

<p style="text-align: center;"> YANKEE SPRINGS TOWNSHIP PLANNING COMMISSION Regular Meeting 7:00 p.m. Thursday, March 15, 2018 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333 MINUTES </p>	<p> MINUTES Page 1 of 5 APPROVED: <i>ALC</i> </p>
<p> Meeting called to order at 7:00 PM by Vice Chairman Richard Beukema. PLEDGE OF ALLEGIANCE Roll Call: Present: Purcell (via Remote participation-phone), Fiala, Beukema, Strickland, T. Knowles, VandenBerg. Absent with Notice: Heystek Staff Present: Sandy Marcukaitis, Chuck Biggs-Constable Absent with notice: Rebecca Harvey, Professional Planner (family emergency) Visitors: 8 (not including staff present). </p>	<p> CALL TO ORDER PLEDGE ROLL CALL </p>
<p> APPROVAL OF AGENDA: Tabling of Private Road Standards and the Land Division Ordinance was requested by C. Strickland. Removal of Chief Noonday Zoning Overlay District – Sidewalks & Non-Motorized Paths was requested by S. VandenBerg as he and Trustee Boysen have taken this up as a township board project. R. Beukema, Vice Chair, asked for PC board to approve agenda as amended. All ayes. MOTION CARRIED. </p>	<p> CHANGES TO AGENDA: (Approval of Agenda as amended.) </p>
<p> REPORTS from REPRESENTATIVES: Board of Trustees- Shane VandenBerg, Trustee, commented on: Travis Alden, President of the Barry County Chamber of Commerce & Economic Development Alliance is working with H. Welz of Stickman Bakery who has been approved for some Brownfield funding, and Alden is working with Welz regarding Act 198, for tax abatement. Mark Englerth is going to have a meeting with Tom Rook discussing a joint meeting with Orangeville Twp. regarding working together collectively dealing with the nuisance ordinance. Resolution No. #03-01-2018 Income Guidelines & Asset Test (Basically lowering property taxes for low income people) was approved. Resolution No. #03-02-2018 – YS Meadows Drinking Water System as far as a take over of the system by the township was denied. The Park contract was renewed with GFWC (Gen. Federation of Women’s Clubs-Gun Lake Chapter.) </p>	<p> BOARD REPORTS from REPRESENTATIVES </p>

The **Gun Lake Grinder Ordinance and Gun Lake Sewer System contract** were both **tabled** and will be at a meeting scheduled for Wednesday, March 21st.

D. Kok will supply labor for the mulch at the Park (across from Gun Lake Community Church). Julie Fox committed to paying for the mulch.

ZBA- Cathy Strickland – noted the ZBA had a meeting on February 13. Just one issue came before the ZBA. Mr. & Mrs. Bruce Helder are present tonight. They presented a variance request at the ZBA meeting of Feb. 13th for a small lot (50 x 100) for lot coverage. Their family has owned the lot for “hundreds” of years on Manitou Lane, on Barlow Lake. They tore down their old cottage (800 sq. ft) which was uninhabitable and the Helder’s would like to build a new cottage (1,800 sq. ft.) which exceeds our 30% lot coverage (ZBA). It’s actually 36%. The ZBA took a look at it. They (ZBA) went through the list of hardships that there could be and found that there was no hardship, other than their lot was too small for the house they wanted. So the ZBA denied their request to go with a variance on the lot coverage. As a result, the ZBA’s made a recommendation to the Planning Commission to take a review of the percentage that residents are to adhere to as far as lot coverages-that on some of these smaller lots there might be “some way to give the ZBA a little wiggle room on those,” added Strickland.

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PUBLIC COMMENT:

John Frigmanski of Pine Meadows, and ZBA, referring to the Helder’s ZBA variance request commented that the house met all the setback requirements- just too big. #2) Parking Regulations 12.10 – “I request the PC to review 12.10 to show the parking allocation cannot include township right-of-ways –it’s supposed to have two per dwelling, and that parking spaces are detailed in our ordinances by the width and the length. As an example, commercial is stated as 12 x 20. So for private or residential what does it have to be? Also, I didn’t see anything in there about the materials used for the driveway. We have some gravel driveways especially in some residential areas. Perhaps you could put a little bone in that for future use down the road or when they try to do something different and that restrictions be placed on utilization of township right-of-ways as permanent parking. And the other thing was the requirements of performance bond 5.13. I request the PC to strengthen chapter A to require a performance bond for all projects that are done in phases or by a certain dollar amount as determined by the PC.” Also, J. Frigmanski inquired if the Dollar General amount of parking spaces – was reduced to 30 or 35 from 45? Frigmanski felt it was reduced by 10.

Eric Thompson, Zoning Administrator, commented that he hadn’t done a final inspection on Dollar General yet, so he will make note of it and will look at it closely.

PUBLIC COMMENT

APPROVAL OF MEETING MINUTES:

Motion by Fiala with support from T. Knowles to approve minutes of January 18, 2018 (Regular PC Meeting) as presented. All ayes. MOTION CARRIED.

Motion by Fiala with support from T. Knowles to approve Planning Commission portion of minutes of the Joint Meeting of February 12, 2018 as presented. All ayes. MOTION CARRIED.

APPROVAL OF MEETING MINUTES

NEW BUSINESS:

ZOC Parcel ID 018-004-50 A request by Phoebe Jane Richards of 812 Payne Lake Rd. to rezone her property from AG to RR with a division of said property.

Austin McKion of Beretta Dr., Shelbyville, Grandson of Phoebe Richards, presented her request.

Open Public Hearing at 7:15 p.m. by R. Beukema

J. Frigmanski, ZBA, asked what the minimum frontage was for Rural Residential (RR). It was noted that it was 182 ft. "So it's too small to split and have two lots," confirmed Frigmanski.

Close Public Hearing at 7:17 p.m. by R. Beukema

Discussion occurred among the PC and Eric Thompson, Zoning Administrator.

An analysis/recommendation (document) by Rebecca Harvey was provided for PC members. R. Harvey was unable to attend tonight's meeting. Fiala commented to the PC that he feels the Planner has recommended, that since it is not in the current master plan, and not in the current zoning, against the approval of the request. Fiala asked if anyone had read R. Harvey's report differently. (No one responded as reading it differently). Fiala's recommendation would be to table the issue (considering the flexibility of the applicant) so that it would not have to be re-noticed and the PC could look at the Master Plan "plan".

Discussion took place with the applicant's grandson, and E. Thompson regarding time allowance and complying with the new Master plan which is in the final stages of completion. Further discussion took place.

Motion by Fiala with support from VandenBerg to table request ZOC Parcel ID #018-004-50 until the April 19th Regular PC Meeting. ROLL CALL VOTE: Strickland: Yes, VandenBerg: Yes, Beukema: Yes, T. Knowles: Yes, Fiala: Yes, Purcell: Yes, Heystek: Absent. Yes: 6, No: 0, Absent: 1. MOTION CARRIED.

Discussion Article 12, section 12.5 and 12.6

12.5. - Parcel Size Requirements (from Municode)

The minimum width and size of lots or parcels on which dwellings and structures may be placed or constructed in the various zoning districts shall be as follows:

1. Lots or parcels created before November 29, 1979, shall be recognized as buildable, except for platted out lots which are non-buildable. 2.
 2. Lots or parcels legally created after November 29, 1979, shall be required to meet the following size and width requirements to be considered as buildable:
 3. Lots or parcels that front on bodies of water shall be required to maintain a minimum frontage along the water equal to seventy-five (75) feet at the ordinary high water mark. The water frontage shall be measured by a straight line drawn between the property lines at the points where the property lines cross the ordinary high water mark.
 4. Road frontage shall satisfy the minimum lot width standard for the zoning district. Lots, parcels, or units located on the bulb end of cul-de-sacs or on curves, as determined by the planning commission, may have less than the required road frontage but must still maintain the minimum required lot width. (Ord. No. 10-01-2015, § I, 10-8-2015, eff. 10-26-2015)
- CHART OMITTED IN THESE MINUTES.

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NEW BUSINESS

Open Public Hearing at 7:15 p.m.

Close Public Hearing at 7:17 p.m.

MOTION to TABLE REQUEST UNTIL April 19th PC Meeting.

Discussion Article 12, section 12.5 and 12.6

Sec. 12.6. - Maximum Lot Coverage

- A. For roofed structures, lot coverage shall be based on the area under roof. Measurements shall be taken to the edge of the roofline as opposed to the edge of the exterior walls and shall include all projections from the structure (such as bay windows or chimneys).
- B. For improvements without roofs (such as driveways, parking lots, and patios), lot coverage shall be based on the total area of the improvement. Measurements shall be taken to the edge of the improvement.
- C. Two (2) standards are provided for maximum lot coverage. The first standard is for the maximum building coverage. It is equal to the total footprint of buildings, attached and detached accessory structures, porches, roofed decks, and roofed patios divided by the lot area. The second standard is for the total lot coverage. This standard includes all of the elements in building coverage plus impervious decks, patios, driveways (including gravel), parking lots, and similar improvements.
- D. In recognition that new products and techniques are being developed to provide alternatives to impervious surfaces, the planning commission may allow a bonus of up to a fifty (50) percent increase to the maximum total lot coverage provided in subsection C. above if these products or techniques are utilized. An applicant must be able to effectively demonstrate the benefits of the proposed material(s) and the reduced impacts on site drainage when compared to the typical alternative in order to receive a bonus increase. The amount of the bonus will be based on the permeability of the product(s) or technique(s) being applied and the extent of the area over which it is (they are) being applied. (Ord. No. 10-01-2015, § 1, 10-8-2015, eff. 10-26-2015) CHART OMITTED IN THESE MINUTES.

Lengthy discussion occurred regarding the above noted ordinance language.

- F. Fiala commented that a language change would have to have a public hearing. No ruling or change could be made tonight.
- E. Thompson commented on going over some sample texts for review and having a more solid product to present to the Board.

Motion by VandenBerg with support from Fiala to have E. Thompson, PCI, YS Zoning Administrator, move ahead to investigate, provide draft language and table for this evening. All ayes. MOTION CARRIED.

Discussion on Text Amendment Application (PCI): It was noted that basically this discussion just took place (directly above). E. Thompson commented that Mr. Helder had made the formal request for the text amendment. Fiala reviewed the timing involved in the process to amend the ordinance. E. Thompson commented that it would be closer to 90 days for a change to be made relating to B. Helder’s construction schedule.

OLD BUSINESS:

Discussion on reviewing a Rental ordinance:

VandenBerg commented that the Township Board will be working with this “rental issue” as a nuisance ordinance setting up a meeting regarding cooperation with Orangeville Twp. and the County Sheriff’s department. A 13-14 week period for this coverage will be considered in the summer time.

E. Thompson commented that rental ordinances are difficult to enforce. Thompson commented that they (PCI) do not administer any that are on the lakes. E. Thompson commented that addressing the issue as a nuisance ordinance is the more appropriate way to go.

Master Plan: R. Harvey is not here this evening. Work on the Master Plan is scheduled for April. Fiala mentioned that a special meeting would be good to zone in on the Master Plan.

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MOTION to have E. Thompson work on draft language regarding 12.5 and 12.6.

OLD BUSINESS

PUBLIC COMMENT:

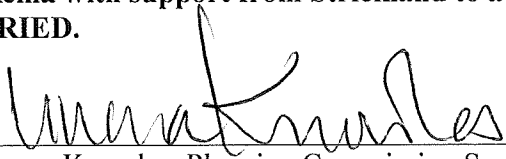
David Neeson commented "Regarding Payne Lake Rd. re-zoning, there was a couple of things that I noticed. One was Shane would like Rebecca here to be able to ask some questions to. There's a lot to be said for that. She had her opinion, but she wasn't here to respond. So by the same token, I heard Greg Purcell say, 'It would be nice if the lady was here to represent herself'. And I'm not sure if Greg's middle name is Alexa, but cotton pickin' you ought to get off the phone and be here at the meeting and show some respect for the position that you're holding. If you can't do that, then I'd like to see you gone, Greg, because it's an important situation that you're doing right here. And you should give the board respect for what they are trying to do right now. So we ought to try to get to the bottom of trying to make it professional, you guys. Everyone here is good, professional and it's really nice. We just got to get Mickey Mouse out of the room. (R. Beukema commented, "Greg will be here next month, address him then if you wish.") "Wonderful," added D. Neeson.

John Frigmanski, Pine Meadows & ZBA, commented, "There were some comments made about the nuisance ordinance or whatever you want to call it, about getting with Orangeville and having a couple of citizens. You're just asking for somebody to get killed. To deputize, Joe Blow, and he walks up to a door with a bunch of drunken people in there and tells them they got to be quiet? I'd definitely not go with that program." (Frank Fiala commented that it was always the intent to have it as a police ordinance and was never intended (to deputize citizens)). J. Frigmanski commented "They said the sheriff only has one on duty at night, and you know what, you gotta make the fines bigger, so it all goes back to the state, but then the county gets the money back, and if you just say, well we're not going to do anything about it, then the sheriff continues to have one person on duty and nothing ever happens. If you keep putting the pressure on them they will increase the coverage. That's all there is to it." (R. Beukema noted that he thought both Yankee Springs and Orangeville will get together and do ...) Frigmanski added, "I could care less, I don't have noise around my house."

Eric Thompson commented that it will be a really busy summer in Yankee Springs. His phones are ringing off the hook. There will be a lot of new homes and additions.

ADJOURNMENT:

**Motion by Beukema with support from Strickland to adjourn at 8:11 p.m. All ayes.
MOTION CARRIED.**

Approved by:  4/19/18
Tressa Knowles, Planning Commission Secretary Date

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ADJOURNMENT

Deb Mousseau
Recording Secretary
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