


<p style="text-align: center;"> <b>YANKEE SPRINGS TOWNSHIP</b>  <b><u>PLANNING COMMISSION</u></b>  <b>Special Business Work Session</b>  <b>Thursday, July 17, 2014</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>FINAL MINUTES</b>  Page 1 of 6  Approved as corrected:  Pgs 2,3,4: Aug. 7, 2014  <b>APPROVED:</b>  </p>
<p><b><u>PLEDGE OF ALLEGIANCE</u></b></p> <p>Meeting called to order at 7:00 PM by Chairman Frank Fiala.</p> <p><u>Roll Call</u>: Present: Cunningham, Strickland, Beukema, Campbell, Purcell and Fiala. Paul Heystek absent with notice.</p> <p><u>Staff Present</u>: Zoning Administrator Larry Knowles, Rebecca Harvey Professional Planner, Sandy Marcukaitis, Supervisor Mark Englerth, Clerk Janice Lippert</p> <p><u>Visitors</u>: Fourteen visitors present (not including staff present).</p>	<p> <b>PLEDGE</b>  <b>CALL TO ORDER</b>  <b>ROLL CALL</b> </p>
<p><b>ADDITIONS OR CORRECTIONS TO AGENDA:</b> A request by Clerk Janice Lippert to be placed on the agenda.</p>	<p><b>ADDITIONS TO AGENDA</b> Janice Lippert, Clerk</p>
<p><b>PUBLIC COMMENT:</b> Chairman Frank Fiala asked for public comment on any issues not addressed on the agenda.</p>	<p><b>PUBLIC COMMENT: None.</b></p>
<p><b>APPROVAL OF MEETING MINUTES:</b> Motion by Fiala with support from Strickland to accept minutes of June 19, 2014 meeting as presented. All ayes. <b>MOTION CARRIED.</b></p>	<p><b>APPROVAL OF MEETING MINUTES</b> Motion to accept June 19, 2014 PC minutes as presented.</p>
<p><b><u>NEW BUSINESS:</u></b> Janice Lippert administered the oath of office to Mike Cunningham for a term of one year (July 2014 to July 2015, Frank Fiala for a term of two years (July 2014 to July 2016 and Greg Purcell for a three year term (July 2014 to July 2017). Ms. Lippert stated that Paul Heystek has not been given the oath of office at this time.</p> <p>Report by Rich Beukema representative from the Zoning Board of Appeals. Rich stated that currently our Ordinance Article XII allows a maximum allowed footage for eave height of 14 ft. The ZBA is requesting the PC explore the possibility of raising the footage to 16 feet due to increase in size of Recreational Vehicles being stored inside.</p> <p><b>SEU 14-05-03 Parcel ID 016-008-00.</b> A request by David Neeson for a SEU regarding Sec, 3, 3, C Rural Ag Zoning District to reopen a taxidermy business located at 911 S. Norris Road Middleville, MI. After review of the SEU there were no immediate concerns expressed by the Board or Zoning Administrator.</p> <p><b>Public Hearing opened at 7:10.</b> Mr. Fiala asked for Mr. Neeson to present his case.</p>	<p><b><u>NEW BUSINESS</u></b> Oath of office administered to Cunningham, Fiala and Purcell by the Clerk.</p>

Mr. Neeson stated he operated a business on that location for over 25 years but now due to current economic conditions he wishes to reopen his business. He is also President of the "Sportsman Outreach Team" programs which falls under a 501c3 permit. He currently is working with Battle Creek Veterans Hospital, Grand Rapids Home for Veterans and Barry Intermediate School system with Handicap children from the Hastings area. Their mission and activities allow them to be reintroduced to the outdoors. This building will also provide a meeting place for members. David states his business caters to hunters and fishermen.

Resident Jim Jesick of 10150 M 179 Hwy expressed his concerns over the usage of the land which entails 40 acres. He is wanting to know if there was going to be a shooting range, weapon sales, possible gas station, how will the carcasses be disposed of, he expressed concern over the disarray of the current building, asking what portion of the buildings will be used or not used, asking about the abandoned vehicle on the property, will this section of roadway be an extension of Gun Lake corridor, are the driveways sufficient, will there be processing of wild game for consumption, concern over the refrigerated truck that runs 24 hours a day. Mr. Jesick stated he does not want to hider this project but would like answers to these serious concerns.

Mr. Purcell related that he would like answers questions relating to meetings and where parking will be since M-179, **a busy road.**

Mr. Neeson stated that meetings are only once a month and are rotating locations, with 8-10 cars maximum, he feels there is sufficient parking on the location. Taxidermy will be done in the main part of the pole barn building the other will be storage. He will not process animals; disposal of any animal parts will be done per DNR instruction by State law. He will enclose and finish the part of the building that has been exposed over the years. He stated his son drives a semi, is only home about every 3 weeks and parks in the driveway about 3 days a month. There will be no high volume of traffic since he will be starting over with the building of his business.

Mr. Fiala stated that there is no plan for the extension of over lay district but it is a Heritage Route. Driveways will need to be addressed by MDOT if the driveway location changes otherwise they are grandfathered in as is.

Mr. Cunningham asked questions regarding landfill but it was stated by Mr. Neeson no landfill will be done on his property.

**Public Hearing Closed at 7:20**

Mr. Beukema asked if any difficulties were known from when the business operated in the past. Discussion among the members ensued. .

Ms. Harvey discussed the requirements of the Home Occupation Ordinance in SEU 4.5 K.

**During discussion it was established that there is a principal residence on the same property as the accessory building**

## FINAL MINUTES

July 17, 2014

Page 2 of 6

APPROVED: Yes 

### Motion:

To grant the SEU as presented to Commission as a Taxidermy as a Home Occupation Business with conditions subject to review Annually by the Planning Commission and it shall not disturb neighbors within in 300 feet of the property and all activities shall occur within the confines of the building

**Motion passed 6-0**

Motion to approve by Greg Purcell:

**To grant the SEU as presented to Commission as a Taxidermy Home Occupation Business with conditions subject to review annually by the Planning Commission with potential of revocation if requirements are not met; all activities shall occur within the confines of the building and activities shall not disturb neighbors within 300 feet of the property.**

Seconded by Cathy Strickland

Roll call: 6 ayes **MOTION CARRIED**

Agenda item 2:

Mr. Knowles stated there is a request by Brian Pennings of "Pennings & Sons" who is asking the Commission for 50% bonus coverage by using permeable pavers. They are under the allowable 30% of lot coverage but want to invoke the clause in Section 12.6D of Article XII to grant up to a 50% bonus percentage increase of total lot coverage using a permeable surface for a patio and walkway system at the home of the Boot Residence at 11880 Windward, Shelbyville, MI 49344. Discussion of Article 12.6D ensued.

Motion to approve by Michael Cunningham:

**To grant Pennings & Sons to use Permeable Geotextile Technology, and grant bonus lot coverage at 48.5 % as proposed but not to exceed 50%.**

Seconded by Rich Beukema. Roll call: All ayes

Brian Pennings thanked Larry Knowles for his assistance and stated he was very responsive and helpful.

**Agenda item 3: Whispering Pines**

Mr. Fiala stated he is aware there are people in the audience who have concerns regarding WP but he wanted them to know the PC has been working diligently for over a year to achieve the best outcome possible. He also stated that the final plans have not been completed or approved, but that there is a preliminary plan in place.

James & Dale Heintzelman of Russell Drive who asked to be placed on the agenda were not present but did submit photos that were distributed to PC Members prior to the meeting.

The photos ~~verify~~ **showed** their concern over flooding issues due to the new hard surface put in by WP. Larry stated that the surface is only gravel at this point.

Discussion followed.

Ms. Harvey questioned why final approval was not completed on this project. She was given an update of the WP issue stating preliminary approval was given on some issues and explained annual reviews will be done. Ms. Harvey spoke to PUD, and preliminary design stages. Fiala explained that the Township attorney was involved and with the complications of the WP issue regarding acreage, it didn't meet or fit the PUD or what the Board was trying to accomplish so conditions were imposed to



**Motion:** To grant Pennings & Sons to use Permeable Technology and grant bonus lot coverage at 48.5 % as proposed but not to exceed 50%.

Whispering Pines

facilitate progress.

Mr. Fiala also stated that Township Ordinance do not address water issues nor can be involved with ground water issues. Mr. Purcell spoke to exceeding lot coverage issues feeling the problem does not exceed the lot coverage area. ~~Summation of this agenda item is that the issue of water build up is because changes where done and now the conditions are worse.~~

Mr. Englerth spoke to the fact that this is an ongoing process and because it wasn't an engineered project from the beginning, as this project evolves issues may develop. He feels the best thing to do is bring those issues to the board and they will be addressed.

Issues were identified by Rob Priebe of Oak Grove Association, Cottage 12. He stated the flooding issue is because of the Parking Lot that was recently added with out approval. Stating that only four spots were in the original plan and now there are eight. Other concerns are too many cars, funneling to the beach with the parking vehicles, sidewalks not done, property values decreased due to the parking lot. Concern is that the parking lot was not approved and he requests that a stop use be placed and that the blacktop be removed by Labor Day. He also spoke to the Findings of Fact dated Oct 17, 2013, saying that "#7 "the PUD and Condominium project is not anticipated to have significant adverse effects on nearby or adjacent properties and should not change the essential character of the surrounding area" as well as #6 saying "that this project will be compatible with the Master Plan of the Township and be consistent with the intent and purpose of the article which is to promote a seasonal use." He thanked the board for their work on this project.

Mr. Fiala explained the difference between a Master Plan and a Preliminary Engineered drawing. Master Plan Land Use addresses the whole township while the "Preliminary Engineered drawing" is specific to Whispering Pines.

Mr. Phillip King a resident of the Oak Grove Association on North side of WP read his concerns asking: Was a permit for the parking lot and sidewalks? Is the parking lot and new asphalt sidewalk on the site plan? Will there be an immediate action ordered to barricade and stop the use of this lot until these issues can be resolved? Suggestions given of how to lower the density of WP. He also stated there are no signs with phone numbers stating who the manager on duty is or Regulations and Rules signage on the docks. There are 9 or more fire pits on site than allowed in original plan and smokes continues to drift toward Oak Grove. The lack of proper signage continues to be a problem. Phillip is asking that the permit be taken away due to a "Woodstock situation" as quoted by John Lohrstorfer at the ZBA 2013 meeting. Concern also expressed over the lack of residency for 12 months as stated earlier per a township ordinance.

Lisa King related that there is a safety issue with the children using the asphalt sidewalk for skateboarding and riding bikes.

Diane Priebe also spoke to issues with people parking vehicles. Filling jet skis and then leaving gas cans near the jet skis. She has concern that there is no manager to

FINAL MINUTES

July 17, 2014

Page 4 of 6



The PC will revisit the issues brought forth concerning WP and Oak Grove.

enforce the rules of WP

FINAL MINUTES

July 17, 2014

Page 5 of 6



Richard Priebe spoke to one unit moored 4 jet skis and rented a pontoon. He also spoke to Art Shook being the only one who tells his renters about the Rules & Regulations of WP.

Ms. Priebe asked Mr. Knowles about by-laws concerning WP. He stated that the amended by-laws are not completed. She stated she was also concerned that there is no one person to follow up with at WP.

Discussion ensued several times between WP and Oak Grove residents.

Bob Bartman addressed various items that were brought forward and stated this project is ongoing and that they are only following the rules/direction set by the Yankee Springs Township Board. WP cannot be accountable of obstruction of views nor can Oak Grove tell the residents of WP how to operate their association.

Jan Bartman spoke to the fact that this is a process and an ongoing project which takes time and cooperation. Fences and paths will be in the future.

Mr. Fiala explained the Zoning Office, duties and personnel as well as the need for Ordinances for all residents of our community. He briefly gave examples for the need of Ordinances regarding not only lake properties but Ag property. He spoke to the fact that anything lower than 18 inches can be done without a zoning permit. This includes decks, patios, sidewalks, and parking lots.

Diane Priebe again stated the issue of the parking lot and asking the board for help in changing the current situation. She wanted to know what happened to the four parking places vs. to what now exists. She also requested that the Board look at the photos presented.

Art Shook spoke to his assisting neighbors and building relationships with neighbors. He feels they are attempting to improve WP and feels that change is difficult. He is not sure if the problem is aesthetics of the parking lot or because the view of certain Oak Grove residents has been altered. He stated that his name and numbers are posted on 6 cottages in the front.

Ms Harvey stated that the PC is not an enforcement committee. If violations are identified them they are to be followed up by the ZA or Enforcement Officer. PC duties are only related to be sure that parties follow the guides set before them. She stated that forums are good for all parties involved.

Fiala ended the discussion by stating that he thanked them for their concern and encouraged them to "work together" and know that this matter will be taken under advisement. He stated that there will be 3 annual reviews done in June each year addressing the status of the WP project. At this time the Board will address the fire pit

and signage issue but the board cannot be involved in "obstruction of views" issues.

**FINAL MINUTES**

July 17, 2014

Page 6 of 6

CA

**OLD BUSINESS:**

None brought forward due to time constraints.

Ms. Strickland did hand out the most recent version of the "Suggested revisions to Sign Ordinance" form the commission members to study.

Mr. Cunningham also handed to the members a copy of definitions for their review.

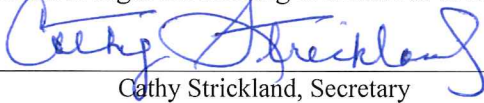
**OLD BUSINESS**

None addressed due to time constraints

**ADJOURNMENT:**

Chairman Fiala brought the meeting to a close at 10:00 p.m.

Approved  
by:



Cathy Strickland, Secretary

Date

**ADJOURNMENT**

Sandy Marcukaitis  
Recording Secretary  
July 17, 2014