

**MINUTES
PARK TOWNSHIP
PLANNING COMMISSION**

Regular Meeting
September 1,
2022
6:30 P.M.

DRAFT COPY

CALL TO ORDER:

Chair Kleinjans called to order the regular meeting of the Park Township Planning Commission at 6:30 P.M., held in person at the Park Township Office 52-152nd Ave. Holland, MI 49424 and via Zoom webinar ID: 814-2919-0866.

ATTENDANCE:

Chair David Kleinjans, Tom Luiz, Diana Garlinghouse, Dave Koppenaal, Dennis Eade

Absent With Notice: Trustee Terry DeHaan and Len Pilon

Staff: Township Manager Howard Fink and Counsel Dan Martin (Via Zoom)

APPROVAL OF AGENDA

Motion by Mr. Eade, supported by Mr. Luiz, to approve the agenda as amended.

Voice Vote: Ayes 5, Nays 0. Motion carried.

APPROVAL OF MINUTES:

The Commissioners made several changes to the minutes, that were noted and corrected by the Recording Secretary.

Motion by Mr. Koppenaal, supported by Mr. Eade, to approve the August 25, 2022 Special Meeting Minutes as amended and corrected.

Voice Vote: Ayes 5, Nays 0. Motion carried.

NEW BUSINESS

Intent to Plan by Holland Charter Township (informational)

Notice of intent to plan from Holland Charter Township related to parcel # 70-16-04-200-18, located at the northeast corner of 124th Avenue and Ransom Street intersection to be planned for light industrial rather than Public/Quai-Public Uses.

Mr. Fink introduced the Intent to Plan. The neighboring communities are notified. This is done to make sure the intent is compatible with the Township. Mr. Fink solicited comment from the Commissioners. He told the Commissioners that no action is required.

Old Business – Short-Term Rentals

Chair Kleinjans showed a piece of paper with a dollar bill to the audience. He stated that the Township is not in the short term rental business to make money.

Chair Kleinjans stated that we have a draft ordinance for the short term rentals. We can add something, subtract something, or change nothing. He went section by section with the Commissioners.

Ms. Garlinghouse had a comment that she the concern is how to keep cottages in the family. She thought the majority of emails are in essence, a complaint. Most of them are from full time residents. She asked Chair Kleinjans, in discussion, why we don't just go back to the 1974 ordinance? He said "what about all the family cottages?" She is of the opinion to go back to the 1974 ordinance, with an exception for family cottages. Mr. Martin's job would be much easier if this was the case.

Garlinghouse moves to continue the 1974 ordinance, with the exception of family cottages of a generation or more.

Nobody seconded.

Chair Kleinjans started with the zoning ordinance. He introduced and read the proposed ordinance and its nuances. He started with "Purpose and Scope."

Mr. Koppenaal states that what is written doesn't fit with what we are doing. He is basing this on what he has heard from the public over the past several months.

Chair Kleinjans wants short term rentals to look as much like a full time residence. Next, he went on to the "Short-Term Rental Dwelling Unit Requirements" section. They have to have a license and they have to follow the rules.

Next, Chair Kleinjans introduced the "Location of Short-Term Rental Units" section.

Mr. Martin stated it would be a use permitted by right. There is still the licensing issue. The use of property has uses that are permitted by right and special use. Anything else is prohibited. If permitted by right, there is not much oversight for that use. You may want more control over that.

Mr. Fink asked Mr. Martin if a special use can be issued administratively. Or could it go to the short term rentals appeal board.

Mr. Martin stated the special use permit will run with the land, as long as they're licensed. It could expire or be revoked, however. With respect to short term rentals, it is a house. One of the requirements is having a license. The use would revert back to single family residential use if the license expires or is revoked. With respect to special use, a neighbor can ask for a public hearing if they live within 300 feet. He recommends doing a special use. The Zoning Enabling Act requires a minimum of 300 feet with notice of public hearing.

Mr. Fink agrees with Mr. Martin on the special use. You can regulate them more. There may be future situations. If we want to change it in the future, we may be stuck.

Chair Kleinjans asked if churches and nursing homes in residential areas are special uses.

Mr. Martin clarified what uses were permitted by special use.

Chair Kleinjans wants the language to include special use in this section.

Mr. Luiz wants the question of grandfathering sorted out.

Mr. Martin stated the grandfathering is state law. If they were using the property as a short term rental before the 1974 ordinance, they would be grandfathered as a non-conforming use, with proof. If the license is revoked or expired, they would be treated like a new short term rental.

Ms. Garlinghouse asked about transferability.

Mr. Martin stated the license does not transfer with a property sale. The owner who purchases a property that had a short term rental special use, they have to reapply for a license.

Mr. Fink stated these proposed ordinance is similar to a liquor store—just because it was approved, doesn't mean they get a license.

Chair Kleinjans asked for a definitions page, Mr. Fink stated he will provide one.

Next, Chair Kleinjans moved to the "Violations" section.

Ms. Garlinghouse stated that the first violation fine was a bit small. She wants a minimum of double the amounts listed.

Mr. Martin states that a judge can revoke the special use permit as well as a fine. This will be a municipal civil infraction.

Mr. Fink asked Mr. Martin about what he just said. Should we put how many violations before revocation?

Mr. Martin states it should stay open. There will be different types of violations for severity.

Chair Kleinjans asked if the fees should be set by the Board or the ordinance. He argues that they should be set by the Board so we don't have to revise the ordinance each time.

Mr. Fink agrees that the amounts should be set by the Board's fee schedule. He recommends the first adoption should be X, then any other changes would be made by the Board of Trustees.

Mr. Martin states that after a second offense, we can recommend a hearing by the court.

Mr. Koppelaar states that the initial violation fee should be very severe so there are no second violations.

Ms. Garlinghouse asked if a first violation is severe enough. It needs to be a heavier hit.

Mr. Martin said the fines could multiply by days not in compliance with the violation. Each day is a

continuing infraction and a judge may tack on additional days of fines. The judge would determine responsibility until there was a second offense.

Chair Kleinjans recommends that the Planning Commission recommend to the Board stiff fees for violations. Each Commissioner will be able to make comments when the recommendation is before the Board of Trustees.

The next section introduced was the “Severability” and “Effective Date” section.

There were no comments or actions.

Chair Kleinjans moved on to the Zoning Ordinance part.

Ms. Garlinghouse objects to the term “Business Short Term Rentals.” She doesn’t want a motel district. She wants “short-term Rental A” or limited short term rentals.

Mr. Martin wants “limited short term rentals” defined as something. The term will be circular for interpretative purposes.

Chair Kleinjans wants a suggestion for the word “business.” He suggested to wait until next meeting. They may replace “limited” as well.

Mr. Koppenaar wants to know in Section D where the “good neighbor guidelines” are coming from.

Mr. Fink asks that Township staff is allowed to come up with these. They will be informative.

Chair Kleinjans thinks for “Limited Short Term Rentals” should be longer than 28 days.

Ms. Garlinghouse asked a real estate attorney about property owners renting for 14 days without tax implications. She states that the Commission needs to be aware of tax implications.

Mr. Martin states we shouldn’t give tax advice. This is an issue for the property owners. The assessor should handle this.

Mr. Fink stated that (g) “Maximum Occupancy” is highlighted. The section on inspection needs staff to deliberate and make recommendations. He has tasked the Building Inspector to handle this. The guidelines will be based on the ICC Property Maintenance Guidelines. We haven’t had time to confer with the Fire Chief. It is more in-line with commercial structures.

There were no other comments on Page 1.

Chair Kleinjans stated that they came up with a person of two years old or more counting as a person.

Mr. Koppenaar asked where the visiting hours came from.

Ms. Garlinghouse stated that some of the emails received asked for guests to leave at 10:00 p.m., with quiet hours starting at 11:00 p.m.

Mr. Koppenaar stated it will be very difficult to monitor and enforce.

Ms. Garlinghouse asked about “Family” (Section (o)) and whether family should include cousins.

Mr. Fink stated we should include cousins, even though it would be tough to enforce.

On to Requirements of “Short Term Rentals.”

Chair Kleinjans states that “names of persons” should be singular or plural. He wants parentheses around person.

Mr. Martin asked the Planning Commission to know what relationships are and who can stay.

Ms. Garlinghouse brought up Palm Springs and how everyone listed on the stay. She thinks everyone on the reservation should be listed.

Mr. Luiz states we are in the weeds on this issue. He understands about the delineation between limited and business short term rentals. He thinks specifying relationships is splitting hairs on this issues. He would like some clarity on the matter.

Chair Kleinjans agrees on not having names of people staying there. He would like to know how many people will be staying there.

Mr. Martin states the use of family is for family ownership, not who can stay there.

Mr. Fink understands the desire to ask how many people will be in the building. There has been much discussion. He respects the number of occupants in the short term rental.

Mr. Koppenaar asked about partying discussions and holding accountability. He thinks the burden should fall on the owner, rather than the short term renters. The owner can pass on the fines to the occupants, but the Township won't get involved.

Chair Kleinjans asked about the requirement on the number of occupants.

Mr. Koppenaar states it should be on the owner.

The Commissioners agreed, except for Ms. Garlinghouse. She stated if we don't care who is at the house, what happens to “Section (h)” about the definition of an Occupant.

There were no additional comments on Page 2.

Chair Kleinjans asked about the proposed requirement of landline phones. He states it regards to safety and the occupants to call 911 if needed (if they don't have cell service).

Chair Kleinjans asked about (4) on Page 3 about swimming pools. If a window faced a swimming pool, it would need an alarm.

Mr. Fink thinks it is a policy decision, not a staff decision. This will be in the Pool and Spa Code. There will need to be deliberation about alarms on windows. Staff can defer until looking at the Property Maintenance Code until further review.

Mr. Koppenaar asked if this applies to full-time residences. Is it fair?

Mr. Fink states that “fair” is a matter of interpretation at this point. The pool and spa code is a building code, not an adopted code. Staff will summarize this and we will come back to it.

Mr. Koppenaar asked if item (6) was required of full-time residents.

Mr. Fink stated that this may be a critical item. We need to know where 850 feet is. We only carry 1000 feet of hose. It is in there so we can fight the fire.

Ms. Garlinghouse asked if a visitor had a fire, how that would affect things. The homeowner would know where things are, not short term renters.

Chair Kleinjans states that in (c1), we need good data. People calling the owner or the owner's agent, they may be hung up on. He wants a township employee to have a number displayed. They should log the call and complaint. There will be real data. Without real data, this will not be enforceable.

Mr. Martin wants the Commission to be aware that a township employee to be on-call will come with a significant expense. It could be passed on as a fee during licensing.

Chair Kleinjans asked about firefighters. Mr. Martin said they might be on a fire call and may not be available.

Mr. Fink thinks a Park Township employee or a contracted individual should be written. There are services that provide complaint tracking. Should we include an outside company, or a Park Township employee?

Chair Kleinjans wants good data and a live person to respond.

Ms. Garlinghouse wants a 30-minute response to complaints.

Mr. Martin states that the Commission is looking at 252 rentals. One person may not be able to handle many complaints at one time. Each short term rental will be required to have an agent and contact them. It is more practical to handle it that way, rather than a few employees on call to handle the complaints. There may be 50 complaints in one night.

Mr. Fink states that we will not use a national company to respond to the complaints. There is possibility that there could be a call service that forward calls to township employees.

Mr. Koppenaar asked if a township employee would make a response in 30 minutes.

Mr. Fink states the only way to resolve this conflict is a licensed officer. We won't have the funds and the fees would not cover the staffing. He can't ask a firefighter to put themselves into a conflict situation. He could have officers respond, but with significant cost and convincing.

Ms. Garlinghouse asks why we are going down this road without protection. Neighbors put themselves at risk all the time. It shouldn't be their responsibility.

Chair Kleinjans wants the complaint legitimized, and second, that there is a response or "strike." That short term rental may be shut down with a response.

Mr. Koppenaar wants an ordinance that tempers the complaints.

There were no more comments on Page 3.

Ms. Garlinghouse asked if the decibel level was 55 decibels rather than 65 decibels.

Chair Kleinjans thinks 65 decibels during the day would be too restrictive.

Mr. Eade suggests 85 decibels.

Ms. Garlinghouse suggests that anywhere near the water, voices travel. If they are full-time residents, everyone is aware. It is called "cottage voices." Most people don't understand this term. She wants to keep the decibel level at 65 decibels after 10:00 p.m. or 11:00 p.m. Your next door neighbor shouldn't hear you after 11:00 p.m. or earlier than 8:00 a.m. Some residences are so small you can hear people shuffle cards.

Chair Kleinjans suggests we put in the 55 decibel level in the proposed ordinance, and we can change it at a later date.

Mr. Fink asked if there was a decibel level outside of those hours, and the Commission concluded that you can't regulate that outside of those hours.

Next was the Parking Section.

Chair Kleinjans asked about (3) in the Parking section. Should it be rephrased as from the right-of-way or from the pavement's edge?

Mr. Koppenaar states that in Waukazoo, some people may have no parking if this is enforced from right-of-way.

Chair Kleinjans moved on to "four, five, or six" in regards to parking spaces per bedroom. He thinks it will be limited by how much space is available. The number of cars will regulate more than the number of bedrooms. We are looking at setting a maximum.

Mr. Eade recommends a maximum number of four as reasonable.

Mr. Luiz agrees. He asked about site plans. At the point of licensing, we could make a recommendation on the number of vehicles allowed.

Mr. Martin stated that there will be a site plan required upon licensing.

Mr. Fink thinks that number (3) should be looked at. Instead of street right-of-way, you should look at end of driveway. The intent of number (3) is for safety. In this case, it makes more sense to indicate "edge of pavement" and not "right-of-way." The Commissioners all concur.

Ms. Garlinghouse asked about street parking. Should we include that? She would include that in the proposed ordinance. She doesn't want on-street parking allowed.

Mr. Koppenaar asked about guests parking during the day, and the Commissioners agreed that parking during the day is unenforceable.

Chair Kleinjans wants "or more" in number 6 on Page 4 stricken out.

Item (e) came up for discussion.

Mr. Fink states that we haven't come to a resolution on "agents" or "township employees."

The Commissioners want a complaint to go to a service (or to the Township) and a local agent to respond within 30 minutes.

Ms. Garlinghouse stated there was a fire in a fire pit near her. She had the number of the owner. She could have called the fire department. She didn't have a right to trespass. She called the owner and put the fire out. It should be required that neighbors have owner contact information for safety.

There were no more changes on Page 4.

Next up was "Occupancy Limits."

Mr. Koppelaar wants "75% occupancy" removed in (f)(4).

Ms. Garlinghouse stated that this was added to not have wedding parties or possibly hundreds of visitors to a short term rental. There have been several rentals that have had big busses of wedding guests, particularly on Lakeside. A normal neighbor wouldn't have all these major events. They aren't a "venue."

Chair Kleinjans asked about a limit on the daytime guests? Ms. Garlinghouse affirmed. If people didn't take advantage, we wouldn't have this issue.

Mr. Luiz agreed. He thinks 75% is reasonable.

Mr. Eade wants specifications about wedding receptions and agrees with Mr. Koppelaar that it would be difficult to monitor and/or enforce. Chair Kleinjans thinks there should be a limit, but thinks it should be 100% of the number of occupants.

Ms. Garlinghouse wants a limit on visitors. It is easier if you name a number. There should be a maximum cap. She urged the other Commissioners to think about all the ancillary traffic included with big events.

Mr. Eade thinks there should be a cap equal to the number of occupants.

Chair Kleinjans thinks we should leave it "as-is" and put a number in later. He wants the last sentence in (f)(4) struck.

There are no other comments on "Parking."

Chair Kleinjans called for a short break at 8:33 p.m.

Chair Kleinjans resumed the meeting at 8:42 p.m.

We came back to Page 5 about the Short Term Rental Review Board.

Chair Kleinjans asked for comments.

Ms. Garlinghouse agrees with this page except for "business" in the last paragraph.

There was no additional discussion on Page 5.

On Page 6, Ms. Garlinghouse wants “no advertising, including social media” to be listed here. She stated that Facebook Marketplace is the best place to sell or advertise nowadays.

Chair Kleinjans said that advertising on social media would be very difficult to enforce. It isn’t a national, searchable database. You could say “Facebook Marketplace, Craigslist, etc.”

Mr. Koppenaar wants a reminder of the rationale why we are limiting the advertising when they are already limited by the proposed ordinance? Are owners submitting an application for one category or another?

Chair Kleinjans said you have to apply and be approved for a limited short-term rental. You have to apply for one or another. You can’t apply for one, get denied, then apply for the other.

Mr. Fink stated we began last week with differentiation between limited and business. It may become almost impossible to enforce after the buffers are set for business short term rentals. It is easier to administer if they are separated. You have 126 business licenses, and 126 limited licenses. Staff could grant the appropriate license, or it could go to the Review Board.

Mr. Koppenaar initially requested that the 252 allowed would be either category.

Ms. Garlinghouse stated that we are not grandfathering anything in—everyone must apply. A lot of the emails are discussing this. In (a)(2), she recommends either two generations or twenty years. Five years is not long enough to be a “legacy” in her opinion. Mr. Koppenaar agrees.

Chair Kleinjans stated that Mr. Martin has made clear that the word “grandfathering” doesn’t really exist. Nobody will be grandfathered in.

Mr. Fink stated you cannot grandfather an illegal existing use. He states we should distinguish between two things. If a wealthy couple buys a second home and dies, and it is willed to the children, could there be an intent to acknowledge this predicament?

Ms. Garlinghouse stated that her family lived on a lake for 73 years. When he passed, it was sold because nobody could afford the upkeep. We should allow the family legacy rental an exemption of the 500 foot buffer for 28 days.

Chair Kleinjans states there have been many short term rentals that have been rented for over one hundred years that are a part of the fabric.

Mr. Martin said that “legacy cottage” could evoke many different legal situations and could involve discrimination complaints.

Chair Kleinjans stated that is why we would have a Board of Review. They would look at the details.

Mr. Fink will write in some standards on a family or legacy cottage being willed to the children or family. He stated that the Review Board can also address, reviewed and approved by the Review Board.

Ms. Garlinghouse asked about cottages that are not passed down to the next-of-kin, but rather a family member. She stands firm in requiring two generations or twenty years.

All of the Commissioners agreed there should be standards on years of ownership and

generations. They all agreed on twenty years and two generations.

Mr. Koppenaar wants twice the buffer for public hearing notices.

For (a)(4), Mr. Fink stated we were taking up the issue of taxes with the Board. If they have taxes or fines unpaid, they will not get a license.

Ms. Garlinghouse reminded Mr. Martin that someone could argue they are inconvenienced by their tax bill and thus, need to rent the property out for 28 days to pay the taxes.

Mr. Martin states there was discussion. You can put a lien on the property for not paying taxes.

Chair Kleinjans states that taxes are taken care of by other laws. The Commission agreed on fees and fines only in (a)(4). He stated that Trustee DeHaan wants a two-year waiting period before making a property a short-term rental. The Commissioners agreed with this.

Chair Kleinjans said this will kill all new short term rentals, according to letters received. Chair Kleinjans asked about owning multiple rentals. It is addressed later in the draft.

Mr. Koppenaar is open to changing 126 and 126. He wants to accept all applications. If all 252 were of one category, that would be the market force.

Ms. Garlinghouse stated that if all were business, we wouldn't be protecting the family legacy cottages. She wants to save the family cottages.

Chair Kleinjans asked if we should have one number or separate numbers. Mr. Koppenaar and Mr. Eade disagree. Ms. Garlinghouse wants to protect the family cottages. Mr. Luiz started out with one number. He wants to let it float, unseparated.

Mr. Fink thinks from a staff perspective, it would be easier if they were separated.

Chair Kleinjans said (a)(1) needs to be reviewed.

Mr. Koppenaar said we need to address the sunset provision. If you get a license and it expires, then you are thrown back into the line after three years.

Chair Kleinjans said if we do this right, you won't be able to differentiate between a short term rental and a regular house. With buffers, there may not be another house that could be a short term rental. The buffers may be kind of permanent.

Mr. Luiz asked about special uses and licensing. If the license ends after three years, and the owner applies for renewal, the property is now approved with special use with a license.

Mr. Martin said they wouldn't have to come back to the Planning Commission for a special use. The license is personal to the individual. If there is a transfer, the new owner would have to apply for a license after a two-year waiting period. There is a general application for special uses.

Mr. Fink stated that staff would have on record that when a property changes hands, there would be existing conditions.

Mr. Eade asked about the three year license period. When the applicant requests renewal, is there an evaluation about how the applicant conducted the short term rental. Or does the owner

go to the bottom of the list. In essence, you can get a license for three years, then you are done (because there will probably be a long waiting list).

Chair Kleinjans stated that if you lose your license, the next in line can apply for that. He would like a line item open for discussion about a sunset ordinance at the next meeting.

Mr. Koppenaar asked about a new lottery every year. He doesn't advocate for that.

Ms. Garlinghouse asked Chair Kleinjans that people are here to comment and it is 9:30 p.m.

Chair Kleinjans asked the Commission if they would like to pick back up on Page 7 and get through the remainder to allow for public comment.

There were no other comments on Page 6.

Chair Kleinjans opened public comment at 9:28 p.m.

Don – 62 Sun Ridge Drive - Attempting to regulate a business in a residential area is impossible. You do not make a law that you cannot enforce. Many things in the draft ordinance are unenforceable. Many people are buying up lots of new properties. We have a severe shortage of housing in this area. Guns, cars and fireworks (with their sounds) cannot be enforced. Preserve the neighborhoods. How will you prevent other from renting their house out?

Charles Vreiling - 236 Park Street – Did you pluck these rules out of the air? An awful lot of this seemed to be happening tonight. There was a high school reunion recently with lots of traffic and parking, and you cannot regulate that. How much research was done on what was working? Working ordinances could be copied. There is no end to the deliberations. He doesn't like the unenforceable actions. He pleads that the Planning Commission look at other areas and copy or cancel short term rentals.

Terry Veen – 538 Howard Avenue – It was common for her to invite all her family over for occasional Sunday dinners. She doesn't think visitors could be regulated. She doesn't understand the thought behind this. The neighbor could park in front of the short term rental. We are regulating things that don't make sense. Her kids are loud when they have fun. The decibel level during the day doesn't make sense. Who to contact (the sign) would identify the house as a short term rental. If there is a sunset, the property value would go down. If someone has no strikes against them, why take their license?

Dr. Gocke – 2333 Pavillion – Has spent many great summers at his cottage. He addressed complaints overwhelming one person. He applauded Mr. Fink on not putting his people at risk in vulnerable situations. Someone blocked a fire lane in his neighborhood. He was fearful for his life. Fire Chief Gamby agreed that the renter was blocking the fire lane. He likes Ms. Garlinghouse's comment that the 1974 ordinance solves all this.

Alex – 2228 Pavillion – He is concerned. He thinks our path is not good. Short term rentals are not compatible with residential areas. The regulations are too complicated. He has no confidence that the proposed ordinance will not be successful.

Diane Hayes – 440 Beeline Road – She wants to address renewal. If she is a responsible owner and has no complaints, she deserves a renewal. It puts stability into the system. Good owners deserve a renewal. The issue about policing and who to call. The City of Holland requires that every adjacent property owner have the personal phone number of the owner of the short term

rental.

Katie Johnson – 5159 W Winona Chicago – She bought her rental to have family visit. She would not qualify under the legacy option. If there is a division, there could be a discriminatory issue. With the renewal system, there could be problems. Another legal argument is the waiver. Many have asked if there are laws against the short term rentals. Many were told no. Many were told there are no laws on the books. There are many legal arguments. This may be an issue.

Jeremy Allen – 1380 South Shore Drive – Owns 663 Bosma Avenue. He had help from his parents-in-law to buy a cottage. He has made dear friends. He charges \$5000 a week for the cottage. All of the short term rental owners talk. The majority of complaints are nuisance related. He is for regulation. The majority of owners do not allow shenanigans. He also owns a house in Seattle. Charge a \$1000 or higher licensing fee. He doesn't like arbitrary things like a lottery.

Sandy Hill – 692 Wintersun Place – Cottages have been in her family for 30 years. Think about when you go on vacation. Where do you stay with your families? Is there someone that policies you? When you get into the nitpicking, you lose the scope. Make sure you have good renters. There haven't been any issues with her renters. This is a tourist area. The people who win the lottery can charge whatever they want. The average family doesn't spend \$5000 a week for a short term rental.

Craig Hill – 692 Wintersun Place– He has done this for 30 years with no problems. The 500 foot buffer is unreal. The cottages on 2nd Avenue were built really close together. He doesn't think this is fair. What will other people do if they don't get a permit? He doesn't have problems with who rents from him. Has anybody from Park Township notified out-of-towners who own property? We will lose tourism.

Jackie Beck – 3334 Hollywood Drive – She doesn't understand the six night minimum. Some people can afford to stay longer, some less. Require the good neighbor guidelines to go out ahead of time. She wants short term rentals to be gone after three nights. She wants a three night minimum.

Mary Nusbaum – 420 Spruce Street - She has three short term rentals surrounding here. Nobody who lives there wants to buy it. A lot of the rules sound great, but are not enforceable. Where are all the tourist dollars going? Holland and Holland Township. Go back to the 1974 ordinance. It would solve everything.

Stephanie Trela – 105 Iroquois – She agrees with Mary. The water safety requirements not having sensors troubles her. She has a family member who drowned in a backyard pool. If we want people to safely stay, the water safety is very important.

Jill Bunday – 16680 Quincy Street – Has had an Airbnb for four years. There is a private garage and entrance. There is one bedroom and one bathroom. She doesn't allow more than two people. She can understand that it could be a problem with traffic and parking. She is concerned with the six-night minimum. That would close her down. Most of her renters are 2-3 days. The fee of \$1000 is ridiculous. She does this as a hobby. She loves meeting new people. The owner-occupied short term rentals don't have the problems that business short term rentals do. Owner occupied are a whole other ballgame.

Daniel Lilley – 1364 E Fairview in Rochester Hills – 74 Cheyenne – He has owned a short term rental for 15 years. It costs a lot. He usually breaks even. He doesn't let people trash his place. He doesn't have problems. The sunset clause would but him out of business. Do the legacy

properties expire after three years? The rules are confusing. Everyone will be confused and all the rules will be unenforceable. Hotels love this.

Paula Hammelman – 306 Big Bay Drive – She agrees that this is unenforceable. She doesn't want to complain. You can't justify this. You will always have problems.

Joyce Van Dyk – 336 Starboard Drive – She owns 678 Bosma Avenue. They use that cottage for their children in the summer. When they are not there, they rent it out to help pay for taxes and other things. She has owned the cottage for 60 years. She loves her neighbors. Originally, the Historic Ottawa Beach area was developed as a tourist area. In 2019, Park Township brought in millions of dollars in tourism. She doesn't want things to get too nitpicky. She wants the neighborhood to be nice too. There have been some short term rentals that have been bad apples. Will we try and restrict everybody from everything?

Dick Van Dyk – 336 Starboard Drive – He owns 678 Bosma Avenue. His neighbor has his phone number and hasn't called about anything major. He is for licensing and inspections. If you win the lottery, you will make big money—that isn't fair.

Joan Zeerip – 387 Big Bay Drive – She has heard over and over again that many owners of the short term rentals have no problems. We should interview the neighbors. Regarding noise, the 65 decibels is conversation noise. After 11:00 p.m., she can hear a conversation at the fire pit. That is too much noise. On parking, homeowners park in their garage. Most don't park in the driveway. We are setting the standard that short term rentals can have four cars in their driveway. You should establish a limit on the daytime guests. Her two neighboring short term rentals will have a wedding every week. A commercial wedding venue is not acceptable.

Gail Schaumann– Boynton Beach, FL – She has problems with renters sometimes. She has learned how to manage her properties. She appreciates the research and thought. There may be a compromise where both sides will not be angry. If there were people managing their properties, we wouldn't be discussing this. The common sense thing would be law enforcement, parking violations, etc. We need to regulate. In Florida you can't build a pool without alarms. She has a legacy property and has to rent it out for more than 28 days. She is a fourth generation owner.

Chair Kleinjans closed the public comment at 10:18 p.m.

Ms. Garlinghouse received a comment. There were 14 pro-STR comments tonight (from the citizen). When the against short term rentals comment, they want neighborhood preservation. A majority of her neighbors will be driving for her neighbor's funeral. This is about the dissection of the fabric of Park Township. She has nothing against people making money. What do we want out township to look like in the future? She doesn't want to rob neighbors of having gatherings.

Chair Kleinjans would love question-and-answer sessions, but we would be here forever. If they enforce the 1974 rules, there would be no family cottages.

Mr. Martin made a distinction to the pre-1974 ordinance properties.

Chair Kleinjans said in situations where neighbors are friendly, there can be an exchange of numbers, but still a Township phone number. The two categories have different fees.

Ms. Garlinghouse stated there was confusion about owner occupied units. These would be fine. The concern was with the fee, which has not been determined.

ANNOUNCEMENTS AND COMMISSIONER COMMENTS

- A. Next Planning Commission meeting: September 22, 2022
- B. Upcoming Topics: Master Plan and Agriculture

ADJOURNMENT

Mr. Eade moved, supported by Ms. Garlinghouse, to adjourn the Regular Meeting at 10:25 p.m.

Voice Vote: Ayes 5, Nays 0. Motion carried.

Respectfully submitted,

Eric Dykstra
Recording Secretary
September 2, 2022