

APPROVED MINUTES

The Saugatuck Township Planning Commission met with the Saugatuck Township Board for a joint meeting on September 9, 2015 at the township hall on Blue Star Highway, Saugatuck, Michigan, 49453.

Present: Miller Cook, Rudich, Conklin, Prietz, Welk, Milauckas, Wester, Babinski, Phillips, McIlwaine
Absent Excused: Rowe
Also Present: Zoning Administrator Kushion, Township Manager Sheridan, Attorney Nick Curcio from Dickinson Wright

At 6:00 pm Supervisor Wester called the meeting to order.

Pledge of Allegiance

Public Comments:

Gail Wiswedel, 3124 Indian Point Rd. Wiswedel remarked on the opportunity that Saugatuck Township has to control short term rental housing. Rules and regulations will help everyone be better neighbors.

Barbara Kroczyńska owner of 3016 Newport Road. Kroczyńska states that loud noisy renters can be controlled by careful management. She would like the township to issue a warning if there are issues with a rental dwelling. If there is no improvement, then the township should issue stricter rules.

Ray Eggert, 3212 Lorrimar Lane. Eggert states that the last two years has been very troublesome with rental dwellings. He states that this is a commercial business in the middle of a residentially zoned district.

Kathy Plapp, 3034 Harbor Road. Plapp stated that something needs to be done to protect the residential zoning in her neighborhood. She states that most of the problems came from short-term noisy renters. She suggests that the board comes up with short term rental restrictions.

Mark Klungle, Mill Pond Realty. Klungle states that this was an issue in the City of Saugatuck last year. A workshop was organized including the rental companies, the fire department, the city planner and property owners who lived near the rental house that was held at the fire department. The guidelines that were put together at these workshops were eventually adopted by the City of Saugatuck.

Public Correspondence

Correspondence from Barbara Kroczyńska and an e-mail from Ken & Andrea Marcus.

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New Business

Fireworks Ordinance Discussion. This issue was brought up by the Planning Commission. The new ordinance will allow fireworks on federal holidays, the day before the holiday and the day after the holiday. Prietz noted that according to the new ordinance, fireworks are allowed until 1:00 am but the noise ordinance has a 10:00 pm cutoff time. Attorney Curcio stated that the fireworks ordinance would take precedence over the noise ordinance on the three days on and around the federal holidays. The 1:00 am time is the allowed time according to the state statute. Phillips asked if there would be a permit available for special occasion fireworks. There is a permit process in the ordinance but it would apply to display fireworks which would be intended for a whole community instead of a small private party. The decision to adopt the firework ordinance will take place at the next meeting and, since this is not a zoning ordinance, no public hearing is needed.

Noise Ordinance Discussion. There is an existing noise ordinance and the proposal is to amend that ordinance. ZA Kushion noted that an addition to the ordinance was 'no person shall make any noise by human speech so as to plainly audible for a period of at least five minutes at a distance of 25 feet in any direction between the hours of 10 pm and 7 am'. ZA Kushion also noted that a change to the ordinance involved garbage trucks, allowing garbage pickup between 6 am and 11 pm. Miller Cook asked about the point from where the 25 feet is measured. It would be measured from the edge of the property line. Supervisor Wester asked about lawn maintenance. Attorney Curcio stated that this issue was not addressed in the ordinance. Milauckas asked how the new addition to the ordinance would be enforced. Attorney Curcio stated that the responding officer would stand within the 25 feet distance from the property line to measure the noise level using enforcement standards listed in the ordinance.

Short Term Rental Ordinance Discussion. Attorney Curcio stated that the draft amendment was put together based on recommendations made by ZA Kushion to the board at the last meeting. The basic structure of the existing short term rental ordinance was left intact however some restrictions and regulations were added. The restrictions include limiting the number of people per bedroom and maximum occupancy load. Another addition is the concept of having the owner of the rental dwelling live or conduct business within 45 miles of the township. If the owner of the property does not live within 45 miles, a local agent would need to be appointed. This would not apply to long-term rentals which would be rentals lasting more than one month. Short term rentals would have a minimum of a one week rental period, monitored largely by the turnover in cars. Off street parking and waste disposal are also addressed. Discussion regarding the restrictions on the number of people per bedroom. Supervisor Wester asked that the proposed ordinance be made available on the township website. Conklin asked that our short term rental ordinance be compared to other municipalities in the area. Milauckas asked if instead of having a minimum of one week rental, it could be one rental per week. Phillips stated that he thought that the idea of a local agent needs to be defined more than it is in the draft ordinance. Phillips brought up a sample ordinance from another municipality that includes the regulation that neighbors of the rental dwelling have to be notified when the dwelling is rented and also who the local agent for that rental dwelling is. Supervisor Wester asked for volunteers to be in a workshop. Miller Cook, McIlwaine, Phillips, Conklin, Rudich, Wester and Prietz will be in the workshop along with ZA Kushion and Township Manager Sheridan. Also, fire department personnel,

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representatives from the area rental companies and citizens may be included in the workshop. Supervisor Wester would like any owners of area rental companies to give Township Manager Sheridan their contact information so that they could be notified of future meetings.

Public Comments

Kevin Tringali, Tringali states that the one week rental period restriction in the draft ordinance would severely hurt the rental business in the area.

Ethan Barde, Quaint Cottages, Barde states that he is concerned with the one week rental period restriction.

Ray Eggert, 3212 Lorrimar Lane. Eggert states that he is concerned with the amount of traffic that has resulted because of the rental dwellings.

Leslie Pollock, 3036 Harbor Road. Pollock states that there are two rental dwellings in her neighborhood, one for weekly rentals and one for short term rentals. There have not been any problems with weekly rental dwelling but there have been problems with the short term rental. She states that the neighborhood residents have gotten together to try to solve the problems they are having.

Larry Edris, 2534 Lakeshore Dr. Edris states that he hopes that the committee has as much interest in protecting the rights of the residents as well as the rights of the renters. He also stated that he thought the biggest issue will be trying to enforce the rental dwelling ordinance.

Barbara Kroczyńska. Kroczyńska stated that she does not like the idea of the one week rental period. She also states that she does not want more than 12 people in her house and when there are more people than that in the house, it is because they were invited by the people renting the house

Scott Robinson, 3137 Lighthouse Way. Robinson lives next to several rental houses and has not had any problems with them. He is concerned with the restriction on the number of people per bedroom.

Patrick Monroe, 6074 133rd Ave. Monroe states that he would like neighbors to call him if there are any problems with his rental dwelling. He is also concerned with the restriction on the number of people per bedroom.

Tom Nowak, 3213 Silver Lake Rd. – Nowak stated that he thought the rental dwelling ordinance should be on the agenda and adopted at the March meeting.

Greg Janik, 3208 Silver Acres Dr. Janik stated that he strongly suggests capping the maximum load for the rental dwellings.

Chris Mantels, 2454 58th St. Martel stated that in an owner occupied home, the residents know where to go in case of a fire but renters would not. He also suggested that the 12 people per rental dwelling unit could be increased but that increase would have to have fire department approval.

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Kevin Tringali, Tringali stated that rental companies are already taking reservations in November for the next summer so the ordinance should be passed as soon as possible.

Mark Klungle, Mill Pond Realty. Klungle asked if rental dwelling units would require a business license from the township.

Discussion regarding if the ordinance would be grandfathered in for existing homes. Attorney Curcio stated that provision could be added.

Motion to go in to closed session to discuss the Fleming Oil Company issue. Rudich motioned, Wester seconded. Motion passed unanimously.

Motion to give Township Manager Sheridan and Attorney Curcio authority to settle what the board discussed in closed session. Phillips motioned, Wester seconded. Motion passed unanimously.

Janna Rudich, Recording Secretary

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