

VILLAGE OF NORTHPORT
PLANNING COMMISSION
116 W. Nagonaba St.
Wednesday May 18th, 2022
Draft MINUTES

Call to Order, Roll Call

Chair Arbury called the meeting to order at 6:03 p.m.

Members present: Arbury, Cavendish, Newell, Gale, Woomer, Caudill, and Wessell.

Public Present

Campbell McCloud in person, several members of the public present on zoom (after technical issue fixed)

Staff Present

Recording Secretary-Sarah Murphy, Zoning Administrator- Joni Scott

Approval of Minutes

Proposed to move approval of Special Meeting minutes to work session on May 20th.

May 20th, 2022, meeting minutes were approved as amended, **moved by** Commissioner Newell, **supported by** Commissioner Woomer, **motion carried**

Approval of Agenda

Addition or corrections to May 18th, 2022, agenda: Chair Arbury stated that Commissioner Newell will have allotted time to share about a webinar during commissioner comments. Chair Arbury to move to Correspondence.

Correspondence

Late email at 1:53pm Mary Bezoldt- before proceeding with 7th street development there is a new Natural Specialist and to take advantage of this service prior to any decisions.

Commissioner Gale- correspondence regarding to Wind/Solar to be discussed during New Business.

Public Comment

Public comment from Mr. McCloud-Expressed concerns about developing 7th street and current processes going forward with the regulatory language dealing with wetlands on the property. Concerned with removal of vegetation and trees and how it can impact the wetlands and water levels on both the 7th property and how it will be impact surrounding areas. Concerned with accuracy of the representation of the wetlands on current maps.

Old Business:

Chair Arbury-Move to old business

Asking ZA Scott to identify the projects within the Planning Commission and listing those delegated as a point person for specific projects. Several might change including short term rentals, Tree Committee information, and other current topics.

Chair Arbury-keeping tentative dates/timelines and documents

Commissioner Gale-suggests if Tree Committee continues to meet regularly to add a report to the agenda. Discussion will take place on May 23rd to determine meeting dates and plans going forward. There are two meetings required per year, one to plan Arbor Day and second involving Tree City requirements. Those on the committee include Chair Arbury, Commissioner Newell, ZA Scott, and Dave Tompkins. Looking for community representatives as well. There are multiple ideas on the table.

7th Street Review (All documents in the 7th Street Dropbox on the PC page of the web site):

Per Chair Arbury: review any highlighted areas and then determine how to proceed

Commissioner Gale: Expressed that there has not been a summary regarding the walk through with the Forester and discussion on the value of the trees on the property that were removed. Approximate value was \$6k.

A market analysis was done, not an appraisal. Concerns were expressed that this might be premature, along with concern about soil and erosion.

- A) Land Only-7 acres
- B) Developing land including sewer and water hooks
- C) Splitting with only partial development (lots facing 7 street)
- D) 7 acres divided into 4 lots

Discussion moved to whether there is pressure to develop at 7th street. Suggestions of reviewing past documents and work that has currently been completed and looking at tax revenues as part of the pressure to develop.

Other scenarios suggested about work force house or affordable houses by splitting up the development.

ZA Scott: all documents are still being reviewed by Mullin and will continue to be as questions and concerns come up.

Technical difficulties: Meeting paused to resolve issues. Once those who wanted to join were able to, the meeting was resumed, and Chair Arbury recapped what had previously been covered. Public Comment was reopened for those who joined. No comments made.

7th Street discussion resumed.

Commissioners agreed that more information is better when proposing plans/ideas for 7th street. Chair Arbury and Commissioners emphasize that the Planning Commission is at the point of looking at current ideas and proposals while taking the Master Plan into consideration and public input before presenting to the Village Council for approval.

ZA Scott suggests that using an appraiser who has been contracted by the Village before. ZA Scott will investigate getting an estimate and time frame for appraisal.

Commissioner Cavendish-Would like the opportunity to look at the engineer plan/study but asked the council if it would be appropriate to do so now or after the appraisal information. Consensus was to look at engineer plan/study after the appraisal was done.

ZA Scott- working with the appraiser about back taxes as she had not heard from the County to date. ZA Scott will have the appraiser include a tax information summary along with the appraisals.

Commissioner Gale-Requesting an informal summary of walk through and timber value.

1. Identify Restricted building envelope that would preserve forest and vegetation on each of the lots
2. Any value if timber is removed for road construction

Discussion about what has been done vs what still needs to be done. Those who have walked the property prior to the proposal of 4 lots was President Wetherbee, DPW Supervisor, and considerations of:

1. Private drives to be off 7th street to not interfere with traffic on North Shore
2. Buffer Zone and setbacks

Chair Arbury re-requested summary on walkthrough. Look at bring in Engineer and Eagle for next meeting.

Commissioners asked if Robin Schmidt had access to the Delineation report. Reported that yes Robin Schmidt does have the report and did have feedback in conversation but no written summary.

Per Chair Arbury, requesting the following three items from ZA Scott for June meeting

1. Information for the appraisal and back taxes
2. Conservation District-possible summary of what has been done
3. Follow up with Robin Schmidt-Eagle

Discussion continued on wetlands and what is allowed, i.e. basements etc

Review of stamped plan to be tabled.

Chair Arbury -recommends walking the property with ZA Scott and Chris Holton as an open meeting. No discussion but questions can be direct to ZA Scott and DPW Chris Holton.

Suggested date of May 24th at 9 am

Ideas for 7th Street

1. Developing 4 lots
2. Leave natural no development
3. Partial development
4. Community Garden
5. Park- natural vs developed

Public can make suggestions and submit them to the Village

Survey suggestion to be placed in tax bills for July 1st Commissioner Cavendish volunteered to draft a survey to include in tax bills. Making sure we include renters by informing the Public that there are surveys located at the Village. Include a question about Village residency.

Discussion ensued about how to obtain ideas and reaching out to public located within the village.

Public was commenting in Zoom, addressed that these will be covered and allowed during our second public comment.

New Business

Short Term Rentals-

Commissioner Wessell is the point person. Current status is looking at where the State Legislation stands and how that will impact the Village moving forward.

Commissioner Wessell summarized the history of Village ordinance on short term rentals starting from 2015. There is a registration requirement, but no fee as of 2015. The Village's Finance Committee became involved in March 2020, looking for a fee schedule. Originally suggested a registration fee of \$25 while current zoning ordinances are being updated. President Wetherbee asked the council to review the current ordinance to be prepared for the April 2020 meeting, large Covid19 gap due to no meetings and awaiting the approval for remote meetings.

During this time the former ZA and Commissioner Gale attended short term rental forum for Networks Northwest. In June 2020, no determinations but to move towards a subcommittee. Subcommittee was revising ordinance by comparing the zoning ordinances and village ordinance. A questionnaire was sent out to gather information with 136 responding. Commissioner Gale did a spreadsheet on the results. Research done by looking at other Village Ordinances and Limitations i.e., Suttons Bay, Elmwood. Glen Arbor does not have a short-term rental ordinance.

Required a yearly registration per amendment. 38 registered with 29 re-registering (27 owners). Several Villages hired a firm to keep track of short term rentals. Empire appointed a committee to review

applications. Also working with homestead vs non homestead residences. Still working on short term rental applications, Good Neighbor policies, revising ordinances, and following what is happening at the State level.

State of Michigan had a late-night session in October 2021 that limits how local governments can govern short term rentals as regulations have to be equal to all renters. No current comments from the Governor. Passed the House but sitting in the Senate.

ZA Scott-There is a spreadsheet to give base idea on what is current in the Village. Equalization could do this for the Village at no cost.

Two focus questions

1. What are problems are you trying to address with Short Term Rentals?
- 2 What problems are you trying to prevent?

Motion to extend the meeting until agenda is complete.

Commission Newell: **motioned** Commissioner Cavendish: **second**

Motion Carried.

Continuation of Short Term Rentals

1. Addressing local housing market vs short term rentals
2. Being Proactive with Short Term Rentals
3. Complaints
4. Impact on local economy

ZA Scott would deal with the application process and does the enforcement of monetary penalties.

Currently there is a nuisance ordinance within the Township, not the Village. To be proactive with the Good Neighbor Policy.

Discussion ensued about nuisance ordinances and enforcement of these policies. Emphasis on the data needs to be available and review what some of the other Village's ordinances/policies.

Chair Arbury-suggestion to place reminder in the tax bill about registering for short term rentals. Draft to the June meeting for Good Neighbor policy. Commissioner Cavendish- suggested that resources used like Air B&B to check for STR in Village. Required annually but currently no fee for registration but there is a \$200 fine for noncompliance. Discussion continued about how to inform the public within the Village.

Move the Solar/Wind Energy report to work session

Zoning Administrator Report

ZA-Scott attended part 1 of the Accessory Dwelling Units which will aid in the discussion with the work session. This is found on YouTube, Commissioner Newell going to provide links to Commissioners and recommends everyone watch. Traverse City was featured in the video. Discussion on ADU video/summary.

Commissioner Cavendish: Was there further follow up from Mrs. Spitznagel and her planned venture?

ZA-Scott President Wetherbee did speak with Mrs. Spitznagel. ZA Scott did reaffirm process with business owner.

Infrastructure Report

Chair Arbury-Change in the water rates, recommendation to increase base rate from \$30 to \$36. Northport is part of Michigan's Rural Water Association so this will be taken into consideration with any rate changes.

RFP for 4th street and Rose for drainage issues, seeking bids. Several members of the Public were present and able to participate. DPW Chris Holton gave a report regarding sidewalk repairs at the post office and farmer's market, supply chain issues.

Trustee Report

Commissioner Gale-Report missing pages on the printed out. Summarized from various committees.

Waterfront Committee-very successful booster program with the anti-geese nesting. Compliments to both the Recording Secretary Murphy and Planning Commission Secretary Cavendish for the thoroughness of the minutes.

Parks & Trails-approved road end signage. Commissioner Cavendish working on maps to be placed around the Village in A-Frame holders to guide visitors to businesses, restrooms, and resources.

Public Comment

Anne Harper-Comment summary from Zoom chat. Note recording secretary was monitoring Zoom chat.

Zoom summary- Comment on possible 7th street option for multi-family housing/affordable housing. Would hope that the Planning Commission realizes that in some cases there are members of the community that are both Village residents and Township residents so extending the opportunity to

collect ideas from outside the Village scope. Would like to see consistency with the Township if a nuisance policy is adopted by the Village but need to consider the cost and time for regulating nuisance orders.

When commentors were allowed to unmute, Ms. Harper mentioned the above summary and talked about the Good Neighbor Policy that Township has, and that the Village could reference it. Suggested that the term “questionnaire” be used over “survey” as survey can imply that it will be up for vote.

Joanne Swanson-Thanked the Planning Commission for thoroughness of reports and conversations during the meetings. Recommends that the Public is involved “earlier rather than later.” Still has concern on water drainage if 7th street is developed and the impact on neighboring properties.

Campbell McCloud- Thanked the Commission for lengthy discussions, full discussion, thanked Commissioner Wessell for the STR summary, and Commissioner Cavendish for the future signage in the village. Feels that there is a heavy emphasis on building and developing despite the EPA and Wetland findings. Need to consider the cost, environmental factors, and feasibility. What do the long-term plans look like vs short term planning? Consider the wetlands, buffer zones, and setbacks. Surprised that Planning Commission has not planned a walk through prior to this. Hoping that a process is founded and followed.

Commissioner Comments

Commissioner Wessell-Thanked Commissioner Cavendish for working on the signage

Commissioner Newell-Thank you to our ZA Scott for providing links to the ADUs. Highly recommend watching the ADU videos prior to work sessions.

Commissioner Woomer-Would like to watch ADU as a group and being able to have discussions.

Commissioner Cavendish-Still would like to see a rubric for the 7th street ideas.

Commissioner Gale-Thank you to Anne Harper for distinguishing between questionnaire and survey. Also that the Village has taken into account the Good Neighbor Policy that the Township has.

Chair Arbury-We have walked the 7th street site but not as a group. That we have multiple ideas on the table for 7th street including doing “nothing.” Thank you to our team for the hard work and being awesome.

Commissioner Newell **motioned to end meeting**

Commissioner Wessell **seconded the motion**

Motioned: Carried

Meeting adjourned at 8:56pm

Next Regular Planning Commission Meeting will be June 15th, 2022 at 6pm.

7th street site walk through May 24th at 9 am