

We've come to you to appeal this decision based on the law and the facts. To assist you in making this decision we've created this binder. It is divided into three main sections:

1. **Introduction:** which contains the statement of the appeal; Mr. Roger's ruling on the classification of the properties in question; and finally, the Town lawyer's statement on the legality of the short term rental operations at these properties
2. **The Law:** correspondence from our former lawyer to the Town attorney; NY Business Corporation Law excerpts; Town of Porter Zoning Law definitions measured against the operation of the properties in question; Porter's Zoning Map and Permitted Uses Table
3. **The Evidence:** Admission of short term rental operations by CEO of Lakeside Cottages, Inc.; NY DOS Incorporation papers; aerial photo of the buildings and parking provided; Photo Evidence of (approximately 350 to 450) Customers for 2016- mid 2017 season; Customer testimonies regarding short term stay; Marketing Materials (Youtube, Lower River Region CC, YBAssoc., Bizapedia, and the company website) where the business is openly advertised; conceptual separation of the rentals on the lake side from the motel and cabins across the street: if you are doing nothing wrong, you have nothing to hide- but over the last several months- since a few days after we brought this business operation to the attention of the Town Board, August 8, 2016- we see a gradual removal of the cottage operation from the Lakeview Motel website. Prior to that board meeting, the cottages were prominently and proudly advertised on the homepage of that website. Shortly following that meeting, they were moved off the front page and onto the top of a list on a 'things to do' page. Then they were moved to the bottom of that list and sometime between July 2 and 8 2017, they were removed completely from the website and now can only be accessed on a separate site called "Lakeside Home Rentals". Screenshots showing the progression of this separation are included in this section of the Binder

Some of the sleeves in this binder contain multiple pages and are marked as such at the top. Some of the pages have highlighted passages which are the pertinent passages for your review in that section.

We ask that before you make your decision, you review the information in this binder. Over the last several months, we have heard the Nowackis state that "we have made substantial improvements to these properties" and "our guests are well behaved" and that 'everybody else is doing this'. All of this is irrelevant to the points of law at issue here. This binder is our attempt to clear away those cobwebs and help focus this appeal on those legal points to help you come to the right decision.

Thank you for your time and consideration.

