

**Lake Township Planning Commission
Regular Meeting & Public Hearing
Sleeper State Park Outdoor Center
6435 State Park Road
Wednesday, June 28, 2023**

Approved Minutes

The meeting was called to order at 6:00 by Siver.

Roll call: Tim Quinn, Bob Siver, Keith Hoffman, Nicole Collins, Tim Lalley, all present.

Supervisor Valerie McCallum was also present along with numerous guests.

Approval of Agenda: Siver asked the PC to table the item **Master Plan** under **Old Business** until next month due to time constraints. Motion made by Collins to approve the agenda with the exclusion of the **Master Plan**, seconded by Hoffman. All ayes – passed.

Approval of Minutes: Motion made by Collins to approve the May 24, 2023 Minutes, seconded by Hoffman. All ayes – passed.

Siver advised the PC that before the Public Hearing is open, there are a few guidelines to consider for public comments. Siver stated that those making public comments are to come up to the table to speak, the time limit will be three (3) minutes per person, one comment per person and the time limit is not transferrable. Siver also advised that public comments are not for questions and answers, they are strictly comments and that the audience should be respectful and quiet when someone is talking. Motion by Collins to approve the guidelines discussed for the Public Hearing, seconded by Hoffman. All ayes – passed.

Open Public Hearing

Siver asked the audience if they wanted the Notice to be read otherwise it will be stipulated that it is the Notice that is up on the desk and it has been posted. An audience member asked for clarification on the 14 consecutive day rule in the Ordinance; if the Ordinance is approved, rentals would still be allowed up to 14 days per year? Siver advised yes but further stated that the Ordinance does not represent a change from the status quo; STR's have never been allowed in Lake Township and anyone that is currently offering STR's are doing it in violation of the Zoning Ordinance. Siver further stated that all the PC is doing is putting it in black and white what has been in practice in Lake Township for about 50 years.

Siver referred to correspondence received with all PC members receiving copies:

Letter from Philip Jameson

Letter from Niki Verbunt against amendment and wants someone to speak on her behalf

Kenneth Gaida against amendment
Cheryl against amendment
Linda Palmer against amendment
Aaron Taylor against amendment
Anonymous in favor of amendment
Sandra Pobanz against amendment
Joe Mastrogiacomo against amendment

Public Comments:

Darryl Celmer, against. Doesn't believe it's commercial; uses his property most of the time but rents out during the summer when not there; STR's stimulate the economy as he has hired a lawn service to maintain the lawn, a cleaning crew and the place is immaculate; issues with STR's should be addressed; charge a fee for STR's to cover the cost of enforcement.

Linda Palmer, against. Has been in area for 30 years, has never rented her place out but has never had a problem; concerned that the property owner's rights are being taken away and hopes a happy median can be reached.

Cheryl Jurkiewicz, against. She and husband are residents of the area and have been renting their STR for 15 years without any issues with any neighbors. With respect to Article 2, F & G, there is law enforcement; the Huron County Sheriff and the Michigan State Police; referred to letter she received from the Huron County Sheriff stating for the period 2021 – and up to 06/17/2023 they are not able to separate STR's from non-STR's but there were no noticeable increases or decreases in incidents regarding disturbing the peace and disorderly conduct. Her clientele are mostly couples; this year three women celebrating a 40 year old birthday, a couple celebrating their 55th wedding anniversary and one other couple. No facts behind these statements.

Mary Pazdziorko, against. She understands there are going to be problems with rentals but there are also a lot of problems with residents; a lot of property owners would like to sit down and address the issues that the township has been inundated with and come up with a compromise; has been coming to Caseville for over 60 years and it's always had a ton of people but by eliminating all the STR's, the revenue for the whole township will be affected as well as the property values will decrease for everyone.

Mark Anderson, against. Property owner's rights should not be taken away; address problems, safety issues and hire patrol for summer months.

Charles Henry, against. Has a family place on the lake that is rented to family and friends; \$4,400 in taxes with the income donated by the renters amounts to about \$2,800 which doesn't come near what they put out; significant loss of income to those that work around the township that are hired for cleaning, lawn care, etc.; should be a happy median that is reasonable and doesn't cause undo hardship to property owners, as far as enforcement, the township cannot enforce noise, fireworks, blight complaints now, how is the township going to enforce this.

Mike Hardy, against. Doesn't rent out his place but understands nuisance issues that happen,

Lake Township cannot enforce the current ordinances that are in place; STR's put life into these old cottages; the lawns are mowed, the cottages are cleaned; apply a modest 2 to 3 percent tax on rental property to use to enforce all the ordinances that are currently not being enforced.

Cassandra Dutcher, against. Doesn't live in the township but cleans for people that have rentals; if you take STR's away, you take her job away from her; has three small children at home so you will take from them.

Pepsy Coscione, against. Does not rent and does not plan to rent; there are a lot of rentals in the area and there are occasional bad apples, even among residents, and property owners can refuse renting to bad apples.

Frank Coscione, against. Understands the bad side of how people feel about rentals but thinks it unconstitutional to keep people from pursuing the liberty to rent their property.

Charlie Christensen, against. Resident of Lake Township; purchased home next door; contacted Zoning Administrator and was told no regulations; invested money in renovating home; requested FOIA after hearing about STR ordinance; first letter received back from Township was an extension; second letter denied the FOIA request; no transparency; Board decided in April 2022 to have draft ordinance; PC came up with example of best practices regarding STR ordinance.

Yulia Christensen, against. Had incidents and police arrived within 10 minutes both times; misconception that police cannot react; cottage was in very bad shape and made it beautiful for friends and family just to be rented a few weeks in summer; cannot afford second house; do not ban, find middle ground.

Ann Krzeminski, for. Full time resident; built home in residential community not business district. A one (1) bedroom, one bath STR had 14 vehicles and ran a generator all weekend. What about the rights of full-time residents; cannot use deeded beach, has trespassers, garbage. Agrees with expanding the current ordinance which allows two (2) weeks rental; the current ordinance has nothing.

Stephanie Gorecki, against. Coming to Caseville since 5 years old; owns rental property; many friends and repeat renters; local businesses benefit; articles in ordinance are subjective without data to support; not against rules and regulations.

Marci Long, against. Has property in different location that is regulated; pays \$500 per year with a large list of requirements; do not ban but allow with restrictions.

Julie Roe, against. Business owner in downtown Caseville; STR's has been game changer for economy of Caseville; visitors from all over Michigan; hired two more people.

Lynnea Matthews, against. Has been renting for 11 years; PC meeting in 2013 could not provide reason to prevent her from renting house; one house does not qualify for business under zoning; still waiting for PC to advise what she is doing wrong; only way to enforce is to hire more personnel which means more taxes; does not want more taxes.

Kathy Krebs, against. Family owned resort in township for over 50 years; had to fight to keep RB district; taking away from businesses, pest control, lawn care.

Marks Krebs, against. A need for STR's; when in business, would send to other businesses if could not accommodate.

Jim Demming. Sits on Board for township; dispels a rumor that he owns or ever owned an STR in Lake or any other township.

Matt Chambo, against. House Bill 4722 passed in October 2022. It is a homeowner's right, homeowners are granted a bundle of rights through real estate, to control, possess and rent home whether it's short term or long term within regulations. Concerned if ordinance passes, what is next.

Lance Tibbits, against. STR owner; spoke to Lake Township Board of Trustees when purchased in 2021 and was told no regulation; hopes for a middle ground, registration fee, taxes; work together.

Jerald Pobanz, against. Parents rented here since the 1930's and subsequently purchased in area; has an STR in his area that is best place in area.

Kevin Englehart, against. STR's meet demand in area for lodging; giving people a nice place to stay; keeping out large scale hotels; provide tax revenue.

Sharon Debano, against. Just built house in area; taxes are high and non-homestead and needs help; has landscaper and cleaner; wants to rent out for about 3 weeks to cover taxes.

Cheri Hines, against. Was a purchaser of Krieb cottages; had for 6 seasons and called police once and 6 cars showed up in 5 minutes and stayed until everyone left; her current STR is a rental cottage that sits on same lot as house; if it cannot be rented, then what?

Jim Roland, against. Not a resident; owns rental next door but would not be able to homestead if didn't live there; would lose tax revenue; if someone has something to say beyond 3 minutes, should be able to.

Karen Lanfear, for. Bought in particular area with no intent to rent and hoped others would not start to rent; now have 27 residents that share beach and 2 VRBO's; forced on homeowners and unfair; need restrictions if STR's approved; send rentals to public park not use private beaches; not only one on street that feels this way.

Susan Philbrick, against. Has couple properties on Port Austin Road; do not rent and do not intend on renting; need regulation but to eliminate is a disservice to community.

Jim Jurkiewicz, against. Where is data to support ordinance; what are next steps after this meeting? Form committee, go thru bullet points. What is the process after this?

Debbie Roland, against. Not a resident; has homestead and STR; STR owners do not have homestead and pay a bulk of the taxes but do not have a voice.

Siver asked if there were any further public comments. After no further comments, the Public Hearing was closed.

Public Hearing Closed at 7:28 p.m.

Siver announced a 5 minute break.

The meeting was called back to order by Siver at 7:34 p.m. Siver asked the audience if anyone wanted to make a public comment on an agenda item aside from the zoning ordinance.

Public Comments:

Charlie Christensen stated that after looking over Minutes of the township, the public comments provided to the PC do not make much difference; he is appalled and disappointed; not bringing in all the stakeholders that need to have a voice.

Correspondence:

- Building Permit Report for May 2023 – no comments.
- Zoning Report for May 2023 – no comments.
- Land Use Permit Report for May 2023 – no comments.

Old Business:

- Zoning Ordinance Amendments

Siver asked if the PC had anything to say. Quinn thanked everyone for showing up and knows there are two sides to every story and will take what was said and try to do the right thing.

Lalley stated the PC was working since last September on a STR ordinance to allow STR's with certain provisions; it was a detailed ordinance. Based on complaints, the PC had to address complaints which the PC did and sent its draft to the township Board. Lalley stated he received a call in the last two weeks advising STR's are being eliminated. Lalley feels he was blindsided by the revised ordinance the Board sent back to the PC and will not endorse it. Lalley asked if a joint meeting could be held between the Board and the PC in order to understand why the Board made the change.

Hoffman stated he looked at numerous municipalities' STR ordinances and the ordinance the PC drafted was very detailed and a lot of difficult work. Hoffman stated it was his understanding that the Board initially was in agreement with the PC draft ordinance. Hoffman stated he was not in favor of STR's but the PC's responsibility is to find a balance between the homeowners and the STR owners. Hoffman stated he is against sending this ordinance to the Board. Hoffman also requested that a joint meeting between the Board and the PC be held in order to get a better understanding of why the Board changed their minds.

Siver requested a roll call to amend the Zoning Ordinance regarding Short Term Rentals:

Quinn – no
Lalley – no
Siver – yes
Hoffman – no
Collins – yes

Siver requested a roll call to amend Section 16.6.C.3.b of the Zoning Ordinance by increasing the variance expiration period from 180 days to one year:

Quinn – yes
Lalley – yes
Siver – yes
Hoffman – yes
Collins - yes

Siver asked Collins to request a joint meeting with the Board. Collins asked whether a joint meeting was needed because the issues have already been voted on. Siver stated there has been some expression of bewilderment. Collins stated she would request a joint meeting at the next Board meeting. McCallum asked what the purpose of the joint meeting was. Lalley stated he would like to know what happened; what happened at the Board where the PC got back nothing to do with what was sent to them. Siver stated that currently STR's are prohibited, nothing has changed; the ordinance simply has not been enforced. Lalley suggested the joint meeting should be held at the Outdoor Center due to the amount in attendance.

Public Comments:

Ann Krzeminski thanked the Board for all the time and effort they put into not only this ordinance but other items that have been put in front of them; it is a thankless job.

Amy Colagiovanni stated she called the township four or five months ago and was told by the Zoning Administrator that there were no rules or regulations on STR's in Lake Township.

Mark Krebs asked whether the general public can attend the joint meeting and make comments; Siver advised that it is an open meeting and public comments will be available.

Motion by Hoffman to schedule a joint meeting with the Board of Trustees on Thursday, July 27, 2023 at 6:00 p.m., seconded by Lalley. All ayes – passed.

Motion to adjourn made by Siver, seconded by Collins. All ayes – passed.

Meeting adjourned at 8:09 p.m.

Next meeting Wednesday, July 26, 2023 at 6:00 p.m.

Submitted by Lisa Clinton