

# Blue Lake Township

Kalkaska County, Michigan

## Meeting Minutes

Planning Commission Regular Meeting

August 20 2022 9:00 a.m.

Present- 5

- I. Meeting Call to Order at 9:10 a.m. – Southwell
- II. Pledge of Allegiance – Southwell
- III. Roll Call of Members Present –
  1. Present – Southwell, Buttermore, Nothstine, Bond, Fletemier
  2. Also Present Campbell, Shearer
    - NOTE; Significant public attendance.
- IV. Adoption of Agenda
  1. Motion to adopt agenda was made by Fletemier, supported by Buttermore
    - Motion was carried.
- V. Minutes of last meeting
  1. Review of meeting dated July 26<sup>th</sup> , 2022
    - Motion to adopt minutes as submitted by Buttermore, supported by Bond
      - Motion was carried
- VI. Declaration of conflict of Interest
  1. Fletemier – Explained that as a Realtor none of his current clients were purchasing income properties in Blue Lake Township and that home prices were driven by clients searching for rental income.
    - Planning Commission unanimous that there is no conflict of interest.
- I. Report of Township Board Representative to Planning Commission – Shaw
  1. Absent
- II. Report of Planning Representative to the Zoning Board of Appeals Buttermore
  1. No appeals this month
- III. Proposed Definitions, Adjustments and Ordinance Changes (Unofficial Public Hearing)
  - a. Definitions:
    - i. Building Height and Schedule of Regulation
      1. Public Comment –
        - a. No comments
    - ii. Accessory Building Height
      1. Public Comment –
        - a. No Comment
    - iii. Home Based Business
      1. Public Comment
        - a. Cindy Andersen
          - i. Representing 3 property owners

- ii. In this ordinance the stipulation is no more than one non-resident can come and go from a home based business.
      - 1. In as written
  - b. Sharon Oliver Squaw Lake Road
    - i. Is a Home base business supposed to be registered with the township.
      - 1. Response is yes.
- b. New - Shipping Container and Semi-trailer storage
  - i. Public comment
    - 1. Sharisa Shawcross
      - a. Time limit on this ordinance; is there a time limit a POD can be left on the property.
    - 2. Earnest Becker Email was read
    - 3. Anthony Rytlewski
      - a. Opposes the ordinance entirely
    - 4. Cindy Anderson
      - a. Are current storage units grandfathered in?
        - i. Yes as an existing non-conformance.
- c. Section 3.13 Temporary Dwelling during construction
  - i. Public Comment
    - 1. Vicki Deffendal
      - a. Question on conditions
    - 2. Mike Silver
      - a. Camper Permit on a lot to build a house
    - 3. Kevin Druzdowski
      - a. Temporary
    - 4. Possible New Business Number of kitchens how does that impact the definition of a dwelling?
- d. Section 3.18 Swimming Pools, Spa's / Hot Tubs
  - i. Public comment
    - 1. None
- e. Section 3.20 Short Term Rentals
  - i. Public Comment
    - 1. John Moinsen Twin Lake Road -- Cold Springs
      - a. How to coordinate with Cold Springs
        - i. Advised to contact them directly.
    - 2. Cindy Anderson -- Gedman
      - a. 120 Starvation Lake
      - b. Estimated at 15 Short Term Rentals
      - c. Do not want an ordinance to allow short term
      - d. 10% of Lake front owners are STR
      - e. Conserve Natural Value
      - f. Devalue's properties

- g. Listed a number of interferences
  - h. Occupancy
  - i. Roads
  - j. Tourist Homes
    - i. 4 per bedroom
    - ii. 3 Years of ownership
3. John Snook – Squaw Lake Road
    - a. Short Term and Long term rentals homes
    - b. Some long term rentals are worse than short term
    - c. 45 – 65 year old target clients
    - d. Some properties are on lakes
    - e. Difficult to say it will be restricted
  4. Mary Beth Frazer – Squaw Lake
    - a. Property owner for 5 years
    - b. Rental next door
    - c. Every week is rented
    - d. Does not want to watch neighbors all day
    - e. Trespassing is an issue
    - f. Installed Cameras for Security issues
    - g. Yard Strewn with litter
  5. Mike Dyk
    - a. Short term vs long term
    - b. Landlord should have a relationship with the neighbors
  6. John Dully
    - a. Requesting explanation of new ordinance
      - i. Fletemier provided detail
  7. Ken Parson
    - a. Own 6410 Blue Lake Road 3 properties
    - b. One property is a short term rental
      - i. Good Experience with the renters
      - ii. Some became Property Owners
      - iii. Rental properties are very well maintained
      - iv. Many things in the ordinance are no different than what home owners should do.
      - v. House bill 4722 – Won't be able to regulate it.
  8. Troy Robertson – New owner of Starvation Lake Store
    - a. Much of the store's business is from transient customers
    - b. Small business and no employees
    - c. Working toward bringing some RV camp sites
  9. Vicki Savito Starvation Lake
    - a. Holes within the enforcement portion of the regulation
    - b. No proposed method to enter into the Short Term Rentals
    - c. Board should consider an amendment to ensure that we can enter the township to enter into the home with cpliance.
  10. Carlisle Flegal-

- a. Enforcement of police power ordinance
  - b. Feedback loop with the sheriff
11. Kevin Rozowski – Twin Lake Road
- a. Owned for 50 years.
  - b. Wants to confirm that the proposal is not to ban short term rentals
  - c. Wants the ability to rent to snowmobilers and such
  - d. Supports the need for a local contact.
  - e. Does not mind the penalties
12. John Dully – Big Blue
- a. Blue Lake Road -
  - b. Has a short term rental next to his property
  - c. Issue with ordinance is penalties is not substantial enough to enforce.
  - d. Just call the Sheriff has been the response
  - e. Proposal 1 additional penalties
  - f. Proposal 2 not to reset the calendar on the timing of the penalties
13. Courtney Rousossa – North Blue Lake
- a. First home purchase
  - b. Owns short term rental on North Blue
  - c. Holds renters accountable
  - d. Should maintain rentals in the best interest of the community
  - e. Opposed to a ban
  - f. Uses local resources
  - g. Individual interpretation of what the American Dream is for
14. Gerald Davitto
- a. Following Michigan Appellate court
  - b. Interstate Commerce
  - c. Zones as residential or commercial
  - d. Use of the dwelling is Commercial
  - e. How is it different than having a marina?
15. Jackie Newberry – Twin Lake
- a. Sheriff's are busy
  - b. How to engage with the neighbors
  - c. Started with a small cottage
16. Rhonda Simmons – Blue Lake Road NE
- a. Do not blame others – some are very loud
  - b. Feel that the ordinance is too expanded
  - c. Use common sense
17. Matt Church
- a. Appreciates comments from Cold Springs
  - b. Owns Short Term Rentals
  - c. Data Speaks

- i. 34 STR's Advertised
    - ii. How many are registered
      - 1. 21
    - iii. Write Citations to those that are not registered
    - iv. How many citations are were issued in 2021 – none
    - v. Hotel / motel rooms are available – zero
  - d. Likes new terms – needs a more stringent method to enforce.
  - e. 2 people who rented are now owners.
18. Roger Fleming – Twin Lake 10338
- a. Lives next to a rental home
  - b. Has no problem with that going on next door
  - c. Each and every renter is responsible
  - d. 2 issues in 2 years spoke to the neighbor issue was resolved.
  - e. Problem does not overcome individual property owners right to rent
  - f. Most responses are we did not know.
  - g. Include lake rules must be displayed
19. Chuck Pope
- a. 1042 North Twin Lake on Big Twin
    - i. Rents out short term rental occasionally
    - ii. Rentals change dynamics of the lake
    - iii. More noise on weekends, but not bad, misses quiet but tolerable.
    - iv. Need to work a lot closer with tenants and land owners.
    - v. Respect for Individual's and property owners
    - vi. Represents Kalkaska County Sand and Snow
      - 1. Promotes people coming to the area
    - vii. Concerned with larger corporations buying up homes.
    - viii. Is there a way to ensure a limit on the number of rentals?
20. Jeff Durekk Indian Lake –
- a. Wants the ability to rent it out
  - b. Regulate to a point
  - c. Should not restrict it
21. Kim Shelly 0 Eagle Lake Road – part owner of Hideaway
- a. If a rental is not listed on VRBO, do they have to register?
    - i. Yes
22. Vern Retsma – Big Blue
- a. Out of the 21 registered how many complaints are registered?
    - i. Unknown

23. Sharon Oliver - Squaw lake Road
  - a. Those near rentals – 2 complaints does not mean that there are not a number of people influenced.
24. Dan Galdrine – Starvation lake Road
  - a. Where did the number of signs come from?
  - b. Those on all sports lake face a different issue on lake use.
25. Matt Church – Allows for 3<sup>rd</sup> party management –
  - a. Owner of the home should be the one in the line of communication.
  - b. Make the owner responsible for the management
26. Patty Reatsma – Big Blue
  - a. Experienced very few problems with short term rentals
  - b. More issues from other residences
  - c. Encourages the Commission to ensure that issues are enforceable. - Parking on the street – how to determine if it is a renter.
  - d. Specific to the Twin Lakes – Cold Springs has nothing to do with this.
27. John Cavalge – North Blue Lake –
  - a. Fines should be increased.
  - b. Recommends \$500.00
  - c. Encourage rental agreement to pass fines to renters
28. General Question Section 2c, -H – Fraudulent Complaints
  - a. Encourage commission to determine how complaints are enforced,
  - b. Fraudulent Complaints should be penalized accordingly.
29. Sharon Oliver –
  - a. Post Card was great
30. Cindy Andersen –
  - a. Can we limit commercial activity
    - i. Commission will inquire with attorney
31. Mike Chamberlain –
  - a. No issue with short term rentals
  - b. Would like options to rent
  - c. Commotion on all sports lakes
32. Greg (last name unknown)
  - a. Would like a grand father clause
33. Melanie Oppenhuizen
  - a. Comment if we want to rent in the future.
  - b. Zoning Commercial is difficult
  - c. Against the ban
  - d. Supports increased Ordinance
34. Greg Solvack
  - a. Ideal situation is when the owner is near by.
    - i. Property owner is remote.

- ii. Supports a Local contact
- iii. Should there be a limit on the number of rentals?

35. Kevin Curowski

- a. How much of what is proposed is new?
  - i. Request to post the changes.
  - ii. Estimate 75%

36. Vicki Paterson Squaw Lake Road

- a. Are non-homestead people allowed to vote?
  - i. No

37. Ms Shearer –

- a. It is important that all are heard

38. Mike Suprino –

- a. Thank you to the commission for the notification.

39. Ann Ruby Razor Merrill

- a. Labor Day weekend hears activity
- b. Commercial concept to address - Will commercial activities attract companies to look for properties already zoned commercial?
- c. New from the old –

40. Sharissa Shawcross – Blue Lake Road –

- a. President of the Blue Lake Association
- b. Generally do not want to have to call a sheriff but if we do how to we connect the township with the Sheriff

41. Chuck Pope –

- a. Redo form to update and acknowledge penalties

42. Review the Definition of short term rentals

43. Shawn Rozlick Squaw Lake Road

- a.

f. New - Fireworks

i. Public Comment

- 1. Chuck Pope – Enforcement is per the sheriff

IV. Planning Commission Member Comments and Input

1. Fletemier to draft a note to attorney on the Commercial vs Residential and impact on current and new activities
2. The commission expressed an concern with how to enforce the updated Ordinance.
3. Personal ownership vs corporate owner and or LLC.
  - Note to attorney – an we restrict corporate Ownership.
4. Increase Fines –
  - Agreed to increase fines
5. Bond – Suggestion to use 12 month rolling instead of calendar.
6. Buttermore;

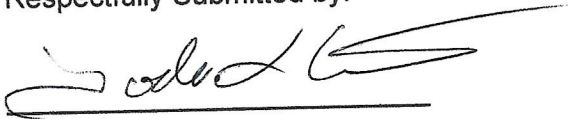
- Penalties strong enough to enforce
  - 3 strikes is good
7. Nothstine – 3 strikes then lose permits how to enforce?
8. Southwell
- Review wording on Swimming Pool – updated
  - Revised the proposed Ordinance
  - Motion to approve the revised ordinance Buttermore, Supported by Nothstine
    - Approved Unanimously
9. Bond
- Most complaints are on Starvation Lakes

VII. Next Meeting Tuesday September 27 at 7:00 PM

VIII. Adjournment

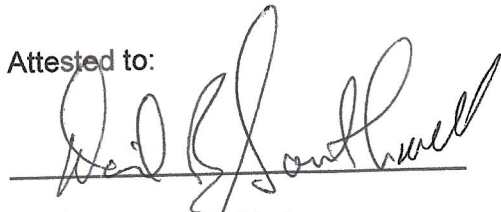
1. Motion to adjourn at 12:28 PM by Buttermore, Supported by Bond
  - Motion was carried.

Respectfully Submitted by:



Todd Fletemier, Secretary

Attested to:



Dave Southwell, Chairperson

***These minutes are not official until approved by the Blue Lake Township Planning Commission at the next scheduled meeting.***