

ATTICA TOWNSHIP
MINUTES OF THE
PLANNING COMMISSION
MARCH 28, 2024

At a regular meeting of the Attica Township Planning Commission held on the 28th day of March 2024 at the Attica Township Hall, 4350 Peppermill Road, Attica, MI 48412.

The meeting was called to order by Chairman Gierman at 7:01 p.m. The following members were PRESENT: Kent Gierman, Geri Berry, Nancy Herpolsheimer, Mark Ochadleus, and Brian Rowley. ABSENT: One (Mary Tullio). ALSO, PRESENT: Attorney Gildner, Planner Habben and Zoning Administrator Jerry Fackler and the public per the attached sheet.

ACCEPT AGENDA:

MOTION by Berry, seconded by Ochadleus, to accept the agenda as presented with the correction of the date from October 26, 2023 to show correct date of February 22, 2024. A vote was taken. Ayes: All. Nays: None. Absent: One (Tullio).
MOTION CARRIED.

REVIEW MINUTES:

The Board having reviewed the minutes of the February 22, 2024 regular Planning Commission meeting minutes and there being no corrections, additions, or deletions:

MOTION by Berry, seconded by Herpolsheimer to approve the February 22, 2024 regular Planning Commission meeting minutes as presented with the correction of a name switch from Thayer to Tullio. A vote was taken. Ayes: All. Nays: None. Absent: One (Tullio). **MOTION CARRIED.**

PUBLIC HEARING:

Chairman Gierman opened the Public Hearing at 7:07 pm to consider a Special Land Use for a short-term rental by Joshua Bishop, located at 4690 Imlay City Road, Attica MI 48412. (Parcel # 44-003-215-013-00)

Planner Habben explained a brief overview on the changes and improvements that Joshua Bishop has completed at the property.

There were five residents that spoke their concerns in regards to this property.

Resident Dennis Dobusz at 490 Elk Lake Rd. He stated that he is opposed to this and feels that it will have an adverse effect on his property value. Expressed his concern for safety and who will be present on the lake to monitor the activity.

Resident Cindy Goerlitz at 4775 Northway Drive. Goerlitz stated she is opposed to this and has many safety concerns. Goerlitz expressed her concern that Mr. Bishop is never here. Goerlitz questions who would be present to explain the lake rules and safety regulations to the renters.

Resident Patty Clendenan at 119 Sunset Hills. Clendenan stated that this is a private lake and it should not support an Airbnb. There is concern on the amount of people that could stay in the house.

Resident Joshua Bishop at 4690 Imlay City Rd. Bishop addressed some of the comments and concerns of the other residents. He stated that guests will only be able to use paddle boats and kayaks. There will be NO use of motor boats or jet skis, they will not be allowed for renters to use. The house directions will have all the rules and safety guidelines including a map of the lake. He explained that this rental is to be used for families not for party crews or bachelor parties. He added that this is a high-end rental and believes it will bring good business to local businesses in Attica.

Resident Dave Goerlitz at 4775 Northway Drive. He has concerns for safety. Goerlitz stated that there is easy access for anyone to put in a motor boat or jet ski.

After questions from the Planning Commission and requests for input from the public, without hearing any, Chairman Gierman closed the Public Hearing at 7:18 p.m.

OLD BUSINESS: Joshua Bishop – Short Term Rental Special Land Use:

Planner Habben explained in detail to the Board on all the updates Joshua Bishop has completed at the property. Habben stated that if the Board were to approve the request and, in the future, if there are enough complaints then the Planning Commission has the right to revoke the special land use.

There was Board discussion.

Board member Herpolsheimer reiterated that the main concern from the public is the use of motorized boats/jet skis.

Board member DeClark expressed concerns about the renters not abiding by the rules and safety regulations.

Board member Rowley asked the difference between a short – term rental and a long – term rental. Stated that only the home owners should be using the boat access.

Board member Ochadleus asked if Joshua Bishop lives out of state and if so, who would be in charge of the upkeep and turn over of the rental. Bishop responded that Rebecca Wilson does the resets of the rental, he also stated that

his father helps with the property and lives locally. There are on on-site cameras, one in the front of the house and the other in the back.

Chairman Gierman asked resident Patty Clendenan to clarify some debate on the rules of the boat launch and access.

NEW BUSINESS:

1. Special Land Use – Joshua Bishop:

MOTION by Herpolsheimer, seconded by DeClark to deny the Special Land Use request by Joshua Bishop for a short-term rental, located at 4690 Imlay City Road, Attica MI 48412. (Parcel # 44-003-215-013-00) because the applicant does not meet the standards of A & H. Standard A states that the proposed special land use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located. Standard H states that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district. A roll call vote was taken. Ochadleus: Aye; Rowley: Aye; Berry: Aye; Gierman: Aye; Herpolsheimer: Aye; DeClark: Aye. Ayes: All. Nays: None. Absent: One (Tullio). **MOTION CARRIED.**

2. Site Plan – Joshua Bishop:

MOTION by Berry, seconded by Herpolsheimer to deny the Site Plan request by Joshua Bishop for a short-term rental located at 4690 Imlay City Road, Attica MI 48412. (Parcel # 44-003-215-013-00) because of the denial of the Special Land Use request. A roll call vote was taken. DeClark; Aye: Herpolsheimer; Aye: Ochadleus; Aye: Berry; Aye: Goerlitz; Aye: Rowley; Aye. Ayes: All. Nays: None. Absent: One (Tullio). **MOTION CARRIED.**

PUBLIC TIME: None.

COMMUNICATIONS AND ZONING ADMINISTRATION REPORT: None.

PLANNER’S REPORT: Zoning Ordinance Review.

1. Planner Habben reviews Article 5 of the update of the zoning ordinance.

Planner Habben informed the Board that there will be two more meetings for reviews. Then there will be a pre-public meeting to go over the draft and then lastly there will be the public meeting to send to the Township Board for adoption.

ATTORNEY REPORT: None.

There being no further business before the Planning Commission, **MOTION** by Berry, seconded by Ochadleus to adjourn the meeting at 8:28 p.m. A vote was taken. Ayes: All. Nays: None. Absent: One (Tullio). **MOTION CARRIED.**

Nancy Herpolsheimer,
Secretary, of the Planning Commission

Giovanna Raimondo,
Recording Secretary,
Planning Commission