

STILLWATER TOWNSHIP PLANNING COMMISSION
December 1, 2022 - Stillwater Township In-Person– 7:00 PM
Meeting Minutes

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

REGULAR MEETING

1. **AGENDA** – M/S/P Rolstad/Driver moved to approve the agenda as written.
(5 ayes)
2. **MINUTES** - M/S/P Robbins-Fenger/Stoller moved to approve the 11/17/22 Planning Commission meeting minutes as written. (5 ayes)

(Commissioner Countryman arrived)

3. **PLANNER** -

A. **Short-Term Residential Rentals**

Planner Evan Monson gave a brief recap on the ongoing discussion of Short-Term Rentals (STRs). At the last meeting, there were residents present who currently operate STRs in the Township. In addition, there were changes made to Draft #6.

Planner Monson presented the latest working ordinance drafts (Draft #7) for review. The main change to the draft is regarding whether we should change the limitations for STRs due to lot size. The lot sizes in the township vary widely from small to large. Neighbors located near smaller sized lots would notice STRs greatly whereas STRs on larger parcels are not as likely to be noticed by nearby neighbors.

In talking with our Township Attorney, it would be possible to change the requirements for different parcel sizes. Specifying a basis and/or rational for this requirement would be needed. Planner Monson recommended the Planning Commission discuss the following:

1. Remove the limitation for weekend rentals, if it is a large lot?
2. Remove the day limit for large lots?
3. What threshold would be a large lot? How many acres?

-DISCUSSION:

Planning Commission members made the following discussion points from draft ordinance #7:

- Do we look at the type of street access applicants may have; Does it matter whether it is Residential, County Road or Highway to avoid traffic issues
- Typo fixed – under Section 4(9)(a) License(s)
- Planner Monson explained that both the number of weekends allowed per month and the number of total days per year can be adjusted due to the lot size.
- Commissioner Stoller mentioned the 20-acre number came about from residents who attended the meeting; their lot sizes were greater in size.
- Neighborhoods with smaller lot sizes would benefit from the 2 weekends/month requirement. 20-acre lot parcels would not be in a small development.
- Commission Chair Loveridge stated that the residents who were present at the last meeting had mentioned rentals were slower in the winter and the 75 days per year may not be an issue. He was in favor of using “20-acres” lot size minimum requirement for adjustments to the allowed weekend rental.
- Concerns were more around number of weekends per month versus the total number of days annually.
- Maintaining peace and a rural residential character is very important.
- Would it be helpful to review our township plat map to learn number of 20 acre and larger parcels and parcels smaller than 20 acres?
- Commissioner Robbins-Fenger stated that we are not increasing the volume of STRs; we are limiting the number to 10 licenses.
- Commissioner Robbins-Fenger suggested starting at 75 days/year. If we allow more than two weekends/month for properties that are larger than 20-acres, would we change their days from 75 days/year to 100 days/year?
- Commission Chair Loveridge stated that initially we wanted to limit STRs to owner-occupied properties to avoid tourist atmosphere.
- Commissioner Driver is not in favor of increasing the number of allowed days annually.
- Clerk Riehle asked for clarification on a weekend as three days.
- Commissioner Countryman had concerns about the day of check out being an additional day which is applied to the 75 days annually.
- Exception for lot size versus accommodation for the number of weekends per month; 75 days annually would still apply. Planning Commissioners are careful to act on the behalf of the township residents as a whole, not the individual property owner.
- Commissioner Stoller made a point to say that we have other permitted uses in the township (i.e., horse training facilities). Ms. Stoller stated that the potential negative impact is minimized on the allowance for a larger sized property.
- Planner Monson indicated that it is not uncommon for an ordinance to specify limitations based on lot size. (i.e., accessory structure limitations are based on property size.)
- Town Board Supervisor Sheila-Marie Untiedt suggested we allow STR rentals until it's a problem. STR operators had concerns of the “5-star rating”.

Rewarding good properties with good tenants. A concern may be that a 20-acre parcel could be close to the lot-line causing problems. If a complaint comes in, could we remove a day from the allowed annually?

- Commission Chair Loveridge reiterated that there is language in the draft ordinance which states the Board could choose to not renew or revoke the license based on complaints.
- Other concerns – dog excrement.
- Commissioner Robbins-Fenger stated that we are not wanting to make the administration of the ordinance cumbersome or burdensome.
- Commissioner Stoller commented that currently our CSO Mark Caroon is not receiving all complaints from Washington County. Further discussion is needed on how to see to it that happens. Though it may not be written into the ordinance, there should be follow-up on an administrative process.
- Commissioner Countryman remarked about noise. (i.e., Farmer’s combine, basketball game, waterfowl shotgun hunting)
- Commissioner Chair Loveridge commented that the Commission is in favor of removing the limit of weekends with those 20-acre or larger and keeping the 75 days annually.
- Planner Monson commented on advantages and disadvantages in regards to lot sizes in the township while creating an ordinance.
- Commissioner Countryman commented that the limit to 10 licenses is low; only approximately 1% of township residence.
- Town Board Supervisor Sheila-Marie Untiedt stated the current number of Vrbo (2) and Airbnb (3).
- Planner Monson mentioned that an ordinance can be amended or repealed should a change need to be made.

M/S Countryman/Driver moved to present and recommend the finished draft #7 to the Town Board as written.

There was further discussion to include:

1. Language referring to parcels with 20-acres or more would not have limits on weekends.
2. To keep the total of 75 days limit annually which is an edit to Section 7 (c)(i); making the exemption only to the two weekends/month.
3. Remove “Other” from Section 5 (2)(c).

M/S/P Stoller/Driver moved to present and recommend the finished draft #7 to the Town Board with the above made discussion edits. (5 ayes; Countryman abstains)

The motion passed and will be on the Town Board agenda in January 2023; a future Public Hearing will be scheduled. Commissioners are encouraged to attend. In addition, it would be a courtesy to inform our residents in our next newsletter. The Town Board will determine the process and when to begin licensing STRs.

4. **OTHER BUSINESS** – No report.
5. **TOWN BOARD LIAISON REPORT** – Supervisor Sheila-Marie Untiedt reported.
6. **ADJOURNMENT** – The meeting was adjourned at 8:00 p.m.
M/S/P Rolstad/Robbins-Fenger (6 ayes)
7. **NEXT MEETING** – January 5, 2023 – tentative; per training

Submitted by: Clerk Barbara Riehle