

**CHARTER TOWNSHIP OF GARFIELD  
PLANNING COMMISSION MEETING  
December 9, 2015**

**Call Meeting to Order:** Chairman Racine called the meeting to order at 7:00pm at the Garfield Township Hall, 3848 Veterans Drive, Traverse City, MI 49684.

**Roll Call of Commission Members:**

Present: Pat Cline, Kit Wilson, John Nelson, Terry Clark, Joe Robertson, Gil Uithol, John Racine

Staff Present: Rob Larrea

1. **Review and Approval of the Agenda – Conflict of Interest (7:00)**  
*Uithol moved and Nelson seconded to approve the agenda moving item e to item c.*  
*Ayes: Uithol, Nelson, Wilson, Clark, Cline, Robertson, Racine*  
*Nays: None*
  
2. **Minutes (7:02)**
  - a. **October 28, 2015 Minutes**  
*Nelson moved and Cline seconded to approve the minutes of October 28, 2015 as presented.*  
  
*Ayes: Nelson, Cline, Clark, Wilson, Uithol, Robertson, Racine*  
*Nays: None*
  
3. **Correspondence (7:02)**
  - a. Letters – Short Term Rentals
  
4. **Reports (7:02)**  
**Township Board Report**  
Wilson had no report  
  
**Planning Commissioners**  
No reports
  
5. **Business to Come Before the Commission**
  - a. **PD 2015-65 Adoption of 2016 Meeting Schedule (7:03)**  
*Nelson moved and Robertson seconded THAT the 2016 Planning Commission meeting schedule, as attached to PD Report No. 2015-65, BE APPROVED.*  
  
*Yeas: Nelson, Roberston, Uithol, Wilson, Cline, Clark, Racine*  
*Nays: None*

**b. PD-2015-66 Reid Child Care (7-12 Children) – SUP – Introduction (7:03)**

The application requests a Special Use Permit (SUP) to establish a group childcare home at 3181 Zimmerman Road. The subject property is located on the west of Zimmerman Road, north of Silver Lake Road and south of the Heritage Estates subdivision. The property is zoned R-1 Single Family Residential and contains an existing single-family home. Fencing and road commission review and approval was discussed by Commissioners. Applicant Elizabeth Reid of Zimmerman Road commented on the fencing and noted that 600 square feet of outside area would be fenced even though the state licensing bureau does not require any fencing.

*Nelson moved and Clark supported THAT application SUP-2015-02, submitted by Elizabeth Reid for a Special Use Permit for a Child Care Small Group Home BE ACCEPTED and scheduled for a public hearing at the regular meeting to be held on January 13, 2016.*

*Yeas: Nelson, Clark, Wilson, Nelson, Robertson, Cline, Uithol, Racine  
Nays: None*

Larrea will follow up with the Road Commission.

**c. PD 2015-69 Grand Traverse Mall Site Plan Review – Dick’s Sporting Goods (7:09)**

The applicant requests to demolish an area formerly occupied by Carmike Cinemas at the Grand Traverse Mall and locate a Dick’s Sporting Goods store in the space. Rouse Properties is also requesting the approval of two new overhead service door entrances to the structure near Macy’s and the main mall entrance. The subject property is zoned C-P Planned Shopping Center. Bob Verschaeve from Gosling Czubak was present on behalf of the applicant and said that there would be no change in the amount of impervious surface. The discrepancy in the location of the overhead doors will be dealt with prior to the public hearing and commissioners inquired about the landscaping beds and asked if they could be preserved. Commissioners also commented on the height of the building and signage.

*Nelson moved and Uithol supported THAT Application 1990-04-E, submitted by Rouse Properties for a site plan amendment to the Grand Traverse Mall, be accepted and scheduled for a public hearing on January 13, 2016.*

*Yeas: Nelson, Uithol, Wilson, Cline, Robertson, Clark, Racine  
Nays: None*

**d. PD 2015-67 Zoning Ordinance Amendment #1 (7:20)**

Larrea proposed several zoning ordinance amendments as outlined in PD Report 2015-67. Chair Racine opened the Public Hearing at 7:23 and seeing no one wishing to speak, closed the Public Hearing.

*Nelson moved and Wilson seconded THAT proposed Amendment No. 1 to Charter Township of Garfield Zoning Ordinance No. 68, as described within and attached to Planning Department Report No. 2015-67, be recommended for approval to the Garfield Township Board.*

*Yeas: Nelson, Wilson, Uithol, Robertson, Clark, Cline, Racine*

*Nays: None*

**e. Vacation Home Rentals – Discussion (7:25)**

Vacation home rentals are not a permitted use in the R -1 One-Family Residential zoning district that surrounds Silver Lake. The Board has asked the Planning Commission to research vacation home rentals and make a recommendation on their findings to the Board.

Chair Racine, in an effort to gather information on the short term rentals, opened a public discussion at 7:26pm.

*Barry Andrews* of Roman Drive commented on the long history of rental cottages on the lake.

*Michelle Courval* of West Silver Lake Drive commented about problems with the house next door.

*Ken Kleinrichert* of Harbor Hills Drive presented a “white paper” on short term rentals.

*Kurt Hubschneider* commented on screening renters and working amicably with his neighbors.

*Kelly Kazmierski* of West Silver Lake Road commented about her family’s cottage that they bought as a rental.

*Dennis Broder* of Old Incochee commented that he bought 13 years ago and that he is being a good neighbor.

*Mike Whitten* of Boone Road commented on things to consider, adequate space for parking, doors slamming, fireworks, size of yard.

*Norm Droste* of Valley Drive commented on the difficulty with enforcement.

*Mike Groleau* of East Silver Lake Road commented on the loss of neighborhood and peace and quiet.

*Shale Nolan* of Silver Lake Road commented on being able to grow up on the lake

*Kelly Rieman* of Silver Lake Road commented on her experience with short term rentals.

*Don Pahl* of Highland Drive commented on his 16 years in the neighborhood and submitted a petition opposing short term rentals.

*Jim Bock* of Highland Drive commented on problems they have had and submitted another petition in opposition.

*Fred Ogden* of Silver Lake commented that renters love his property.

*Jack Nolan* of Silver Lake Road commented on forming a committee, look at a police power ordinance and fines.

*Cindy Gerhard* of Candlewood Lane commented on her experience with long term rentals.

*Elaine Sylvane Rydell* commented that she supports 30 day rentals.

*John LeJeune* commented that he did not buy his house to live next to a hotel.

*Trisha Woods* of Traverse City commented on her rental on the Boardman.

*Lisa Green* of Highland Drive commented on problems they have had and said she supports rentals for 30 days.

*Wade Mariage* of Buckhorn Drive commented on his parent's rentals, daycares and other thing that cause traffic problems.

*Mike Kazmierski* of Silver Lake Road commented that they try to be good neighbors.

*Mike Stedman* of Highland Drive said he is open minded and would like to see a solution every one could live with.

*Jerry Niscota* of NW Silver Lake Road commented that he would like the option a permitting plan would allow.

*Marian Brady* of NW Silver Lake Road commented that she had received word that all but one of their family's cottages would be grandfathered in. She asked when did the zoning change.

*Tom Kraus* commented on the real estate market of Silver Lake in Garfield Township.

*Jeri LeRoy* of S. Airport Road commented on overburdened with regulations.

*Nancy Hathaway* of Highland Drive commented that she does not feel safe with the renters next to her.

*Denny Bogart* of W. Silver Lake Road commented that he is against short term rentals.

*Rick Gruber* of Lake Drive commented that he likes the neighborhood that he recently bought into and thinks the ordinance is clear that short term rentals are not allowed.

Chair Racine closed the public discussion at 9:41pm.

Commissioners discussed the short term rental issue and how the determination was made that a property was a rental. Commissioners also talked about grandfathering certain properties and enforcement of short term rentals and the ordinance. Nelson said that any change in zoning would need to be based in the Master Plan. Larrea stated that short term rentals were never listed as a permitted use in the R-1 District and the courts have agreed with the township interpretation of the ordinance. Commissioners asked that Larrea continue the research and look at which area lakes allow rentals and to provide a synopsis of the court cases on the matter.

6. **Public Comment (9:58)**

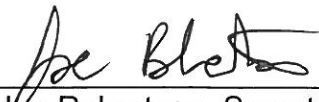
None.

7. **Items for Next Agenda – January 13, 2016**

- a. Election of Officers
- b. Reid Child Care (7-12) – SUP – Public Hearing
- c. Grand Traverse Mall Site Plan review – Dick’s Sporting Goods – Public Hearing
- d. Vacation Rentals Discussion
- e. 2015 Garfield Township Recognition update

8. **Adjournment**

*Clark moved to adjourn the meeting at 10:00pm.*

  
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Joe Robertson, Secretary  
Garfield Township Planning  
Commission  
3848 Veterans Drive  
Traverse City, MI 49684