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WHITEWATER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES OF SEPTEMBER 5, 2012

*Approved
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11/7/12*

Call to Order by Chairman, Miller at 7:00 pm

Roll Call: Boyd, Dean, Link, Lyons, Mangus and Miller, Recording Secretary-MacLean, Zoning Administrator-Meyers + 13 audience.

Set/Adjust Agenda: .Move New Business before Reports

Approval of Minutes of Regular Meeting 08/01/2012. Motion to approve with change Boyd by Lyons, seconded by ; all in favor. Motion Carried.

Conflict of Interest: None

Public Comment: None

Public Hearing: None

New Business:

1. **AIS Construction Equipment Corp. Minor Site Plan Approval** Craig Johnson representing AIS. Add service bays to existing ones and use as parts storage 80'x192', with drive through stalls. More efficient usage. Will be a stand-alone building with access to existing. Directly behind existing, will not be seen from the road. Existing non-conformity, parking and landscaping, the retention basin meets old standards but comfortable with it the way it is. Existing impervious in this area. Plot plan instead of complete redo. Not a high traffic, no new employees are coming in. 15,000 sq ft structure. Cannot approve administratively and asked the county to start on their approval. There is no drive on the east side, docks and trees. Drive is on the west side of the building. To the west and north, no changes. Changes are only on the east and back. May have to had a little bit more drive to the east. Used for equipment repair. Any containment requirements? The county will be dealing with that if necessary. Fire department has already checked it over. Large field behind the building is also owned by AIS. No problem getting fire trucks in there.
Motion by Boyd to approve this plan. Second by Mangus. All in favor. Motion carried.

2. **Request for consideration of a Rental Vacation Home Ordinance** – Mary Anne Rivers-Friese 7943 Skegemog Pt. Rd. next door neighbor Feurig are the neighbors. For 3 years they have been renting their home out, they live in FL. They aren't here. The manager of the rental of their home lives in TC, Vacation Rentals. Concerns: a..) rent out by the week, weekend, up to three weeks at a time during the horse shows. Shared driveway with greatly increased traffic. Up to 5 cars parked in back yard. No obvious delineation between the properties. Trash left on the driveway. Question of trash being picked up on Thursdays. Six or seven large trash bags waiting for Thursday. The noise comes at all hours, talking or music or fireworks. A lot of it is because they don't know, apparently. Disturbing is the disregard for our property. Various renters have brought boats and used our dock, using our lawn and beach to access. Could be a liability. Disrespect. Labor Day weekend was interesting, 8-10 people with 5 cars. A man urinating in the bushes, "didn't know anyone was home". Lady wandering in the woods, just exploring on private property. The water vehicles that they bring. A record was ____, usually only a couple. Feurigs do not mind if the people bring their dogs who do their "job" on the our property. Safety concern is the number and variety of people. Rented for a month at a time would not be so bad. Vacation Rentals has indicated it will be being used until January. I consider it a commercial business. The Feurigs say they will stop but then do it again. Feel this devalues my property. There are others in the

same boat. I know it is not going to happen immediately but felt it should be brought up for discussion and action in the future.

Boyd: How do you feel about the Milton Township Ordinance? The purpose is good, the transitory makes it difficult ©. Local contact person is good. The TC management company calls when there is an issue.

Mangus: there are remedies for all of the things you have mentioned. I don't see the Milton Twp. ordinance as something that would help you. They have a local contact person who is not helping. You mentioned the Feurigs are out of town and that they were not going to continue renting it out. Could it be that the Feurigs don't know that it is continuing? Can you contact them? Send them a letter that you would suggest certain things. (At 29) If it is in the contract.

Mary Anne feels that guidelines would be beneficial. Seems like they should have a permit to do a commercial activity in a residential area. Thank for giving me a place to go and a step to take.

a) Milton Township Vacation Rental Ordinance Meyers: this is happening a lot in the area. It seems the more pricey the rental the more problems. There are several on Skegemog Pt., three houses in a row purchased specifically for rentals. Milton Twp. ordinance was written for two \$10,000 wk rentals. This was their first attempt at addressing their issue. The Frieses are the first to bring this forward. 5-7 complaints every summer.

Mangus: it is the owner's responsibility to address. House rules posted through out the house. Best handled between the neighbors. Do not like the idea of the Township getting in the middle of it. There are already laws on the books that address these issues. It is a matter of knowing what you can do about issues, as the neighbor of the rental.

Boyd: this is going to continue to grow. I think we should put this on our agenda down the line. Ask for a review of the Milton Twp. Ordinance in a year. Maybe we should have something in writing.

Mangus: they use term contact person. Use the term contact person not property manager.

Deans: week after week with the same issues, repeated, would be tiring.

Boyd: Private property signs. There is a legit concern here.

Miller: Same problem where I live. Agrees it should be addressed. Record show to revisit, add to tabled items.

Boyd: Ask Mr. and Mrs. Friese be in attendance when we do this.

Mangus: Offer to the Frieses on dealing with the situation since she is a property manager.

Meyers: At what point is it considered commercial?

Mangus: A lot of these issues are part of the dealing with living on the water.

Link: When the owners are there, there is a big difference.

Reports:

Correspondence:

ZA Report: August Report. Discussion on DTE continuing their expansion of natural gas service. FEMA flood plain map discussion and explanation. Most additions appears to be in the Cram Rd. area and a couple lower properties at Island Lake. Anyone before 1986 gets the lower rates. Everything since pays the higher flood insurance rate.

TC-TALUS: August 2012, attended by Pat Miller: Most of the talk was about funding being available for traffic studies. Possibly expanding, widening S Airport. Looking at making Garfield more narrow with a bike path, because there is federal funding available for that. TCTALUS joined with the council of governments.

Township Board Rep, Boyd: Requested for Supervisor Lake to fill the vacancy on this Commission.

Chair: None

Old Business:

1. Master Plan Discussion

- a) **Transportation:** -Discussion of Road Classifications. Right of ways. Link brings the engineering expertise to this issue. Set backs have to be based on the right of way in the particular areas. Most all of the road right of ways are at 66', except at corners. Bunkerhill

Rd. will have changes in the future. Moore Rd. linking into Bunkerhill as a cut through. Basically making Moore Rd. a truck route. We don't really know what will happen when Meijer goes in.

Link: On forcing the proposed right of ways. Bottom line is if they are going to do Williamsburg Rd. they are going to buy the property. Don't rule out Moore Rd.

Miller: If they did anything with Williamsburg Rd. it would more than likely be federally funded.

Link: There are curves on Williamsburg Rd. that are hazardous. I see Moore Rd to Bunkerhill Rd making a lot of sense getting into Acme.

Boyd: Needs to be addressed properly.

Mangus: The two 90 degree turns would be an issue on Moore Rd.

Link: Curious about the replacement / removal on US31.

Meyers: Angell Rd was going to be the detour but they will do the two way traffic lights, stopping traffic for the US31 road upgrade.

Meyers: State trunk lines value in going with the proposed right of ways.

Mangus: Right of ways plus set backs can eat up a whole piece of property.

Dean: Not eminent domain.

Link: It is in the public best interest.

Boyd: Their property has been affected by the road right of way situation.

Dean: Would take out a lot of the farming if they did that along Elk Lake Rd.

Boyd: the previous proposed Master Plan had the large set backs that really affected a lot of the property along M72.

Miller: Maps for the next meeting. It would be useful.

Meyers: Maybe we put a section in the transportation of the MP that this is the county's plan so the people will be aware that it could be in the future. Not requiring the set back but letting the people know.

Mangus: Inform the people that this is their (the county) plan not our (the township's) plan. Notification without endorsement.

Meyers: A check box on the permit. M72 is different than any of our other roads.

Link: One road has 150' set back would have to go through the ZBA.

Mangus: Would the pre plotted lots be grand fathered in?

Dean: What is the set back on Elk Lake Rd.?

Meyers: 100 feet plus the 30 foot set back. 150' lots get very narrow.

Boyd: Notification is the right thing to do.

Meyers: Tom Doyle from MDOT will come out for the next meeting, October 3. We can start at an earlier time, as a special meeting. Drive around in the afternoon and look around and then he will give his thoughts and comments on your concerns. Start at 5:30 addressing the M72 corridor.

Miller: Would the Tribe have a bus we could use?

Meyers will check on that.

2. Private Road Ordinance Committee:

Miller: Road Committee is missing two people. Link has agreed to take over as Chair.

Mangus: will consider being on the Road Committee.

Public Comment: None

Continuing Education: Discussion on last month's Continuing Education. Make sure that the ordinance does not mandate cutting so people have the choice of naturalizing their lake front.

Boyd: Naturalized areas can look very nice and some do not. Should be some recommendations.

Mangus: But when we make it illegal to naturalize.

Boyd: Water front property with trees that fall need to be able to take care of them.

Meyers: Elk Rapids has adopted the plan that is discussed in last month's presentation.

Adjourned at 8:38

Tabled Items: Non-conformities; Permitted and Special Uses; Essential Services; Fences, Village District.