

<p style="text-align: center;">YANKEE SPRINGS TOWNSHIP PLANNING COMMISSION Regular Meeting</p> <p style="text-align: center;">Thursday, January 20, 2011 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333</p> <p style="text-align: center;">MINUTES</p>	<p style="text-align: center;">FINAL APPROVED MINUTES</p>
<p>Meeting called to order at 7:03 PM by Chairman Frank Fiala.</p> <p>Roll Call: Present: Schwennesen, Fiala, Wells, Purcell, Cunningham, Strickland Absent: Jansens.</p> <p>At 7:20 pm, Patrick Jansens joined the meeting</p> <p>PLEDGE OF ALLEGIANCE</p> <p>Staff Present: Chuck Misak, R. Lippert, ZA and Sandy Marcukaitis</p> <p>Visitors: 4 (not including staff present)</p>	<p style="text-align: center;">CALL TO ORDER</p> <p style="text-align: center;">ROLL CALL</p> <p style="text-align: center;">PLEDGE</p>
<p>NEW PLANNING COMMISSION MEMBER WELCOMED: MIKE CUNNINGHAM</p> <p>Frank Fiala, Chairman, welcomed Mike Cunningham as a new member of the Planning Commission. M. Cunningham told the PC that his grandfather bought a cottage on the North end of Barlow Lake in 1937. M. Cunningham has been spending summers at Barlow since 1952. He recently retired from 32 years at US Gypsum in Chicago. This past year Mike built a year-round home on Barlow Lake. He and his wife have two children and two grandchildren.</p>	<p style="text-align: center;">New Planning Commission Member welcomed: Mike Cunningham</p>
<p>ADDITIONS OR CORRECTIONS TO AGENDA:</p> <p>Fiala noted that he would like to approve the PC Annual Report of 2010.</p> <p>Motion made by Fiala with support of Wells to have agenda stand as is. MOTION CARRIED.</p>	<p style="text-align: center;">ADDITIONS TO AGENDA</p> <p style="text-align: center;">Motion to approve agenda. Motion Carried.</p>
<p>MEETING REPORTS:</p> <p>ZBA REPORT: Gordon Wells: No activity. No meeting held.</p> <p>Board of Trustees Report: Al Schwennesen</p> <p>Complaints of ZA Report reviewed:</p> <p>1) Blinking portable sign – Patterson Rd. Sign was removed. Case considered CLOSED.</p>	<p style="text-align: center;">MEETING REPORTS</p> <p style="text-align: right;">Page 1 of 4 YST Planning Commission 1-20-11</p>

MEETING REPORTS: cont'd

2) **Brush obscuring vehicular vision – Road Commission** was called and it was taken care of. Case considered **CLOSED**.

3) **Ice fisherman parking on Westwood Lane, leaving debris and relieving themselves on channels.** Sheriff's office was notified (Call on 12/14/10 and email on 12/29/10. Case considered **ACTIVE**.

ZONING ADMINISTRATOR'S REPORT: Robert Lippert, ZA

R. Lippert added that he has not received any response from the Sheriff's Department regarding the Westwood Lane situation.

PUBLIC COMMENT:

R. Lippert, ZA, mentioned that an ad hoc committee met regard deficiencies on the Township Hall building. R. Lippert thanked Shane VandenBerg for contributing a cost cutting measure.

Len Eister, of Oakleigh Rd., mentioned that his neighbors, Dave & Vicki McKellar, built a 6' fence and a 4' fence on both ends. He asked why a 4' fence and not a 6' fence to the lake. F. Fiala said that the thinking on this was the restricting of a neighbor's view. A 6' fence would block the view. Eister also mentioned that his neighbors also built a fence of pine trees between 6' to 8'. He asked what can be done about creating a 6' to 8' fence with trees. Fiala commented that there is nothing in the ordinance about a "living" fence, regarding vegetation, "we leave it to the neighbors." L. Eister mentioned that he'd like to have this amended. The tree fence blocks his view. He said he thinks that the board can take care of this. Eister feels that if somebody wants to put something up (living fence), they should have to go through the Township and both parties should come to the meeting. Fiala said that the PC has played with this issue a lot. "Thus far, the conclusion of the PC was to not control vegetation, but we will take a look at it." L. Eister said "I came here tonight hoping that something would be started. What I'm trying to do is keep the next guy from running into what I ran into. So they do have some recourse of some sort."

MCKENNA BILLING:

Motion by Wells with support from Schwennesen to approve December billing from McKenna of \$360.00. All ayes. **MOTION CARRIED.**

APPROVAL OF MINUTES:

Motion made by Purcell with support from Wells to accept and approve Planning Commission minutes of 12/16/2010 as presented. All ayes. **MOTION CARRIED.**

*** At this time, 7:20 p.m., Patrick Jansens joined the meeting ***

REPORTS: cont'd

PUBLIC COMMENT

Motion to approve Dec. billing of McKenna Assoc. Motion Carried.

Motion to approve minutes of 12/16/10 Meeting as presented. Motion Carried.

ANNUAL REPORT APPROVED:

The only change to be made to the Planning Commission’s annual report was adding the CIP (Capital Improvement Plan) to the 2011 Objectives.

Motion by Wells with support from Purcell to approve Planning Commission Annual (2010) Report as amended. All ayes. MOTION CARRIED.

NEW BUSINESS/OLD BUSINESS:

The Temporary Charitable Use Permit (proposed) request was distributed to Commission members. Alterations to the permit were considered. In summary, F. Fiala commented that the PC wants to have a fairly simple procedure for charitable organizations to come in and avoid the \$200 fee and other paperwork. It was noted that the item of “insurance” had a question mark by it on the permit. It wasn’t a requirement, just a question. Also, the title “Charitable” was brought up by C. Strickland. She felt that the work “charitable” didn’t apply to all that will use this permit. G. Milliken offered that maybe if the group wants use for three days or shorter- to leave it at that. R. Lippert added “The exception is made for charitable because who is going to argue about it?” “You could have a real glut of activity from people who are just out chasing a buck,” R. Lippert also added. M. Cunningham asked if this permit included garage sales, and it was confirmed that it did not. Other discussion occurred regarding: a group having insurance coverage for its own protection, the wording of the penalty for violation, a minimal fee, 501-C groups providing necessary documentation, the term “non-profit”, and safety and precaution being top priority. At this point, G. Milliken commented that he could see a problem in the future. “Someone might say well you let this person do this and that person do that...”added Milliken. Fiala remarked that the PC thought about consolidating this in a Farmer’s Market situation, but then a manager was needed so the PC moved away from the idea. Fiala said that he felt that the PC should make it quite easy for an organization to get a permit and let it go for a season. “If it grows and we have a major issue then go toward a Farmer’s Market.” Discussion continued regarding minors applying for temporary use, and younger children and lemonade stands. G. Wells added, “To my knowledge, one complaint has come in, why not wait and see?” Shane VandenBerg questioned if he’d need a permit if he wanted to sell bananas grown in his backyard. G. Milliken added “With the economy, I think we are trying to make it easier for people to make a buck on the weekend.”

At this point, discussion went around the table regarding the portable business/ charitable exception issue. M. Cunningham didn’t feel an ordinance should be enacted if it couldn’t be enforced. He felt that if something crosses the line, like on a weekly basis, it becomes a business. G. Purcell said, “Doing nothing is not acceptable.” He also would like some minimal review of charitable or small business activity. C. Strickland would like to exempt these charitable short term events from the portable business ordinance. Al Schwennesen said most of this business is going to happen on M-179 corridor probably on holiday weekends. He feels that something has to be done to keep this orderly or abandon our M-179 corridor. “It was not a safe situation last 4th of July weekend.” P. Jansens felt maybe there should be a limit of 3 days per quarter of a year for these permits. F. Fiala likes having a restriction limiting the permit to a short period of time. He likes having guidelines for Bob Lippert to determine

REPORTS cont’d

Motion to approve PC Annual (2010) Report. Motion Carried.

NEW BUSINESS/OLD BUSINESS

"easy" permit or "standard" permit. Fiala said he wasn't concerned if it was charitable or non-charitable. He would like to open it up for one season. "If we have an onslaught then we really need to get our arms around that and get aggressive (open market approach)." G. Milliken said "I think that what is proposed is not that far off. Like G. Purcell said, "We are almost there." The question G. Milliken felt was, "Is this going to be just (only) charitable?" F. Fiala said that it was easier to describe everything by putting charitable/non-profit in a bucket." Fran Faverman asked, "Why not limit it to residents?" F. Fiala suggested using the "local" term. Fran continued, "I'd like to restrict it to local non-profits. Why should my weekend be cluttered up by a group from Grand Rapids?" Purcell said he thought "Local Non-profit Organizations" sounded pretty attractive. M. Cunningham asked if an applicant would be given a copy of the ordinance when they apply so they know what the rules are. It was confirmed that they would. Purcell said that the checklist on the temporary permit request could come off as intimidating. Cunningham suggested instead of a checklist, "Could they sign that they understand the ordinance?"

To summarize possible changes needed to the Temporary Charitable Use Permit form, Fiala felt that "Temporary Charitable" should be changed to "Local Non-profit Organization". Also a zoning and safety review should be included instead of a checklist. Fiala said he wouldn't object to leaving the same language on the back page. Another change might involve use per season or per year, maybe setting a maximum limit of use to 3 times per calendar year. Lastly, R. Lippert might want to consider adding a repeal mechanism to this procedure. Maybe going to the ZBA as an escape clause. Fiala then asked G. Milliken if these changes could be brought to the next meeting and the PC can discuss it "briefly".

Brief discussion occurred regarding the farmer's market. G. Purcell commented that he didn't think the township should run the market. He added that if someone is interested in running one, it would be of the PC's interest to talk to them. Fran Faverman added that it took at least five years to get Middleville's farmer's market off and running. Faverman mentioned Kathryn Beyer as a good contact regarding information about Middleville's farmer's market.

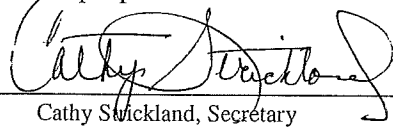
Gravel Mining was the next item covered on the agenda. G. Milliken and PC members focused on yellow highlighted areas on pages: 3, 4, 5, 6, 7, 8, 9, and 10. After the review, F. Fiala asked R. Lippert if the Gravel Mining Ordinance could go to Public Hearing at the next meeting along with accessory buildings.

Motion was made by Strickland with support from Wells to arrange for a Public Hearing for the Gravel Mining Ordinance at the next PC meeting in February. All ayes. MOTION CARRIED.

PUBLIC COMMENT:

Bill Baughman asked what the changes were to the Accessory/Pole Building Ordinance. G. Purcell suggested getting a copy of the proposed ordinance for B. Baughman.

ADJOURNMENT at 8:58 p.m. Approved by:



Cathy Strickland, Secretary

Respectfully submitted:

By: D. Mousseau

Substitute Recording Secretary, 1-22-11

Date: _____

NEW BUSINESS/OLD BUSINESS cont'd

Motion to hold a Public Hearing for proposed Gravel Mining Ordinance. Motion Carried.

**PUBLIC COMMENT
ADJOURNMENT**