

STILLWATER TOWNSHIP PLANNING COMMISSION

November 17, 2022 - Stillwater Township In-Person– 7:00 PM

Meeting Minutes

PRESENT: Chairperson Carrie Rolstad, Planning Commissioners Robyn Stoller, Katie Driver, Alan Robbins-Fenger, Dan Loveridge and Frank Countryman. Community Service Officer Mark Caroon and Town Board Supervisor Sheila-Marie Untiedt. Clerk Barbara Riehle and Planner Evan Monson.

REGULAR MEETING

1. **AGENDA** – M/S/P Loveridge/Robbins-Fenger moved to approve the agenda as written. (6 ayes)

2. **MINUTES** - M/S/P Stoller/Driver moved to approve the 10/06/22 Planning Commission meeting minutes, which included the Public Hearing, 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, there were some changes to Ordinance Draft 5. They have been incorporated into Ordinance Draft 6 that will be reviewed and discussed this evening.

A short-term residential rental (STR) is a house that would be rented for a period of time of less than 30 consecutive days. The Planning Commission has reviewed and discussed the topic at a number of previous meetings.

Planner Monson presented the latest working drafts (Draft #6) for review. At the suggestion of Town Board Supervisor Sheila-Marie Untiedt, Planner Monson gave an outline of the reasoning for creating the ordinance. Planner Monson’s overview included the terms & definitions, process to acquire a license for operation of an STR, timeline, application submittal and renewal, review by Town Board, a cap of 10 licenses in the Township, performance standards and penalty violations.

Public Comment: Homeowners who currently own and run an STR were present to discuss and make comment.

Anthony Muellenberg – 9833 Norell Ave N – Mr. Muellenberg gave some background and says he purchased the 40-acre property about a year ago not intending to rent. He has been running a successful STR/Airbnb here. He does not allow events. He and his family intend to eventually live in the residence year-round (within approximately 2 years), but for now they reside in Shakopee, MN, and he comes here 3-4x/week. Currently, he rents on average 3x/ month; winter is slower. They would be limited on

their ability to rent and would be greatly impacted by the current draft ordinance as it is written in regards to the limits on weekends per month. Mr. Muellenberg uses a doorbell camera to verify number of guests.

Jan Strandemo & Kelley Steele – 9111 Stonebridge Trail N – Ms. Strandemo lives in the township near Fairy Falls; she also owns this 21-acre property that they purchased originally for organic farming. She explained that they were told by their insurance company to rent the house as it could not be left vacant. Initially they had a long-term renter, she explained it was awful. Once the renter was out, they began renting short-term. Now, having an STR has been “a dream”. Those that rent through Airbnb also get rated as a renter so there is importance to getting rated well (five-star). She says they have been doing the Airbnb about a year successfully. They rent every weekend and believe they could have rented even more during the weekdays. Winter months are slower for them as well. Ms. Steele explained that there were points in the draft ordinance that would be hurdle. Though they live in the township, the STR is not their primary residence. In addition, since they rent every weekend, to limit rentals to two weekends per month would drastically reduce their income which allows for the means to use the property for organic farming. The Airbnb platform has strict rules regarding house parties, # of guests and maximum occupancy of the land.

Planner Monson stated that at this time a “grandfathered clause” is not possible; a license would be required for new and existing STRs. The latest ordinance draft removed the rule of limiting STRs to the “primary residence”. A comment was made regarding limiting renters to use certain platforms. Commissioners are not sure if we can restrict the platform being used (i.e., Vrbo or Airbnb)

Commissioner Robyn Stoller explained that typically there would be a public hearing before an ordinance is reviewed by the Town Board and therefore that would be further opportunity to speak on this topic at that time.

Commissioner Alan Robbins-Fenger explained the concerns and why the township is looking into drafting an appropriate STR ordinance, noting that while some portions of the township are large lots of 20 or more acres, other portions of the township have been developed at much smaller lot sizes, meaning noise, traffic, and other potential impacts of an STR are much more noticeable to neighbors.

Planning Commission Chair Carrie Rolstad suggested the close of public comment. Ms. Rolstad thanked the residence who provided input and for joining us this evening.

M/S/P Driver/Loveridge moved to formally close public comment. (6 ayes)

(A brief recess was taken.)

-DISCUSSION:

Planning Commission members made the following discussion points from draft ordinance 6: Each section numbering was corrected accordingly.

Section 1 – Findings and Intent –

- Includes the language similar to Marine on the St. Croix.
- Township “Vision Statement” was added.

Section 2 – Purpose –

- Commissioners like the paragraph

Section 3 – Definitions –

- Typos fixed
- The word “entity”, how it is referred.
- Occupant – changing “and” to “or”.
- Under Short-Term Residential Rental – Commissioner Stoller asked why the list, should it be there? Planner Monson explained reasoning. Commissioner Loveridge didn’t see a reason to remove.
- Definition of weekend – Commissioner Chair Rolstad was wondering if we are looking to keep or change. Consensus was to keep as proposed.

Section 4 – Licensing of Short-Term Residential Rental–

- 2(e)- notice to property owners is to include contact information of the applicant and emergency contact.
- Commissioner Stoller spoke on areas of smaller parcels.
- 7 – License length- proration of the fee for the first year since the ordinance may not be adopted by January 1st, Licenses would run Jan-Dec. thereafter.
- 9(a) – Commissioner Countryman asked for clarification of the term “designee”.

Section 5 – License Renewal –

- 2(b) – Commissioner Robbins-Fenger asked for this section to capture activity data to include a list of days and weekends rented out each month not just year.
- 2(c) – Other – Commissioner Stoller added that the Town Board may find helpful more data.

Section 6 – License denials, Revocation and Non-Renewal, and Enforcement –

- 1(c) - Commissioner Stoller asked for clarification on development requirements like an HOA. Planner Monson added that the township could not enforce those.
- 3 – Should the word “renter” be added to sentence two.
- 5- Add Washington County Sheriff or “other” applicable agency and how complaints are handled per CSO Mark Caroon; He does not always get reports from Washington County Sheriff office, complaints of potential violations would be forwarded to him for investigation and to the Town Board for possible license

revocation. CSO Caroon would determine whether a citation was written or whether the rental owner should be contacted. Per Planner Monson, STR applicants are required to provide CSO contact information to neighbors for licensing. More discussion is needed on communication flow for handling potential STR complaints so the Town Board can remain informed to take appropriate actions as needed.

Section 7 – Performance Standards –

- 1(c) – Commissioner Countryman asked for clarification on how the 75-days in a total year was identified. Planner Monson used Marine on St. Croix standard.
- 1(c) – Commissioner Countryman also asked for clarification - How did two weekends a month come to be? Commissioner Loveridge commented the reasoning.
- 1(c) – Commission Chair Rolstad asked whether larger acreage/land size could be considered differently from smaller parcels. Planner Monson will contact Legal for feedback.
- 2(a) – Quiet hours were added.

Section 8 – Penalties –

- No remarks

Section 9 – Severability –

- Protection of the ordinance

Supervisor Untiedt asked Clerk Riehle whether she has received complaints on STR – Clerk Riehle responded no, not that she was aware of.

4. **OTHER BUSINESS** – Commissioner Alan Robbins-Fenger has been elected to the Town Board. His Planning Commission seat is available along with three other seats; The Planning Commission has nine seats in total. Recruitment of new members was encouraged.

5. **TOWN BOARD LIAISON REPORT** – Supervisor Sheila-Marie Untiedt reported.

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

7. **NEXT MEETING** – December 1 – tentative; legal response needed.

Submitted by: Clerk Barbara Riehle