



PUBLIC FORUM ON SHORT-TERM RENTALS
Acme Township Board of Trustees & Planning Commission
THE WILLIAMSBURG BANQUET & CONFERENCE CENTER
4230 M-72 East, Williamsburg MI 49690
January 19th, 2017 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE: @ 7:02pm

ROLL CALL:

Township Board

Aukerman Dye Jenema Nelson Scott White Zollinger

Planning Commission

Balentine Feringa Forgette Rosa Timmins Wentzloff White

Note: Scott excused; White arrived at 7:14pm.

Other Staff Present:

Shawn Winter, Planning and Zoning Administrator; Jeff Jocks, Legal Counsel

A. OPENING REMARKS

1. *Jay Zollinger, Township Supervisor and Karly Wentzloff, Planning Commission Chair*

Township Supervisor Jay Zollinger introduced himself and opened the meeting by thanking Dan Kelly for the use of his facility at The Williamsburg. Tonights meeting was to gather input from the citizens of Acme Township on short term rentals, listen and to share information. Several citizens have come to Board and Planning Commission meetings speaking out on this topic. Felt that it would be best to have a joint public meeting for many people to hear comments on this single item and to share information. This is a joint meeting of the Township Board and the Planning Commission. Planning Commission Chairperson, Karly Wentzloff provided instructions for the format of the meeting and introduced Planning and Zoning Administrator, Shawn Winter. As a citizen driven township, this meeting is to gather public input. Further discussion will take place at future Planning Commission meetings after a review of all public comment, review of surveys handed out this evening, and review of any additional information that may be provided as part of this process.

B. OVERVIEW

1. *Shawn Winter, Planning and Zoning Administrator*

Winter read an overview of the topic as provided in the agenda packet (see agenda packet). In summary, short term rentals have been occurring for decades without many issues. Recently, however, that has changed based on the number of complaints this summer. Additionally, the opinion of legal counsel after reviewing the existing zoning ordinance language was that short-term rentals are not an allowed use in the R-1, R-2 and R-3 Districts for the Township. Two models of short-term rentals exist: whole houses being rented out, and room sharing (i.e. Airbnb). The options we have moving forward are as follows:

- A complete prohibition on any and all short-term rentals
- Allow short-term rentals to occur as is, in an unregulated manner
- Allow short-term rentals to occur in a regulated manner

The Township has not determined which option best suits the citizens of the Township and the decision will not occur at this meeting. Tonights public forum provides the first step of this process. After tonight, comments will be compiled, survey results analyzed and referenced based upon the goals and objectives of the Township Master Plan which has prescribed our intended future. With all of this information, the township will be better equipped to make a decision.

- C. PUBLIC COMMENT:** @ 7:11pm. All letters of correspondence related to this public meeting will be attached to the minutes. Below are summarized comments from the public during the meeting.
- 1) Cynthia Duemling, 9307 Shaw Road. Lives downstate but come up on regular basis. We also live next to place that rents on regular basis. Hasn't been horrible, but there have been incidents. Preference would be to not allow rentals. If allowed, township needs to come up with regulations that make sense; enforceable rules. Our biggest concern is number of people allowed to stay in single residence. And then additional people "visiting" during the day. Impacts on our enjoyment of the area.
 - 2) Bruce Brownie, 5253 US 31 North. Strongly opposed to regulations. In favor of homeowners deciding whether or not they want to rent their house/room. Sounds like we have some homes with issues. Things to deal with this is policies should be made to address these small issues and not restricting the 99% of the rest. Short term rentals help owners with source of income and helps local economy. Understands the problem,, but there are better ways to address than regulation. Owners should run their property responsibly.
 - 3) Pat Valley, 9433 Shaw Road. There is a home between us and Duemling's that rents. Trash is one of our biggest concerns, Renters tend to throw trash in everyone else's receptacles since they are not provided a sufficient receptacle. At the end of weekend there is a pile at end of our drive that needs to be picked up. Our portion of Shaw Road is private and we pay to maintain ourself and get little support from the people renting out their home. People end up in our orchard to park and we end up fixing our property. Road is windey so traffic, parking, safety and speed is a concern.
 - 4) Curt Peterson, 1356 Buchan Drive, TC. Not a resident of township but knowledgeable on topic. Counsel's determination that short term rentals is not allowed use needs to reviewed. In August 2016 PC meeting addendum, he indicates the definition of dwelling by Counsel is not the complete definition from the zoning ordinance, as referenced. The key is that a house is "designed" for a single-family, not that it must be occupied by a single-family. Otherwise we couldn't have friends stay with us. Went on to cite a Wikipedia definition of single-family. Feels the tourist home model is legal under the ordinance.
 - 5) Joel Safronoff, 7206 Peaceful Valley Road. Has had a neighbor rent all year. Rentals duration anywhere from 2 to 10 days. Issues with trash, noise, and camp fires burning all day. Every week with each new renter you have to call authorities to deal with an issue. Have been here over 40 years and had to pick up trash on beach for first time. Security is another concern. One neighbor was robbed on two occasions, Never an issue previously. We had on average of 6 cars per week; car loads. Safety a concern; started locking up a shed we never had to do before. Wondered if rental managers should know of the regulations and ordinances too. Traffic speed is another concern.
 - 6) Virginia Tegel, 4810 Bartlett Road. Listed 7 individuals supporting the model of Airbnb. Excerpts read from her letter that is attached to minutes. Indicated she rents a room and has never had an issue. Always present when room is rented. Feels Airbnb has an excellent policy and has no impact on neighbors, comparable to a roommate. Effect on neighbors no more of an impact than in-home business. Guests support local economy. No environmental impact. It is a niche market. Cited resources on the topic, including MSU Extension, AirBNB's website.
 - 7) Pat Partridge, 3907 Bay Valley Drive. Supports short term rentals. Ability to have short-term rentals is way to offset costs. Allows additional income to maintain property and meet increased taxes. Believes rules should be established and enforced. Pets of renter are an issue if not watched closely.
 - 8) Pat Buck, 7369 Deepwater Pointe. This is about 3rd meeting attended related to short term rental issue. Trying to keep open mind but when families looking into moving in R-1 zoning district that it is free from commercial activity and supports them via the R1 zoning. Modifying or changing the ordinance to accommodate short term rentals would be a breach of the township's obligation to its citizens. The airbnb and vacation rentals has increased popularity escalated rentals at costs to our neighborhoods. Hopes township does not sway from its current course of not allowing short term rentals.
 - 9) Kara Peck, 7677 Bates Road, 4180 M72 E. Thanked everyone for input and emphasizes with those who have had bad experiences. Our family has personally rented vacation homes and feel people coming into the area also appreciate them. People are staying in town, eating, shopping, cooking for themselves and learning how to live in our community. A different feel than going to hotel. This could turn into future homeowners. Need to look at policies concerning loud and inappropriate behavior for homeowners. How are issues such as noise and trash that require law enforcement handled? Usually by law enforcement.

Renters who do not abide should be called out. Things to ask are these rented by management company or homeowner? Are owners available 24/7? What are the size of properties, homes? Is there verbiage that could be done in the ordinance to address and make doable? Email correspondence attached and included with minutes.

- 10) Jill Kester, Saylor Road. Supports allowing short-term rentals and emphasizing for those who have had bad experiences. Feels those that don't manage properties should be held accountable. Personally, as a family, has used them a lot; Landlords need to be accountable. Law enforcement should handle these cases. Supports some sort of regulation to those who rent out properties.
- 11) Rod Kuncaitis 1604(?) Elk Lake Rd, on behalf of Karin Flint of Flint Fields Horse Shows by the Bay. Read letter submitted by Karin Flint. Horse show has brought thousands of people and millions of dollars to the area. Many families come or numerous weeks and looks to home/cottage rentals for accommodations as a better option than hotels, that may be booked. Has researched many tourist communities throughout the country. Certain there is a positive resolution that can be beneficial to everyone.
- 12) Theresa Galante, 6809 Deepwater Point. Uses home as a short term rental. We check all guests in and restrict the number of people, we restrict number of vehicles parked. Thinks there are ways to regulate by law enforcement.
- 13) Margy Goss, 4105 Bay Valley Drive. Supports short term rentals. Believes regulation is important but not over regulation; believe 1% is cause. Over regulation is not good. My preference is what I heard from Long Lake township; they don't want you to rent rvs or campers; but neighborhoods are ok. It is a good source of income. In favor with wise regulations; using more data from the number side; not on the personal side. If large problem then we need to deal with it.
- 14) Lisa Weeks, 5734 Apple Valley. Had no idea this was going on until talked with neighbors while on a walk who indicated they were renting and she didn't even know. Common sense should be able to deal with this. Worked well in my neighborhood.
- 15) Bea Edmond, 4644 Paper Birch. All in favor of short term rentals. Opposed to regulation. Also rents places in TC. As owner you are going to take of your home; doesn't understand.
- 16) Ciprian Streza for Jon Reibel, 7186 Peaceful Valley Road. Read letter into record (attached to these minutes). Echoed sentiments of neighbors that we live in wonderful community. Hard to regulate every aspect. Expressed apologies for distress rentals have caused neighbors.
- 17) Eric Nuffer, 5754 Ridge Road. In favor of short term rentals without regulation, Thinks more enforcement and accountability would be needed but we don't need more rules. Hopeful that enforcement was called by residents who had neighbor issues. Doesn't want Acme turn into Traverse City. Airbnb is a wonderful thing and works well. It has lots of checks and balances.
- 18) John Zalouak, 10351 Kay Ray Road. Thanked member of Board and PC for time looking into this. He has researched this topic on the internet looking at other communities, states, etc.. Lot of good things to think about out there. Encourages everyone to do the same. Definitions are critical to the ordinance. What is a single family? What is a single family home? What is a family? A big believer in property rights, but with right also incurs responsibility. Rent as if you are living there. Problems not just with short term rentals but also long term rentals can also be issues. In a personal case and had the number of owner and called to get resolution to a number of problems. We need to have responsibility side of whatever comes out of this built in..
- 19) Bonnie Smith, 7280 Deepwater Pointe. Here addressing short term rentals only; Not in favor of them. I It was mentioned previously that short term rentals provide a quality of life for those renting when they live and enjoy our community. However, that quality of life for the rest of us has been affected due to goings on at short term rentals. Settled here and built home because of township zoning to protect property rights and it would be worth something because of the zoning and for it to be a safe area to raise a family. A safe place, A quieter place, A place where you knew the people around you. Wondered why zoning has not been enforced. Wonders also about why we are having this meeting at this time of the year as many of our neighbors are not here and on vacation. Concerned about not knowing who is renting next door. Concerned about grandchildren playing in yard without constant supervision. Summers in the last 3 years have been extremely disruptive. Issues with noise and parties during the night, More traffic and fireworks during times when they are not allowed. Enough of this occurs, that when you are working, and have to get up early, it is really a grind when you are dealing with late night activities of neighbors. Not a commercial area.

- 20) Dale Stevens, 6679 Bates Road. Area in and around the Flint horse park, events and things that have been going on there are unique. The development is busy and there is commotion. But there is a lot of fun. Neighborhood is coming together. Acme is uniquely positioned here with short term rentals because of the amount of private ownership. Thinks Township should continue to approve these uses and actually embrace short term rentals because it is a good thing for our area in the summer months. Understands those that are against them, but with growth, change happens.
- 21) Chuck Walter, no address. Lives across from Flint horse park and they have brought in lot of nice folks from all over this country. A large event that goes on for 6-8 weeks and very few incidents that we are aware of. Has rented space for RVs all but one year of the horse show without incident. We have our own rules and regulations for those who come on our property. Thinks rules and regulations on rentals takes away from rights of property owners. Can't expect township to be mom and dad to those who cannot handle their property. Township cannot enforce some of the current regulations that are out there now. Doesn't know why people who rent these places can't take it upon themselves to have rules and regulations. And if people who rent there cannot abide by those rules, kick them out or call law enforcement. Horse show also brings in tourism; not just participants. Does not want officials to enforce or act on any more regulations on short or long term rentals or any other thing in Acme township.
- 22) Doug Meteyer, 6348 Singletree. Spent a lot of time looking at property rights and defending those rights. Doesn't want this group to restrict rights of the many for those of the few. An intersection between right to peaceful enjoyment of one's property and property rights of the landowner. Be mindful that a small minority of properties are where problems are occurring. Efforts need to be focused there.
- 23) Alan Martel, Torch Lake Township Supervisor. At Torch Lake, we do not allow short term rentals. Decided about 10 years ago after a lot of actions; including court action. In looking into it, we found this is a money maker and we have discovered that over half of those renting homes in our township do not live here. Many have purchased homes and then turned them over to a management company. Very lucrative investment that outsiders are buying into. We don't allow it. He provided a study Torch Lake conducted to share with the Board and PC members. Recommend to not open township up to short term rentals.
- 24) John Martin, 908 S. Belmont Ave. Considered an outsider but has been coming to this area all his life. 10 years ago bought a place and has done short-term rentals place for 9 years and only one issue. Has rules, Tells neighbors to let them know if problem occurs. Requires deposit be put down by renters. Very clear with them to be respectful to neighbors. It's not just about protecting the property, but it's about protecting the neighborhood. We vet prospective renters as carefully as we can. Look at age of renters, occupation and the number of cars, etc. Without proper management, issues occur. Isolated incidence in one neighborhood seems to be causing issues. Use common sense rules. If regulation is considered, licensing, permits, fees could be used to offset costs. They can be good for everyone.
- 25) Catherine Nelson, 7466 Saylor Road. Creator of Airbnb was on brink of destitution when he decided to rent a room. My impression is that there is a need for room sharing for additional income. In support of short term rentals; I like PC to consider cascading economic so those owners and renters can reinvest in the local community.
- 26) Debra Safronoff, 7206 Peaceful Valley Road. Lived 40 years at this address. This past summer is when we started having experiences with weekly rentals. People here want to talk about all the good things of short term rentals but sur experience is every week, a different set of people are next door. Every week was a different problem. Our summer is very short and having to deal with weekly issues makes things unrestful and not very peaceful. Went to PC and Board meetings and was told to call law enforcement or fire department. So we did. But who wants to be doing this each and every week of the summer. Makes things unhappy and unrestful being up late in the night due to noise and fireworks next door. Maybe short term rentals are ok in certain areas, but zoning for R1, R2, and R3 should be for single families only. Does not feel we need to change the way we live so that others can make some money.
- 27) Linda Simpson, 7271 Peaceful Valley Road. In favor of short term rentals. Been breaking law for 30 some years with little house on Deepwater Pointe. Has rented it out for 30 years. Normally long term. Check them in, Check them out. Never had an issue. Lease agreement drafted by attorney. As a realtor, we have so many people who can't find lodging in town. I don't think we need regulation. Property owners need to step up to plate and manage their property. If they can't be here, hire someone who is to take care of these issues so neighbors do not have these problems that I have heard they have had. .

D. DISCUSSION

1. *Acme Township Board of Trustees and Planning Commission*
No discussion at this time as outlined in opening remarks.

E. CLOSING REMARKS:

1. *Jay Zollinger, Township Supervisor and Karly Wentzloff, Planning Commission Chair*

Wentzloff indicated all emails will be made part of public record and will be added to minutes when complete. Agenda will also be updated with late added correspondence. There will be additional opportunities for public comment during future Acme Township PC and Board meetings. Zollinger added that short term rental concerns are not just an Acme Township issue. Rather it is a regional issue that many townships are having to react on. There was a lot of good information tonight and sharing concerns is helpful. We will be looking at this closely and communicate to the residents. Please come and participate at meetings..

ADJOURN: @ 8:20pm