

# BAY TOWNSHIP PLANNING COMMISSION

## JUNE 6, 2017 MEETING MINUTES

### APPROVED

#### CALL TO ORDER

Dave Skornia called the meeting to order at 7:01PM and led with the Pledge of Allegiance. Also in attendance were Steve Van Dam, Wendy Simmons, Jamie Shepherd, Lynn Maxwell, James G. Vanek and planner Claire Karner. Joe Jones was absent.

#### PRIOR MEETING MINUTES

**MOTION by Simmons, seconded by Maxwell, to dispense with the reading of the May 2, 2017 Planning Commission regular meeting minutes, passed upon unanimous affirmative vote of the Board Members.**

**MOTION by Simmons, seconded by Shepherd, to approve the May 2, 2017 Planning Commission regular meeting minutes as amended, passed upon unanimous affirmative vote of the Board Members.**

**MOTION by Van Dam, seconded by Maxwell, to dispense with the reading of the May 10, 2017 Planning Commission special meeting minutes, passed upon unanimous affirmative vote of the Board Members.**

**MOTION by Shepherd, seconded by Maxwell, to approve the May 10, 2017 Planning Commission special meeting minutes as amended, passed upon unanimous affirmative vote of the Board Members.**

#### AGENDA APPROVAL

**MOTION by Simmons, seconded by Van Dam, to approve the agenda as presented, passed upon unanimous affirmative vote of the Board Members.**

#### PUBLIC COMMENT

Skornia opened public comment at 7:10PM.

Terry Marrs: Lives on Curtis Lane and would like to see better gravel placed on the road.

Bud Tidmore: Likes the information published by Tip of the Mitt Watershed Council and other non-profit organizations regarding septic system maintenance practices.

Joe Merritt: Questioned what the State of Michigan is doing to regulate septic tank systems and their maintenance.

Skornia closed public comment at 7:5PM.

#### ACCESSORY DWELLING UNIT DISCUSSION

Skornia explained to all audience members that the Planning Commission has been working for over a year **ON A** draft zoning ordinance language to allow Accessory Dwelling Units (ADU's). The neighboring township (Evangeline Township) has very similar zoning ordinance language allowing Accessory Dwelling Units since 2008 and have reported no issues on allowing them.

The draft language has been presented to the Charlevoix County Planning Commission for their review and comment, and also the Bay Township Board of Trustees.

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Bay Township Planning Commission **PLANNER** Claire Karner discussed various concerns that have been expressed regarding allowing ADU's within the waterfront overlay zoning district. Karner explained the draft ordinance attempts to address these issues by specifying that ADU's are intended for one individual or family and are not to be used as short-term rentals.

The Planning Commission also discussed what precipitated the formulation of the draft ADU language and that they would only be allowed by the applicant going through the Special Use Permit process.

Skornia opened the meeting to hear public comment on the draft ADU language at 7:38PM.

Jim Anderton: Lives on Walloon Lake and read a prepared statement regarding his opposition to the current draft ADU language. He would like to see further restrictions put in place to limit ADU's as to protect single family dwellings and prevent funnel development along Lake Charlevoix and Walloon Lake. He also would like additional restrictions on ADU's so they are occupied by a family member of the primary residence, not rented, have one utility meter and have one mail address.

Also suggested forming a subcommittee with members from each zoning district to review an ADU request from the applicable zoning district.

Deborah Rohe: Concerned on how the proposed ADU regulations would be enforced. She was also concerned on enforcement on the number of boats per dock and green belt regulations. She thanked the Planning Commission for all their hard work.

Lori Marrs: Concerned that there are already too many boats on Walloon Lake and questioned how to restrict residents on Walloon Lake from renting their dock space to non-lake residents.

Bud Tidmore: Questioned why it is necessary to allow the ADU's to be rented; rentals on the lake are already an issue. He likes the idea of a "granny flat", but nothing beyond that.

Josephine Roberts: Introduced herself as the Executive Director of the Walloon Lake Association. She questioned the criteria the Planning Commission would use to consider approval/disapproval of a special use permit for an ADU.

Terry Marrs: Questioned whether it is appropriate or needed on the waterfront.

Joe Merritt: Questioned if the rental issue is currently a big issue within the township.

Skornia closed this portion of the meeting to public comment at 8:34PM.

The Board deliberated extensively on the various comments from the public as follows:

- Should ADU's be allowed within the waterfront overlay zoning district.

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- To address the concern that ADU's may be used as a short term rental, it was agreed to increase the minimum allowable rental time from not less than 30 days to not be less than 90 days.
- To address the concern of the allowable square footage of an ADU, it was agreed to decrease the ADU allowable square footage from a maximum of 1,200 square feet to 800 square feet.
- The planning commission also discussed the number of eligible waterfront parcels that would qualify for having an ADU allowed on it. It was agreed that if the existing waterfront primary residence is non-conforming because of lot size, then an ADU will not be allowed. Karner will compile this information and present at the August meeting.

The Planning Commission agreed to discuss the proposed changes further at the August meeting.

Skornia opened this portion of the meeting to a final round of public comment at 9:04PM.

Jim Anderton: After tonight's public input on the draft ADU language, questioned where the discussion goes from here.

Bill Wehrenberg: Stated R-1 zoning district means single family and there cannot be houses rented to no-family members.

Steve Czerkes: He is not for the rental aspect of ADU's, but is in favor of "granny flats".

Skornia closed public comment at 9:18PM.

Due to the lengthy ADU discussion and lateness of the meeting, it was agreed to postpone discussing the remaining agenda items and go straight to public comment, and the various committee reports.

#### PUBLIC COMMENT

None received.

#### ZONING ADMINISTRATORS REPORT

Zoning Administrator Ron Van Zee reviewed the past months activities regarding Zoning Permits issued, Zoning Ordinance enforcement actions taken, and other related zoning activities.

#### BOARD OF TRUSTEES REPORT

*Note: See the Board of Trustees May 11, 2017 minutes for further detail.*  
Vanek reported on the Board of Trustees May meeting.

#### ZONING BOARD OF APPEALS

No meeting.

#### ADJOURNMENT

**MOTION by Vanek, seconded by Van Dam, to adjourn the meeting at 10:01PM, passed upon unanimous affirmative vote of the Board Members.**

Respectfully submitted,

James G. Vanek  
Planning Commission Secretary