

**Burt Township
Planning Commission Minutes
September 21, 2015**

The Regular meeting of the Burt Township Planning Commission was called to order by Chair Chris Kindsvatter on September 21, 2015, at 7:00 pm at the Burt Township Hall, 7029 Birchwood Road, Cheboygan, Michigan.

Members present: Chris Kindsvatter, David Hutto, Gene Hodulik, Matt Landon, Bob Babcock
Also attending: Jim Larson, Katie Parker, Randy Fryberg, Donna McDougall (Recording Secretary)

Agenda – Kindsvatter

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

MOTION APPROVED

Declaration of Any Conflict of Interest on the Agenda - None

Minutes – July 20, 2015

MOTION: Moved by Hutto, supported by Hodulik to approve the minutes with the following corrections:

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

Report of Township Board Representative to Planning Commission – Hodulik

Hodulik reported that the Township Board approved the following at the August 6 Board Meeting:

- Board Policy Manual
- Improvements for Birchwood Road- \$80,000 – to include flattening berm and afton stone. Cost for readying road for paving would be \$320,000.
- Request for lease of property at W. Burt Lake Road and Riggsville Road for fire substation on U of M property.
- Support of abandonment of Lathers Road.
- Township e-mail addresses for all board and committee members

Hodulik and Pillen sent letters to residents on W. Burt Lake Rd. requesting that they remind contractors to not park on the trail.

Trail finances for the West side of the trail are complete and a surplus of \$54,519.50 will be returned to the trail account.

Alex Nikoloff from MDOT will be the speaker at the MTA meeting on September 24th.

Two members of the Board of Review and one ZBA member plan to resign at the end of the year and replacements are needed.

Report of Planning Commission Representative to Zoning Board of Appeals – Kindsvatter Meeting of July 2015 was cancelled due to no appeal requests. The next meeting is September 25, 2015.

Old Business

Update on position for contracted Township Planner – Kindsvatter

Randy Fryberg, Fryberg Consulting, LLC, was interviewed prior to the Planning Commission meeting. Kindsvatter will put together information for the township board to review.

Out of Date Practices – Kindsvatter

Larson reviewed what application information is needed as follows:

- 1) Amendment Article IV, Site Plan Review, Section 4.03 Site Plan Review (All Districts)
Eight (8) copies and a digital PDF copy of all files
- 2) Amendment of Article V Uses Subject to Special Use Permit, Section 5.02
Site Plan Data Required and to include 8 copies and a digital PDF copy of all files
- 3) Amendment of Article VII Supplemental Site Plan Standards, Section 7.01.12 C(2)
The applicant shall submit eight (8) copies and a digital PDF copy of all files
- 4) Amendment of Article VIII: Zoning Board of Appeals, Section 8.01, Subsection 6
1 copy and a digital PDF copy of all files of surveys, plans and data as required

MOTION: Moved by Landson, supported by Babcock to approval application submission copy information and forward to the Burt Township Board for approval.

MOTION APPROVED

Update on Subcommittee on Septic and Water Quality Inspection – Kindsvatter

Hutto and Landon delved into this subject and reported that this project is very bureaucratic at the state level and is best approached from the watershed point of view. The Township cannot afford to monitor this on its own and needs the county to be involved. Septic system inspection is best approached at the time of property transfer requiring an automatic inspection. Larson suggested a certification every so many years instead of transfer of title. Fryberg said some areas have done that but with little success as health departments won't help and certified inspectors are needed. Hutto said the time of transfer would be a start. Dave Patterson, BLPA, is trying to get a resolution from BLPA to go to other townships for their buy-in. Babcock suggested educating homeowners. Kindsvatter said BLPB is putting up billboards doing this. The committee will continue to work on this.

Zoning Restrictions on Waterfront Rentals – Kindsvatter

Kindsvatter said he spoke to Mac Richardson from White Goose Assoc. who said they were looking at changing their by-laws and deed restrictions relative to rentals. Babcock said rentals have not been an issue in the past so it isn't necessary to pursue this going forward.

MOTION: Moved by Hodulik, supported by Landon to remove this topic from the Planning Commission.

MOTION APPROVED

Fire Pits – Kindsvatter

Kindsvatter said that while the zoning ordinance was amended to change the fire pit size from 3' to 4', the seating area was not changed. He has noticed that many residents have seating areas that look nice with vegetation incorporated in the landscape design of the fire pit area. Larson said that fire pits have always been a source of contention and the 64 square foot in the 75' setback is a problem. It was suggested that a bigger area of 325 square foot (approximately 20 x 15) for the seating area, excluding the actual fire pit (14 square feet), would be more reasonable for a seating area safety from the fire pit. Fryberg said he has never run across fire pit ordinances. Landon said safety is the key. Kindsvatter suggested tabling this topic until the next meeting.

Update on Private Lake Access Sites – Larson

Larson said Koviak is talking to James Ball at Sunset Beach Assoc. regarding the license for the private lake access. He will check with Koviak for an update.

Update on Natural Vegetation Strip – Larson

Larson said three residents were to attend the meeting but did not show up. The resident doesn't feel he needs a vegetation strip as he believes he is grandfathered. Another never called him back. The third resident has 42' of beach sand and Larson said he told him to put the strip in at the edge of the sand. The resident put in a wall, a few bushes and grass. Larson asked if this requirement is enforceable as it hasn't been enforced in the past. Hutto said the state is planning vegetation strip guidelines. Fryberg said there are many ways to approach this but ordinances are extensive and require land disturbance ordinances for new construction. He suggested modification to the ordinance but not getting rid of it altogether. Kindsvatter said he would get with BLPA and get their input.

New Business

Ideas for informing owners, builders and contractors – Larson

Larson said he had to issue stop work orders to six people who did not have zoning permits. He would like them to be required to attend a Planning Commission meeting for a hearing to determine the fine. Fryberg suggested giving more civil infractions. He also said that the board set and publicize the fee structure and triple the amount if a permit is not obtained on time.

MOTION: Moved by Hodulik, supported by Landon to recommend to the township board to triple the zoning permit fee for residents who do not obtain permits on time and publicize the fee structure.

MOTION APPROVED

Zoning Administrator Report – Larson

Larson said he has an issue with homeowners who after measuring the property width at the high water mark, carves out a section of the lot to go with another lot. Larson will contact Mary Campbell to see if there is a stand alone ordinance on this.

Accessory Buildings as Principal Use – Larson

Footnote (i) minimum 2 acre lot required as principal use

Larson said this needs to be noted in Section 6.04.2(e) Item 1

MOTION: Moved by Hodulik, supported by Hutto to add Footnote (i) minimum 2 acre lot required as principal use to Section 6.04.2 (e) Item 1.

MOTION APPROVED

Public Comment – None

Next meeting rescheduled for November 9, 2015 at 7 PM

MOTION: Moved by Hutto, supported by Babcock to adjourn.

MOTION APPROVED

Adjourned at 9:30 pm.

Respectfully submitted,

Donna McDougall
Clerk/Recording Secretary