

**Burt Township  
Planning Commission Minutes  
July 20, 2015**

The Regular meeting of the Burt Township Planning Commission was called to order by Chair Chris Kindsvatter on July 20, 2015, at 7:05 pm at the Burt Township Hall, 7029 Birchwood Road, Cheboygan, Michigan.

Members present: Chris Kindsvatter, David Hutto, Gene Hodulik, Matt Landon

Absent: Bob Babcock

Also attending: Stephanie Baldwin, Stephanie Jones, Harold Koviak, Michael Karr, Judy Kohl, Jim Larson, Marcia Lawrence, Debbie Lawrence, Tom & Vida McAndrew, Katie Parker, Dave Patterson, Henry & Sally Peet, Carl Pendracki, Chris & Tracey Potoski, Tom Pryor, Dave & Laura Randall, Mac & Carol Richardson, Bill & Nancy Rybolt, George & Sherry Stefanos, Jim & Nancy Valrance, Donna McDougall (Recording Secretary)

Chair Kindsvatter led in reciting the Pledge of Allegiance.

**Agenda** – Kindsvatter

**MOTION:** Moved by Landon, supported by Hutto to approve the agenda.

**MOTION APPROVED**

**Minutes** – May 18, 2015

**MOTION:** Moved by Hutto, supported by Hodulik to approve the minutes with the following correction: “Larson does not want the hard copies at all and prefers digital applications.” Under minutes of May 18, 2015: Correct to read: “Larson requests one (1) hard copy and one (1) digital pdf file with each zoning application”.

Under Poles Barns: Correct to read:

Larson said there are two problems: 1) people who build houses that they actually intend to use as a pole barn so they don't finish it, and 2) people who build pole barns but live in them as homes.

**MOTION APPROVED**

**Public Comment** – None

**Old Business**

Zoning Ordinance – Kindsvatter

The committee discussed the necessity of multiple hard copies of applications but only one hard copy application for single family residential dwellings. Applications for commercial uses require multiple hard copies.

Zoning Ordinance updates will be discussed further at the September Planning Commission meeting. Larson and Kindsvatter to present all sections relative to copies that need to be changed.

Planning Consultant – Kindsvatter

The committee (Kindsvatter, Larson, and Hodulik) received only one application thus far. Koviak suggested interviewing the one applicant or sending the RFP out to members of the Michigan Planning Association and the Michigan Association of Landscape Architects to see if there is any interest.

Kindsvatter will contact the associations and give them 30 days to respond.

## **New Business**

### Ordinance on Septic and Water Quality – Kindsvatter

Dave Patterson, Evergreen Lane, representing BLPA, attended the meeting to request the Planning Commission to take up the topic septic and water quality on property transfers or sales. BLPA voted to support a 10 year program of septic and well awareness. They propose that when a property transfers or sale by owners, the septic system and well should be tested to make sure it meets certain standards. Patterson said several townships have adopted septic ordinances but Burt Township does not have anything in its ordinance to address this issue.

Kindsvatter said the Cheboygan County Health Dept. will need to be involved.

**MOTION:** Moved by Landon, supported by Hutto to form a committee including Landon, Hutto and Patterson to investigate the necessity of a septic and water quality ordinance for Burt Township

**MOTION APPROVED**

### Zoning Restrictions on Waterfront Rentals – Kindsvatter

Mac Richardson, Vice President and Treasurer of White Goose Association, attended the meeting with a number of other members to request the Planning Commission to regulate waterfront rentals in Burt Township. The Association adopted a resolution in July to this effect. (Attached)

Mr. Henry Peet read a newsletter excerpt from Garfield Township stating short term rentals (less than 30 days) are not allowed. Jim Larson asked why the association doesn't police itself instead of asking the township to intervene. Mr. Peet said it is not in their bylaws, and not everyone in the association is in agreement. Larson said they should amend their bylaws

Kindsvatter said he has had calls complaining that too many people are staying at single family homes.

Tracey Potoski, who is currently renting her home, said she loves Burt Lake and thinks everyone should have an opportunity to enjoy the area.

Phyllis Irwin responded that they are doing it for money, and she doesn't want a money making concern in her neighborhood.

Landon said White Goose needs to look at its bylaws but feels renting is good for the economy.

Stephanie Baldwin, Kidd & Leavy Realty, said they have rental units and have seen 35% of renters buy after one week renting on the lake.

Laura Randall asked why this property can be used as a business since it is zoned residential.

Larson said it may be used as home business.

Bill Rybolt said everyone drives in on a one lane road and rentals cause too much congestion along the drive. He also said rentals are bad for individual home sales

Tom Pryor, Cedar Drive, rents out his house and said that he requires a large deposit and has many rules with stiff penalties. He noted that property values go down if there are too many rules and people won't want to buy in that area.

Hodulik asked the Potoski's if they will be staying in their home, and they responded that they plan to stay there occasionally.

Kindsvatter said this topic will be kept open for future discussion.

**MOTION:** Moved by Landon, supported by Hutto to table this discussion.

**MOTION APPROVED**

Discussion of Fire Pit/Green Belt Construction - Kindsvatter

Kindsvatter said he has seen a lot of fire pits in the 75 ft setbacks. Larson said he has written a number of letters with responses from people saying that they were already there before the ordinance.

Kindsvatter said people with new homes would like fireplaces with seating areas. The zoning ordinance currently allows only 64 sq ft including the fire pit. Hodulik said the ordinance was just revised on this subject.

Kindsvatter said he thinks larger firepit areas should not be allowed in the 25' green belt but in the other part of the 75' setback.

**MOTION:** Moved by Landon, supported by Hutto to table this discussion.

**MOTION APPROVED**

Greenbelt - Kindsvatter

Larson said he has nine homeowners who have not responded to letters requiring the 25' greenbelt on new construction or major renovations.

Katie Parker said Torch Lake has algae problems because grass is growing all the way to the lake.

Koviak said people need to put in the green belt as required by the ordinance.

Larson said he will look at all news houses built since October 20, 2006 and see who hasn't complied.

Koviak said the board will also look at this problem.

Patterson said he would like it enforced

Larson will send certified letters to those who haven't complied directing them to come to the next Planning Commission meeting

Pole Barns – Larson

Larson said there are two problems: 1) people who build houses that they actually intend to use as a pole barn so they don't finish it ~~until after the permit expires~~, and 2) people who build pole barns but live in them as homes.

Larson suggested that frost-free footings be required for any building that is to be occupied.

Kindsvatter asked if this needs to be taken care of now. Larson said it can be a job for the new planning consultant.

**MOTION:** Moved by Landon, supported by Hodulik to table this discussion.

**MOTION APPROVED**

Sunset Beach – Larson

Attorney MacArthur sent a letter to Sunset Beach Assoc. – no response to date.

Next meeting: September 21, 2015

**MOTION:** Moved by Hutto, supported by Landon to adjourn.  
**MOTION APPROVED**

Adjourned at 8:54 pm

Respectfully submitted,

Donna McDougall, Recording Secretary