

MILLINGTON TOWNSHIP PLANNING COMMISSION

Monday April 8, 2024

8553 State Road, Millington, MI 48746

Regular Meeting Minutes

Meeting called to order at 6:10 PM by A. Zavitz. Roll call showed members Ed Maschke, Doyle Pletcher, Matt Opperman, Alvin Zavitz, Luanne Jaruzel, ordinance enforcement officer Tammy Daenzer and 37 guests present.

Minutes from March 4, 2024 meeting approved with one correction.

Regular meeting closed and public hearing opened. 7 letters from citizens read; 5 in favor, 1 against and one in favor of tent & bus rental; one from Tuscola County Planning Commission were read. County Planning Commission feels the revised ordinance is clear and concise. Public comment opened to the people present. William Heusted- Orchard Lane – disputes the decision to have an ordinance and wants more facts. Rachel Rotman – Osborn Drive – voiced concerns of people driving on her lawn and taking photos of her home. Feels her privacy was invaded. Expressed concern that Maschke is both on the board and head of the Murphy Lake association.

Dennis Bigelow – Genesee County – He stayed at one of the rentals on Murphy Lake and enjoyed his time there.

Richard Yeager-Stiver – Private roads opens home to lawsuits and an insurance policy is needed by the homeowners association or individual homeowners could be liable. Asks for delay in the ordinance until the association can address this issue, or put in the ordinance that rentals can only be on public roads.

Peggy Maschke – Huston Drive – the township board has the final say on the ordinance. Stated neighborhood people drive on the lawns when the roads get muddy.

Cody Clark – Osborn Drive – is a part owner of rental in Frankenmuth and pays 6% fee. Suggests a similar 6% fee on rentals and it could be split 3% to township, 3% to homeowners association for road maintenance. Suggested an 11PM quiet time.

Randy Allar – Huston Drive – Suggests getting a survey, is against having RV's, tents and busses allowed as rentals.

Donna Solce – West Road – Murphy Lake State Game area is environmentally sensitive area and is concerned about the increase in sewage & with the possibility of contamination if tents & campers are allowed. Wishes the current ordinance had been enforced and wants LR ordinance to be different than whole township.

Paul Martin – Murphy Lake – concerned about having tents & RV's as rentals, would bring in excessive ATV use. His neighbors are against rentals also.

Steve Ley – Osborn Drive – feels he has been mislead & lied to by the board. Doesn't feel safety issues are being addressed. The board should enforce current ordinance as written before starting new, thinks the board is unethical.

Paul Dudley – Huston Drive – current ordinances are not up to date with current issues of short term rentals. Stated 2 rentals currently operating are not causing problem. Visiting family members are transient like rental visitors. He is trying to operate responsibly.

Nick Acquino – Osborne Drive – houses only 9 feet away near his house, feels the new ordinance needs distance setbacks between rentals and private owners.

Diane Wood – Osborne Drive – requests ‘cases and desist’ letters be sent to the short term rentals. Public access should be at the boat launch and beach area only as in the past, not in residents homes. Is against them (STR) being grandfathered in.

Renee Dudley – Huston Drive – is an AirBnB owner & they vet their renters. When they bought the house they were upfront with office that they intended it to be an investment.

Emory Close – Millington – told the board they failed to think about both sides of the issue.

Jim Cobb – Orchard Lane – thinks this whole thing is just about making money.

Carrisa Schmitzer – Vassar – looked but didn’t buy house on the lake because they are too close.

Catherine Parsell – is a mortgage lender. Says there is no data that STR’s lower property values. Discussed appraisals.

Public comment closed.

Old Business – Discussed total number of rentals to allow in LR zone. Moved by Pletcher, second by Zavitz to change “10% of total zoned properties” to the real number 10. Page 4, item 3 will read “A property owner may not own more than two short term rentals within Millington Township LR zoning district. Total short term rentals in LR Zoning District shall not exceed 10 zoned properties.” Unanimously agreed to by the board.

Definitions in zoning ordinance 23.01 will be the same as in the draft by unanimous agreement.

Board reviewed Enforcement Officers suggested wording for clarity and in keeping with wording/phrasing of current ordinance for Section 14.26 A & B. Wording will read as follows: Section 14.26 Vacation Rentals: A. Bed and Breakfast Establishment, Short-Term Rental – Property Owner Occupied, and Short-Term Rental – Non-property Owner occupied are permitted only as a special land use in the AR, R-1, LR, RM, and C zoning districts. B. In addition to all other requirements for special land uses, under this Zoning Ordinance, the Bed and Breakfast Establishment Rental, Short-Term Rental – Property Owner Occupied, and Short-Term Rental Non-Property Owner Occupied, must comply with all the following standards.” Agreed to unanimously.

Discussion on allowing tents, busses, & RV’s, being permitted as rentals by special use permit. Moved by Pletcher, second by Zavitz to remove the wording “bus, RV, & tents as rental units” from the proposed ordinance in all areas, and return the verbiage to the previous version proposed. It will read “not to include busses, tents or RV as a rental” in all zones. Ayes: All Nays: None Motion carried..

Section 14.26: Vacation Rentals B 9 & 10. Enforcement Officers’ suggestions reviewed. Moved by Pletcher, seconded Opperman to add “Property Owner” to #10. It will now read “The Property Owner and renters must comply with the following requirements for vacation rentals and Property owner must provide each renter with the Property Owner’s or a Designee’s emergency contact information such as a landline and/or mobile phone number, and supply the following information in writing:” and lists the same rules as in the draft. Ayes: All Nays: None Motion carried.

Discussion on Section 17.01 Scope Site Plan review. Motion by Opperman, second by Pletcher to add “every proposed use.” It will read, “A site plan shall be prepared and submitted for every construction project and every proposed change in land use, and every proposed special land use except that no site plan shall be required for single family residences, farm buildings, or buildings which are necessary to single family residences, Bed and Breakfast Establishment Rentals, Short Term Rentals – Property Owner Occupied and Short Term Rentals – Non-Property Owner Occupied.” Ayes: All Nays: None Motion carried.

Discussion on the required number of days unit must be rented to keep a permit. Moved by Pletcher, second by Opperman to change proof of rental occupancy requirement to “15% or 55 days” in a rolling

year. Zavitz -yes, Pletcher – yes, Jaruzel – no, Opperman – yes, Maschke – yes. Motion carried.

Discussion on a 6% tax on rental units. Ideas suggested on possible uses of funds were half to township & half to the Murphy Lake Homeowners Association. More information would be needed & the opinion of Millington Township Board could be sought. No action at this time.

Moved by Pletcher, second by Opperman for Maschke to print up copy with changes passed and present to Millington Township Board for their approval at their next meeting April 15, 2024. Ayes: All Nays: None Motion carried

Doyle moved to adjourn, Second by Zavitz. Adjourned.

Meeting reopened immediately.

New Business – Sherry Morris – Read statement & told of trying to promote good feelings around the lake with positive signs. She showed examples.

Mark Morris – stated he feels he is being strong armed. Voiced his opinion against any stipulation regarding a tax on the short term rentals. Stated that it is delivery trucks that drive on yards.

Candice Wilson – not present.

Public Comment – Paul Dudley – Asked that rentals not be singled out for more stringent codes or taxes.

Nick Acquino – discussed road usage. A rental is only 9 feet from his deck and his “cottage charm” has been ruined.

Peggy Maschke – stated short term rentals are a fairly new industry. Insurance policies for them are under homes not as business or commercial.

Cody Clark – stated loans for rentals are given as home loans.

Mark Morris – Stated courts upheld they are residential vs commercial.

Public comment closed.

Next Meeting Monday May 13, 2024.

Meeting adjourned at 9:16 PM.

Respectfully Submitted,

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Luanne Jaruzel, Secretary

