

**Hamilton Township Planning Commission
Hamilton Township Hall
June 10, 2024, 7:00 p.m.**

REGULAR MEETING MINUTES

PRESENT: Steve Petersen, Sherry DeLoach, William Lawson, David Cerven, Rich Conway and John Young

STAFF PRESENT: Bob May, Zoning Administrator
Robin Young, Recording Secretary

GUESTS: 3 guests

1. Call to Order and Roll Call

Chairman Petersen called the meeting to order at 7:00 p.m.

2. Additions/Deletions to the Agenda

None

3. Approval of Agenda

Motion to approve agenda by Lawson/2nd by Conway. Motion passed unanimously.

4. Approval of Minutes for the December 11, 2023 Regular Meeting

Motion to approve minutes by DeLoach/2nd by Young. Motion passed unanimously.

5. Limited Public Comment

John Cousineau spoke regarding the zoning of his property.

Deanna Cousineau spoke about her opposition to short-term rental properties.

Fred Low, APC Towers gave a presentation later in the meeting.

6. Old Business

a. Set date for public hearing on draft amendment for shipping containers and accessory buildings.

Motion by DeLoach/2nd by Lawson to hold a Public Hearing on July 22, 2024 at 7:00 p.m., regarding a proposed zoning ordinance text amendment to Chapter 3, Section I, Shipping Containers and Section II, Chapter 16, Ordinance, Section 16.23 and Section 16.33 of the Hamilton Township Zoning Ordinance. Motion passed unanimously.

7. New Business

a. Short-term Rentals

May stated that Airbnb usage has been challenged at the State level and it has not changed residential use categories. Hamilton Township has to allow them and should create an ordinance addressing the issue.

The Commissioners discussed the following issues:

- Creating a “Township Tax” on vacation rental homes
- Landowner Rights
- Inspections and codes for vacation rental properties/homes
- Employing a code enforcement officer
- Additional sewage issues from rental properties
- Resident(s) that are unhappy with the current vacation rental situation around Lake of the Woods.

Young stated that he had researched other community ordinances in the State of Michigan. He referenced Michigamme Township in Marquette County as a comprehensive ordinance to look at.

May suggested having the township attorney come to a meeting to discuss how to move forward with an ordinance that addresses short-term rentals.

Motion by Lawson/2nd by Conway to hold a Special Planning Commission meeting on July 22, 2024 to ~~6:00 p.m., contingent upon the availability of the township attorney to~~ address the creation of a Hamilton Township short-term rental ordinance. Motion passed unanimously.

b. Request for Cell Tower

May explained that APC Towers has put in a request to construct a cell tower near the intersection of County Road 681 and M-51. The area is swamp land and is not usable for other purposes. He stated that there is nothing specific in Hamilton Township’s zoning ordinance that addresses cell towers.

He noted that per the township attorney the State of Michigan allows for local government to give an approval within 45 days of the request, if the approval is not given within that timeframe, it will be automatically granted.

Fred Low from APC Towers gave an overview of the project. The Commissioners were provided additional exhibits describing the request and specifics of the project.

May asked that the Commissioners vote on approval for the project at this meeting. He noted that he had spoken with the township attorney and she agreed that this should be voted on within the 45-day period and had no qualms about it being approved.

Motion by Young/2nd by Lawson to approve the request, as written from APC Towers for parcel number 80-10-030-002-00, located along M-51 in Hamilton Township, Van Buren County, MI. Motion passed unanimously.

The Commissioners agreed that a zoning ordinance amendment for cell towers will be addressed at a future date.

Petersen mentioned that at the recent Citizen Planning course that three of the commissioners attended they were made aware that there is a requirement for Planning Commissions to have bylaws.

Young stated that Hamilton Township does not currently have bylaws. He suggested that a Bylaw Committee be formed and gather information to present at the next regular Planning Commission meeting. The Bylaws Committee members are as follows:

Sherry DeLoach
Rich Conway
John Young

The Commissioners agreed that the following items will be moved to the next regular Planning Commission in September:

- Discuss zoning ordinance amendment for cell towers
- Discuss zoning ordinance amendment for short-term rentals
- Discuss Planning Commission Bylaws

8. Adjournment

Motion to adjourn the meeting by Lawson/2nd by Young. Motion passed unanimously. Meeting was adjourned at 8:55 p.m.

Electronically Submitted By:
Robin Young, Recording Secretary