



## Wexford Joint Planning Commission

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### WEXFORD JOINT PLANNING COMMISSION 'draft' MINUTES-JUNE 26, 2023

- A. Chair Osborne opened the meeting at 6:30 pm; the roll was called showing a quorum present to conduct business, and the Pledge of Allegiance was recited. There was unanimous consent to amend the agenda to add grant resolution discussion under new business.

Members present:

Paul Osborne (Antioch)  
Randy Brewer (Springville)  
Beverly Monroe (Liberty)  
Richard Harvey (Boon)  
Donna Taylor (South Branch)  
Marli Wendel (Slagle)  
Dan Prince (Selma)  
Marty Dahlstrom (Cherry Grove)

Members Absent:

Ben Fleis (Wexford-Vacant)  
Hanover (Vacant)

Others Present:

Robert Hall, Zoning Administrator  
Ben Townsend, Assistant Zoning Administrator

- B. There was a motion by member Harvey and a second by member Monroe to approve the May 22, 2023 WJPC minutes – approved by a unanimous voice vote.
- C. Public Hearing-Case #SLUP-2023-02

The Chair declared the public hearing open at 6:32 pm – Assistant ZA Townsend presented the staff report and orally focused on the fact that no building was taking place, but rather a use was being added to the residential dwelling [Group Child Care Home-NAICS 6244]. The report also emphasized the need to 'not' have a detailed site plan for this particular use, and presented the fact that this activity is also heavily regulated by the State of Michigan. There was limited discussion regarding the swimming pool and associated security. The applicant confirmed that it was secured / fenced in accordance with the state building code. An opportunity for public comment was offered-none received. The Chair closed the public hearing at 6:40 pm.



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## Public Hearing-Master Plan

The Chair declared the public hearing open at 6:41 pm. The ZA presented a brief summary including that the master plan was approved for distribution in the fall of 2021, the master plan was distributed in early April of 2023 for the required 63-day comment period, the only comment(s) were from Manistee County pointing out general grammatical errors. An opportunity for public comment was offered-none received. The Chair closed the public hearing at 6:46 pm.

### D. Public Comment

There was a query about the location of the draft master plan – staff informed the public that a draft was available on the WJPC homepage on the website.

### E. Member Dahlstrom motioned with a second from member Harvey to pay the June 2023 bills as presented. Passed by a unanimous voice vote

Treasurer Taylor reported that she is now receiving monthly reports from Cherry Grove Township via email and this should allow the budget report to remain ‘more’ current. There was a motion by member Brewer, seconded by Harvey to accept the Treasurer’s report – passed by a unanimous voice vote.

ZA Hall presented monthly report and reported that Cherry Grove and Selma Townships had been invited to personally attend this meeting to participate in an open discussion. Staff also informed the WJPC membership about an invitation to pursue grant funding through MDARD’s Rural Readiness Grant Program, requesting that the WJPC approve a resolution affirming the same. Requesting \$25,000 and pledging a 20% match from the planning consultant budget.

### F. There was no unfinished business

### G. SLUP-2023-02

The Commission accepted the staff waiver of a ‘detailed’ site plan based upon Section 9406 granting the administrator to specifically waive any requirement upon the determination that they are not reasonably related to the proposed use, thereby accepting the basic site plan requirements submitted by the applicant and staff. The Commission made the finding based upon the staff report and further inquiry that the Standards for Site Plan Review in Section 9411 were not applicable.

The Commission found that the specific use (Group Child Care Home) being primarily residential in nature is reasonable and would not present any unique health, safety, or welfare concerns; that the use (because it is residential) would be consistent with the intent and purpose of the district as well as other adjacent land uses as they are all residential. The Commission also found that based upon the use, there will be no increased demands on public services, facilities, and that the land would experience no increased loads, and that there were no other applicable standards that would be deemed applicable as this use remains primarily residential in all aspects.

Based upon the above findings, member Dahlstrom motioned to approve the Special Use request as submitted, seconded by member Brewer – approved by a unanimous voice vote.

Grant Resolution – although not required, ZA Hall requested that the WJPC approve a formal grant resolution to forward with an application to MDARD requesting \$25000 and pledging an in-



kind match of 20% (\$5000) from the planning consultant budget line item. There was a motion by member Monroe, with a second by member Wendell, with a unanimous roll call vote of approval.

Master Plan – after additional brief discussion, there was a unanimous roll call vote of those present to approve a resolution recommending adoption of the proposed new master plan to the participating municipalities of the Wexford Joint Planning Commission upon a motion by member Monroe and a second by member Wendel.

Cherry Grove and Selma Townships each sent representatives upon invitation from the WJPC to participate in an open discussion.

Supervisor Boyde (Selma Township) presented issues related to blight enforcement and inquired why we (the WJPC) weren't handling it – mentioned that it was a semi-constant issue for Selma Township. Mr. Boyde also mentioned that the short-term rental issue was becoming an increasing problem creating general neighborhood nuisance complaints of about 3 or 4 per month.

ZA Hall read a memorandum from WJPC Attorney Wilson regarding Zoning and Police Power ordinances and the various nuances of administration and enforcement. Hall also attempted to describe the periods of time that each are effective; zoning (regulating land use) only is effective from the time of adoption moving forward, and a police power ordinance (regulating an activity), that can be retroactive.

Supervisor Pearson (Cherry Grove Township) mentioned that their Township receives 8-10 calls per month related to short term rentals generally associated with noise, parking, and traffic concerns as well as trespass issues. Mr. Pearson also mentioned issues related to zoning enforcement, fees, over-regulation of child care homes and the thought that zoning regulations were too restrictive on larger / rural parcels.

The general consensus seemed to be that short term rentals were 'here' but they probably needed to be regulated in some form or fashion and the current ordinance was not an effective means of enforcement because of possible nonconforming use claims, as pointed out in the legal memorandum.

- H. Public Comment – during a second period of public comment, there were general issues related to short term rentals presented to the WJPC for consideration.
- I. There was a motion by member Prince, seconded by member Wendel to adjourn.

On behalf of the Secretary of the Wexford Joint Planning Commission,



Planning and Zoning Director



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