



TOWN OF BEAUX ARTS VILLAGE

PLANNING COMMISSION

MINUTES

December 17, 2020

Remote Via Zoom / Telephonically

Present: Chairperson Steve Tegeler, Commissioners Jeremy Laws, Kim Moloney, Steve Miller

Excused: None

Staff: Deputy Clerk Angela Kulp

Guests: None

Chairperson Tegeler called the meeting to order at 7:33pm.

MINUTES: Chairperson Tegeler moved to approve the November 19, 2020 minutes as written. Commissioner Moloney seconded. Vote: 3 For, 0 Against. Motion carried. Councilmember Miller joined the meeting after this vote.

COUNCIL UPDATE: There were no Council updates to report.

OLD BUSINESS: There was no old business to discuss.

NEW BUSINESS: Short-term rentals, e.g. Airbnb

Deputy Clerk Kulp shared examples of short-term rental regulations from other jurisdictions with the commissioners, as received in an article found from Commissioner Moloney. Deputy Clerk Kulp also shared resident feedback from Robin Stefan, against having short-term rentals in the village.

Discussion on short-term rentals began by focusing on potential business licenses and how to avoid them, parking concerns and noise nuisance, minimum time frames needed to avoid most problems, while still allowing property owner flexibility, and the differences with a room/ADU vs whole house rental, and the property owner requirements during rentals. Chairperson Tegeler was supportive of owner flexibility, but not creating regulations unnecessarily without a problem. Commissioner Moloney was most concerned about parking and minimum stays. Commissioner Laws was concerned about absent property owners, and owner responsibility as well as dedicated parking but noted we are anticipating problems but have not had consistent problems yet. Commissioner Miller who joined us late from another meeting, was not in favor of having short-term rentals or business licensing and did not want to encourage businesses over residents and community needs. He noted there are reasons towns may regulate housing, but most do not apply here. He also agreed with longer minimum stays, parking, and noise concerns.

Chairperson Tegeler summarized there are two issues for short-term rentals: nuisances and impact to the community. Additional discussion detailed those concerns at length. Commissioners inquired about the initial request on this topic, which looped back to the Council requesting further study in January this year. Commissioners inquired how many problems have we had, and to the Commission's knowledge it was just one renter last year trying to illegally sublet rooms each night unbeknownst to the property owner, which caused parking and noise problems on one street for a short time. Further Commission study about short-term rentals this year had turned up one resident using Airbnb to rent out his home here for some time, but no problems have occurred to anyone's knowledge and this short-term rental would not even be known if the research had not occurred. Chairperson Tegeler noted this one illegal sublet problem or data point does not equal a trend or perhaps the need for a code, and this illegal sublet did not even arise from an actual short-term rental situation as is typically defined for this discussion. Further discussion ensued since a code draft was on the agenda, and commissioners agreed with Chairperson Tegeler, reaching consensus, that perhaps a code draft was not needed at this time.

Commissioners agreed, after a detailed study, there is not enough short-term rental activity to warrant code pursuance at this time. Commissioner Miller moved that after this study we do not have sufficient or proper experience to detail the scope or nature of the problem, and the Planning Commission recommends monitoring but taking no action at this time. Chairperson Tegeler seconded. Vote: 4 For, 0 Against. Motion carried. This recommendation for monitoring and no action is sent back to the Council as requested.

NEW BUSINESS: Reconstruction definition on Zoning

Deputy Clerk Kulp shared previous approved Planning Commission minutes from reconstruction discussions over the last decade for historical reference as requested by the commissioners. Chairperson Tegeler was concerned about having an accurate problem statement on how to deal with reconstruction and whose problem it is, trying to understand what problem we are trying to solve, accomplish or protect against. Commissioner Miller noted this is the responsibility of the Planning Commission as a body responsible to the Council, as outlined by the Council and delegated to this body. He also noted there should be a clarification of compliance or character, and this discussion is a challenge for the building department and before us rightfully so. Commissioner Miller noted we must determine how to incentivize keeping character of the exterior as valued by the community, and that rather than tying the value to a moving dollar target every several years, it may make more sense instead to tie the value to a construction index in the future. As discussion continued, consensus grew to just clarify from the building official what problem is being solved by raising the dollar limit, before inviting her to a meeting for further discussion. Deputy Clerk Kulp will clarify from the building official before the next meeting.

Adjourn: Commissioner Miller moved to adjourn the meeting. Chairperson Tegeler seconded. Meeting adjourned at 9:13pm. Vote: 4 For, 0 Against. Motion carried.

Next Meeting: The next regular Planning Commission meeting is expected to be held remotely as before at a special time of 7:30pm to accommodate a quorum, on Thursday, January 21, 2021.

Respectfully submitted,
Angela Kulp, Deputy Clerk