

<p style="text-align: center;"> YANKEE SPRINGS TOWNSHIP PLANNING COMMISSION <u>In Person</u>– Regular Meeting 7:00 p.m. <u>July 20, 2023</u> Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333 MINUTES </p>	<p> MINUTES Page 1 of 6 PC APPROVED: _____ Regular PC Mtg. July 20, 2023 </p>
<p>Meeting called to order at 7:00 PM by Planning Commission Vice Chair, Rich Beukema.</p> <p><u>PLEDGE OF ALLEGIANCE</u></p> <p><u>Roll Call: Present:</u> Fiala, Beukema, Kooistra, Knowles, Craven, and Frigmanski.</p> <p><u>Absent with Notice:</u> S. Bush</p> <p><u>Zoning Administrator:</u> Joe Shea, Present</p> <p><u>Professional Planner:</u> Rebecca Harvey, Present</p> <p><u>Staff Present:</u> Dennis Buist-Constable, Sandy Marcukaitis, Rob Heethuis</p> <p><u>Visitors:</u> 14 (not including staff present).</p>	<p>CALL TO ORDER PLEDGE ROLL CALL</p>
<p><u>APPROVAL OF AGENDA:</u> <u>Adds or changes to agenda:</u> None <i>Motion by Knowles with support from Fiala to approve the agenda as presented.</i> <i>All Ayes. MOTION CARRIED.</i></p>	<p><u>APPROVAL OF AGENDA</u></p>
<p><u>REPORTS from REPRESENTATIVES:</u></p> <p><u>Board of Trustees-</u> Larry Knowles, reported these items from the July 13th board meeting:</p> <ul style="list-style-type: none"> • <u>Family Community Funfest</u> will occur July 29th from 10 a.m. to 2:30 p.m. at the YS Township Park. • <u>Uniform purchase</u> was approved for the YS Fire Dept. • Six (6) spaces at Coman Cemetery approved. • McKeown land – <u>Farm Land and Open Space Preservation Plan request</u> approved. • <u>Land split</u> on Bowens Mill approved. • Christina Neeson appointed to Recycling Committee. <p><u>ZBA, John Frigmanski</u> noted the ZBA Board had one case heard at their July 11th meeting. The request of a variance to allow for a 10’ x 50’ permanent dock was denied.</p> <p><u>ZONING ADMINISTRATOR REPORT:</u></p> <p>Joe Shea, ZA commented regarding the ZBA case just mentioned, noting that the township came to agreement with the owner to remove the permanent dock and replace it with a removable dock which is consistent with our ordinance.</p>	<p>BOARD REPORTS from REPRESENTATIVES and ZONING ADMINISTRATOR</p>

ZONING ADMINISTRATOR REPORT *continued*

Also, regarding the property on Chief Noonday Road where the mini-golf is (across from Fire Station), a trial date was adjourned and another trial date is set for next Tuesday, July 25th.

PUBLIC COMMENT:

Bill Batson, of Lynn Dr., asked “Can you guys get a speaker system up there so we can hear you out here when you’re speaking?... You can’t hear ya!” B. Batson also asked, “What’s been decided concerning the possibility with you guys requiring Lynn Dr. to re-do that gutaway on the east side of the road as far as the drain goes? It is not needed at all. It’s been a year now since that last problem we had and we had not had water across the road once... I wasn’t around during the winter. All you need to do instead of having us dig up that whole right-of-way on the east side of the road if you put a drain across 179 that would cure 99.9% of our water problems. Because that’s where most of the water comes off of M-179 not east Lynn drive. What has been done about that? Has anything been decided on that?...Any answer?... Is anything being done?.. Again, do you have any plans of putting any speakers up there?”

**Noted by L. Knowles and Fiala – there are plans for a speaker system.*

APPROVAL OF MINUTES : Regular Meeting of June 15, 2023

Motion by Knowles with support from Kooistra to approve minutes of June 15, 2023 as presented. All Ayes. MOTION CARRIED.

INQUIRY ON CONFLICT OF INTEREST:

ROLL CALL: *Fiala asked the PC members present if there was any conflict of any PC member with the agenda of requests this evening. All PC members except Kooistra noted: NO conflicts. No: 5. Kooistra (Yes) with line #8 New Business. All the rest NO, Bush absent. Yes: 1, No: 5, Absent: 1 (Bush).*

NEW BUSINESS:

ZOC 23-06-04 Parc. #ID 16-020-005-10, VC-W M-179 Hwy. Middleville, MI 49333

A request by owner of the above property, Lee and Dawn Kooistra, for rezoning of this parcel from C-2 commercial to RSF Residential Single Family, pursuant to Yankee Springs Township Zoning Ordinance Article XIX Amendments to Zoning Ordinance and Official Zoning Map.

Joe Shea, ZA, noted there was no room to build anything the way it is currently zoned (Commercial (C-2)). 25’ x 30’ would give them room if zoned RSF. It’s a corner lot on Lynn Dr. and Chief Noonday (M-179).

Lee Kooistra after removing himself from the Planning Commission table and seated in the audience, presented his request.

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PUBLIC COMMENT

APPROVAL OF

MINUTES- 6/15/23

INQUIRY ON

CONFLICT OF

INTEREST

NEW BUSINESS

ZOC 23-06-04 Parc. #ID

16-020-005-10, VC-W

M-179 Hwy. Middleville

R. Harvey commented regarding the previous split and what the land size would be if reversed back to RSF.

Jon Holden noted that they have a piece of land that they are paying taxes on that is totally worthless. The Holden's and the Kooistra's followed the requirements of the township when the re-zoning was changed to Commercial. Options of what to do is very limited.... "Right now, it's dead in the water with anything that you'd want to do with it."

R. Harvey commented regarding what the PC should be looking at in this request.

Bill Batson, previous owner of property, commented that they did everything the township told them to do to make it (lot) follow township requirements "to make it a buildable piece of property for all three sections". After the sale of the property, Batson noted that the requirements differed from the county and the township's measurements were inaccurate- per Batson.

Opening Of Public Comment period in the Public Hearing at 7:32 p.m.

No further comments.

Close Of Public Comment period in the Public Hearing at 7:32 p.m.

Motion by Knowles with support from Frigmanski to recommend the township board's approval to rezone from C-2 to RSF (Parc. #16-020-005-10) based on the findings of fact review discussion but specific to one condition being that it was found to be inconsistent with the master plan but the PC supports an amendment of the plan and so it's conditioned upon an understanding that an amendment is going to be scheduled as soon as possible. Also, based on a finding of Section 19.3 and under the circumstances of the 2017 division, the PC acknowledges that the property does not meet current dimensional requirements. However the requested rezoning would make the property less noncompliant in the RSF zoning district.

Roll Call Vote: Beukema: Yes, Knowles: Yes, Craven: Yes, Frigmanski: Yes, Fiala: Yes. Yes: 5, No: 0, Abstained: 1 (Kooistra), Absent: 1 (Bush). MOTION CARRIED

**2nd Thursday of the month is the Regular Board meeting (August 10, 2023) -attorney Kaufman to be contacted by R. Harvey to prepare ordinance draft.*

SEU 23-06-04, Parc. ID# 16-020-016-00, 1485 S. Briggs Rd, Middleville, 49333

A request by Nicole Smith for a Special Exception Use to place a sign on this property, zoned Rural Residential, advertising her business and directing potential customers to the business location at 11080 Gun Lake Road pursuant to Yankee Springs Township Zoning Ordinance Section 17.6 (B) (2) Off-Premises Signs (Billboards).

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MOTION to APPROVE
Parc. #ID 16-020-005-10,
M-179 Hwy. Middleville,

SEU 23-06-04 Sign
Request/ N. Smith

Nicole Smith of Hastings Pt. Rd., was present to make her request.

PC Members asked questions of N. Smith.

17.6 (B) allows for a sign like this per J. Shea, Zoning Administrator. Thirty-two square feet of signage is allowed. N. Smith is only asking for 16 square feet of signage (surface measurements).

Letters received in favor of signage from: (Read by L. Knowles, PC member).

Ed and Kathy Wilson of 10896 Shady Lane, Middleville

Brian & Kris Marcukaitis, 10978 Hermitage Pointe Rd, Middleville

There were no other letters supporting or opposing the signage.

Opening Of Public Comment period in the Public Hearing at 7:50 p.m.

Ed Wilson of Shady Lane, asked about an earlier comment regarding 50' requirement at the intersection for the sign and it was clarified to be a 35 feet distance requirement at the intersection (not 50 feet) per R. Harvey.

Close Of Public Comment period in the Public Hearing at 7:51 p.m.

Discussion occurred among PC members.

Motion by Knowles with support from Frigmanski to approve SEU request (on Parc. # 16-020-016-00) based on the sign graphic as presented at meeting in compliance with Section (17.6.B.2). Roll Call Vote: Beukema: Yes, Frigmanski: Yes, Knowles: Yes, Craven: Yes: Kooistra: Yes, Fiala: Yes. Yes: 6, No: 0, Abstained: 0, Absent: 1(Bush). MOTION CARRIED.

SEU 23-06-05 Parcel ID # 16-032-011-00, 3982 S. Hermitage Pointe Rd., Middleville, MI 49333

A request by Julee Lautzenheiser for a Special Exception Use to construct a gazebo in the front yard of this property, which is zoned GLRLF, pursuant to Yankee Springs Zoning Ordinance Section 12.7 (5) (b) (1) Outbuildings; Gazebos.

J. Lautzenheiser presented her request.

Opening Of Public Comment period in the Public Hearing at 7:59 p.m.

RoseAnne Woodliff, of 3922 Hermitage Pt. Rd., commented that they don't have any measurements as to "how high the structure is going to be; what the roof is going to look like;... it also has a 10' deck in addition to the 16 feet...I'm just familiar how

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MOTION TO APPROVE SEU Sign Request of N. Smith/Tom's Market on Parc. #16-020-016-00.

SEU 23-06-05 Parcel ID # 16-032-011-00, 3982 S. Hermitage Pointe Rd., Middleville
A request by Julee Lautzenheiser

structures tend to creep within the whole township.” R. Woodliff would like to request more drawings and information as to what the gazebo will look like before it proceeds.

Letter to Planning Commission Chair, S. Bush, in opposition to the gazebo project was received from:

Dave & RoseAnne Woodliff, of Hermitage Pt. Rd.

Close Of Public Comment period in the Public Hearing at 8:03 p.m.

Discussion took place with PC members, Rebecca Harvey and Joe Shea. It was noted by Knowles that if the project could be moved to the side yard, it would not need an SEU. J. Lautzenheiser would only need to work with the Zoning Administrator.

Motion by Frigmanski with support from Craven to deny SEU Request (Parc. #16-032-011-00) due to lack of required information. Roll Call vote: Beukema: Yes, Kooistra: Yes, Knowles: Yes, Craven: Yes, Frigmanski: Yes, Fiala: Yes. Yes: 6, No:0, Abstained: 0, Absent: 1(Bush). MOTION CARRIED.

While copies were being made...

R. Harvey commented that Barry County’s Master plan is in the adoption process and was nominated for an award that they eventually received for their (Barry County’s) Master plan. The approach they are using is unique and has some advantages to it worth showcasing- per Harvey.

9. Discussion on Zoning Ordinance text amendments to Article II, Definitions, Section 2.1 regarding frontage, lot width, ordinary high-water mark, setbacks and structure, and Art. XII, Gen. Regulations, Section 12.4. Required Setbacks regarding encroachments (revised version of draft zoning ordinance amendments.)

Motion by Fiala with support from Beukema to approve the red changes in Art. XII Table regarding Area, Height, Placement, & Setback Regulations drafted by R. Harvey for tonight’s meeting. Ayes: 5, Nays: 1. MOTION CARRIED.

R. Harvey will prepare the amendment for the next board meeting.

c. Education: Upcoming and Completed Opportunities – no discussion occurred. (Supplement #20 for Ordinance Book)

OLD BUSINESS ITEMS:

a. Review of 2023 PC Work Plan occurred.

The PC agreed to table the 2023 PC Work Plan discussion this evening.

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MOTION TO DENY SEU REQUEST 23-0-05, Parc. #16-032-011-00, 3982 S. Hermitage Pointe Rd., Middleville

OLD BUSINESS ITEMS

OTHER SUCH BUSINESS AS MAY PROPERLY COME BEFORE THE PLANNING COMMISSION

Brief discussion occurred regarding chickens and our township ordinance. The majority of the PC was in agreement with wanting to hear from the township attorney on this issue.

PUBLIC COMMENT:

Roseanne Woodliff commented on signage referring to Patterson and Chief Noonday intersection as an example. R. Woodliff commented that some consideration should be given as to how to make ourselves (the township) look more attractive when entering the township.

ADJOURNMENT:

Motion by Knowles with support Beukema to adjourn at 8:24 p.m. All Ayes.
MOTION CARRIED.

Approved by: Frank Fiala Aug 17, 2023
Frank Fiala, Planning Commission Secretary Date

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OTHER SUCH BUSINESS

PUBLIC COMMENT

ADJOURNMENT

Deb Mousseau
Recording Secretary
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