

CASCO TOWNSHIP BOARD OF TRUSTEES
MINUTES SPECIAL MEETING
DECEMBER 11, 2017 @ 6:00 P.M.

Approved: January 15, 2018

Call to Order: Allan called meeting to order at 6:05 p.m. and led in the Pledge of Allegiance.

PRESENT: Overhiser, Graff, Winfrey, Brenner, Macyauski and 18 other interested people.

ABSENT: None

Allan thanked everyone for coming to the meeting and he mentioned that there has been a lot of behavioral type activity that merits some attention, not that necessarily there have been a lot of problems but as we go forward, there is a potential for that, and the Township has been looking at that on how to regulate that and this is what we have been working on. This Rental Ordinance has been on the website, the draft that we will be looking at tonight is dated 11/22/17 it is the result of a couple changes from the last meeting we had on this issue.

Allan opened the meeting up with public comment.

PUBLIC COMMENT:

Christine Barczyk asked where on the website is the ordinance? They couldn't find it. Cheri said it was posted last week.

Valerie Baas asked if this is a public hearing she didn't see a notice in the paper or on the website. Allan explained that this is not a public hearing it is a meeting of the board to discuss our rental ordinance and to hear what the public has to say about it. It is a public meeting but not a public hearing.

When the Planning Commission comes up with a final draft then that would require a public hearing.

Janet Chambers mentioned that at several times during a meeting that you didn't want unintended hotels I also noticed that the third paragraph of the ordinance says that you are only going to regulate STRs of only single-family dwellings. Between 101st and 102nd there is a multi-family development Zoning and it just got water and sewer. Allan stated that even though there are multi-family zones, this only regulates the single-family dwellings. So, if someone builds a road house then they can rent them without regulation? Allan said no they cannot, the Planning Commission will probably address that. We are not going to allow this in multi-family housing, the ones spelled out here such as bed and breakfast establishments, motels, resorts, campgrounds, transitional houses operated by a charitable organization, group homes such as nursing homes and adult foster care homes, substance-abuse rehabilitation clinics, mental-health facilities, and other similar healthcare facilities.

Chris Barczyk asked for a copy of the Ordinance, regarding what Janet was asking about the MDRs, can you have single-family dwellings in MDR zones? Allan said yes.

Bill Chambers asked what is the definition of a MDR? Paul explained that in medium density districts you are allowed single-family dwellings, double family dwellings, and multi-family dwellings.

John Weaver stated that there is so much emphasis on STR that if someone rents for 30 days the rules should be the same, they should be the same for non-renters too.

Judy Graff said we should specify lease or rental to one party.

Allan responded, do we really want to regulate the person that goes to Florida for the winter that has someone staying at the house for five months, do we really want to regulate that?

Judy asked if that is a rental? Allan said they would pay a fee to stay there but it wouldn't be called renting.

Dave Campbell

Barczyk

John Weaver

Janet Chambers mentioned that the fees should be enough to cover the expenses for the township.

Greg Haas appreciates the tighter rules.

Dan Fleming stated that grandfathering is difficult.

Allan mentioned there will be another chance for public comments, we need to go thru the Ordinance and discuss the latest changes.

Changes made to original Ordinance

- Sec. 01-05. Short Term Rentals deletion of (b) (3) (A) & (B)
- Liability amount moved to \$1,000,000 from \$500,000.00.
- Sec. 01-04 Registration required- (1) (F) changed to number of days at a time.
- Sec. 01-05 (b) (2) people on site, including occupants and ~~visitors, on-site~~ daytime guests (allowed to be present at most from sunrise to sunset),
- ~~Street number marker installed~~
- Sec. 01-07 Review after Implementation: (a) added **to determine whether the fees received by the Township for the registration of Short-Term Rentals approximately equal the costs of enforcement incurred by the Township pursuant to this Ordinance: and to determine** what, if any, amendments should be made **to this Ordinance.**

Judy mentioned that there will be costs to enforce and regulate the rental activity.

Paul said there will be additional costs with Kathy, Cheri, & Alfred's time and Host Compliance. This budget is underdeveloped at this time.

Cheri said it is just common sense that we need to meet our expenses.

Judy mentioned that fees haven't been discussed yet or have there been meetings outside of this where they have been discussed.

Paul said that the fees would cover the expenses of the additional work done by Kathy, Cheri, Alfred, and anyone else or anything else that would incur expenses. Allan said that Kathy has a work plan that she is working on, it all depends on how we end up the next several weeks. Hopefully we can get this settled.

Allan mentioned that it would possibly be a good idea to develop a handbook that explains whom does what, etc. and Kathy has a good idea of what we want.

Allan said that he would like to go back and discuss Short-Term Rental definition, there were some differences between the PC and the board with the Regulatory Ordinance and he would like to have a discussion about this at this point. Allan explained that we put this language in here to allow a three-night rental and the PC had a six-day minimum, this is a little different twist on that because we talked to people that had some good experiences with the three-day or more rental.

The three-nights were definitely doable, so we put this in the Ordinance to allow. Paul mentioned that with the three-days there was only one turn over per week.

Allan said there was one other difference that we had with the PC was the 12 – occupancy the PC was at 10-maximum occupancy. Allan wanted to know why the PC thought that 10-occupancy was better.

Judy said that they defined 10 like we defined 12. Judy said that anytime we are going to get several groups looking at 5 different answers you are going to get 5 different logics coming up with their numbers. She said that the PC hasn't talked about it for several months'.

Allan explained that the number 12 fits more of the family situation, for instance with his own family, if each one of his kids took a friend they would be at the 12 maximums. If we would have both grandparents they would then be over 12.

The PC There were so many examples that fit the 12-max that 10 just wasn't enough, this is also a short season.

PUBLIC COMMENT:

Chris Barczyk said that the reason for discussion about the purpose of the turnover for the week, for someone who lives it, the issue is that the turnover continues with different groups of people. when the renters leave after 3 days, they let their friends and family' use it, so the turnover continues.

Debbie Weaver responded to Chris Barczyk that the renter should be regulated but the homeowner can come and go as they please, that doesn't seem fair. Your saying that a renter should have different rules then a home owner can. The rules should be the same for both.

Dan Fleming said that he would like to look back since the last year, we have had a lot of public input, and the groups that have met trying to solve these problems, but it is like going to a car salesman And they show you different cars, whichever, they win if you buy one of his cars. Dan gave his opinion of a regulatory ordinance he feels that we will be causing more problems rather than fixing problems. He said he would like to suggest, unless there are some really super bad problems that require all of this, why don't we have some extra police in some of these few places that have problems. People that are doing a good job in rental maybe they could have their own self-enforcing. He said he would like an answer to the question what were the problems that we are trying to solve and is this the best use of funds to solve the problems?

Allan said that he agrees with just about everything Dan said, the problem we have is that there is a Judge Kronin and he basically put us in this position, maybe prematurely, so we do have to come up with some zoning amendments that will fix the Judge Kronin affect in Casco Township. We are trying to find a balance, whether we are doing a good, we don't know. We are taking enough time to do it.

Laura Toweson asked that the last Planning Commission meeting that she attended there was a lot of discussion about the length of stay and the number of occupancies is that this isn't land use, her home holds 8 people so this wouldn't affect her, but it would affect property rights. Why was this even discussed at the PC because this is land use.

Dave Campbell said is that his main concern tonight is that, could the board give the Planning Commission exact orders as to what they need to get done between now and the middle of January?

Mary Campbell said that she has gotten really confused at this meeting tonight, she thought that the definitions that the Planning Commission had was their recommendation. Now as she listens tonight that recommendation goes back to the PC now the board must look at the recommendation is going back to the PC to look at it again then back to the Board.

Phil Case said that the township is allowing these big homes being built in their area and they don't fit the demographics, one is being built with 6 bedrooms, for the purpose of making money, to rent for two years, then the owner will make this their year-round home. The size of the home doesn't fit the area. Val Baas said in 2002 when they came here there were 27 houses in Miami Park and one was a rental, this year there is 64 houses and 33 are rentals.

John Weaver asked about Host Compliance and how the complaint process will work.

Christopher Fleming gave his opinion on some of the details of the Rental Regulatory Ordinance specifically three days vs. 6 days, he also suggested that the Ordinance be reviewed annually. He is also concerned about the ordinance being tide to all zones instead of to the areas that have had some problems.

Dave Campbell mentioned that things have changed and are changing, our areas aren't going to be like the way they were 40 years ago. We need to accept the fact that things are different now and move on and deal with the changes.

Lu made motion to adjourn. Paul supported

Meeting adjourned at 8:20pm.

Minutes Respectively Submitted by,
Cheryl Brenner
Township Clerk

09l.....rfffdrtf5ew places that complain of problems, maybe the renters can get together and solve the problems, the ones that are doing a good job renting, they could be self-enforcing. Dan asked what are the problems that we are trying to solve and is this the best use of funds and time to solve the problems? This should be cost neutral but it is not so far, this is taking money away from the people. Allan stated that he agrees with everything that you say but the problem that we have is a Judge name Judge Kevin Kronin and Judge Kronin basically made his decision, maybe prematurely, so we do have to come up with some zoning amendments that will fix the Judge Kronin effect in Casco Township. He also said that we are trying to strike a balance to be fair to everyone.

Dan Fleming asked why is it the township's business how many renters there are? What is the worst that can happen, we just keep going over and over the same issues all the time, all we keep doing is dragging the economy down.

Allan said we are here because of the economic things that happened years ago because of the economic activity that took place here many year ago with our ancestors.is great great grandfather for instance. We are here now because sometime in the 70's it was decided by the people of the township to implement zoning in Casco Township and it wasn't so pretty back then either.

Laura Toweson stated that there was a lot of discussion at the last Planning Commission meeting on taking out the length of stay and land use