


<p style="text-align: center;"> <b>YANKEE SPRINGS TOWNSHIP</b>  <b>PLANNING COMMISSION</b>  <b>Regular Meeting</b>  <b>7:00 p.m.</b>  <b>Thursday, September 21, 2017</b>  <b>Yankee Springs Township Hall</b>  <b>284 North Briggs Road, Middleville, Michigan 49333</b> </p> <p style="text-align: center;"><b>MINUTES</b></p>	<p> <b>MINUTES</b>  Page 1 of 5  <b>APPROVED:</b>  </p>
<p> <b>Meeting called to order at 7:00 PM by Chairman Greg Purcell</b>  <b>PLEDGE OF ALLEGIANCE</b>  <b>Roll Call: Present:</b> Heystek, Purcell, Fiala, Beukema, Strickland, T. Knowles, VandenBerg.  <b>Staff Present:</b> Larry Knowles- Zoning Administrator, Chuck Biggs- Constable, Sandy Marcukaitis, Mark Englerth- Supervisor, Dave VanHouten, John Frigmanski.  <b>Also Present:</b> Rebecca Harvey, Professional Planner  <b>Twp. Legal Counsel present:</b> Catherine Kaufman  <b>Visitors: 21</b> (not including staff present). </p>	<p> <b>CALL TO ORDER</b>  <b>PLEDGE</b>  <b>ROLL CALL</b> </p>
<p> <b>APPROVAL OF AGENDA:</b>  <b>Changes:</b>  <b>Under New Business –</b>  1. Discussion of Mr. Hubble’s Request  2. Malda SEU Request – Rock Dr.  3. Shalinda Development – Preliminary Final Plat Review  4. Discussion/Pub. Hearing on Marina Ordinance  5. <u>Add</u> Marijuana discussion-Zoning Ordinance amendment (C. Kaufman)  6. Review Draft Article for Township Newsletter   <i>Motion by Fiala with support from Beukema to approve tonight’s meeting agenda as amended. All ayes. MOTION CARRIED.</i> </p>	<p> <b>CHANGES TO AGENDA:</b>  <b>(Approval of Agenda as amended.)</b> </p>
<p> <b>REPORTS from REPRESENTATIVES:</b>  <b>Board of Trustees-</b> Shane VandenBerg, Trustee, commented that Shalinda Subdivision Development was sent back to PC. Board voted to opt out (Marijuana). The Township signed a resolution with Wayland Twp. Joint Amicus Brief – regarding the Gun Lake Tribe and Casino. The Board voted to approve GLASWA \$1 monthly User rate increase. Veterans Memorial Meeting was held 9/18/17 and committee reviewed sketch by D. Williamson for the memorial.   <b>ZBA- Cathy Strickland –</b> The ZBA had a meeting Sept. 12, 2017. Three requests for variances came before the ZBA: 1) Heritage Bay- a setback from road for a garage. (Approved). 2) Variance from pavement requirement on Courtney Drive. (Denied). 3) Variance from Outbuilding and waterfront outbuilding requirements. (Denied). </p>	<p> <b>BOARD REPORTS from REPRESENTATIVES</b> </p>

**PUBLIC COMMENT: None at this time**

**John Frigmanski, of the ZBA**, mentioned the last variance request at the ZBA meeting (large pole building) and commented that it didn't seem right to him that you could put multiple 1600 square foot buildings up. "In our ordinance we say 1600 sq. ft or 40% coverage. Shouldn't it be one or the other? ...That's a big lot. He can put 3 or 4 -1600 sq. foot buildings up -that's a heck of lot worse than one great big building" commented Frigmanski, who asked the Planning Commission to look at this in the ordinance and maybe clean it up a little.

**APPROVAL OF MEETING MINUTES:**

*Motion by Beukema with support from Heystek to approve meeting minutes of August 17, 2017 (Regular PC Meeting) and August 17, 2017 (PC Master Plan Wkshp. At 5 p.m.) as presented. All ayes. MOTION CARRIED.*

**NEW BUSINESS:**

➤ **Discussion on the request of Brian Hubble**

**Mr. Hubble** was present to review his request for lot coverage. 50% would most likely be the final amount of lot coverage. Permeable system would be used. None of the lot coverage is permeable at this time. Mr. Hubble distributed pictures of the grade. He will be going down to 50% when the project is completed. Reference was made to Section 12.6 of the ordinance.

*Motion by Vandenberg with support by C. Strickland to approve the proposal of Mr. Hubble. Roll Call vote: Heystek: Yes, Vandenberg: Yes, Beukema: Yes, Strickland: Yes, Fiala: Yes, Purcell: Yes, T. Knowles: Yes. Yes: 7, No: 0. MOTION CARRIED.*

➤ **SEU #17-09-PARCEL ID 08-16-017-009-00:** A request by Barb & Dan Malda for a special Use Exception Permit regarding Sec. 12.7 Outbuildings – to construct an outbuilding located on a lot without a principal structure that is less than two (2) acres in size. Property is a vacant lot across from 11611 Rock Dr., Middleville, MI .

**Mr. Malda** presented his request. Placement of the proposed building was presented (via projector) to the Planning Commission. Property is a vacant lot across from 11611 Rock Dr. (Proposed building property is Rural Ag zoned – home is zoned Lakefront (Residential property).

**Opened to public hearing at 7:16 p.m.**

**D. VanHouten, of Rock Drive**, commented that he sees no problem at all with what they (Malda's) are trying to do. He felt that the ordinance might be reviewed regarding lots under two acres. Some of the requests involve permanent residences "for years and years" right across the street. "That's a little bit different than having just a lot (less than 2 acre) that they don't live there and wanting to put a building on it," added VanHouten.

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APPROVED:                     

**PUBLIC COMMENT**

**APPROVAL OF MEETING MINUTES.**

**NEW BUSINESS**

**MOTION to approve Hubble coverage request (permeable surface).**

**Motion by Beukema with support from VandenBerg to close the Public Hearing at 7:17 p.m. All ayes. MOTION CARRIED.**  
**CLOSE PUBLIC HEARING at 7:17 p.m.**

**Motion by VandenBerg with support from Beukema to accept the SEU request of Barb & Dan Malda as presented. Roll Call vote: Heystek: Yes, Vandenberg: Yes, Beukema: Yes, Strickland: Yes, Fiala: Yes, Purcell: Yes, T. Knowles: Yes. Yes: 7, No: 0. MOTION CARRIED.**

➤ **Review Preliminary final Plat of Shalinda Subdivision/Development**

**Chris Meyer, Legal Counsel** for VandenBerg Construction, Shalinda Development- Documents were distributed by Mr. C. Meyers supporting the following:

1. **Fire Chief has submitted a letter signing off on the project.**
2. **Approval letter by Drain Commissioner.**
3. **Name has changed.**
4. **Digital copies for the plat were given.**

It was noted utilities are in the opposite side of the street of the water main. Frontage of two lots in question were reviewed as well.

**Planner/Attorney Review: Catherine Kaufman**

Kaufman commented "If Planning Commission finds it to be in substantial conformance, it should return the recommendation to the board. So board can take action. After this point in time the applicant will have a period of time for approximately two (2) years for installation of utilities and all final improvements. A one (1) yr. extension could be given if needed at two years." C. Kaufman noted she didn't have any significant concerns at this time.

A question to L. Knowles, Director of GLASWA, was asked regarding the water system. Purcell commented that it was not part of the Planning Commission's review tonight.

**Motion by C. Strickland with support from Beukema for the Planning Commission to refer the final preliminary plat plan of Shalinda Development back to the Township Board of Trustees for their final action at the October 12, 2017 meeting of the Board of Trustees, having found that the Shalinda Development meets all of the conditions specified in Section 3 of the Y.S. Subdivision Regulations (Ordinance 46). Roll Call vote: Heystek: Yes, Vandenberg: Abstained, Beukema: Yes, Strickland: Yes, Fiala: Yes, Purcell: Yes, T. Knowles: Yes. Yes: 6, No: 0, Abstained: 1. MOTION CARRIED.**

**PUBLIC COMMENT:**

**John Frigmanski, of Pine Meadows,** inquired regarding the loop (water), its completion and proper pressure in the Shalinda subdivision.

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APPROVED: 

**MOTION to APPROVE SEU Request of Barb & Dan Malda, 11611 Rock Drive.**

**MOTION TO REFER FINAL PLAT PLAN of SHALINDA DEVELOPM'T BACK TO TOWNSHIP BOARD.**

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APPROVED: 

**Purcell** noted that it was a good question (Frigmanski’s inquiry involving the water system/loop), but did not fall under the Planning Commission’s review this evening. Purcell commented that it should be addressed as part of the proceedings for the township’s board to review as an issue that needs attention at some point.

➤ **Public Hearing discussion on Marina Ordinance**

**Terry Barton, 4726 Torsten** inquired if the amendment was about Gun Lake.

**Purcell, Chairman** clarified that it (Proposed Zoning Ordinance Amendments) was an item of discussion to the Yankee Springs Township Ordinance on Marinas.

**Planning Commissioners** reviewed the proposed zoning ordinance amendments with **C. Kaufman, YS Twp. Attorney** and **Rebecca Harvey, Professional Planner**.

**Terry Barton, 4726 Torsten** – asked (referring to the proposed YS Zoning Ordinance amendments) “Is it basically giving them a permit to put a marina there (Gun Lake)?”

**Purcell, PC Chairman** explained “It didn’t give anybody any permit or do any of that.” Purcell commented that if the language is included in the zoning ordinance, anyone who would like to put a marina in would have to comply with all the requirements (of the amended ordinance).

**Terry Barton** also asked “Since this is in Orangeville Township, should we take this in front of Orangeville and maybe have them have something to do with it, because they have it zoned as what it is, and he’s trying to actually change it.”

**Purcell** replied, “That’s a whole different discussion. And it’s in Orangeville. I’m not sure if it’s beneficial to enter that dialog here this evening.” Purcell explained that Barry County’s ordinance is what Orangeville uses right now. The proposed amendments were being reviewed to put into Yankee Springs’ ordinance.

**Joanne Medendorp of Valley Dr.**, commented that she has heard talk that tonight’s public hearing had to do with someone asking permission to grandfather something in about the old Gun Lake Marina.

**L. Knowles, ZA** commented that no one has talked to him about it (grandfathering in items for the old Gun Lake Marina).

Motion by **VandenBerg** with support from **Beukema** to **close public hearing** at 7:39 p.m. All ayes. MOTION CARRIED.

Motion by **Heystek** with support from **Beukema** to recommend the reviewed Zoning Ordinance amendments to the Township Board. *Roll Call vote: Heystek: Yes, Vandenberg: Yes, Beukema: Yes, Strickland: Yes, Fiala: Yes, Purcell: Yes, T. Knowles: Yes. Yes: 7, No: 0. MOTION CARRIED.*

**Public Hearing discussion on Marina Ordinance**

**MOTION TO RECOMMEND THE ZONING. ORD. AMENDMENTS TO TWP. BOARD.**

➤ **5. Discussion regarding Marijuana – Zoning Ordinance amendment with C. Kaufman**

C. Kaufman commented on the recent “opting out” of the township. C. Kaufman also commented on some current legislation regarding this topic, and in reply to an inquiry also noted that a patient that has received medical marijuana, may continue to do so.

Discussion took place regarding DNR regulations and township statutes. Kaufman commented, “When there is a conflict between local and state, ...very generally the township can be more restrictive.” Kaufman also noted that her answer had to be qualified, because there are a lot of exceptions and caveats. Boat trailer parking at public launches was briefly mentioned.

➤ **6. Review Draft Article for Township Newsletter**

Review took place of the draft article and changes were noted by Purcell.

**OLD BUSINESS:**

It was determined that the Master Plan Workshop would not be continued later this evening. The next workshop will take place Oct. 19<sup>th</sup> at 5:30 P.M. Sandy Marcukaitis was asked to make sure workshop will be published in the newspaper.

**Discussion on Veterans Memorial** – Shane VandenBerg reported on the Veterans Memorial earlier in his Board Trustee report.

**Shane VandenBerg** thanked the Planning Commission for giving him an opportunity to pursue his dream (by approving final plat plan of Shalinda Development).

**ADJOURNMENT:**

**Motion by Beukema with support from T. Knowles to adjourn at 8:06 p.m. All ayes. MOTION CARRIED.**

Approved by: Tressa Knowles \_\_\_\_\_  
Tressa Knowles, Planning Commission Secretary Date 11/16/17

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APPROVED: HC

**OLD BUSINESS**

**ADJOURNMENT**

Deb Mousseau  
Recording Secretary  
September 21, 2017