

<p style="text-align: center;"> YANKEE SPRINGS TOWNSHIP PLANNING COMMISSION Regular Meeting 7:00 p.m. February 19, 2025 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333 MINUTES </p>	<p> MINUTES Page 1 of 5 PC APPROVED:___ Regular PC Mtg. February 19, 2025 </p>
<p>Meeting called to order at 7:00 PM by Planning Commission Chair, Shana Bush.</p> <p><u>PLEDGE OF ALLEGIANCE</u></p> <p><u>Roll Call:</u> Present: Kooistra, Knowles, Frigmanski, Fiala, Craven, Bush, Beukema. ALL PRESENT <u>Absent with Notice:</u> 0</p> <p><u>Zoning Administrator:</u> Joe Shea, Present <u>Professional Planner:</u> Not Present <u>Staff Present:</u> Dennis Buist-Constable <u>Visitors:</u> 8 (not including staff present)</p>	<p>CALL TO ORDER</p> <p>PLEDGE</p> <p>ROLL CALL</p>
<p><u>APPROVAL OF AGENDA:</u></p> <p><u>Adds/Changes:</u></p> <ul style="list-style-type: none"> ● none <p><i>Motion by Knowles with support from Frigmanski to approve tonight's agenda. All AYES.</i> MOTION CARRIED.</p> <hr/> <p><u>REPORTS from REPRESENTATIVES:</u></p> <p><u>ZBA, John Frigmanski</u></p> <ul style="list-style-type: none"> ● no ZBA meeting this month. <p><u>Board of Trustees- Larry Knowles,</u> reported regarding the Board meeting on 2/13/2025:</p> <ul style="list-style-type: none"> ● <i>hired Mark Jordan as interim Fire Chief</i> ● <i>authorized purchase of software for the Fire Dept.</i> ● <i>approved 2 land divisions</i> ● <i>accepted agreement from Thornapple EMS for ambulance service</i> ● <i>approved \$150,000 to Barry County road commission for the roads</i> ● <i>approved a process of taking bids for restroom remodeling</i> <hr/> <p><u>ZONING ADMINISTRATOR REPORT: Joe Shea, ZA</u></p> <p>Report: 2025 has been quiet so far, only 5 zoning permits for the year.</p>	<p>APPROVAL OF AGENDA</p> <p>BOARD REPORTS from REPRESENTATIVES</p> <p>ZONING ADMINISTRATOR REPORT</p>

PUBLIC COMMENT: (Non-agenda matters) - (Limit to 3 minutes per person-Additional comments under item 11)

Robin Laansma (Payne Lake Rd, YS Precinct delegate): I am asking members to please speak into their microphones - it is often difficult to hear. I didn't realize until I just walked in here that we're only supposed to speak on non-agenda items. I have a comment that I believe is valuable for you to hear - is it alright if I read my comment? (permission given) Thank you, because if I read it in the second comment time it would have zero value. I am surprised that this is up for discussion. As public servants the input you receive from people who live in the township is so valuable. Public comment in meetings, I realize, is only one way to voice concerns or praises, however it is the only way to be heard publicly. I discovered one day when I sat down at our computer to draw your township email addresses into our address book that you do not have township email addresses. The way to reach you outside of the meeting (that is open to the public) is to call the office. That's what the township website states. I realize that another way to contact you is through the U.S. Postal Service. On various occasions Joe has brought with him to the meetings letters from people who perhaps could not attend the meeting. Of course, I do not know if Joe received them by email or the postal service. I assume that some may be through the postal service. How do we the public know that you have all received them and reviewed them - we don't. Residents speaking in the public meeting in the beginning and at the end is reasonable. It provides opportunity to speak to the business of the township. I am asking that you keep both public comments. Thank you.

APPROVAL OF MINUTES: Regular Meeting of January 16, 2025

Motion by Knowles with support from Beukema to approve minutes of the Regular PC Meeting of January 16, 2025 as presented. All Ayes. MOTION CARRIED.

INQUIRY ON CONFLICT OF INTEREST:

ROLL CALL: F. Fiala asked the PC members present if there was any conflict of any PC member with the agenda of requests and as modified this evening. All PC members noted: NO conflicts. No: 7, Yes: 0.

NEW BUSINESS:

SEU 25-01-02: Parcel ID: 16-370-017-00, 12755 Whispering Pines Drive, Wayland, MI 39348.

A request by J.J. Vanderlinden, the property owner, for a special exception use permit to operate a commercial Short-term rental pursuant to the Yankee Springs Zoning Ordinance, Article X, Short Term Rentals.

Joe Shea stands by his report.

Discussion: none.

Motion by Fiala with support from Craven to approve the request of SEU 25-01-02: Parcel ID: 16-370-017-00. Roll Call Vote: Bush: yes; Craven: yes; Fiala: yes; Frigmanski: yes; Knowles: yes; Kooistra: no; Beukema: yes. Yes: 6, No: 1. **MOTION CARRIED.**

MINUTES

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**PUBLIC
COMMENT**

**APPROVAL OF
MINUTES**

**INQUIRY ON
CONFLICT OF
INTEREST**

NEW BUSINESS

**Approval of SEU
25-01-02: Parcel
ID: 16-370-017-00**

Discussion on Whispering Pines

A copy of the 2017 Consent Judgement regarding Whispering Pines was received yesterday, 2-18-25, by Joe Shea. Additional copies were made for PC members at the meeting. This legal document has just come to the attention of the PC. This agreement overrides the earlier documents available to the PC and needs to be reviewed by our lawyer before moving forward. Joe will meet with lawyer Catherine Kaufman to review the implications of this legal document, as well as check with the courthouse for any documents since 2017. He will report to the PC and this matter will be addressed at the March meeting.

Motion by Frigmanski and support by Craven to table this issue until our next meeting in March with the attorney's input. All AYES, MOTION PASSED

Discussion on Removing first Public Comment

PC members are supportive of keeping both public comment periods because:

- the comments don't overburden the PC.
- the comments don't take a lot of time (3 minute limit).
- guests can speak at the beginning and don't have to stay for the whole meeting.

PC members agreed that comments regarding agenda or non-agenda items can be made during the first public comment time.

Motion by Knowles with support from Fiala to keep the public comment as it has been and make the change for the first public comment from 'non-agenda items' to 'non-public hearing items'. All AYES: MOTION CARRIED

OLD BUSINESS:

- Joint meeting on February 20th with DNR.
- Discussion of the Master Plan.
 - Map questions - wait until after the Whispering Pines discussion.
 - Affordable Housing - a Map training is currently being offered consisting of 7 webinar sessions, online webinar format. It is suggested that all PC members participate in that.
 - Housing needs to be included in the master plan. Shana will send information she has obtained to PC members.

OTHER SUCH BUSINESS AS MAY PROPERLY COME BEFORE THE PLANNING COMMISSION

- Gravel Mining & Pond Building:
 - The State of Michigan has mining regulation on their agenda for this year.
 - We need to have something at the local level that will comply with the state regulations.
- Ponds: It would be helpful to have a local pond ordinance.

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OLD BUSINESS

**OTHER SUCH
BUSINESS AS
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- **Gravel Mining:** There are different levels of mining that we need to look at and address. The ordinance we have could be improved to define what is commercial activity.

Joe Shea will look into these two issues and send a copy of the current pond ordinance to Shana Bush to be shared with the PC. He will consult with our lawyer Catherine Kaufman to get her feedback on where our current ordinances are lacking and do not comply with the new state regulations.

- The Board of Trustees is aware of PC work on Whispering Pines.

PUBLIC COMMENT

PUBLIC COMMENT: (3 minute limit)

Robert Bartman (YS Township Resident, Sandstone Drive)

I was president of Whispering Pines HOA from 2012 - 2019 and was heavily involved in all discussions with Whispering Pines and the Board. We had dozens of meetings. It went back and forth for years on how we were going to classify the area. In some cases we were held to condominium standards, however the sq footage, acreages, and residency requirements were based upon a resort. We were being held to different standards based upon how that area was zoned. The decision was made to keep it classified as a PUD, that was part of the legal decision. When I stepped down as president all the requirements decided by both sides had been met except the paving of the roads because they were waiting for a special assessment by the township. Everything else has been completed and done since 2017. One requirement was to give yearly reports. This was done in 2014 and 2015. They were sent to Frank (Fiala). The reports reviewed all that was completed in those years. Again, everything was completed except having the road done. Thank you.

(Copies of these reports (2014 and 2015) were given to the PC members).

Dave Laansma: (YS Township resident, Payne Lake Road)

I would like to commend the PC on their reasonable discussion on the Public Comment. There has been a tendency in many governing bodies to start to limit public input as if it was an annoyance in hearing what the public had to say. I appreciate the PC comments that the public comment is important and often best suited at the beginning of the discussion when we know there is an agenda item that will be discussed - to have our input. Otherwise, at the end of the meeting it may not matter at all or it has to be carried over to the next month which means it has little bearing either. Thank you, again. On the gravel, it would be an excellent idea to get this figured out. Ceding our authority to the state is absolutely a downhill slide. The state will do what they want to do and rarely will it be what we want to see done in our own local area. So it would be great to get that figured out. Thank you.

Robin Laansma: (YS Township resident, Payne Lake Road)

Thank you for keeping the two public comment times and removing the non-agenda item stipulation. Tonight was a perfect example, because if I would not have been able to say it in the first public comment, to say it now would have been irrelevant. We need to have that opportunity for residents to speak about agenda items before they occur.

In the Dec. meeting the gravel and pond ordinance came up as well. Comments I made at that meeting were: "In the late 1980's early 90's, there was mining on Payne Lake Rd. Thompson McCully was the company and had to go through the permit process with the

Township. My husband, Dave and I, live next to one pit and kiddy corner to the other. Thompson McCully did their best to violate every ordinance they chose to. We spent a lot of time learning about the ordinances. We had to. We reported these violations to the township.” So, I say that again because there are ordinances somewhere. Maybe you'll be able to find them again, Joe. Thank you.

Starr Adams: (YS Township resident, Sandon Circle)

I would like to comment on the 14 items (Whispering Pines report). I've talked with Jim, the drain commissioner. He contacted the supervisor today and has been trying to contact Joe Shea also to discuss with him what he remembers because he was at that meeting also. The only thing that was left outstanding was the road, and it was left up to the township to move forward with that if they wanted to. I think there may have been some drainage problems with paving the road, and that may be why the township never followed through, but I'm not sure. I just want to open up your eyes as to why I think it may never have happened. Thank you.

Public Comment closed at 7:51pm.

Additional Comment:

- The Zoning Map in Joe Shea's office has been changed (corrected) regarding the zoning behind McDonald's. When the county makes a new zoning map it will be reflected on the new map.
- The Whispering Pines zoning needs clarification and good documentation around that. The PC expresses a sense of urgency to get this completed.

ADJOURNMENT:

Motion by Beukema with support from Kooistra to adjourn meeting at 8:01 pm. All AYES.
MOTION CARRIED.

Approved by: Frank Fiala 3/20/25
Frank Fiala, Planning Commission Secretary Date

Respectfully submitted by
Diane Dykgraaf, Recording Secretary
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ADJOURNMENT