

Norwood Township Planning Commission Meeting
Meeting Minutes
April 9, 2018 Approved Minutes
Norwood Township Hall

Call to Order – Meeting called to order at 7:00 P.M.

Pledge of Allegiance – by all present

Roll Call – Doyle-present, Kolka-present, Warner-present, Vermeesch-excused absense, Reibel-present. Also present was Township Attorney Peter Wendling and Township Planner Leslie Meyer.

Approval of Agenda- MM by Warner to approve the agenda with an amendment that we add Attorney Peter Wendling to speak about Short Term Rentals & Breweries under New Planning Business, 2nd by Kolka. Motion carried to approve Agenda as amended 4-0.

Conflict of Interest – none noted.

Public Comment related to Agenda Items – Bill Gnodtke asked to speak during public hearing.

Public Hearing on Jim & Tracey Keenan’s Short Term Rental Special Use Permit Application opened at 7:04 p.m.

Jim Keenan introduced himself and his wife Tracey to the Planning Commission. The Keenans are asking the PC to approve an application for an S.U.P. for a Short Term Rental at 77 Lakeshore Dr., Norwood Township, Charlevoix, MI 49720. Jim said his home is a 5 bedroom home with 4.5 baths and is approximately 3,900 sq. ft. Mr. Keenan said they are proposing the maximum amount of people is eight, length of stay is a minimum of 3 days, there are 4 maximum parking spaces, there will be no street parking or lawn parking. The Keenans have a response time to the property of about three hours and their property manager can respond within 20-30 minutes. They would like to rent the home out for 5-6 weeks during July and August with an exception of holidays which the owners have blocked off.

PC Chair Doyle read letters submitted to the Planning Commission from neighbors and Norwood Township residents. Letters were from Kathy & John Dziurman (04585 Lakeshore Dr.) who felt short term rentals were problematic, Mary Heintzkill (229 Lakeshore Dr.) who did not support the short term rental and Susan Schlaybaugh (45 Lakeshore Dr) whose letter explained she had a bad experience with people that had rented the Keenan’s home last summer.

Public Comment –

Nelda Hagaman (141 Lakeshore Dr), said that at one time last summer there were 12 cars parked on property she owns across the road from her home without permission so she had to ask them to move.

Bill Gnodtke (00856 1st St) said he supports property rights and asked the PC if this will be a singular application or if this will be a move to change the ordinance. He stated he would like the PC to work on short term rentals as a whole and not force an applicant to applicant situation. He said PC is best served if they make short term rentals part of the ordinance as there are other rentals that may be out there that are not compliant.

Doug Seaney (Gennett Rd. property owner) & (7777 Glenbay, Antrim Dells), stated he supports property rights but feels property owners need to go by laws on the books and if there are issues then the Sheriff needs to be called to handle. He suggested fees be put in to place for any violations but he supports the S.U.P application be approved.

Mike Spilis (4505 Lakeshore Dr) said he has received several calls from non-happy residents and suggests people call when there are issues but said he feels they don't want to call.

Bill Lovitt (4467 Lakeshore Dr) said the neighborhood is quiet when others leave and would like to keep the neighborhood quiet and would like to sure there is an ordinance in place to keep neighbors happy.

Public Hearing Closed at 7:30 p.m.

Discussion regarding S.U.P. Application Request –

Planner Meyers spoke about rules that are now in place. She stated short term rentals are allowed and explained how that is applied to S.U.P requirements.

Attorney Wendling pointed out items that need to be addressed pertaining to the application:

- Home to be rented for 6 weeks during the summer months
- Four vehicles maximum
- Property Manager, Ron DePotte, be accessible to Township Officials
- Quiet Time from 10p.m. to 9a.m. Levels that would not disturb neighbors
- Maximum 8 occupants at one time
- Garbage must be in bins and picked up on a regular basis
- Trespassing issues must be addressed
- Set up Property Boundries

PC discussion included: Copy of contract needs to be provided, Four vehicles maximum, six week rental in summer months, Property Manager be on call 24/7, Eight person maximum, Quite hours of 10pm-9am, property line/boundry markers, making sure seven findings of fact are met and no excess garbage. PC agreed that if SUP Application is approved then the above eight conditions must be adhered to.

Planner Meyers requested the site plan be waived since there are no changes to the property.

Meyers read the seven findings of fact.:

1. Plot plan information is sufficient to address the special use request.
2. The proposed use is compatible with uses on surrounding land.
3. The proposed use is adequately served by essential public facilities and services.
4. The limit of 4 cars for renters minimizes the impact of the traffic generated by the proposed use.
5. With the oversight by a management company or local representative, the proposed use does not involve any activities, processes, materials, equipment, or conditions of

operation, and is not located or designed so as to be detrimental or hazardous to persons or property or to public health, safety, and welfare.

6. The use proposed can have a positive impact on the Economic Well-Being if properly managed.

7. The property is currently compatible with the natural environment and conserves natural resources and energy and the proposed use, when properly managed, will not change that

MM by Kolka to approve Special Use Permit Application #C-2018-006 submitted by Jim & Tracey Keenan based on the seven Findings of Fact with the eight conditions stated as follows:

-Home to be rented for 6 weeks during the summer months

-Four vehicles maximum

-Property Manager, Ron DePotte, be accessible to Township Officials

-Quiet Time from 10p.m. to 9a.m. Levels that would not disturb neighbors

-Maximum 8 occupants at one time

-Garbage must be in bins and picked up on a regular basis

-Trespassing issues must be addressed

-Set up Property Boundries

2nd by Reibel. Roll call vote: Reibel-yes, Kolka-yes, Doyle-yes, Warner-yes. Motion carried to approve application 4-0.

MM by Warner to waive site plan for S.U.P. Application #C-2018-006, 2nd by Reibel. Motion carried to approve 4-0.

Approval of March 12, 2018 Meeting Minutes – MM by Warner to approve the minutes as presented, 2nd by Reibel. Motion carried to approve Minutes 4-0

Zoning Administrator’s Report – Read by Meyers and Available on Township web site.

New Business –

Discussion by Attorney Wendling and PC on Short Term Vacation Rentals. Suggested this be addressed before more applications are submitted . Things that should be discussed are police power licensing ordinance, moratorium to stop short term rentals in order to set up ordinance, fees; annual or one time, Township Board create Police Power Ordinance. There were also discussions on Wineries and entertainment venues, ie. Reception halls/barns.

Old Business –

Due to the time of the current meeting running long the PC agreed to table discussion on the Ordinance updates but would like to set up a time before the next meeting to work on the ordinance. This would be available to the public and will be announced on the web site and at the Township Hall when a meeting time is agreed upon.

Announcements & Correspondence – Miscellaneous correspondence read by Chair.

Next Planning Commission meeting will be May 14, 2018 at 7:00pm at the Norwood Township Hall

Public Comment –

Bill Gnodtke asked, where does the cost get incurred for S.U.P. infractions? Would like the PC to address S.U.P costs. Questioned #2 of the seven findings of fact. Questioned the use of Block Rd by AM Mfg and feels it needs to be corrected if being used in place of US 31 by AM Mfg.

Nelda Hagaman submitted a letter regarding her opinions on short term rentals and asked how property damages from short term rental could be addressed.

Lynn Smolenyak (Knollcrest Lane) asked PC to figure out where short term rentals are allowed before its presented to the Board. She also suggested a moratorium be put on S.U.P.s for short term rentals until a Police Power gets put into place.

Mike Spilis asked that rental dates be put in to place instead of seasonal dates.

Meeting Adjourned at 9:04 p.m.

Submitted by Shari M. Jones, Recording Secretary