



**SYLVAN TOWNSHIP**

**PUBLIC HEARING MEETING MINUTES FOR ORDINANCE #2019-02  
SHORT TERM RENTAL PROPERTY**

***August 8, 2019 6:00 PM***

*(Recorded for Transcription Purposes Only)*

**Call to Order/Pledge of Allegiance/Roll Call** – Chair Booth called the meeting to order at 7:05 PM with the Pledge of Allegiance being said at Planning Commission meeting. Roll Call: Those present: Supervisors, Yvette Adelman-Dullinger, Arlene Schmit, Greg Booth, Greg Bennett, Deputy Clerk/Treasurer Colleen Putnam. Supervisor Wulff has an excused absence. Sign In Sheet Attached.

**Purpose of the Meeting** – to take comments on draft Ordinance #2019-02 dealing with Short Term Rental Property within Sylvan Township.

**Public Notice:** read by Chair Booth.

**Affidavit of Publication:** received and published in the Brainerd Dispatch on July 29, 2019.

**Affidavit of Posting:** received with the public notice being posted in the Township's posting places- Casey's General Store, Corner Store, Pillager Junction, Pillager Post Office, display case outside of the Town Hall and bulletin board inside the Town Hall.

**Call for Written comments:** Three written comments were received and read by Chair Booth. These comments will be entered into record.

**Public Hearing Opened to Public Testimony and Questions** – Sign in Sheet Attached.

The following residents were in attendance at the Public Hearing to voice their concerns and make comments:

Deb and Denny Doucette; Dave Johnson; Vickie Kettlewell; Nancy Haugdahl; Beth Peters; Sally Volner; Laurel and Tom Reese; Peggy Nylin; Vanessa Voges; Jacob Voges; Ed Northway.

Concerns/Questions that were expressed at the Public Hearing:

- The short-term rental next to them advertise that party and events are allowed. People are coming and going.
- There is not a phone number they can call when there are issues.
- There should be a phone number the residents can call after Township hours.
- The sixteen weeks in the summer and sixteen weeks in the winter to rent out the home is excessive when it is a residential neighborhood.
- There is a concern as to how many short-term rentals should be on a lake and the size of the lake.
- The Township should keep the names of the owner and the local contact on file.

- The impervious surface rules from Cass County should be adopted.
- A storm water management plan approved by the Planning Commission.
- Need to add a process with a timetable for issuing a permit.
- Requirement for Fire Department walk through should be initial permit only.
- Restrict wake boats.
- Name, address and phone number of persons renting the property should not be included in the Township report due to privacy issues.
- Concerns regarding the definition, should have a permit any time they rent it out, why 14 days?
- Has concerns regarding where boats will be launched.
- Doesn't want the rentals to become a business and take over the lake.
- Would like to be able to go on the website to find the owner's name and phone number to notify if any issues and also be able to notify the Town Hall if issues arise after hours. The guest's information using the rental property should be available if needed.
- How will you verify who is staying at the rental? Will it be number of vehicles and plate numbers?
- Parking is vague and parking needs to be established off the road.
- Under enforcement the word should be "shall" revoke not "may".
- Doesn't see anything in the draft Ordinance for subletting.
- Pets should have shots.
- Why 8 times during summer season and why 8 additional times for off season?
- Would like to see the number of times the property can be rented to 4 or 6 times maximum within the seasonal timeframe.
- They own one of the short-term rentals – has concerns regarding an annual water test. Could it just be done when initial permit is completed? All these requirements can cause a hardship for a new short-term rental. They are renting it out to help pay to improve their cabin. The 60-minute response time is too short for them to respond as they live in the cities. They are in agreement for permits to be revoked if there are too many violations. Parking sounds reasonable and keeping cars off the road. The Ordinance states the septic needs to be staked out. Their septic is in the middle of their yard; they have bushes planted to prevent driving on it. Could the wording be changed to say other means of showing where the septic is located. They would approve having their names on record with the Township but not having the guests name. Does not feel 8 times renting is too excessive as long as they are in compliance and no complaints.
- He is a property management person for VRBO's. He feels 8 times is a good balance. Need to allow access to the lakes. The short-term rentals are good for the area economy brings in more money. Winter number of rentals he would like to have unlimited or double to 16. Permit is reasonable but why annual just tie to septic inspections every three years. Site plan and floor plan should only be once. Contact information needs to be updated when needed. Water test should only be once. Parking once established should be a set thing. Shoreland setback he doesn't feel more is necessary. Guest information just make available upon request, have the owners keep it.
- Winter rentals cause more noise with snowmobiles. The parking area needs to be defined and have designated parking. Most guests using the rental property may not be aware of septic systems.

Greg Bennett's response to questions and comments:

- Regarding guest information being available on the website or at the Town Hall - would only be by legal action. It will only be the rental owner name available.
- Boat launching – is in the Ordinance – must be launched from a DNR boat launch.
- Is the Board going to check every time a guest rents out the property – no, only if issues arise they will check it out with the rental owner.
- Enforcement – need to change wording to read 10 business days.
- Definition – why 14 days? Greg stated he figured average vacation is time given is 2 weeks. They will work on the definition.
- How will you verify who is at the rental by license number and number of vehicles – no the Board will not be checking every time a guest rents the property.
- Parking – will add verbiage regarding off the road.
- Occupancy – regarding bedrooms could add the word “legal” before the word bedroom.
- Will look into adding subletting.
- Annual water testing – is for the owner as well as residents. If something should happen when rented out showing an annual water test has been completed will protect the owner.
- Will reword the short-term rental response time regarding 60 minutes. May add phone call verbiage.

Further comments from the Planning Commission and Town Board:

**Vickie Kettlewell, Planning Commission:** it would be worth the Board to consider some language regarding any advertising of events and parties at the short-term rental property.

**Dave Johnson, Planning Commission Chair:** Need to define what a short-term rental event is. The Town Board will be working on a checklist and permit application. Dave stated the Township shouldn't need the guests names as long as it will be available from the short term rental owner. Designated parking will be shown on the site plan. Regarding the number of times the property can be rented out it needs to be a viable business for the owner and the Township. If it is considered a business the Township can handle it otherwise Cass County handles it and they do not have any regulations for short term rentals.

**Arlene Schmit, Town Board:** Need to make some changes to the draft ordinance.

**Yvette Adelman-Dullinger:** stated an annual permit is more affordable and temporary, otherwise it would need to be a CUP under Sylvan's Commercial Ordinance and more costly.

**Greg Bennett, Town Board:** These are good suggestions and concerns. The committee will need to get together again and go through the draft Ordinance and bring it back to the Town Board. Greg stated he wants this Ordinance to work for everyone. There is not a lot the Town Board can do regarding watercraft on the lakes. The committee will be working on a permit application, checklist and work on a process as to where the information will be kept.

**Greg Booth, Town Board Chair:** This Ordinance won't make everyone happy, but the Board is trying to be fair. There needs to be revisions made and take the residents comments into consideration.

At this time, Chair Booth closed the Public Input portion of the Hearing. Chair Booth read the three options that are available for the Board to take at this time.

Supervisor Bennett **moved to close the public hearing, adjourn the meeting, bring the revisions to committee and bring the changes back to the Town Board,** seconded by Supervisor Adelman-Dullinger and the motion carried.

**Adjournment:** Meeting was adjourned at 8:37 PM.

**Minutes submitted by,**

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**Colleen Putnam, Deputy Clerk**

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**Chair Greg Booth**

Supervisor Schmit moved to approve the minutes as provided or as amended, seconded by Supervisor Bennett and the motion carried.

Amendments: Page 2 1<sup>st</sup> bullet change service to surface rules.

Date: August 15, 2019