

## **PLANNING COMMISSION MEETING MINUTES - AUGUST 28, 2024**

The meeting was called to order at 6:32pm by Larry Shaffer.

**MEMBERS PRESENT:** Larr Shaffer, Walt Mixon, Rod Lowe, Lou Lundquist, Phil Bontrager, Jenny Irvine, & Christine Lundquist.

**AGENDA:** The agenda was approved on a motion by Christine with support by Jenny.

**MINUTES:** Minutes from the last meeting were not copied in time for the meeting.

**PUBLIC COMMENT:** Toni Waylee, owner of the Merchantile, thanked the Commission for its effort on the zoning ordinance.

**PUBLIC HEARING:** The public hearing on the proposed zoning ordinance was opened on a motion by Walt with support by Rod.

Larry began the hearing by reading letters received by the Township related to the current draft;

1. Sara Secrest letter - several items in Article 4 were questioned. Several items noted various businesses located outside the areas allowed in the draft ordinance and suggested adding those locations to the ordinance. In discussion, Commission members noted that existing businesses would continue to be allowed to operate without "spot zoning" each one. There would only be an issue if there was significant change or expansion to the business. Under 4.7, she suggested that greenhouses, nurseries, and produce stands should be permitted for everyone. Under 4.11, she suggests entertainment establishments should be allowed anywhere with approval of neighbors & issuance of a permit. She also suggests several specialty services that are considered under Industrial Service Establishments should be permitted to any resident. Under 4.12 she suggests campgrounds should be allowed on larger properties if neighboring property owners agree and all residents should be allowed to manufacture goods on their own property. Under 4.13 related to multiple family dwellings, she believes townhouses should be permitted on any property. Under 4.14 she believes any resident should be able to do personal services on their property. Under 4.15 she feels any resident should be able to rent recreational equipment or repair small engines on their property. Under 4.16 she believes no sexually oriented businesses should be permitted, depending on number of employees, R&D could be categorized as personal service establishments, and ADU/tiny houses should be permitted to any resident. Under 4.18 she indicates a person with a large enough property should be allowed to do auto repair. She notes disagreement with several items in Table 4-2. Under 7.4 she feels the recommended building materials should be deleted. As there are currently no swimming pools in the community, she believes 7.8.7 should be deleted. Under 7.8.7 she questions why uncovered stairs have a limit. She suggests 7.9.D be deleted and under 7.10.E asks why flag pole height is limited.

2. David Turton suggests review of sectional.10.12.39 regarding wind energy. He indicates it does not reflect current advances in technology and provided information on some systems currently available.
3. Greg & Carrie Elzinga noted potential conflict between sections 4.3.3 and 4.4.3 and where short-term rentals are allowed.
4. Two letters were received from Bob & Patti Hugh's. The first reiterated a correction needed on the maps related to their property. This was pointed out at the last meeting and the Commission has requested this and one other correction to the maps already. The second letter indicates they believe the proposed ordinance is too large and is "overkill" for our small community. They believe there are "numerous discrepancies" throughout the document. They note issues with article 4 zoning districts and Sec. 4.4.4 Accessory Use Table .(outdoor furnaces, tents & mobile sawmills shown as examples). Under section 7.31 they question the limits on livestock, noting that it does not differentiate between those living on smaller lots in the village and larger properties in more rural areas. They indicated at the last meeting some members acknowledged not adequately reviewing the document. Christine pointed out that a comment she made about her most recent review may have been misinterpreted, and noted each section has been reviewed in conjunction with the consultant.
5. Bill & Cathy Egerer wrote to express concern over the proposed number of ST Rentals that would be allowed and that they would be concentrated in the village of Grand Marais. They suggest the possibility of capping the number of rentals within a working perimeter of the Township office separately from the Township as a whole.

Larry indicated that concluded the letters received in advance of the meeting and opened the meeting for comments and questions from the audience.

Molly Tavenner distributed a written document to the Commission addressing questions/concerns related to short-term rentals, as they have made significant investments for them in the area. The first relates to limits on the number that can be owned by an individual. They believe section 10.12.32.B.1.b and B.9 may confuse people and would like to see no limits for those who have their primary residents in Burt Township. They expressed concerns related to distance requirements in 10.12.32.B.6 and noted several rentals in existence that do not follow the rules as set forth. Under 10.12.32.B.10, they disagree with the non-transferability of ST rentals, noting the Commission does allow the transfer upon sale of non-conforming motels/resorts. Related to 10.12.32.2.a they asked about the limit of one ST rental per parcel. They suggest the allowed number should depend on the land mass of the parcel.

Bob Stocking indicated he believes we are allowing too many ST rentals. He noted the City of Munising only allows 38 within the city.

Shirley Vanderline expressed concerns about easement issues in the RR District as well as trailers left on properties for long periods of time.

Larry Vanderline expressed concerns about driveway requirements and private drive/easement issues. Larry Shaffer noted that the current ordinance applies until a new one is adopted. He suggested that the Vanderlines meet with the Zoning Administrator to discuss their issues.

Toni Waylee expressed concerns that her business, The Mercantile, would be breaking several rules. She would like to see her property zoned as commercial and expressed concerns about ability to sell the business in the future. She questioned why it is zoned as part of the Bay District. Christine noted that the Commission was trying to avoid "spot zoning" small parcels as commercial, as it would make it difficult to control how properties in otherwise residential areas are utilized. She indicated it does not mean a new owner could not run a comparable business or request permission from the Township to make changes.

Dan Livingston questioned a strip of his property currently zoned R2 that shows on the map as recreational Forrest. His neighbor, Linda Stenke, noted that this was a map error noted at the last meeting. Larry noted it has been brought to the consultant's attention and will be corrected.

Chet Trevenner noted he would like to see more time taken to address issues, including freedom issues.

Jenny Irvine noted we are not obligated to accept the [roposed ordinance as written.

Patti Hughes questioned the unnecessary length of the document and the money spent on the consultant.

Al Larsen questioned where all these people have been over the last year and why they are only showing up at the end stage of the process.

Linda Stenke expressed concerns about the number of fowl allowed to be raised on a property. She noted she has more turkeys than the draft would allow and questioned if numbers allowed could be different in larger and more rural properties. Toni Waylee expressed similar concerns related to the chickens they have at the Mercantile.

Shaun Hughes expressed concern over the size of the proposed ordinance and suggested scrapping it completely. He noted government is supposed to protect, not run your life.

Jerry Hoffman indicated he thinks the proposed ordinance is over and above what is needed.

Cassandra Hildebrant noted she would like more options for use of her property in the IBZ zone (e.g. campgrounds).

Pat Murphy expressed concerns about items she may already have issues with, including furnace type.

Christine requested that people send specific issues to the Township in writing. She noted that it being “too lengthy” is not sufficient and it would help to obtain written suggestions as to what is not needed/wanted. Larry noted that the Planning Commission can only make recommendations.

Phil noted the poultry issue seems to need further review based upon comments received. Toni Waylee suggests limits be required only within village limits.

Chet Tavenner thanked the Commission for their work and for listening to the public.

**Motion by Jenny with support by Rod to close the public hearing. Motion carried.**

**OTHER:** Larry noted the conditional use permit submitted by Cassandra Hildebrant is being reviewed by the Zoning Administrator and will be addressed by the Commission after his review is completed.

**PUBLIC COMMENT:** None at this time.

The next meeting is scheduled for September 24th at 6:00pm.

**ADJOURNMENT:** The meeting was adjourned on a motion by Christine with support by Jenny.