

STILLWATER TOWNSHIP PLANNING COMMISSION

August 18, 2022 - Stillwater Township In-Person– 7:00 PM

Meeting Minutes

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

REGULAR MEETING

1. **AGENDA** – M/S/P Stoller/Countryman moved to approve the agenda as written. (6 ayes)
2. **MINUTES** - M/S/P Loveridge/Driver moved to approve the 04/07/22 Planning Commission Regular meeting minutes as written (6 ayes)

3. **PLANNER** -

- A. **Short-Term Residential Rentals**

Planner Evan Monson gave a brief recap on this topic of ongoing discussion. At the last meeting in April 2022; discussion was focused on two drafted ordinances having consensus from the Commission to move forward with drafting an ordinance similar to Marine on the St. Croix where a licensing application process could be implemented.

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. Whether Vrbo or Air-BnB, these are all classified as STR (Short-Term Rentals). Stillwater Township does not have an ordinance or rules addressing STR.

Planner Monson presented a working “draft ordinance #4” document, which outlined common terms/definitions, licensing requirements, standards and penalties.

In addition, Planner Monson reported that our Township Attorney was contacted regarding legal questions (legal non-conforming use or “Grandfathered” use, stand-alone ordinance, liability and inspections), responses were noted in the staff report along with the following.

Issues to consider:

1. Length of License (i.e., calendar year)
2. Maximum # days to rent
3. Issuance of License (by whom? Staff or Town Board)

DISCUSSION:

Planning Commission Members gave the following feedback; step by step breakout of sections:

- Commissioner Loveridge asked if there was a way to make exceptions to the Ordinance making a “grandfathered clause” regarding owner-occupancy. The consensus was to not reflect anything other than an owner-occupied residence.
- Commissioners spoke on a STR they knew of in the township.
- Commissioner Countryman brought up the fact that the township does not have ordinances regarding renting. He made good points and was able to gain some clarification.
- Commissioner Robbins-Fenger asked whether inspections would be necessary? Verification process.
- What about septic systems? Supervisor Liaison Geisen responded that the County regulates and has requirements.
- Purpose: Adding “in alignment with Township Vision Statement” text.
- Definitions: make distinction of the word “tenant”. Other changes to definitions were identified such as “owner” need clarification. Add “owner occupied” in the definition terms.
- Licensing of Short-Term Residential Rental: Adding specific license number to reference. Adding detail to Licensing Application under 1.a.5. A copy of the policy number for liability insurance policy should include the Insurance company name and whether it is a rider or endorsement type policy. In addition, a “hold-harmless clause” should be included on both the ordinance and in the application.
- License length – good for a (Calendar) year; Jan 1- Dec 31. No proration.
- Renewal of license – yearly; by Town Board approval. A renewal questionnaire/report for reapplication could be requested.
- Limiting a number of licenses to allow – 10 was used for discussion purposes. This number can be changed, but should be capped.
- Language in the draft was reviewed with the intent to lessen confusion. (i.e., time to time).
- Application fees would not be refundable.
- Clarification of permit versus license – changes to draft.
- Add specific language as Marine has; that a STR may only be operated in a primary structure; not an RV or tent/yurt, etc.)
- Licensing Revocation and Nonrenewal – Violation of codes. Commissioner Countryman would like clarification of what codes are referenced? Adding “Applicable Codes”. Building Inspector Jack Kramer will be contacted to address what “safety” codes would need to be in compliance.
- Commissioners questioned the age of a home could be an issue on how current codes would not necessarily be applicable.
- What is placed in the ordinance needs to be enforceable should there be a violation.
- Washington County – should be contacted for reference standards to adopt.
- Performance Standards – Adding off street parking details and details to how many vehicles allowable; no events.

- Commissioner Stoller has concerns of the number of days to rent out. Commissioners came to the consensus that 75 days (2 weekends/month) is a good place to start; STR would need to comply with not renting longer than 30 consecutive days.
- Non owner occupied STR is prohibited.
- Commissioners discussed who the general clientele of a STR would likely be.
- Commissioners discussed the age of the renters. They felt age 18 is too young; agreement to mirror car rental age. Consensus is age 25; maturity.
- Commissioners discussed noise and how to handle those instances. Dogs?
- Notification to neighbors; radius versus adjacent homeowners.
- Commissioners believe a provided checklist with local laws, etc. for both renters and homeowners could be helpful. Emergency contact should problems arise.
- The STR license would not be transferrable.
- All New and Renewed STR applicants will need to notify neighbors.
- Renewal – Add waiting list criteria. If not renewed by Nov 1 with complete application, then would lose the opportunity. Application fee would apply for renewal as well.
- Website – Links would be made available along with the application and information. Templates from Marine on St Croix could be adopted for our purposes.
- Commissioner Rolstad asked whether the STR in the Township would be listed on our website?
- Application fee of \$200.
- Planner Monson will get legal feedback regarding liability and policy.
- Planner Monson will provide an updated draft ordinance with all the discussed edits and changes for review at a future meeting. (September).

4. **OTHER BUSINESS** – No other business to report.

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

6. **ADJOURNMENT** – The meeting was adjourned at 9:25 p.m.
M/S/P Loveridge/Driver (6 ayes)

7. **NEXT MEETING** – September 1st at 7pm – dependent on Planner Monson collecting needed data timely.

Submitted by: Clerk Barbara Riehle