

**Watersmeet Township Planning Commission
March 21, 2018
Final and Approved
Special Meeting Minutes**

Location: Watersmeet Community Center

Meeting called to order at 5:35 PM by Vice Chairman Jeff Zelinski

Roll Call:

Members Present: Jeff Zelinski, John Cestkowski, Peggy Tuttle, Roy D'Antonio, Craig Hesse, Giiwegiizhigookway Martin, Paul Kemppainen

Members Absent: Jeff Wasson, Pete Peterson (came in to meeting at 5:40 PM)

Approval of Agenda: Motion by Roy, 2nd by John. Motion Carried

Discussion with Township Attorney, Tim Dean and Other Issues Raised

Paul gave a brief overview of issues to be clarified with Mr. Dean.

Paul reported a conversation with the Department of Treasury concerning Use Tax. They recommended that we inform the person granted a Short-term Rental Permit be advised that they need to contact the state so that they can be issued a Use Tax License. He recommended that this become part of the Use By Special Approval for Short-term Rental Process and that recipients of a permit should inform the township with 60 days of issuance of their permit that they had secured the required license.

Mr. Dean said that a civil infraction clause be submitted into the Zoning Ordinance which would allow the Supervisor or Zoning Administrator to issue a citation for violations. The local police could then be the serving agency. This could allow unpaid citations be sent to District Court for compliance.

Mr. Dean supplied Paul with copies of possible grass ordinances and he distributed them to the commission. It was recommended that this apply only to the sanitary district. Mr. Dean said that this was primarily a policing action and this ordinance could be adopted through the Watersmeet Township Board. Paul said that he would bring this up to the Board at the March 28, 2018 meeting. A new ordinance would require a Public Hearing with its intent and it would have to be posted in the paper. Notices would be issued to those not in compliance and the failure to respond would result in the Township mowing the grass and charging a fee. Failure to pay the fee(s) could result in a lien on the winter tax bill.

Mr. Dean extensively discussed the issue of short-term rentals. He provided a copy of the ordinance of Acme Township in the Traverse City area. He advised the commission to look at this ordinance as extensive time and effort had been put into it. He felt that we could use it a basis for one that we might consider as a separate ordinance or part of the current Zoning Ordinance.

Dave Neumann provided the commission with copies of information that he had received concerning short-term rentals.

The issue of whether short-term rental was allowable in other areas besides L1 and L2 was also discussed. It is not authorized in any other area but the policy in the past was that short-term rental was allowable in an area such as R1, R2 or R&F because it was not mentioned in the Zoning Ordinance as being prohibited. This raised a question as to how we might deal with this going forward. Should we make short-term rentals require the use of a permit in all areas of the Township or continue as we have always done. The issue of Use Tax also enters into this situation.

Roy asked a question regarding our Medical Marijuana Ordinance. Mr. Dean noted that this has already been addressed by the Township Board.

Discussion also occurred over allowing more than one dwelling being permissible in areas other than L1 and L2. To do this in other areas a land division must be done at the present time.

The topic of square footage rather than lot size dimensions was brought up by Roy. The existing ordinance is very rigid as to the dimensions of lots suitable for dwellings in L1 and L2.

Dave Neumann raised the question about rebuilding on non-compliant lots. Mr. Dean asserted that a new dwelling had to be no larger than the existing footprint but could be built upward.

Mr. Dean said that he will Paul with additional information regarding the Use By Special Approval process as it took place in Acme Township.

Dave Neumann is stepping down as Zoning Administrator after 12 years of serving the Township. He will be helping Dan Kline, who is taking over this position along with that of Building Inspector. Dave will still help with Brownfield and help Dan through the Land Division process for the time being.

Adjournment: Motion by Paul and 2nd by Jeff. Motion Carried. Meeting ended at 6:39 PM
Next Regular Meeting on Wednesday, April 11, 2018

Submitted by: Paul D. Kemppainen – Planning Commission Secretary