

MINUTES SILVERCREEK TOWNSHIP
PLANNING COMMISSION MEETING – FEBRUARY 24, 2021
PUBLIC HEARING

Chairman Terry Harris called the public hearing to order at 7:00 p.m. on Wednesday, February 24, 2021.

The Pledge of Allegiance to the Flag of the United States of America was recited.

MEMBERS PRESENT: Nick Barnes, Mick Braman, Debbie Brown, Tim Feirick, Terry Harris, John Joossens, Jon Tidey

MEMBERS ABSENT: None

OTHERS PRESENT: Building and Zoning Administrator Todd Herter, Recording Secretary Liberty Nevins, Township Attorney Robert Thall

APPROVAL OF THE AGENDA

Debbie Brown motioned to approve the agenda.

Mick Braman seconded.

Motion passed by voice vote.

REASON FOR PUBLIC HEARING

Debbie Brown explained the purpose of the public hearing by reading from the township website. She read that “short term rentals in the Waterfront District are not currently a permitted use. The Planning Commission is discussing this topic and welcomes public input. The best way to have your voice heard is to attend the meetings, currently via Zoom, or write a letter to the Planning Commission, or send an email to the township Clerk”.

PUBLIC COMMENT

Terry Harris stated that the public would get 2 minutes to talk per person, except for the exceptions of the designated people who would speak longer on the behalf of a group.

Pam Levey shared her memories in the township from over the years. She requested that short term rental owners be able to rent as much as they please.

Teri Carone stated that the group she was representing opposed the proposed short term rental ordinance. She stated there was a petition signed by over 1,100 people in opposition to the ordinance. She stated that the group believed that the ordinance is an overreach of local government that infringes upon private property rights in attempt to correct the bad behavior of a few individuals. Teri stated most local businesses were not aware of the proposed ordinance. She

stated the businesses were concerned of loss of revenue after hearing about the ordinance. She stated some businesses were reluctant to share opinions for fear of retribution.

Anastasia Gonzalez commented that the topic should be tabled.

Jennifer Wescott commented that hired cleaners and landscapers would lose jobs if the ordinance restricted the number of days allowed for short term rentals. She recommended that a noise ordinance be put into place. She stated she was concerned for the township's business if the ordinance gets approved.

William Broukal commented that it would be unfair to not allow renters this year who already reserved time to rent. He stated many renters become property owners who keep the property values up.

Tali Kulbeda commented that she opposed the proposed ordinance. She stated that as a short term rental owner she never had any issues with renters. Tali requested the ordinance to be tabled.

Mark Burns voiced his opposition and commented that the proposed ordinance would be overkill. He requested the topic to be tabled.

Jude Murray commented that local realtors opposed the short term rental ordinance. She requested the topic to be tabled.

Brian Nigohosian stated that he was in favor of the proposed ordinance. He stated that it would be a reasonable restriction. He commented that if nothing is done now, there will be bigger problems regarding short term rentals in the future.

Tony Lazzara stated that his property value would go down if the ordinance is enforced. He stated that he did not know of any problems caused by short term rentals.

Lauren Wittorp commented that she would want the Planning Commission to pass an ordinance that allows short term rentals.

Justin Sebastian commented that the ordinance could be tweaked in order to not be as restrictive. He commented that a noise ordinance could be passed.

Nick Barnes motioned to close public comment.

Debbie Brown seconded.

YES (7): Nick Barnes, Mick Braman, Debbie Brown, Tim Feirick, Terry Harris, John Joossens, Jon Tidey

NO (0): None

Motion passed by roll call vote.

Terry Harris commented that the Planning Commission received several letters regarding the short term rental ordinance.

Debbie Brown commented that there were 7 letters against the ordinance, 5 letters that supported the ordinance, and 2 letters of people requesting to speak for a group.

COMMISSION MEMBER DISCUSSION

Nick Barnes applauded the people who spoke up in opposition or support of the proposed ordinance.

Terry Harris commented that he was concerned with the fact that is seemed misunderstood that the ordinance was something the Planning Commission chose to do. More so it was legally required to happen.

Mick Braman commented that there should be further discussion about the short term rental ordinance. He stated that the ordinance draft needed to be worked on. He stated that he would be in favor of the establishment of a citizen's board to further discuss the topic.

Tim Feirick commented that there should be a citizen's committee to discuss the issue with the township.

Nick Barnes motioned to close the public hearing.

John Joossens seconded.

Motion passed by voice vote.

Terry Harris closed the public hearing at 7:55 p.m.

REGULAR MEETING

Terry Harris called the regular meeting to order at 8:00 p.m.

APPROVAL OF THE AGENDA

Debbie Brown motioned to approve the agenda.

Mick Braman seconded.

Motion passed by voice vote.

APPROVAL OF THE JANUARY 27, 2021 MINUTES

John Joossens motioned to approve the January 27, 2021 minutes.

Tim Feirick seconded.

YES (6): Nick Barnes, Mick Braman, Tim Feirick, Terry Harris, John Joossens, Jon Tidey

NO (0): None

ABSTAIN (1): Debbie Brown

COMMUNICATIONS

None

PUBLIC COMMENT

None

TOWNSHIP ATTORNEY REPORT

None

ZONING BOARD OF APPEALS REPORT

None

BUILDING AND ZONING ADMINISTRATOR REPORT

None

COMMISSION MEMBER DISCUSSION

Tim Feirick commented that any updates or information on short term rentals, along with the lake rules, should be posted for the rental owners. He commented that the number of short term rental days permitted in the proposed ordinance should be extended to more than 27. Tim commented that the occupancy for short term rentals should also be increased. He stated that anyone with current rental reservations should be allowed to keep them.

Mick Braman commented that he believed the short term rental ordinance draft is very restrictive. He stated that he would be in favor of short term rentals being under a special use permit with a registration, along with a registration fee, and liability insurance.

Todd Herter commented that the short term rental ordinance would need to line up with the township's master plan.

Terry Harris commented that he believed having a citizen's committee on the short term rental ordinance could slow the process down.

Debbie Brown commented that the occupancy load was restrictive in the ordinance draft. She stated that having a million dollar insurance policy for the short term rentals seemed high.

Nick Barnes stated that it would be beneficial to have another meeting in which the public could speak and share opinions in the summer when there is more activity.

Terry Harris stated that the Planning Commission should have a set time frame when the discussion on short term rentals would be wrapped up.

Debbie Brown motioned to table any action to the short term rental ordinance draft until the next meeting.

Nick Barnes seconded.

Motion passed by voice vote.

UPDATE ON PUBLIC USE OF FIREWORKS

Mick Braman commented that there is currently a Michigan law that allows for fireworks to be used during certain segments of the year. He stated that the township Board thought the township should adopt the Michigan law.

RV AND BOAT STORAGE

Mick Braman explained that the storage issue had been solved.

PUBLIC COMMENT

None

ADJOURNMENT

Debbie Brown motioned to adjourn.

Nick Barnes seconded.

YES (7): Nick Barnes, Mick Braman, Debbie Brown, Tim Feirick, Terry Harris, John Joossens, Jon Tidey

NO (0): None

Motion passed by roll call vote.

Meeting adjourned at 8:47 p.m.

Recording Secretary, Liberty Nevins

Secretary, Debbie Brown