint, really beautiful,
13 it's got a lot of little shops, it's got nice
14 restaurants, it's the classic pretty hometown
15 America. We would drive through the village where
16 the houses were and we were blown away by how many
17 rundown homes there were, big homes mostly, that
18 were just in horrendous disrepair. We always
19 wanted to buy a place in Lake Placid but we'd look
20 at these big homes and thought there's just no way
21 to financially fix these places up. They are
22 just -- they're just money pits.

23 Fast forward about fifteen years and
24 about fifteen years ago, we noticed that some of
25 these big homes are getting purchased and

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 somebody's putting a lot of money into these big
3 homes. We stopped at some of these sites where
4 they were working on these homes and I mean,
5 they're doing everything; plumbing, electrical,
6 just restoring these homes and they're beautiful
7 homes. We're looking at these homes thinking
8 somebody has got a vision for these homes and we
9 stayed at a number of different places, maybe some
10 places what you would call short-term rental. We
11 stayed in hotels, we stayed in motels and when we
12 come up with a group of people, we want to stay in
13 a place together so we'd stay in one of these big
14 homes and they were beautiful. Really well cared
15 for and we rent out our little place, our little
16 townhouse up on Morning Side Drive and we're very
17 selective, we're very careful. We have a property
18 manager.

19 Lake Placid has had a history from
20 the Lake Placid Club right up until today have
21 always having a lot of visitors. Maybe because of
22 the Olympics, Lake Placid Club has introduced
23 people to winter sports. It's my understanding
24 they had, I think, a hundred and ten what would be
25 considered short-term rentals back then, the Lake

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 Placid Club alone.

3 In any event, I look at -- I look at
4 the town and I think at this point with the modern
5 way of doing business, you can't do it just with
6 hotels. You can't do it without short-term
7 rentals. My feeling is we should be embracing --

8 MS. ESTLING: Thirty seconds.

9 MR. BOLOS: -- short-term rentals.
10 We should be putting reasonable permits to have a
11 short-term rental, reasonable bed tax that the
12 short-term renter should be paying. A portion of
13 that money probably should be going to lifelong
14 people that live here full-time maybe to offset
15 some of their property taxes as relief but you
16 can't do it without short-term rentals. You can
17 kill a really good thing and really damage the town
18 irreparably if you go that route. That's my
19 feeling.

20 MS. ESTLING: Thank you. Next up,
21 Huda Scheidelman followed by Laurel Michaels.

22 MR. POLITI: If anyone wants to sit,
23 there are seats in the front. You can come on up
24 if you want to.

25 MS. SCHEIDELMAN: Huda Scheidelman,

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 we're at 213 Victor Herbert Road.

3 Guest rentals have long been part of
4 the fabric of the history of Lake Placid and
5 sounding communities. Now this legacy has become a
6 vital part of the economy of this town. Vacation
7 rentals account for more than thirty-two million
8 dollars a year in revenue spent in local businesses
9 alone. This thirty-two million dollars does not
10 include the millions of dollars paid out annually
11 by these home owners to local contractors,
12 housekeepers and caretakers, nor does it include
13 the millions of dollars in bed taxes and property
14 taxes paid annually by owners who rent their homes.
15 All of this income feeds the strong infrastructure,
16 school system and tax base that Lake Placid has
17 enjoyed in recent years.

18 What research indicates is that
19 those who wish to stay in hotels do not want to
20 stay in homes and those who wish to stay in homes
21 do not want to stay in hotels. While home rentals
22 have become more popular, hotel room bookings have
23 also never been higher in Lake Placid. The rising
24 trend seen by many travelers' preference to stay in
25 a home like setting is not going away. In fact,

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 these guests, if denied their preference of
3 lodging, will not change their preferences but will
4 simply travel to other destinations to meet their
5 needs. Regulations, which are too restrictive,
6 will send business away from Lake Placid and result
7 in multiple properties for sale, a decline in new
8 sales and a terrible ripple effect, which will hurt
9 everyone in Lake Placid.

10 We applaud the board for amending
11 the proposed legislation in a much more reasonable
12 tone but we strongly encourage them to table this
13 proposal to address the following four items.
14 Number one, matching number of parking spaces to
15 number of bedrooms. The current maximum of six
16 spaces makes little sense for a property which has
17 beds for twenty-four individuals and parking for
18 many more than six cars.

19 Number two, this legislation should
20 allow only abutting neighbors to file a complaint.
21 As the regulation stands now, it will create a
22 culture in this town which pits one against
23 another, even though many may not in any way be
24 effected by the occurrences on a rental property,
25 they can pursue a reason to complain about it. We

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 should enforce a fair and consistent code and allow
3 an individual to report if they are directly
4 affected by their neighbor's failure to follow that
5 code.

6 Number three, create an allowance
7 for an appeal process during which time the home
8 can still be rented. Due process must be a part of
9 this legislation. The failure to allow this will
10 result in numerous and unnecessary lawsuits for
11 both home owners and guests --

12 MS. ESTLING: Thirty seconds.

13 MS. SCHEIDELMAN: -- that will only
14 burden the town.

15 Number four, owners should not be
16 held liable for their guests' behavior. Guests who
17 park illegally should be penalized and guests who
18 are allowed will be asked to leave by the owner if
19 they do not quiet down. Lake Placid can lead the
20 region not only by maintaining the amenities of a
21 great destination vacation but also as a model host
22 to our athletes and guests who wish to enjoy both
23 hotels and home stays as this town has done for so
24 many generations. Thank you.

25 MS. ESTLING: Thank you. Next up,

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 Laurel Michaels followed by Allan Miner. Next
3 after Laurel will be Margaret Kierstein.

4 MS. MICHAELS: Hi. Laurel Michaels,
5 331 White Facing Lane. Although not year-round
6 residents, my family has been part of the Lake
7 Placid community for most of my life. We have
8 volunteered in Lake Placid, trained, competed, and
9 taught winter sports in Lake Placid, supported Lake
10 Placid businesses and paid Lake Placid taxes for
11 forty years. We rent our one property in Lake
12 Placid as a short-term rental and this is only to
13 cover costs so that we can keep it in the family.

14 As you know, a significant part of
15 the Lake Placid economy depends on tourists.
16 Tourists more and more want a vacation experience
17 that short-term rentals provide. This is not my
18 opinion, it's a fact proven by the huge growth of
19 companies like V.R.B.O. and Air B and B. The
20 bottom line is that many tourists want short-term
21 rentals rather than hotels.

22 Short-term rentals put over than
23 thirty-two million dollars a year into the Lake
24 Placid economy. This money goes to contractors,
25 restaurant owners, employees, cleaners,

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 landscapers, retail establishments, attractions and
3 on and on. Short-term rentals, through the taxes
4 they pay, also contribute to funding the Lake
5 Placid Schools, the fire and police departments and
6 other services.

7 So here's the problem: The
8 currently proposed short-term rental regulations
9 are so extreme that they threaten to cripple
10 short-term rentals. What will this mean to the
11 local people? Well, first, let's talk about the
12 reduction of the thirty-two million going into
13 local business. Hey, travelers are fickle. If
14 they can't find a short-term rental in Lake Placid,
15 well, they'll use V.R.B.O. and Air B and B to find
16 somewhere else for their family and friends to
17 meet. Reduction of tax money going to the schools,
18 police, fire and so on. If current short-term
19 rental owners can't sell their properties due to
20 the extreme proposed limitations and note that some
21 of this has already happened, their property values
22 will go down and so will their taxes. When their
23 taxes go down, that means less money going to Lake
24 Placid Schools, police, fire and so on.

25 I really don't think anyone wants

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 this outcome so how can we fix it? This is what I
3 suggest: We set aside the current proposed
4 legislation --

5 MS. ESTLING: Thirty seconds.

6 MS. MICHAELS: -- in favor of a plan
7 where the Town and Village Boards cooperatively
8 work together with stake holders, including
9 short-term rental owners and local businesses to
10 create a set of guidelines that is fair to all
11 involved. Thank you.

12 MS. ESTLING: Thank you. Next up
13 Margaret Kierstein followed by Raymond Havlicek.

14 MS. KIERSTEIN: Hello. I'm Margaret
15 Kierstein and my home is at 3 Hemlock Way.

16 As a homeowner who rents out our
17 small home on a short-term basis, we are part of
18 Lake Placid and concerned about housing
19 affordability in this town. We'd like to have a
20 productive exchange in process with the Town Board
21 about how to help address this issue based on
22 current information since there is speculation that
23 S.T.R.s negatively affect affordable housing here.

24 As far as we know, the last time a
25 comprehensive study of affordable housing in the

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 Tri-Lakes area was completed was in 2008. In that
3 study, the causes of affordable housing of the
4 affordable housing shortage were unrelated to
5 short-term rentals. Certainly, all the problems
6 identified in that study predate the upward trend
7 in short-term rentals.

8 Currently, the Community Development
9 Commission has twenty thousand dollars to conduct a
10 three month study. It will look at what income
11 range the committee should focus on serving, what
12 housing stock is currently available to people who
13 fall within the income range, what would be
14 considered affordable housing for the residents of
15 this area and potential gaps in the housing market.
16 Quote, in order to determine these, we need more
17 facts, Gene Dietrich said. The study is to start
18 in October -- he didn't say this but the study is
19 to start in October 2019.

20 The Village and Towns proposed
21 short-term rental regulations are still in draft
22 form and while the board has improved these imposed
23 regulations, more work needs to be done on them.
24 Most importantly, they need to be informed by
25 current and relevant data that this upcoming study

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 will provide.

3 I attended also the July 2019 board
4 meeting where the Community Development Committee
5 presented this information about their wanting to
6 start a study and in late July we're going to be
7 putting out to bid who is going to be doing this as
8 an independent investigator and with the study to
9 start in October and I would suggest that the Town
10 wait to see because there's a confluence of many
11 things. One is affordable housing. The -- excuse
12 me. The short-term rental regulations and how they
13 impact --

14 MS. ESTLING: Thirty seconds.

15 MS. KIERSTEIN: -- the Town and also
16 how affordable housing -- how it can be highlighted
17 and to get more data before any decisions are made.
18 Thank you.

19 MS. ESTLING: Thank you. Next is
20 Raymond Havlicek followed by Karen Huttlinger.

21 MR. HAVLICEK: Thank you for giving
22 me this opportunity to speak. I'm new to this
23 issue. I spoke up at the last meeting in June. I
24 live at 30 Cayuga Way in Lake Placid.

25 I am a clinical psychologist and I

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 am very concerned about quality of life. That is
3 my number one issue. I see the school enrollments
4 in our public school declining severely. I see
5 housing costs increasing. Taxes have risen to a
6 point where many people tell me they can't afford
7 to live here. People that run businesses in this
8 area say they can't get workers to come to work
9 here because they can't buy a house. Rentals are
10 very, very expensive. I think we have serious
11 problems. We have a vape shop down the street.
12 What does that tell you? Kids are going into the
13 vape shop. Why doesn't this board stop the vape
14 shop?

15 We need to recognize that the
16 quality of life in Lake Placid is not what it was
17 when I moved here. I moved here in 1985 where I
18 built my first house here in 1985, about
19 thirty-five years ago and I loved the sense of our
20 beautiful community. I loved the closeness. We
21 had kids all around my house, running all -- they'd
22 walk in my house, they'd go out of my house. Now
23 there are two kids within three hundred feet of my
24 house.

25 The census in the public school has

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 dropped. We've got drugs all over the place.
3 We've got alcohol problems. I don't like the
4 direction that the community is moving in and it is
5 my belief that the short-term rental situation is
6 not helping. Nowhere in this law that I just read
7 does not propose getting rid of short-term rentals.
8 It does propose some sensible regulations which I
9 like. Okay. We will always have the short-term
10 rentals. However, there needs to be some sense
11 brought to this problem.

12 One issue that I didn't see and I
13 read it very quickly is there's no cap on the
14 number of bed and breakfasts and short-term rentals
15 that we have. I understand there's three hundred
16 sixty-five now in our neighborhood that's within
17 our community; that's a lot. The more money that
18 goes into them, the higher the values go, the
19 higher the taxes go and then affordability goes out
20 window and we have a very big problem.

21 I think we really need not a
22 moratorium on this law. We certainly need to have
23 this law kept in place. We may need to talk about
24 some improvements to the law that exists at this
25 particular point but I can tell you as a clinical

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 psychologist that works in our community, ninety
3 percent of the clients I see are from the North
4 Country. It's not going in a good direction folks,
5 when you have fifteen and fourteen year old kids
6 using drugs and vaping and all the mental health
7 problems that are associated with this.

8 So thank you for listening to me. I
9 hope that we can reach a sensible conclusion.

10 MS. ESTLING: Thank you. Next up,
11 Karen Huttlinger followed by John Hopkinson.

12 MS. HUTTLINGER: My name is Karen
13 Huttlinger. I live at 23 Marcy Road. My husband
14 and I have lived there for twenty-four years this
15 fall.

16 When we sit on our front porch, we
17 can see nine houses. Three of them are lived in
18 full time. I have enjoyed hearing people tug at
19 the heart strings of, "Gee, they like to come up as
20 a family and they like to come up as a bridal
21 party," and I've got no complaints with that. I do
22 think that we need to cap the number of people,
23 just like we try to control the number of people
24 with other things to, you know, maybe only twelve
25 bridal parties this weekend and, you know, what

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 not.

3 I think we have too many short-term
4 rentals. I was on the fence about this regulation
5 but now having heard so many short-term rental
6 owners whine about it, I think it's probably a
7 really good idea. Okay. If housing prices are
8 going to go down because people who invested in
9 these homes not to live in them but to make money
10 out of them, that's a good thing because it means
11 that our families can afford to live in them again.
12 Okay.

13 Now, I hear a lot of people say
14 that, "Oh, it's not legal. We can't cap this. We
15 can't cap that." Lake George did it and I think
16 that if we really had the will, we could come up
17 with something that would control the spread of
18 this. I'd just like to remind the alerted
19 gentlemen here that most of the short-term rental
20 people don't vote in the Village and the Town.
21 Okay. We do.

22 So just to conclude, I would like to
23 say to the short-term rental owners: You guys
24 think that you have the legal right to do this,
25 maybe, but you don't have the moral right. Thank

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 you.

3 MS. ESTLING: Thank you. Next up

4 John Hopkinson followed by Richard AuLenti.

5 MR. HOPKINSON: My name is John

6 Hopkinson. I live at 79 Adirondack Lodge Road in

7 Lake Placid.

8 I'm here tonight primarily as the

9 chairman of the Lake Placid North Elba Zoning Board

10 of Appeals. I'm uncomfortable about the

11 positive-negative impact onto the Z.B.A. of part

12 two section eleven point two item F seven of the

13 proposed law, which indicates that our group will

14 have responsibility to adjudicate appeals of

15 decisions of the enforcement officer of penalties

16 for alleged violations. Up to now, virtually all

17 of our cases that come before us are what are

18 called area variances. The determination process

19 for these cases is prescribed by New York State Law

20 and our decisions are usually made in a very

21 straight forward and rapid manner.

22 This is not so the case with

23 interpretations, or appeals as they're so called,

24 which admittedly have been rare up to now. These

25 become much more like court cases. There's usually

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 a plaintiff, a defendant, lawyers, each one of
3 which presenting their case. There is evidence
4 presented, there are documents recorded, the code
5 enforcement officer has to mark as evidence
6 physical documents that are presented and the
7 Z.B.A. Counsel has to develop a legal findings of
8 fact. Not surprisingly, the few interpretation
9 cases that we have handled recently have taken
10 many, many months to resolve.

11 I'm concerned that the Z.B.A. as
12 currently configured and oriented may not have the
13 capacity and/or the expertise to handle what would
14 likely become a much more heavier docket of novel
15 cases. This is because cited rental unit owners
16 have considerable incentive and negligible downside
17 to appeal the penalties imposed by the enforcement
18 officer.

19 I'm okay for now to take a
20 wait-and-see approach on this potential issue
21 possibly for a year or so.

22 MS. ESTLING: Thirty seconds.

23 MR. HOPKINSON: However, I would ask
24 the Town and Village Boards to make a firm
25 commitment very soon to revisit this matter in a

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 specified near termed later date and then to modify
3 the law as required. Thank you very much for
4 listening.

5 MS. ESTLING: Thank you. Mr.
6 AuLenti, did I understand you're passing on
7 speaking?

8 MR. AULENTI: Yeah.

9 MS. ESTLING: Thank you. Next up is
10 Don Scammell. He will be followed by Zay Curtis.

11 MR. SCAMMELL: Good evening. My
12 name is Don Scammell. My wife and I live at 272
13 Bear Cub Lane, as we have for forty years.

14 My wife's a native. I moved up here
15 in 1969 and boy, has this place changed. I commend
16 the board for doing this. It's in the right
17 direction but I don't think it's strong enough yet.
18 I do believe there should be a cap, if not a
19 moratorium. I also think there should be a cap on
20 the number of days that any S.T.R. can be rented in
21 a given year. I also think that the zoning board
22 fellow touched upon a lot of issues and where is
23 the zoning board going to say when businesses are
24 done in a residential area? How is that going to
25 be taxed?

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 We walk down Main Street now. We
3 used to know everybody. Now, we know nobody
4 because all of us don't want to go in the streets.
5 So we need a cap, if not a moratorium and if these
6 S.T.R. people think that they're the cause of our
7 tourism, they just don't read the newspaper.

8 MS. ESTLING: Thank you. Next up,
9 Zay Curtis followed by Trish Friedlander.

10 MR. CURTIS: My name is Zay Curtis.
11 I live at 328 West Valley Road.

12 You know, it's nice to stand here
13 and hear all the people with rental properties talk
14 about the economic impact on Lake Placid and that's
15 wonderful but it doesn't help me when I'm awakened
16 at two thirty in the morning for people partying on
17 the back deck on the house behind me on Essex
18 Street. I have called the Lake Placid Police five
19 times since rugby came because of being wakened up
20 in the middle of the night out of a sound sleep.
21 And I think -- as I think about it and I've been to
22 the -- talked to the police department.

23 They've done an excellent job. They
24 always come, they always get them to quiet down.
25 It happens pretty quickly but two days later

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 there's a different tenant and we have to repeat
3 the thing all over again and so I think this law
4 and I -- if it's in there I don't see it, it refers
5 in the enforcement side to referring to local and
6 town law but I don't see a trigger anywhere which
7 says at what point do I get to stop calling the
8 police in the middle of the night and that rental
9 property gets permanently handled? I shouldn't
10 have to sue to have that happen. It should happen
11 automatically after a certain number of calls or a
12 certain number of complaints.

13 And I think that's all I really have
14 to say and I hope the board will take a listen.
15 It's fun watching these guys because I used to sit
16 on that board but I really hope that we look at the
17 trigger. We look at what -- at what point are
18 enough complaints enough to cause government to
19 take action without me having to spend the money
20 and file a lawsuit? I mean, it's ridiculous and
21 that's what we need to solve. That's it. Thanks.

22 MS. ESTLING: Thank you. Next up,
23 Trish Friedlander followed by Karen Armstrong and
24 family.

25 MS. FRIEDLANDER: Hello. My name is

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 Trish Friedlander and I am a local resident who was
3 born and raised in Lake Placid. I live here twelve
4 months a year. I have chosen to come back with my
5 children to raise them in the community that I call
6 my home.

7 I have a room in my home that I rent
8 on Air B and B. My intent tonight is to ask the
9 board to enforce the current land use code. All of
10 the complaints, including parties, noise, parking
11 and et cetera, although important, are secondary to
12 the fact that the current land use code is not
13 being enforced. The North Elba land use code
14 states single family and two family residential
15 uses are the -- are the only permitted uses in my
16 district. To simplify, businesses or lodges are
17 not allowed as per the land use code, to operate in
18 residential neighborhoods, period. This is what is
19 happening in our community, predatory. Yes,
20 predatory investors are buying up homes in
21 residential areas and using these homes to make
22 money at the cost of driving our locals out. Our
23 neighborhood -- locals out of our neighborhoods.
24 So they're destroying our neighborhoods and
25 burdening our resources.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 We have residential zoning for a
3 reason and that is to preserve and protect
4 residential areas from commercial development. If
5 you have residential neighborhoods, you have people
6 who live here, work here and care about the
7 community. I am proud of this town and welcome
8 others to visit and stay and become the people in
9 our neighborhoods who sponsor sporting teams, hold
10 fundraisers for sick community members, volunteer
11 for our fire department and give back to our town.

12 At a meeting earlier this year, the
13 board was awaiting the result of a lawsuit between
14 Northwood School and the joint Zoning Board of
15 Appeals for our town and the village regarding a
16 large house being used as a student dorm and its
17 allowance in a residential neighborhood. Northwood
18 School lost that lawsuit. The report points to the
19 relative lack of permanence in the groups of
20 persons who would be in residence and further
21 states the feeling of the property is more akin to
22 a boarding house, a group home or dormitory than a
23 single family dwelling. This lack of permanence is
24 what the absentee owner vacation rentals have.

25 These short-term rentals in

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 residential zones are masquerading as a residences
3 but are really lodges or even hotels. They are in
4 violation of the land use code that was upheld by
5 the New York State Supreme Court in the Northwood
6 case. I am asking you to enforce the land use code
7 that is already in place that does not allow these
8 absentee owner vacation rentals to operate in
9 residential areas.

10 I want to thank the board from your
11 consideration, in particular Jason Leon for
12 representing the people of this community and
13 caring about our neighborhoods. Thank you.

14 MS. ESTLING: Thank you. Next up,
15 Karen Armstrong and family and then Ann O'Leary.

16 KAREN ARMSTRONG: Hi. I'm Karen
17 Armstrong. I live at 61 Acorn Street and that is
18 my only address. This is my family.

19 GABBY ARMSTRONG: Hi. I'm Gabby
20 Armstrong I also live at 61 Acorn Street.

21 We cannot adopt this proposal. We
22 have land use codes to preserve residential areas
23 for a reason. If we adopt this proposal, we will
24 no longer have residential areas, full stop. Do
25 not be sidetracked by those business interests and

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 predatory investors us that S.T.B.R.s are what our
3 community needs. They are not. We should not
4 continue to subsidize these businesses masquerading
5 as residential homes and apartments as they are
6 inflating property values, overusing services and
7 not paying their fair share in commercial rates or
8 taxes.

9 They tell us that they're operating
10 these businesses because it's good for us. We know
11 this is not the case. This is good for their
12 pocketbooks and we are subsidizing them by not
13 labeling them for what they really are:
14 Businesses. If we preserve our residential areas
15 as code, as is the intent of our current land use
16 code, those who work here might be able to live
17 here and those who live here will patronize our
18 shops, send their children to our schools, attend
19 our houses of worship, volunteer for local
20 organizations and help to welcome all the wonderful
21 tourists that visit this beautiful place.

22 For those of you who have purchased
23 property in our residential neighborhoods, we
24 welcome you as full-time or part-time residents.
25 We also welcome your business investments in our

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 commercially zoned areas.

3 In closing, to the members of our
4 board, elected by us to represent us, we cannot
5 adopt this proposal. Please draft quickly language
6 that we bolster our current land use code to
7 preserve areas for residents to affordably live, as
8 has always been the intent of our code.

9 Finally, we would like to
10 acknowledge the efforts of trustee Jason Leon in
11 advocating on behalf of the average resident.
12 Thank you.

13 MS. ESTLING: Thank you. Next up
14 Ann O'Leary followed Mary Jo Von Tury.

15 MS. O'LEARY: Wow. Hi, I'm Ann
16 O'Leary. I live on North Snell Way. This is my
17 thirtieth year here starting this week. I live
18 here year round. I live in the south Lake
19 District, which is the most heavily regulated
20 district in Lake Placid, it's over across from the
21 Northwood School and it's most heavily regulated
22 regarding code.

23 We recently won a decision that
24 Trish was speaking about but it went to the Supreme
25 Court at the State of New York and it was regarding

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 the home behind me, near my property that was owned
3 by the Northwood School and they wanted it to make
4 it into a dorm but code held and the courts deemed
5 that a dorm was not in line of the definition of a
6 single family residence. If this doesn't fall in
7 line, which the children were there at least nine
8 months, if this doesn't fall into line, how can a
9 weekly turnover of people be in compliance?

10 The property next to me is owned by
11 a couple who own eight to ten properties and they
12 advertise for up to twenty-two people staying
13 there. The home on the tax records is paying tax
14 on a thirty-one hundred square foot home with three
15 bedrooms but they advertise a fifty-five hundred
16 square foot home and can sleep up to twenty-two. I
17 happen to know that two of those bedrooms have no
18 egress there in the basement. They have -- they're
19 built into a berm so they're not even safe. This
20 is clearly a business because if they own eight to
21 ten properties with twenty -- up to twenty-two
22 people, they are housing up to a hundred eighty
23 people a week, potentially. These owners have
24 never spent a night in this home to my knowledge.

25 So in my view, the addition of

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 regulations -- this regulations that were relevant
3 to many of the districts in this town, how can you
4 permit something that is inherently in violation of
5 code is what I would say. And I guess my other
6 question to the people -- the good people sitting
7 here: Is our entire code being modified or is this
8 just a singular action? Because if the entire code
9 is being modified, this is a much larger discussion
10 with really in incalculable consequences. Thank
11 you for your time.

12 MS. ESTLING: Thank you. Next up,
13 Mary Jo Von Tury followed by Brian Marshall.

14 MS. VON TURRY: Hello, everyone. My
15 name is Mary Jo Von Tury and my home is at 50
16 Interlaken Avenue.

17 Over the last seventy years, we have
18 owned our property. It's a hundred twenty-four
19 years old and we've owned it since 1949. My
20 parents' great delight was sharing our seasonal
21 home with others. I would say that approximately
22 forty-five out of the seventy years we have rented
23 our house as what is now called a short-term
24 rental. In addition to their desire to share, it
25 also became a necessary endeavor to help raise

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 income for the three taxes due to the Village
3 school in town, whether you are a full-time or
4 part-time resident.

5 Luckily, we were able to help the
6 local economy by bringing so many people and
7 families to the area over so many years. We always
8 rented through the local realtors and met the
9 necessary requirements outlined in the contracts
10 they signed. I now have continued this endeavor.
11 I have followed my predecessor's rules of the
12 house, added some of my own. Before I accept a
13 rental, I require background on each person who
14 will be staying, my utilities are in order, I have
15 alarms and fire extinguishers. I put the parking
16 on my lawn if necessary and I am always there to
17 meet, greet and get a sense about my guests, do I
18 walk through with them, leave my contact
19 information as well as that of the local police and
20 fire departments and I check in by phone or email
21 throughout their stay.

22 Why, then, am I being penalized by
23 this proposed law and forced to pay thousands of
24 dollars for a permit and why are these proposed
25 permit fees so high? What are they based on? Or

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 are the amounts purposely so high as to make it
3 impossible to rent any longer? I'm very sorry to
4 hear about friends and residents who are being
5 affected by the abuse of the renters and tenants
6 leading to overcrowding neighborhoods, parking
7 spots, out of line conduct but it is the online
8 sites that need to have knowledge of and enforce
9 the rules and work with our town officials to
10 secure that the listed properties are in order --

11 MS. ESTLING: Thirty seconds.

12 MS. VON TURY: -- they are guarding
13 against to the abuse of the system so that everyone
14 is protected. It is the job of the renters to know
15 who your tenants are, to verify the number of
16 tenants coming. I have not had one problem in
17 thirty-five rentals. As a law abiding citizen and
18 tax payer, I feel I have the right to share my
19 property with others. However, I may never be able
20 to afford the permit fee to continue my dreams --

21 MS. ESTLING: Thank you. Time is
22 up.

23 MS. VON TURY: -- and that of my
24 family. Thank you so much.

25 MS. ESTLING: Thank you. Next up,

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 Brian Marshall followed by Jennifer Newhart.

3

4 [End of Audio]

5

6 190826hph(1)SF Elizabeth Sovinski ES

7 MR. MARSHALL: Hi. My name is Brian

8 Marshall. I live at 363 Adirondack Lodge Road and

9 we have a vacation rental on a commercial property

10 on Saranac Ave. It's a very large house. Our

11 average bedroom size are three hundred to three

12 hundred sixty-five square foot. It's a large,

13 large house.

14 Most of our clients are family

15 reunions, people coming together from all different

16 states coming to stay here. We have adequate

17 parking. We can have easily ten cars without even

18 looking crowded in there. We're on the property

19 every single day. We have the Boots and Birdies

20 miniature golf course on there. We're always on

21 the property.

22 It is a commercial property and I'm

23 just feeling that perhaps because of the size,

24 we're limited now of regulations of how many people

25 we can have in the house. We're not trying to get

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 huge monster parties and everything. We're there
3 when they're -- anything does get out of hand and
4 we've had some tough times but we're right there
5 and within minutes, you know, we're on the property
6 and it is stopped. So we're there full time.

7 But I think that in this particular
8 case since it's a large house, there should be a
9 way or a means for us to work with the zoning and
10 having maybe a board of appeals or a variance where
11 you would go and you would say, you know, these
12 rooms are extra-large. They're four times larger
13 than the seventy square feet that you have to have.
14 There should be a way that in a circumstance where
15 we exceed the square footage, we're totally
16 commercial, have a parking lot, there's no
17 neighborhoods around there. I think what we're
18 doing is a great job. I just think there are a few
19 things that we'll have to tweak over the years to
20 add and in our case, we vary from a lot of them.

21 We're not in a neighborhood. I feel
22 sorry for a lot of our neighborhoods up here. I
23 know the problem that our town has but in a
24 commercial -- you know, the Air B and Bs are the
25 way of the future. People are booking it all over.

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 We have to address this and we have a piece of
3 property that is ideal for it. We are in control
4 and I just think there should be a way that, you
5 know, we can say well, we have -- our rooms are
6 four times the size of a normal room that we can,
7 you know, have more people in there because there
8 is a need for the family reunions that like to come
9 together from all different states and meet in the
10 Lake Placid, which is most of our rental. Thank
11 you.

12 MS. ESTLING: Thank you. Next up,
13 Jennifer Newhart followed by Annie Destito.

14 MS. NEWHART: Thank you. My name is
15 Jennifer Newhart. I live at 36 Oneida in Lake
16 Placid. We have lived here for thirty-five years.
17 It is our only home.

18 What I'd like to start off with is
19 the fear mongering attitude that was placed -- the
20 add here that was placed. As if, as several people
21 have already mentioned, that the only reason that
22 Lake Placid is successful is because of the Air B
23 and Bs. We have been successful for years and
24 years. We have -- do not need that to make us
25 successful.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 The other thing I'd like to say is
3 that people who have been coming up have been
4 talking about themselves as businesses. They are.
5 They need to be taxed as businesses. That's where
6 this is going. We don't -- the other thing,
7 residents. It's our home. It's our residence.
8 It's not a commercial property. I understand what
9 the Marshalls are saying. They're in a commercial
10 place. Have a business, get a commercial place.
11 Do not have a business in our home. That's what
12 you're doing.

13 Point three, it's really funny that
14 if you have three commercial or three Air B and Bs
15 in a row and the middle one happens to be the one
16 having the noise that nobody can report it because
17 there's nobody abutting them that is an actual
18 resident.

19 Final, a lot of the contractors, a
20 lot of the caretakers, a lot of the people that are
21 supporting, taking care of these properties, they
22 can't live here. They can't vote here. Remember
23 who does. Thank you.

24 MS. ESTLING: Thank you. Next up,
25 Annie Destito followed by Debbie Josephson.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 MS. DESTITO: Good evening. I am
3 not a Lake Placid resident. I live in a
4 neighboring area, however, I am an Air B and B
5 host. It is my single residence and I want to just
6 take a minute to point out that -- and I haven't
7 heard this from any of you. You guys are in a
8 different situation here with a large area with a
9 lot of people coming in here but to the rest of us
10 in the North Country who are struggling to make a
11 living out here and my specific situation is with a
12 three year old and a cancer patient for my husband,
13 being able to rent my house was the difference
14 between being homeless and feeding my family and
15 keeping us housed.

16 So although this is a slightly
17 different scenario, I think when you think about
18 how you're going imply these things or cap things
19 and limit things, I never expected to be in this
20 situation. I never expected to need to rent out
21 seventy-five percent of my home so that my family
22 could stay there and live. So I think you need to
23 consider when you talk about these cappings,
24 moratoriums and all these things that somebody in
25 here could end up in my situation and you will be

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 homeless, too, if you can't keep your home because
3 you don't have the right to do with it what you
4 need to do. And I just want to let you think about
5 that for a minute. Thank you.

6 MS. ESTLING: Thank you. Next up,
7 Debbie Josephson followed by Kevin Fountain.

8 MS. JOSEPHSON: Hi everybody.
9 First, I want to address the Board, the Boards, and
10 thank you very much for all of the hard work that
11 you and Town Council have put into these
12 regulations and all of the effort that you have
13 gone to try to reconcile what is clearly a very,
14 very difficult divide.

15 I was going to tell you about being
16 a local because I am a local. I grew up here
17 listening to W.N.B.C., listening to the J and K
18 Show and Swap Shop and it was a great place to grow
19 up. It's also a wonderful place to be as a grown
20 up. And when my family moved away decades ago, I
21 continued to come here and we used to stay -- we
22 would come with friends and other family and we'd
23 stay in Saranac Lake because we couldn't afford the
24 hotels in Lake Placid but we'd come here because
25 Lake Placid is Lake Placid.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 So it was in 2000 that my spouse and
3 I first rented a in-house vacation rental and we
4 discovered that oh my gosh, we can do this and we
5 can bring our friends here and family and we can --
6 have continued do that year ask after year after
7 year and those people have continued to come and
8 rent vacation rentals and in nineteen -- excuse me.
9 In 2007, my spouse and I actually sold our primary
10 home to be able to try to extract some money to be
11 able to buy a place here and fortunately, we were
12 able to do that.

13 Since then, we have used it, our
14 friends have used it, family have used it and we
15 have rented it out to guests and our guests love
16 it. We have had no complaints from our neighbors.
17 Our neighbors tell us that they like our guests.
18 Our guests love our neighbors. I know it sounds
19 kind of, I don't know, maybe Pollyanna-ish but it's
20 worked for us and we would not be able to have our
21 home here, which we hope to be in full time at some
22 point because we couldn't -- if we had somebody
23 living in it all the time, we wouldn't be able to
24 use it. If we only are here when we can be, then
25 it's empty and in the winter you do not want an

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 empty home here.

3 So what I would like to wrap up and
4 thank you in my little thirty seconds is to say
5 that the Board has worked very hard. Let's all
6 take a breath here. We are blessed to be in a
7 position where most people involved in this process
8 have strong connections, sincere commitments and
9 deep affection for this area. Let's all work
10 together. If there's any place that has in its
11 D.N.A. the ability to work --

12 MS. ESTLING: Thank you.

13 MS. JOSEPHSON: -- together and have
14 hospitable environment, it's Lake Placid. Thank
15 you.

16 MS. ESTLING: Thank you, next up it
17 Kevin Fountain followed by Herbie Fountain. Thank
18 you. So after Kevin will be Leslie Walch.

19 MR. FOUNTAIN: Hi everybody. My
20 name is Kevin Fountain. I live at 35 Taylor Way.
21 I was born in Lake Placid, New York. Actually, in
22 Lake Placid not Saranac Lake, in a house on 4th
23 Street, now called Acorn Street and the house is
24 town down because I guess somebody wants to expunge
25 me from the history of Lake Placid. Bugger.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 I want to thank the Board -- Boards
3 for what they've done and the work they've put in
4 and I think the law has been, in a lot of ways,
5 most ways, is a good law. I think that not
6 allowing people to park in the garages seems a
7 little strange but you know, I can live with that.

8 There's one section which I think is
9 objectionable and that's number eleven four. I
10 think jail time for violation of short-term rentals
11 local code is not right. The article of the local
12 law is written is an invitation to arbitrary and
13 capricious enforcement. There are no legal
14 restraints upon those enforcing the law, no trial,
15 no jury, no defense. Responsibility is unclear.
16 If I have a contract by a Merilel Thomas (phonetic
17 spelling) because I don't use any of the Internet
18 services, for a rental and the contract specifies
19 that only four cars are allowed to park but
20 unbeknownst to me and unbeknownst to Merilel
21 Thomas, the renter's uncle shows up and parks a
22 fifth car. Well, who goes to jail? Me because I'm
23 the owner of the property or Merilel Thomas for
24 assisting in the violation? Or the renter or the
25 renter's uncle? And this is for a first offense.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 Nobody that should be sent to jail
3 for an offense of this sort. The punishment is
4 extreme, unusual and excessive for the crime and I
5 think this eleven point four should be deleted.

6 From what is otherwise a pretty good attempt and
7 the result of a lot of hard work and hard thinking
8 by very capable people and our local government.

9 There are a lot of people who think
10 that everything was pristine in this -- in Lake
11 Placid. It was good. I'm glad I was born here and
12 glad I grew up here but it sure as heck was not
13 pristine. We had to struggle all the time because
14 it's not vacation rentals which have changed the
15 character of the town. It's the fact that people
16 leave the town like I did. I came back but I had
17 to leave and families don't move here for the same
18 reason. It's the same reason; there are no jobs.

19 MS. ESTLING: Thirty seconds.

20 MR. FOUNTAIN: And I am putting my
21 mouth where my money is -- money where my mouth is
22 and pledging right now that I will work, give my
23 time and my money to the Boards if they have an
24 idea. I drew up plans for a multi-story car park
25 on Main Street. I tried to get people to come into

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 the Sell Sign Center (phonetic spelling) anything
3 anybody with a workable idea that will --

4 MS. ESTLING: Thank you very much.

5 MR. FOUNTAIN: -- benefit and create
6 jobs for the community has my support.

7 MS. ESTLING: Next up Leslie Walch
8 followed by Jessica Kelly.

9 MS. WALCH: My name is Leslie Walch.
10 I live at 39 Jersey Drive.

11 Fifteen years ago, I inherited a
12 family home and my first time to Lake Placid was in
13 '62, when I would come up here to visit family and
14 it was a bittersweet thing that I ended up
15 inheriting this home but my husband and I have been
16 coming up here now and living here part time during
17 the year. While I live here, I have been doing Air
18 B and B for the last nine years. I rent out spare
19 rooms in my house. I am -- I greet my guests. I
20 am their concierge. I am the one that changes the
21 toilet paper. I am the one that gives them a list
22 of things to do and restaurants to go to and I
23 would not be able to keep this family home, as you
24 have said, unless I was able to take these spare
25 rooms and generate some income to be able to pay

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 the taxes for the school, the town taxes and I have
3 never had an issue.

4 Most of the people that come to my
5 home are in bed at ten o'clock like I'm in bed at
6 ten o'clock and I -- I know there is a problem
7 where people are coming in and building these homes
8 that house twenty people and a manager is twenty
9 miles away and I believe there is an issue but I
10 would hope that the Board would recognize that
11 there is also a different side to this coin and
12 there are people that do rely on being able to home
13 share and I hope that as you put these regulations
14 in place and these license fees, that you look at
15 it a little differently when a person is truly just
16 trying to maintain something that's been in their
17 family. Thank you.

18 MS. ESTLING: Thank you. Next up,
19 Jessica Kelly followed by Mellissa Furnia.

20 MS. KELLY: Oh, there's a lot of
21 people here. I'm in the front row where there were
22 seats but my name is Jessica Nungent Kelly. I say
23 Nugent Kelly because I am a native of Lake Placid,
24 one of the very few. I think I'm a fourth or fifth
25 generation native but I was born in Saranac Lake,

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 not Lake Placid.

3 So I just want to start with first
4 of all, thanking both of the Boards and everybody
5 who put all of the work into this because I know it
6 takes countless hours and commitment so thank you
7 and community members so thank you.

8 So I live on 42 Cherry Street.

9 That, you haven't heard yet, because that's one of
10 those homes that needed a lot of work. My husband
11 and I just bought it on July 3rd and had to put our
12 whole heart and soul into gutting the entire thing
13 and are still trying to figure out how to afford
14 it.

15 I'm a teacher here and I came back
16 to the area. I say I left for a couple of years
17 because I got a teaching job in the Thousand
18 Islands and I came back to raise my child here
19 because this town is magic. It always has been and
20 long before short-term rentals, my grandfather --
21 there were rentals and that's okay because we don't
22 want to bite the hand that feeds us because there
23 is tourism here and we love the people that come
24 here but we also love our community.

25 In about 1997, my grandpa Sal, who

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 was the lone cobbler left in Lake Placid, and I
3 were standing on the sidewalk of the cobbler shop
4 and we were talking about the economy for some
5 reason. I was like sixteen so I don't know why but
6 we were talking about it and he said, "Mark my
7 words, the way the economy is going, we're headed
8 for another recession. And the way things are
9 going in this place, this town, it's going to be a
10 ghost town for locals." Well, wouldn't you know,
11 the man was right and bless his soul, he's spot on
12 about Lake Placid becoming a ghost town for locals.

13 As I'm very aware that the Board has
14 put a lot of hard work into this, we need to have
15 some sort of resolution as far as the amount of
16 rentals. I don't think there shouldn't be rentals.
17 We understand that tourism brings economy to our
18 town and we appreciate it but there needs to be
19 some sort of cap. So I guess on record, my
20 questions to the Board and thoughts to the Board
21 are: What are motivating factors that would compel
22 the Board to think about a cap or a moratorium or
23 place that --

24 MS. ESTLING: Thirty seconds.

25 MS. KELLY: -- in the regulations?

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 Also if not that, then what other avenues will the
3 Board explore in order to address the zoning strain
4 on -- address zoning, the strain on resources both
5 natural and employment with the Town Village
6 electricity, police department and water
7 departments? And lastly, the sustainability of our
8 community is our gold medal.

9 MS. ESTLING: Thank you. Next up,
10 Mellissa Furnia followed by Dave Jones.

11 MS. FURNIA: Hi guys. I knew I
12 should have worn my boots for this. It's getting
13 pretty deep in here. So I'm Mellissa Furnia. I am
14 a true local, just like Jess. I am fourth
15 generation. I am an E.M.T. for ORDA so I take care
16 of those pesky athletes who are ruining our
17 business here, bunch of crap. My mom told me I
18 can't swear and I can't get arrested because she's
19 not coming back out so I'm going to try really hard
20 to not do that because I'm pretty ticked off right
21 now.

22 So here's the deal. I am a
23 volunteer, one of the only volunteer E.M.T.s in
24 this town. I got an award for saving a guy. You
25 know why? Because I was the only one that showed

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 up because the main crew was out on a call and it
3 was up to a backup, extra person, who just happened
4 to have her pager on and I, by the grace of God,
5 got to this guy who was having a cardiac arrest and
6 I brought him back. That's not going to ever
7 happen again. You know why? Because I foolishly
8 wanted to buy a house in my home, my hometown where
9 I grew up and because of these Gold Leaf people.
10 Where are you? Stand up proud now. I can't afford
11 a house. Not even close because I'm the small
12 minority actually with the bigger minority that
13 only makes, you know, less than fifty thousand
14 dollars. I live in a trailer at Cascade Acres.
15 I'm not fancy pants like the rest of you who get to
16 live up at the Lake Placid Lodge and the Club all
17 you fancy pants. I'm a trailer girl, right?
18 So I wanted to get a house. What a
19 stupid idea. Think I could afford it here? Hell
20 no. So I have to buy a house, I sign my papers on
21 Thursday, out of this town, which means that Lake
22 Placid has lost their only volunteer. So you Gold
23 Leaf people who think that you're so fancy bringing
24 us money, well, you just lost yourself an E.M.T.
25 and most the locals, who by the way are the ones

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 who are going to be cleaning the bottoms of your
3 fancy people and cooking their food and cleaning
4 their toilets. But hey, you know, what the hell do
5 I know?

6 MS. ESTLING: Thank you. Next up,
7 Dave Jones followed by Brian Quinn.

8 MR. JONES: Hi. Dave Jones. I live
9 at 114 Green Wood Street. I have lived on Green
10 Wood Street since 1951, give or take a few years
11 when I lived elsewhere in town. It's the coolest
12 neighborhood in Lake Placid where I grew up and
13 now, it's downtown Lake Placid.

14 I implore you guys -- I know every
15 one of you guys over here. I have a personal
16 relationship with you. Please, this is a start.
17 It's not the best law but it is a start. Please
18 pass this law. Thank you.

19 MS. ESTLING: Thank you. Next up,
20 Brian Quinn followed by Michael Takash.

21 MR. QUINN: Hello. I'm Brian Quinn.
22 I live at 331 White Face Inn Lane. I have to
23 apologize in advance. I had notes made for this
24 but as the evening has gone on, I've been like
25 changing it all and don't want to have to repeat a

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 lot of other people's comments.

3 One thing I'd like to make clear is
4 as a Yankee fan, I really don't understand why the
5 Red Sox have to exist. Sorry. Challenge that one.

6 You know, my wife and I, we are not
7 locals but we are aspiring to be locals here. We
8 looked all over the country for a place to invest
9 in with the idea of then moving and right now,
10 we're probably fifty-fifty residence down in the
11 Philadelphia area and up here. You know, we're
12 also, I don't know, Gold Leaf or gold whatever. We
13 started a special education business out of the
14 basement of our home. We worked hard. We
15 dedicated ourselves and we managed to make enough
16 money to be able to then be able to buy a place up
17 here like this. It's a condo over on White Face
18 Inn Lane.

19 I also empathize with the fact that
20 we rent it a few times a year and there's people
21 who have other rentals in units in the complex who
22 are full-time renters and they're not as sensitive
23 to what's going on. For us, it's our home. Just
24 like for you as locals. It's your home, too.

25 As far as the fuel for this, I feel

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 like back when I was in a college town and I had --
3 I tend to make a lot of friends on all sides of the
4 fence and I got know the locals there too and the
5 locals there had the same thing and sadly, the
6 truth of the matter -- they were like, "This
7 college, I hate this college. They drive me nuts,"
8 but the bottom line is, you take that college out,
9 that town would be dead.

10 This town is not the same as it was
11 twenty, thirty, forty, fifty years ago. They
12 Olympics are sadly -- I wish they were but they're
13 not coming back. Not to a small community like
14 this. So we have to work with where we're at and
15 the vacation community is a vibrant part of it.

16 My quick point, because I don't want
17 to repeat a lot of other things, is I'm concerned
18 with even the enforcement elements of this. I
19 think it's -- I'd hate to be the code enforcement
20 officer. If he's out here, he's got to be sweating
21 bullets because even rolling this out, if this were
22 triggered tomorrow, there's no way you can manage
23 this. This would be an absolute roll out
24 nightmare. There's issues like myself and I were
25 talks about apparently the rules don't quite

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 exactly apply if you're a local versus not,

3 discrimination issues --

4 MS. ESTLING: Thirty seconds.

5 MR. QUINN: -- what if you're half

6 here, half there. So I can't go through everything

7 but timeframes to roll this out, I think there's a

8 lot of problems with that so I would still say hold

9 off, make sure you get this right if you're going

10 to roll it out.

11 And also, for those who are builders

12 in town, there's got to be money in affordable

13 housing. I can't believe -- I wish I was a builder

14 right now. I'm hearing it. I'm going to niche

15 market, somebody jump in it. Anyway, that's all I

16 wanted to say. Thank you very much.

17 MS. ESTLING: Thank you. Next up,

18 Michael Takach followed by Chris Lawrence.

19 MR. TAKACH: Good evening. Michael

20 Takach from the Stage Coach Inn. I just want to

21 the start by saying we're in real favor of

22 regulations on S.T.R.s. Even though our property

23 doesn't fall under the guidelines because we're a

24 bed and breakfast so just wanted to say that we're

25 kind of a neutral voice here. Our property is

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 going to continue to rent as it always has for
3 always two hundred years because we're exempted
4 under these regulations as they're proposed now.

5 You know, it seems like there's a
6 real divide here in town which makes me really sad
7 because I have worked for the past thirty-five
8 years of my life to get to Lake Placid because I
9 came here when I was a small child and always
10 wanted to come back. I've worked really hard
11 for -- in the work force for twenty years to afford
12 to move here and I wish everything was more
13 affordable here. The reality is that Lake Placid
14 is what it is because it has a strong tourist-
15 driven economy. To have a strong tourist-driven
16 economy, you need to have modern based pricing on
17 real estate. We can't be in the 1950s in real
18 estate price and expect people to come here and
19 visit and spend their money and that's the reality
20 that is just sad. I wish it wasn't the case.

21 With that being said, Lake Placid is
22 still somewhat affordable when compared with others
23 resort communities and areas that are just like
24 Lake Placid. Our available rental apartments are
25 actually cheaper than almost every other resort

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 community in this state and other states. At fifty
3 thousand of median income, there are houses
4 currently on the for sale market that fall within
5 the HUD approved affordable housing range and I
6 feel bad for anybody that can't take advantage of
7 that due to their work situation or whatever but I
8 think it's unfair for people who are very proud to
9 be locals, which I desperately want to be able to
10 call myself a local. I live here full time but it
11 seems like the tenant in the room here is that I'm
12 not a local because I haven't been here for forty
13 years because my parents didn't grant me the
14 fortune of living here when I was born.

15 But what all that means is that Lake
16 Placid is not being derogated in any way by
17 S.T.R.s. There's no evidence to that. If S.T.R.s
18 are a problem because your next door neighbor has
19 an S.T.R., I feel for you. There are bad S.T.R.
20 owners and there are good ones and if they don't
21 keep track of their people, that's unfortunate for
22 the people next door but of the larger issue of
23 S.T.R.s somehow creating a bad real estate market
24 that doesn't allow locals to stay here, that's just
25 bogus.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 We have always historically had two
3 houses per resident in Lake Placid. At maximum
4 population in 1940, we had thirty-one hundred
5 residents here and at that time, we had just shy of
6 six thousand homes. Okay?

7 MS. ESTLING: Thirty seconds.

8 MR. TAKACH: So there's always been
9 vacant homes. Those vacant homes have been used as
10 S.T.R.s. I own the oldest one in town. Lake
11 Placid Coach Inn was built and started as an S.T.R.
12 in the early 1800s so I just want to leave you with
13 the fact that S.T.R.s have not caused any of the
14 financial strain that some of you are feeling here.
15 I wish we didn't have financial strain. We do but
16 I don't think it's fair to blame S.T.R.s
17 exclusively. Thank you.

18 MS. ESTLING: Thank you. Next up
19 Chris Lawrence followed by Debbie Erenstone.

20 MR. LAWRENCE: Good evening. My
21 name is Chris Lawrence. I am a representative of
22 the Gold Medal Hospitality Group. I also would
23 like to thank the Board for their hard work and
24 thank you for the opportunity to speak tonight.

25 First and foremost, just a response,

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 the numbers that were put in the paper and the
3 boards over there, they weren't meant to insult
4 anybody or offend anybody and if so, we apologize
5 for that. They were simply meant to point out true
6 facts on economic impact that the S.T.R.s and quite
7 frankly, they're just air D.N.A. numbers supported
8 by your organization here in the community roost.
9 We are just reporting what was printed out a couple
10 months ago so that they're common knowledge.

11 Heard many facts tonight about
12 affordable housing, comments about it, problems
13 with S.T.R.s, the sense of community and the
14 reality is as Michael just stated, vacation rentals
15 in your community has been here for decades, even a
16 hundred, hundred fifty years. That's what Lake
17 Placid is known for. Go back to your wealthy
18 people from New York City forever they've rented,
19 they've come up, vacation rentals.

20 I'm sorry to hear about your sense
21 of community is changing. I lived in Watertown and
22 Carthage for thirty years and we went through the
23 same thing when Fort Drum was going to expand.
24 Fort Drum is going to ruin our community, going to
25 ruin our sense of community, ruining our schools.

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 The gentleman who talked about vaping. S.T.R. as
3 the cause of vaping? Give me a break. Okay? And
4 I'm not insulting you, sir, but I mean that's just
5 today's society. It has nothing to do with it.
6 Fort Drum was going to do the same to Carthage and
7 Watertown.

8 This is the world we live in today.
9 Communities change. I apologize but the S.T.R.s,
10 that's driven by demand. These numbers are
11 increasing because that's what consumers want.
12 There's a definition out there called the new
13 consumer. The new consumer wants large group
14 gatherings. They want homes. They want to spend
15 in authentic versus standardized home or settings.
16 So that means homes versus hotels. They want
17 unique experiences. They want genuine experiences.
18 They want local experiences.

19 With all that said, people are not
20 going to change their habits if you restrict too
21 far. They're going to find vacation rentals
22 elsewhere. They're going to go to Killington.
23 They're going to go to Lake George. You mentioned
24 Lake George changed it? They repealed their
25 restrictions five days after they implemented the

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 restrictions because the business owners revolted.
3 I ask you to consider this if you have these issues
4 --

5 MS. ESTLING: Thank you. Time is
6 up.

7 MR. LAWRENCE: -- too strict, you'll
8 be in trouble. Thank you.

9 MS. ESTLING: Next up, Debbie
10 Erenstone followed by Heidi Roland.

11 MS. ERENSTONE: Hi. I'm Debbie
12 Erenstone. I live at 33 Adirondack Lodge Road.
13 Sorry, I'm really nervous. We also have a business
14 at 7 Old Military Road. We make prosthetics. We
15 also do have an Air B and B that we rent out on the
16 weekends above our business and you know, I really
17 just wanted to come up here and say -- when I first
18 got here today and say thank you and I do not envy
19 the task that you guys have in front of you.
20 Everybody sitting at this table, we clearly have an
21 affordable housing issue in town, you know.
22 Clearly, there's issues that need to be addressed
23 here and you are working your tails off so thank
24 you.

25 So but what the gentleman who spoke

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 in advance of me really prompted some thoughts on
3 what I wanted to say though is he kept on driving
4 home what the consumer wants and what the business
5 needs to give it and that brings us right back to
6 Trish's point is my Air B and B is a business and
7 you know, if businesses are happening in a
8 residential area like all businesses have rules
9 that they need to follow to keep them safe, to make
10 sure that they're operating. A food service
11 business has to comply with health department
12 regulations to make sure it's safe.

13 If these are businesses operating in
14 residential communities, we need to do something
15 about it and so I really agree with a lot of what
16 Trish was saying about you know, if it's a
17 neighborhood, it's a neighborhood. It's not
18 business zoning. But I do applaud like this first
19 step here. That's a really great first step.
20 Clearly, we need to keep working on affordable
21 housing in our community, both related to this and
22 related to the other things but this is a great
23 start for the health and safety of the people
24 coming here. I think that was about it so thank
25 you.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 MS. ESTLING: Thank you. Next up,
3 Heidi Roland followed by Ricky Lowndes.

4 MS. ROLAND: My name is Heidi Roland
5 and I live at 127 Hillcrest. My husband, Peter
6 Roland and I, have lived on Hillcrest Avenue since
7 1984.

8 Our neighborhood is the poster child
9 of short-term vacation rental issues that are being
10 addressed today. The regulations for vacation
11 rentals, as proposed, are a first step in managing
12 these issues in the Town and Village. The
13 permitting process will provide an inventory and
14 ensure the compliance with health and safety
15 standards as well as the off street parking
16 regulations and noise issues. A distinction must
17 be made between owner occupied rentals and the
18 absentee owners running de facto businesses in
19 residential areas where commercial activities are
20 not permitted.

21 The land use code -- so the next and
22 even more important step is to decide how this will
23 all be managed and where vacation rentals will be
24 permitted. The land use code adopted in 2011,
25 states that in Village and Town residential

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 districts, permitted uses are single and two family
3 dwellings. All other uses are conditional uses
4 requiring review and approval by the joint review
5 board.

6 The problem with short-term vacation
7 rentals is -- one of the problems is that they are
8 not clearly defined in the definition section of
9 the land use code. But would seem to be addressed
10 closest by the definitions of bed breakfast,
11 multifamily residential or rooming and boarding
12 house. All considered conditional use, therefor
13 subject for review. Many vacation rentals are de
14 facto businesses operating in residential areas as
15 opposed to the commercial districts and as such,
16 would be conditional uses subject to review for the
17 potential impacts.

18 Vacation rentals must be defined to
19 be regulated. The proposed local law is a step in
20 that direction. However, we are extremely
21 concerned that by issuing a permit for use that is
22 not defined and would certainly appear to be a
23 conditional use in the residential districts will
24 legitimize these uses prior to the consideration of
25 their appropriateness in the residential districts.

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 Beyond the issues of parking and noise, vacation
3 rentals have driven up the assessments of houses in
4 residential areas, making them unaffordable for
5 local people. The owners that have been and
6 continuing to flip --

7 MS. ESTLING: Thirty seconds.

8 MS. ROLAND: -- to flip houses use
9 rental history as part of -- as part of their
10 selling point. Decades ago, the town was faced
11 with Wal-Mart's proposal to build a hundred ten
12 thousand square foot store on the site of what is
13 now the White Face Lodge. In 1996, the Town of
14 North Elba planning board rejected that project,
15 hinging their decision on a single sentence in the
16 land use code that referenced the character of the
17 community. Their decision was held in appellate
18 court.

19 MS. ESTLING: Thank you.

20 MS. ROLAND: Time is up.

21 MS. ESTLING: Next up, Ricky Lowndes
22 followed by Jim Brooks.

23 MR. LOWNDES: Hi. I'm Rick Lowndes.
24 I'm a caretaker for short-term rentals. Tonight, I
25 would like to submit a petition signed by two

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 hundred seventeen people who support the right for
3 a fairness in short-term rental properties. Thank
4 you.

5 MS. ESTLING: Thank you. Next up,
6 Jim Brooks followed by Jim Rogers.

7 MR. BROOKS: Good evening. I
8 anticipate that you're going to adopting a code
9 such as this and so my purpose here is to point out
10 some of the things that I think are legally
11 questionable so that we're not adopting a law
12 that's illegal. There are also some practical
13 matters that I'd like you to consider.

14 For instance, you put in the code
15 that it becomes effective immediately upon filing.
16 The code enforcement officer is going to be faced
17 with about six hundred applications. There is no
18 way he's going to be able to process those
19 applications without having everybody in violation
20 of your code. So I think what you need to do is
21 address when it becomes effective to give some lead
22 time for everybody to make your application so that
23 they're not in violation.

24 The designation that you have in
25 section eleven point two B seven that you cannot

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 park a vehicle on a public or private street, I
3 believe is illegal because the Court of Appeals and
4 people versus Grant in three zero six New York, two
5 fifty-eight, says you cannot do that because you're
6 favoring residential versus nonresidential people
7 on public and private streets. So you might want
8 to amend or revise that because you can't preclude
9 them.

10 On enforcement, while the rules on
11 noise and conduct appear reasonable, who can
12 register an enforceable complaint and will that
13 reporting person be identified so if unfounded or
14 false, someone can address it either by the
15 municipality as a false report or by the property
16 owner who is subjected to that particular
17 imposition? There will be people that might drive
18 by and say, "I don't like that guy and I'm going to
19 report him," and then all of a sudden we have a
20 potential violation. Nowhere in your code does
21 that complainant have to be identified. So his
22 name and address --

23 MS. ESTLING: Thirty seconds.

24 MR. BROOKS: -- and so on. Will the
25 local police or the state police or the code

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 enforcement officer assist you in enforcing this
3 code the property owners many times cannot handle
4 six foot two rugby players. I really would like to
5 know what's the purpose for not counting garages
6 for parking spaces. I just can't figure out why
7 you have that provision in there. Thank you.

8 MS. ESTLING: Thank you. Next up,
9 Jim Rogers followed by Bill Tavares.

10 MR. ROGERS: My name is Jim Rogers.
11 I live at 151 Hillcrest Avenue. I'm happy to say
12 that not only do I live on Hillcrest Avenue but two
13 of our three kids live in town. We have a
14 granddaughter who lives in town and as a result, we
15 have three great-grandchildren that live in the
16 town of North Elba.

17 I want to thank you first for
18 tackling this job finally and I want to thank the
19 pros involved, Ron Briggs and Jenna Hurley who had
20 been advising you and I think wisely.

21 The thing that has occurred to me so
22 many times with what's been going on tonight is it
23 seems to me that the only argument that is faced to
24 us is that we can't survive without the money that
25 comes in to this community by the short-term

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 renter. I don't think that money should be the
3 only reason you make a law. I don't think that
4 money should be the only consideration for this
5 community. I lived in a neighborhood. I don't
6 live in a neighborhood anymore and it's the same
7 address I moved into.

8 One house, somebody said three
9 houses in there. Well, one house in sight from my
10 front steps is owned by somebody who lives there.
11 The rest of it is on -- the house behind me and the
12 house across the street and up the street a bit are
13 owned by the same person and he's never lived in
14 the house. I have businesses surrounding me and
15 it's supposed to be resort residential. I just
16 wonder at what stage of the point or what point of
17 this whole thing Lake Placid reaches a saturation
18 point and if you just keep making beds, it will be
19 a lot bigger than a parking lot problem.

20 I'm sorry. I've been complaining
21 but residential areas really almost don't exist in
22 Lake Placid right now and I think it's sad. Thank
23 you for facing this problem.

24 MS. ESTLING: Thank you. Next up
25 Bill Tavares followed by Jim Morganson.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 MR. TAVARES: Hi. I am Bill

3 Tavares. I am the head coach for U.S.A. luge. I

4 work here. I have lived here for thirty-five

5 years. I'm raising my family here.

6 First, for some of you speakers, I

7 take offense of you calling our neighborhoods

8 dilapidated. We are working people and we fixed

9 these houses when we can and we live here. You
10 don't live here.

11 To Missy's point on volunteer

12 paramedic, my son is a volunteer fireman. As of

13 now, he will not be able to live in this town. He

14 was one of the first people on the fatality down

15 on -- our -- down on the notch. Now our volunteer

16 firemen, who are all volunteers except for the

17 divers, will have to drive from either Saranac

18 Lake, Wilmington, Jay -- well, from what I've heard

19 that might be an up and coming place. So they will

20 have to drive from there to come and put out your

21 fires. Do you really want that to happen? I know

22 I don't.

23 On Mr. Rogers, on my street, we

24 have, I believe, eight houses. Three of them are

25 full-time residents. We called the police

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 department. I'm glad they're here tonight because
3 we have them on speed dial. They're at our house
4 almost every other week. Are you kidding me? You
5 know, we are here as a community. From everything
6 I've heard, we already have laws on the books of
7 residential and commercial. Our problem isn't
8 whether we should have them or not. Enforce the
9 laws. It's your problem. You're causing it.
10 Enforce our laws. It is clearly stated residential
11 and commercial.

12 When Mrs. Brooks and Mr. Brooks had
13 their -- their bed and breakfast up on Maple
14 Street, they had to go through a permit process to
15 get that business done. I see people here that own
16 bed and breakfasts. They have to go through
17 permits.

18 MS. ESTLING: Thirty seconds.

19 MR. TAVARES: And these people just
20 come in, buy houses -- one of the houses by me,
21 that is his second house up here that I know of
22 that he rents out. They're not residents. It's a
23 business. Call it what it is and fix it. You
24 know, this is just a Band-Aid on your problem that
25 you guys have caused.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 MS. ESTLING: Thank you. Next up,
3 Jim Morganson followed by Nancy Belluscio. Thank
4 you. After Jim Morganson will be Bertha Josephson.

5 Jim Morganson? Thank you. Next up,
6 Bertha -- no? Gone? Okay. Next up, Peggy
7 Mackellar.

8 MS. MACKELLAR: I defer.

9 MS. ESTLING: Thank you. Next up,
10 Horse Neber. My apologies. Horst Weber.

11 MR. WEBER: Those dang foreigners.
12 Well, most things have been said but I don't have
13 to repeat my name. I live at 130 Evans Lane and I
14 just wanted to make a few points.

15 Most things have been said. If
16 those gentlemen on the head table listened, then I
17 think everything will be perfect. We have -- where
18 I live, we have deed restrictions. And it is very
19 simple. Each individual lot conveyed by the
20 grantor shall be used only for the single family
21 residential purpose. So and if like Trish
22 Friedland, Mrs. -- a few other people mentioned
23 that it is if we follow the code, most things are
24 taken care of.

25 We do have districts and if you,

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 like someone else said, you have a commercial
3 property, if you're Air B and B whatever it is in a
4 residential district, you're suspect to maybe extra
5 taxes or whatever and so if you read the code, take
6 the book out and fix it and like Mr. Politi said,
7 no law is perfect. You start somewhere and then
8 you have to tweak it every other year and then
9 eventually, we going to have a perfect law and then
10 someone said about the police, we need the police
11 at night.

12 Well, if everybody would be perfect,
13 we wouldn't have to call the police. In fact, we
14 wouldn't even need the police and then just one
15 more point where I live up there, there is one
16 house regularly rented and up to twenty cars plus
17 eight tents in the backyard and one tent in the
18 living room and that's a fact because we do have
19 pictures. So and what the new law says that if
20 your -- if you rent your homes as a business, you
21 must pay commercial rates for electricity, maybe
22 for your business and --

23 MS. ESTLING: Thirty seconds.

24 MR. WEBER: -- I think everything
25 can be taken care of if we just put our heads

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 together and the gentlemen here have started so.

3 MS. ESTLING: Thank you. Next up,
4 Nick Cancro followed by Cristina Lussi.

5 MR. CANCRO: Hello. My name is Nick
6 Cancro. I live at 265 Lake Placid Club Way. If
7 you're not sure where that is, I encourage you to
8 drive by tomorrow. My seventeen hundred and fifty
9 square foot home is right next door, and I do mean
10 right next door, to the future Wal-Mart of
11 short-term rentals. It is a six -- a seven
12 bedroom, six bath, two half bath project under
13 construction. It's been under construction for
14 four years. It's a place so large that the town,
15 the Realtor and the owner cannot agree on its size.
16 I have asked for the square footage and I've gotten
17 variances of approximately two thousand square
18 feet.

19 So having said that, I'm generally a
20 pro-business, pro-commerce type of individual and I
21 generally support people doing what they need to do
22 to make a living and at our last meeting, I made
23 that same point and I also said I was a little bit
24 disheartened that the proposal back in the winter
25 did not make differences between residential areas

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 and commercial areas. And a large number of people
3 after the meeting came up to me and said that
4 seemed to make some sense. I also received some
5 emails and some phone calls. So I'm further
6 disheartened that the current proposal doesn't make
7 any references to the differences between
8 residential and commercial. However, I'm
9 encouraged by the number of you that have spoken up
10 today and said that there should be some
11 differences.

12 In a residential area, I'm not
13 talking about restrictions on an owner occupied
14 facility. There are natural curbs when an owner is
15 there on the number of guests and the number of
16 cars, on the amount of traffic, on the amount of
17 noise, on the amount of bad behavior. I'm talking
18 about non-owner occupied in a residential area. If
19 it operates like a hotel and it has traffic like a
20 hotel and it has a number of cars that a hotel has
21 and if it has the turnover of a hotel, it's a
22 hotel. And it seems to me that if you're not going
23 to restrict that in a residential zone --

24 MS. ESTLING: Thirty seconds.

25 MR. CANCRO: -- common sense would

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 tell you that you shouldn't have the designation of
3 residential versus commercial. In as many
4 descriptions of residential, the Oxford dictionary
5 uses words like private and quiet. There is
6 nothing private and nothing quiet about a hotel.
7 Thank you.

8 MS. ESTLING: Thank you. Next up,
9 Cristina Lussi followed by David Gomlak. Thank
10 you. Next up, David Gomlak followed by Doug
11 Hoffman.

12 MR. GOMLAK: Good evening. David
13 Gomlak, (phonetic spelling) 546 Cascade Road.
14 Thank you all for the work you do. It's a sucky
15 job. I'm glad I don't have to do it.

16 Ten years, ten years strong. We're
17 under our tenth year when we first bought up here,
18 thankfully for the recession in 2009, end of 2009.
19 I first went to the A.P.A. and said, "What are the
20 regulations on my business?" And I talked to
21 people in town I said, "What are the regulations on
22 my business? What can I do here? What can I not
23 do here? Can we build a home somebody?" Well, we
24 had to get a mortgage for our place. I had to get
25 commercial rates. I have to have insurance, which

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 is commercial rates for insurance. Every year, the
3 nice gentleman of the Department of Health comes
4 and visits and makes sure everything is all good
5 and that's good because we've never had any major
6 problems with that.

7 If I had every single one of my bed
8 filled -- we I should say, sorry Terry. If we have
9 every one of our beds filled, I have enough space
10 to put everyone a car in our parking lot. If I'm
11 not -- we have well water. Fortunately have a
12 fantastic well water but we're not using municipal
13 water. So every month, I have to have my water
14 tested. That's because I'm a business.

15 The one thing haven't heard here
16 since we are a traditional lodging business, is
17 every time a guest hands me a dollar, I charge them
18 eleven cents tax. Eight percent for state tax,
19 half go to the county, half goes to the state,
20 three percent is for the occupancy tax. I don't
21 believe -- I could be wrong that when you go
22 through Air B and B, you're people and traditional
23 businesses. They charge eleven percent. As far as
24 I know they charge three percent and I'm pretty
25 sure up to four or five years ago, they didn't even

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 charge the three percent because well, there was no
3 regulation for that.

4 Proud capitalist. Love this place.
5 Wasn't born here but probably going to die here.
6 And all I'm saying is that fairness. If I have to
7 deal with these rug regulations and these rules and
8 I ask questions about what I need to do to try to
9 be successful in this town in our tenth year, every
10 year has been a little bit better than the last
11 year so we must be doing something right, then
12 everyone else should have to follow the same rules.
13 And I can tell you this: People don't come here
14 because there's short-term rentals. There's very
15 few who do. People come here because we have the
16 mountains, we have a town that so far has not been
17 taken over by Wal-Mart. People come here because
18 we're Lake Placid so all I ask? Fairness. That's
19 all. If I play by the same rules, they should play
20 by the same rules also.

21 MS. ESTLING: Thank you. Next up,
22 Doug Hoffman followed by Linda Friedlander. Okay.
23 Next up, Linda Friedlander followed by Margaret
24 Boyce.

25 MS. FRIEDLANDER: I'm very proud of

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 my daughter who spoke very succinctly. I will try
3 to follow her lead.

4 I do not object to S.T.R.s, although
5 it sounds like a sexual disease. So but I do think
6 that there is a need for people who are living in
7 this community to continue living in this community
8 by maybe renting rooms and that should be
9 considered, too, because people have -- some of us
10 have large houses and the kids have gone and we
11 have room to rent and we have to pay taxes, too, so
12 that helps us out.

13 However, what I really object to is
14 outsiders looking at Lake Placid like a cash cow.
15 My thrust is to protect our residents. The people
16 who own small hotels and motels, they serve a great
17 function because they cover the overflow from the
18 big hotels and many of the big hotels are run by
19 families of a second generation running that same
20 hotel and we have quite a proliferation of B and Bs
21 in this community, which can handle the overflow.
22 However, when they do the studies of occupancy,
23 they never mention the B and Bs and the private
24 rentals and we can really accommodate a lot. If we
25 can't, what is wrong with having them spill over to

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 Jay and Wilmington? We are a regional tourism
3 center here. And that is all I have to say. Thank
4 you.

5 MS. ESTLING: Thank you. I may have
6 skipped one. Next up is Jessica Caprara followed
7 by Margaret Boyce.

8

9 [End of Audio]

10

11 190836hph(2) Elizabeth Sovinski ES

12 MS. CARPRARA: Okay. So I do not
13 live here. I -- so my opinion may not mean much to
14 you but I'm going to give it you anyways. I'm
15 sorry. I traveled here yesterday three hours and
16 tonight, I am staying in an S.T.R. and honestly, I
17 love them. And the only reason I'm still up here
18 is because the fact that you haven't heard my
19 angle. Like my dad, when I'm in like a mental
20 wreck, right, I ask him his opinion and he says,
21 "Jess, you're so far in the forest, you can't see
22 over the treetops." And I kind of feel like maybe
23 another angle is good. Like we love -- I'm
24 nervous. Can you tell? I'm sorry. I don't know
25 anyone here.

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 But no, I just truly like I don't
3 think -- I'm not here for the S.T.R.s. I'm here
4 for Lake Placid and I don't think that's going to
5 change either. Chris Lawrence had a great point.
6 That's my neighbor, I'm from Watertown, too. We
7 had Fort Drum and it -- it's the way you look at
8 things. It's glass half full; it's glass half
9 empty.

10 I don't live here and none of this
11 directly affects me so I understand there's issues
12 but I also understand some people do it right. The
13 owners of my S.T.R. met me there today. I mean,
14 they took care of everything, they're residents. I
15 mean, you just need to look at all angles is where
16 I'm at, in case anyone cares. I don't expect an
17 applause. I know it's very divided but I just kind
18 of wanted to give you my outlook. Thank you.

19 MS. ESTLING: Thank you. Next up,
20 Margaret Boyce, followed by Johnathan Esper.
21 Margaret Boyce? Going once? Jonathan Esper? He
22 will be followed by Sean Donovan.

23 MR. ESPER: Hey, good evening. The
24 main reason why I -- oh, I have a house, brand new
25 house at 372 River Road Lake Placid, New York, just

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 finished last month.

3 So the main reason why I wanted to
4 talk to you about tonight is I notice this one
5 thing that's never mentioned in that is -- in the
6 all the feedback is the occupancy based on the
7 number of bedrooms and what you may not realize is
8 there is so many homes that have like a kids'
9 bunkroom in the basement. We usually have like
10 two, three sets of bunk beds and so if you have
11 that, it's two times the number of bedrooms plus
12 two, suddenly that makes it -- it makes it a lot
13 harder for families when they come with a set of
14 six kids and they put them all in one room. And
15 I'm not advocating doing hostel style scenarios and
16 we don't want to have a boarding house kind of
17 mentality to homes. I completely understand
18 they're supposed to be residential but I think in
19 that cap for number of people, there should an
20 exemption for young children. I'm not saying more
21 than two adults per room but putting six kids,
22 young kids in a room, I think that should be
23 allowed.

24 Second point I want to make is that
25 things always balance out in the long run. You

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 know, that's the nature of business and the
3 economy. You know, the occupancy stats here in
4 Lake Placid are not that high. You may be
5 surprised to know that -- like I'm on Home Away and
6 V.R.B.O. About over the next sixty days only
7 fifteen, approximately fifteen percent of
8 properties are actually occupied. A fifteen
9 percent occupancy rate. Those are just stats I can
10 see through my own home owner's account. So if
11 there's only fifteen percent occupancy over the
12 next sixty days for homes here, that does mean that
13 there's probably an oversupply of homes and that
14 would likely de-incentivize people from becoming a
15 vacation rental. So there is those economic
16 factors of supply and demand that are somewhat of a
17 mitigating factor and not to forget about that.

18 The third -- the next thing I want
19 to point out is everyone talks about vacation homes
20 as being a business -- vacation rentals as being a
21 business and yes, it is a business. I grew up as a
22 photographer here in the Adirondacks but it is hard
23 to make a full-time living doing photography and so
24 operating a vacation rental in Wilmington and also
25 now in Lake Placid is my other half of what I do.

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 So yes, as a resident of the Adirondacks, I do need
3 to have multiple jobs. A lot of us do have
4 multiple income streams and so that is part of what
5 I do and I would not be in the place today without
6 the vacation rentals but so yes, it is a business.

7 I'm not going to argue that but it
8 should be treated as a home-based business. It's
9 not a commercial business, it's not a private
10 residential. It's a home based business and there
11 may need to be a third category of zoning or
12 recognition.

13 MS. ESTLING: Thirty seconds.

14 MR. ESPER: Thank you. So anyways,
15 so that's what I wanted to point out and the other
16 final point is I just -- since I just build a brand
17 new home, you know, I put in eight hundred thousand
18 into this community and that -- and I would not
19 have come here normally in this community if I
20 could not have made it a vacation rental. I would
21 not have afforded it so I -- the only reason why I
22 built this house was because I was going to make it
23 a vacation rental, otherwise it would have been a
24 thirty-five thousand dollar lot. Thank you.

25 MS. ESTLING: Thank you. Next up,

1 Public Hearing - 8-26-19 - Lake Placid, NY

2 Sean Donovan followed by Nini Hadjis.

3 MR. DONOVAN: Good evening. I think
4 most of what I would say probably has been said but
5 I'll introduce myself, Sean Donovan. I have -- I
6 am not born in Lake Placid but I have lived here
7 for the better part of my life and it has been the
8 better part of my life living here. This is a
9 wonderful, wonderful community. I'm retired now
10 but I do some volunteer work and some other
11 part-time stuff where I'm involved with tourists
12 and many times you hear people that are visiting
13 here and they're coming here for it's Lake Placid.
14 They're not coming here because there's a nice
15 house on some street somewhere. They're coming
16 here to see Lake Placid. Lodging is secondary,
17 coming to the community is first.

18 But they always say the people here
19 are so nice and they're right, they are, but
20 there's fewer and fewer of us and that's a problem.
21 At the last meeting some you may have been to in
22 November, one of our distinguished guests from
23 maybe Philadelphia or Albany or New York mentioned
24 that the house that he and his wife purchased was
25 on the market for two years and he actually pointed

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 at the room and told us, "All of you people had a
3 chance to buy that house and none of you did so we
4 bought it and now we're renting it."

5 The people that live in this
6 community are not into buying second houses.
7 They're too busy working and raising their
8 families. All right? And I am rarely the smartest
9 person in the room but I want to thank the Gold
10 Star people for coming here and educating me and
11 telling me how good it is to have them here in this
12 town and how much it's going to help me. So thank
13 you very much for doing that.

14 There was a letter a few months ago
15 from another absentee property owner here that says
16 her whole motivation for doing it was to share her
17 home. She wants to share her home with other
18 people so they can enjoy the Adirondacks. I have
19 lived here, again, most of my life. I have owned a
20 home here for almost thirty years. I have shared
21 my home at least five hundred nights. I have yet
22 to get a dollar in rent for that house.

23 Also, the same people that don't
24 live here and own homes and say how much -- how
25 it's so vibrant having the other people come in and

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 stay in the house next to us, perhaps they could
3 someday when they come up here to stay here let us
4 know where they live, we can go their house, stay
5 there next to their neighbors and bring a keg of
6 beer when we go. See how that goes.

7 A lot of these issues with the
8 quality of life don't affect me personally. I am
9 very fortunate. I live out on Avery Road, it's
10 quite secluded, very quiet by me. I don't hear
11 these noises. I do have one noise I do hear
12 periodically, I have a neighbor that's out of sight
13 about a hundred yards away with some very loud kids
14 and that's great. That's so cool to hear kids
15 playing and screaming, you know? I still don't
16 know what they're doing over there but I know
17 they're having a lot of fun but I speak to close
18 friends of mine, there are no kids around their
19 house at all. This Halloween, go to Hillcrest and
20 see it's dark. There are no kids trick-or-treating
21 there --

22 MS. ESTLING: Time is up.

23 MR. DONOVAN: Oh, that's it.

24 MS. ESTLING: Next up, Nini Hadjis.

25 MS. HADJIS: Hello. I'm Nini

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 Hadjis. I guess the third generation. Some you
3 know me and my family. My family has owned two
4 restaurants in town. My father built the Hannaford
5 Complex and I live in -- on Acorn Street, otherwise
6 known as Forest before 911 or the 911 change. But
7 I also spend plenty of my time in L.A. because I'm
8 pursing a dream that unfortunately, I can't pursue
9 here. Otherwise, I would be doing it here.

10 Air B and B is a gift, actually, and
11 there has been amazing stuff said and I don't
12 believe the contentious -- I don't know what the
13 word would be -- is going to help us because we do
14 need to work together. It's a gift. We -- my dad
15 finally agreed that we are able to Air B and B our
16 cabin in the back of our house but it's a gift in a
17 cruddy package. We have to do an Air B and B
18 because we can't really afford to live in this
19 community anymore and that's heartbreaking.

20 As some of you guys know, our house
21 is up for sale, which actually, I could start
22 sobbing right now because my sisters and I
23 collectively cannot afford to buy the house to live
24 in a community that we grew up in, that we have
25 literally put tax money in for over eighty,

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 probably eighty-five years, potentially more
3 because my grandparents came over from Greece and
4 they moved up here from New York City and raised my
5 two -- my uncle and my aunt and my father and my
6 father chose to raise us here and I'm so grateful
7 for that gift. This town is an amazing gift. It
8 is magical, as Jessica said.

9 There's clearly an issue. My good
10 friend Lorie Curtis Dudley, as many of you know
11 her, town clerk, we grew up together. We said -- I
12 said come on over for Halloween this year because I
13 happen to be in town for several months. I also
14 substitute teach when I'm in town and we had so
15 much candy left over, it was rather heartbreaking.
16 I live, as I said, on Acorn Street right next to
17 Dave Jones. He's awesome, his house is beautiful.
18 Jim Rogers right up the street, his son across the
19 street. Leslie across the street and maybe one
20 other family.

21 The rest of it is fairly a ghost
22 town and that, to me, is really sad because our
23 whole growing up, we ran up and down those streets
24 with like -- couldn't even walk because there were
25 so many kids and somebody mentioned that you can --

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 you know, people pay taxes for the school district.
3 If there's no school district with no kids --

4 MS. ESTLING: Thirty seconds.

5 MS. HADJIS: -- that tax is going to
6 do nothing, to be honest with you. So I think it's
7 a gift for those of us who need it and who need it
8 to afford to live here. It's awesome and I hope
9 that there can be some way to figure that out.

10 My last thing that I'm going to say,
11 there aren't going to local experiences with no
12 locals in town. Thank you.

13 MS. ESTLING: Thank you. That is
14 our last signed up speaker. On behalf of myself,
15 Lorie and Chelsea, thank you for coming out tonight
16 and for being so respectful of each other on this
17 emotional issue. Supervisor, do you have anything
18 to add?

19 MR. POLITI: Just it's been a long
20 evening but on behalf of the Town and Village
21 Board, I want to thank you all for taking the time
22 and making the effort to come out and to express
23 your opinions. We can't make decisions without
24 hearing from all of you and this is -- you know, we
25 understand this is a very controversial and

1 Public Hearing - 8-26-19 - Lake Placid, NY
2 emotional topic and it's something that we don't
3 take lightly but it's also a difficult task. So
4 again, I thank everyone and be safe going home.
5 Thank you.

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1 Public Hearing - 8-26-19 - Lake Placid, NY

2 STATE OF NEW YORK

3 I, HOWARD HUBBARD, do hereby certify that the
4 foregoing was reported by me, in the cause, at the
5 time and place, as stated in the caption hereto, at
6 Page 1 hereof; that the foregoing typewritten
7 transcription consisting of pages 1 through 113, is a
8 true record of all proceedings had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 19th day of September
11 2019.

12  MA

13
14 HOWARD HUBBARD, Reporter

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A

A.P.A 98:19
abiding 57:17
ability 65:11
able 13:23 14:2 52:16 56:5
 57:19 62:13 64:10,11,12,20,23
 68:23,24,25 69:12 75:16,16
 79:9 88:18 92:13 110:15
absentee 16:22 50:24 51:8 85:18
 108:15
absolute 76:23
abuse 57:5,13
abutting 14:22 33:20 61:17
accept 56:12
accommodate 101:24
accommodation 20:20,22 22:7
accomplish 20:21
account 32:7 105:10
accuracy 3:12
acknowledge 53:10
Acorn 51:17,20 65:23 110:5
 111:16
Acres 73:14
action 48:19 55:8
activities 85:19
actual 61:17
add 1:10 59:20 60:20 112:18
added 56:12
addition 21:24 54:25 55:24
additional 4:25
address 3:25 4:18 9:22 10:19
 18:10,24 19:18 22:25 23:7
 33:13 37:21 51:18 60:2 63:9
 72:3,4 88:21 89:14,22 91:7
addressed 4:7 19:2 83:22 85:10
 86:9
addresses 9:5
addressing 17:19
adequate 11:16 58:16
Adirondack 44:6 58:8 83:12
Adirondacks 20:7 26:7 105:22
 106:2 108:18
adjudicate 44:14
admittedly 44:24
adopt 51:21,23 53:5
adopted 85:24
adopting 88:8,11
adults 104:21
advance 13:18 74:23 84:2
advantage 79:6
advent 22:13
advertise 54:12,15
advising 90:20
advocating 53:11 104:15
affect 37:23 109:8
affection 65:9
afford 22:19 40:6 43:11 57:20
 63:23 70:13 73:10,19 78:11
 110:18,23 112:8
affordability 37:19 41:19
affordable 9:24 10:7,13 22:11
 37:23,25 38:3,4,14 39:11,16
 77:12 78:13,22 79:5 81:12
 83:21 84:20
affordably 53:7
afforded 106:21
aging 10:9
ago 12:19,23 15:10 23:10 27:19
 29:24 40:19 63:20 68:11 76:11
 81:10 87:10 99:25 108:14
agree 84:15 96:15
agreed 110:15
agreements 11:22
ahold 5:21
aiming 20:21
air 5:16 22:13 35:19 36:15 49:8
 59:24 60:22 61:14 62:4 68:17
 81:7 83:15 84:6 95:3 99:22
 110:10,15,17
akin 50:21
alarm 5:20 7:3
alarms 56:15
Albany 107:23
alcohol 41:3
alerted 43:18
Allan 35:2
alleged 44:16
allegiance 2:6
allocated 21:14
allow 11:15 14:19,22 33:20 34:2
 34:9 51:7 79:24
allowance 34:6 50:17
allowed 34:18 49:17 66:19
 104:23
allowing 66:6
allows 11:14
amazing 110:11 111:7
ambiguity 28:15

amend 89:8	area 14:10 20:4,15 21:20 24:9
amending 1:8 33:10	25:13 38:2,15 40:8 44:18
amenities 34:20	46:24 56:7 62:4,8 65:9 70:16
America 2:7 29:15	75:11 84:8 97:12,18
amount 71:15 97:16,16,17	areas 49:21 50:4 51:9,22,24
amounts 57:2	52:14 53:2,7 78:23 85:19
ample 27:14	86:14 87:4 91:21 96:25 97:2
and/or 45:13	argue 106:7
angle 102:19,23	argument 90:23
angles 103:15	Arizona 8:14
Anita 3:13,15	Armstrong 48:23 51:15,16,17,19
Ann 51:15 53:14,15	51:20
Annie 60:13 61:25	arrest 73:5
anniversaries 12:17	arrested 72:18
annually 32:10,14	Arrow 12:25
answer 4:21	Art 2:14
Anthony 5:9,11,13	article 66:11
anticipate 88:8	aside 37:3
antique 6:21	asked 34:18 96:16
antiques 6:6	asking 51:6
anybody 14:13 68:3 79:6 81:4,4	aspiring 75:7
anymore 91:6 110:19	assessments 87:3
anyway 6:14,18 77:15	assist 90:2
anyways 102:14 106:14	assisting 66:24
apartments 52:5 78:24	associated 42:7
apologies 94:10	assure 15:22
apologize 74:23 81:4 82:9	Atakaett 23:5 25:20,22 28:23
apologizing 7:13	athletes 34:22 72:16
apparently 76:25	attempt 67:6
appeal 14:18 34:7 45:17	attend 3:9 12:5 52:18
appeals 14:19 18:21 44:10,14,23	attended 39:3
50:15 59:10 89:3	attending 5:3
appear 86:22 89:11	attitude 60:19
appellate 87:17	attracting 24:8
applaud 33:10 84:18	attraction 27:24
applause 103:17	attractions 27:9 36:2
application 88:22	Audio 58:4 102:9
applications 88:17,19	August 1:14 2:23
apply 77:2	AuLenti 44:4 46:6,8
appreciate 18:4 71:18	aunt 111:5
appreciating 10:23	authentic 82:15
appreciation 11:8	automatically 48:11
approach 4:16 45:20	available 3:5 14:5,8 38:12
appropriateness 86:25	78:24
approval 16:3 86:4	Ave 58:10
approve 15:25	Avenue 55:16 85:6 90:11,12
approved 79:5	avenues 72:2
approximately 55:21 96:17 105:7	average 53:11 58:11
arbitrary 66:12	Avery 109:9

awaiting 50:13
 awakened 47:15
 award 72:24
 aware 71:13
 awesome 20:4 111:17 112:8

B

B 5:16 22:13,13 35:19,19 36:15
 36:15 49:8,8 59:24 60:22
 61:14 62:4,4 68:18,18 83:15
 83:15 84:6,6 88:25 95:3,3
 99:22,22 101:20,23 110:10,10
 110:15,15,17,17
 back 6:13,25 15:16 20:12 30:25
 47:17 49:4 50:11 67:16 70:15
 70:18 72:19 73:6 76:2,13
 78:10 81:17 84:5 96:24 110:16
 background 56:13
 backup 73:3
 backyard 95:17
 bad 11:21 16:15 79:6,19,23
 97:17
 balance 104:25
 Band-Aid 93:24
 bars 26:12
 base 32:16
 based 37:21 56:25 78:16 104:6
 106:10
 basement 54:18 75:14 104:9
 basis 28:13 37:17
 bath 96:12,12
 Bear 46:13
 beautiful 29:12 30:6,14 40:20
 52:21 111:17
 becoming 71:12 105:14
 bed 27:4 31:11 32:13 41:14 69:5
 69:5 77:24 86:10 93:13,16
 99:7
 bedroom 11:14 58:11 96:12
 bedrooms 33:15 54:15,17 104:7
 104:11
 beds 33:17 91:18 99:9 104:10
 beer 109:6
 began 3:23
 behalf 2:3 17:20,21 19:17 53:11
 112:14,20
 behavior 11:21 34:16 97:17
 belief 41:5
 believe 4:4 11:2 14:18 18:6
 20:20 46:18 69:9 77:13 89:3

92:24 99:21 110:12
 Belluscio 94:3
 beneficial 15:20
 benefit 68:5
 benefits 10:24 28:2
 berm 54:19
 Bertha 94:4,6
 best 20:16 74:17
 better 100:10 107:7,8
 Beyond 87:2
 bid 39:7
 big 6:7 7:16 12:18 29:17,20,25
 30:2,13 41:20 101:18,18
 bigger 8:17 73:12 91:19
 biggest 6:12
 Bill 90:9 91:25 92:2
 Birdies 58:19
 birthday 15:10
 birthdays 12:18
 bit 8:18 15:6 91:12 96:23
 100:10
 bite 70:22
 bittersweet 68:14
 blame 80:16
 blaming 10:22 23:25
 blaring 5:25
 bless 71:11
 blessed 65:6
 blocks 13:18
 blown 29:16
 board 2:3,13,16,20,21 8:4,7 9:4
 10:20,20 11:3,12 25:13 33:10
 37:20 38:22 39:3 40:13 44:9
 46:16,21,23 48:14,16 49:9
 50:13,14 51:10 53:4 59:10
 63:9 65:5 66:2 69:10 71:13,20
 71:20,22 72:3 80:23 86:5
 87:14 112:21
 boarding 50:22 86:11 104:16
 boards 4:23 5:4 11:4,23 17:21
 18:7 37:7 45:24 63:9 66:2
 67:23 70:4 81:3
 Bob 2:15
 bogus 79:25
 Bolos 25:20 29:2,3,4 31:9
 bolster 53:6
 book 95:6
 booking 59:25
 bookings 32:22

books 93:6
boots 58:19 72:12
born 7:25 8:2 49:3 65:21 67:11
 69:25 79:14 100:5 107:6
bottom 35:20 76:8
bottoms 74:2
bought 22:23 23:10 70:11 98:17
 108:4
boy 46:15
Boyce 100:24 102:7 103:20,21
boyfriend 26:5
brand 103:24 106:16
break 82:3
breakfast 77:24 86:10 93:13
breakfasts 41:14 93:16
breath 65:6
Brian 55:13 58:2,7 74:7,20,21
bridal 12:18,20 13:9,20 42:20
 42:25
Briggs 90:19
bring 10:24 17:6 64:5 109:5
bringing 56:6 73:23
brings 71:17 84:5
Brooks 87:22 88:6,7 89:24 93:12
 93:12
brought 8:6 15:9 26:5 41:11
 73:6
Brown 19:22 23:5,6,6 25:11
Bryce 12:8 15:2,4
Bs 5:16 59:24 60:23 61:14
 101:20,23
budget 13:6
Budgets 21:13
Bugger 65:25
build 28:2 87:11 98:23 106:16
builder 77:13
builders 77:11
building 69:7
built 12:11 40:18 54:19 80:11
 106:22 110:4
bullets 76:21
bunch 72:17
bunk 104:10
bunkroom 104:9
burden 34:14
burdening 49:25
business 15:18 21:25 27:10 31:5
 33:6 36:13 51:25 52:25 54:20
 61:10,11 72:17 75:13 83:2,13
 83:16 84:4,6,11,18 93:15,23

95:20,22 98:20,22 99:14,16
 105:2,20,21,21 106:6,8,9,10
businesses 16:16 24:25 27:8
 32:8 35:10 37:9 40:7 46:23
 49:16 52:4,10,14 61:4,5 84:7
 84:8,13 85:18 86:14 91:14
 99:23
busy 108:7
buy 23:14 29:19 40:9 64:11 73:8
 73:20 75:16 93:20 108:3
 110:23
buying 22:22 49:20 108:6

C

cabin 110:16
call 2:4 4:15 5:7,21 6:9,23
 25:23 30:10 49:5 73:2 79:10
 93:23 95:13
called 5:20 6:8 8:12 44:18,23
 47:18 55:23 65:23 82:12 92:25
calling 7:3 48:7 92:7
calls 7:2 48:11 97:5
Calvey 7:22 9:20,20,21,22 11:19
 12:3,8,9,10 14:17
cancer 62:12
Cancro 96:4,5,6 97:25
candy 111:15
cap 41:13 42:22 43:14,15 46:18
 46:19 47:5 62:18 71:19,22
 104:19
capable 67:8
capacity 45:13
capitalist 100:4
cappings 62:23
Caprara 102:6
capricious 66:13
car 6:8,8 66:22 67:24 99:10
cardiac 73:5
care 16:17 18:4,24 22:10 27:8
 50:6 61:21 72:15 94:24 95:25
 103:14
cared 30:14
careful 30:17
cares 66:19 103:16
caretaker 5:15 87:24
caretakers 11:20 32:12 61:20
caring 51:13
Carolina 16:10
CARPRARA 102:12
cars 5:23 6:7 11:15 33:18 58:17

95:16 97:16,20 Carthage 81:22 82:6 Cascade 73:14 98:13 case 14:5 44:22 45:3 51:6 52:11 59:8,20 78:20 103:16 cases 44:17,19,25 45:9,15 cash 101:14 Cassidy 5:9 7:21,23,24 catalyst 24:6 category 106:11 catering 13:9 cause 22:14,15 47:6 48:18 82:3 caused 80:13 93:25 causes 38:3 causing 24:10 93:9 Cayuga 39:24 census 40:25 center 2:24 68:2 102:3 cents 99:18 certain 48:11,12 certainly 38:5 41:22 86:22 cetera 13:10 24:15,15 25:13 49:11 chair 6:21,22,22 10:15 chairman 44:9 chairs 6:3 Challenge 75:5 chance 108:3 change 4:12 33:3 82:9,20 103:5 110:6 changed 46:15 67:14 82:24 changes 11:5 22:4 24:6 29:6,7 68:20 changing 74:25 81:21 character 67:15 87:16 charge 99:17,23,24 100:2 cheaper 78:25 check 56:20 checking 14:7 Chelsea 112:15 Cherry 70:8 Chicago 16:9 child 70:18 78:9 85:8 children 49:5 52:18 54:7 104:20 choices 14:2 chose 111:6 chosen 49:4 Chris 77:18 80:19,21 103:5 Christmas 16:10	circumstance 59:14 cited 45:15 citizen 57:17 City 81:18 111:4 classic 29:14 cleaners 35:25 cleaning 74:2,3 clear 28:14 75:3 clearly 24:16 54:20 63:13 83:20 83:22 84:20 86:8 93:10 111:9 clerk 2:18 3:6,7,13,14 4:15 5:7 111:11 clients 20:2 42:3 58:14 clinical 39:25 41:25 close 73:11 109:17 closed 4:23 7:9 15:21 closeness 40:20 closest 86:10 closing 53:3 Club 12:25 13:8 26:8,14,16 30:20,22 31:2 73:16 96:6 coach 77:20 80:11 92:3 cobbler 71:2,3 code 1:2,10 19:10 34:2,5 45:4 49:9,12,13,17 51:4,6 52:15,16 53:6,8,22 54:4 55:5,7,8 66:11 76:19 85:21,24 86:9 87:16 88:8,14,16,20 89:20,25 90:3 94:23 95:5 codes 28:14 51:22 coin 69:11 collectively 110:23 college 76:2,7,7,8 combat 10:6 combats 28:13 come 16:7 24:11,23 25:15 30:12 31:23 40:8 42:19,20 43:16 44:17 47:24 49:4 60:8 63:21 63:22,24 64:7 67:25 68:13 69:4 70:23 78:10,18 81:19 83:17 92:20 93:20 100:13,15 100:17 104:13 106:19 108:25 109:3 111:12 112:22 comes 90:25 99:3 coming 21:16 23:8 29:4,10 57:16 58:15,16 61:3 62:9 68:16 69:7 72:19 76:13 84:24 92:19 107:13,14,15,17 108:10 112:15 commend 10:14 46:15
--	---

comments 75:2 81:12 commerce 27:24 commercial 50:4 52:7 58:9,22 59:16,24 61:8,9,10,14 85:19 86:15 93:7,11 95:2,21 97:2,8 98:3,25 99:2 106:9 commercially 53:2 Commission 3:24 38:9 commitment 45:25 70:6 commitments 65:8 committee 10:16 11:8 38:11 39:4 common 18:21 81:10 97:25 communities 8:12 10:5,10 16:19 32:5 78:23 82:9 84:14 community 3:24 4:2 7:13 8:21,22 9:3,11,13,25 10:22,25 11:7 16:13,18 17:2,7 18:8 21:17 23:21 24:3 25:4,18 27:9,18 28:5 35:7 38:8 39:4 40:20 41:4,17 42:2 49:5,19 50:7,10 51:12 52:3 68:6 70:7,24 72:8 76:13,15 79:2 81:8,13,15,21 81:24,25 84:21 87:17 90:25 91:5 93:5 101:7,7,21 106:18 106:19 107:9,17 108:6 110:19 110:24 companies 35:19 compared 78:22 compel 71:21 compete 25:17 competed 35:8 complain 14:22 33:25 complainant 89:21 complaining 91:20 complaint 14:14 33:20 89:12 complaints 7:5 14:9 42:21 48:12 48:18 49:10 64:16 completed 38:2 completely 104:17 complex 75:21 110:5 compliance 54:9 85:14 comply 84:11 comprehensive 37:25 concerned 9:25 10:19 37:18 40:2 45:11 76:17 86:21 concierge 68:20 concise 28:15 conclude 43:22 conclusion 42:9	conditional 86:3,12,16,23 condo 75:17 conduct 18:14,19 38:9 57:7 89:11 conference 2:24 configured 45:12 confluence 39:10 connections 65:8 consequences 55:10 consider 2:25 62:23 83:3 88:13 considerable 45:16 considerate 15:24 consideration 5:5 18:11 51:11 86:24 91:4 considered 30:25 38:14 86:12 101:9 consistent 34:2 construction 10:7 96:13,13 consumer 82:13,13 84:4 consumers 82:11 contact 5:21 56:18 contentious 110:12 continue 14:21 20:19 21:9 23:3 52:4 57:20 78:2 101:7 continued 56:10 63:21 64:6,7 continuing 87:6 contract 66:16,18 contractors 32:11 35:24 61:19 contracts 56:9 contradictory 28:19 contrary 19:5 contribute 23:16 27:2 36:4 control 42:23 43:17 60:3 controversial 112:25 conveyed 94:19 cooking 74:3 cool 109:14 coolest 74:11 cooperatively 37:7 corner 12:12 cost 22:17 49:22 costs 35:13 40:5 Cottage 13:7 Council 63:11 Counsel 45:7 counting 90:5 countless 70:6 country 16:8 27:23 42:4 62:10 75:8
--	---

county 99:19
couple 12:19 15:14 23:9 54:11
 70:16 81:9
course 6:11 11:4 58:20
court 18:16,21 44:25 51:5 53:25
 87:18 89:3
courts 54:4
cover 15:21 23:12 35:13 101:17
cow 101:14
Craig 2:15
crap 72:17
craziness 26:9
create 33:21 34:6 37:10 68:5
created 21:25 22:4
creates 28:10
creating 25:18 79:23
crew 73:2
crime 67:4
criminal 18:13,17,18
cripple 36:9
crisis 10:4
Cristina 96:4 98:9
crowded 58:18
Crowne 12:25 15:12
cruddy 110:17
Cub 46:13
culture 22:4 33:22
curbs 97:14
current 22:25 33:15 36:18 37:3
 37:22 38:25 49:9,12 52:15
 53:6 97:6
currently 14:12 36:8 38:8,12
 45:12 79:4
Curtis 3:13 46:10 47:9,10,10
 111:10
Cutler 12:8 15:2,3,4

D

D.N.A 65:11 81:7
dad 8:5 102:19 110:14
daily 28:13
damage 31:17
dang 94:11
dark 109:20
dash 19:6
data 22:8 38:25 39:17
date 1:14 46:2
dates 20:12
daughter 101:2
daughter's 12:21

Dave 72:10 74:7,8 111:17
David 98:9,10,12
day 7:19 58:19
days 11:10 46:20 47:25 82:25
 105:6,12
de 85:18 86:13
de-incentivize 105:14
dead 76:9
deal 23:24 72:22 100:7
Dean 10:16
death 12:5
Debbie 23:6 61:25 63:7 80:19
 83:9,11
Deborah 19:22 23:5
decades 22:13 63:20 81:15 87:10
December 15:22
decide 85:22
decision 9:7 53:23 87:15,17
decisions 39:17 44:15,20 112:23
deck 47:17
decline 33:7
declining 40:4
decreases 17:5
dedicated 75:15
dedicating 11:9
dedication 26:24
deed 94:18
deemed 54:4
deep 65:9 72:13
deeply 17:3
defendant 45:2
defense 66:15
defer 94:8
deficiencies 19:18
defined 86:8,18,22
definition 28:11 54:5 82:12
 86:8
definitions 86:10
deleted 67:5
delight 55:20
demand 82:10 105:16
demanding 24:17
denied 33:2
department 47:22 50:11 72:6
 84:11 93:2 99:3
departments 36:5 56:20 72:7
depends 35:15
Derek 2:15
derives 19:15,15

derogated 79:16
 descriptions 98:4
 deserves 18:9
 designation 88:24 98:2
 desire 55:24
 desperately 79:9
 despite 10:19
 destination 14:3 24:16 34:21
 destinations 33:4
 Destito 60:13 61:25 62:2
 destroying 24:2 49:24
 detailed 10:5
 details 11:25
 determination 44:18
 determine 18:4 38:16
 Detroit 16:9
 develop 23:2 45:7
 development 3:24 38:8 39:4 50:4
 Devlin 2:14
 dial 93:3
 dictionary 98:4
 die 100:5
 dies 27:23
 Dietrich 10:17 38:17
 difference 62:13
 differences 96:25 97:7,11
 different 6:22 30:9 48:2 58:15
 60:9 62:8,17 69:11
 differently 69:15
 difficult 63:14 113:3
 dilapidated 92:8
 dinner 13:7
 direction 41:4 42:4 46:17 86:20
 directly 34:3 103:11
 discontinuing 25:4
 discovered 16:7 64:4
 discrimination 77:3
 discussion 19:2,17 55:9
 disease 101:5
 disfavored 18:16
 disheartened 96:24 97:6
 disrepair 29:18
 disrupt 21:15
 distinction 28:6 85:16
 distinguished 107:22
 district 49:16 53:19,20 95:4
 112:2,3
 districts 55:3 86:2,15,23,25
 94:25

divers 92:17
 divide 63:14 78:6
 divided 103:17
 docket 45:14
 documents 45:4,6
 doing 5:16 6:4 30:5 31:5 39:7
 46:16 59:18 61:12 68:17 96:21
 100:11 104:15 105:23 108:13
 108:16 109:16 110:9
 dollar 6:6 16:23 99:17 106:24
 108:22
 dollars 24:21 27:3 32:8,9,10,13
 35:23 38:9 56:24 73:14
 Don 46:10,12
 Donna 7:22 9:20,21
 Donovan 103:22 107:2,3,5 109:23
 door 23:23 79:18,22 96:9,10
 dorm 50:16 54:4,5
 dormitory 50:22
 Doty 2:16
 Doug 9:20 12:8,10 98:10 100:22
 downside 45:16
 downtown 74:13
 draft 38:21 53:5
 drafting 4:4
 drag 6:14
 dream 110:8
 dreams 57:20
 drew 67:24
 drive 16:6 29:9,11,15 30:16
 68:10 76:7 89:17 92:17,20
 96:8
 driven 78:15 82:10 87:3
 driveway 5:24
 driving 6:16 23:19 49:22 84:3
 dropped 41:2
 drugs 41:2 42:6
 Drum 81:23,24 82:6 103:7
 drunk 6:17
 Dudley 3:13 111:10
 due 14:8 27:23 34:8 36:19 56:2
 79:7
 dwelling 50:23
 dwellings 86:3

E

E.M.T 72:15 73:24
 E.M.T.s 72:23
 earlier 50:12
 early 12:12 80:12

easily 58:17
 eat 23:14
 economic 10:24 21:10,17 22:10
 47:14 81:6 105:15
 economy 21:10,12 23:3,17 32:6
 35:15,24 56:6 71:4,7,17 78:15
 78:16 105:3
 educating 27:12 108:10
 education 75:13
 effect 33:8
 effected 33:24
 effective 88:15,21
 effects 4:6 22:2
 effort 17:17 63:12 112:22
 efforts 10:20 17:23 53:10
 eggs 11:7
 egress 54:18
 eight 12:20 19:9 54:11,20 92:24
 95:17 99:18 106:17
 eightieth 12:17
 eighty 54:22 110:25
 eighty-five 111:2
 either 89:14 92:17 103:5
 Elba 1:2,9 2:22 3:3,17 17:13,23
 19:10 44:9 49:13 87:14 90:16
 elected 53:4
 electrical 30:5
 electricity 72:6 95:21
 elements 76:18
 eleven 18:12 19:4 44:12 66:9
 67:5 88:25 99:18,23
 Eli 10:17
 eliminate 19:9
 eliminated 19:4
 Eliminating 17:3
 Elizabeth 58:6 102:11
 Elm 9:22 12:10,12
 email 56:20
 emails 97:5
 embarrassing 7:10
 embracing 31:7
 Emily 10:14
 emotional 112:17 113:2
 empathize 75:19
 employees 35:25
 employment 72:5
 empty 64:25 65:2 103:9
 enact 5:6
 encourage 11:7,23 33:12 96:7

encouraged 97:9
 endeavor 55:25 56:10
 ended 6:15 68:14
 enforce 34:2 49:9 51:6 57:8
 93:8,10
 enforceable 89:12
 enforced 49:13
 enforcement 4:8 14:23 19:8
 28:12,12 44:15 45:5,17 48:5
 66:13 76:18,19 88:16 89:10
 90:2
 enforcing 66:14 90:2
 engage 17:17
 engaged 26:13
 enjoy 20:3,14 34:22 108:18
 enjoyed 32:17 42:18
 enjoying 16:12
 enrollments 40:3
 ensure 85:14
 entire 55:7,8 70:12
 environment 21:20,25 28:11
 65:14
 envy 83:18
 Erenstone 80:19 83:10,11,12
 Eric 15:2 17:9,11
 ES 58:6 102:11
 especially 24:18
 Esper 103:20,21,23 106:14
 Essex 47:17
 establish 10:21
 establishments 36:2
 estate 78:17,18 79:23
 Estling 2:19 3:13 5:8 7:7 9:19
 11:18 12:2,7 14:16,25 17:8
 19:12,21 23:4 25:10,19 28:8
 28:22,25 31:8,20 34:12,25
 37:5,12 39:14,19 42:10 44:3
 45:22 46:5,9 47:8 48:22 51:14
 53:13 55:12 57:11,21,25 60:12
 61:24 63:6 65:12,16 67:19
 68:4,7 69:18 71:24 72:9 74:6
 74:19 77:4,17 80:7,18 83:5,9
 85:2 87:7,19,21 88:5 89:23
 90:8 91:24 93:18 94:2,9 95:23
 96:3 97:24 98:8 100:21 102:5
 103:19 106:13,25 109:22,24
 112:4,13
 et 13:10 24:14,15 25:13 49:11
 Ethan 17:9 19:22,23

Evans 94:13**evening** 2:2,17 4:15 5:5 15:3

17:10 19:23 25:21 29:3 46:11

62:2 74:24 77:19 80:20 88:7

98:12 103:23 107:3 112:20

evenings 11:10**event** 12:22 17:19 31:3**events** 24:7,7 25:5**eventually** 95:9**everybody** 7:18 9:17,18 15:4

47:3 63:8 65:19 70:4 83:20

88:19,22 95:12

evidence 45:3,5 79:17**exactly** 13:22 77:2**examined** 10:4**exceed** 59:15**exceeding** 22:18**excellent** 47:23**excessive** 67:4**exchange** 37:20**exciting** 24:16**exclusive** 28:11**exclusively** 80:17**excuse** 21:2 27:5 39:11 64:8**exempted** 78:3**exemption** 104:20**exist** 75:5 91:21**existing** 19:10**exists** 41:24**expand** 81:23**expect** 78:18 103:16**expectations** 27:13**expected** 62:19,20**expenses** 15:21 23:13**expensive** 40:10**experience** 16:15 20:16 21:21

22:6 35:16

experiences 82:17,17,18 112:11**expertise** 45:13**explore** 72:3**exposure** 17:5**express** 112:22**expunge** 65:24**extinguishers** 56:15**extra** 73:3 95:4**extra-large** 59:12**extract** 64:10**extreme** 36:9,20 67:4**extremely** 86:20**F****F** 44:12**fabric** 32:4**Face** 12:25 13:8 17:18 26:8,14

26:16 74:22 75:17 87:13

faced 87:10 88:16 90:23**facility** 97:14**facing** 23:7 35:5 91:23**fact** 9:24 32:25 35:18 45:8

49:12 67:15 75:19 80:13 95:13

95:18 102:18

facto 85:18 86:14**factor** 105:17**factors** 71:21 105:16**facts** 38:17 81:6,11**failure** 34:4,9**fair** 21:8 25:16 34:2 37:10 52:7

80:16

fairly 21:7 111:21**fairness** 88:3 100:6,18**fall** 26:6 38:13 42:15 54:6,8

77:23 79:4

falling 22:7**false** 89:14,15**families** 16:7,11 17:5 20:14

21:22 26:20 43:11 56:7 67:17

101:19 104:13 108:8

family 12:6,19,21 13:5,14,17,20

13:22 14:6 20:6,8 21:23 26:19

35:6,13 36:16 42:20 48:24

49:14,14 50:23 51:15,18 54:6

57:24 58:14 60:8 62:14,21

63:20,22 64:5,14 68:12,13,23

69:17 86:2 92:5 94:20 110:3,3

111:20

family's 13:5**fan** 75:4**fancy** 73:15,17,23 74:3**fans** 13:4**fantastic** 99:12**far** 22:8,13 37:24 71:15 75:25

82:21 99:23 100:16 102:21

far-reaching 22:2**Fast** 29:23**fatality** 92:14**father** 110:4 111:5,6**faults** 22:25**favor** 17:25 37:6 77:21**favoring** 89:6

Favro 2:16	five 6:12 24:18 26:10 47:18
fear 60:19	82:25 99:25 108:21
fee 57:20	fix 29:21 37:2 93:23 95:6
feedback 104:6	fixed 92:8
feeding 62:14	flag 2:5,7
feeds 32:15 70:22	flashing 5:24
feel 18:8 57:18 59:21 75:25	flip 87:6,8
79:6,19 102:22	floor 2:6,24
feeling 5:18 20:8 23:21 31:7,19	focus 4:20 38:11
50:21 58:23 80:14	folks 42:4
fees 56:25 69:14	follow 34:4 84:9 94:23 100:12
feet 40:23 59:13 96:18	101:3
fell 27:18	followed 7:22 9:20 12:8 15:2
fellow 46:22	17:9 19:22 23:5 25:20 29:2
fence 43:4 76:4	31:21 35:2 37:13 39:20 42:11
fewer 8:18 107:20,20	44:4 46:10 47:9 48:23 53:14
fickle 36:13	55:13 56:11 58:2 60:13 61:25
fifteen 29:23,24 42:5 68:11	63:7 65:17 68:8 69:19 72:10
105:7,7,8,11	74:7,20 77:18 80:19 83:10
fifth 66:22 69:24	85:3 87:22 88:6 90:9 91:25
fifty 73:13 76:11 79:2 81:16	94:3 96:4 98:9,10 100:22,23
96:8	102:6 103:20,22 107:2
fifty-eight 89:5	following 12:9 33:13
fifty-fifty 75:10	food 13:11 74:3 84:10
fifty-five 54:15	foolishly 73:7
figure 70:13 90:6 112:9	foot 6:12 54:14,16 58:12 87:12
file 14:13 33:20 48:20	90:4 96:9
filing 88:15	footage 59:15 96:16
filled 99:8,9	force 10:4 25:7 78:11
final 61:19 106:16	forced 56:23
finally 6:24 10:18 23:10 53:9	foreigners 94:11
90:18 110:15	foremost 18:15 80:25
financial 26:20 80:14,15	forest 102:21 110:6
financially 29:21	forever 81:18
find 6:20 36:14,15 82:21	forget 105:17
findings 45:7	form 38:22
finished 104:2	former 12:12
fire 5:19 7:3 36:5,18,24 50:11	Fort 81:23,24 82:6 103:7
56:15,20	fortieth 15:10
fireman 92:12	fortunate 109:9
firemen 92:16	fortunately 64:11 99:11
fireplace 7:2	fortune 79:14
fires 92:21	forty 35:11 46:13 76:11 79:12
firm 45:24	forty-five 55:22
first 5:7,8 15:11,12 16:8 18:12	forum 4:22
18:15 26:4 29:10 36:11 40:18	forward 4:5,10 29:23 44:21
63:9 64:3 66:25 68:12 70:3	found 10:6
80:25 83:17 84:18,19 85:11	Fountain 63:7 65:17,17,19,20
90:17 92:6,14 98:17,19 107:17	67:20 68:5

four 6:2 8:17 16:6 18:13 33:13
 34:15 59:12 60:6 66:9,19 67:5
 96:14 99:25
fourteen 42:5
fourth 69:24 72:14
frankly 81:7
frequent 17:14
Friedland 94:22
Friedlander 47:9 48:23,25 49:2
 100:22,23,25
friend 111:10
friends 15:15,17 17:16 20:9,14
 36:16 57:4 63:22 64:5,14 76:3
 109:18
front 31:23 42:16 69:21 83:19
 91:10
frustrating 23:23
fuel 75:25
full 42:18 51:24 59:6 64:21
 79:10 103:8
full-time 31:14 52:24 56:3
 75:22 92:25 105:23
fully 10:23
fun 24:16 48:15 109:17
function 101:17
funding 36:4
fundraisers 50:10
funny 7:10 28:4 61:13
Furnia 69:19 72:10,11,13
furniture 6:5
further 4:12 5:5 19:18 21:6
 50:20 97:5
future 13:13 20:10 27:21 59:25
 96:10

G

Gabby 51:19,19
Games 24:14
gaps 38:15
garages 66:6 90:5
garbage 6:20
gathered 5:4
gatherings 82:14
Gee 42:19
Gene 38:17
generally 96:19,21
generate 68:25
generation 69:25 72:15 101:19
 110:2
generations 20:7,10 34:24

gentleman 82:2 83:25 99:3
gentlemen 7:23 43:19 94:16 96:2
genuine 82:17
George 8:15 43:15 82:23,24
get- 21:23
getaway 26:8
getting 7:5 9:9 15:23 29:25
 41:7 72:12
ghost 71:10,12 111:21
gift 26:12 110:10,14,16 111:7,7
 112:7
girl 73:17
give 4:16 5:11 6:9 50:11 67:22
 74:10 82:3 84:5 88:21 102:14
 103:18
given 3:10 46:21
gives 68:21
giving 39:21
glad 28:4 67:11,12 93:2 98:15
gladly 24:8
glass 103:8,8
go 6:2,17 16:2 21:6 29:6 31:18
 36:22,23 40:22 41:18,19 43:8
 47:4 59:11 68:22 77:6 81:17
 82:22,23 93:14,16 99:19,21
 109:4,6,19
goal 26:24
goals 26:22
God 2:9 73:4
goes 5:20 35:24 41:18,19 66:22
 99:19 109:6
going 2:3,11 6:14 9:8,14 31:13
 32:25 36:12,17,23 39:6,7
 40:12 42:4 43:8 46:23,24 61:6
 62:18 63:15 71:7,9,9 72:19
 73:6 74:2 75:23 77:9,14 78:2
 81:23,24,24 82:6,20,21,22,23
 88:8,16,18 89:18 90:22 95:9
 97:22 100:5 102:14 103:4,21
 106:7,22 108:12 110:13 112:5
 112:10,11 113:4
gold 17:11,20,25 18:6,7,19
 19:17,19 72:8 73:9,22 75:12
 75:12 80:22 108:9
golden 11:6 12:25
golf 58:20
Gomlak 98:9,10,12,13
good 2:2 9:17 11:3 15:3 17:10
 19:23 25:21 27:17 29:3 31:17
 42:4 43:7,10 46:11 52:10,11

55:6 62:2 66:5 67:6,11 77:19
 79:20 80:20 88:7 98:12 99:4,5
 102:23 103:23 107:3 108:11
 111:9
goose 11:6
gosh 64:4
gotten 96:16
government 48:18 67:8
grace 73:4
grandchildren 8:3
granddaughter 90:14
grandfather 70:20
grandpa 70:25
grandparents 111:3
grant 79:13 89:4
granted 21:13
grantor 94:20
grateful 111:6
great 16:13 34:21 55:20 59:18
 63:18 84:19,22 101:16 103:5
 109:14
great-grandchildren 90:15
Greece 111:3
Green 74:9,9
greet 56:17 68:19
grew 63:16 67:12 73:9 74:12
 105:21 110:24 111:11
groceries 23:14
group 10:3 17:12 30:12 44:13
 50:22 80:22 82:13
groups 24:18,20 25:9 50:19
grow 63:18
growing 10:9 111:23
grown 21:22 63:19
growth 35:18
guarding 57:12
guess 7:14 55:5 65:24 71:19
 110:2
guest 32:3 99:17
guests 11:21 12:24 13:17 16:9
 27:12 33:2 34:11,16,17,22
 56:17 64:15,15,17,18 68:19
 97:15 107:22
guests' 34:16
guidelines 37:10 77:23
gutting 70:12
guy 6:7,12,23 72:24 73:5 89:18
guys 6:7,10 43:23 48:15 62:7
 72:11 74:14,15 83:19 93:25
 110:20

gym 23:15

H

habits 82:20
Hadjis 107:2 109:24,25 110:2
 112:5
hair 13:9
half 77:5,6 96:12 99:19,19
 103:8,8 105:25
Halloween 109:19 111:12
hand 2:13 59:3 70:22
handle 45:13 90:3 101:21
handled 45:9 48:9
hands 99:17
Hannaford 110:4
happen 48:10,10 54:17 73:7
 92:21 111:13
happened 36:21 73:3
happening 49:19 84:7
happens 47:25 61:15
happy 90:11
hard 6:24 26:24 63:10 65:5 67:7
 67:7 71:14 72:19 75:14 78:10
 80:23 105:22
harder 104:13
hate 76:7,19
Havlicek 37:13 39:20,21
head 92:3 94:16
headed 71:7
heads 5:11 95:25
health 42:6 84:11,23 85:14 99:3
healthy 23:17
hear 43:13 47:13 57:4 81:20
 107:12 109:10,11,14
heard 3:10 18:3 23:25 43:5 62:7
 70:9 81:11 92:18 93:6 99:15
 102:18
hearing 1:1 2:1,4,20,22 3:1,9
 3:18 4:1,22 5:1 6:1 7:1 8:1
 9:1 10:1 11:1 12:1 13:1 14:1
 15:1 16:1 17:1 18:1 19:1 20:1
 21:1 22:1 23:1 24:1 25:1 26:1
 27:1 28:1 29:1 30:1 31:1 32:1
 33:1 34:1 35:1 36:1 37:1 38:1
 39:1 40:1 41:1 42:1,18 43:1
 44:1 45:1 46:1 47:1 48:1 49:1
 50:1 51:1 52:1 53:1 54:1 55:1
 56:1 57:1 58:1 59:1 60:1 61:1
 62:1 63:1 64:1 65:1 66:1 67:1
 68:1 69:1 70:1 71:1 72:1 73:1

74:1 75:1 76:1 77:1,14 78:1
 79:1 80:1 81:1 82:1 83:1 84:1
 85:1 86:1 87:1 88:1 89:1 90:1
 91:1 92:1 93:1 94:1 95:1 96:1
 97:1 98:1 99:1 100:1 101:1
 102:1 103:1 104:1 105:1 106:1
 107:1 108:1 109:1 110:1 111:1
 112:1,24 113:1
heart 9:16 42:19 70:12
heartbreaking 110:19 111:15
heavier 45:14
heavily 53:19,21
heck 67:12
Heidi 83:10 85:3,4
held 11:20 34:16 51:4 54:4
 87:17
hell 73:19 74:4
Hello 5:12 37:14 48:25 55:14
 74:21 96:5 109:25
help 15:20 23:3 37:21 47:15
 52:20 55:25 56:5 108:12
 110:13
helpful 3:11
helping 41:6
helps 101:12
Hemlock 37:15
Herbert 19:24 32:2
Herbie 65:17
hey 36:13 74:4 103:23
Hi 35:4 51:16,19 53:15 58:7
 63:8 65:19 72:11 74:8 83:11
 87:23 92:2
high 12:11 20:3,19,22,25 56:25
 57:2 105:4
higher 32:23 41:18,19
highest 16:23
highlighted 39:16
Hillcrest 12:12 85:5,6 90:11,12
 109:19
hinging 87:15
historically 80:2
history 8:22,23 20:4 30:19 32:4
 65:25 87:9
Hoffman 98:11 100:22
hold 2:22 4:23 6:24 7:5 16:25
 50:9 77:8
Holderied 2:15
holders 37:8
holdings 18:21
home 6:6 15:7 16:19,22 17:12
 20:12,24 22:5,5,6 23:11,23
 24:19 32:11,21,25 34:7,11,23
 37:15,17 49:6,7 50:22 54:2,13
 54:14,16,24 55:15,21 60:17
 61:7,11 62:21 63:2 64:10,21
 65:2 68:12,15,23 69:5,12 73:8
 75:14,23,24 82:15 84:4 96:9
 98:23 105:5,10 106:10,17
 108:17,17,20,21 113:4
home-based 106:8
homeless 62:14 63:2
homeowner 37:16
homeowners 11:20
homes 21:18 22:16,20,23 29:17
 29:17,20,25 30:3,4,6,7,7,8,14
 32:14,20,20 43:9 49:20,21
 52:5 69:7 70:10 80:6,9,9
 82:14,16 95:20 104:8,17
 105:12,13,19 108:24
hometown 16:17 29:14 73:8
honest 112:6
honestly 29:7 102:16
Honolulu 8:14
hope 4:18 22:24 42:9 48:14,16
 64:21 69:10,13 112:8
Hopkinson 42:11 44:4,5,6 45:23
horrendous 29:18
horse 24:12 94:10
Horst 94:10
hospitable 65:14
Hospitality 17:12,20 80:22
host 34:21 62:5
hosted 24:8
hostel 104:15
hostile 28:10
hotel 13:11,18 15:14 24:19
 25:12 32:22 97:19,20,20,21,22
 98:6 101:20
hotels 13:2,2,17 30:11 31:6
 32:19,21 34:23 35:21 51:3
 63:24 82:16 101:16,18,18
hour 16:6
hours 26:23 70:6 102:15
house 7:16 12:11,13,15 13:16
 14:8 15:5,17,19,25 16:2,3,4
 27:8 40:9,18,21,22,22,24
 47:17 50:16,22 55:23 56:12
 58:10,13,25 59:8 62:13 65:22
 65:23 68:19 69:8 73:8,11,18

73:20 86:12 91:8,9,11,12,14
 93:3,21 95:16 103:24,25
 104:16 106:22 107:15,24 108:3
 108:22 109:2,4,19 110:16,20
 110:23 111:17
housed 62:15
housekeepers 32:12
houses 9:9 13:19 27:14 29:16
 42:17 52:19 79:3 80:3 87:3,8
 91:9 92:9,24 93:20,20 101:10
 108:6
housing 9:24 10:3,4,7,13,16
 11:8 22:11 37:18,23,25 38:3,4
 38:12,14,15 39:11,16 40:5
 43:7 54:22 77:13 79:5 81:12
 83:21 84:21
HUD 79:5
Huda 29:2 31:21,25
huge 24:7 35:18 59:2
hundred 12:15,23 20:13 28:24
 30:24 40:23 41:15 54:14,15,22
 55:18 58:11,12 78:3 80:4
 81:16,16 87:11 88:2,17 96:8
 106:17 108:21 109:13
Hurley 90:19
hurt 33:8
husband 26:2,5,19 42:13 62:12
 68:15 70:10 85:5
Huttlinger 39:20 42:11,12,13
hypothetical 13:17 14:6

I

idea 18:17 43:7 67:24 68:3
 73:19 75:9
ideal 60:3
identified 38:6 89:13,21
II 22:16
illegal 28:20 88:12 89:3
illegally 34:17
imagine 13:13
immediate 13:20,22
immediately 88:15
impact 21:11,17 39:13 44:11
 47:14 81:6
impacts 3:25 86:17
implemented 82:25
implore 28:17 74:14
imply 62:18
important 8:10,23 9:2,10 11:25
 12:22 49:11 85:22

importantly 38:24
impose 18:13,18
imposed 38:22 45:17
imposition 18:22 89:17
impossible 57:3
improved 38:22
improvements 41:24
in-house 64:3
incalculable 55:10
incentive 45:16
incidence 6:18
incident 27:20
include 32:10,12
included 13:6
includes 22:15
including 37:8 49:10
inclusion 4:24
income 20:12 21:15 32:15 38:10
 38:13 56:2 68:25 79:3 106:4
incomes 22:18
increasing 40:5 82:11
independent 39:8
indicates 32:18 44:13
individual 34:3 94:19 96:20
individuals 11:16 22:5 33:17
indivisible 2:9
industry 27:24
inefficient 22:16
inevitable 4:11
inflating 52:6
information 5:4 37:22 39:5
 56:19
informed 38:24
infrastructure 32:15
inherently 55:4
inherited 68:11
inheriting 68:15
inhospitable 21:21
Inn 25:25 26:3 74:22 75:18
 77:20 80:11
input 27:19
insight 5:3
inspection 3:5
inspired 20:5,8
instance 88:14
insult 81:3
insulting 82:4
insurance 98:25 99:2
intending 4:14

intent 49:8 52:15 53:8
interested 3:5,8 13:14 25:8
interests 22:10 51:25
Interlaken 55:16
Internet 22:3 66:17
interpretation 45:8
interpretations 44:23
introduce 2:11 107:5
introduced 26:4 30:22
inventory 85:13
invest 20:8 75:8
invested 43:8
investigator 39:8
investments 52:25
investors 49:20 52:2
invigorated 20:5
invitation 66:12
invited 3:9
involved 9:2 37:11 65:7 90:19
 107:11
iron 24:12
ironed 25:15
irreparably 31:18
Islands 70:18
issue 18:23,25 22:11 28:13
 37:21 39:23 40:3 41:12 45:20
 69:3,9 79:22 83:21 111:9
 112:17
issues 4:20 18:11,24 23:18,22
 23:25 46:22 76:24 77:3 83:3
 83:22 85:9,12,16 87:2 103:11
 109:7
issuing 86:21
it's 53:21
item 44:12
items 33:13

J

J 63:17
Jack 2:16
jail 66:10,22 67:2
Jason 2:13 51:11 53:10
Jay 2:16 92:18 102:2
Jenna 90:19
Jennifer 58:2 60:13,15
Jersey 68:10
Jess 72:14 102:21
Jessica 10:17 68:8 69:19,22
 102:6 111:8
Jim 8:7 87:22 88:6,6 90:9,10

91:25 94:3,4,5 111:18
Jo 53:14 55:13,15
job 11:3 47:23 57:14 59:18
 70:17 90:18 98:15
jobs 8:25 23:13 24:24 67:18
 68:6 106:3
John 42:11 44:4,5
Johnathan 103:20
joint 10:15 11:8 50:14 86:4
Jonathan 103:21
Jones 72:10 74:7,8,8 111:17
Josephson 61:25 63:7,8 65:13
 94:4
July 39:3,6 70:11
jump 77:15
June 39:23
jury 66:15
justice 2:9

K

K 63:17
Karen 39:20 42:11,12 48:23
 51:15,16,16
keep 9:3 17:2 27:17 35:13 63:2
 68:23 79:21 84:9,20 91:18
keepers 27:8
keeping 62:15
keeps 25:16
keg 109:5
Kelly 10:18 68:8 69:19,20,22,23
 71:25
kept 41:23 84:3
Kevin 63:7 65:17,18,20
key 8:15,25
kick 6:16
kidding 93:4
kids 40:12,21,23 42:5 90:13
 101:10 104:14,21,22 109:13,14
 109:18,20 111:25 112:3
kids' 104:8
Kierstein 35:3 37:13,14,15
 39:15
Kilburn 10:15
kill 31:17
killing 11:6
Killington 82:22
kind 64:19 77:25 102:22 103:17
 104:16
kinds 5:17,24
knew 72:11

know 3:16 6:4,5,8,24 7:12 8:23
 9:13,23 13:24 16:21 35:14
 37:24 42:24,25 47:3,3,12
 52:10 54:17 57:14 59:5,11,23
 59:24 60:5,7 64:18,19 66:7
 69:6 70:5 71:5,10 72:25 73:7
 73:13 74:4,5,14 75:6,11,12
 76:4 78:5 83:16,21 84:7,16
 90:5 92:21 93:5,21,24 99:24
 102:24 103:17 105:2,3,5
 106:17 109:4,15,16,16 110:3
 110:12,20 111:10 112:2,24
knowledge 54:24 57:8 81:10
known 81:17 110:6

L

L.A 10:3 110:7
labeling 52:13
lack 27:23 50:19,23
lacrosse 24:13
ladies 7:23
Lake 1:1,9 2:1,21,25 3:1,2,7
 4:1 5:1,16 6:1,16 7:1,25 8:1
 8:2,4,12,13,13,15,24 9:1,12
 9:24 10:1,4 11:1 12:1 13:1,15
 14:1 15:1,5,7,13 16:1,7 17:1
 17:14,15,22 18:1 19:1 20:1,3
 20:15,18 21:1,16,19 22:1 23:1
 23:8,17 24:1,5,12,15,21 25:1
 25:3,16,23,24 26:1,2,4,17
 27:1,24,25 28:1,3 29:1,5,6,8
 29:10,19 30:1,19,20,22,25
 31:1 32:1,4,16,23 33:1,6,9
 34:1,19 35:1,6,8,9,9,10,11,15
 35:23 36:1,4,14,23 37:1,18
 38:1 39:1,24 40:1,16 41:1
 42:1 43:1,15 44:1,7,9 45:1
 46:1 47:1,14,18 48:1 49:1,3
 50:1 51:1 52:1 53:1,18,20
 54:1 55:1 56:1 57:1 58:1 59:1
 60:1,10,15,22 61:1 62:1,3
 63:1,23,24,25,25 64:1 65:1,14
 65:21,22,22,25 66:1 67:1,10
 68:1,12 69:1,23,25 70:1,2
 71:1,2,12 72:1 73:1,16,21
 74:1,12,13 75:1 76:1 77:1
 78:1,8,13,21,24 79:1,15 80:1
 80:3,10 81:1,16 82:1,23,24
 83:1 84:1 85:1 86:1 87:1 88:1
 89:1 90:1 91:1,17,22 92:1,18

93:1 94:1 95:1 96:1,6 97:1
 98:1 99:1 100:1,18 101:1,14
 102:1 103:1,4,25 104:1 105:1
 105:4,25 106:1 107:1,6,13,16
 108:1 109:1 110:1 111:1 112:1
 113:1
lakes 20:3
land 1:2,10 49:9,12,13,17 51:4
 51:6,22 52:15 53:6 85:21,24
 86:9 87:16
landscapers 36:2
Lane 23:7 35:5 46:13 74:22
 75:18 94:13
language 53:5
large 50:16 58:10,12,13 59:8
 62:8 82:13 96:14 97:2 101:10
larger 55:9 59:12 79:22
lastly 72:7
late 39:6
latest 10:11
Laurel 31:21 35:2,3,4
law 2:25 3:5,21 4:4,9,10,12,19
 5:6 14:18 18:12,20,21 19:9,16
 41:6,22,23,24 44:13,19 46:3
 48:3,6 56:23 57:17 66:4,5,12
 66:14 74:17,18 86:19 88:11
 91:3 95:7,9,19
lawn 56:16
Lawrence 77:18 80:19,20,21 83:7
 103:5
laws 23:19,24 25:14 28:14 93:6
 93:9,10
lawsuit 48:20 50:13,18
lawsuits 34:10
lawyers 45:2
laying 11:6
lead 34:19 88:21 101:3
leaders 9:25
leading 57:6
Leaf 73:9,23 75:12
leave 34:18 56:18 67:16,17
 80:12
leaving 7:4
left 6:24 9:3 70:16 71:2 111:15
legacy 20:13 32:5
legal 11:22 43:14,24 45:7 66:13
legally 88:10
legislation 16:25 20:21 21:5,8
 25:15 28:6,19 33:11,19 34:9
 37:4

legislative 21:7 legitimize 86:24 legs 6:4 Leon 2:14 51:11 53:10 Leslie 65:18 68:7,9 111:19 let's 13:13 36:11 65:5,9 letter 108:14 letting 6:15 liability 18:14,17,18 liable 11:20 34:16 liberty 2:9 license 69:14 life 5:18 16:14 26:9 35:7 40:2 40:16 78:8 107:7,8 108:19 109:8 lifelong 31:13 lightly 21:12 113:3 lights 5:24 likes 13:22 limit 62:19 limitations 36:20 limited 10:10 58:24 Linda 100:22,23 line 35:20 54:5,7,8 57:7 76:8 lined 12:24 list 68:21 listed 57:10 listen 48:14 listened 94:16 listening 42:8 46:4 63:17,17 literally 110:25 little 8:18 15:6 26:8 29:13 30:15,15 33:16 65:4 66:7 69:15 96:23 100:10 live 5:13 25:17,23 26:17 31:14 39:24 40:7 42:13 43:9,11 44:6 46:12 47:11 49:3 50:6 51:17 51:20 52:16,17 53:7,16,17,18 58:8 60:15 61:22 62:3,22 65:20 66:7 68:10,17 70:8 73:14,16 74:8,22 79:10 82:8 83:12 85:5 90:11,12,13,15 91:6 92:9,10,13 94:13,18 95:15 96:6 102:13 103:10 108:5,24 109:4,9 110:5,18,23 111:16 112:8 lived 8:25 42:14,17 60:16 74:9 74:11 81:21 85:6 91:5,13 92:4 107:6 108:19	lives 90:14 91:10 living 8:3 26:18 62:11 64:23 68:16 79:14 95:18 96:22 101:6 101:7 105:23 107:8 local 2:25 3:4 4:4,17 9:22 21:10,12 23:14 24:4,24 25:11 25:23 26:11 27:7 32:8,11 36:11,13 37:9 48:5 49:2 52:19 56:6,8,19 63:16,16 66:11,11 67:8 72:14 77:2 79:10,12 82:18 86:19 87:5 89:25 112:11 locals 22:22 25:24 28:10 49:22 49:23 71:10,12 73:25 75:7,7 75:24 76:4,5 79:9,24 112:12 locations 21:23 lock 13:23 Lodge 44:6 58:8 73:16 83:12 87:13 lodges 49:16 51:3 lodging 12:22 13:15 14:2 33:3 99:16 107:16 lone 71:2 long 3:22 25:6 27:18 32:3 70:20 104:25 112:19 long-term 26:22 longer 51:24 57:3 look 29:19 31:3,3 38:10 48:16 48:17 69:14 103:7,15 looked 75:8 looking 6:21 30:7 58:18 101:14 looks 13:19 Lorie 3:12 111:10 112:15 losing 8:21,22 lost 23:21 25:4 50:18 73:22,24 lot 8:9,25 9:9 23:25 27:12 29:6 29:7,13 30:2,21 41:17 43:13 46:22 59:16,20,22 61:19,20,20 62:9 66:4 67:7,9 69:20 70:10 71:14 75:2 76:3,17 77:8 84:15 91:19,19 94:19 99:10 101:24 104:12 106:3,24 109:7,17 loud 109:13 love 9:13 16:7 21:22 27:18 64:15,18 70:23,24 100:4 102:17,23 loved 15:16 40:19,20 lovely 25:16 Lowndes 85:3 87:21,23,23 luck 9:17
---	---

Luckily 56:5

luge 92:3

Lussi 96:4 98:9

lying 27:25

M

Mackellar 94:7,8

madam 2:17 5:6

magic 70:19

magical 111:8

main 2:24 3:7 13:11 29:12 47:2

67:25 73:2 103:24 104:3

maintain 9:11 20:24 24:5 69:16

maintaining 34:20

maintains 20:22

maintenance 22:17

major 99:5

making 87:4 91:18 112:22

man 24:13 71:11

manage 76:22

managed 75:15 85:23

management 20:20

manager 30:18 69:8

managing 85:11

mandatory 19:7

manner 44:21

Maple 93:13

Marcy 42:13

Margaret 35:3 37:13,14 100:23

102:7 103:20,21

mark 45:5 71:6

market 12:13 22:21 38:15 77:15

79:4,23 107:25

married 26:14

Marshall 55:13 58:2,7,8

Marshalls 61:9

Mary 53:14 55:13,15

masquerading 51:2 52:4

matching 33:14

matter 45:25 76:6

matters 88:13

maximum 33:15 80:3

Mayor 2:14

McKenzie 7:25

mean 11:9 22:7 30:4 36:10 48:20

82:4 96:9 102:13 103:13,15

105:12

means 26:20,20 36:23 43:10 59:9

73:21 79:15 82:16

meant 81:3,5

medal 17:11,20,25 18:6,7,19

19:17,19 72:8 80:22

media 22:3

median 79:3

meet 33:4 36:17 56:17 60:9

meeting 20:10,14 39:4,23 50:12

96:22 97:3 107:21

Mellissa 69:19 72:10,13

member 2:13

members 2:16 9:25 10:16,22 11:7

11:13 25:13 27:9 28:5 50:10

53:3 70:7

membership 23:15

memorable 15:11

memories 16:14

mental 42:6 102:19

mentality 104:17

mention 101:23

mentioned 21:11 60:21 82:23

94:22 104:5 107:23 111:25

Merilel 66:16,20,23

message 6:25

messages 7:4

met 3:24 13:21 56:8 103:13

Michael 74:20 77:18,19 81:14

Michaels 31:21 35:2,4,4 37:6

middle 5:20 15:4 47:20 48:8

61:15

miles 69:9

Military 83:14

Miller 2:15

million 32:7,9 35:23 36:12

millions 32:10,13

mine 109:18

Miner 35:2

mini-golf 23:15

miniature 58:20

minority 73:12,12

minute 62:6 63:5

minutes 3:12 5:10,22 6:9 59:5

missing 6:22

Missy's 92:11

mistake 28:2

Mitendorf 12:4

mitigating 4:5 105:17

model 34:21

modern 31:4 78:16

modifications 4:19

modified 14:19 55:7,9

modify 46:2
 modifying 5:6
 mom 72:17
 Monday 2:23
 money 8:10 13:10 21:14 24:25
 29:22 30:2 31:13 35:24 36:17
 36:23 41:17 43:9 48:19 49:22
 64:10 67:21,21,23 73:24 75:16
 77:12 78:19 90:24 91:2,4
 110:25
 mongering 60:19
 Monroe 2:12
 monster 59:2
 Mont-Tremblant 14:4
 month 38:10 99:13 104:2
 months 45:10 49:4 54:8 81:10
 108:14 111:13
 moral 43:25
 moratorium 9:6,8 41:22 46:19
 47:5 71:22
 moratoriums 62:24
 Morgan 8:8
 Morganson 91:25 94:3,4,5
 morning 7:4 13:21 29:8 30:16
 47:16
 Morris 7:22 9:20,21
 mortgage 98:24
 motels 30:11 101:16
 motivating 71:21
 motivation 108:16
 Mountain 5:14
 mountains 100:16
 mouth 67:21,21
 move 14:3 67:17 78:12
 moved 6:5 40:17,17 46:14 63:20
 91:7 111:4
 movement 10:11
 moving 5:6 41:4 75:9
 muddies 28:16
 multi-faceted 22:15
 multi-million 6:6
 multi-story 67:24
 multifamily 86:11
 multiple 28:19 33:7 106:3,4
 municipal 99:12
 municipality 89:15
 music 5:24

N

```
name 4:15,17 5:13 23:6 25:21
```

42:12 44:5 46:12 47:10 48:25
55:15 58:7 60:14 65:20 68:9
69:22 80:21 85:4 89:22 90:10
94:13 96:5
Nancy 94:3
Nation 2:8
native 46:14 69:23,25
natural 72:5 97:14
nature 105:2
near 46:2 54:2
nearby 10:5
nearly 15:10
Neber 94:10
necessary 55:25 56:9,16
need 7:24 13:3 38:16,24 40:15
41:21,22,23 42:22 47:5 48:21
57:8 60:8,24 61:5 62:20,22
63:4 71:14 78:16 83:22 84:9
84:14,20 88:20 95:10,14 96:21
100:8 101:6 103:15 106:2,11
110:14 112:7,7
needed 70:10
needing 22:16,21
needs 14:19 20:23 33:5 38:23
41:10 52:3 71:18 84:5
negative 4:5 21:24 29:7
negatively 37:23
negligible 45:16
neighbor 14:22 79:18 103:6
109:12
neighbor's 34:4
neighborhood 41:16 49:23 50:17
59:21 74:12 84:17,17 85:8
91:5,6
neighborhoods 4:3 49:18,23,24
50:5,9 51:13 52:23 57:6 59:17
59:22 92:7
neighboring 62:4
neighbors 7:3,6,8 15:24 16:18
20:23 33:20 64:16,17,18 109:5
nervous 83:13 102:24
neutral 77:25
never 16:15 23:12 27:20 32:23
54:24 57:19 62:19,20 69:3
91:13 99:5 101:23 104:5
new 2:25 3:7 5:14 10:6 16:10
18:20 22:12 25:18 33:7 39:22
44:19 51:5 53:25 65:21 81:18
82:12,13 89:4 95:19 103:24,25
106:17 107:23 111:4

Newhart 58:2 60:13,14,15
newspaper 47:7
nice 29:13 47:12 99:3 107:14,19
niche 77:14
Nick 96:4,5
night 5:21 47:20 48:8 54:24
 95:11
nightmare 76:24
nights 12:15,20 108:21
nine 8:3 42:17 54:7 68:18
nineteen 64:8
nineties 8:6
ninety 28:21 42:2
Nini 107:2 109:24,25
noise 23:22 27:15 49:10 61:16
 85:16 87:2 89:11 97:17 109:11
noises 109:11
non-locals 28:10
non-owner 97:18
nonresidential 89:6
normal 60:6
normally 106:19
north 1:2,9 2:22 3:3,17 8:13
 16:9 17:13,22 19:10 20:2
 27:23 42:3 44:9 49:13 53:16
 62:10 87:14 90:16
NorthElba.org 3:8
Northwood 50:14,17 51:5 53:21
 54:3
notch 92:15
note 36:20
notes 74:23
notice 2:18,19,20 104:4
noticed 29:24
notified 14:7
novel 45:14
November 107:22
Nugent 69:23
number 11:15 17:16 24:3 25:5
 30:9 33:14,14,15,19 34:6,15
 40:3 41:14 42:22,23 46:20
 48:11,12 57:15 66:9 97:2,9,15
 97:15,20 104:7,11,19
numbers 21:11 81:2,7 82:10
numerous 34:10
Nungent 69:22
nuts 76:7
NY 1:1 2:1 3:1 4:1 5:1 6:1 7:1
 8:1 9:1 10:1 11:1 12:1 13:1
 14:1 15:1 16:1 17:1 18:1 19:1

20:1 21:1 22:1 23:1 24:1 25:1
 26:1 27:1 28:1 29:1 30:1 31:1
 32:1 33:1 34:1 35:1 36:1 37:1
 38:1 39:1 40:1 41:1 42:1 43:1
 44:1 45:1 46:1 47:1 48:1 49:1
 50:1 51:1 52:1 53:1 54:1 55:1
 56:1 57:1 58:1 59:1 60:1 61:1
 62:1 63:1 64:1 65:1 66:1 67:1
 68:1 69:1 70:1 71:1 72:1 73:1
 74:1 75:1 76:1 77:1 78:1 79:1
 80:1 81:1 82:1 83:1 84:1 85:1
 86:1 87:1 88:1 89:1 90:1 91:1
 92:1 93:1 94:1 95:1 96:1 97:1
 98:1 99:1 100:1 101:1 102:1
 103:1 104:1 105:1 106:1 107:1
 108:1 109:1 110:1 111:1 112:1
 113:1

 O

o'clock 69:5,6
O'Leary 51:15 53:14,15,16
object 101:4,13
objectionable 66:9
obtain 22:5
occasions 3:25 12:16
occupancy 4:8 27:5,6 99:20
 101:22 104:6 105:3,9,11
occupied 85:17 97:13,18 105:8
occurred 90:21
occurrences 33:24
October 38:18,19 39:9
offend 81:4
offense 66:25 67:3 92:7
offer 20:18
officer 44:15 45:5,18 76:20
 88:16 90:2
offices 3:6 14:23
officials 57:9
offset 31:14
oh 43:14 64:4 69:20 103:24
 109:23
okay 41:9 43:7,12,21 45:19
 70:21 80:6 82:3 94:6 100:22
 102:12
old 42:5 55:19 62:12 83:14
oldest 80:10
Olympic 24:13
Olympics 8:24 30:22 76:12
once 103:21
one's 23:23

Oneida 60:15
 ones 73:25 79:20
 ongoing 7:15
 online 57:7
 open 4:23
 operate 49:17 51:8
 operates 97:19
 operating 52:9 84:10,13 86:14
 105:24
 opinion 28:21 35:18 102:13,20
 opinions 112:23
 opportunity 3:10 19:3 20:25
 39:22 80:24
 opposed 86:15
 optics 21:24
 options 13:15
 oral 3:18 4:22
 ORDA 72:15
 order 2:4 20:13 38:16 56:14
 57:10 72:3
 ordinance 27:15
 organization 81:8
 organizations 52:20
 oriented 45:12
 outcome 37:2
 outlined 56:9
 outlook 103:18
 outside 6:11 24:9
 outsiders 101:14
 overcrowding 57:6
 overflow 101:17,21
 oversupply 105:13
 overusing 52:6
 owned 26:2 54:2,10 55:18,19
 91:10,13 108:19 110:3
 owner 34:18 50:24 51:8 66:23
 85:17 89:16 96:15 97:13,14
 108:15
 owner's 14:15 105:10
 owners 15:5 16:22 17:12 18:14
 20:24 22:23 25:12,12 32:11,14
 34:11,15 35:25 36:19 37:9
 43:6,23 45:15 54:23 79:20
 83:2 85:18 87:5 90:3 103:13
 ownership 22:18
 Oxford 98:4

 P

p.m 2:23
 package 110:17

pager 73:4
 paid 32:10,14 35:10
 pants 73:15,17
 paper 68:21 81:2
 papers 73:20
 paramedic 92:12
 parents 79:13
 parents' 55:20
 park 34:17 66:6,19 67:24 89:2
 parked 11:16
 parking 4:7 11:17 27:14 33:14
 33:17 49:10 56:15 57:6 58:17
 59:16 85:15 87:2 90:6 91:19
 99:10
 parks 66:21
 part 17:16 32:3,6 34:8 35:6,14
 37:17 44:11 68:16 76:15 87:9
 87:9 106:4 107:7,8
 part-time 52:24 56:4 107:11
 partake 20:17
 participants 24:9
 particular 41:25 51:11 59:7
 89:16
 parties 12:18 42:25 49:10 59:2
 partners 15:18
 parts 28:5
 party 12:20 13:9,20 42:21
 partying 47:16
 Pascarelli 5:9,12,13 7:8,18
 pass 74:18
 passed 28:14
 passes 4:13
 passing 46:6
 patient 62:12
 patronize 26:11 52:17
 pay 23:13 36:4 56:23 68:25
 95:21 101:11 112:2
 payer 57:18
 payers 17:13
 paying 31:12 52:7 54:13
 peaks 12:11 20:3
 Peggy 94:6
 penal 18:20
 penalized 34:17 56:22
 penalties 44:15 45:17
 people 5:19 6:19 8:24 13:21
 16:5 24:18 27:22 30:12,23
 31:14 36:11 38:12 40:6,7
 42:18,22,23 43:8,13,20 47:6
 47:13,16 50:5,8 51:12 54:9,12

54:22,23 55:6,6 56:6 58:15,24
 59:25 60:7,20 61:3,20 62:9
 64:7 65:7 66:6 67:8,9,15,25
 69:4,7,8,12,21 70:23 73:9,23
 74:3 75:20 78:18 79:8,21,22
 81:18 82:19 84:23 87:5 88:2
 89:4,6,17 92:8,14 93:15,19
 94:22 96:21 97:2 98:21 99:22
 100:13,15,17 101:6,9,15
 103:12 104:19 105:14 107:12
 107:18 108:2,5,10,18,23,25
 112:2
people's 75:2
percent 27:4 28:21 42:3 62:21
 99:18,20,23,24 100:2 105:7,9
 105:11
perfect 4:9 94:17 95:7,9,12
period 49:18
periodically 109:12
permanence 50:19,23
permanently 48:9
permit 13:25 14:9 55:4 56:24,25
 57:20 86:21 93:14
permit's 14:15
permits 31:10 93:17
permitted 49:15 85:20,24 86:2
permitting 4:8 85:13
Perry 17:9 19:22,23,24
person 3:6 5:21 56:13 69:15
 73:3 89:13 91:13 108:9
personal 74:15
personally 109:8
persons 3:8 11:14 50:20
PERTAIANING 1:10
pertaining 4:6
pesky 72:16
Pete 29:2
Peter 2:15 10:17 25:20 29:3
 85:5
petition 87:25
Philadelphia 75:11 107:23
phone 6:9,25 56:20 97:5
phonetic 10:15 26:13 66:16 68:2
 98:13
photographer 105:22
photography 105:23
physical 45:6
pictures 95:19
piece 6:20 60:2
pinnacle 26:23
pits 29:22 33:22
place 16:17 17:3 20:10,14 21:8
 25:16 29:8,19 30:13,15 41:2
 41:23 46:15 51:7 52:21 61:10
 61:10 63:18,19 64:11 65:10
 69:14 71:9,23 75:8,16 92:19
 96:14 98:24 100:4 106:5
placed 60:19,20
places 7:16 8:17 14:5 17:5
 29:21 30:9,10
Placid 1:1 2:1,21,25 3:1,3,7
 4:1 5:1,16 6:1,16 7:1 8:1,2,3
 8:4,24 9:1,12,24 10:1,5 11:1
 12:1 13:1,15 14:1 15:1,5,8,13
 16:1,8 17:1,14,15,22 18:1
 19:1 20:1,3,15,18 21:1,16,19
 22:1 23:1,8 24:1,5,12,15,22
 25:1,3,16,23,25 26:1,3,4,17
 27:1,25 28:1,3 29:1,5,6,8,11
 29:19 30:1,19,20,22 31:1,2
 32:1,4,16,23 33:1,6,9 34:1,19
 35:1,7,8,9,10,10,12,15,24
 36:1,5,14,24 37:1,18 38:1
 39:1,24 40:1,16 41:1 42:1
 43:1 44:1,7,9 45:1 46:1 47:1
 47:14,18 48:1 49:1,3 50:1
 51:1 52:1 53:1,20 54:1 55:1
 56:1 57:1 58:1 59:1 60:1,10
 60:16,22 61:1 62:1,3 63:1,24
 63:25,25 64:1 65:1,14,21,22
 65:25 66:1 67:1,11 68:1,12
 69:1,23 70:1,2 71:1,2,12 72:1
 73:1,16,22 74:1,12,13 75:1
 76:1 77:1 78:1,8,13,21,24
 79:1,16 80:1,3,11 81:1,17
 82:1 83:1 84:1 85:1 86:1 87:1
 88:1 89:1 90:1 91:1,17,22
 92:1 93:1 94:1 95:1 96:1,6
 97:1 98:1 99:1 100:1,18 101:1
 101:14 102:1 103:1,4,25 104:1
 105:1,4,25 106:1 107:1,6,13
 107:16 108:1 109:1 110:1
 111:1 112:1 113:1
Placid's 23:17
PLACID/TOWN 1:9
plaintiff 45:2
plan 3:10 12:21 37:6
planning 87:14

plans 67:24	predominately 12:16
play 23:15 100:19,19	prefer 24:18
players 90:4	preference 32:24 33:2
playing 109:15	preferences 33:3
Plaza 12:25 15:12	preferred 14:2
please 2:5,18,20 4:16,16 5:7	prepared 3:11 9:15
16:25 53:5 74:16,17	prescribed 44:19
pledge 2:6	presented 39:5 45:4,6
pledging 67:22	presenting 45:3
plenty 110:7	preserve 20:24 50:3 51:22 52:14
plumbing 30:5	53:7
plus 11:14 26:22 95:16 104:11	pretty 6:13 25:6 29:14 47:25
pocketbooks 52:12	67:6 72:13,20 99:24
podium 4:16	prevent 11:5
point 13:2 18:12 19:5,10 31:4	price 78:18
40:6 41:25 44:12 48:7,17	prices 43:7
61:13 62:6 64:22 67:5 76:16	pricing 78:16
81:5 84:6 87:10 88:9,25 91:16	primarily 44:8
91:16,18 92:11 95:15 96:23	primary 16:20 64:9
103:5 104:24 105:19 106:15,16	printed 81:9
pointed 107:25	prior 86:24
points 18:10 25:14 50:18 94:14	priorities 22:4
police 36:5,18,24 47:18,22 48:8	pristine 67:10,13
56:19 72:6 89:25,25 92:25	private 89:2,7 98:5,6 101:23
95:10,10,13,14	106:9
Politi 2:2,10 3:15,16 7:17,20	pro-business 96:20
7:21 31:22 95:6 112:19	pro-commerce 96:20
Pollyanna-ish 64:19	probably 31:13 43:6 75:10 100:5
Pond 7:25	105:13 107:4 111:2
popular 32:22	problem 8:7 10:13 11:11 36:7
population 10:9 80:4	41:11,20 57:16 59:23 69:6
porch 42:16	79:18 86:6 91:19,23 93:7,9,24
portion 4:22 31:12	107:20
position 65:7	problems 10:23 38:5 40:11 41:3
positive 21:17	42:7 77:8 81:12 86:7 99:6
positive-negative 44:11	proceedings 19:8
possibility 25:7	process 3:22 14:20 16:3 21:7
possible 14:13 26:17	34:7,8 37:20 44:18 65:7 85:13
possibly 45:21	88:18 93:14
poster 85:8	processed 14:18
potential 13:13 38:15 45:20	productive 37:20
86:17 89:20	Progress 21:4
potentially 54:23 111:2	prohibit 18:22
practical 88:12	project 87:14 96:12
pre-World 22:15	projects 21:14
preclude 89:8	proliferation 101:20
predate 38:6	prompted 84:2
predatory 49:19,20 52:2	properties 21:6 27:2,16 33:7
predecessor's 56:11	36:19 47:13 54:11,21 57:10
	61:21 88:3 105:8

property 5:15,19 14:21 15:22,23
 18:14 21:2 23:10 27:3 30:17
 31:15 32:13 33:16,24 35:11
 36:21 48:9 50:21 52:6,23 54:2
 54:10 55:18 57:19 58:9,18,21
 58:22 59:5 60:3 61:8 66:23
 77:22,25 89:15 90:3 95:3
 108:15
proportions 28:18
proposal 9:5 11:24 22:25 33:13
 51:21,23 53:5 87:11 96:24
 97:6
propose 41:7,8
proposed 3:4,20 4:19 16:25
 17:24 18:12 19:9 21:5 23:19
 23:24 25:14 28:18 33:11 36:8
 36:20 37:3 38:20 44:13 56:23
 56:24 78:4 85:11 86:19
pros 90:19
prosthetics 83:14
protect 50:3 101:15
protected 57:14
proud 25:22,22 50:7 73:10 79:8
 100:4,25
proven 35:18
provide 3:12 20:16 21:10 23:13
 24:24 35:17 39:2 85:13
provides 19:7
provision 90:7
provisions 3:20 28:9
psychologist 39:25 42:2
psychotherapist 19:25
public 1:1 2:1,4,19,22 3:1,9,19
 4:1,8 5:1 6:1 7:1 8:1 9:1
 10:1 11:1 12:1 13:1 14:1 15:1
 16:1 17:1 18:1 19:1 20:1 21:1
 22:1 23:1 24:1 25:1 26:1 27:1
 28:1 29:1 30:1 31:1 32:1 33:1
 34:1 35:1 36:1 37:1 38:1 39:1
 40:1,4,25 41:1 42:1 43:1 44:1
 45:1 46:1 47:1 48:1 49:1 50:1
 51:1 52:1 53:1 54:1 55:1 56:1
 57:1 58:1 59:1 60:1 61:1 62:1
 63:1 64:1 65:1 66:1 67:1 68:1
 69:1 70:1 71:1 72:1 73:1 74:1
 75:1 76:1 77:1 78:1 79:1 80:1
 81:1 82:1 83:1 84:1 85:1 86:1
 87:1 88:1 89:1,2,7 90:1 91:1
 92:1 93:1 94:1 95:1 96:1 97:1
 98:1 99:1 100:1 101:1 102:1

103:1 104:1 105:1 106:1 107:1
 108:1 109:1 110:1 111:1 112:1
 113:1
punishment 67:3
purchased 12:14 15:7,17 16:4
 22:20 29:25 52:22 107:24
purports 18:13
purpose 3:18 88:9 90:5 94:21
purposely 57:2
pursing 110:8
pursue 33:25 110:8
pushes 17:4
put 6:23 8:23 35:22 56:15 63:11
 66:3 69:13 70:5,11 71:14 81:2
 88:14 92:20 95:25 99:10
 104:14 106:17 110:25
putting 7:12 30:2 31:10 39:7
 67:20 104:21

 Q

quaint 29:12
Quaker 5:14
quality 40:2,16 109:8
question 4:21 55:6
questionable 88:11
questions 71:20 100:8
quick 76:16
quickly 41:13 47:25 53:5
quiet 34:19 47:24 98:5,6 109:10
Quinn 74:7,20,21,21 77:5
quite 19:25 23:12 76:25 81:6
 101:20 109:10
quorum 2:11
Quote 38:16

 R

raise 2:13 49:5 55:25 70:18
 111:6
raised 7:25 8:2 49:3 111:4
raising 92:5 108:7
ran 111:23
Rand 2:16
Randall 2:15
range 38:11,13 79:5
rapid 44:21
rare 44:24
rarely 108:8
rate 105:9
rates 52:7 95:21 98:25 99:2
Raymond 37:13 39:20

reach 19:19 42:9
 reached 18:7 19:20
 reaches 91:17
 read 2:18 3:11 4:19 41:6,13
 47:7 95:5
 real 77:21 78:6,17,17 79:23
 reality 78:13,19 81:14
 realize 104:7
 really 9:10 14:6 18:7 29:12,12
 30:14 31:17,17 36:25 41:21
 43:7,16 48:13,16 51:3 52:13
 55:10 61:13 72:19 75:4 78:6
 78:10 83:13,16 84:2,15,19
 90:4 91:21 92:21 101:13,24
 110:18 111:22
 Realtor 96:15
 realtors 56:8
 reap 28:2
 reason 12:17 33:25 50:3 51:23
 60:21 67:18,18 71:5 91:3
 102:17 103:24 104:3 106:21
 reasonable 18:2 31:10,11 33:11
 89:11
 receipt 4:24
 receive 3:18
 received 97:4
 reception 13:7,8
 recession 71:8 98:18
 recognition 106:12
 recognize 40:15 69:10
 recommend 20:2 21:19
 reconcile 63:13
 record 4:23 71:19
 recorded 45:4
 records 54:13
 Red 13:4 75:5
 redrafting 17:24
 reducing 25:5
 reduction 36:12,17
 refer 27:10
 referenced 87:16
 references 97:7
 referring 48:5
 refers 48:4
 regain 25:3
 regarding 3:2 50:15 53:22,25
 region 17:15 34:20
 regional 102:2
 register 89:12

regularly 95:16
 regulate 10:11 21:5
 regulated 53:19,21 86:19
 regulating 4:10
 regulation 11:13 18:2,8 19:19
 27:11 28:15 33:21 43:4 100:3
 regulations 10:21 11:2 14:13
 17:25 23:2 33:5 36:8 38:21,23
 39:12 41:8 55:2,2 58:24 63:12
 69:13 71:25 77:22 78:4 84:12
 85:10,16 98:20,21 100:7
 regulatory 23:19
 rehearsal 13:7
 rejected 87:14
 related 84:21,22
 RELATIONS 1:10
 relationship 74:16
 relative 3:19 18:11 50:19
 relatives 20:9
 relevant 4:21 27:22 38:25 55:2
 relief 31:15
 rely 69:12
 remained 24:4
 remember 8:14 61:22
 remind 43:18
 reminder 5:10
 renewed 13:25
 rent 7:16 12:14 15:19 16:2,3,5
 16:22 20:25 21:2 23:10 27:13
 30:15 32:14 35:11 49:7 57:3
 62:13,20 64:8 68:18 75:20
 78:2 83:15 95:20 101:11
 108:22
 rental 3:20 11:22 14:8 16:21
 17:18 20:11 22:23 24:19 25:12
 30:10 31:11 33:24 35:12 36:8
 36:14,19 37:9 38:21 39:12
 41:5 43:5,19,23 45:15 47:13
 48:8 55:24 56:13 58:9 60:10
 64:3 66:18 78:24 85:9 87:9
 88:3 105:15,24 106:20,23
 rentals 1:11 3:2 4:2 8:11,20
 10:12,21 13:19 14:21 15:15
 17:4,15 18:2 21:16 22:6,14,21
 23:20 24:2,10,17 30:25 31:7,9
 31:16 32:3,7,21 35:17,21,22
 36:3,10 38:5,7 40:9 41:7,10
 41:14 43:4 50:24,25 51:8
 57:17 64:8 66:10 67:14 70:20
 70:21 71:16,16 75:21 81:14,19

82:21 85:11,17,23 86:7,13,18	respectful 112:16
87:3,24 96:11 100:14 101:24	respects 20:23
105:20 106:6	response 80:25
rented 34:8 46:20 55:22 56:8	responsibility 44:14 66:15
64:3,15 81:18 95:16	rest 62:9 73:15 91:11 111:21
renter 31:12 66:24 91:2	restaurant 35:25
renter's 66:21,25	restaurants 23:15 26:12 27:9
renters 15:25 17:6 20:16 23:16	29:14 68:22 110:4
57:5,14 75:22	restore 20:12
renting 18:5 101:8 108:4	restored 22:24
rents 37:16 93:22	restoring 30:6
repairs 22:17	restraints 66:14
repealed 82:24	restrict 82:20 97:23
repeat 48:2 74:25 76:17 94:13	restricting 17:4
replacement 28:3	restrictions 82:25 83:2 94:18
report 10:2 34:3 50:18 61:16	97:13
89:15,19	restrictive 33:5
reporting 81:9 89:13	result 4:3 14:14 33:6 34:10
represent 53:4	50:13 67:7 90:14
representative 17:11 80:21	retail 36:2
representatives 25:8	retired 107:9
representing 51:12	return 20:4,17 21:19
Republic 2:8	returned 26:9
require 56:13	reunion 17:17
required 10:7 46:3	reunions 12:16 21:23 58:15 60:8
requirements 11:22 56:9	revenue 17:6 32:8
requires 18:25	review 86:4,4,13,16
requiring 86:4	revise 89:8
research 32:18	revisit 45:25
residence 16:20 50:20 54:6 61:7	revocation 14:8
62:5 75:10	revolted 83:2
residences 51:2	rhythm 21:15
resident 14:10 49:2 53:11 56:4	rich 15:23
61:18 62:3 80:3 106:2	Richard 44:4
residential 4:3 46:24 49:14,18	Rick 87:23
49:21 50:2,4,5,17 51:2,9,22	Ricky 85:3 87:21
51:24 52:5,14,23 84:8,14	rid 41:7
85:19,25 86:11,14,23,25 87:4	ridiculous 48:20
89:6 91:15,21 93:7,10 94:21	right 2:12,14,14 9:6 20:25
95:4 96:25 97:8,12,18,23 98:3	30:20 43:24,25 46:16 57:18
98:4 104:18 106:10	59:4 63:3 66:11 67:22 71:11
residents 10:8 22:10 23:20 24:4	72:20 73:17 75:9 77:9,14 84:5
24:25 25:12 35:6 38:14 52:24	88:2 91:22 96:9,10 100:11
53:7 57:4 61:7 80:5 92:25	102:20 103:12 107:19 108:8
93:22 101:15 103:14	110:22 111:16,18
resolution 71:15	Rik 5:9 7:21,24
resolve 45:10	ripple 33:8
resort 78:23,25 91:15	rise 2:5
resources 10:10 49:25 72:4	risen 40:5

rising 32:23
River 103:25
Road 5:14 7:25 19:24 32:2 42:13
 44:6 47:11 58:8 83:12,14
 98:13 103:25 109:9
Roby 3:16
Rogers 88:6 90:9,10,10 92:23
 111:18
Roland 10:17 83:10 85:3,4,4,6
 87:8,20
roll 76:23 77:7,10
rolling 76:21
romantic 26:8
Ron 90:19
room 32:22 49:7 60:6 79:11
 95:18 101:11 104:14,21,22
 108:2,9
rooming 86:11
rooms 12:24 13:18 59:12 60:5
 68:19,25 101:8
roost 81:8
round 53:18
route 31:18
row 61:15 69:21
rug 100:7
rugby 47:19 90:4
ruin 81:24,25
ruining 72:16 81:25
rules 11:5 56:11 57:9 76:25
 84:8 89:10 100:7,12,19,20
run 19:5 40:7 101:18 104:25
rundown 29:17
running 5:17 40:21 85:18 101:19

S

S.T.B.R.s 52:2
S.T.R 11:19 14:15 26:7,10,15
 46:20 47:6 79:19,19 80:11
 82:2 102:16 103:13
S.T.R.s 10:22,24 13:3,24 14:11
 26:4 27:21 37:23 77:22 79:17
 79:17,23 80:10,13,16 81:6,13
 82:9 101:4 103:3
sacrificed 26:21
sad 78:6,20 91:22 111:22
sadly 76:5,12
safe 54:19 84:9,12 113:4
safety 4:8 84:23 85:14
Sal 70:25
salaries 24:24

sale 33:7 79:4 110:21
sales 27:5 33:8
Sandra 29:4
Saranac 27:24 58:10 63:23 65:22
 69:25 92:17
saturation 91:17
saving 72:24
saying 61:9 77:21 84:16 100:6
 104:20
says 6:25 9:5 48:7 89:5 95:19
 102:20 108:15
Scammell 46:10,11,12
scenario 13:14 62:17
scenarios 104:15
Scheidelman 29:2 31:21,25,25
 34:13
school 27:4 32:16 40:3,4,25
 50:14,18 53:21 54:3 56:3 69:2
 112:2,3
schools 36:5,17,24 52:18 81:25
Schwartzber 10:17
Schwenker 15:2 17:9,10,11 19:13
scooped 9:9
Scott 2:12
scraped 26:21
scratch 27:6
screaming 109:15
Sean 103:22 107:2,5
season 15:16
seasonal 55:20
seats 31:23 69:22
secluded 109:10
second 2:24 5:9 18:23,25 93:21
 101:19 104:24 108:6
secondary 49:11 107:16
Secondly 11:17
seconds 5:11 7:7 11:18 14:16
 19:12 25:10 28:8 31:8 34:12
 37:5 39:14 45:22 57:11 65:4
 67:19 71:24 77:4 80:7 87:7
 89:23 93:18 95:23 97:24
 106:13 112:4
section 18:12 19:4,6 44:12 66:8
 86:8 88:25
sections 28:20,20
secure 14:2 57:10
secured 12:22
secures 13:18
Sedona 8:14

see 8:13 39:10 40:3,4 41:12 42:3,17 48:4,6 93:15 102:21 105:10 107:16 109:6,20	36:18 37:9,17 38:5,7,21 39:12 41:5,7,9,14 43:3,5,19,23 50:25 55:23 66:10 70:20 85:9 86:6 87:24 88:3 90:25 96:11 100:14
seek 21:22	shortage 9:23 38:4
seeking 20:23	show 5:23 11:7 22:8 63:18
seen 6:10 29:6,7 32:24	showed 72:25
selective 28:12,12 30:17	shows 24:12 66:21
sell 36:19 68:2	shuttle 13:9
selling 87:10	shy 80:5
send 6:11 33:6 52:18	sick 50:10
sense 23:21 24:2 25:4,18 33:16 40:19 41:10 56:17 81:13,20,25 97:4,25	side 29:8 30:16 48:5 69:11
sensible 41:8 42:9	sides 76:3
sensitive 75:22	sidetracked 51:25
sent 67:2	sidewalk 71:3
sentence 87:15	sight 91:9 109:12
September 4:24	sign 68:2 73:20
serene 20:3	signed 3:12 56:10 87:25 112:14
serious 40:10	significant 22:17,22 35:14
serve 101:16	similar 13:14
service 13:9 84:10	simple 94:19
services 23:14 36:6 52:6 66:18	simplify 49:16
serving 38:11	simply 28:20 33:4 81:5
set 21:13 37:3,10 104:13	sincere 65:8
sets 104:10	single 49:14 50:23 54:6 58:19 62:5 86:2 87:15 94:20 99:7
setting 32:25	singular 55:8
settings 82:15	sir 82:4
seven 8:12 44:12 88:25 96:11	sisters 110:22
seventeen 88:2 96:8	sit 31:22 42:16 48:15
seventy 26:22 55:17,22 59:13	site 87:12
seventy-five 13:6 62:21	sites 30:3 57:8
severely 40:4	sitting 55:6 83:20
sexual 101:5	situation 4:11 7:13,15 41:5 62:8,11,20,25 79:7
share 52:7 55:24 57:18 69:13 108:16,17	situations 5:18
shared 108:20	six 2:23 6:12 8:4 26:10 33:15 33:18 80:6 88:17 89:4 90:4 96:11,12 104:14,21
sharing 55:20	sixteen 71:5
Sharon 12:4	sixty 105:6,12
shine 10:12	sixty-five 41:16 58:12
shop 40:11,13,14 63:18 71:3	sixty-seven 19:6,16
shopping 13:11	size 58:11,23 60:6 96:15
shops 26:12,12 29:13 52:18	Skaneateles 8:15
short 25:12	ski 16:10 17:17
SHORT-TEAM 1:11	skipped 102:6
short-term 3:20 4:2 10:12,21 15:15 16:21 17:4,15 18:2 21:3 22:14 23:20 24:2,10,17 26:21 30:10,25 31:6,9,11,12,16 35:12,17,20,22 36:3,8,10,14	sleep 7:9 47:20 54:16

slightly 62:16	spend 24:20 27:12 48:19 78:19
slowly 4:17	82:14 110:7
small 10:9 37:17 73:11 76:13	spent 13:11 32:8 54:24
78:9 101:16	spill 101:25
smart 27:11	splendor 26:6
smartest 108:8	spoke 39:23 83:25 101:2
Snell 53:16	spoken 97:9
sobbing 110:22	sponsor 50:9
social 22:3	sporting 50:9
society 82:5	sports 30:23 35:9
sold 64:9	spot 6:23 71:11
solute 2:5	spotlight 10:12
solve 11:10 48:21	spots 57:7
somebody 30:8 62:24 64:22 65:24	spouse 64:2,9
77:15 91:8,10 98:23 111:25	spread 43:17
somebody's 30:2	square 54:14,16 58:12 59:13,15
someday 109:3	87:12 96:9,16,17
somewhat 78:22 105:16	Staci 23:5 25:20,22
son 92:12 111:18	stage 19:15 77:20 91:16
sons 8:2	Stagecoach 25:24,25 26:3
soon 45:25	stake 37:8
sorry 57:3 59:22 75:5 81:20	stand 47:12 73:10
83:13 91:20 99:8 102:15,24	standard 20:19,22
sort 67:3 71:15,19	standardized 82:15
sought 22:6	standards 20:25 85:15
soul 70:12 71:11	standing 71:3
sound 47:20	stands 2:8 33:21
sounding 32:5	Star 108:10
sounds 64:18 101:5	start 6:21 25:17 38:17,19 39:6
south 8:13 53:18	39:9 60:18 70:3 74:16,17
Sovinski 58:6 102:11	77:21 84:23 95:7 110:21
Sox 13:4 75:5	started 5:16 6:11 29:10 75:13
space 99:9	80:11 96:2
spaces 33:14,16 90:6	starting 23:24 53:17
spare 68:18,24	starts 19:14
speak 4:14 39:22 80:24 109:17	state 18:20 19:5 22:12 44:19
speaker 5:8 18:3 112:14	51:5 53:25 79:2 89:25 99:18
speakers 19:3 92:6	99:19
speaking 9:16 15:6 46:7 53:24	stated 81:14 93:10
spearheading 10:18	statement 3:11 9:15 12:4
special 12:16 75:13	states 2:7 18:15 49:14 50:21
specific 62:11	58:16 60:9 79:2 85:25
specified 46:2	stats 105:3,9
specifies 66:18	statute 19:6
spectators 24:9	statutes 18:17
speculation 37:22	stay 6:15,17 11:4 12:20 13:15
speed 93:3	13:17,23 16:11 19:4,7,9 27:22
spell 11:21	28:17 30:12,13 32:19,20,20,21
spelling 10:15 26:13 66:17 68:2	32:24 50:8 56:21 58:16 62:22
98:13	63:21,23 79:24 109:2,3,4

stayed 15:11, 13, 14 26:7 30:9, 11
 30:11
staying 54:12 56:14 102:16
stays 7:19 13:11 34:23
step 4:5, 10 84:19, 19 85:11, 22
 86:19
steps 10:6 91:10
sticking 25:14
stock 38:12
stop 40:13 48:7 51:24
stopped 30:3 59:6
store 87:12
straight 44:21
strain 72:3, 4 80:14, 15
strange 66:7
Stratton 14:3
streams 106:4
street 2:24 3:7 9:22 13:12 15:4
 29:12 40:11 47:2, 18 51:17, 20
 65:23, 23 67:25 70:8 74:9, 10
 85:15 89:2 91:12, 12 92:23
 93:14 107:15 110:5 111:16, 18
 111:19, 19
streets 47:4 89:7 111:23
strict 18:13, 16, 18 83:7
strings 42:19
strippers 6:3
strong 32:15 46:17 65:8 78:14
 78:15 98:16
strongly 11:23 33:12
struggle 67:13
struggles 10:11
struggling 62:10
student 50:16
students 10:8
studies 101:22
study 37:25 38:3, 6, 10, 17, 18, 25
 39:6, 8
stuff 107:11 110:11
stupid 73:19
style 104:15
styling 13:10
subject 4:12 86:13, 16
subjected 89:16
submit 12:4 87:25
submitted 10:2 14:20 18:19
subsidize 52:4
subsidizing 52:12
substantial 17:23

substitute 111:14
successful 60:22, 23, 25 100:9
succinctly 101:2
sucky 98:14
sudden 89:19
suddenly 104:12
sue 48:10
suggest 37:3 39:9
summer 23:11
supervisor 3:17 112:17
supply 105:16
support 10:8 21:10 68:6 88:2
 96:21
supported 16:16 35:9 81:7
supporting 61:21
supports 22:9
supposed 5:19 91:15 104:18
Supreme 18:16 51:5 53:24
sure 9:9 21:7, 8, 9 25:6 27:14, 16
 67:12 77:9 84:10, 12 96:7 99:4
 99:25
surface 27:7
surprised 105:5
surprisingly 45:8
surrounding 91:14
survive 90:24
suspect 95:4
suspension 14:15
sustain 20:13
sustainability 72:7
Swap 63:18
swear 72:18
sweating 76:20
system 22:9 32:16 57:13

T

table 11:23 19:17 33:12 83:20
 94:16
tackling 90:18
Tahoe 8:13, 13, 13
tails 26:18 83:23
Takach 25:21 28:9 77:18, 19, 20
 80:8
Takash 74:20
take 2:20 11:11 18:4, 11 26:6
 45:19 48:14, 19 62:6 65:6
 68:24 72:15 74:10 76:8 79:6
 92:7 95:5 113:3
taken 4:18 21:12, 13 45:9 94:24
 95:25 100:17

takers 27:8
takes 5:22 70:6
talk 6:11 23:25 36:11 41:23
 47:13 62:23 104:4
talked 6:14 47:22 82:2 98:20
talking 61:4 71:4,6 97:13,17
talks 76:25 105:19
task 10:3 25:7 83:19 113:3
taught 35:9
Tavares 90:9 91:25 92:2,3 93:19
tax 17:13 24:25 27:3,4,5,5
 31:11 32:16 36:17 54:13,13
 57:18 99:18,18,20 110:25
 112:5
taxed 8:9 46:25 61:5
taxes 23:13 31:15 32:13,14
 35:10 36:3,22,23 40:5 41:19
 52:8 56:2 69:2,2 95:5 101:11
 112:2
Taylor 65:20
teach 111:14
teacher 70:15
teaching 70:17
teams 50:9
tell 15:6 40:6,12 41:25 52:9
 63:15 64:17 98:2 100:13
 102:24
telling 108:11
ten 5:19 6:9 15:10 16:13 30:24
 54:11,21 58:17 69:5,6 87:11
 98:16,16
tenant 48:2 79:11
tenants 57:5,15,16
tend 76:3
tends 19:9
tent 95:17
tenth 98:17 100:9
tents 95:17
term 25:12
termed 46:2
terrible 33:8
Terry 99:8
tested 99:14
testimony 3:19 4:25
text 3:4
thank 2:10 3:15 5:2,12 7:20
 9:16,19 11:25 12:2,7 14:17,23
 14:25 17:7,8,23 18:5 19:19,21
 23:4 25:19 28:25 31:20 34:24
 34:25 37:11,12 39:18,19,21

42:8,10 43:25 44:3 46:3,5,9
 47:8 48:22 51:10,13,14 53:12
 53:13 55:10,12 57:21,24,25
 60:10,12,14 61:23,24 63:5,6
 63:10 65:4,12,14,16,17 66:2
 68:4 69:17,18 70:6,7 72:9
 74:6,18,19 77:16,17 80:17,18
 80:23,24 83:5,8,18,23 84:24
 85:2 87:19 88:3,5 90:7,8,17
 90:18 91:22,24 94:2,3,5,9
 96:3 98:7,8,9,14 100:21 102:3
 102:5 103:18,19 106:14,24,25
 108:9,12 112:12,13,15,21
 113:4,5
thankful 24:23
thankfully 98:18
thanking 70:4
Thanks 9:17 23:3 48:21
therefor 86:12
they'd 40:21,22
thing 8:10,21 31:17 43:10 48:3
 61:2,6 68:14 70:12 75:3 76:5
 81:23 90:21 91:17 99:15 104:5
 105:18 112:10
things 39:11 42:24 59:19 62:18
 62:18,19,24 68:22 71:8 76:17
 84:22 88:10 94:12,15,23 103:8
 104:25
think 9:6,10 18:25 24:6 28:4
 29:11 30:24 31:4 36:25 40:10
 41:21 42:22 43:3,6,15,24
 46:17,19,21 47:6,21,21 48:3
 48:13 59:7,17,18 60:4 62:17
 62:17,22 63:4 66:4,5,8,10
 67:5,9 69:24 71:16,22 73:19
 73:23 76:19 77:7 79:8 80:16
 84:24 88:10,20 90:20 91:2,3
 91:22 94:17 95:24 101:5 103:3
 103:4 104:18,22 107:3 112:6
thinking 30:7 67:7
third 105:18 106:11 110:2
thirtieth 53:17
thirty 5:10 7:7 11:18 12:23
 14:16 19:12 25:10 28:8 29:5
 31:8 34:12 37:5 39:14 45:22
 47:16 57:11 65:4 67:19 71:24
 76:11 77:4 80:7 81:22 87:7
 89:23 93:18 95:23 97:24
 106:13 108:20 112:4

thirty-five 40:19 57:17 60:16 78:7 92:4 106:24	top 13:10 26:13
thirty-one 54:14 80:4	topic 113:2
thirty-two 32:7,9 35:23 36:12	totally 59:15
Thomas 66:16,21,23	touched 46:22
thought 16:5 29:20	tough 59:4
thoughts 71:20 84:2	tourism 47:7 70:23 71:17 102:2
thousand 13:6 27:3 38:9 70:17 73:13 79:3 80:6 87:12 96:17 106:17,24	tourist 23:17
thousands 56:23	tourist- 78:14
threaten 36:9	tourist-driven 78:15
threatened 5:18	tourists 35:15,16,20 52:21 107:11
three 5:10 16:6,9 19:10 27:4 34:6 38:10 40:23 41:15 42:17 54:14 56:2 58:11,11 61:13,14 61:14 62:12 89:4 90:13,15 91:8 92:24 99:20,24 100:2 102:15 104:10	tournaments 24:13
threw 7:2	town 1:2 2:3,16,21,22 3:3,6,13 3:17,17,23 5:3 10:20 11:3,12 14:23 15:14 16:16 17:13,22 19:10,16 20:9 21:15 22:2,9 26:25 27:7,16,17,20 28:13,16 29:11 31:4,17 32:6 33:22 34:14,23 37:7,19,20 39:9,15 43:20 45:24 48:6 50:7,11,15 55:3 56:3 57:9 59:23 63:11 65:24 67:15,16 69:2 70:19 71:9,10,12,18 72:5,24 73:21 74:11 76:2,9,10 77:12 78:6 80:10 83:21 85:12,25 87:10,13 90:13,14,16 92:13 96:14 98:21 100:9,16 108:12 110:4 111:7 111:11,13,14,22 112:12,20
thrive 23:3	townhouse 30:16
thrust 101:15	towns 24:21 28:3 38:20
Thursday 73:21	track 79:21
ticked 72:20	traditional 22:7 99:16,22
time 4:12,18 7:15,17 9:2,17 11:11 14:21 24:20 27:12 28:22 34:7 37:24 42:18 55:11 57:21 59:6 64:21,23 66:10 67:13,23 68:12,16 79:10 80:5 83:5 87:20 88:22 99:17 109:22 110:7 112:21	traffic 97:16,19
timeframe 13:25	trailer 73:14,17
timeframes 77:7	trained 35:8
times 8:17 26:10 47:19 59:4,12 60:6 75:20 90:3,22 104:11 107:12	training 24:13
today 17:20 30:20 82:8 83:18 85:10 97:10 103:13 106:5	transients 10:8
today's 82:5	trash 23:22
Todd 12:4	travel 20:2 27:22 33:4
togethers 21:24	traveled 102:15
toilet 68:21	travelers 36:13
toilets 74:4	travelers' 32:24
told 6:13 72:17 108:2	treat 16:17
tomorrow 76:22 96:8	treated 106:8
tone 33:12	treetops 102:22
tonight 15:6 16:24 19:2 28:17 44:8 49:8 80:24 81:11 87:24 90:22 93:2 102:16 104:4 112:15	trend 32:24 38:6
	Tri-Lakes 10:3 38:2
	trial 66:14
	trick-or-treating 109:20

tried 67:25
 trigger 48:6,17
 triggered 76:22
 trips 15:12
 Trish 47:9 48:23 49:2 53:24
 84:16 94:21
 Trish's 84:6
 trouble 28:16 83:8
 true 72:14 81:5
 truly 69:15 103:2
 trustee 53:10
 truth 76:6
 try 9:11 25:3 28:6 42:23 63:13
 64:10 72:19 100:8 101:2
 trying 11:10 58:25 69:16 70:13
 tug 42:18
 turn 17:21
 turned 24:15
 turnover 54:9 97:21
 Tury 53:14 55:13,14,15 57:12,23
 tweak 59:19 95:8
 twelve 23:9 42:24 49:3
 twenty 5:22,23 6:7 8:5 38:9
 54:21 69:8,8 76:11 78:11
 95:16
 twenty-four 33:17 42:14 55:18
 twenty-six 27:3
 twenty-two 54:12,16,21
 two 6:3 8:23 11:14,14 12:14
 14:22 18:10,10 19:5,6,15
 33:19 40:23 44:12,12 47:16,25
 49:14 54:17 78:3 80:2 86:2
 87:25 88:25 89:4 90:4,12
 96:12,17 104:10,11,12,21
 107:25 110:3 111:5
 type 96:20

 U

U.S.A 92:3
 unaffordable 87:4
 unbeknownst 66:20,20
 uncle 66:21,25 111:5
 unclear 66:15
 uncomfortable 44:10
 understand 23:22 27:15 41:15
 46:6 61:8 71:17 75:4 103:11
 103:12 104:17 112:25
 understanding 30:23
 understood 26:16
 unfair 79:8

unfortunate 79:21
 unfortunately 110:8
 unfounded 89:13
 unfriendly 21:21,25
 unique 82:17
 unit 45:15
 United 2:7 18:15
 units 75:21
 University 24:14
 unnecessary 34:10
 unrelated 10:23 38:4
 unrestrained 4:11
 unsubstantiated 14:9,14
 unusual 67:4
 upcoming 24:14 38:25
 upward 38:6
 urge 11:3 19:16
 use 1:2,10 5:4 17:18 23:11
 36:15 49:9,12,13,17 51:4,6,22
 52:15 53:6 64:24 66:17 85:21
 85:24 86:9,12,21,23 87:8,16
 user 17:14
 uses 4:6 49:15,15 86:2,3,3,16
 86:24 98:5
 usually 7:24 44:20,25 104:9
 utilities 56:14

 V

V.R.B.O 22:14 35:19 36:15 105:6
 vacant 80:9,9
 vacation 3:2 8:11,19 13:16,19
 21:16 22:21,23 24:19 25:17
 32:6 34:21 35:16 50:24 51:8
 58:9 64:3,8 67:14 76:15 81:14
 81:19 82:21 85:9,10,23 86:6
 86:13,18 87:2 105:15,19,20,24
 106:6,20,23
 Valley 47:11
 values 36:21 41:18 52:6
 vape 40:11,13,13
 vaping 42:6 82:2,3
 variance 59:10
 variances 44:18 96:17
 various 3:25 18:20 25:8
 vary 27:6 59:20
 vehicle 89:2
 vendetta 14:10
 verify 57:15
 Vermont 14:4
 versus 77:2 82:15,16 89:4,6

98:3
vibrant 76:15 108:25
Victor 19:24 32:2
view 54:25
village 1:9 2:3,13,20,21 3:2,6
 3:14,23 5:4 8:4,7 9:4 10:20
 11:3,12 17:14,22 24:3,20 25:2
 29:15 37:7 38:20 43:20 45:24
 50:15 56:2 72:5 85:12,25
 112:20
violation 14:20 51:4 55:4 66:10
 66:24 88:19,23 89:20
violations 4:9 44:16
virtually 44:16
vision 30:8
visit 21:18 50:8 52:21 68:13
 78:19
visiting 107:12
visitors 21:3 24:11,17,23 25:5
 27:17 30:21
visits 26:11 99:4
vital 32:6
voice 77:25
volunteer 50:10 52:19 72:23,23
 73:22 92:11,12,15 107:10
volunteered 35:8
volunteers 11:9 92:16
Von 53:14 55:13,14,15 57:12,23
vote 43:20 61:22
voting 28:17

W

W.N.B.C 63:17
wait 39:10
wait-and-see 45:20
waiting 27:25
wakened 47:19
Wal-Mart 96:10 100:17
Wal-Mart's 87:11
Walch 65:18 68:7,9,9
walk 40:22 47:2 56:18 111:24
want 5:2 6:16 9:16 20:15 24:11
 27:16,22 30:12 31:24 32:19,21
 35:16,20 47:4 51:10 62:5 63:4
 63:9 64:25 66:2 70:3,22 74:25
 76:16 77:20 79:9 80:12 82:11
 82:14,14,16,17,18 89:7 90:17
 90:18 92:21 104:16,24 105:18
 108:9 112:21
wanted 29:19 54:3 73:8,18 77:16

77:24 78:10 83:17 84:3 94:14
 103:18 104:3 106:15
wanting 22:5 39:5
wants 24:20 26:22 31:22 36:25
 65:24 82:13 84:4 108:17
War 22:16
wasn't 26:15 78:20 100:5
watching 48:15
water 28:16 72:6 99:11,12,13,13
Watertown 81:21 82:7 103:6
way 9:7 25:24 27:21 29:20 31:5
 33:23 37:15 39:24 53:16 59:9
 59:14,25 60:4 65:20 71:7,8
 73:25 76:22 79:16 88:18 96:6
 103:7 112:9
ways 66:4,5
we'll 59:19
we're 8:21 20:23 25:6 28:23
 30:7,16,17 32:2 39:6 58:18,20
 58:24,25 59:2,4,5,6,15,17,21
 71:7 75:10,11 76:14 77:21,23
 77:24 78:3 88:11 98:16 99:12
 108:4
we've 8:23 20:11,11 26:18 27:19
 27:20 41:2,3 55:19 59:4 99:5
we're 100:18
wealthy 81:17
Weber 94:10,11 95:24
wedding 12:21,21,24 13:5,8,14
 14:3
week 13:16 14:7 16:10 26:23
 53:17 54:23 93:4
weekend 6:19 15:11 42:25
weekends 83:16
weekly 54:9
weeks 12:19
welcome 2:17 50:7 52:20,24,25
went 6:20 7:3 53:24 81:22 98:19
weren't 81:3
West 8:15 47:11
whine 43:6
White 12:24 13:8 17:18 23:7
 26:7,14,16 35:5 74:22 75:17
 87:13
wide-spread 22:12
wife 15:9 29:4 46:12 75:6
 107:24
wife's 46:14
wildly 18:16

Wilmington 5:14 92:18 102:2
 105:24
window 6:2,10 41:20
windows 7:9
winter 24:14 30:23 35:9 64:25
 96:24
wisely 90:20
wish 21:18 32:19,20 34:22 76:12
 77:13 78:12,20 80:15
witness 5:7
won 53:23
wonder 91:16
wonderful 17:2 47:15 52:20
 63:19 107:9,9
wood 6:21 74:9,10
word 110:13
words 25:11 71:7 98:5
work 10:18 11:24 17:2 20:19
 22:9,22,24 25:17 26:24 37:8
 38:23 40:8 50:6 52:16 57:9
 59:9 63:10 65:9,11 66:3 67:7
 67:22 70:5,10 71:14 76:14
 78:11 79:7 80:23 92:4 98:14
 107:10 110:14
workable 68:3
worked 26:18,21,22 64:20 65:5
 75:14 78:7,10
workers 40:8
working 7:11 30:4 83:23 84:20
 92:8 108:7
works 42:2
world 24:14 82:8
worn 72:12
worries 14:6
worse 14:5
worship 52:19
wouldn't 64:23 71:10 95:13,14
Wow 53:15
wrap 65:3
wreck 102:20
written 3:19 4:25 14:12 66:12
wrong 99:21 101:25

X

Y

Yankee 75:4
Yankees 13:4
yards 109:13
yeah 2:13 46:8

year 12:15,23 13:18 15:22 17:17
 20:17,17 24:8,8,11 27:3 32:8
 35:23 42:5 45:21 46:21 49:4
 50:12 53:17,18 62:12 64:6,6,7
 68:17 75:20 95:8 98:17 99:2
 100:9,10,11 111:12
Year's 16:10
year-round 10:8 23:20 35:5
yearly 24:12
years 8:5,5 12:14 15:10,15
 16:13 17:16 20:13 23:9,9
 26:11 29:5,23,24 32:17 35:11
 40:19 42:14 46:13 55:17,19,22
 56:7 59:19 60:16,23,24 68:11
 68:18 70:16 74:10 76:11 78:3
 78:8,11 79:13 81:16,22 92:5
 96:14 98:16,16 99:25 107:25
 108:20 111:2
yesterday 102:15
York 2:25 3:7 5:14 18:20 22:12
 44:19 51:5 53:25 65:21 81:18
 89:4 103:25 107:23 111:4
you're 95:3
young 104:20,22

Z

Z.B.A 44:11 45:7,11
Zay 46:10 47:9,10
zero 89:4
zone 97:23
zoned 53:2
zones 51:2
zoning 44:9 46:21,23 50:2,14
 59:9 72:3,4 84:18 106:11

0

04 26:5

1

10 15:4
114 74:9
127 85:5
130 94:13
13th 4:24
151 90:11
1800s 80:12
1900s 12:13
190826hph (1) SF 58:6
190836hph (2) 102:11
1940 80:4

1949 55:19
 1950s 78:17
 1951 74:10
 1969 46:15
 1984 85:7
 1985 40:17, 18
 1996 87:13
 1997 70:25

2

2000 64:2
 2007 64:9
 2008 38:2
 2009 98:18, 18
 2010 10:2
 2011 85:24
 2017 3:23 26:3
 2019 1:14 2:23 38:19 39:3
 213 19:24 32:2
 23 42:13
 26 1:14 2:23
 2608 2:24
 265 96:6
 2693 3:7
 272 46:12

3

3 25:23 37:15
 30 39:24
 328 47:11
 33 5:14 83:12
 331 35:5 74:22
 337 23:7
 35 65:20
 36 60:15
 363 58:8
 372 103:25
 39 68:10
 3rd 70:11

4

42 70:8
 4th 65:22

5

50 55:15
 525 7:24
 546 98:13

6

61 51:17, 20
 62 68:13

7

7 83:14
 79 44:6

8

8-26-19 1:1, 2 2:1 3:1 4:1 5:1
 6:1 7:1 8:1 9:1 10:1 11:1
 12:1 13:1 14:1 15:1 16:1 17:1
 18:1 19:1 20:1 21:1 22:1 23:1
 24:1 25:1 26:1 27:1 28:1 29:1
 30:1 31:1 32:1 33:1 34:1 35:1
 36:1 37:1 38:1 39:1 40:1 41:1
 42:1 43:1 44:1 45:1 46:1 47:1
 48:1 49:1 50:1 51:1 52:1 53:1
 54:1 55:1 56:1 57:1 58:1 59:1
 60:1 61:1 62:1 63:1 64:1 65:1
 66:1 67:1 68:1 69:1 70:1 71:1
 72:1 73:1 74:1 75:1 76:1 77:1
 78:1 79:1 80:1 81:1 82:1 83:1
 84:1 85:1 86:1 87:1 88:1 89:1
 90:1 91:1 92:1 93:1 94:1 95:1
 96:1 97:1 98:1 99:1 100:1
 101:1 102:1 103:1 104:1 105:1
 106:1 107:1 108:1 109:1 110:1
 111:1 112:1 113:1

9

911 110:6, 6
 93 9:22 12:10