

# Village of Bellaire

## PLANNING COMMISSION

### Commissioners:

Patrick Boyd

Fred Harris

Don Seman

Christine Langdon

Daniel Wilson

Posted: Monday January 27th at 11:00 AM

## PLANNING COMMISSION MEETING MINUTES

January 14th, 2025

5:00 PM

- I. **Call to Order:** The meeting was called to order at 5:00 PM.
- II. **Roll Call – Attendance:**  
**Present:** Patrick Boyd, Fred Harris, Don Seman, Christine Langdon, Daniel Wilson  
**Absent:**  
**Staff Present:** Angela St. Pierre, Clerk / Zoning Administrator  
**Public Present:** Larry Baumchen, Dave Drummond, Dave Ciganick, David Binkieaicz, Peg Binkieaicz, Sue Palmassano, Andrew Turner, Rob Lewis, Zach Piscopo, Drew Reynolds, and five other unidentified.
- III. **Approval of Agenda:** The agenda was approved as amended with the additions to old business of item d) Gill-Roy's Extension.  
  
**Motion by Harris, seconded by Seman to approve the agenda as amended. Motion passed by unanimous voice vote.**
- IV. **Approval of Minutes -** The minutes of the October 1<sup>st</sup>, 2024 meeting were previously approved by the Village Council.  
  
**No action was taken.**
- V. **Conflict of Interest:** None presented.
- VI. **Public Comment:**
  - a. Rob Lewis, owner of short-term rentals in the village gave comments on the Short Term Rental Draft Ordinance Review item on the agenda. He understands that the drafted ordinance is based off of an ordinance from Traverse City. He is wondering what the Village is trying to accomplish with this proposed ordinance. He is wondering if it be possible to review an ordinance from a more comparable town or village such as Boyne City.
  - b. Dave Drummond, owner of short-term rentals in the village gave comments on the Short Term Rental Draft Ordinance Review item on the agenda. He was also asking what the Village is trying to accomplish with the proposed ordinance. He commented that he had heard the reasoning being noise complaints, garbage complaints, and increased housing prices in previous meetings. He spoke about the decrease in places for travelers to stay would decrease the amount of traffic and visitors in town. He also stated that since a previous meeting on the subject, houses that have been for sale have not increased in price nor have they sold yet questioning if short-term rentals are even an issue with the housing crisis.

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- c. Dave Ciganick, village resident, spoke about how he would like to speak on behalf of the Zoning Map Review agenda item. It was determined to allow him to speak when the agenda item was discussed.
- d. Sue Palmassano, property manager of two properties in the village, gave comments on the Short-Term Rental Draft Ordinance Review item on the agenda. She seconds what Rob Lewis and Dave Drummond had commented and believes it beneficial to do more research before any rules are set in place.
- e. Unknown Gentleman, short-term rental owner in the village, gave comments on the Short-Term Rental Draft Ordinance Review item on the agenda. He commented that he has not had any problems with his short-term rentals. He believes having them draws people to the area.
- f. Sue Palmassano spoke again questioning if Spillway Lodges would be affected by a short-term rental ordinance. Member Boyd answered that they are zoned as a lodge and treated the same as a hotel.
- g. Dave Drummond spoke again that he would encourage the community to look at ways that can benefit from short term rentals.

### VII. Old Business:

- a. **Mobile Food Vending Application:** Member Boyd explained that mobile food trucks used to have to go through a site plan review with the Planning Commission before being issued a permit. It has since been changed to permitted without the need for a site plan review and the new proposed application has a list of requirements that were necessary. The application will make it easier for the applicant and the office to work through the permitting process. Zoning Administrator, Angela St. Pierre listed suggested changes to be made provided by previous Council Trustee Dave Ciganick. The first suggestion is to remove the "List adjacent parcels under same ownership" on the top section of the first page. The second suggestion is to remove the statement about the temporary land use permit on the first page as the permits have timelines of daily, monthly, and annual. The next suggested change is in the table on the bottom of page one, to change "Vicinity sketch showing site relationship to surrounding streets and land uses within 300'..." to "Vicinity sketch showing site relationship to streets and neighboring land uses...". The next suggestion is to remove "Number of square feet, total usable floor area" from the table on the bottom of page one. The next suggestion is to remove "No separate freestanding signs are permitted" from the table on the second page.

**Motion by Boyd, seconded by Harris, to recommend to the council to amend the Zoning Ordinance to allow for freestanding signage for mobile food vending. Motion passed by voice vote.**

**Motion by Boyd, seconded by Langdon to approve the suggested changes to the mobile food vending application. Motion carried by voice vote.**

- b. **Short Term Rental Draft Ordinance Review:** Clerk St. Pierre stated that this item is on the agenda because the Village Council would like the Planning Commission to review the draft ordinance and suggest any changes to the council. Member Langdon provided a list of suggested changes to the draft. She went on to give an example of Section 6.A. and believes that the "parking for all vehicle, including trailers, shall only be in parking spaces identified on the site plan included with the application for a short-term rental license. No on-street parking shall be permitted in association with a short-term rental." should be omitted. It was discussed by the members that there are several sections in the draft that are above and beyond what is needed. Member Boyd mentioned that the reason

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behind the desire to establish an ordinance is due to the amount of people coming forward voicing their opinions on short term rentals in the village. He also mentioned that one of the main goals of an ordinance would be that in “R-1 Residential” districts those short-term rentals already functioning would continue to be allowed to function but would not allow for any new ones to be established. They would be allowed in the “Village Commons” districts. A general discussion continued. It was mentioned by member Harris that the Village Council suggested having the Planning Commission discuss the draft ordinance to give their opinions and recommendations on the draft and that the Planning Commission is not making any final decisions. It was determined that the clerk would gather the list of suggestions from the members to make changes to the draft to review at a later meeting.

**Motion by Boyd, seconded by Wilson to table discussion until the suggested changes are made to the draft ordinance. Motion carried by voice vote.**

- c. **ZBA Site Plan Requirements Review:** Currently the ZBA procedures do not require a drawing of the requested variance to be submitted with the application.

**Motion by Boyd, seconded by Harris to recommend to council to have the ZBA Ordinance reviewed to include a drawing in the application process. Motion carried by voice vote.**

- d. **Gill-Roy’s Extension:** Gill-Roy’s had previously done a site plan review for a pole barn out back of their business which was approved. They have marked the property for the project but had discontinued working on the project for more than twelve months. By the standards listed on the permit, the Zoning Administrator cannot issue an extension without the permission from the Planning Commission. The plans for the project have only changed so that the pole barn will be slightly less square footage than originally planned.

**Motion by Seman, seconded by Wilson, to extend the authorization that has already been given for an additional twelve (12) months. Motion carried by voice vote.**

### **VIII. New Business**

- a. **Election of Chairperson** – A new chairperson needs to be elected as the previous member who held chair has not reappointed.

**Nomination by member Langdon for Don Seman to be chairperson for the Planning Commission.**

**Vote to have Don Seman appointed as the chairperson:**

**Yes: Boyd, Harris, Langdon, Seman, Wilson**

**No:**

- b. **Reviewing Zoning Map-** Dave Ciganick was present to speak on behalf of properties located in Holiday acres that have been rezoned by the Planning Commission which is believed to have been done by error. He provided the covenant restrictions of Holiday Acres from 1963’s development. Verbiage states that the intent was residential. The rezoning of the properties along M-88 were changed to “Commercial” which is a direct conflict with the intent of the covenant restrictions. It was discussed rezoning the two parcels with residential houses on Holiday Drive off of M-88 to “R-1

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Residential” and rezoning the other properties on M-88 starting at Alden Street to the last parcel of Holiday Acres off of M-88 to “Village Commons”.

**Motion by Boyd, seconded by Wilson to move forward with a public hearing and recommendation to rezone lots 05-41-030-018-00 to 05-41-300-008-00 on the west side of M-88 to “Village Commons” with the exception of the two lots straddling Holiday Drive rezoned to “R-1 Residential”. Motion passed by unanimous voice vote.**

- c. Discuss Amending Zoning Ordinance to Allow by Special Use for Multifamily in R-3 Residential-** Zach Piscopo is proposing that the Zoning Ordinance be amended to allow for multifamily long-term rentals in the R-3 zoning district by special use. This would allow for the removal of a mobile home, and construction of a multifamily residence for long term rental. The applicant would still have to provide a site plan and a public hearing on the proposed construction of a multifamily on the parcel.

**Motion by Boyd, seconded by Wilson, to recommend to Village Council to amend the R-3 Residential zoning to allow multifamily dwellings as a special use by review only. Motion carried by voice vote.**

**IX. Correspondence/Reports:** None presented.

**X. Member/Public Comment:**

- a. Dave Ciganick** spoke on how he was the trustee who suggested the Village Council address the short-term rentals. He stated that the short-term rental ordinance was to address the feeling of losing a sense of community, and absence of people being able to find housing. He believes the Elmwood Township ordinance that the draft was based off of needs to go as it is way to controlling. He would like to consider putting a cap on the number of rentals allowed which would not take away from anyone already doing one, which would be beneficial to those already operating one as it drives away competition. He is also suggesting that contact information for each rentals local contact be provided to help address any issues that may come from any short-term renters. The Village would need to gather this information and provide a document at locations the public would be able to access such as the Village’s website. Mrs. St. Pierre mentioned that she has spoke with several companies for management of short-term rental compliance and would like to provide the information she has gathered to the Planning Commission and the Village Council. Don Seman stated that he would like to have that added to the next agenda for review.

**XI. Adjourn:** The meeting was adjourned at 6:16 PM to the call of the chair.

Minutes compiled by:

Angela St. Pierre, Zoning Administrator

Minutes are subject to approval.

Approved: \_\_\_\_\_

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