**TORCH LAKE TOWNSHIP**

**REGULAR SCHEDULED PLANNING COMMISSION**

**Tuesday, June 14, 2022**

**Community Services Building**

**Members Present:** L. Carlton (serve as acting Chair), B. Budros, B. Hawkins, D. Walker, J. Merchant

**Members Absent:** B. Dvorak, A. Graves (Chair)

**Others:** S. Kopriva, J. Petersen

**Recording Secretary:** Veronica Beitner (remote)

**1. Call to order** by L. Carlton at 6:00 pm

**2. Pledge of Allegiance**

**3. Consideration of Agenda –** (M/S) B. Hawkins/B. Budros motion to accept as is. Passed 5-0.

**4. Conflict of Interest -** None

**5. Approval of Meeting Minutes from May 10, 2022:** page 3, Summary of Conditions #8 remove “with road ends” and add DNR LAUNCH. Same section corrects spelling of name D. Wright to D. Walker. Add J. Merchant to Members present. **Approval of Meeting Minutes from May 11, 2022:** Page 2, five lines down should reflect L. Carleton stating “all” and remove “some.” Same section, line 7 should reflect “4” in support. Header should reflect “May” and remove “Wednesday”. (M/S) B. Hawkins/B. Budros motion to accept the minutes as corrected. Passed 5-0.

**6. Public Comment on Agenda Items other than Public Hearings/New Business** - None

**7**. **On-Going Reports**

**A. Zoning Administrator’s Report** – Attached for review.

**B. PC Representatives to ZBA Report** – No meeting

**C. TLT Board Representative on PC Report –** No report, was unable to attend

**8. Correspondence** – None other than those related to tonight’s meeting. Hold for New Business

**9. New Business**

**A. SUP 2022-04** – Jeff Felix request for short term rental permit application, Parcel number 05-14-495-006-00 located at 6074 N. M-88, Central Lake, MI 49622 in the Village Business zoning district.

**1. Presentation of Applicant** – Introduced himself as seeking SUP for short term rental of property that will also be utilized by his family.

**2. Public Hearing** – Opened at 7:10 pm. Questions by Commissioners to the Zoning Administrator regarding documents attached to the application. Review of screening, parking,

Applicant asked need for 4 parking spaces. Applicant states that is what exists and not asking for anything new. D. Walker asks if the number can be changed due to appearance of parking lot. Zoning Administrator states this can be regulated as long as cars are not forced to park in the road. The applicant states that due to location of post office and Torch Lake Café, screening already exists. Specific question to the front of the house appearance is up for discussion. Question regarding limit of guests with answer by applicant stating 5 guests. Noise curfew will be at 10:00 pm and added to paperwork by applicant. Question by B. Hawkins regarding vetting of guests. Specific what is the role of VRBO. Applicant states there is really not a process but explained process. There will be a local individual in charge of rental and to handle issues. Question regarding why times of years were stated in previous Jenkins application and not this one. Answer is that it was a condition of owner and not the Commission. Question asked regarding fireworks. Applicant stated no fireworks and it will be added to paperwork.

**Public Comment:** D. Taylor, 5844 N. M-88 speaks to short term rental overall and asks if the rules still states that there are no short-term rentals allowed on the lake. Is against short term rentals as a whole and they don’t add to the Township. Susan Stridiron, 5903 N. M-88 read letter from David Hendershott, 6046 N. M-88. Neighbor two doors down from the applicant. Has concerns with short term rental due to potential for renters to not be considerate to the neighbors. Asks the Planning Commission the give careful consideration to how this application fits with the Master Plan and how they can ensure the current status of the neighborhood. Agrees with the Zoning Administrators recommendations. B. Stridiron, 5903 N. M-88 against any short term rentals. References survey from the last Master Plan review. Spoke to fact that homes in surrounding area of applicant are all long term homes. Any rentals are long term for workers to the area such as the Torch Lake Café. Referenced East Bay stringent regulations and their process. Requests moratorium to be put in place to allow further review and discussion with the Zoning Administrator.

**Written Correspondence:** Cindy Boisington, Lynn and David Agar and question from Commissioner B. Dvorak with copies provided to the Board.

B. Budros spoke to being a former commissioner for Traverse City. Growing number of rentals offers additional potential issues. Would like to see the Planning Commission detail a specific process moving forward. D. Walker is conflicted due to the property in question is in proximity to a current motel. Has concerns regarding the management and also has concerns for housing for seasonal workers. How do you restrict some and not others? The applicant clarifies that there is someone that will be entering between rentals and on payroll. Feels this is similar to current motel. S. Kopriva states that there are good points to review but in regards to tonight’s applicant, the Commission must deal with what is currently in the ordinance. B. Hawkins addressed licensing and asking who is the acting agent? Answer is that the Township served as the licensing agent and B. Stridiron offered additional information. L. Carlton summarized that everyone agrees that further discussion is necessary for future conversations.

**Standards for Approval:**

1. Discussion: B. Hawkins believes the first condition is supported and met. Condition is met 5-0

2. Discussion: Condition is met 5-0

3. Discussion: B. Budros feels that it is met; however, future renters may negatively impact. Condition is met 5-0.

4. Discussion: D. Walker reiterates that only concern is that the management is local. Condition is met 5-0

**Conditions for Approval:**

Limit overnight guests to five (5)

Limit vehicles to two (2) overnight due to size of lot and home discussed. Applicant asks for specifics to the concern which were addressed by Board.

Trailers are not counted as a vehicle and allowed to be parked to the East side of the home and limited to one (1). Applicant adding to application no tents or campers.

Applicant will update rules and add curfew time of 10:00 pm (Quiet time). Reviews of Township enforcement and public complaint guidelines provided by S. Kopriva, Zoning Administrator/Consultant.

(M/S) B. Hawkins/J. Merchant Motion to approve SUP 2022-04 with the following conditions that the occupants limited to 5, vehicles limited to 2 plus one trailer for overnight parking to be parked on the east side of home, with an updated condition that the applicant will provide an updated list of rules to include no fireworks. No further discussion. Roll Call Vote: B. Budros – yes, B. Hawkins – yes, D. Walker – yes, J. Merchant – yes, L. Carlton – yes. Passed 5-0.

(M/S) B. Hawkins/B. Budros motion to recommend to the Torch Lake Township Board to place a moratorium on short term rental to remove short term rentals from Village Business until such time we can review the master plan and make consistent. Vote passed 4-1 with J. Merchant voting no.

**10. Unfinished Business**

**A. Annual Report:** B. Dvorak provided a report to be presented to the Torch Lake Township Board for review. (M/S) L. Carleton/B. Hawkins make a motion to approve the report to be sent to the Board. Roll Call Vote: B. Budros – yes, B. Hawkins – yes, L. Carleton – yes, D. Walker – yes, J. Merchant – yes. Passed 5-0.

**11. Concerns of Commission** - None

**12. Public Comment** – none

**13.** (M/S) B. Hawkins/J. Merchant motion to adjourn at 8:14 pm. No discussion. Passed 5-0.

Minutes Respectfully submitted by Veronica Beitner and subject to approval at the next regularly scheduled meeting.