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| <p align="center">YANKEE SPRINGS TOWNSHIP Planning Commission Regular Meeting</p> <p align="center">Thursday, 21 April 2011 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333</p> | <p align="center">MINUTES Page 1 of 6 APPROVED: 5/19/2011</p> <p>Transmitted 5-5-11 via drop-off @ hall & email</p> |
| <p align="center">MINUTES – AMMENDED 5/19/2011</p> | |
| <p>Meeting called to order at 7:00 pm by Frank Fiala, Chairperson. Present: Patrick Jansens, Cathy Strickland, Frank Fiala, Al Schwennesen, Gordon Wells. Greg Purcell, and Mike Cunningham. Bob Lippert, Zoning Adm., Greg Milliken, Twp. Planner, Chuck Misak, Constable and 8 visitors.</p> | <p>CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL</p> |
| <p>APPROVAL OF AGENDA Agenda approved as written with the addition of Mary Cook’s communication concerning gravel mining as the first item under Old Business.</p> | <p>APPROVAL OF AGENDA</p> |
| <p>MEETING REPORTS: ZBA – Gordon Wells, 4.35 to 1 ratio split approved at most recent meeting. Township Board – Al Schwennesen discussed two liquor license applications that were approved for the Sand Bar and YS Golf Course. Al McCrumb and Bob Lippert have discussed with Jim McManus, director of Barry County Planning & Zoning taking on the task of Planning & Zoning for Yankee Springs. Response from McManus and Michael Brown (administrative director for Barry County) was that the county could handle the task easily. Bob Lippert, Zoning Adm. – 4 Site Plan approvals, PC ordinances proposed on gravel mining and outbuildings amendments presented to Twp Board. No action was taken on either issue. 2 complaints received – pontoon parked on easement has been removed as well as the fences on Sweetland & Patterson.. FEMA update: out of 475 parcels, 246 letters have been sent..</p> | <p>MEETING REPORTS</p> |
| <p>PUBLIC COMMENT:</p> <ul style="list-style-type: none"> • Tim Scobey questioned whether or not the proposed amendment to outbuildings would affect his project. Bob Lippert advised that it would not. • Paul Heystek advised that the Township should revisit the FEMA issue based on the fact that local FEMA office has new personnel who have assured Paul that the current floodplain plan could be reviewed and updated. It is unlikely that Gun Lake would ever reach the 100-year flood levels in their | <p>PUBLIC COMMENT</p> |

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| <p>opinion.</p> | <p>MINUTES Page 2 of 6 – 4/21/2011 Planning Commission Approved</p> |
| <p>APPROVAL of MINUTES: MOTION by Wells to approve the March 17, 2011 minutes. Second by Cunningham. Approved by all. Motion carried.</p> | <p>APPROVAL of MINUTES</p> |
| <p>McKENNA BILLING: MOTION by Schwennesen to confirm the March 2011 billing from McKenna Associates in the amount of \$1,271.25. Second by Wells. Approved by all. Motion carried.</p> | <p>McKENNA BILLING</p> |
| <p>NEW BUSINESS: Proposed amendment to Section III on Portable Businesses and to provide requirements for Local Non-Profit use exceptions. Greg Milliken discussed the proposed language which would:</p> <ul style="list-style-type: none"> • add Portable Businesses to the SEU section of C-1 business zone; • add a section concerning and exemption for local non-profits conducting temporary activities from the SEU process provided that the obtain a no-fee use permit from the Township Offices.. <p>Public hearing was opened at 7:15 pm. No public comment. Public hearing was closed at 7:16 pm.</p> <p>MOTION by Purcell to recommend to the Township Board approval of an amendment to Section III on Portable Businesses. Second by Wells. Approved by all. Motion carried. Milliken advised the application format is included with the revisions including a sample sketch plan.</p> | <p>NEW BUSINESS Portable Businesses – PUBLIC HEARING</p> |
| <p>SEU 11-04-11, Parcel ID. 030-045-10 – A request to build an accessory building without a principle residence on Archwood Drive.</p> <p>Tim Scobey, Contractor & David Tripp, Esq. representing Marvin & Sue VanKampen discussed their desire to build an accessory building on the West side of Archwood Drive.</p> <p>Copies of the proposed building and survey were handed out to the PC members.</p> <p>Size of the proposed building is 1,228 square feet.</p> | <p>PUBLIC HEARING SEU 11-04-11 SEU for Acc Bldg w/o Home on Archwood Drive</p> |

Request is for a Special Exception Use as the accessory building is proposed across the street from their residence.

Property owners feel this would fit best with the neighborhood aesthetically to avoid blocking the view of the lake.

Review of photos of the properties along Archwood show that it is quite common to have homes on one side of the street and outbuilding across the street.

Jansens questioned the height of the proposed outbuilding – Mr. Scobey, builder advised that it would fall within the township requirements.

Mr. Purcell questioned what changes are being proposed in the new ordinance language and Greg Milliken advised that this is a mute issue as this has not yet been adopted by the Township.

Offer to approve contingent upon Mr. VanKampen throwing out there that he would not build on the lakefront if this is a condition the PC would like.

Public hearing was opened at 7:52 pm.

Bob Lippert advised that he received two letters of support. Strickland read the letters (identical) into the record.

Public hearing was closed at 7:55 pm.

Greg Purcell advised that he would like to recuse himself as his residence is within 300 ft. of the applicant.

Fiala complimented the applicant on the proposed request and structure details.

Milliken advised that the rear yard setback in this district is 10 feet so the outbuilding could be moved back 10 feet as the building envelope is different than the drawing.

PUBLIC HEARING
SEU 11-04-11 SEU for Acc
Bldg w/o Home on
Archwood Drive, continued

MOTION by Cunningham to approve SEU 11-04-01, Parcel ID. 030-045-10 – A request to build an accessory building only on Archwood Drive as the request is consistent and compatible with the intent of the ordinance with the recommendation that the building be located as close to the 10 foot back lot line as practical. Second by Wells. Approved by: Jansens, Strickland and Fiala. Rejected by: Schwennesen, Wells and Cunningham. Motion failed. Purcell abstain.

MOTION by Schwennesen to approve the SEU 11-04-01, Parcel ID. 030-045-10 – A request to build an accessory building only on Archwood Drive as the request is consistent and compatible with the intent of the ordinance with the rear setback not to exceed 20 feet Second by Cunningham. Approved by: Jansens, Cunningham, Wells, Schwennesen, Strickland and Fiala. Purcell abstain. Motion carried.

PUBLIC HEARING
SEU 11-04-11 SEU for Acc
Bldg w/o Home on
Archwood Drive, continued

ZOC 11-04-01 – rezoning of parcels 030-030-00 and 260-017-00 at 12753 Westwood Lane.

Copies of approved ZBA variance request and applicant's purchase agreement were reviewed by the PC. Review of proposed rezoning request.

Public hearing was opened at 7:20 pm.

- Shawn Gregory, 3500 Warwick, Rockford, MI 49341 discussed the property owned by his parents. Both parcels were originally owned by an individual who filed for bankruptcy. Gregory stated that his family have been in negotiation with the bank to purchase that portion of parcel 030-030-00 which has access to the lakefront in order to attach it to their existing parcel. Variance was approved by the ZBA on April 12, 2011. As a result 030-030-00 would lose Lakefront access and become residential (RSF).
- Request is to rezone the lots to meet the intent of the ordinance.
- Lot split was approved by the Township Board on April 14, 2011.

No additional public comment.

Public hearing was closed at 7:30 pm.

Rezoning Request – 12753
Westwood Lane
PUBLIC HEARING

Strickland discussed the eight criteria that a rezoning request must meet. It was determined that this request meets all eight criteria.

MOTION by Wells to approve the rezoning of parcels 030-030-00 to RL and 260-017-00 to RLF at 12753 Westwood Lane as requested. Second by Cunningham. Approved by all. Motion carried.

OLD BUSINESS:

1. Gravel Mining Ordinance – Mary Cook discussed her concerns regarding the proposed language sent to the township Board. She indicated she is
 - very opposed to blasting & explosives as it probably is not relevant in this geographic area, ,
 - opposed to *permanent* processing equipment prefers that the ordinance strike the word “permanent” from the ordinance,
 - concerned that there is no wording that would protect residents homes from vibration damage, and
 - concerned about a lack of wording prohibiting burning.

Milliken discussed next steps: the Twp Board can either formally refer the proposed changes back to the Planning Commission or the Twp Board can make the proposed changes itself. There would be no need for another Public Hearing unless substantial changes were made.

Discussion regarding concerns with prohibiting blasting due to safety factors. It is likely that the State of Michigan already has laws regarding use of explosives, so this could be removed from our Ordinance. A straw vote indicated 6-1 not to prohibit blasting. Recommendation from Paul Heystek to check with OSHA for blasting information.

Recommendation to refer to equipment simply as processing equipment and strike “permanent and/or

OLD BUSINESS

Gravel Mining Ordinance

