

**BURT TOWNSHIP**  
**Planning Commission Minutes**  
**January 16, 2017**

The Regular meeting of the Burt Township Planning Commission was called to order by Chair Chris Kindsvatter on January 16, 2017, at 7:00 pm at the Burt Township Hall, 7029 Birchwood Road, Cheboygan, Michigan.

Members present: Chris Kindsvatter, Gene Hodulik, Matt Landon, Paul Janness, Jay Jontz

Also attending: Katie, Parker, Dave Hutto, Harold Koviak, Jim Larson, Tim MacArthur, Henry Peet, Sally Peet, Sherry Stephens, Donna McDougall, Recording Secretary/Clerk

**Agenda - Kindsvatter**

**MOTION:** Moved by Landon, supported by Janness to approve the Draft Agenda as presented.

**MOTION APPROVED**

**Declaration of Conflict of Interest – none**

**Minutes – December 12, 2016**

**MOTION:** Moved by Landon, supported by Janness to approve the minutes with the following corrections:

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Jim Larson added a concern with the new Municipal Infractions Ordinance. A drivers' license and address is needed ~~as,or~~ a person must respond to the clerk for the citation. Also, Larson suggested the board hire a person ~~to obtain driver's license and date of birth to serve citations.~~

Page 2 Fireworks - Hutto

Tuscarora Township has adopted a fireworks ordinance. Hutto suggested adopting such an ordinance. The county is ~~also~~ not looking into this.

Page 2 (New Business) -Rentals

Henry Peet ~~of White Goose Association~~, along with Mac Richardson and Jim Valrance sent a letter ~~saying that residents don't want rentals~~ asking for interpretation of the ordinance and if rentals are allowed.

Also attending: ~~Sherry Stephens, Sally Peet, Katie Parker~~

**MOTION APPROVED**

**Public Comments**

None

**Board Representative to Planning Commission – Hodulik**

- Board approved a 3 year contract with Republic Services. They have a recycling service which may be used for the Spring Clean Up day. A pallet may be left at the site until it is full.
- Art Pillen is receiving RFPs for website upgrade/design.
- Discussed hiring a deputy clerk and/or secretary
- Larson gave copies of letter sent to Jim Parker regarding his business on Brutus Road.

- Mike English from the Topinabee Fire Dept. gave yearly fire run report.

### **ZBA Representative to Planning Commission – Kindsvatter**

At the December ZBA meeting the committee approved variance requests from Sandra and Ken Parish and granted a license for modified layout of docks and hoists for Beauwood Assoc. The Sturgeon Bay shared lake access request was tabled to a future meeting.

### **Old Business**

#### Update on septic and water quality – Hutto

Hutto talked to Grenetta Thomassy. They are finishing up the Antrim presentations in the next couple of weeks. Cheboygan's is in process and should be finished by mid -February. She suggested a meeting with her on March 13 for a presentation. Hutto will continue to head up the committee.

#### Vegetation Strip – Kindsvatter

Kindsvatter presented past problems determined by the Commission in May 2015 with the present ordinance, and asked if it should all be rewritten. MacArthur said in order to enforce for the Planning Commission to figure out what the board really wants to enforce and it could be updated. Kindsvatter made suggestions to change. Discussion on topography, land elevation, soil, plants, etc. Then an ad hoc committee – possibly two ZBA members and one Planning Commission could make determinations on discretionary issues to expedite questionable issues. Mrs. Peet said #8 is good (lighting) and solar lights are good. Discussion on lighting options. MacArthur asked how it would be resolved if a person didn't like the determination – If it would come before ZBA for a variance, then having too many members from the ZBA already on the ad hoc committee would make it hard to review appeals as they have already heard the issues and would have to recuse themselves. It was asked if this discretionary judgment would come before the ZBA and it was felt that it would be handled immediately by the advisory committee with the Zoning Administrator so as not to hold up a building permit.

As an alternative, Kindsvatter suggested two 2 reviewers could be from the Planning Commission and one person from the board so no one would need to recuse themselves from the ZBA review.

Kindsvatter to rewrite proposed Planning Commission recommendations and forward to MacArthur to capture the intent of the commission but needs his review and changes to the vegetation strip ordinance to accommodate topography challenges and the committee make up to review those issues.

#### Lake Property Rentals – Kindsvatter

Kindsvatter went on line and obtained information on ordinances from other townships, most of which are very extensive and a lot of work to enforce. He will also be getting information from MTA. Permitted uses for Waterfront Section 3.02.2 said nothing about rentals. Hodulik said he read about Air B&B internet site where people swap houses is popular. The April MTA Convention addresses many of these rental issues. Jontz mentioned the last township survey indicated 97.3 percent of residents don't rent at all so this is a relatively small problem. Mrs.

Peet said the renters are affecting the other 2.7 percent. Jontz, who previously was on the Commission to provide the commission with his background from past Planning Commission meetings on this issue. Tabled to next meeting

#### Fireworks – Hutto

Tuscarora ordinance is modeled after the state ordinance. The county does not have an ordinance – people should call law enforcement if fireworks are an endangerment to people. This issue is not possible to enforce and will be taken off the discussion list.

#### Sign Ordinance – Hodulik

MTA will have an ordinance written by April. Two sessions are planned at the conference. The ordinance will be good for all townships and will be “content neutral”. MacArthur said he attended a session last January, and he has a handout that he will send out to the Planning Commission.

Discussion will be tabled until after MTA completes the ordinance.

#### Medical Marihuana – MacArthur

MacArthur passed out information on PA 281 of 2016. Five different types of commercial facilities or activities are included: growers, processors, provisioning center, secure transporter, and safety compliance center. Nothing needs to be done to opt out under the new state law but if any of the above activities are allowed, then an ordinance needs to say what is allowed. MacArthur will look at present Burt Township ordinances it to see if changes need to be done to make sure that the present ordinance is not in conflict.

#### **New Business**

None

#### Zoning Administrator – Larson

Larson passed out the Zoning Permit list for 2016.

#### **Planning Commission Comments**

Hodulik reminded members the Recreation Plan must be updated by the end of the year. Koviak said a new planner is still needed. Kindsvatter is contacting someone in Lansing. Parker suggested checking with NEMCOG and with Steve Schnell with Cheboygan County Planning.

#### **Public Comment**

None

**MOTION:** Moved by Jontz, supported by Hodulik to adjourn

**MOTION APPROVED**

Adjourned at 8:21 pm.

Respectfully submitted,  
Donna McDougall, Recording Secretary/Clerk

