

Matt Wieber, Chairman
Robert Bollenberg, Vice Chair
Bruce Wildie, Secretary
Tim Flynn, member

Jason Barnard, Zoning Administrator
Mary Pitcher, Assistant Zoning Administrator
Alison Michalak, Recording Secretary
David Gardner, member

WEST BENZIE JOINT PLANNING COMMISSION
BENZONIA TOWNSHIP HALL
REGULAR MEETING
MINUTES
MAY 2, 2024

CALL TO ORDER- Call to order at 6 pm by Chairman Wieber.

In attendance: Wieber, Bollenberg, Flynn, Wildie, and Gardner; Zoning Administrator Barnard and Assistant Zoning Administrator Pitcher

Public Present: 10

A MOTION by Bollenberg, Support by Gardner to approve agenda as amended to include STR under new business; motion carried all ayes, voice vote. A MOTION by Gardner support by Wildie to accept the minutes from March 7 and April 4, 2024; motion carried, all ayes.

PUBLIC INPUT

Karen Earle- spoke about the settlement with Sunkissed-encouraged the members to follow up on items 5,7, and 9- exhibit A is not legible, asks for regular site visits to ensure compliance; storm water is still creating erosion; showed pictures of the storm basin that is being breached; asked what enforcement measures will be used if necessary;

John Wheeler- asked if the Sunkissed development is a commercial venture- has heard that 3 of the 8 units will be used exclusively as short-term rentals;

Tom Kucera -states a certificate of compliance should be issued at the completion of the development by the Zoning Administrator; Shoreline permits are required at the lakeside; stated that if an addition of 7 or more residences are constructed that different permits will be required; asks that the commission monitor the developer to ensure compliance as written in the settlement agreement.

Anne Noah-attended the Sunkissed Hills open house- passed out information from the open house; requests that no other permits are issued until compliance with the settlement is made and phase one is completed.

OLD BUSINESS

SUNKISSED HILLS- ZA Barnard stated that monitoring will be done to make sure Sunkissed is compliant with the current settlement agreement, and occupancy will not be granted if compliancy is not met.

Wild Things update- ZA Assistant ZA states that a letter of denial has been sent to Earthwerks.

Assistant ZA passed out a sample ordinance for noise which can be enforced as a police power ordinance. States that we need to estimate the number of short-term rentals and language will take a while to create.

NEW BUSINESS

NOISE/SHORT TERM RENTAL ORDINANCE-Vice Chair Bollenberg stated that the sample noise ordinance is vague and needs to be more specific.

Bollenberg states that more investigation should be done to find out how many STR are active within the zoning district. Google maps show locations of short-term rentals. Most ordinances have a maximum number of units allowed; Chair Wieber states STR /ADU /Noise ordinances should be addressed concurrently and not piecemeal. Would like to see the commission be proactive rather than reactive. Bollenberg states money will need to be spent and hiring a professional to help create the updates to the Zoning Ordinance is warranted. Wildie stated that Honor is modifying existing STR language to meet their needs. Chair Wieber asks the ZA to provide information on potential consultant services by end of May- Assistant ZA and
FOIA POLICY- The members reviewed a sample ordinance. The members will review language and will address at next meeting
Barry Hahn- suggests meeting before July 1, 2024

Annie Browning- talked about The Village of Beulah addressing water quality- a public meeting June 11, 2024 John Ransom from MSU extension will be the presenter.

PUBLIC INPUT

Tom Kucera states the proposed boardwalks at Sunkissed do need permits.

Anne Noah – suggests having legal review of the FOIA policy. Encourages adoption of the Crystal Lake Watershed overlay. Stated March 7 special meeting was not noticed and urges appointment of the Zoning Administrator to be a non-elected official

Lisa Pyne- would encourage a review of the zoning ordinance and master plan

Karen Earle

- concerned that Sunkissed Hills will be used as short-term rentals and has personally experienced short term rental abuses.

A MOTION to adjourn at 7:56 pm by Wildie, Support by Gardner-

Next meeting July 11, 2024

Respectfully submitted,
Alison Michalak, recording secretary