

Blue Lake Township

Kalkaska County, Michigan

Meeting Minutes

Planning Commission Regular Meeting &
Public Hearing

September 27, 2022 7:00 p.m.

Present - 5

- I. Meeting Call to Order at 7:00 PM – Southwell
- II. Pledge of Allegiance – Southwell
- III. Roll Call of Members Present –
 1. Present – Nothstine, Southwell, Fletemier, Buttermore, Shaw
 2. Also Present - Campbell
- IV. Adoption of Agenda
 1. Motion to adopt agenda was made by Shaw, supported by Buttermore
 - Motion was carried.
- V. Minutes of last meeting
 1. Review of meeting dated August 20th, 2022
 - Motion to adopt minutes as submitted by Shaw, supported by Buttermore,
 - Motion was carried
- VI. Declaration of conflict of Interest
 1. None
- I. Report of Township Board Representative to Planning Commission – Shaw
 1. No information from the Board to the Commission;
 2. Board relayed that the Commission did a great job on the prior meeting.
- II. Report of Planning Representative to the Zoning Board of Appeals Buttermore
 1. None
- III. Public Hearing
 1. Called to order at 7:04
 2. Motion to carry information forward from the prior meeting to include in this public hearing by Fletemier, supported by Buttermore
 - Motion carried unanimously.
 3. Proposed Definitions, Adjustments and Ordinance Changes
 - Is email available for communication?
 - Blplan@torchlake.com is the official email of the Planning Commission however the Planning Commission is not currently maintaining an email list for distribution. Communication is via the website and notices in the paper.

4. Discussion of Changes:

a. Definitions:

i. Building Height and Schedule of Regulation

1. Public Comment

a. No Comments

ii. Accessory Building Height

1. Public Comment –

a. No Comments

iii. Home Based Business

1. Public Comment

a. Terri McDermot email

b. New - Shipping Container and Semi-trailer storage

i. Public comment

1. Parson's email read

c. Section 3.13 Temporary Dwelling during construction

i. Public Comment

1. No Comments

d. Section 3.18 Swimming Pools, Spa's / Hot Tubs

i. Public comment

1. No Comments -

e. Section 3.20 Short Term Rentals

i. Public Comment

1. John Snook; Sqauw Lake Road

a. Question on the number of people per bedroom at 2 bedroom + 4. Request to increase the number per bedroom to 3 people.

b. Agrees with Questions

2. Jeff Durrett

a. Septic system loading may not be an issue with weekend use.

b. Questioned the platooning of multiple boats and partying on the lakes;

i. Lake usage is a DNR issue and not under the purview of the Planning Commission

3. Carlisle –

a. Lake Management Starvation Lake is unique and get narrow and tie off pontoons cutting off the lake.

i. Lake usage is not under the Planning Commission

b. Penalties go to the Zoning Administrator

4. Laura Church

a. Supported that Lake blocking is a DNR issue

5. Kevin Drozdowski

a. Questions that there have not been any issues with Short Term Rentals do we need to address the issue?

- b. Why is the Commission addressing this now does not see why we are addressing things now.
 - i. Fletemier – Response in the survey, people have come into prior planning commission meetings and asked for the issue to be addressed and issues in other areas.
- 6. Unknown: Owner is only allowed to be on the property for 17 days.
 - a. Is that correct?
 - b. Fines –
 - i. Some good teeth to the ordinance.
 - ii. Financial fines are good.
- 7. Zoom; Melony Obeheimer
 - a. No one anchors or ties off in the narrows.
 - b. People anchor and tie off regularly elsewhere.
- 8. Jackie Newberry
 - a. There should be penalties for making false or fraudulent complaints.
- 9. Matt Church
 - a. Why are we changing an ordinance that is not an issue today.
 - i. We know by data that there is not a significant number of STR's in the township.
 - ii. No citations have been issued in this township for this issue.
 - iii. Survey does not represent the entire community.
 - iv. Requests clarity for method to enforce
- 10. What is the protocol for enforcement.
- 11. T – Zoom ; Every home owner should have the right to rent or not rent, agrees there should be rules
- 12. Melanie Obenheimer
 - a. Supports an ordinance or time limits or bans
 - b. No one should ever say never as to wanting or needing to rent.
 - c. Owners on the lake are violators of noise also.
- 13. D.O. Zoom – I agree leave it alone is no further problems.
- 14. Estele Schook – Big Blue
 - a. Has been here since 1971.
 - b. Everyone should have the right to rent the house.
 - c. Noise is a Sheriff issue.
 - d. Does not think the Commission should vote on an issue when there is not one.
- 15. Steve – Can a complaint be in writing.
 - a. yes

16. Jackie Newberry
 - a. How many people in the survey logged complaints on Short Term Rentals?
17. Jamie Snook
 - a. As a property owner supports short term rentals, and respects neighbors.
 - b. How to file a complaint?
 - i. Define how to file a complaint. Documentation to the sheriff?
 - ii. Supports penalizing false claims
18. Ipad- Zoom
 - a. Ordinance needs more teeth.
 - b. How to enforce?
19. Unknown Zoom; Signage place by private citizens in rental yards which was concerning.
20. Laura Church –
 - a. What if every night the police are called?
21. Public Hearing Shaw moves to close, Fletemier Support.
 - a. Public Hearing Closed at 8:38
22. Fletemier –
 - a. Clarified that while the official number of signed complaints is low, there have been a number of requests to the township board and the planning commission to address the issue.
 - b. Not all members of the community can approach a neighbor with a complaint and the ordinance system gives them an avenue to get issues addressed.

f. New - Fireworks

i. Public Comment

1. Change from 1 am on January 1 to Until 12 am in January 1
 - a. Planning Commission is following Michigan State Law

IV. Planning Commission Member Comments and Input

- Motion to add public comments into agenda as item 11
- Shaw Motion, Buttermore Second

2. Building Height and Schedule of Regulations

- Motion to pass to Board by Shaw, supported by Buttermore
- Roll Call Vote;
 - Shaw – Yes
 - Southwell - Yes
 - Fletemier - Yes
 - Buttermore – Yes

- Nothinstitute – yes

3. Accessory Building Height

- Motion to pass to Board by Shaw, supported by Buttermore
- Roll Call Vote
 - Shaw – yes
 - Southwell - Yes
 - Fletemier - Yes
 - Buttermore – Yes
 - Nothinstitute – yes

4. Home Based Business

- Motion to pass to Board by Shaw, supported by Buttermore
- Roll Call Vote;
 - Shaw – yes
 - Southwell - Yes
 - Fletemier - Yes
 - Buttermore – Yes
 - Nothinstitute – yes

5. Shipping Container and Semi-Trailer Storage

- Motion to pass to Board by Shaw, supported by Buttermore
- Roll Call Vote;
 - Shaw – yes
 - Southwell - Yes
 - Fletemier - Yes
 - Buttermore – Yes
 - Nothinstitute – yes

6. Section 3.18 Temporary Dwelling during construction

- Motion to pass to Board by Shaw, supported by Buttermore
- Roll Call Vote;
 - Shaw – yes
 - Southwell - Yes
 - Fletemier - Yes
 - Buttermore – Yes
 - Nothinstitute – yes

7. Section 3.18 Swimming Pools Spa's / Hot Tubs

- Motion to pass to Board by Shaw, supported by Buttermore
- Roll Call Vote;
 - Shaw – yes
 - Southwell - yes
 - Fletemier - yes
 - Buttermore – yes
 - Nothinstine – yes

8. New Fireworks Ordinance

- Motion to pass to Board by Shaw, supported by Fletemier
- Roll Call Vote;
 - Shaw – yes
 - Southwell - yes
 - Fletemier - yes
 - Buttermore – yes
 - Nothinstine – yes

9. Short Term Rentals

- Planning Commission working group to meet with the Attorney to review the questions above and report back to the Commission.
 - Fletemier, Nothstine, Buttermore.
- The following questions are to be reviewed with the Township Attorney:
 - Fines – Suggested
 - First offense – Written Warning
 - Second Offence \$400 per incidence.
 - Third Offence – Suspension
 - Inspection –
 - Up to code
 - Can we inspect annually?
 - Video or photographic Evidence submitted
 - Ownership limitation – limit to 2 properties per individual?

- Family friends - how many days rented to family / friends does a home become a Short Term Rental?
- Can the owner live there?
- When is it a commercial enterprise?
- Enforcement and feedback from the Sheriff?
 - Who enforces the elements?
 - How to get a feedback look from the Sheriff's office?
- When is it commercial?
- Corporate Ownership?
- Is it advisable to restrict the number of Short Term Rentals
 - Percentage per lake, per township, density per mile?

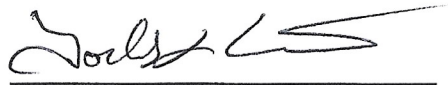
10. Public Comment – Melanie does not like the limit on number of STR's

VII. Next Meeting Tuesday October 25th at 7:00 PM

VIII. Adjournment

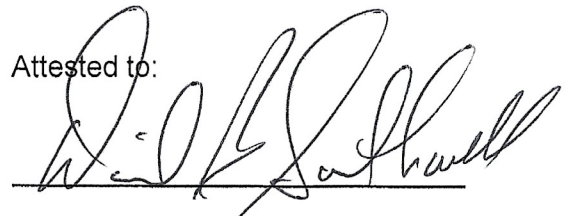
1. Motion to adjourn at 9:53 by Shaw , Supported by Fletemier
 - Motion was carried.

Respectfully Submitted by:



Todd Fletemier, Secretary

Attested to:



Dave Southwell, Chairperson

These minutes are not official until approved by the Blue Lake Township Planning Commission at the next scheduled meeting.