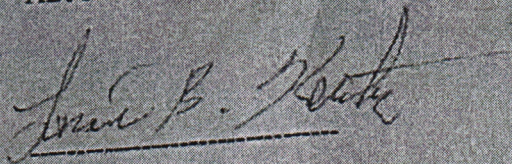


TUSCOLA COUNTY PLANNING COMMISSION  
125 W. Lincoln Street, Caro, Michigan 48723  
Phone: 989-672-3700 Fax: 989-672-4011  
Email: [tcplanning@tuscolacounty.org](mailto:tcplanning@tuscolacounty.org)

Minutes April 2024

Wednesday, April 3, 2024

- I. CALL TO ORDER: 5:01 p.m.
- II. THE PLEDGE TO THE FLAG
- III. ROLL CALL – Lonnie Kester, Albert Pearsall, Rick Boylan, Matt Webb, Jane Rymarczyk, Heidi Stark,
- IV. Estee Bitzer, and Board Representative: Kim Vaughan
- V. ABSENT: Rick Boylan - Excused
- VI. GUESTS: (See attachment one)
  - a. Steve Ley - Millington Township – Murphy Lake.
  - b. Richard (Jim) Cobb - Millington Township – Murphy Lake.
  - c. John Booko - Millington Township – Murphy Lake.
  - d. Paul Dudley - Airbnb Owner – Murphy Lake.
  - e. Sherry Morris - Airbnb Owner – Murphy Lake.
  - f. Mark Morris - Airbnb Owner – Murphy Lake.
  - g. Ed Maschke - Millington Township Planning Board Vice-Chair.
- VII. APPROVAL OF THE AGENDA for April 3, 2024
- VIII. APPROVAL OF THE MINUTES for March 6, 2024
- IX. PUBLIC COMMENT (See attachment two and three)
- X. COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA:
- XI. OLD BUSINESS: Millington Township – Amendment - Definitions and amendments, “Special Use” permits. The commission reviewed and discussed Millington Township’s revised amendment for short term rentals and the Tuscola County Planning Commission concurred with the revised amendment. The commission provided an email as well as a hard copy letter to Millington Township.
- XII. NEW BUSINESS: None
- XIII. OTHER ON-GOING BUSINSS: None
- XIV. ADJOURNMENT: J. Rymarczyk made motion to adjourn at 7:20 p.m. Seconded by H. Stark.



Lonnie Kester, Chairperson



**Tuscola County Planning Commission – 3 April 2024 Meeting**

**Guest Sign-In Sheet**

**(Attachment One)**

1. Paul Dudley
2. Steve Ley
3. John Booko
4. Jim Cobb
5. Emory Close
6. Richard Yeager-Stiver
7. Donna Solce
8. William Heusted
9. Peggy Maschke
10. Ed Maschke
11. Dianne Wood
12. Tammy Daenzer
13. Dennis Spezia
14. Mark Morris
15. Sherry Morris

## Public Comment at the 3 April 2024 – Tuscola County Planning Commission Meeting

### Attachment Two

1. Steve Ley – Orchard Lane – Recommends that Short-Term-Rentals (STR) should be shut down. Murphy Lake is zoned residential thus making STRs illegal. STR homeowners are non-homestead and non-voting residents. Mr. Ley has health and safety concerns which include a stream of strangers at the STR's.
2. Jim Cobb – Orchard Lane - Feels that STR's make Murphy Lake an unsafe area as they provide a stream of strangers to the area. He provided statistics to the board on rentals of 25%. As well as data on tents and RVs at the STRs.
3. John Booko –West Road – Suggests that Millington Township develop and execute a survey of the property owners of Murphy Lake to develop an understanding of the percentage of approval/disapproval for STRs.
4. Paul Dudley – Huston – Owner of one of the STRs – Stated that his STR was previously the home of a full-time resident family. That being the case, there is no additional usage to the septic system creating no additional health concerns in the area.
5. Sherry Morris – Orchard Lane – Co-owner of a STR – Grandfathering current STRs on Murphy Lake was not possible per Millington Township. "Special Use" permits issued by the Millington Township Zoning Board of Appeals for STRs is the option forward for current STRs.
6. Mark Morris – Orchard Lane – Co-owner of a STR - Pumped STR property septic annually so there are no additional health concerns. Septic company stated that it did not need to be pumped at the time the service was provided.
7. Ed Maschke – Huston Drive - Stated that a new attorney for Millington Township drafted the new amendment for STRs this document which excluded Bed and Breakfasts as well as long-term rentals. The new document provides clarity, consistency, and conformity.
8. Richard Yeager-Stiver – Orchard Lane – Stated that Murphy Lake is zoned residential. STRs do not support economic growth in an area and STRs support the housing shortage.
9. Donna Solce – West Road - Expressed that Murphy Lake is zoned residential and that "Special Use" permits for STRs are unjustifiable. Next, she expressed concern for the health of the lake as zebra mussels have recently infested the lake.
10. Peggy Maschke – Huston Drive - Stated that Millington Township advised against taking a survey of homeowners on the lake as it would set a bad precedent. In addition, there is currently an environment of hostility created by some of the homeowners on Murphy Lake pertaining to STRs. Next, she feels that many of the homeowners were pressured and/or bullied into signing the

petition that was developed against STRs. Finally, there has been no accurate polling of homeowners on Murphy Lake pertaining to STRs.

11. Diane Wood - Stated that no one was forced to sign the petition that was developed against STRs. In addition, she felt that there were safety concerns with STRs on Murphy Lake as her 95-year-old mother lives with her and she often is out-and-about by herself.
12. Tammy Daenzer – Murphy Lake Road - Millington Township – Stated that “Special Use” permits would be granted to STRs who applied and maintained if the townships requirements continued to be met.
13. Emory Close - Osborne – Millington Township Board had previously created problems in original amendment pertaining to STRs, and they are trying to move forward in a professional manner.



April 3, 2023  
Tuscola County Planning Commission Meeting

My name is Steve Ley. I have been a homeowner and resident of Murphy Lake in Millington Township for nearly 50 years. You know me; I and many others were here on December 6, 2023 with a huge plea regarding the proposed amendments. Even though this board advised Millington Township that they were poorly written and subject to legal challenges and that "the amendments are subject to exclusionary zoning claims related to affordable housing," Millington Township continues to force their amendments. Yet we know there were several concerns stated by this board that many of us have. For example, how can you have a commercial entity in a residential district? You expressed concerns about the security, police protection/support, and serving the tax-payers who live on the private roads. Yet, none of those concerns were dealt with at the township level or expressed by this board in your recommendations.

I am here tonight to give you an update and current status of the Millington Township Board and its supporting cast, as well as to voice very clearly the view of the vast majority of residents of Murphy Lake regarding these proposed amendments for Millington Township.

For 80 years no commercial entities could exist on the lake that drew for profit clients on to the private roads in our residential neighborhoods.

All short-term rentals do is sell the waterfront view and the lake itself. Simply put, it does so by existence; but to exploit and prostitute the lake at one's neighbors and neighborhoods expense is wrong, immoral, and unethical. It's not rocket science; anyone could do it. It's one of the easiest business models out there, and our forefathers foreseen it. That's why we have the ordinances we have to protect lives, families, and personal investments. **Outside investors** are always looking for a way to make a buck in any realm of this world. That's why we have laws, boards, rules, ordinances, master plans, elections, and boards.

As you may remember, the lake residents have submitted over 100 signatures and their addresses to the township requesting enforcement of our ordinances by shutting down the short-term rentals on Murphy Lake, as they are not allowed and are a clear violation of the ordinances. Both former and current attorneys of the township, as well as the Michigan Supreme Court and the Michigan Court of Appeals (which have never wavered in their decision in 20 years, since 2004) have all concurred and agreed that short-term rentals are not permitted in residential districts.

As far as the Millington Township Amendments before you tonight, they should be a mute point, as they are not legal.

Since others will be making comments about these specific amendments tonight, I will only express a few thoughts at this time.

The presented (draft) ordinance is a lie!

Section 1. Purpose

Millington Township adopts the following amendments to the Millington Township Zoning Ordinance for the **health, safety, and welfare** of Millington Township Residents. Many people have spoken passionately at township meetings (several even crying) when they gave their 3-minute plea at board meetings regarding their anxieties and concerns of having a constant stream of strangers around their

Steve J. Ley  
4/3/24



homes and families daily. Those were real tears and cries for help. Regarding the elderly and safety of their children and loved ones by "strangers on vacation." Murphy Lake residents want neighbors, NOT nightmares. So the "purpose" within the ordinance amendments is a flat out, totally false, 180° from the truth LIE.

As far as other comments about these proposed ordinance amendments, I'll just say that there is nothing in the amendments that were requested by the residents, such as: inspections, fees the township should collect, ADA compliance, fire suppression inspections, noise ordinance, private road concerns, adequate septic and sewage disposal, lot size, number of renters per household, police surveillance, water safety, trespassing and partying issues, and the list goes on and on. Yet none of these concerns are addressed in these amendments to protect the people.

In fact, these amendments force short-term rental owners to rent their property at least 92 days a year or they will lose their special use permit (standard number 4). Forcing volumes of rentals just assures that you can kill neighborhoods in a short span of time. Why would the township put a standard on the amount of use? Why? Beyond all this, the amendments now promote camping or campgrounds anywhere with the addition of buses, tents, and RVs.

I will move on with the current status of the Millington Township Leadership structure which shows this board the kind of underhanded, hidden agenda, backroom vacuum the lake residents have tried to work with on this issue.

The former Millington Township Planning Commission Secretary and the former Millington Township Zoning Administrator both resigned their positions within a week of each other in November of 2023.

The new Millington Township Zoning Administrator, Tammy Daentzer, was hired by the board in December. Tammy Daentzer is here tonight, and I want to present you (in part) with her Short-Term Rental Review Report that she presented and filed with the Millington Township Planning Commission and with the Millington Township Board in January of this year - before these drafted amendments were written.

In summary, we knew that the June 7, 2021 request for rezoning was not allowed! We felt the ordinances and the Township Board had the voter's backs. Instead they gave the short-term rental owners on Murphy Lake, who are non-homesteading/non-voters of the township, top priority for their own personal financial gain at our expense.

Because of an unethical Planning Commission member and the Township Supervisor with a non-seasoned board, here we are, with amendments that we are illegally forced to accept. We need representation, even if we have to go to the Michigan Supreme Court!

The law is on our side. We can't let local government fail. We can't allow our ordinances to be stolen. That's theft, and that's a crime. We can't allow our way of life to be altered forever because of personal greed. We can't allow this grassroots, undermining of our democratic foundation.




**AND**  
We can't turn our heads and let our forefathers down. We need your support to do the "right" thing.

----- Forwarded message -----  
From: **Jane Rymarczyk** <rymarczj@gmail.com>  
Date: Tue, May 21, 2024 at 9:27 PM  
Subject: Fwd: Attached Image  
To: Renee Francisco <renee@tuscolacounty.org>

----- Forwarded message -----  
From: <canon@tuscolacounty.org>  
Date: Wed, May 1, 2024 at 4:16 PM  
Subject: Attached Image  
To: <rymarczj@gmail.com>

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### 3 attachments

-  **3846\_001.pdf**  
95K
-  **3 April 2024 - Public Comment.docx**  
18K
-  **Tuscola County Planning Commission Sign In Sheet 4.24.docx**  
15K