

APPROVED

**Eveline Township Planning Commission Meeting Minutes
Regular Meeting
Eveline Township Hall
8525 Ferry Road
July 7, 2021
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 Kelly McGinn in the Township Hall.

Commissioners present: Kelly McGinn, Eric Beishlag, Lorraine Sims, Gary Albring and Prudence Kurtz. Recording Secretary Sandi Whiteford, Planners Jake Myers and John Iacoangeli, Zoning Administrator Deb Graber, Jim and Mary Ann Slade, Ryan Coon and Robert Drost were also present.

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

- 3) Public Comment:** No comments received.

- 4) Minutes:** Motion by Commissioner Beishlag, supported by Commissioner Sims to approve the June 1, 2021, June 2, 2021, June 16, 2021 and June 24, 2021 minutes as written. Motion approved.

5) Public Hearing Short Term Rental

- I. Chairman McGinn opened the hearing at 7:04 p.m.
- II. Introduction of Changes: Planner Jake Myers reviewed the changes in the Short-Term Rental Ordinance.
- III. Public Comment: Eric Larson stated he is opposed to Short-Term Rentals. They are destroying neighbor's quality of life. He would like to see a tax on rentals less than 18 days. Jim Slade stated that he owns a Short-Term Rental and would like to see an increase in the number of minors allowed. Many of the STR's do not have a permit, what is the incentive to get a permit with a \$250 fine. People are trying to follow the rules. Need more enforcement on permits. Eric Larson stated they try to sneak in more than allowed. A 7-bedroom STR is advertising for 22 people. Zoning Administrator Deb Graber stated that a definition of a bedroom ... with door, window and closet is needed. Also needed are a photo of house, smoke detector and Co2 monitor, current septic permit. Township Board authorized the purchase of Granicus Software which will assist with monitoring Short-Term rentals. Ron Chapman stated that if a current Health Department permit allows

for 3 bedrooms and 4 are applied for the permit should be denied. John Iacoangeli stated the Short-Term Rental should have an inspection and must meet all health codes. Health Department typically bases occupancy on septic capacity. Eric Larson inquired about revisiting current permits. Commissioner Beishlag stated that current permits would be grandfathered in, as they expire, they will need to be renewed on a yearly basis.

- IV. Close Public Comment: Chairman McGinn closed public comment at 7:20 p.m.
- V. Planning Commission acknowledges correspondence: No Correspondence received.
- VI. Public Hearing is closed: Chairman McGinn closed the public hearing at 7:20 p.m.
- VII. Township Staff and/or Planner summarizes: John Iacoangeli stated the Short-Term Rental ordinance is a police power ordinance and needs a motion to be sent to the Township Board of Trustees for adoption.
- VIII. Commission publicly discusses and may ask questions of staff or audience: STR was started 3 years ago. Commissioner Beishlag stated that we knew we would need to make changes. Health Department has volunteered to help with inspections. Deb Graber asked if there is any way to work in verbiage to set a 30-to-45-day civil infraction. John Iacoangeli stated that the Zoning Administrator can set time frame for compliance. The second offense goes before a judge who will then set severity and frequency. Commissioner Albring stated the 3rd party vender would send notices with a thirty-day parameter. Commissioner Beishlag stated that Granicus told us we have 15 STR's registered and 80 advertised.
- IX. Planning Commission deliberates and may or may not reach a decision: Commissioner Beishlag stated that he feels they have a good start. Commissioner Beishlag made a motion to approve the Short-Term Rental Ordinance as presented and to send the ordinance to the Township Board with a recommendation to adopt the ordinance as presented. Motion was supported by Commissioner Albring. Motion approved.

6) Public Hearing Calvin Olson Special Use Permit

- I. Chairperson opens the hearing: Chairman McGinn opened the public hearing at 7:42 p.m.
- II. Introduction of Application: Zoning Administrator Deb Graber introduced Calvin Olson who then presented his request for a special use permit to sell firearms and ammunition from his garage. He stated that the garage is a 24' x 24' structure of which only the first 12; will be accessible. There is one window which will be barred, and a six-camera security system. He explained the firearm transaction form, after the paperwork is filed out a federal background check is performed, in order to sell. He plans to hold hours Thursday thru Sunday from 9 a.m. until 7 p.m. Signs will not be out unless open, advertising will be by word of mouth. Monday, Tuesday and Wednesday will be appointment only for transfers only. No firearms will be discharged on the property.

- III. Public Comment: Chairman McGinn opened public comment at 7:44 p.m. Jeff, Eric Larson and Jim Slade stated their support for issuing the special use permit for the business.
- IV. Applicant Rebuttal: No rebuttal offered.
- V. Close Public Comment: Chairman McGinn closed public comment at 7:55 p.m.
- VI. Planning Commission acknowledges correspondence: Two letters were received, one in support a second with concerns but neither in support or denial.
- VII. Public Hearing is closed: Chairman McGinn closed the public hearing at 7:56 p.m.
- VIII. Township Staff and/or Planner summarizes: The issue before the commission is whether or not to issue as special use permit for the sales of firearms and ammunition from a home garage with or without stipulations.
- IX. Commission publicly discusses and may ask questions of staff or audience: Commissioner Beishlag stated he would like the sign to be on the garage rather than at curbside. Commissioner Albring the applicants training classes and the discharge of firearms on the property. He feels training can be done on the property without firearm discharge at the property. Commissioner Kurtz inquired at to the number of sales and people per week. Mr. Olson stated approximately 5 sales per month and 5 people per week. Commissioner Beishlag stated that one stipulation should include the work on the garage being completed before opening the business. Planner John Iacoangeli stated that hours of operation, security system connected to Central Dispatch, and no firearm discharge on the property should also be stated in the stipulations.
- X. Planning Commission deliberates and may or may not reach a decision: A motion by Commissioner McGinn, second by Commissioner Beishlag, to approve PC-2021-2, an application from Calvin Olson, 11045 Roberts Road E. to operate a home occupation for the sale of firearms and ammunition with the following conditions:
 - 1. The Zoning Administrator to review the condition of the garage to ensure it is secure due to the nature of the business.
 - 2. The Applicant shall provide for a security system that is connected to C.C.E. Central Dispatch Authority.
 - 3. Signage to be on the garage.
 - 4. Hours of operation shall be Thursday thru Sunday from 9 a.m. until 7 p.m. Monday, Tuesday and Wednesday will be appointment only.
 - 5. No discharge of firearms on the property.
 - 6. Applicant must have at all times applicable federal and/or state licenses for the sale of firearms and ammunition.
 - 7. All conditions to be listed on the Zoning Permit.

Motion approved.

- 7) Master Plan:** Following discussion, Commissioner Beishlag made a motion to adopt the Master Plan as presented. Motion supported by Commissioner Sims. Motion approved unanimously.

- 8) Greenbelt:** Representatives from Drost Landscaping stated concerns with the current Eveline Township Greenbelt Ordinance. Stated they struggle to make home owner happy while following the township rules. They are requesting a reduction in the fifty-foot greenbelt area. Commissioner Beishlag responded that the commission needs to look at the ordinance but has not had the opportunity. Commissioner Albring stated the Eveline Township has 24.5 miles of the 60 miles of Lake Charlevoix water front property, it is our responsibility to look at long term health of the lake. Planner John Iacoangeli suggested the commission find out what other communities are doing. He will research and bring to planning commission meeting. Ron Chapman stated we should look at scientifically supportive information. Chairman McGinn stated the commission will begin review of the greenbelt ordinance at the next meeting.
- 9) Public Comment:** Question was raised about the pipeline being installed on Peninsula Road.
- 10) Commissioner Comments:** Commissioner Albring shared comments with the Planning Commission.
- 11) Adjournment:** Chairman McGinn adjourned the meeting at 8:48 p.m.

Respectfully submitted,

Sandi Whiteford
Recording Secretary