

APPROVED

Eveline Township Planning Commission Meeting Minutes
Regular Meeting
July 10, 2019
7:00 P.M.

- 1) **Call to order:** The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance by Chairman Denny Way at the Eveline Township Hall.

Roll Call: Commissioners present were Denny Way, Eric Beishlag, Lorraine Sims and Kelly McGinn. Prudence Kurtz was absent and excused. Zoning Administrator Barry Wood, Planner Annie Doyle and Recording Secretary Sandi Whiteford were also present. Matt Simon, Omer Racine, Steve Sawyer, David and Carol Harris, Jim and Mary Ann Slade, Pat S, Nate Springer, Mary Meany, John P, Deb Reed, Jim and Carole Carroll, Bill Braun, Bonnie Braun and Howard and Pat Colthurst, as well as other citizens were also present.

- 2) **Minutes:** Motion by Commissioner Beishlag, supported by Commissioner Sims to approve the June 12, 2019 minutes as written. Motion carried.

- 3) **Agenda:** Motion by Commissioner Beishlag, supported by Commissioner Sims, to approve the agenda as presented. Motion carried.

- 4) **Public Comment:** Steve Sawyer suggested that the commission look at the Bed and Breakfast regulations. Tulio Carlesimo stated that he is against the site across from the township hall becoming a cemetery.

- 5) **Public Hearing for Short Term Rental Ordinance:**

A.) Open Public Hearing:

Chairman Denny Way opened the public hearing at 7:10 p.m. He stated that comments would be heard. The board will then address questions during board discussion.

B.) Public Comments:

Mary Meany. asked how the board arrived at the number of renters allowed. Stated she is concerned about septic mounds. Inquired as to dates fireworks are allowed. Is concerned about follow through and how issues are to be resolved

Ken Tobias stated his neighbor advertised for 16 person rental. He is concerned about the septic field.

Russ Saputo inquired as to the standing of association by laws.

Steve Sawyer inquired about the zoning for single family residential. Licensing has few restrictions, permitting association bylaws; the ordinance will create business for agents who have no personal attachment to take calls. Is concerned with section 7g complying with State and Local ordinances. Is concerned that there is nothing to protect subdivisions, condominium communities etc.

Mary Foucard expressed that she has received no response with past complaints, out buildings regulations are not enforced. Asked where the enforcement is. Ordinance will infringe on private property rights of many for a few.

Deb Reed stated that the plus four (4) does not state minor children, is concerned about no inspections. Stated people can put anything on an application.

Jim Slade congratulated the board on a well thought out ordinance. They might consider extending quiet hours on Friday and Saturday to 11:00 p.m. and give the contact person an extension of time.

Matt Simon stated he rents his house. Wanted to make the board aware of the current proposed House Bill. He feels the rules and regulations are somewhat vague and ambiguous. They should be specific to remedy he said she said. He inquired as to enforcement and quiet hours at 10:00 p.m. will be difficult to follow.

Ken Tobias concerned that calling police will automatically create neighbor enemies.

Mary Meany stated that she wanted the record to reflect that she does not agree that rental properties increase our home values. People do not understand that voices travel down the lake.

Steve Sawyer inquired as to the after the fact fee and presenting a fine as a fee.

Aimee Stern concerned as they have had people walk into their home. She called the Sheriff. She has to pick up fireworks and trash the next day. "Who do I call?" How many permits will be issued, the board should limit the number. Some are buying homes strictly for rentals. They have put in an alarm and camera system.

Patricia Springer stated that several years ago when they were renting a cottage they walked into the wrong cottage, they apologized, mistakes happen.

Omer Racine asked how rules would be enforced pertaining to subdivisions.

C.) Correspondence:

Letter from Matt Simon, letter from Aime and Daniel Stern, letter from Timothy D. Ricketts, Diane K. Batayeh, Roderick Lemmer, Mary Foucard, Charles and Kathleen Nemes were entered into the official record.

D.) Close Public Hearing:

Chairman Way closed the public hearing at 7:45 p.m.

6) Board Discussion - Short Term Rental:

Planner Doyle explained that the number of occupants was arrived at by Health Department and Building Department regulations and surrounding area ordinances. Septic fields are addressed in section 7b – dwelling must meet all Building Department, Health Department and safety codes. The Planning Commission has developed a FAQ sheet, application for license and a letter to property owners stating a notice is to be sent to surrounding residents within three hundred (300) feet stating the intended use of the property and contact information for the owner/agent in case of complaint or emergency. The Township will mail the provided notices to surrounding residents. The stated number of bedrooms in a rental is on the honor system.

Chairman Way stated that the Planning Commission developed the rules and regulations to try and add "teeth" to the rental situation. Landowners will continue to rent their properties with or without an ordinance.

A citizen stated that the difference between casual renters versus a business rental is not addressed.

Chairman Way stated that there cannot be different rules for different entities, they are property owners. Response time is short to get a quicker resolution to any issue.

Deb Reed inquired about limiting the number of weeks a residence can be rented and be more restrictive follow Health Department policies.

Planner Doyle stated that by laws of an association can be more restrictive, but not less restrictive than that of the Township and pre-empt the Township Ordinance.

Zoning Administrator Wood addressed enforcement concerns. The police department is responsible for noise complaints. Enforcement issues are complaint driven. Civil infraction tickets can be issued, the attorney can ask for fines and costs but ultimately it is up to the judge to determine.

Chairman Way stated that the Commissions intention is to put the responsibility on the home owner. The commission has a lot of input to consider and should take time to contemplate the input from everyone. Consider continuing the board discussion of Short Term Rental Ordinance and input at the August 14, 2019 Planning Commission meeting. Commissioner Beishlag made a motion to resume the board discussion of the Short Term Rental Ordinance at the August 14, 2019 regular Planning Commission meeting and to adjourn the current meeting. Motion supported by Commissioner McGinn. Motion carried.

- 6) **Adjournment:** Chairman Way declared the board discussion of Short Term Rental Ordinance to be continued at the August 14, 2019 regular meeting and adjourned at 8:23 p.m.

Respectfully Submitted

Sandi Whiteford
Recording Secretary