

BAY TOWNSHIP PLANNING COMMISSION

AUGUST 1, 2017 MEETING MINUTES

APPROVED

CALL TO ORDER

Dave Skornia called the meeting to order at 7:00PM and led with the Pledge of Allegiance. Also in attendance were Steve Van Dam, Wendy Simmons, Joe Jones, Lynn Maxwell, James G. Vanek and planner Claire Karner. Jamie Shepherd was absent **WITH EXCUSE**.

PRIOR MEETING MINUTES

MOTION by Simmons, seconded by Van Dam, to dispense with the reading of the June 6, 2017 Planning Commission regular meeting minutes, passed upon unanimous affirmative vote of the Board Members.

MOTION by Van Dam, seconded by Simmons, to approve the June 6, 2017 Planning Commission regular meeting minutes as amended, passed upon unanimous affirmative vote of the Board Members.

AGENDA APPROVAL

MOTION by Vanek, seconded by Maxwell, to approve the agenda as presented, passed upon unanimous affirmative vote of the Board Members.

PUBLIC COMMENT

None received.

ACCESSORY DWELLING UNIT DISCUSSION

In reviewing the lengthy amount of public comment at the June meeting on the proposed zoning ordinance text amendments to allow Accessory Dwelling Units (ADU), Skornia felt the audience members might not have clearly understood that each ADU has to go through the special use permit process (which includes a detailed site plan review), and how detailed and involved the process is.

Skornia gave examples of other zoning ordinance allowable uses that have to go through the special use permitting process and explained they are all beyond the scope of the residential single family use and that they do not take away from the single family or agricultural nature of the township.

Bay Township planner Claire Karner reviewed the proposed changes to the draft ADU ordinance in response to the considerable public input from the June meeting as follows:

- ADU's cannot be rented for less than 90 days (was originally 30 days)
- Decreased ADU square footage from 1,200 to 800 square feet.
- Cannot be placed on a non-conforming lot or on a lot with a non-conforming primary structure if the non-conformity is because the lot or structure is too small.
- Added language that parcels touching the ordinary high water mark, an ADU cannot be established in a new separate structure beyond what currently exists.

The Planning Commission also reviewed and discussed the Walloon Lake Association letter dated July 26, 2017 where they suggested the ADU ordinance be divided into two categories of non-waterfront and waterfront properties. And with respect to waterfront properties, they also offered suggestions restricting ADU's on square footage, setback restrictions, health department approval on existing septic systems, not to be rented and to be occupied by family members only.

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Skornia opened this portion of the meeting to public comment at 7:34PM.

Rob Maxwell: Questioned the ADU provision of allowing them to be rented; feels it could be abused.

Jim Anderton: Is on the Walloon Lake Association governmental affairs board and discussed the July 26, 2017 Walloon Lake Association letter. He reviewed and discussed each point contained within the letter.

Skornia closed public comment at 7:47PM.

The Planning Commission members discussed the Walloon Lake Association letter and pointed out many of their suggested changes has been incorporated into the draft ADU ordinance. As for the suggestion of having the ADU ordinance separate non-waterfront and waterfront properties, the majority of the planning commission members felt this wasn't necessary.

The planning commission will review the proposed ADU changes at the September meeting ~~have~~ **AND** hopefully finalize the draft ordinance.

ACCESSORY BUILDINGS ON VACANT LOTS

Karner reviewed the final edits to the accessory buildings on vacant lots ordinance as follows:

- Added an "intent" statement.
- Added discretionary standards for consistency with existing and surrounding uses.
- Included minor text edits recommended by the Charlevoix County Planning Commission coordinator.

The planning commission also included language that no outside storage shall be allowed.

MOTION by Van Dam, seconded by Jones to forward the draft Zoning Ordinance text amendments to Article IV General Provisions to allow Accessory Buildings on vacant lots to the Bay Township Board of Trustees for their review and subsequent approval, passed upon unanimous affirmative vote of the Board Members.

MINIMUM LOT WIDTH DEFINITION

Karner reviewed the edits to the definitions of "Building Envelope", "Lot Width" and the associated drawings for waterfront and non-waterfront lot width.

The planning commission made some further clarifications to the lot width drawings and recommended forwarding onto the Board of Trustees.

MOTION by Van Dam, seconded by Jones to forward the draft Zoning Ordinance text amendments to Article III Definitions by adding a new definition of "Building Envelope" and amended definition to "Lot Width" to the Bay Township Board of Trustees for their review and subsequent approval, passed upon unanimous affirmative vote of the Board Members.

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MASTER PLAN SURVEY The planning commission briefly reviewed Karnes outline of potential topics to be included in the new Master Plan survey. The surveys purpose is to reexamine the township's planning/zoning goals and policies, reflect the needs and desires of all Bay Township residents, help identify future land use practices and prioritize township services by getting community input.

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 July 13, 2017 minutes for further detail.*
Vanek reported on the Board of Trustees July meeting.

ZONING BOARD OF APPEALS Simmons reviewed their July meeting.

OTHER Skornia discussed the following:

- Talked with Jim Anderton regarding the townships zoning and special use permit process.
- Discussed HB4503 which is currently being considered by the State Legislators regarding amending the Zoning Enabling Act by not allowing townships to restrict short term rentals.
- Governor Snyder toured his farm and his farming operation.

PUBLIC COMMENT None received.

ADJOURNMENT **MOTION by Van Dam, seconded by Maxwell, to adjourn the meeting at 9:27PM, passed upon unanimous affirmative vote of the Board Members.**

Respectfully submitted,

James G. Vanek
Planning Commission Secretary