

September 20th, 2011

Terry and Mandy Garmey
1 Garden Lane
Cape Elizabeth

Members of the Cape Elizabeth Ordinance Committee
Members of the Cape Elizabeth Town Council
Neil Williams, Chief of Police

We have lived in our current home in Cape Elizabeth for 20 years. Until recently our neighborhood has been a happy place of shared interests and commitment to our community. This is a family neighborhood. We did not choose to live in an area where there is a transient summer population. Many of us still work for a living and parties that go on until 2-4 am prohibit the quiet enjoyment of our homes. We pay a lot to live by the ocean and understand why it is fair to pay higher taxes in order to enjoy ocean views. However, we do not expect to forfeit our sleep and relaxation so that someone can carry out a camouflaged commercial enterprise. For example, the owner of the rental home on Keyes Lane claims this as his primary residence, but he does not live there. He advertises a home that sleeps 10, yet there is parking for two vehicles. He advertises surround sound audio, including outer decks—we hear everything at all hours of the day! In the off season he is renting to wedding parties on a weekend or nightly basis. How is this not considered a business use?

Last year I spoke with Mr. Smith about this problem and he informed me that there was no ordinance prohibiting the above described situations and the only recourse would be to contact police when there are disturbances. We urge the Ordinance Committee to revisit this issue and develop a plan that respects the rights of resident property owners and preserves the neighborhoods which we so appreciate. We hope that revised ordinance would limit the number of weeks per year a home can be rented unless it is done so on a long term lease basis and provide for means to enforce the owner occupancy issue.

We thank you for your consideration of this matter.

Sincerely,
Mandy and Terry Garmey