

# PORT SHELDON TOWNSHIP PLANNING COMMISSION

## Meeting Minutes

Wednesday October 26, 2022

6:00 pm

1. Call to Order - Duke Deleeuw
2. Present: Duke Deleeuw, Bill Monhollon, Del Petroelje, Steve Grilley, Lori Stump, Nikki Timmer.
3. Also Present: Williams & Works Planner Tricia Anderson, Building/Zoning Administrator Ryan Capson, Building Assistant Diane Jansen, Redstone Land Development Representative David Stebbins. 11 township residents and guests.
4. **Motion** by Deleeuw to approval of Minutes from September 28, 2022. Supported by Grilley and carried.
5. No Zoning updates from the zoning administrator.
6. Chairman Deleeuw shifted agenda items.
7. Redstone Development LLC – Zoning Application
  - A. 8.0009 Acres located on Stanton Street, parcel known as 70-11-01-300-021.
  - B. Rezone From AG-1 to R-1.
  - C. To Develop 54 Townhouse market rate apartments.
  - D. Site Plan Submitted.
  - E. There is no plan to connect to Snowberry Drive.
  - F. Will be adding buffering and green spaces. They will be accommodating to meet the needs of the neighbors.
  - G. Deleeuw opened the public hearing.
  - H. Petroelje reviewed the public hearing procedure.

Cliff Pollack-Resident 14816 Stanton Street. He is opposed to the rental development. However, he is satisfied with the Redstone intentions of providing buffering and green space between his west and south property lines.

David MacDonald- 9145 Winterberry Drive. He is concerned about keeping the natural barrier between the Redstone property and The Corners Development. Trespassing on the nature trail that is for The Corners Development only. Adverse effects to property values. Entrance and exit would be on Stanton Street only.

Dalene VanDenBerg – Merle Boes gas station. Is in favor of the Redstone Proposed Development  
Closed the public hearing.

I. Comments from Tricia Anderson:

She reviewed the rezoning request against the township zoning ordinance. It is her understanding the in order to establish a base line density for a future PUD the parcel will need to be rezoned from AG-1 to R1. The recently amended zoning ordinance would allow for multi family house in a PUD district. The amendment established what the maximum density can be. Which is 3 times the maximum of the underlying zoning district. Or 6.5 units per acre whichever is less.

The Planning Commission is asked to make a recommendation to the Township Board rezoning from Ag-1 to R-1. After rezoning Redstone would come back to the commission with a request for a PUD.

Port Sheldon Township does not have specific criteria for rezoning. However, based on good planning practices four factors should be looked at.

1. Is the proposal consistent with the Township Master Plan.
2. Is the new zoning appropriate for the site.
3. Is there other sites that would be more appropriate?
4. Could the rezoning constitute a substantial detriment to the area properties.

Williams-Works advises the Commission should recommend to the Board to approve the rezoning request.

J. **Motion** by Grilley to recommend the Board approve the rezoning request. Supported by Petroelje and carried.

8. Solar Amendment Discussion tabled.

9. Short Term Rental Discussion.

A. Public Comments.

Sheldon Dunes Residents, does not have a Homeowner Association. Growing concerns and impact of Noise, Trespassing, Use of private amenities. Summer season has the most issues. They would like to see more control on short term rentals in plotted developments with smaller lots so homes are closer together. The development has 5-6 short term rentals out of 100-120 homes.

Commission Discussion.

This is a large concern across the state. The house bill 4722 passed last fall. The Senate has done an analysis which was published 10-10-2022. Should the Senate pass, it will negate any Township ordinances in terms of short-term rentals in Michigan. There is a court case in Michigan that could set precedent.

In other years we have had issues. Sheldon Dunes has the most communicated concerns to the township. The conclusion of previous township discussions was if it is getting bad call the police. If there is enough complaints they can shut it down.

Discussion of what the noise ordinance covers. The possibility of regulating with registration, licensing of landlords, yearly fee, must be a resident in the area of the rental unit. Inspections for safety, occupancy of the unit based on size, parking, legal bedrooms etc. Hiring an enforcement officer with funding from the registration/licensing fee. Requiring a pre-inspection of the home with a fee to see if would even qualify as a rental.

Township has approximately 163 short term rentals. Most on the lakeshore. Should there be a cap on the number of rentals in the township. Is this using land for an unintended use.

Willams & Works to do a sample ordinance.

10. Meeting adjourned at 7:06pm

Lori Stump 12-28-22  
Lori Stump, Secretary