

**CASCO TOWNSHIP PLANNING COMMISSION**  
**RENTAL WORKSHOP**  
**June 14, 2017**  
**6 PM – 9 PM**

**Members Present:** Chairperson Dian Liepe, Judy Graff, Dan Fleming, Greg Knisley and Dave Hughes

**Absent:** None

**Staff Present:** Janet Chambers, Recording Secretary

**Also Present:** Paul Macyauski, Supervisor Allan Overhiser and approximately 30 interested citizens. Sign-in sheet (Attachment #1)

1. **Call to order and review of agenda:** The meeting was called to order at 6:05 PM. At the May 24<sup>th</sup> meeting there was discussion about PC members coming prepared to discuss the current zoning for the areas west of Blue Star. Graff asked that “ PC member comments on Zoning West of Blue Star” be added as agenda item #6.
2. Opening comments by PC members: Fleming had comments (attachment #2) on a statement made by a resident, at a previous meeting, about a government official invoking Devine power and separation of Church and State.
3. Public

Comment

(So that the Planning Commission can hear from all interested, each person will be limited to 2 minutes. Should time allow additional 2 minutes per person can be allowed after all have had chance to speak. Thank you for your cooperation)

John Barkley said, like Fleming, he too is a Constitutionalist, and his feeling is, if it is not permitted in 26<sup>th</sup> Amendment, it is not permitted. The Master Plan is the same for Casco. The leader of the PC recognized the need for reasonable restrictions, and Barkley is looking forward to hearing about that.

Pricilla Massey, Atlantic Avenue, brought in correspondence she had with Supervisor Overhiser in the past. (attachment #3), concerning Peter Kline’s Stand Alone Ordinance. Massie has owned her property since 1984, 33 years. Would like a small building. How about a stand alone ordinance for the Massie’s. Overhiser’s response was farms need to be profitable, this ordinance promotes farms. Farmers could take advantage of agri-tourism for added income. He stated he did not see where Massie’s request accomplished any goals. There is no commercial in residential zones. Massie said she believed his statement “no commercial in residential zones”.

Massie went on to say the beach is overcrowded with tourists. There is no room, no place to sit. People were arrested, and there were calls for fire.

Bonnie Byer, a Miami resident, said the changes within the last month were more than ever before. The number of people coming has increased exponentially. They are renting to 15 occupants at a time. It is not quiet. Spring and Fall were the quiet times in previous years. Not any more. There are massive numbers with all their equipment, the noise level has increased dramatically. The number is way too many.

Mary Campbell mentioned Graff made comment about looking at zoning. Campbell has been matching rentals to ads and was amazed to see the numbers listed for occupants. It is hotels in residential neighborhoods. It is a strain on the infrastructure.

Mike Workema, Miami Park, said the complaints are not true. There are not massive crowds. He asked that only legitimate complaints be given.

Chris Barczyk provided commissioners with data on STRs. (attachment #4) Airbnb has changed things. It has exploded in the last few years. If you project the trend into the next 3 years it will be out of control. He asked that the PC go back to the objectives on the bottom of the agenda and use the current zoning. He stated if the PC is going to allow STRs, consider Spring Lake if you are looking out for the residents.

Tre Zorba stated with regard to STR she came to a meeting a year ago and heard the same thing from the same people. You are not going to make everyone happy. She said as a business owner, her business is 85% tourists. Renters are not a problem for her. She said behaviors should be addressed. Eight weeks ago she became frustrated and quit coming to meetings. Now she is hearing the same thing. She said if you (the PC) doesn't do something quickly, people can't sell their homes.

Rodney Dikema, Maple Avenue, owned his home since 1999. He never intended to rent. Then he got a divorce and had to move for work. He needs to rent occasionally to afford his home. He feels the number of occupants needs to be controlled, 4, 5 or 6 occupants. People are now advertising 20 person rentals. This is insane. As a homeowner, he would like the right to rent.

Ray McCormack stated he does not want to live next to a STR. You may get 8 good renters, then the 9<sup>th</sup> is bad. He does not want to stay up half the night until renters are done partying. He referred to Alfred Ellingsen's letter on the Casco website. In his letter, Ellingsen was roll modeling Saugatuck, Douglas, Saugatuck Township and the City of South Haven. McCormack would recommend Casco hold off until they can do it responsibly. As a resident, there are three choices for dealing with STR problems. You can live with it, call the police, or confront the renters. It's really not a good idea to confront the renters. Casco does not have the police coverage to call a cop. Officer Katje is very good, but he is not available 24/7. Casco should wait until they can establish a win-win ordinance.

David Monks is a primary resident is on Longfellow. He likes being near the beach because he is a tourists. He likes to travel and see destinations. Communities welcome him. He is not a person of major means, but does spend some money when he travels. His reason for renting is he cannot afford a home on the beach. The problems are not rentals, but are the bad actors.

Laura Townsen obtained police reports of complaints filed last year. There was a complaint of fireworks at 10:15. Within 10 to 15 minutes the police arrived and did not hear the fireworks. They received one call after midnight and there was no mechanism for reaching the owner. A rental registry would take care of that. Townsen said the Casco Nature Preserve is where a majority of the problems are. It is not the renters.

4. Approval of minutes 5/24/2017 (Workshop Meeting): A motion by Fleming, supported by Hughes to approve minutes of the 5/24/17 workshop meeting. All in favor. Minutes approved as written.
5. Report from Citizen Advisory committee (Allan Overhiser or Mary Campbell)  
Supervisor Overhiser said prior to Memorial Day a voluntary registration and Good Neighbor Policy was sent to all homes West of Blue Star. They have received 33 Voluntary Registrations back. They are tracking complaints and will have a meeting in August when they have data to look at.

Mary Campbell added that she, Julia Workema, Percilla Massie, Valerie Bass, Chris Barczyk and others have helped gather information. Together they have 130 pins on the map to identify rentals.

6. PC member comments on Zoning West of Blue Star 20 min at 7:10.  
Graff highlighted Specific Standards that protect the residential districts. She felt commissioners should be aware of them when considering STRs. She also said the first two objectives should be kept in mind

when going over the ordinance. 1. Preserve residential neighborhoods 2. Support the Master Plan Items Graff highlighted are as follows: Definitions:

- Dwelling, Single-Family (Detached). A detached building used or designed for use exclusively by one (1) family.
- Family:
  - a. An individual or group of two (2) or more persons related by blood, marriage, or adoption, together with servants of the principal occupants who are domiciled together as a single housekeeping unit in a dwelling unit.
  - b. A collective number of individuals domiciled together in one (1) dwelling unit whose relationship is of a continuing, non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit

Graff noted restrictions for

- Adult Day Care Up to 7 occupants
- Child Day Care Up to 10 at any time
- B&B up to 10
- B&B 750' from nearest B&B
- Campground 75' from neighboring property
- Country Club 100' from neighboring property
- Daycare 50' from neighboring property

These restrictions are to protect residential communities for people who live there. Key activities with rules that pertain to them help identify and solidify the residential district.

Graff stated that we need to figure how to keep a residential atmosphere.

7. PC members review matrix and make additions and changes:

Commissioners went over the matrix and made the following changes:

Under Short Term Rental – Length of stay was changed to 7 days, 6 nights  
Owner-Residency of ownership – Omit all rental types  
Number per lot or parcel – Omitted all rental types  
Signage – Omitted from all rental types  
Exterior Lighting – Encourage Night Sky compliant - apply to all rental types  
Trash/Recycling Removal – Give some thought to this  
Maximum Occupancy – Under STRs 3 people / bdrm not greater than 10  
Owners Agent – under STR, Owner/Agent within an hour In Unit Safety posting – Do we need this?  
Notification to neighbors – LSTR none, STRm – may be covered in GNP

Discussion ensued about number of days, whether 2 night stays create more problems than longer stays. Chairperson Liepe said leave it at 6 nights, 7 days and move on for now and maybe there will be more data on this in August. Fleming stated you could allow shorter stays and change later if a problem. Graff said it is easier to be more restrictive and loosen standards later.

Chairperson Liepe asked the question if SLU should be considered for STRs. It was the general consensus that this should be considered.

Discussion ensued on • number of occupants, from why limit to 2 per bedroom or just a maximum regardless of number of bedrooms.

- Protecting the single family resident and at what point does the neighborhood flip from residential to commercial.
- The Zoning Ordinance deals with land use. Behaviors and nuisances are outside the ordinance. The PC needs to deal with how land should be used within a district.
- SLU would require that standards are met for parking etc.
- Could standards could be handled with registration & enforcement? Standards would have to be defined so they can be verified.
- There would be a lot of meetings for SLU.
- SLU should seriously be considered. Brings renters to forefront. We are not seeing a lot of people registering, and there is concern they might not.
- Owners on the property is good. Problems occur where owners are absent
- Parking was discussed. Cars must be fully off road. Parking restrictions must be same for rentals and owner occupied.
- Lighting – Night sky lighting was interesting. Could be encouraged and at a later date could consider ordinance.
- Huge homes are continuing to go up. Obviously not intended as a permanent residence.
- Fees enough to enforce and cover costs
- LSTRs not required to register. What stops someone from saying they are LST and renting more so they do not have to register?

Chairperson Liepe said homework for next workshop will be to look at enforcement part of the zoning ordinance and how it would relate. Section 21.01.

Graff asked that transient, resident, dwelling and commercial are added to definitions, and look at the court case. Chairperson Liepe said if anyone else has words to add to definitions, let her know and she will pass on to Wells. Wells will attend the next meeting.

Chairperson Liepe said the Planning Commission will take the month of July off of meetings. She will email commissioners to see if the majority would like to cancel July meetings.

#### 8. Public Comment

(So that the Planning Commission can hear from all interested, each person will be limited to 2 minutes. Should time allow additional 2 minutes per person can be allowed after all have had chance to speak. Thank you for your cooperation)

Ellie Callander, President of Callander Commercial, is an active broker and leader in her field. A University of Michigan graduate, Callander was the first female broker in the State to hold both the SIOR and CCIM

designations, the two most highly coveted titles in the commercial estate industry. Since 1993 when she established the company, Callander has been ranked as the #1 commercial broker in Southwest Michigan. With offices in Grand Rapids, Kalamazoo and Portage, and over 75% market share in SW Michigan, Callander Commercial is recognized as the largest and most successful commercial industrial firm throughout the region. Ellie Callander served for nearly ten years as a National Senior CCIM Instructor, a coveted title held exclusively by her in the State of Michigan. She also served on the Governance Council for the National CCIM Institute, as a Director for the Commercial Board of Realtors in the State of Michigan, and as a Director of the Commercial Alliance of Realtors. Callander is Past President of the Michigan CCIM Chapter and former Chairman of the Kalamazoo Regional Chamber of Commerce.

Callendar has sold, leased, and helped people buy commercial rental properties. She has been to many zoning meetings. She sells every kind of real estate except owner occupied. When rented a home becomes a commercial asset according to the state. The ordinance, as it stands is separating commercial from residential to protect owners. She has managed rentals and knows that parking, noise debri, trash, safety inspections, etc are all part of STR problems. Once somebody buys a residential asset for money, it has to be in compliance. It is a fact that residential real estate is used for commercial. STRs cause degradation of property values. She is very familiar with STRs and does not wish to live by them. She bought her property with the knowledge that it is in a Single-Family Residential area. She hopes the Board will do it's best to maintain the property values.

Rod Dikema said he has no problem registering. He notifies neighbors. If there is a problem renters are removed and lose their rent. He never rents to more than 6 people. Six or seven day rentals in the summer are common. Winters he rents for weekends. He would like the ability to rent.

Doug Callendar said his position is to not make changes to ordinance. He stated that it is tough to say no to those who want to rent. You have an ordinance and the court case settled it. It is your responsibility to uphold the ordinance. When the ZO was written and put a district together they stated what is the principal use would be. Prior PC members did not allow rentals in residential areas. Don't forget the prior groups that came before, came to a different conclusion.

Carson Leftwich from Miami Park noted the maps with blue and silver pins. She pointed out the heavy concentration in Miami Park area. This is where the very big houses are. They are blocking the view, blazing lights. This is a problem. It is getting out of hand.

Kathy Watt said in last 2 weeks she made 3 phone calls to police and there were more insidents she did not call on. There are rumors about what police will respond to. She asked what kind of backup in terms of police protection. One of her phone calls was at 2:00 AM and she was told they would get to it if they could.

Graff read a letter from Lois Swartz (attachment #5).

Tony Townson has a home in Glenn Shores, LD Residential area. There are open lots in Miami Park. The PC is on the

right track. They are taking steps to make sure the ordinance is done correctly. They have made progress. Don't stop now.

Sally Newton realtor for Shores Vacation Rentals handles rentals in Casco. She does this for a living. People have visited Casco for 100 years. Why do we get to shut the door? Casco does not need to compare to SH. She feels Casco is spending time reinventing the wheel. There is nothing wrong with asking local agents for data. South Haven did not touch the minimum night stay to avoid law suits. Newton represent 10 to 12 properties in Casco. If STRs are not allowed someone will sue.

Ray McCormack said there is a line between Types of STRs. There are those who rent part time and those run by local realtor strictly for the purpose of commercial gain. What if there is a Canary Row on 102<sup>nd</sup>. There could be 12 different units with the owners back in Chicago. Are they going to be covered by police?

Chris Barczyk stated Sally Newton is not a resident in Casco. How about if a resident gets 2 minutes to speak and non-residents get one. There needs to be full police coverage. He reminded commissioners that Casco shot down an apartment complex for reason of public safety. STRs bring more people than the apartments would have. This PC & Board denied that project. How could you allow this public safety issue? Kurt does not have the hours to cover this Give us the protection we need and deserve.

9. Closing Comments from Commissioners and Adjournment :

Fleming commented on Mr. Barkley's statement, "if it is not permitted in the constitution, it is not permitted". Anything not restricted by the constitution is left to the State

Hughes suggested Residential Rental should be in definitions.

Graff said the last couple of meetings they touched on a serious discussion, "When does a residential district flip to commercial?" Every community north of here who has considered rentals have said 20%, 15%, 10% is too much. We cannot discuss in detail, the 2 objectives, Preserve Residential Neighborhoods and solving problems affecting full time residents, without considering density. We need to specifically discuss density at one meeting. It must be discussed to preserve the residential neighborhood and meet objectives.

A motion by Graff, supported by Fleming to adjourn. All in favor. Meeting adjourned at 8:50.

Minutes prepared by Janet Chambers, Recording Secretary

Next meetings

Wednesday, June 28<sup>th</sup> 6:00 PM Workshop

Wednesday August 2<sup>nd</sup>, 6:00 PM Site Plan Review  
7:00 PM Regular Meeting

Attachment #1 Sign-in Sheet

Attachment #2 Fleming's statement

Attachment #3 Massie and Overhiser correspondence

Attachment #4 Barczyk's data on increasing STRs

Attachment #5 Lois Schwartz letter Re: STRs

Date

2/14/17

## Rental Workshop

Planning Commission Meeting - Please sign in

Name	Address	
DAVID MONKS	7246 Longfellow	49090
SHARON CURTIS	468 Beach glass	49090
ROSE BAUCKHALL	464 LAKE SHORE	49090
John & Debbie Weaver	7271 Pacific Ave	49090
DOUG & ELLIE CALLANDER	630 WATERSEEDGE	49090
John & Susan Buckley	646 Water Edge	49090
Prinella Maysie	7219 Atlantic	49090
MIKE WERTEMIA	7256 LAKEVIEW	
Terese Orban	7184 Buena Vista	49090
Rita McCormack	210 74th St	49090
Bonnie Byer	7255 ATLANTIC	49090
Carol Hall	79 N. Shore Dr	49090
Kirk Corson Lettwin	7228 Atlantic	49090
Doug NICKERSON	7266 PACIFIC	49090
Kristin Barczyk	476 High Shore	
Chris Barczyk	476 High Shore	
Dave Campbell	7174 Flanders Ave	
Mary Campbell	7174 Flanders Ave	
Rob Seiler	567-71st St	
Tony Towerson	1188 Hickory	
Laura Towerson	1188 Hickory	
Jim Hart	619 Radcliff	49090
	653 Lakeshore Drive	
MR. Winkler	7240 Orchard Rd.	
Bill Watt	7262 Atlantic Ave	
Kathy Watt	7262 Atlantic Ave	

re: a government official invoking Divine power and the separation of Church and state.

Two questions: ① What is the root of our freedoms?  
② Can we expect the fruit without the root?

"Such being the impressions under which I have, in obedience to the public summons, repaired to the present station, it would be peculiarly improper to omit in this first official act my fervent supplications to that Almighty Being who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States a Government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration to execute with success the functions allotted to his charge. In tendering this homage to the Great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own, nor those of my fellow-citizens at large less than either. No people can be bound to acknowledge and adore the Invisible Hand which conducts the affairs of men more than those of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency; and in the important revolution just accomplished in the system of their united government the tranquil deliberations and voluntary consent of so many distinct communities from which the event has resulted can not be compared with the means by which most governments have been established without some return of pious gratitude, along with an humble anticipation of the future blessings which the past seem to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking that there are none under the influence of which the proceedings of a new and free government can more auspiciously commence..."

"...Having thus imparted to you my sentiments as they have been awakened by the occasion which brings us together, I shall take my present leave; but not without resorting once more to the benign Parent of the Human Race in humble supplication that, since He has been pleased to favor the American people with opportunities for deliberating in perfect tranquillity, and dispositions for deciding with unparalleled unanimity on a form of government for the security of their union and the advancement of their happiness, so His divine blessing may be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures on which the success of this Government must depend."

(George Washington - 1st inaugural address)<sup>1</sup> April 30, 1789

□ Congress worked on the wording for the 1st Amendment from June - Sept 1789

□ Congress repassed the Northwest Ordinance on Aug. 4, 1789  
George Washington signed it into law on Aug. 7, 1789

"Article III Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."



( Wording for the first amendment was agreed upon by  
a joint committee of the House and Senate on Sept. 25, 1789 )

"Friday, September 25, [1789]. Day of Thanksgiving. Resolved. That a joint committee of both Houses be directed to wait upon the President of the United States to request that he recommend to the people of the United States a day of public thanksgiving and prayer, to be observed by acknowledging, with grateful hearts, the many signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a constitution of government for their safety and happiness."

(Thanksgiving Resolution)<sup>2</sup>

"Whereas it is the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor; and Whereas both Houses of Congress have, by their joint committee, requested me " to recommend to the people of the United States a day of public thanksgiving and prayer, to be observed by acknowledging with grateful hearts the many and signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a form of government for their safety and happiness: "

Now, therefore, I do recommend and assign Thursday, the 26th day of November next, to be devoted by the people of these States to the service of that great and glorious Being who is the beneficent author of all the good that was, that is, or that will be; that we may then all unite in rendering unto Him our sincere and humble thanks for His kind care and protection of the people of this country previous to their becoming a nation; for the signal and manifold mercies and the favor, able interpositions of His providence in the course and conclusion of the late war; for the great degree of tranquillity, union, and plenty which we have since enjoyed; for the peaceable and rational manner in which we have been enabled to establish constitutions of government for our safety and happiness, and particularly the national one now lately instituted; for the civil and religious liberty with which we are blessed, and the means we have of acquiring and diffusing useful knowledge; and, in general, for all the great and various favors which He has been pleased to confer upon us.

And also that we may then unite in most humbly offering our prayers and supplications to the great Lord and Ruler of Nations, and beseech Him to pardon our national and other transgressions; to enable us all, whether in public or private stations, to perform our several and relative duties properly and punctually; to render our National Government a blessing to all the people by constantly being a Government of wise, just, and constitutional laws, discreetly and faithfully executed and obeyed; to protect and guide all sovereigns and nations (especially such as have shown kindness to us), and to bless them with good governments, peace, and concord; to promote the knowledge and practice of true religion and virtue, and the increase of science among them and us; and, generally, to grant unto all mankind such a degree of temporal prosperity as He alone knows to be best"

(George Washington – Thanksgiving Proclamation)<sup>1</sup>

"My fellow-citizens, no people on earth have more cause to be thankful than ours, and this is said reverently, in no spirit of boastfulness in our own strength, but with gratitude to the Giver of Good who has blessed us with the conditions which have enabled us to achieve so large a measure of well-being and of happiness."

(Theodore Roosevelt - inaugural address)<sup>1</sup>

"In this dedication of a Nation we humbly ask the blessing of God. May He protect each and every one of us. May He guide me in the days to come."

(Franklin D. Roosevelt - 1st inaugural address)<sup>1</sup>

"We do not retreat. We are not content to stand still. As Americans, we go forward, in the service of our country, by the will of God."

(Franklin D. Roosevelt - 3rd inaugural address)<sup>1</sup>

"The Almighty God has blessed our land in many ways. He has given our people stout hearts and strong arms with which to strike mighty blows for freedom and truth. He has given to our country a faith which has become the hope of all peoples in an anguished world.

So we pray to Him now for the vision to see our way clearly--to see the way that leads to a better life for ourselves and for..."

(Franklin D. Roosevelt 4th - inaugural address)<sup>1</sup>

"The American people stand firm in the faith which has inspired this Nation from the beginning. We believe that all men have a right to equal justice under law and equal opportunity to share in the common good. We believe that all men have the right to freedom of thought and expression. We believe that all men are created equal because they are created in the image of God.

From this faith we will not be moved."

"...We are aided by all who desire freedom of speech, freedom of religion, and freedom to live their own lives for useful ends.

Our allies are the millions who hunger and thirst after righteousness."

"...Steadfast in our faith in the Almighty, we will advance toward a world where man's freedom is secure.

To that end we will devote our strength, our resources, and our firmness of resolve. With God's help, the future of mankind will be assured in a world of justice, harmony, and peace."

(Harry S. Truman - inaugural address)<sup>1</sup>

"For I have sworn before you and Almighty God the same solemn oath our forebears prescribed nearly a century and three quarters ago."

{ "... And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe--the belief that the rights of man come not from the generosity of the state, but from the hand of God."

"...With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own."

-(John F. Kennedy - inaugural address)<sup>1</sup>

"My fellow countrymen, on this occasion, the oath I have taken before you and before God is not mine alone, but ours together. "

"...For myself, I ask only, in the words of an ancient leader: "Give me now wisdom and knowledge, that I may go out and come in before this people: for who can judge this thy people, that is so great?"

(Lyndon B. Johnson - inaugural address)<sup>1</sup>

Notes: 1 – [avalon.law.yale.edu](http://avalon.law.yale.edu)

2 - "America's God and Country" *Encyclopedia of Quotations*; pg 163

May 4, 2017



*Good Morning Al,*

*We were attending the Planning Commission last night and heard about Peter Kleins request of a restaurant in the AG District.*

*The board said you are making up a "Stand alone Ordinance" for Klein's.*

*Could you kindly do that for us with our property at Sunset Shores that I spoke to you about last month? We have owned our property since 1984, over 33 years, and used it every summer - have electricity installed on the property since 1985, and would like to put a small building on it for storage of mower, bikes etc.. so that our family can continue to use the property and continue to pay taxes on the property. How about a "stand alone ordinance" for the Massie's?*

*Best regards,  
Larry & Priscilla Massie*

On Thu, May 4, 2017 at 2:57 PM, <

> wrote:

Priscilla,

The ordinance that I think you are referencing is a Seasonal Use Ordinance that would provide temporary uses within the township through an administrative process. The discussion was for agri-tourism activities on large parcels of property. These activities would be complimentary to the farm and a part of the farming operation. The purpose is to allow economic enhancement to the farming operation.

The Master Plan goals for Agricultural Zones call for farms and open space. For that to continue Farms need to be profitable. Agri-tourism provides opportunities for farming operations to continue and this ordinance seems to be a way for the Township to allow farmers to take advantage of these opportunities on a temporary basis and provide oversight.

I don't see where your request accomplishes any of the Master Plan goals that are specified for residential zones.

If you would like to talk about it further I can always be reached on my cell

# Upward Trend of Cumulative Listed Properties on Airbnb: South Haven, MI

## Airbnb Property Information

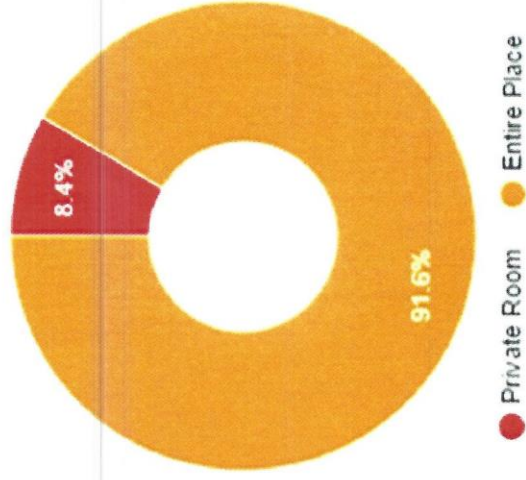
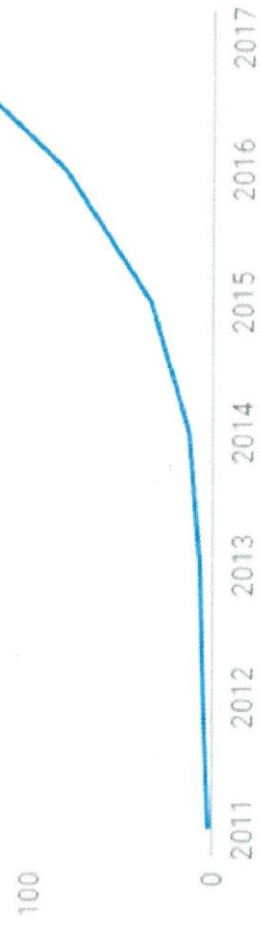
95  
active Airbnb rentals ⓘ

25  
10 or more reviews

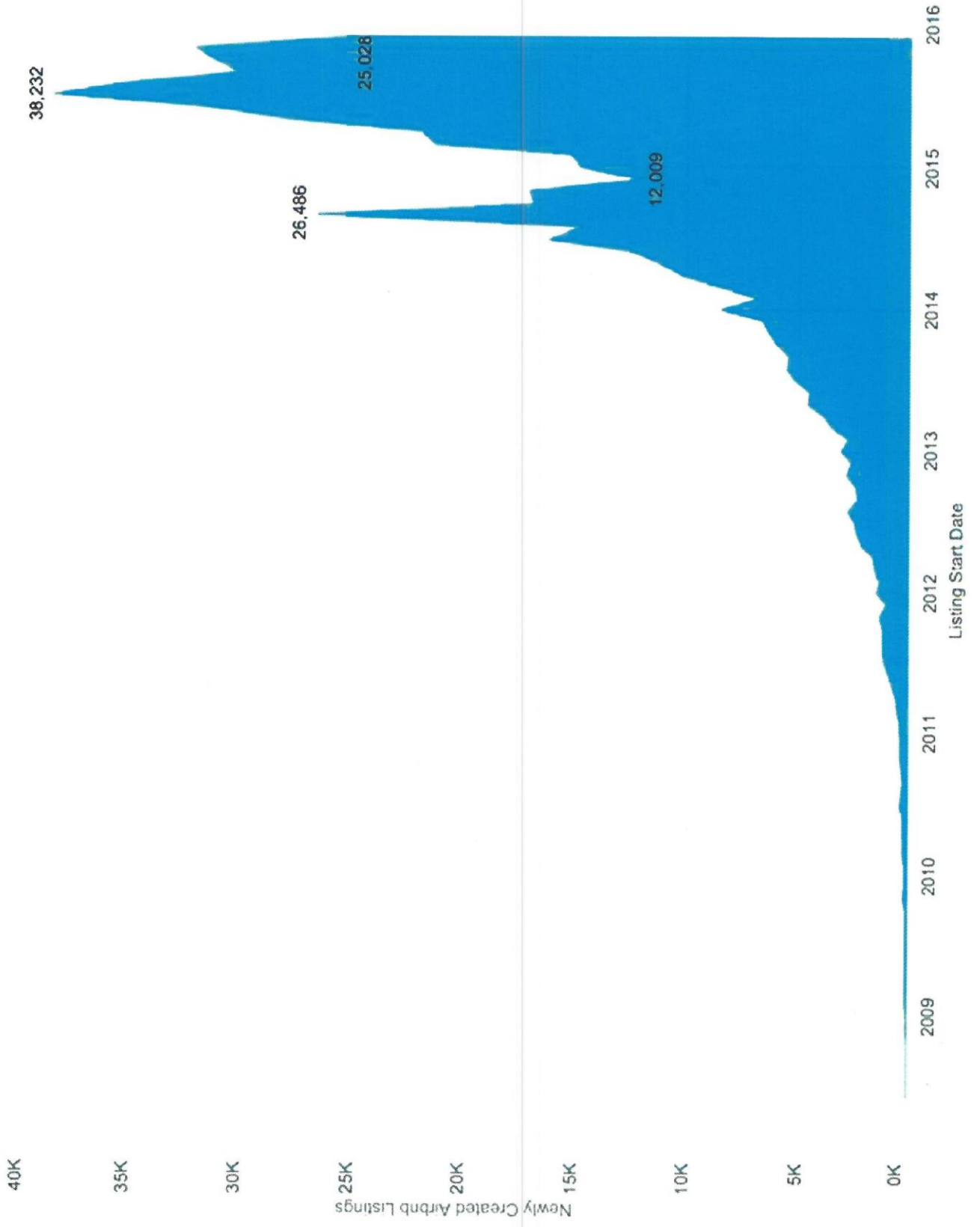
48  
rated 5 stars

## Cumulative Listed Properties

Of currently active listings



# Upward Trend of Newly Created Listings on Airbnb



For Public Comment to Casco Township Planning Commission and to Casco Township Board of Trustees

Lois Schwartz

7275 B. Street

South Haven, MI 49090

June 14, 2017

Meeting after meeting, both the Township Board and the Planning Commission have wrestled with the subject of short term vacation rentals. I sit in consternation that these official bodies have deluded themselves with the wishful thinking that last year's court decision in a case successfully brought by Sunset Shores residents against a commercial renter does not apply to our entire township. This legal decision is in line with court decisions across the state, yet our township officials, after all this time, remain either oblivious to or have decided to be defiant of the legal ramifications. In either case, our township officials are put the township in a legally vulnerable position.

I have heard officials say that rental has historical precedent in Casco. That is correct. However, there are different types of rental. I well know that over the years, people rented cottages here during the summer, but that rental was not short term. People rented for several weeks at a time, often for an entire summer. Those people became part of their communities, often returning each year, and sometimes purchasing their own summer homes. That type of rental, for one month or more, is legally defined as residential rental. Short term vacation rental for weekends and single weeks is a newer phenomenon here, and this is why Casco officials can say that there didn't used to be complaints. I have heard Casco officials say that we have to distinguish between the "responsible renters and the irresponsible ones," that we just have to regulate the "bad behaviors." Short term rental problems are not a matter of responsible or irresponsible landlords or good or bad behaviors. The numerous problems are a manifestation of the frequent turnover inherent in short term rental. This is a reality caused by purely commercial rental interests imposing their model on a residential community and the refusal of our township government to protect its own residents and enforce its own abiding credo enshrined its Master Plan which clearly frowns upon transient activity.

Now we've had a citizens' group of residents and some landlords working together to hammer out some behavioral guidelines, a good-neighbor policy. We're like hamsters on an ever-turning wheel! Earnest and sincere though these efforts may be, they are ludicrous, for these guidelines are voluntary and there is no structure of meaningful enforcement. How silly we are to continue these efforts in the face of an eight month moratorium on enforcing what the township has apparently refused to enforce in the first place – its own Master Plan. Residents are told to call 911 when there are problems. 911 is for emergencies, for life and death problems. The efficacy of 911 and resources of emergency responders should not be used for the problems caused by rentals. These are not life and death issues, but they are strenuous challenges to the enjoyment of everyday life. The regulations being proposed are not easily enforced. The township does not have the infrastructure, personnel, or funds to adequately handle these problems.

Shall I have confidence that my township officials on the Planning Commission and the Casco Township Board will do right by its residents? Full time residents invest in and maintain their properties for their enjoyment and are perfectly aware that we live in an ideal summer environment. Summer residents have a tremendous investment in this residential lifestyle, considering that they are subject to taxation without representation. Yet the township has, so far, refused to protect full time or summer residents. Somehow the commercial renters have more clout. They have been allowed to impose their businesses on our communities despite the fact that they are the cause of numerous problems. When the township issues a building permit for a single family residence, isn't it the township's responsibility to see to it that the permit is being used lawfully?

If the township wants to encourage tourism, there is certainly no objection to additional B&Bs, perhaps a hotel, or even a resort. These would be assets to the tourism desired. These all would have special use permits, be supervised, would have to adhere to the regulations particular to their type, but they wouldn't infringe on the residential character of the township. Residents have a right to expect that the township will support their residential lifestyle. Residents have a right to expect that the township will adhere to its Master Plan. Residents have a right to expect that township officials will not change ordinances to suit a minority of special interests to which the great majority would be subject. Residents have a right to expect that township officials will do right by them.

Casco should not think it is above the law. Casco should not be leaving itself vulnerable to costly and unnecessary legal action which is sure to come if it proceeds to condone short term vacation rental. Casco should, instead, enforce its own Master Plan as it stands, and Casco should protect its residential character, and the rights of its citizens.

Thank you for your attention.

  
Lois Schwartz