

Matt and Carol Miello
12 Cardinal Lane
Gales Ferry, CT 06335

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03 2022

LAND USE DEPARTMENT

As recorded in our letter to the planning and zoning commission regarding non-hosted short-term rentals (STRs), the home at 10 Cardinal Lane has been the basis for our disillusionment with STRs in the town. While we have not experienced some of the extreme cases that others in town have had to deal with, our experience has not been invisible to the adjoining properties and neighborhood either. We have had to deal with increased traffic in the neighborhood, often with renters speeding down our block, excessive noise throughout the day and late at night, individuals leaving fires unattended in the backyard, along with a host of other less than ideal situations and concerns.

10 Cardinal Lane, the house directly next door to us and owned by Victor O'Laughlen, was purchased in July 2021. I work from home 2-3 days a week; my wife works almost exclusively from home and we are often outside doing yardwork or playing in the yard with our son on the weekends. At no point have we ever seen Mr. O'Laughlin at this property and do not believe that property can be claimed as a primary residence.

In November 2021, when it became apparent to us that the property was being used as a STR, we reached out to Mr. O'Laughlen through his house keeper. We were able to speak with him later that day, where he stated he was the owner, and were told that the property was a 2nd home, used primarily as a vacation home for him when he wanted to get out of the city and would be occasionally rented out on AirBnB when not in use. He also stated that he traveled a lot for work and therefore may not be there often. At the time, I asked that if he is in town, that he let us know so we could introduce ourselves. He never took us up on this offer, most likely because he's never been to the house since the conversation took place.

Through the fall and winter months, the home was mostly empty during the week and rented on the weekends. During the spring and summer months, it has been rented out continuously from May/June until now, with large groups, sometimes numbering 14 people with upwards of 8 cars, often renting the property. This can easily be confirmed by looking at the reviews for this property. The posting for the home on AirBnB says no more than 5 cars and no parties. Based our experience, guests have not followed those rules and I have no reason to believe that they will follow any other rules posted for the property. The listing itself encourages large groups, emphasizing that the property "comfortably sleeps 8 adults" and multiple reviews listing it as a great location for their parties and group events.

At no point have we seen the same cars there, other than the house keeper and property management. Most of the guests have license plates from Massachusetts, New York and New Jersey. The property currently has a tree laying through part of the backyard from an adjacent vacant lot. The tree came down in one of the storms in October 2021, along with some branches that fell in a storm a few weeks ago. I would expect that if someone was there, using the home as their primary residence, they would have taken steps to have these issues resolved in lieu of leaving it there to create a hazard for guests. In the case of the tree, it has been almost a year since it has fallen and it was only cut back partially by the property management company so they could mow the lawn easier.

There is a fire pit in the back yard of the property. Mr. O'Laughlen stated in his initial conversation with us that he recognized that the fire pit was a fire hazard. He said that he intended to have the fire pit removed. Despite recognizing that the fire pit was a hazard, the fire pit is piled high with fire wood between each guest such that it can be seen exceeding the height of the pit from our property next door, on the far side. The landscaping company that manages the property did not do a leaf cleanup in the fall. Someone from the property management company blew the leaves off the front walkway and left everything else until the Spring. If Mr. O'Laughlen regularly visited the property, he would be aware of the significant fire danger he is posing to the neighborhood and might have taken action to clean up the property himself or hire someone to improve the safety of the property for all of us.

The home is owned by an LLC, New Digs LLC, which up until December 2021, had Mr. O'Laughlen as the only stated officer of the company. It has since been changed to the directors/officers being New Digs LLC. If you do some searching in local property records, you will find that New Digs LLC owns another property in Ledyard, 25 Coachman Pike, which continues to be rented even though they do not have a valid permit, along with 3 properties in Norwich, 4 Mohegan Rd, 79 Fountain St (which is listed as the mailing address for the owner of all the properties in both Norwich and Ledyard) and recently 235 Laurel Hill Ave. All of these properties, minus the 235 Laurel Hill Ave property since it was just purchased in July, can be found on AirBnB. New Digs is clearly a commercial venture buying properties in the area to use as STRs. When we first spoke to Mr. O'Laughlen last year, he mentioned living in the New York City area. The home at 79 Fountain St directs you to an apartment located in NYC, which we believe is most likely Mr. O'Laughlen's actual primary place of residence. All this information is readily available on public sites for the various towns and state.

Further proof of residence can be found on the AirBnB page for the property. Up until early August, the host of the home was listed as Matt and Jenn. In August it was changed to Victor to align with the hosted STR application which was being applied for at that time. You can find prior replies from "Matt" appearing with Victor's name, suggesting he changed the display name associated with the AirBnB account he uses for the property. This can be confirmed by looking at the reviews, where multiple reviewers call out the the host as Matt and Jenn. Additionally, in Victor's host information, it states that he and his family have lived in Connecticut for over a decade and know their neighbors very well. After speaking with other neighbors on our street, we can say that neither our family nor any of our neighbors have ever even met him. A simple LinkedIn and Facebook search on Victor O'Laughlen shows that he is from Virginia, leaving the Virginia/DC area to move to New York in 2007 where he has been in the greater New York City area ever since. We believe these are all lies put in place to give the perception that the home is the private residence of Mr. O'Laughlen. We believe Mr. O'Laughlen lives somewhere else, most likely New York City where the company he works for is located, where his office is and potentially at or near the apartment which the 79 Fountain St address assigns as the mailing address.

If you look at the AirBnB pages for the other properties mentioned, they use similar wording in the description even though they also go by various aliases which claim the homes are the primary residence of the host. We believe he most likely owns these properties as well.

Mr. O'Laughlen's application to Ledge Light Health District (LLHD) raises further questions about his residency and the approval he received for expanding the property to 5 bedrooms. The pictures shown in order to increase the number of bedrooms with LLHD were pictures provided by the listing agent at the time of purchase over a year ago. Why would someone who lives there use outdated, pre-sale

photos? We believe that is most likely because he is not in residence and did not have the ability to take current photos himself. Additionally, the application to expand the property from 4 to 5 bedrooms makes no mention of the intended use as a STR, with significantly higher numbers of people using the property than a normal family. LLHD is most likely expecting a typical family unit to be occupying the home instead of the commercial activity which will be occurring there, with 8-12 people using the home on a regular basis. Maybe this has no impact, but the information was never provided for them to make the appropriate assessment. Additionally, in his STR permit application, Mr. O'Laughlen states that one of the basement bedrooms is his personal room and not available to guests. When the home is rented out, up to and including the week before this hearing, the lights have been on in both basement bedroom windows. That leads us to believe that Mr. O'Laughlen has not actually reserved any personal space in the house that he intends to use for occupying the home as a primary residence.

Based on the above, we do not believe Mr. O'Laughlen has any plans to live at the home where he is claiming to have his primary residence. To claim Connecticut as a primary residence, one must plan to reside in the state for a minimum of 183 days per year. We do not believe Mr. O'Laughlen has met that criterion – certainly using this address – and probably will not meet it going forward. Even after getting a driver's license within the last few weeks for the purpose of this STR application, which I assume he did at a Connecticut DMV on the other side of the state, he has still not been at the home as of this letter on 9/3/22. If you reviewed the AirBnB availability for the property as of August 27th, it appeared continually available with the single exception of the evening of this STR hearing. (Note: We have provided a printout of the property availability taken on August 27, 2022 demonstrating this.) AirBnB requires a minimum 2-night stay for this property. We believe that single unavailable night is the first and only night Mr. O'Laughlen has spent a night at this property, after which he will immediately return to his actual primary residence located elsewhere.

We request that the application for a hosted STR at 10 Cardinal Ln be denied that, based on the information provided, this home is not Mr. O'Laughlen's primary residence. He has already stated to the town zoning official that he has held a Virginia license for the last 20 years, even though he has most likely lived in the New York City area since 2007. New York State, the same as Connecticut, requires that one change their license within 30 days of making New York your primary residence. It appears that Mr. O'Laughlen has a history of disregarding local laws and regulations, potentially knowingly misrepresenting the state and location of his residence. Given that, we do not believe he should be taken at his word that he intends to make 10 Cardinal Lane his primary residence. We request that his application not be approved unless and until he demonstrates that he actually meets the criteria for primary residence as defined by the state of Connecticut. We also request that he not be allowed to continue to operate 10 Cardinal LN as a STR until he actually has an approved permit for the property.

We believe Mr. O'Laughlen is trying to circumvent the laws of the town to maintain his STR at 10 Cardinal Ln, continuing to make money off the property at the inconvenience and detriment of the residents in the neighborhood. The point of a hosted STR is that there is someone there with a vested stake in the property and in the neighborhood, who would actively manage issues with the property and its guests. The expectation of a hosted STR is that occupancy by guests would be somewhat limited and not a continual or excessive intrusion to the neighborhood. Due to work travel needs that he stated to me previously, and the fact that he does not work locally, he will most likely not be on the property with

any regularity, making this a non-hosted STR, which is not what he is applying for and not currently allowed by town zoning laws.

10 Cardinal Ln, Gales Ferry

https://www.airbnb.com/rooms/51639902?adults=1&children=0&infants=0&check_in=2022-10-03&check_out=2022-10-08&federated_search_id=38ea42bb-26cc-4021-9b68-e46a7117e41d&source_impression_id=p3_1662140135_ja2s3RLokz2AeJOw

25 Coachman Pike, Ledyard

https://www.airbnb.com/rooms/52059088?adults=1&children=0&infants=0&check_in=2022-10-01&check_out=2022-10-06&federated_search_id=38ea42bb-26cc-4021-9b68-e46a7117e41d&source_impression_id=p3_1662158383_8kd19H0tb286YLP2

79 Fountain St, Norwich

https://www.airbnb.com/rooms/46416055?adults=1&children=0&infants=0&check_in=2022-10-01&check_out=2022-10-06&federated_search_id=61b58e14-4639-4e25-9593-0d541c26680b&source_impression_id=p3_1662158651_RCuMZJf%2BD9a72XAQ

4 Mohegan Rd, Norwich

https://www.airbnb.com/rooms/646026506667390733?adults=1&children=0&infants=0&check_in=2022-10-02&check_out=2022-10-07&federated_search_id=61b58e14-4639-4e25-9593-0d541c26680b&source_impression_id=p3_1662158831_2J%2FSUTjlmRZg%2Fwg4