

**Clearwater Township**  
Planning Commission  
Regular Meeting of April 2, 2018  
As approved May 7, 2018

**Call to Order, Pledge of Allegiance:**

Chair Backers called the meeting to order at 7:00 p.m., and opened with the Pledge of Allegiance.

**Roll Call of Members and Recognition of Visitors:**

Commissioners present: Backers, Casassa, Eldridge, Fields, Von See.  
Township officials: Zoning Administrator Parzych  
Public: Jule Moore, Becky Norris, Carol Backers

**Approval of Agenda:**

Amended the agenda to strike erroneous reference to a public hearing and add discussions of short-term rentals and problem-solving for the village center commercial district under New Business.

**MOTION** by Fields, second by Von See, to accept the agenda as amended. Motion carried.

**Call for Disclosure of Conflicts of Interests:**

All commissioners declared no conflicts of interests.

**Approval of Minutes:**

**MOTION** by Eldridge, second by Von See, to accept the minutes of March 5, 2018, as presented. Motion carried.

**Public Comment for Matters Not on the Agenda:**

None

**Commissioner Comment for Matters Not on the Agenda:**

None

**Ongoing Permanent Business:**

When is a land use permit required? Section 25.05 regulates the question of when a land use permit is required, but it is not crystal clear to the citizen seeking that information. Following much discussion, we realized that a simpler, more direct wording is needed, stating up front that if a county building permit will be required, a land use permit is required. Secretary Fields offered to craft new language for Section 25.05 and bring it to the commission for review. The topic is also being set for the May meeting agenda.

**Old Business:**

There was none to address at this meeting.

**Report of Planning Commission Chair:**

Report from Chair Backers – For the township’s annual newsletter, Backers wrote that over the coming year or so, the planning commission will be working on the five-year update of the master plan and is seeking constructive input from the public. The newsletter will be mailed to all the property owners in the township, and copies will be placed in various high-traffic locations around the town.

In taking on the job of planning commission chair, Backers read through the Public Act 33 of 2008, in which the duties and responsibilities of the planning commission are detailed. Among them are to plan and make suggestions for improving the township. He raised the matter of the township’s need for additional revenues, and stated his own conviction that until we correct the matter of the unopened, but not formally abandoned streets and alleyways within the village center commercial district, we will remain unable to attract the kind of small businesses that would fit here and would improve our tax base.

Commissioner Casassa asked for a map showing those streets and alleyways. Secretary Fields promised to provide it to her.

Discussion ensued concerning the possibility of obtaining a grant to assist the township in paying for the various actions required, such as a complete survey of all the properties involved and the application to the state to revise the existing plat. Several potential sources were named: the Grand Traverse Band of Ottawa and Chippewa Indians, the HUD block grant program, any charitable foundations offering community improvement grants, and the Michigan Economic Development Corporation.

Chair Backers will draft a memo to the Township Board, detailing the need for regularizing the properties within the village center business district, laying out the Planning Commission’s ideas for addressing the project, emphasizing the probability that the matter is appropriate for grant funding from several potential sources.

Clerk Eldridge cautioned the Commission to take great care in crafting the memo, so as not to put the Township Board on the defensive. All agreed that there is wisdom in approaching the matter rationally and diplomatically.

Chair Backers also reported that a week earlier, the Michigan Supreme Court (Case No. 336460) had ruled that short term rentals (28 days or shorter), are, indeed, commercial enterprises. There are two bills languishing in the legislature, to remove short term rentals from being considered commercial enterprises. The matter has long been a contest between the motel-hotel industry and the real estate agents who manage short term rentals for property owners. Backers brings the matter to our attention, because the outcome will have an impact on many in our township who provide rental lodging to our summer visitors.

**Report of Township Representative:**

Report from Clerk Eldridge – At its March meeting, the Board appointed Gianine Casassa to the Planning Commission and Greg Snyder to the Zoning Board of Appeals. The Board enacted Amendment 8, to Zoning Ordinance 22, Sections 4.03 and 9.02 as proposed. The amendment will be published April 5, 2018 in the Elk Rapids News, and will be effective eight days later, on April 13.

Chair Backers asked if the approved budget is available on the website. At present, it is not; it can be picked up at the Township Office. There was discussion that it could be posted on the website in the future.

Supervisor Niederstadt is back at Meadowbrook, following his recent surgery. He will be there for at least two months, and will be having a lot of physical therapy.

**Report of Zoning Administrator:**

Zoning Administrator Parzych – distributed his report for March 2018 in its new format, along with a spreadsheet record of land use permits issued to-date in 2018. Both reports are hereby incorporated into the record by reference, and a copies of them are attached to the permanent copy of these minutes as [Att A] and [Att B].

There was discussion on the format of the documentation now in place for notifying property-owners o zoning violations. A copy of the notice is attached to the permanent copy of these minutes as [Att C].

**New Business**

As discussed above in the report from Chair Backers, part of the preparation for the upcoming five-year master plan review will be consideration of a subplan to address the problems within the village commercial district, including the correction of existing impediments to obtaining clear title to properties within the village center.

Also discussed above in the report from Chair Backers, was the matter of legislation pending regarding the status of short-term rentals of private property. He brought the matter to our attention because the outcome of such legislation will have an impact on this community that relies heavily on tourism and hospitality for its economy.

**Closing Public Comment:**

There was none.

**Adjournment:**

**MOTION** by Fields, second by Casassa, to adjourn. Adjournment at 7:54 p.m.

**Assignments:**

- Fields to draft language for Section 25.05 on need for land use permit.
- Backers to draft language for memo to the township board regarding ideas for resolving the unopened alleyways and streets in the village center.

- Fields to provide Commissioner Cassasa with the map of the village center alleyways and streets. [Post-meeting note: Fields provided the map and a copy of the permanent minutes from February 18, 2013, which copy has as an attachment, the court order of 1971 – that was never carried out – ordering the township to vacate those streets and alleyways.]

**Next Meeting:** May 7, 2018

Respectfully submitted,

A handwritten signature in cursive script that reads "Tina Norris Fields".

Tina Norris Fields  
Secretary

### Clearwater Township Zoning Administration Monthly Report

Month/Year MARCH 2018 up DATED.

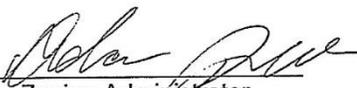
5 Land Use Permits Issued  
 \_\_\_\_\_ Garages, Sheds  
 \_\_\_\_\_ Residences  
3 Residences w/Attached Garage  
2 Pole Barns  
 \_\_\_\_\_ Resident Additions  
 \_\_\_\_\_ Decks, Porches, etc.  
 \_\_\_\_\_ Miscellaneous, Other Buildings

28 Field Checks  
0 Attorney Contacts  
1 Planning Commission Meetings  
0 ZBA Meetings and/or Township Board Meetings  
15 Contacts with Public, Home or Land Owners  
0 Training Sessions

#### Zoning Violations

0 Zoning Violations closed this month  
4 Open Zoning Violations as of this month  
0 New Zoning Violations opened this month  
2 Zoning Violations under investigation  
3 30 Day Notices Sent or in this status  
1 60 Day Notices Sent or in this status  
0 90 Day Notices Sent or in this status  
0 Turned over to Attorney

Date: 3-31-18

Signature:   
 Zoning Administrator





# CLEARWATER TOWNSHIP

P.O. Box 1

Rapid City, Michigan 49676

Tel: 231-331-6249 Fax: 231-331-4375

## From the Office of the Zoning Administrator Violation Notice

Date: \_\_\_\_\_

To: \_\_\_\_\_,

This is to inform you that you are in violation of Clearwater Township Ordinance \_\_\_\_\_, Section \_\_\_\_\_.

Description of the violation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

In order to resolve this matter, please contact the Zoning Administrator at 231-331-4500 within the next 10 days. Time is of the essence.

Zoning Administrator

Matter number: \_\_\_\_\_