**Rock River Township Planning and Zoning Commission**

**Proposed Public Hearing Meeting Minutes**

**February 6th, 2023**

**Call to Order:**  \_7:00\_ p.m.

**Pledge of Allegiance:** Led by Chair

**Roll Call:** All present – Rondeau, Bunce, Johnson, McLaughlin, and Shega

**Guests:**  Nathanial Wood, Ronald LeJeune, Kathy LaRock, Ona Martin, Rich Beasley, Jeanne Verbrigghe, Jim Verbrigghe, Denise Bartlett, Scott Bunce, Elise Bunce, Steve Norman, Monica weis, Roger Matulevicz, Cindy Kallio, Dee Jay & Heidi Paquette, Steve & Heather Smith, Jon & Chris Lindquist, Rod & Denise Gerth, Tom Schierkolk, Mark Skidmore, Vince Grout, Dave Braun, Dave Lamere, Daniel Helminen, Tara Hytinen, Kit L Fortney, Brice Burge, Mary Joan O’Halloran-Torongo, Trevor Case, Dena Heinonen, Linda Greil, Kit R Fortney

**Approval of Agenda:**  Agenda amended to show only the Public Hearing for the RP10. Motion to postpone #6 due to uncompleted process for a later date by McLaughlin, supported by Bunce. All ayes. Bunce moves and Rondeau supports to accept Agenda starting with #7.

**Approval of Minutes:** Motion by Bunce – Support by Shega to table minutes until the next regular meeting. All in favor.

Chair asked Trevor Case to explain the Township board’s request of the Planning Commission.

Public Comment: Dena Heinonen – Would there be a top priority in coming up with a plan? Rowan states that we’ve already discussed this in a work session and will continue to do so. It is a priority. Linda Greil – are we thinking 6 months? Rowan – no time frame. Don – we make a recommendation to the twp board and they will decide. Dan Helminen - thinking of relocating for a period of time and wanted to use their house for a vacation rental while they were gone. Jeanne Verbrigghe –disagrees removing condition use from RP10. Current practice seems to be working and keep it least restrictive. Also offers us equal opportunity and doesn’t want to be restricted. Dena Heinonen– snowmobilers bought the house she was living near and she felt very uncomfortable with random people around her house. Can we allow residents do this and not let out of towners buy houses for VR? Jim Rondeau – says that Dan H might have to sell his house etc and if we can’t make money on property then the tax rate should go down. Dawn Rondeau – says there’s no problem now so why are we doing this? People here don’t want it. Lets do a show of hands like we did before. Elise Bunce – agrees with all of us – on the fence and lives in RT10. Has had people sighting their guns on the hill she lives on. Doesn’t want to take anyone’s right away but thinks it should be restricted – many other municipalities are dealing with problems. Phyllis Pokela – years ago, we were in our own yard and got shot at. These snowmobiles and 4 wheelers could be local too. Scott Bunce – address “a problem that doesn’t exist” – evidently it isn’t a problem in Traverse City, Oscoda, etc. State has HB 32 with a cap on short term rentals so these are real issues. It is not something that doesn’t exist. Monica Wiese – thanks the board to the opportunity to discuss. Short term rentals should be put where they are zoned for – as they are businesses. A system in place to manage where they are. Bought property in the 90’s – wanted rural areas – wants to know her neighbors and that sense of security. Impact our quality of life – asking for them to be zoned in and or zoned out to control them. By proactive about this. Mary Jo Torongo– 49.5 is our average age. A quarter of us are 65+ - we can’t keep our youth here so how do we give young people a place to live. We’re closing a door. Kit Fortney Sr– we are told every day what we can do or not, with our property by the Federal and State govnt. Nathanial Wood – doesn’t like moratoriums etc but moved here because of what he likes here and says he’s been in other places that get overcrowded. Couldn’t afford to stay in Traverse City – stayed out of town in a VR owned by corporation. What I would like to see – adopt proposal with a subset clause – and restrictions in place when its opened up. We’ll have another plan in place within a certain period of time. If we can legally do it, only locals can do this. Olivia Kingery- wants us to grow, not on the short term but all ways. Heidi Helminen – loves it here but might have to rent short term – propose that people that rent out their homes pay a bed-tax that would benefit us. Limits on commerce could be compared to Duluth vs Superior. Need to invest in quality of life for residents too. Dave Lamere – foundational kind of guy wants to get to the root – why are we arbitrary. Need to define residential – how do you say its still residential if I’m not there. Moved to residential location for security and peace. Consider 14, 5, amendment in constitution when deciding this. Conditional use is not a magic wand – what happens after changing it from residential to non-residential? A good friend wants to put cabins at the end of Rumley road and he doesn’t want that. Brice Burge– lives in Munising but used to live here. Munising Twp sued the Renzes – Autrain fought every single time. Rock River Twp doesn’t not have enough to limit because there’s nothing done about the illegal ones. Can’t go to a ban when there’s no way to regulate them. How many illegals are up to fire code? Waste of town monies – see what we have in place once we work with the illegals. What is a bed and breakfast for instance. Can variances work? Has the local government done enough to put a ban in place. Steve Smith – are there rules right now that aren’t being done? Renee – nothing specific in regulations to answer the question. Steve Norman on Samuelson Rd– let the township come up with a plan before eliminating everything. Owned by out of towners – a few of them in the twp. Some bad apples – some good ones. Elise Bunce – what is on record or policy for someone who has a VR that gets rowdy. Who is out there helping to make sure everyone is behaving. Financial responsible for damage done? The owner or person who does the damage? Linda Greil – VR right next to their property and never been a problem because they made it clear they couldn’t go on their property. Doesn’t understand the need for this “emergency type of hearing.” Jim Rondeau – other communities that surround us do not restrict VRs – they do not have any problems. Tara Rondeau –wants to be on the record that she’s opposed. Ron LeJune wants on the record that Case said he’d bring paperwork, petitions and letter from attorney etc and why hasn’t he. December meeting of the twp board he said he would bring them.

Case says comprehensive plan is needed. John Lindquist– *if* someone is breaking the law, it’s their responsibility, not the homeowners. 100 snowmobiles at the pub the other day. Always going to have people coming around. As long as people are behaving, we should be grateful they are there. Young people at their place want to buy homes here. See the beauty – look for jobs here. Getting rid of RP10 – once you get rid of it, its hard to get it back. Use a little logic and do it on an individual bases – make people jump through the hoops. Jana Hytinen– had people at her business looking for property to buy – stay at VR when they are looking – snowmobiles are aggravating but if we work with the VRs, we can keep the problem at bay. Just work with what we already have and motels/hotels. Thinks we can all work together. Vince Grout – currently they are ruled by very general rules – need to come up with a very specific set of regs for VRs. County bldg inspector is supposed to inspect - are those things being done? If not, they should be. Let people know what this is. if we leave the use at RP10 while trying to put together set of guidelines, between now and when we can come up with those – we’re leaving ourselves wide open. Codification and definition. Both have to understand what it entails. Mark Skidmore – moved to AZ because he couldn’t find anywhere here to buy. Finally got lucky and found his place, but family members can’t find places to rent long term. Kids and grandkids need this – limiting long term rentals is not good either. Wm Pirman – Skandia – some are better than others for sure – may do it in the future – get rules in place but not cutting anyone out. Came here for the peace and quiet but need to make money. Need to keep neighbors happy so rules are important. Volunteer fireman needs to know what to do and who to call.

Trevor Case spoke with many attorneys – municipal and land planning attorneys etc – cannot prohibit a use for the entire area of government -even capping is a ban and can’t be legally defensible. The only way we can regulate growth is putting them where you think the need is, and out where it isn’t via zoning.

Chair calls for any other comments.

Mike Saberniak – targeting of RP10 is misguided especially when you look at the noise issues. Zoning is overdone and should be targeted on what is built and not on existing buildings. Those should be the property owners. Cindy Kallio- was on the planning commission for 15 years – have specific rules for conditional use until we come up with something. Be more specific like we are for gravel pits, etc. Zoning helps protect the local and existing land uses. Thanks the township board for being proactive so we don’t end up like Musing and Autrain. Denise Bartlet wants to be a cheerleader for the boards - finding middle ground is tough. Frank H– the best thing to do is not to limit uses but a permitting process. Make sure all is up to code and EMS can get there and people behave.

Chair closes the hearing portion of the meeting and public comment for board discussion. Time – 8:17

Trevor submitted 2 petitions – one for support and one for no support. Went to RP10 houses and asked them if they were in support of that use for RP10. Read the hearing notice to them and talked to them.

Jon Rondeau – feels petition it is a biased output with someone going into houses. Renee McLaughlin feels it is non-scientific also. Trevor says we elected township officials to make decisions and he wanted to talk directly to the people. What Renee has heard tonight – a high level thought is that people should be able to use land to the extent that they don’t abuse neighbors. Conditional use is not the answer either – process doesn’t work. You cannot tell new owners what they can use their house for. Regulations/enforcement/ - there is none of this now either. We were charged with doing something about this months ago and need to do it so its enduring and fair. Don Johnson– we have a process and its working. Jon Rondeau - we started to look at caps – then it changed to zoning it out in RP10 – so goal post completely moved. We can put more things in place – the zoning administrator was the best one we had and he left us so we lost this resource. Johnson and Rondeau said they spoke with Autrain Twp planning commissioner and they have no limits and no problems. Shega spoke with Michelle Doucette, the Supervisor there and they do have problems as there are no longer homes for local, young people. The number of VR’s have also changed the composition of the area – said that she was envious hearing about the local chili feed because they would no longer be able to have something like that with VR’s taking up so much housing and not many locals.

Board discussion – thresh hold number could be a potential fix? Approve the twp request or not? If we remove it, there’s no use and shut down until a plan is in place.

Zoning language change presented by the Twp board. Trevor summarizes the proposal to the audience in regard to townships intention. Township wants some kind of way to regulate the VRs. So the twp board proposed this amendment change to the zoning RP10. Logic is to keep these on the main thoroughfares and business areas. “unowner occupied” is the VR – (this does not include bed and breakfast). Descript definition of what we are trying to prevent in regard to the potential over-abundance (MCL says we cannot ban over the entire township) and says we have to zone them out. RP10 – signatures on petition. There are other ways to do this but want to do this until the PC comes up with a real plan. In closing, desire houses filled with locals.

Motion (to not change RP10) made by Rondeau – no support. Bunce motioned to approve the removal of conditional use of VRs from RP10 and the PC will come up with a set of regulations to the township board before the moratorium ends. McLaughlin supports. Discussion enforcement policies and permitting use – moratorium is on all - positive impact on the community.

Role call – Rondeau- Nay, Bunce- Aye, Johnson- Nay, McLaughlin-Aye, and Shega- Aye Motion passed.

**Motion to Adjourn:** Motion by Bunce, 2nd by McLaughlin. (all in favor, motion carried)

**Adjournment:** 8:51 p.m.