

STILLWATER TOWNSHIP PLANNING COMMISSION

January 6, 2022 - Stillwater Township via Zoom – 7:00 PM

Meeting Minutes

PRESENT: Chairperson Dan Loveridge, Planning Commissioners Robyn Stoller, Frank Countryman, Alan Robbins-Fenger, Katie Driver and Lois Cutler. Clerk Barbara Riehle, Town Board Supervisor Robert Geisen and Planner Evan Monson.

REGULAR MEETING

1. **AGENDA** – The agenda was amended to include the following:

a. Annual Meeting Commission Representation

M/S/P Countryman/Cutler moved to approve the agenda as amended (6 ayes)

2. **MINUTES** - M/S/P Stoller/Countryman moved to approve the 06/03/21 Planning Commission Regular meeting minutes as written (6 ayes)

3. **PLANNER** -

A. **Short-Term Residential Rentals** – Planner Evan Monson gave a Summary Overview/Background from the staff reports on a proposed amendment to the Zoning Ordinance for Residential Short-Term Rentals.

“A short-term residential rental is a house that would be rented for a period of time of less than 30 days. In the last few years, homeowners have opened up their homes for rent online by visitors who typically rent for a week or weekend. As discussed previously, in 2021, the township has no ordinances or rules addressing short-term residential rentals.”

“In the first half of 2021, there was five or fewer listings at one time that appear to be within the township. Listings on sites like Airbnb do not show an exact address until booking a stay has been confirmed, so an exact number was difficult to pin down. There had also been no issues or complaints shared to township staff in regards to the short-term renting of these houses. While it is not an issue now, it could be in the future. In order to be proactive instead of reactive, the Town Board directed Staff to look into potential regulations for such uses that could be integrated into an ordinance.”

“The Planning Commission discussed potential rules last spring and summer, and reviewed rules in place in other nearby communities. It was decided to have staff monitor the number of listings of places located in the township. In the last six months of the year, there was no more than four listings at a time located within the township.”

There are a couple things to consider in terms of what, if any, regulations should be adopted in regards to these uses:

- If determining to allow, or not allow, short-term rentals, the Planning Commission should determine whether the use meets the vision statement as well as the goals and policies outlined in the 2040 Comprehensive Plan. Based off whether to allow or not allow, then other issues can be discussed as needed.
- Certain communities limit short-term rentals to homes that are owner-occupied; the homes are not just used for rentals but are actually the residence for someone. Limiting it to owner-occupied residences can prevent people from buying a house just to list as a short-term rental unit.
- There are also places that have required the homeowner be present during the stay of guests. Presumably this be a way to help prevent guests from getting rowdy during their stay, though regardless of whether an owner is present the guests would still need to follow any local rules regarding noise, nuisances, etc.
- There are communities that have limited the renting to a certain number of days each year. This can be a way to prevent residences from having a ‘revolving door’ of guests every week or weekend.
- There are different ways such a use can be permitted. It can be permitted through a license, such as what the Township has for dogs or kennels. It can be permitted through a zoning permit, which could include a Conditional Use Permit (CUP), an Interim Use Permit (IUP), or a Certificate of Compliance (COC). An IUP and CUP would require review and approval from the Planning Commission and Town Board, whereas a COC or a license would be able to be issued administratively by staff. There could be requirements for inspections of the site prior to the issuance of the permit or license to ensure safety and building code standards are being met.
- A draft ordinance, previously reviewed in 2021, was included in the meeting materials for review and discussion.

DISCUSSION:

Planning Commission Members discussed the following:

- Costs/Rates ranging from \$200-\$1,000 per night
- Vrbo/Airbnb locations in the Township
- Clerk Riehle and Planner Monson received no complaints, but did receive inquiries.

- Desire to get legal view points from our Attorney
- Difference between this and Home Occupations (Farms, in home piano lessons, etc.) that are allowed in the Township.
- Do we want to prohibit rentals?
- The need to have guidelines/Ordinance without over regulating.
- Difference of definition of a “Bed & Breakfast Inn”, a use already permitted through a CUP, and short-term rentals. As stated in our Township Zoning Ordinance (Chapter 1, Section 2, dated March 2017); An owner-occupied private home where accommodations are offered for one or more nights to transients; in addition, a breakfast meal is served on the premises to no more than ten (10) persons.

(Resident Sarah Muellenberg – 9833 Norell Ave N; owns and operates an Airbnb on their 40 acres – present)

- Options – 1) do nothing. 2) delay a decision. 3) adopt with either a license, CUP or criteria standards.
- A CUP does not transfer with property; we can require it to expire at transfer of land.
- Commissioners briefly reviewed what others in neighboring communities do? I.e., Marine and Afton.
- Commissioners like the idea of a Notification/Public Hearing and getting resident feedback.
- Safety and inspection topics.
- Licensing process versus CUP process
- The drafted potential ordinance from 2021 could be used as a starting point, with further review at the February meeting.

M/S/P Robbins-Fenger/Driver moved to recommend to the Town Board, based on the data collected thus far, to authorize the Planning Commission to proceed and draft an Ordinance on Residential Short-Term Rentals and review details. (6 ayes)

4. **OTHER BUSINESS** –

a. Ad-Hoc Committee Formation – Clerk Riehle and Liaison Supervisor Robert Geisen recapped the idea behind the need for a committee to be formed who can take on the time needed for research of what may be available to our Township. Internet in the Township vary by location in the township. Comments have been made that property values suffer because of the lack of internet service and the ability to sell our homes may become more difficult with the lack of internet service. There may be some programs available to improve the internet but that may not be reality. The Town Board wanted to check with the Planning Commission Members to see who may be interested to work as a team or perhaps work with a consultant to see what is viable. Commission Member Frank Countryman volunteered to begin seeking information. Commission Member Robyn Stoller also offered to help. Both Commissioners are encouraged

to reach out to Town Board Chair Sheila-Marie Untiedt for further direction and a starting point.

b. Planning Commission Representative – In March at the Annual Meeting, a representative from each committee/commission gives a recap report which sometimes includes a PowerPoint and a request for member applicants. Commissioner Alan Robbins-Fenger offered to do the presentation this year. Commissioner Robyn Stoller who presented in previous years offered assistance if needed.

5. TOWN BOARD LIAISON REPORT – A report was given by Supervisor Liaison Robert Geisen.

6. ADJOURNMENT – The meeting was adjourned at 8:35 p.m.
M/S/P Cutler/Countryman (6 ayes)

Submitted by: Clerk Barbara Riehle